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**Glenelg Shire Council**

**Minutes of the Ordinary Council Meeting held on**

**Tuesday 28 July 2020 at 7.00pm at**

**Portland Customer Service Centre**

**Cliff Street, Portland**

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1. 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 Director Corporate Services (Mr David Hol), and Council Support Coordinator (Ms Kylie Walford).

2. OPENING PRAYER:

The Mayor opened the meeting with the Council Prayer.

3. ABORIGINAL ACKNOWLEDGEMENT:

The Mayor read the Aboriginal Acknowledgement.

4. RECEIPT OF APOLOGIES:

Mr Greg Burgoyne, Chief Executive Officer  
Ms Edith Farrell, Director Assets

5. CONFIRMATION OF MINUTES:

Recommendation

That the minutes of the Ordinary Council Meeting held on 23 June 2020, as circulated, be confirmed.

**MOTION**

**MOVED Cr Stephens**

**That the minutes of the Ordinary Council Meeting held on 23 June 2020, as circulated, be confirmed.**

**SECONDED Cr Wilson**

**CARRIED**

6. DECLARATIONS OF CONFLICT OF INTEREST:

Cr White declared an Indirect Conflict of Interest in Part 1 of item 12.2. Heritage Grant Recommendations from the Heritage Advisory Committee.

Cr White has advised the Chief Executive Officer in writing prior to the meeting and classified the type of interest that has given rise to the conflict.

7. QUESTION TIME:

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

7.1.1 Shire's stance on colonial monuments

Mr Shea Rotumah of Heywood asked the following question:

*What is the Shire's stance on monuments that celebrate or memorialise colonial figures/history, especially in regard to the affect these figures have had on our people? Are there any plans to be proactive in this space?*

The following response was provided by Mayor Anita Rank:

Council will endeavour to undertake a comprehensive audit to understand the nature and magnitude of monuments and place names across the shire.

7.2 QUESTIONS FROM THE GALLERY:

Nil.

8. PRESENTATIONS:

Nil.

9. NOTICES OF MOTION:

**9.1 NOTICE OF MOTION 1-2020-21 – DOGS ON LEASHES – LOCALITIES**

CEO: Greg Burgoyne, Chief Executive Officer

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 28 July 2020.

1. That a Council report be prepared on the following proposal highlighting previous issues, impediments and budget/resource implications:

That Council declare that all dogs must be leashed on the following locations, 24 hours a day, all year:

- All Portland Beaches within the Local Port of Portland Bay
- Nuns Beach through to Anderson Point Steps.
- Fawthrop Lagoon
- Bridgewater Beach

2. Further that Council call for a public consultation process on the proposal.

Signed: Cr Gilbert Wilson

Date: 7 July 2020

**9.1 NOTICE OF MOTION 1-2020-21 – DOGS ON LEASHES – LOCALITIES**

(continued)

**MOTION****MOVED Cr Wilson**

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 28 July 2020.

1. That a Council report be prepared on the following proposal highlighting previous issues, impediments and budget/resource implications:

That Council declare that all dogs must be leashed on the following locations, 24 hours a day, all year:

- All Portland Beaches within the Local Port of Portland Bay
- Nuns Beach through to Anderson Point Steps.
- Fawthrop Lagoon
- Bridgewater Beach

2. Further that Council call for a public consultation process on the proposal.

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

No.	Separate Circulation Title, Date and Author as detailed on the separate circulation (where applicable)	ECM
1.	Signed Notice of Motion Cr Wilson 7 July 2020 Dogs on Leash Localities	2713371

**9.2 NOTICE OF MOTION 2-2020-21 – AMENDMENT TO THE SCHEDULED 2020 STATUTORY COUNCIL MEETING**

CEO: Greg Burgoyne, Chief Executive Officer

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 28 July 2020:

Due to advice received from the Victoria Electoral Commission received on 18 May 2020, that final declarations will not be completed until 13 November 2020, which is one week later than originally anticipated, that Council consider:

That the Statutory Council Meeting previously adopted to be held on 11 November 2020 be changed to Wednesday 18 November 2020 commencing at 6pm.

**Comments**

As announced by the Minister for Local Government on Friday 15 May 2020, the Local Government elections scheduled for 24 October 2020 will proceed and that the voting method will be postal voting. Due to these necessary changes the ballot paper extraction and count times will likely extend due to these necessary changes.

Accordingly, it is expected that final declarations for all Councils will not be complete until 13 November 2020 – one week later than originally anticipated.

Signed: Cr Anita Rank

Date: 16 July 2020

**MOTION****MOVED Cr Rank**

**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 28 July 2020:**

**Due to advice received from the Victoria Electoral Commission received on 18 May 2020, that final declarations will not be completed until 13 November 2020, which is one week later than originally anticipated, that Council consider:**

**That the Statutory Council Meeting previously adopted to be held on 11 November 2020 be changed to Wednesday 18 November 2020 commencing at 6pm.**

**SECONDED Cr Halliday**

**CARRIED**

**9.2 NOTICE OF MOTION 2-2020-21 – AMENDMENT TO THE SCHEDULED 2020 STATUTORY COUNCIL MEETING**

(continued)

**Separate Circulations – Non-Confidential**

<i>No.</i>	<i>Separate Circulation Title, Date and Author as detailed on the separate circulation (where applicable)</i>	<i>ECM</i>
1.	Signed Notice of Motion Mayor Rank Amendment to Scheduled 2020 Statutory Council Meeting 28 July 2020	2716018
2.	Letter to CEO (Glenelg Shire Council) re LG2020 elections - 18 May 2020	2716137



10. DEPUTATIONS:P19181 Cape Bridgewater Resort

The following representatives spoke in opposition of the proposal -

1. Patrick O'Brien, Save Cape Bridgewater Association Committee
2. Gordon Stokes, Local Branch member of the National Trust (plus SCBA)
3. Ms Mary Picard, resident  
(*Ms Picard presented a petition in relation to P19181*)

The following representatives spoke in support of the proposal -

1. Dennis Carr - Owner of Seaview Lodge Bed and Breakfast and President, Portland Tourist Association
2. Scott Martin - Owner, Cape Bridgewater Cafe
3. Stephen Von Tunk – Portland resident

11. PETITIONS:

A petition was presented under Item 10. Deputations by Ms Mary Picard in relation to P19181.

**12. COMMITTEE REPORTS:****12.1 MINUTES OF THE AUDIT COMMITTEE MEETING HELD ON 4 JUNE 2020**

Director: David Hol, Director Corporate Services

**Executive Summary**

The purpose of this report is to enable the Council to receive the Minutes of the Audit Committee Meeting held on 4 June 2020.

**Recommendation**

That Council receives the minutes of the Audit Committee meeting held on Thursday 4 June 2020.

**MOTION**

**MOVED Cr Stephens**

**That Council receives the minutes of the Audit Committee meeting held on Thursday 4 June 2020.**

**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.

The Audit Committee Meeting held on Thursday 4 June 2020 considered the following items:

Item No.	Description
1.	External Audit Strategy for the Financial Year Ending 30 June 2020
2.	Interim Management Letter for the Financial Year ending 30 June 2020
3.	Internal Audit – Review of Council's Fraud Management and Prevention Processes
4.	Occupational Health and Safety (OHS) Audit Progress Report 4 as at 31 March 2020
5.	OHS and Risk Management Quarterly Report January 2020 to 31 March 2020
6.	Occupational Health and Safety (OHS) Update on Worksafe Manslaughter Legislation
7.	Business Continuity Plan Update

**12.1 MINUTES OF THE AUDIT COMMITTEE MEETING HELD ON 4 JUNE 2020**

(continued)

Item No	Description
8.	IT Disaster Recovery Plan Update
9.	Glenelg Shire Council Plan – Third Quarter Performance Report 2019/2020
10.	Digital Transformation Update
11.	Internal Audit – Review of Councillor Expenditure
12.	Audit Register Review
13.	Glenelg Shire Council Financial Report as at 31 March 2020
14.	Draft Budget 2020/2021 and update on process
15.	Review of the 3 Year Strategic Internal Audit Plan
16.	Local Government Act 2020 Update
17.	Audit Committee Self-Assessment Survey 2019/2020
18.	Quarterly Expenditure Report – Councillors
19.	CEO & EA Expenditure – Credit Card and Reimbursements
	<i>Other Business</i>
1.	State Government Funding
2.	Covid19 Update
3.	Community Satisfaction Survey

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

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.

**12.1 MINUTES OF THE AUDIT COMMITTEE MEETING HELD ON 4 JUNE 2020**

(continued)

Separate Circulation – Confidential

*The separate circulation listed in the table below is Confidential in accordance with Local Government Act 2020:*

No.	<i>Separate Circulation Title, Date and Author as detailed on the separate circulation (where applicable)</i>	<i>Relevant Grounds Under Section 3(1) (a-l) of the Act</i>	<i>ECM</i>
1.	Minutes of the Audit Committee Meeting held on Thursday 4 June 2020	Information that was confidential information for the purposes of section 77 of the <i>Local Government Act 1989</i> ;	2708015

*Cr White re-declared an Indirect Conflict of Interest in Part 1 of item 12.2. Heritage Grant Recommendations from the Heritage Advisory Committee and left the meeting at 7.46pm.*

## **12.2 HERITAGE GRANT RECOMMENDATIONS FROM THE HERITAGE ADVISORY COMMITTEE**

Director: David Hol, Director Corporate Services

### **Executive Summary**

Two heritage grant applications requesting a total of \$13,445.00 have been received up to the period 1 July 2020.

### **Recommendation**

1. That Council approve the grant application of \$5,467.00 from the heritage grants and loans restoration fund for the removal of paint from exterior bluestone walls at 697 Henty Highway, Portland North in accordance with the details provided and relevant permits; and
2. That Council approve the grant application of \$2,000.00 from the heritage grants and loans restoration fund for the conservation works at 481 Portland-Nelson Road, Gorae West in accordance with the conditions detailed by Council's heritage advisor and relevant permits.

### **MOTION**

**MOVED Cr Wilson**

**That Council approve the grant application of \$5,467.00 from the heritage grants and loans restoration fund for the removal of paint from exterior bluestone walls at 697 Henty Highway, Portland North in accordance with the details provided and relevant permits.**

**SECONDED Cr McDonald**

**CARRIED**

*Cr White returned to the meeting at 7.48pm.*

### **MOTION**

**MOVED Cr Wilson**

**That Council approve the grant application of \$2,000.00 from the heritage grants and loans restoration fund for the conservation works at 481 Portland-Nelson Road, Gorae West in accordance with the conditions detailed by Council's heritage advisor and relevant permits.**

**SECONDED Cr McDonald**

**CARRIED**

**12.2 HERITAGE GRANT RECOMMENDATIONS FROM THE HERITAGE ADVISORY COMMITTEE**

(continued)

**Background/Key Information:**

On 24 March 2020 Council adopted a revised Heritage Loans & Grant Scheme Policy.

A heritage grant application was lodged on 29 June 2020 for \$5,467.00 for the removal of paint on the exterior bluestone walls of Fairfield, 697 Henty Hwy, Portland North, with an estimated cost of works at \$10,934.00.

The grant application proposal respects the significance of the heritage place as a meaningful conservation action to reveal the original stone walling. A planning permit is required and works have not commenced.

The bluestone cottage is individually listed under Heritage Overlay HO297– Fairfield, 697 Henty Hwy, Portland North.

Council's appointed heritage advisor reviewed the application for eligibility on 1 July 2020 and recommended support of a grant.

A heritage grant application was lodged on 17 March 2020 for \$8,400.00 for conservation works including repointing of chimney of Caxton, 481 Portland-Nelson Rd, Gorae West with an estimated cost of works at \$16,800.00.

The grant application is for conservation works including restumping, wall framing repair, timber floor board replacement, stone repointing, external weatherboard repair/replacement and corrugated iron external lining repair/replacement.

Further information including quotes and invoices was requested, therefore the estimated cost of works listed on the application form of \$16,800 has been reduced to the invoiced amount of \$15,956.07 with a revised grant amount of \$7978.00.

The bluestone cottage is individually listed under Heritage Overlay HO311- Caxton, 481 Portland-Nelson Rd, Cashmore.

Council's appointed heritage advisor reviewed the application on 26 April 2020 and recommended support of a conditional grant including photographs of works, external door height being maintained, and original material not removed.

Planning and building permits are not required and works have commenced.

It is the officer's recommendation that \$2,000.00 be granted based on the concerns that the works were not carried out to conserve the heritage fabric as per the Heritage Advisor report provided to the applicant. Given this and that not all of the works are eligible, the reduced amount is recommended.

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

Liveable Glenelg – Livability & quality of life.

**12.2 HERITAGE GRANT RECOMMENDATIONS FROM THE HERITAGE ADVISORY COMMITTEE**

(continued)

b. Legislative, Legal and Risk Management Considerations

There are no specific legislative, legal or risk management considerations.

c. Consultation and/or communication processes implemented or proposed

Both applications were referred to the Heritage Advisor and the Heritage Advisory Committee via email as per the policy.

The applicants will be advised of the outcome.

d. Financial and Resource Implications and Opportunities

The Heritage Loan and Grant scheme has a current balance of approximately \$99,000.

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.	Heritage Loan & Grant Scheme Application and Heritage Advisor Report – 697 Henty Highway, Portland North	2715251
2.	Heritage Loan & Grant Scheme Application and Heritage Advisor Report – 481 Portland-Nelson Road, Gorae West	2715243

**13. ASSEMBLY OF COUNCILLOR RECORDS:****13.1 ASSEMBLY OF COUNCILLORS RECORDS 11 JUNE 2020 – 16 JULY 2020 (INCLUSIVE)**

Director: David Hol, 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 11 June 2020 – Thursday 16 July 2020 (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 11 June 2020 – Thursday 16 July 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.*



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**13.1 ASSEMBLY OF COUNCILLORS RECORDS 11 JUNE 2020 – 16 JULY 2020 (INCLUSIVE)**

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(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 14 May 2020 – Thursday 11 June 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 Local Port of Portland Advisory Committee held on 10 June 2020 (DocSetID:2708010);
  - Meeting Record of the Casterton Saleyards Advisory Committee held on 16 June 2020 (DocSetID:2715644);
  - Assembly of Councillors – CEO and Councillors meeting record 23 June 2020 (DocSetID: 2709341);
  - Meeting Record of the Tourism Advisory Committee meeting record held on 30 June 2020 (DocSetID: 2713432)
  - Meeting Record of the Community Grants Advisory Committee held on 10 July 2020 (DocSetID: 2713497)
  - Meeting Record of the Tourism Advisory Committee meeting record held on 14 July 2020 (DocSetID:2715750);
  - Assembly of Councillors – Councillors Workshop meeting record 14 July 2020 (DocSetID: 2715942)
- a. Council Plan Linkage and Policy Context

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

### **13.1 ASSEMBLY OF COUNCILLORS RECORDS 11 JUNE 2020 – 16 JULY 2020 (INCLUSIVE)**

(continued)

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”.

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 Local Port of Portland Advisory Committee held on 10 June 2020	2708010
2.	Meeting Record of the Casterton Saleyards Advisory Committee held on 16 June 2020	2715644
3.	Assembly of Councillors – CEO and Councillors meeting record 23 June 2020	2709341
4.	Meeting Record of the Tourism Advisory Committee meeting record held on 30 June 2020	2713432
5.	Meeting Record of the Community Grants Advisory Committee held on 10 July 2020	2713497
6.	Meeting Record of the Tourism Advisory Committee meeting record held on 14 July 2020	2715750
7.	Assembly of Councillors – Councillors Workshop meeting record 14 July 2020	2715942

**14. MANAGEMENT REPORTS:****14.1 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 Halliday**

**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 McDonald****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.

## **14.1 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.

**14.1 COUNCILLOR AND CHIEF EXECUTIVE OFFICER LEAVE OF ABSENCE REGISTER**

(continued)

**Separate Circulation – Confidential**

The separate circulation listed in the table below is Confidential in accordance with Local Government Act 2020:

No.	Separate Circulation Title, Date and Author as detailed on the separate circulation (where applicable)	Relevant Grounds Under Section 3(1) (a-l) of the Act	ECM
1.	Councillor and Chief Executive Officer Leave of Absence Register	Personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs;	2714605

**14.2 QUARTERLY EXPENDITURE REPORT - COUNCILLORS**

CEO: Greg Burgoyne, Chief Executive Officer

**Executive Summary**

This Quarterly Expenditure Report is presented to the Ordinary Council Meeting on a quarterly basis in the interests of accountability and transparency.

This report is for Councillor expenditure that has been incurred during the period 1 April 2020 to 30 June 2020.

**Recommendation**

That Council receive the quarterly expenditure report – Councillors for the period 1 April 2020 to 30 June 2020.

**MOTION****MOVED Cr Hawker**

**That Council receive the quarterly expenditure report – Councillors for the period 1 April 2020 to 30 June 2020.**

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

In accordance with Section 75 of the *Local Government Act 1989*, Council is required to reimburse a Councillor for expenses incurred whilst performing their duties as an elected Councillor.

Regulation 14 (db) of the *Local Government (Planning and Reporting) Regulations 2014* requires that expenses, including reimbursements of expenses for each Councillor and member of a Council Committee paid by the Council are to be categorised separately as:

- Travel expenses (Includes an internal cost allocation for the mayoral vehicle and any remote allowance) – TR
- Car mileage expenses – CM
- CC - Childcare expenses – CC
- Information and communication technology – IC
- Conference and training expenses - CT

**14.2 QUARTERLY EXPENDITURE REPORT - COUNCILLORS**

(continued)

Documentation is required to provide evidence of the expense specifying the business purpose for each claim.

Councillors are also required to maintain a logbook with each entry providing a clear description of the business purpose.

Following is a table of expenditure that has been incurred by Councillors during the period 1 April 2020 to 30 June 2020.

*Note: In some instances, journaling of some items may not necessarily appear in the month that they were expended and will appear in the next quarterly report.*

Councillor	TR	CM	CC	IC	CT	Grand Total
Halliday				\$286.58		\$ 286.58
Hawker				\$287.41		\$ 287.41
McDonald				\$289.82		\$ 289.82
Rank	\$820.32			\$362.58		\$1,182.90
Stephens	\$310.55	\$606.56		\$429.26		\$1,346.37
White				\$286.65		\$ 286.65
Wilson				\$302.66		\$ 302.66
<b>Grand Total</b>	<b>\$1,130.87</b>	<b>\$606.56</b>	<b>\$0</b>	<b>\$2,244.96</b>		<b>\$3,982.39</b>

In accordance with Section 74 of the *Local Government Act 1989*, Councillors are entitled to receive an allowance whilst performing their duty as a Councillor. The Mayor is also entitled to receive a higher allowance and is provided full use of a vehicle.

Following is a table of Councillor allowances paid for the period 1 April 2020 to 30 June 2020:

Councillor	Amount
Halliday	7,184.43
Hawker	7,184.43
McDonald	7,184.43
Rank	22,230.00
Stephens	7,184.43
White	7,184.43
Wilson	7,184.43
<b>Grand Total</b>	<b>65,336.58</b>

a. Council Plan Linkage and Policy Context

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

**14.2 QUARTERLY EXPENDITURE REPORT - COUNCILLORS**

(continued)

b. Legislative, Legal and Risk Management Considerations

- *Local Government Act 1989* – Section 74 Mayoral and Councillor Allowances.
- *Local Government Act 1989* – Section 75 Reimbursement of Expenses of Councillors.
- Regulation 14 (db) of the *Local Government (Planning and Reporting Regulations 2014)*.

c. Consultation and/or communication processes implemented or proposed

Councillor Expenditure is reported on a quarterly basis to the Ordinary Council Meeting with the year to date expenditure published on Council's website.

Councillor Expenditure is also reported annually in Council's Annual Report.

d. Financial and Resource Implications and Opportunities

Councillor Allowances and Councillor Expenditure are accounted for in the 2019/2020 Annual Budget.



**14.3 P19181 CAPE BRIDGEWATER RESORT**

Director: David Hol, Director Corporate Services

**Executive Summary**

This paper is to brief the Councillors on an application for use and development of land for a residential hotel (ancillary bar, retail, gallery, observatory, spa, pool and restaurant), use of land for a liquor licence, removal of native vegetation and waiver of bicycle facilities. After detailed assessment of the proposal it is recommended that Council request the Minister for Planning to decide the application and if the Minister agrees, refer the application for decision.

**Recommendation**

1. Pursuant to section 97C of the *Planning and Environment Act 1987* the Council, as responsible authority:
  - a. Request that the Minister for Planning (Minister) decide application P19181 (Application); and
  - b. If the Minister agrees to the request, refer the Application to the Minister for decision.
2. If the Application is referred to the Minister that the Council will not itself determine the Application.
3. The Council will:
  - a. Advise the Minister of its in-principle support for the Application; and
  - b. Participate in any process, forum or hearing conducted to assist the Ministers determination of the Application.

**14.3 P19181 CAPE BRIDGEWATER RESORT**

(continued)

**MOTION**

**MOVED Cr Hawker**

1. Pursuant to section 97C of the *Planning and Environment Act 1987* the Council, as responsible authority:
  - a. Request that the Minister for Planning (Minister) decide application P19181 (Application); and
  - b. If the Minister agrees to the request, refer the Application to the Minister for decision.
2. If the Application is referred to the Minister, that the Council will not itself determine the Application.
3. The Council will:
  - a. Advise the Minister of its in-principle support for the Application; and
  - b. Participate in any process, forum or hearing conducted to assist the Ministers determination of the Application.

**SECONDED Cr McDonald**

**CARRIED**

**MOTION**

**MOVED Cr Wilson**

**That Cr White be granted an extension of speaking time to discuss Item 14.3 P19181 Cape Bridgewater Resort.**

**SECONDED Cr Halliday**

**CARRIED**

**14.3 P19181 CAPE BRIDGEWATER RESORT**

(continued)

**Background/Key Information:**

A planning permit is required to allow use and development of the subject site for a residential hotel under the zone and overlays affecting the land.

Notice and referral of the application was required to be given under Section 52 and 55 of the Planning and Environment Act 1987.

A decision cannot be determined under delegation, as the development will exceed \$5 million and because there are more than 5 submissions.

The \$85 million application for a residential hotel includes the following key components:

- 88 individual rooms for 176 guests;
- A 515 square metre restaurant and liquor license;
- 18 self-contained villas;
- Ancillary bar, retail gallery, observatory, spa and pool;
- Underground car parking for 96 spaces;
- Removal of native vegetation; and
- Associated services and infrastructure to enable the hotel to operate 'off-grid'.

The site is located within the Rural Conservation Zone Schedule 1 and is subject to the Significant Landscape Overlay Schedule 3 and the Environmental Significance Overlay – Schedule 1.

A detailed officer Delegate Report in respect of the planning permit application is provided to Council to assist its determination.

The proposed residential hotel requires three key approvals if it is to proceed:

- An approved Cultural Heritage Management Plan (CHMP) from Gunditj Mirring Traditional Owners Aboriginal Corporation;
- Works Approval from the Environment Protection Authority (EPA);
- Planning permit approval.

Council is responsible for only the planning permit application.

The planning permit application could not be decided until the CHMP approval is received, which has now occurred on 2 July 2020.

Determination of the planning permit is not contingent on the Works Approval from the EPA. The proponent has lodged the Works Approval application separately with the EPA.

The planning proposal responds positively to the objectives of the Rural Conservation Zone, which is to encourage development and use of land which is consistent with sustainable land management and land capability practices, and which takes into account the conservation values and environmental sensitivity of the locality.

**14.3 P19181 CAPE BRIDGEWATER RESORT**

(continued)

Numerous submissions have been received with many opposing that the scale of the application impacting the visual and landscape amenity. In addition a range of issues have been identified such as operational issues, economic impact, environment, heritage and processes. The objections are summarised and addressed in circulation 3 attached to this report.

An assessment of the application against the standards and objectives of the Planning Scheme has been undertaken, and it is considered that the proposal should be supported by Council. This assessment is contained in circulation 2 attached to this report.

**Referral to Minister**

Section 97C allows a responsible authority, before it determines a permit application, to:

- Firstly, request the Minister for Planning (Minister) to decide the application; and
- if the Minister agrees, to refer the application to the Minister.

This is the course recommended in this report.

The application is very significant both in terms of its size, for the locality, however principally for its importance to the municipality and region.

The consideration, and achievement of multiple planning objectives from the proposal identifies it as a project appropriate for the decision of the Minister, including through, if appropriate, an independent panel or review.

Those objectives obviously include the potential economic, tourism and workforce issues, however also consideration of the important environmental, including coastal issues.

It is also important the decision be made promptly, to create certainty for all stakeholders provided either through a grant or refusal, and to avoid unreasonable delay.

The request is consistent with circumstances set out in Planning Practice Note 29 where the determination of the application may substantial effect on achievement and development of State and regional planning objectives.

Council could alternatively determine that a Notice of Decision to issue a planning permit be granted.

**14.3 P19181 CAPE BRIDGEWATER RESORT**

(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

Under Section 97C of the Planning and Environment 1987 Council is able to the request the Minister for Planning to decide the application. If accepted, Council will refer the application to the Minister, who will then determine the application instead of Council.

c. Consultation and/or communication processes implemented or proposed

Notice of the application given in accordance with the *Planning and Environment Act 1987*. This was done on 10 January 2020 until 24 January 2020. Council has continued to accept submissions after this date as required by the Act until a decision is made.

Whilst not required by the Act or Council, the proponent undertook their own community consultation session on 16 March 2020 in Cape Bridgewater.

At the date of this report a total of 97 submissions have been received by Council.

If the Minister for Planning accepts Council's request to decide the application, then the Minister will determine the next steps in the process. Usually this will include referral to an independent Panel Hearing which allows a public consideration of the matter and a further opportunity for submitters, the Applicant, and Council to put their various views.

d. Financial and Resource Implications and Opportunities

The application fee provided with the proposal assists in Council resourcing to assess the application.

**14.3 P19181 CAPE BRIDGEWATER RESORT**

(continued)

Separate Circulations – Non-Confidential

No.	<i>Separate Circulation Title, Date and Author as detailed on the separate circulation (where applicable)</i>	ECM
1.	Planning Permit Documentation (to be viewed electronically on Council's website due to size of files) <ul style="list-style-type: none"> <li>• Application</li> <li>• Planning report</li> <li>• Plans</li> <li>• Appendix A Architectural Report</li> <li>• Appendix B Landscape Report</li> <li>• Appendix B Landscape Concept Plan</li> <li>• Appendix C Bushfire Management Statement</li> <li>• Appendix C Bushfire Emergency Management Plan</li> <li>• Appendix D Ecology Biodiversity Assessment</li> <li>• Appendix E Engineering TP Report</li> <li>• Appendix F Traffic Report</li> <li>• Liquor Plan</li> <li>• Response to Submitters &amp; Amendment C102</li> <li>• CHMP</li> </ul>	2633050 2633079 2633070 2633052 2633053 2633054 2633056 2633055 2633064 2633065 2633066 2639547 2661574 2712817
2.	Delegate Report	2634877
3.	Summary of submissions	2713143
4.	Redacted submissions (to be viewed electronically on Council's website due to size of file)	2713128

**14.4 MAV CONTRACT PROVISION FOR VICTORIAN LOCAL GOVERNMENT MICROSOFT LICENSING SOLUTION PARTNER**

Director: David Hol, Director Corporate Services

**Executive Summary**

This report is to brief Council on the MAV Vendor Panel Contract number: NPN 2.17-3 Provision for Victorian Local Government Microsoft Licencing Solution Partner Panel for the procurement of software licencing.

**Recommendation**

1. That Council endorse continued access through the MAV Vendor Panel Contract NPN 2.17.3 for the procurement of software licencing.
2. That the Director Corporate Services by authorised to execute documentation and payments relating to contract NPN 2.17.3.

**MOTION****MOVED Cr Wilson**

1. That Council endorse continued access through the MAV Vendor Panel Contract NPN 2.17.3 for the procurement of software licencing.
2. That the Director Corporate Services by authorised to execute documentation and payments relating to contract NPN 2.17.3.

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

Microsoft software applications are used extensively throughout Council's computer network and is the backbone of the system. This software is used on servers, personal computers, laptops and mobile devices.

Council engaged with MAV (Municipal Association of Victoria) through a vendor panel for the provision of Microsoft licencing solutions NPN 2.17.3. The panel was created following a MAV tender process and provides Council with access to a purchasing scheme with greater buying power and value for money for such services. The contract commences on 1 July 2020. The initial contract term is until the 28 March 2022 with an extension period for an additional 3 years until the 28 March 2025.

**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.

**14.4 MAV CONTRACT PROVISION FOR VICTORIAN LOCAL GOVERNMENT  
MICROSOFT LICENSING SOLUTION PARTNER**

(continued)

b. Legislative, Legal and Risk Management Considerations

The MAV executed the tender and evaluation process aligning with *section 186* of the *Local Government Act 1989*.

c. Consultation and/or communication processes implemented or proposed

Councils IT and Contracts units have been consulted as part of the contract review process.

d. Financial and Resource Implications and Opportunities

Whilst the spend on Microsoft licences will increase with this Microsoft integration, this is offset by reduced spending on superseded systems and equipment.



**14.5 COMMUNITY GRANTS (ROUND 1) 2020 2021 PROGRAM ALLOCATIONS**

Director: Ann Kirkham, Acting Director Community Services

**Executive Summary**

The first round of the Community Grants Program for 2020/21 was open for a three week period from 15 June 2020 until 6 July 2020. A total of 33 eligible applications were received seeking an overall funding allocation of \$59,602.50 for projects valued at \$211,912.00.

The Community Grants Advisory Committee met on Friday 10 July 2020 to evaluate the applications according to the criteria adopted by Council. This report presents the recommendations made by the Advisory Committee.

The Community Grants Advisory Committee was established when Council adopted the revised Community Grants Program Policy at the Ordinary Council Meeting held in July 2013, with Councillors elected to the Committee following the Council elections in 2016. This report is prepared in that policy context.

**Recommendation**

1. That Council approves the allocation of funds for the Community Grants Program Round 1 2020/21, as per the recommendations in the attachment Community Grant Round 1 2020/21 Advisory Committee Recommendations.
2. That payment for event grants will be deferred until confirmation that the event will proceed.
3. That the remainder of funds from Round 1 be reallocated to Round 2 Community Grants 2020/21.

**MOTION****MOVED Cr Stephens**

1. That Council approves the allocation of funds for the Community Grants Program Round 1 2020/21, as per the recommendations in the attachment Community Grant Round 1 2020/21 Advisory Committee Recommendations.
2. That payment for event grants will be deferred until confirmation that the event will proceed.
3. That the remainder of funds from Round 1 be reallocated to Round 2 Community Grants 2020/21.

**SECONDED Cr Wilson****CARRIED**

**14.5 COMMUNITY GRANTS (ROUND 1) 2020 2021 PROGRAM ALLOCATIONS**

(continued)

Background/Key Information:

Glenelg Shire Council allocated \$162,000 in the 2020/2021 budget for the purpose of the Community Grants Program. These grants are offered to the community in two rounds which are usually conducted around July and February each year, with half the total budget (\$81,000) notionally available for distribution in each round.

Round 1 of the Community Grants for the 2020/2021 financial year opened on 15 June 2020 with the closing date for the submission of applications on Monday 6 July 2020. A total of 33 eligible applications were received for Round 1 of the Community Grants Program, with a total amount of \$59,602.50 requested. The funding allocation for this round is \$81,000.00.

Grant Category	No of applications received in Round 1	Nominal Allocation	Total value of applications received
Recreation	10	\$27,500.00	\$31,106.50
Public Halls	8	\$15,000.00	\$11,598.50
Community Events	6	\$18,500.00	\$17,350.00
Arts, Culture and Heritage	1	\$5,000.00	\$1,000.00
Community Strengthening	8	\$15,000.00	\$10,146.00
<b>TOTAL</b>	<b>35</b>		<b>\$59,602.50</b>
<b>ROUND 1 ALLOCATION</b>			<b>\$81,000.00</b>
<b>ROUND 1 UNDERSUBSCRIBED</b>			<b>+ \$21,397.50</b>

At the meeting of the Community Grants Advisory Committee, held Friday 10 July 2020, the Advisory Committee allocated the funds in a fair and equitable distribution to ensure an even geographic and equitable spread to applicants.

The Advisory Committee has recommended funding of \$59,602.50 to 33 community groups.

The Community Grants Advisory Committee's recommended allocations to Council are in the table provided as a separate attachment to this report.

a. Council Plan Linkage and Policy Context

The Glenelg Shire Community Grants Scheme directly links to the following Council Plan 2017-21 themes:

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

**14.5 COMMUNITY GRANTS (ROUND 1) 2020 2021 PROGRAM ALLOCATIONS**

(continued)

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.

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

Management of the Community Grants Program is conducted in accordance with the Community Grants Policy adopted by Council in July 2013.

b. Legislative, Legal and Risk Management Considerations

There are no specific legislative or legal considerations associated with the Community Grants Program.

c. Consultation and/or communication processes implemented or proposed

The Community Grants Policy adopted by Council defines how the grants program is to be promoted to the community, and what communication processes need to be followed for management of each round

d. Financial and Resource Implications and Opportunities

The Community Grants Program is a recurrent item in the annual budget. Council has allocated \$162,000 in the 2020/21 budget for the purpose of the Community Grants Program.

\$81,000 was nominally allocated for Round 1 2020/21 Community Grants Program, with the remainder of the nominal \$81,000 to be held in reserve for minor out of time grants.

**14.5 COMMUNITY GRANTS (ROUND 1) 2020 2021 PROGRAM ALLOCATIONS**

(continued)

Separate Circulations – Confidential

The separate circulations listed in the table below is Confidential in accordance with Local Government Act 2020:

No.	Separate Circulation Title, Date and Author as detailed on the separate circulation (where applicable)	Relevant Grounds Under Section 3(1) (a-l) of the Act	ECM
1.	Community Grant Advisory Committee Spreadsheet Round 1 2020 2021	Information that was confidential information for the purposes of section 77 of the <i>Local Government Act 1989</i> .	2713500
2.	Community Grants Advisory Committee CGAC 10 July 2020 Meeting Notes	Information that was confidential information for the purposes of section 77 of the <i>Local Government Act 1989</i> .	2713497
3.	Community Grant Advisory Committee Recommendations Round 1 2020 2021	Information that was confidential information for the purposes of section 77 of the <i>Local Government Act 1989</i> .	2713496

**14.6 GLENELG SHIRE COUNCIL PLAN 2017-2021 - YEAR 4 ACTION PLAN 2020/21**

Director: Ann Kirkham, Acting Director Community Services

**Executive Summary**

The purpose of this report is to seek Council endorsement of the Year 4 Action Plan for the Council Plan 2017-2021.

**Recommendation**

It is recommended that Council endorse the Action Plan for Year 4 of the Glenelg Shire Council Plan 2017-2021.

**MOTION****MOVED Cr Stephens**

**It is recommended that Council endorse the Action Plan for Year 4 of the Glenelg Shire Council Plan 2017-2021.**

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

The Glenelg Shire Council Year 3 Action Plan 2019/20 concluded on 30 June 2020. A fourth year Action Plan is now required for the 2020/21 financial year, to ensure Council's achievement of the commitments set out in the Council Plan.

Consultation has been undertaken with staff across the organisation to identify new actions for 2020/21 to continue to deliver on our strategic objectives in the Council Plan 2017-2021. These actions are also in line with advice and suggestions received from the community through the engagement period during the development of the Council Plan 2017-2021.

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

This report links to each of the themes identified in the Council Plan.

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.

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

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

**14.6 GLENELG SHIRE COUNCIL PLAN 2017-2021 - YEAR 4 ACTION PLAN 2020/21**

(continued)

b. Legislative, Legal and Risk Management Considerations

Nil.

c. Consultation and/or communication processes implemented or proposed

The actions and measures identified in the Year 4 Action Plan are as a result of community and staff consultation.

d. Financial and Resource Implications and Opportunities

The resource implications of this document are the time commitments of the staff members involved in the development of the action plan.

The actions identified in this report relate to operational and capital budgets, and also opportunities to seek funding.

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.	Draft Glenelg Shire Council Plan 2017-2021 - Year 4 Action Plan 2020/21	2707818

**14.7 GLENELG SHIRE COUNCIL PLAN – FOURTH QUARTER PERFORMANCE REPORT 2019/20**

Director: Ann Kirkham, Acting Director Community Services

**Executive Summary**

The purpose of this report is to seek Council endorsement of the fourth quarter performance report for year three of the Council Plan, followed by its public release.

**Recommendation**

That Council endorse the Glenelg Shire Council Plan Fourth Quarter Performance Report 2019/20.

**MOTION**

**MOVED Cr Wilson**

**That Council endorse the Glenelg Shire Council Plan Fourth Quarter Performance Report 2019/20.**

**SECONDED Cr Stephens**

**CARRIED**

**Background/Key Information:**

During the development stage of the Council Plan 2017-21, it was identified as a priority for the ratepayers and general community of the Glenelg Shire, to be kept informed on Council's performance and strategic alignment under the Council Plan.

From this public consultation, it was determined that Council would release a performance report each quarter outlining the progress or status on each of the measures, projects and plans identified within the four-year Council Plan.

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

This report links to each of the themes identified in the Council Plan 2017-2021.

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.

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

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

**14.7 GLENELG SHIRE COUNCIL PLAN – FOURTH QUARTER PERFORMANCE REPORT 2019/20**

(continued)

b. Legislative, Legal and Risk Management Considerations

Nil.

c. Consultation and/or communication processes implemented or proposed

The priority of the release of this report was identified as a result of community consultation.

d. Financial and Resource Implications and Opportunities

There are no budget implications as a result of quarterly performance reporting. All resources implications, such as staffing, are delivered within 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 Plan Fourth Quarter Performance Report 2019/20	2707816



## **14.8 CONTRACT 2019-20-13 PROVISION OF CONCRETING WORKS TO THE GLENELG SHIRE**

Director: Edith Farrell, Director Assets

### **Executive Summary**

This report is to brief Council on the tender evaluation process for the Provision of Concreting Works to the Glenelg Shire under Contract 2019-20-13 and provides recommendations regarding the awarding of this contract.

### **Recommendation**

1. That Council award Contract 2019-20-13 Provision of Concreting Works to the Glenelg Shire to the following tenderers:
  - R.A. Concrete Constructions Pty Ltd; and
  - B.M Jennings & T Jennings.
2. That the Chief Executive Officer be authorised to execute all documents relating to this contract.
3. That the Director Assets be authorised to negotiate and execute further extensions of the contact in accordance with the contract documentation.

### **MOTION**

#### **MOVED Cr McDonald**

1. **That Council award Contract 2019-20-13 Provision of Concreting Works to the Glenelg Shire to the following tenderers:**
  - **R.A. Concrete Constructions Pty Ltd; and**
  - **B.M Jennings & T Jennings.**
2. **That the Chief Executive Officer be authorised to execute all documents relating to this contract.**
3. **That the Director Assets be authorised to negotiate and execute further extensions of the contact in accordance with the contract documentation.**

#### **SECONDED Cr Halliday**

#### **CARRIED**

### **Background/Key Information:**

Council's Works Unit engage in suitably qualified contractors for various concrete works and maintenance throughout the Shire. These works are typical of constructing new kerb and channel and repairing or renewal of footpaths segments.

Council currently contract these works through Contract 2014-15-69 Various Concreting Works to Glenelg Shire Council contract, which expired 30 June 2020.

**14.8 CONTRACT 2019-20-13 PROVISION OF CONCRETING WORKS TO THE GLENELG SHIRE**

(continued)

Public Tenders were called via councils online tender portal, Tenderlink, on Thursday 28 May 2020 and closed 3:00pm Thursday 18 June 2020. The contract term is for three (3) years with the option to extend further by one (1) plus one (1) years factored on quality of workmanship and best value for council.

Two (2) tender submissions were received from suitably qualified contractors conforming to council's specification, submissions received from:

- R.A. Concrete Constructions Pty Ltd; and
- B.M Jennings & T Jennings.

The tender evaluation panel have evaluated responses in accordance to councils weighting criteria of, tendered price, capacity and resources, quality, reliability and past performance, OHS, economic contribution to the Glenelg Shire and the level of commitment demonstrated to maximise 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.

c. Consultation and/or communication processes implemented or proposed

Tenders were invited in accordance with Council's procurement policy and communications with prospective tenderers were via Council's Tenderlink portal to ensure fair and transparent platform for tendering.

Notification to the preferred tenderers will also be provided following Council's resolution relating to this contract.

d. Financial and Resource Implications and Opportunities

Cost for the provision of the services for this contract is incorporated within the adopted Council budget.

**14.8 CONTRACT 2019-20-13 PROVISION OF CONCRETING WORKS TO THE GLENELG SHIRE**

(continued)

**Separate Circulation – Confidential**

The separate circulation listed in the table below is Confidential in accordance with Local Government Act 2020:

No.	Separate Circulation Title, Date and Author as detailed on the separate circulation (where applicable)	Relevant Grounds Under Section 3(1) (a-l) of the Act	ECM
1.	Contract 2019-20-13 Provision of Concreting Services to the Glenelg Shire Tender Evaluation Matrix	(g) private commercial information, being information provided by a business, commercial or financial undertaking that - (i) relates to trade secrets; or (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.	2710480

**14.9 B-DOUBLE PERMIT RENEWAL FOR ACCESS TO PROPOSED INDUSTRIAL SITE IN PORTLAND**

Director: Edith Farrell, Director Assets

**Executive Summary**

This report presents Council with a B-Double truck permit renewal request received through the National Heavy Vehicle Regulator. The request seeks on going access to a proposed site at the Portland railway station via New Street, Wade Street, Hurd Street and Kennedy Street in Portland.

**Recommendation**

That Council approve the renewal of the National Heavy Vehicle Regulator permit application (Case: 101649r75v4).

**MOTION**

**MOVED Cr Wilson**

**That Council approve the renewal of the National Heavy Vehicle Regulator permit application (Case: 101649r75v4).**

**SECONDED Cr McDonald**

**CARRIED**

**Background/Key Information:**

National Heavy Vehicle Regulator (NHVR) permit renewal request (Case: 101649r75v4) has been received from a transport business requesting permission for B-Double trucks to access the Portland railway station site via New Street, Wade Street, Hurd Street and Kennedy Street, Portland.

The original application was considered and endorsed at a Special Council Meeting held 8 March 2016.

Whilst the transport business does not wish to utilise the site at present, they would like to renew the permit so any future proposals can proceed with certainty of access. The current permit has the following conditions, which will be assigned to the renewal:

1. Access from 8am to 4pm Monday to Friday only; and
2. A maximum of ten vehicle movements per day.

**14.9 B-DOUBLE PERMIT RENEWAL FOR ACCESS TO PROPOSED INDUSTRIAL SITE IN PORTLAND**

(continued)

The transport business has requested the permit be extended until 25 June 2023.

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.

c. Consultation and/or communication processes implemented or proposed

As this is a renewal of an existing permit no further consultation has been carried out.

d. Financial and Resource Implications and Opportunities

There are no financial implications for Council.

**MOTION****MOVED Cr Stephens**

**In accordance with clause 4.5.3 of the Glenelg Shire Council Meeting Procedure adopted 17 December 2013 that item 14.10 Glenelg Shire Council and Limestone Coast Local Government Association Memorandum of Understanding to be included in the Ordinary Council Meeting Agenda, under section F. Management Reports for Council consideration.**

**SECONDED Cr McDonald****CARRIED****14.10 GLENELG SHIRE COUNCIL AND LIMESTONE COAST LOCAL GOVERNMENT ASSOCIATION MEMORANDUM OF UNDERSTANDING**

CEO: Greg Burgoyne, Chief Executive Officer

**Executive Summary**

Council's Tourism Strategy 2019-2026 identified a key outcome was to explore the potential for cross border engagement to identify opportunities for collaboration and to better align marketing activities from our western gateway.

This paper is to brief Councillors on the steps being taken to formalise the framework to advance cross border initiatives and improve the East-West Tourism links, including along the Princes and Glenelg Highways.

**Recommendation**

That Council note the Memorandum of Understanding between Glenelg Shire Council and the Limestone Coast Local Government Association, as separately circulated.

**MOTION****MOVED Cr Stephens**

**That Council note the Memorandum of Understanding between Glenelg Shire Council and the Limestone Coast Local Government Association, as separately circulated.**

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

A Memorandum of Understanding (MoU) has been developed in collaboration with Limestone Coast Local Government Association (LGA) to formalise the cross-border initiatives taking place. Over time, and through various informal meetings, it has become evident that there are existing long standing similarities and potential future opportunities.

## **14.10 GLENELG SHIRE COUNCIL AND LIMESTONE COAST LOCAL GOVERNMENT ASSOCIATION MEMORANDUM OF UNDERSTANDING**

(continued)

The creation of a cross-border alliance aims to bring together regional councils and associations in a unique geographical location that have a high level of commonality, with potential to grow our local economies while increasing the awareness of the region and its collective opportunities.

The core region encompasses the tourism footprints of the councils in the Limestone Coast LGA and the Glenelg Shire Council, who are also currently partners in state-based regional tourism organisations.

### 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.

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

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

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

Not applicable.

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

Consultation was undertaken at the Tourism Advisory Committee meeting held on 14 July 2020, at which time Committee members endorsed the draft MoU.

### d. Financial and Resource Implications and Opportunities

Not applicable.

### 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 and Limestone Coast Local Government Association Memorandum of Understanding July 2020	2719390

15. Urgent Business:

**15.1 Independent review of Victorian Ports System**

**MOTION**

**MOVED Cr White**

**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 McDonald**

**CARRIED**

**MOTION**

**MOVED Cr White**

**That Council write to the Honourable Melissa Horne MP, Minister for Ports and Freight and Ms Roma Britnell, Shadow Minister for Ports and Freight outlining Council's strong support of the current management arrangements associated with the Local Port of Portland and advocating for the retention of the status quo to the Local Port of Portland management.**

**SECONDED Cr McDonald**

**CARRIED**

*Cr White spoke FOR the MOTION. Cr White requested an extension of speaking time to discuss Item 15.1 Independent review of Victorian Ports System.*

**MOTION**

**MOVED Cr Wilson**

**That Cr White be granted an extension of speaking time to discuss Item 15.1 Independent review of Victorian Ports System.**

**SECONDED Cr McDonald**

**CARRIED**



15. Urgent Business:  
(continued)

### **15.2 Ordinary Council Meeting - August location**

#### **MOTION**

**MOVED Cr Rank**

**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 Halliday**

**CARRIED**

#### **MOTION**

**MOVED Cr Rank**

**Due to Covid-19 social distancing restrictions currently in force, it is no longer appropriate to hold the August 2020 Ordinary Council Meeting in Heywood, where restrictions are unable to be adequately maintained. Subsequently, that the August Ordinary Council Meeting be held at the Portland Customer Service Centre.**

**SECONDED Cr Wilson**

**CARRIED**

16. Index – Separate Circulations to Reports:

#### **Separate Circulation to Councillors, CEO, Director and available to the Public**

- 9.1 (1) Signed Notice of Motion Cr Wilson 7 July 2020 Dogs on Leash Localities
- 9.2 (1) Signed Notice of Motion Mayor Rank Amendment to scheduled 2020 Statutory Council Meeting 28 July 2020
- 12.2 (1) Heritage Loan & Grant Scheme Application and Heritage Advisor Report – 697 Henty Highway, Portland North
- 12.2 (2) Heritage Loan & Grant Scheme Application and Heritage Advisor Report – 481 Portland-Nelson Road, Gorae West
- 13.1 (1) Meeting Record of the Local Port of Portland Advisory Committee held on 10 June 2020
- 13.1 (2) Meeting Record of the Casterton Saleyards Advisory Committee held on 16 June 2020
- 13.1 (3) Assembly of Councillors – CEO and Councillors meeting record 23 June 2020
- 13.1 (4) Meeting Record of the Tourism Advisory Committee meeting record held on 30 June 2020
- 13.1 (5) Meeting Record of the Community Grants Advisory Committee held on 10 July 2020
- 13.1 (6) Meeting Record of the Tourism Advisory Committee meeting record held on 14 July 2020

- 13.1 (7) Assembly of Councillors – Councillors Workshop meeting record 14 July 2020
- 14.3 (2) P19181 Delegate Report
- 14.3 (3) P19181 Summary of submissions
  
- 14.5 (1) Community Grant Advisory Committee Spreadsheet Round 1 2020 2021
- 14.5 (2) Community Grants Advisory Committee CGAC 10 July 2020 Meeting Notes
- 14.5 (3) Community Grant Advisory Committee Recommendations Round 1 2020 2021
- 14.6 (1) Draft Glenelg Shire Council Plan 2017-2021 - Year 4 Action Plan 2020/21
- 14.7 (1) Glenelg Shire Council Plan Fourth Quarter Performance Report 2019/20

*'CONFIDENTIAL' Separate Circulation to Councillors and Directors*

- 14.1 (1) Minutes of the Audit Committee Meeting held on Thursday 4 June 2020
- 14.1 (1) Councillor and Chief Executive Officer Leave of Absence Register
- 14.8 (1) Contract 2019-20-13 Provision of Concreting Services to the Glenelg Shire Tender Evaluation Matrix

17. Receipt of Items Submitted for Information:

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**

18. Confidential Reports:

Nil.

**19. CLOSURE OF COUNCIL MEETING**

THERE BEING NO FURTHER BUSINESS, THE MAYOR DECLARED THE MEETING CLOSED AT 8.42pm.

**I HEREBY CERTIFY THAT PAGES 1 TO PAGE 51 ARE CONFIRMED AND ARE A TRUE AND CORRECT RECORD.**

CR ANITA RANK  
MAYOR

**28 JULY 2020**

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