



**Bass Coast Shire Council
Minutes for Ordinary Meeting
Wednesday, 21 February 2018
Inverloch Hub
16 A'Beckett Street
Inverloch
5.00pm**

- 1. These minutes are due to be confirmed on 21 March 2018**
- 2. Any decision included in these minutes is subject to change resulting from a rescission motion passed by Council.**

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Meeting commenced

The meeting commenced at 5.00pm

Acknowledgement: Cr Ellis read the acknowledgement.

Statement: Cr Kent read the Councillor Statement.

A Present and Apologies

Councillors: Cr Pamela Rothfield, Island Ward (Mayor)
Cr Brett Tessari, Bunurong Ward (Deputy Mayor)
Cr Julian Brown, Bunurong Ward
Cr Les Larke, Bunurong Ward
Cr Stephen Fullarton, Island Ward
Cr Michael Whelan, Island Ward
Cr Geoff Ellis, Western Port Ward
Cr Bruce Kent, Western Port Ward
Cr Clare Le Serve, Western Port Ward

Officers in Attendance:

Mr Paul Buckley, Chief Executive Officer
Mr Mark Brady, General Manager Finance and Organisation
Development
Mr David Elder, General Manager Healthy Communities and
Governance
Ms Felicity Sist, General Manager Infrastructure and Environment
Ms Allison Jones, General Manager Advocacy, Character and
Economy
Ms Lee-Anne Harmer, Governance Officer
Ms Annette Waters, Coordinator Corporate Planning,
Performance and Property
Ms Sharon Fowles, Manager Governance and Information
Services

Apologies: Nil

B Declarations of Interest

There were no Declarations of Interest.

C Confirmation of Minutes

C.1 Ordinary Meeting held on 13 December 2017

Council Decision

Moved: Cr. Geoff Ellis / Seconded: Cr. Stephen Fullarton

That the minutes of the Ordinary Meeting held on 13 December 2017 be confirmed.

CARRIED UNANIMOUSLY

D Public Question Time

The Mayor addressed the gallery at the commencement of Public Question Time, advising there was a range of questions covering specific agenda items and various business of Council and that she would be facilitating the session and reading out the questions. Questions and statements of length would be précised. In relation to agenda item H.1 Cowes to Stony Point Car Ferry Draft Business Case the Mayor reiterated to the gallery that Council were only making a decision as to whether to release the draft Cowes to Stony Point Car Ferry Business Case to the community for a period of engagement and feedback. The Mayor advised the gallery of the expectation for respectful conduct during Public Question Time and the meeting.

D.1 Linda Marston - Waste Management Issues

1. Given the problems experienced during the peak holiday season with inadequate red bin (landfill) collections, overflowing street rubbish bins over Christmas and with the approaching Easter holidays when will the waste management contract be reviewed to ensure that weekly collections of red bins occurs particularly over peak periods?
2. Overflowing ladies hygiene bins in public toilets were present in AL public toilets in central Cowes on the Australia Day holiday. This is not only a poor look for a tourist destination but also a public health issue.
What is being done to ensure that these are monitored more effectively, so that the contractor will undertake more regular collections when needed?

Response:

1. Council is reviewing the system and how it has operated in a highly visited holiday destination for the few weeks across Christmas (and Christmas Day) over the next few months.
2. We are aware that the contractor did not perform critical functions of the contract over the peak summer period. We are managing the non-conformance in line with the conditions of the contract.

Ms Martin asked whether the review would be conducted in time to implement any changes for this year's Easter Period. The Mayor responded that the review would not be completed in time for Easter.

D.2 Angela Hart - Agenda Item H.1 Cowes to Stony Point Car Ferry Draft Business Case

1. You will note in the aerial images provided in the Business Case, a large natural weed bank can be seen just offshore extending from the Cowes jetty to the Anderson Street ramp. This weed bank offers natural protection of many sea creatures, including the Weedy Sea Dragon. Numerous people have seen them from time to time. Is the Shire concerned this development may extinguish this creature, and if so, wouldn't it be sensible to consider another less damaging location?
2. Given the environmental concern we have raised, why doesn't the Shire give consideration to utilizing the Cowes jetty location to avoid damaging a large section of a pristine north facing beach, so I feel the Council should allow at least 3 months for adequate time to generate an independent report. The Car Ferry terminal jetty could be constructed in stages immediately adjacent to an existing but under-utilized structure, which would then land tourists in the middle of Cowes. While this location may have been opposed 10 years ago, can the Council see that if the choice was to damage a rare beach and kill an endangered species, the majority of the residents and public may actually support this alternate location and would you allow 3 months for this additional location study.

Response:

The Mayor responded saying you have raised some great environmental concerns and urged them to put this into their feedback if Council resolves to release the draft Business Case to the public tonight. Whilst the Mayor loves the small Weedy Sea Dragon, (also known as the Common Sea Dragon) and would hate to see any damage sustained to any of our creatures, she stated to call this little fellow 'endangered' may be a stretch. Nevertheless, please do make your comments and feelings known after tonight.

In relation to the location for a car ferry at the Cowes Jetty, the Mayor clarified the history. For 20 years a car ferry has been discussed – both sides of the aisle have brought the subject up at some point. In 2010 the council adopted a position that no car ferry would dock at Cowes jetty. Subsequently, in 2015 the Cowes Activity Centre Plan, which had extensive community engagement, identified that the 'sweet spot' in Cowes was the Cowes Jetty precinct. As a consequence of the Cowes Activity Plan, the Jetty Triangle Piazza design works have been completed and the refurbishment of this area is underway, which makes this location totally impractical for inclusion in the options as to a preferred site for the car ferry.

At this point of the meeting the Mayor again advised those present that the release of the draft Business Case does not reflect Council approval for the project. It provides for the draft business case to be released to the public for discussion.

D.3 Daryl Hergt - Agenda Item H.1 Cowes to Stony Point Car Ferry Draft Business Case

1. On January 21st 2018 Cowes Yacht Club met with the Mayor and Officers and requested a delay of the draft business case to conduct extended community consultation on the exact site of the ferry terminal. The Council chose not to do this but progressed to a business case which lacks community consultation about the preferred site. The preferred site has not previously been communicated or appeared in any previous public document. Cowes Yacht Club respectfully request the Council invoke Council Other Option 2 to allow extended consultation to give the effected community a voice. Will you do this?
2. Cowes Yacht Club has been operating at its present location for 60 years and has an advanced weather station and web cams to monitor and record local weather conditions. In the Yacht Clubs experience the location of the Car Ferry Terminal for the prevailing weather given the Ferry Terminal structure suggested will not be operationally safe for up to 25% of the time. The Yacht Club regularly cancels it is events due to these prevailing weather conditions at this location. The Yacht asks that a better operational location be found. Will this be done?

Response:

The Mayor advised that as the Cowes to Stony Point Car Ferry Draft Business Case was on the evening's agenda requiring a decision of Council she was unable to specifically answer either of the questions.

D.4 Kate Mackenzie (on behalf of Save Our Beaches Community Group) - Agend Item H.1 Cowes to Stony Point Car Ferry Draft Business Case

1. The draft Business Case states "79.7% of the Bass Coast Shire respondents were supportive or strongly supportive of the proposal" – but you didn't consult on the actual location. Given you know there's a large protest happening against the location why aren't you stopping this progressing to listen to the community as stated in the draft Business Case "further consultation will need to be undertaken to address concerns about respective sites"? You need to vote option 2 for the ferry agenda "Release the draft Business Case for a period of community consultation beyond 6 April 2018 to allow for extended consolation".
2. How can the you approve the building of a ferry terminal on a north facing beach when this clearly contradicts your vision statement which says you "support a sustainable and healthy community, and values and protects its natural assets"? A north facing beach is a natural asset and the ferry terminal will destroy this! If you approve option 1 when voting on the ferry agenda "Release draft Business Case for a period of community consultation and engagement until 6 April 2018" this blatantly goes against your vision statement as you are destroying a natural asset, Cowes rare north facing beaches.

Response:

The draft **Car Ferry Business Case** is being brought before Council tonight for the purpose of seeking authorisation to release it to the community for further consultation and feedback until 6 April 2018. I encourage all members of the Community to take up the opportunities that are available to provide feedback to inform the **Final Business Case**.

In accordance with The Bass Coast Shire Council Meeting Procedure Local Law 2009 the Chair Cr Pamela Rothfield invoked Division 13 – Behaviour:

Section 82

Chairperson May Remove

The Chairperson may order and cause the removal of any person, including a Councillor, who disrupts any meeting or fails to comply with a direction.

Section 84

Chairperson may adjourn disorderly meeting

If the Chairperson is of the opinion that disorder at the Council table or in the gallery makes it desirable to adjourn the meeting, he or she may adjourn the meeting to a later time on the same day or to some later day as he or she thinks proper.

The meeting was adjourned at 5.14pm

The meeting resumed 5.19pm

D.5 Kasey Burrell - Agenda Item H.1 Cowes to Stony Point Car Ferry Draft Business Case

Does council consider itself to be beholden to the directive of the State Government re the car ferry terminal process OR as advocates for the rate payers councillors pledged to represent on their election 18months ago?

Response:

Ratepayers will have the opportunity of expressing their opinions, views and feedback over the next 6 weeks, in a true democratic process, if Council approves the release of the draft Business Case to the public, at this evenings meeting.

Should Council resolve to release the draft Business Case this will not signal support or otherwise of a future Cowes to Stony Point Car Ferry.

Council has as a Major Initiative in its 2017.18 Budget to “Implement the Car Ferry Business Case Project” and has a funding agreement in place with the Victorian Government to develop a Business Case.

D.6 Kevin Griffin - Live Streaming and Transparency

1. In May last year Council advised the community that, as part of its review of the Communication and Engagement Strategy, it would consider live streaming of Council meetings and that a report was expected to be presented to Council later in 2017.
Will council advise the community as to what the report recommended and whether or not live streaming will commence in 2018?
2. Will council advise the community as to what transparency and governance improvements it intends to implement in 2018?

Response:

1. **Council has been considering the benefits, costs and logistics of live streaming Council Meetings. This was discussed late last year and will also be discussed with Council Officers in the next few weeks as we continue to review our Communications and Engagement Strategy. The delay in reaching an outcome has been due to investigating a range of accessibility obligations that may need to be met with video broadcasting (examples may include providing video transcripts, closed-captioning and/or Auslan interpreters). Council Meetings are also now being rotated through the community so there are more logistics to manage.**
Other Councils that are live streaming such as South Gippsland or Latrobe City only have the one location for their Chamber. Therefore, the video and recording set-up is simpler to manage. Please note that we have improved the audio equipment at Meetings as a first step so that video may be added later.
Council must consider the additional funding and resourcing required to manage the service in the upcoming budget process.
2. **Council is currently reviewing its Local Law Meeting Procedure and its Communications & Engagement Strategy in 2018. We are participating in a voluntary Integrity Review with the Independent Broad-based Anti-Corruption Commission of which the findings will be released in a report to the public. We have a regular program of internal audits overseen by a predominantly Independent Audit Committee. Bass Coast Shire Council holds one of the lowest number of closed meetings across all 79 Local Government Authorities as published on the Know Your Council Website. The State average is 10% of decisions being made in closed Council meetings and Bass Coast Shire Council were operating at around 3%. Closed meetings were used primarily for reports discussing personnel matters and commercial in confidence. We continue to strive to find continuous improvement in the areas of Governance and Transparency.**

D.7 Andrew Marston, Vice President Bass Coast Residents and Ratepayers Association - Rate Capping

Bass Coast ratepayers and Residents Association is pleased to note that Council's Strategic Resource Plan (SRP) assumes that Council will comply with the rate cap as announced every year by the Minister, and that Councillors have committed to endeavour to comply with the rate cap for the duration of their council term.

Will council tonight confirm to the community that it will comply with the rate cap of 2.25% for the 2018-2019 financial year that was announced by the Minister last December?

Response:

Yes

D.8 Andrew Marston, Vice President Bass Coast Residents and Ratepayers Association - Detailed design for Stage I redevelopment works at Cowes Cultural and Community Centre

Following from the Mayor's commitment at minute item D5 of the Ordinary meeting on 21 June 2017, can Council please advise when the revised plans will be presented to the community, who are key stakeholders in the allocation and use of public space in Cowes, and what period of time will be allocated for consultation prior to any final endorsement?

Response:

- 1. Council endorsed the concept design with amendments at its meeting of 17 May 2017. This was after the consultation with the Cowes Cultural and Community Centre Working groups who provided input over a 2 year period.**
- 2. Stage I Detailed Design is still in the design phase with key stakeholders. The key stakeholders are the tenants of Stage I (tenancy).**
- 3. The next step is to take the Stage I detailed design to a Council Briefing and then to Council for endorsement. It is anticipated to be May or June 2018.**
- 4. Consultation for further stages of the detailed design will be undertaken with the Cowes Cultural and Community Centre Working Group. The detailed design for these stages will be presented at a council meeting later this year.**

Mr Marston requested clarification to define key stakeholders. He further asked when the community would have the opportunity to comment on the detailed design.

The Mayor advised that key stakeholders included PINP, Landcare, DPI and other tenants of the stage I tenancy.

The Mayor advised Mr Marston that questions regarding the opportunity for community consultation, after the detailed design, would be taken on notice.

D.9 Peter McMahon - Transparency & PI Transfer Station

1. Will council tonight advise the community as to what is happening in regard to the EOI process, the preferred location for the transfer station, and the timeline for opening the transfer station to the community?
2. With the mess Council now finds itself in re recyclables does this put the whole waste contract in trouble going forward?

Response:

1. **Council has been working through the process of procuring a contract to Site, Design, Construct and Operate a Resource Recovery Centre (transfer Station) on Phillip Island in accordance with its Procurement Policy.**

In March 2017 Council sought expressions of interest for this work. This resulted in Council inviting short listed companies to submit a tender to Site, Design, Construct and Operate a Resource Recovery Centre (transfer Station) on Phillip Island. This is a selective tender process. The selective tender opened in October 2017 for a period of eight weeks. Currently the responses to this selective tender are being evaluated and Council will consider the panel recommendation at an upcoming Ordinary Meeting of Council.

Council has appointed a Probity Advisor to oversee the procurement process and ensure good governance throughout the process.

Whilst this procurement process is underway the Cowes Recycle Bank in Dunsmore Road continues to provide a facility for residents to dispose of waste materials.

2. **The issues facing the recycling processing industry and multiple Councils across Victoria is still being negotiated with the State Government and industry representatives. Detail can be found in the officer's report in the meeting agenda. We are expecting an announcement from the minister tomorrow.**

D.10 Herbert (Terry) Salmon - Agenda Item H.2 Planning Permit Application 170172 - 22 Hamilton Street, Corinella

1. Considering that the proposed development is only 35 metres away from the sharp corner where Hamilton Street and The Esplanade meet, a route apart from being a school bus run is extensively used by vehicles towing boat trailers, where is the safe on street parking that this development is bound to create?
2. Does Corinella really deserve a development of this density?

Response:

The application and all submissions received, including those that have raised concerns regarding traffic, carparking and density will be considered by Council tonight.

Council will determine to either issue a Notice of Decision with conditions, or to refuse the application. Following the decision of Council all parties have the opportunity to appeal Council's decision to VCAT.

D.11 Shirley Kelly - Agenda Item H.2 Planning Permit Application 170172 - 22 Hamilton Street, Corinella

1. How can the proposed development be so close to the property line? We had to be at least 7 metres back!
2. Why allow the block to be almost totally covered with building and driveway? Very little green area!

Response:

The application and all submissions received, including those that have raised concerns regarding setbacks and built form will be considered by Council tonight.

Council will determine to either issue a Notice of Decision with conditions, or to refuse the application. Following the decision of Council all parties have the opportunity to appeal Council's decision to VCAT.

D.12 Phil Wright - Pathways System

Has council Economic Team considered an alternative option to present to the state government to use the \$80m on a world best pathways system in Bass Coast?

Response:

Council has as a Major Initiative in its 2017.18 Budget to "Implement the Car Ferry Business Case Project" and has a funding agreement in place with the Victorian Government to develop a Business Case for a Cowes to Stony Point Car Ferry.

D.13 Jodie Lynch - Agenda Item E.1 Petition - Albert Ruttle Wetland Reserve

I ask that the councillors seek clarification in the meeting from the planning department regarding the legal status of Lot 28 Albert Ruttle Estate, with a legal entitlement for a dwelling to be constructed?

Response:

These petitions will be presented to Council this evening with the recommendation that Council resolve:

- 1. That the petition be received and lie on the table until the next Ordinary meeting of Council to be held on 21 March 2018**
- 2. That the head petition be advised of Council's decision.**

This is in line with Section 63.2 of the Bass Coast Shire Council Meeting Procedure Local Law 2009.

All this issues/questions raised in the petition will be responded to at the 21 March 2018 Ordinary Council meeting.

D.14 Matt Lynch - Agenda Item E.1 Petition - Albert Ruttle Wetland Reserve

1. I ask that the councillors seek clarification in the meeting from the planning department that Lot 28 Albert Ruttle Estate has legal reserve status that would prevent construction of a dwelling?
2. I also ask council to confirm that the highlighted statements of the petitions (provided to Councillors) are incorrect?

Response:

These petitions will be presented to Council this evening with the recommendation that Council resolve:

- 1. That the petition be received and lie on the table until the next Ordinary meeting of Council to be held on 21 March 2018**
- 2. That the head petition be advised of Council's decision.**

This is in line with Section 63.2 of the Bass Coast Shire Council Meeting Procedure Local Law 2009.

All this issues/questions raised in the petition will be responded to at the 21 March 2018 Ordinary Council meeting.

E Petitions, Joint Letters, Deputations and Correspondence

E.1 Petition - Albert Ruttle Wetland Reserve

File No:	CM18/47
Division:	Healthy Communities and Governance
Council Plan Strategic Objective:	Governance
	We are responsive, open, transparent and financially sustainable

Petition one containing 1561 signatures has been presented to Council. The petition reads:

Dear Mayor Rothfield,

We are incredibly concerned about the potential sale of Albert Ruttle Wetlands Reserve for housing and development.

This land was dedicated as common wetlands many years ago and has become a precious oasis for native wildlife and flora. It is used by bird watchers and walkers frequently.

This land belongs to the people of Inverloch, Bass Coast and its visitors.

It is one of the last reserves of its kind in Inverloch.

We respectfully request that you intervene in the sale of this land and assist in returning it back to its rightful state as a common access reserve bush and wetland.

Petition two containing 12 signatures has been presented to Council. The petition reads:

Dear Mayor Rothfield and Bass Coast Council Executives,

We, the undersigned wish to present our concerns to you by petition as we believe that the Council has not yet adequately resolved the issues concerning the Albert Ruttle Wetlands. We understand that the properties in question have been sold. On this basis we feel these issues are even more pressing and need to be resolved promptly by the Council.

Our concerns-

This designated common, open space will no longer be available to the people of Inverloch, or visitors to the area

Native animals will be negatively impacted by loss of habitat

The unique nature of the wetlands reserve flora will be lost or depleted

The loss of this Reserve adds to the incremental and irresponsible development of sensitive coastal areas

The sale and/or construction of houses on the wetland reserve blocks appears to contradict the requirements of Open Space Contributions

The sale of this land as housing lots contravenes the Planning Permit 2002 {02687} which approved the subdivision of the farming land into 30 allotments. The subdivision is currently made up of 30 lots NOT including the Ruttle "Wetland Reserve".

Public Access signage has been removed which indicated a public path through the reserve (breaching a condition in #173 permit agreement)

Lack of transparency from Bass Coast Council- information regarding the Planning Permit documentation including the endorsed plan and the open space contribution details has not been made available to concerned residents.

Please sign our petition to the Mayor and Executives of Bass Coast Council to keep this common space for the people and maintain a place of significant biodiversity for future generations.

Section 63.2 of the Bass Coast Shire Council Meeting Procedure Local Law 2009 states that:

"A petition or joint letter presented to Council must lie on the table until the next ordinary meeting of Council and no motion, other than to receive the petition or joint letter may be accepted by the Chairperson, unless the Council agrees to deal with it earlier."

Recommendation

- 1. That the petition be received and lie on the table until the next Ordinary meeting of Council to be held 21 March 2018.**
- 2. That the head petitioner be advised of Council's decision.**

Attachments

AT-1	CONFIDENTIAL - Petition one Comments - Albert Ruttle Wetland Reserve	17 Pages
AT-2	CONFIDENTIAL - Petition one Signatures - Albert Ruttle Wetland Reserve	73 Pages
AT-3	CONFIDENTIAL - Petition two Signatures - Albert Ruttle Wetland Reserve	1 Page

Council Decision

Moved: Cr. Geoff Ellis / Seconded: Cr. Stephen Fullarton

That the recommendation be adopted.

CARRIED UNANIMOUSLY

Notices of Motion

F Notices of Motion***F.1 19/1/18 Bass Coast Shire Council Long Term Financial Sustainability, Cr Les Larke***

I, Cr Les Larke, hereby give notice that I intend to move a motion at the Ordinary Meeting on 21 February 2018, which reads as follows:

BASS COAST SHIRE COUNCIL (COUNCIL) LONG TERM FINANCIAL SUSTAINABILITY**Motion**

That Council's ten year long term financial plan and any future budgets/forecasts are in accordance with and based on the Council Plan 2017-2021.

Further, that the ten year long term financial plan is based on continuous improvement of Council's long term financial sustainability including achievement of Strategic Indicator Measures in each financial year over the period of the existing Council Plan 2017-2021.

Moreover, that Council's Audit and Risk Committee Charter and Annual Work Program be amended to ensure monitoring of and reporting on the aforesaid, and supported by an appropriate increase in future budgets to cover additional annual audit work program requirements.

Background

The Council Plan 2017-2021 outlines Strategic Indicators and Measures including but not exclusive to:

Strategic Indicators	Measures
Local Government Performance Reporting Framework (LGPRF) – Financial Performance	Measures that are reported are within the top quartile for Large Rural Councils as identified in the LGPRF
Victorian Auditor General Office (VAGO) Financial Sustainability indicators	The Long Term Financial Plan to meet or better VAGO low risk indicators

Refer <https://www.audit.vic.gov.au/report/results-2016-17-audits-local-government> for explanation of the following VAGO Financial Sustainability risk indicators:

VAGO Indicators
Financial Performance
Net Result (%)
Adjusted underlying result [Note: This is a new financial sustainability risk indicator]
Financial Position
Liquidity (ratio)
Internal financing (%)
Indebtedness (%)
Asset renewal and maintenance
Capital replacement (ratio)
Renewal gap (ratio)

.....
 Cr Les Larke, Bunurong Ward
 Dated: **21 February 2018**

Attachments

There are no attachments for this report

Council Decision

Moved: Cr. Les Larke / Seconded: Cr. Geoff Ellis

That the motion be adopted.

LOST

For	Against
Cr Larke	Cr Le Serve
	Cr Rothfield
	Cr Tessari
	Cr Brown
	Cr Fullarton
	Cr Whelan
	Cr Ellis
	Cr Kent

Mayor and Councillors Reports

G Mayor and Councillors Reports

G.1 Mayoral Report - Cr Pamela Rothfield

The Mayor acknowledged the passing of Cherry McFee, who was the oldest of the McFee descendants on Phillip Island. Cherry was a huge contributor to the Phillip Island community, being parts of numerous volunteer organisations and associations. Cherry worked for almost 20 years for the Shire of Phillip island, eventually being the assistant to the Shire Secretary – which would today be the equivalent of assisting the Mayor. She will be greatly missed.

A second acknowledgment this evening, is the passing of Michael Gordon. Michael was a highly acclaimed and respected journalist. He was also a well known identity around Bass Coast, especially Phillip Island. He was a great supporter of the Surf Life Saving Club. Michael died doing what he loved to do, which was swimming, in the Penguin Swim Classic in February 3 this year.

Activities:

- Hosted 'Coffee with the Mayor' sessions
- Attended DELWP Board Meeting
- Attended Newhaven College Boys Vocal Group Debut Album Launch
- Attended Launch of "The Terrace" Casual Dining – Phillip Island RSL
- Attended Cowes Community Christmas Celebration
- Attended Woolamai Beach Surf Life Saving Club Nippers program
- Attended Bass Valley Children's Centre – Photo Opp
- Attended Jetty Triangle Unveiling with Minister Pulford
- Attended Bass Coast Summer Agricultural Show 2018
- Guest Speaker at Probus Club of Cowes
- Attended and officiated Australia Day Awards 2018
- Attended VLGA Local Government Bill 2018 Exposure Draft
- Attended Launch of Phillip Island 150 Celebrations
- Attended Remembering Tunnerminnerwait and Maulboyheener
- Officially opened New Anglicare Victoria Wonthaggi Office
- Attended Bass Valley Childrens Centre Open Day
- Attended Rotary Club of Phillip Island & San Remo – Australia Day Celebrations
- Attended and officiated Australia Day Citizenship Ceremony
- Attended 25th International Island Classic Gala Dinner
- Attended and presented at Inverloch Classic Wooden Dinghy Regatta Dinner
- Attended Councillors/Executive Team Workshop
- Attended GWRRG Induction and Discussion
- Attended Phillip Island Penguin Swim Classic

- Attended Young Leaders Workshop Lunch with Mayor, Deputy and CEO
- Attended ASPI Portrait Model Session
- Attended and officially welcomed SEATS Meeting and Dinner
- Attended Tour of Wonthaggi Union Community Arts Centre Update
- Presented at Bass Coast Young Leaders Presentation 2018

Meetings:

- Attended Council Workshops and Briefings
- Attended Community Connection Sessions
- Chaired Council Meeting
- Chaired Councillor Only Meetings
- Weekly meetings with CEO, Council Support and Comms
- Meeting – Jan Child, Bass Coast Health
- Meeting – Jeff Floyd PINP
- Meeting – Phillip Island 150th Celebrations Planning
- Meeting – Minister Pulford, Jordan Crugnale and Acting CEO
- Meeting – Car Ferry Catch Up with Daniel Kluge
- Meeting – Mr Gresham community member
- Meeting – Phillip Island 150th Celebrations re. Launch
- Meeting – Car Ferry Steering Committee
- Meeting – Mark Olsen and Daryl Hergt, Cowes Yacht Club
- Meeting – Active Bass Coast Plan Project Board Meeting
- Meeting – Briefing for Ministers Visits - Advocacy
- Meeting – Briefing on and meeting with Gareth Barlow re. Homelessness
- Meeting – Minister Peter Walsh and Melina Bath, Brian Paynter – Advocacy
- Meeting – Coels Shed Relocation
- Meeting – Cowes East Foreshore Group
- Meeting – Phillip Island Golf Club – Initial Discussion
- Meeting – Andre fox & Fergus Cameron - Phillip Island Motorcycle Museum & Visitor Centre
- Meeting - Recycling situation update
- Meeting – Cowes Jetty Triangle detailed design overview
- Meeting – Shortlist for EOI for Independent Chairperson for CEO Employment Matters Committee
- Meeting – Media meeting for Cowes Car Ferry
- Meeting – Sculpture Park Committee

G.2 Councillor Report - Cr Julian Brown

- South East Australian Transport Study (SEATS) Meeting
- Disabled Surfing Event – Inverloch Surf Beach

G.3 Councillor Report - Cr Les Larke

- 14 December Unveiling of San Remo Public Artwork 'Mr Seagull'
- 15 December Outing to San Remo with Mr Robert Smith (Wonthaggi art benefactor) to show him 'Mr Seagull' artwork
- 29 December Inverloch 'Sounds of Summer'
- 30 December National Vietnam Veterans Museum
- 31 December Inverloch Farmers Market
- 31 December Bass Coast Cape Paterson Triathlon
- 31 December Inverloch New Year's Eve fireworks
- 1 January Gippsland TV (Channel 9) – Interview re Inverloch New Year incident
- 3 January Couture Vintage Fashion Exhibition
- 4 January Men's Shed Wonthaggi
- 7 January Cape Paterson Residents and Ratepayers Association AGM
- 13 January Bass Coast Summer Agricultural Show
- 17 January Australia Day/Bass Coast Citizen Awards
- 18 January VLGA – re Local Government Act Bill
- 20 January Art Space Wonthaggi – Remembering Tunnerminnerwait and Maulboyheener
- 22 January Active Bass Coast Plan Project Board Meeting
- 23 January South Gippsland and Bass Coast Transport Forum
- 24 January Site visit re vegetation removal – The Esplanade Surf Beach
- 26 January Australia day – Rotary Club of Wonthaggi
- 26 January Australia day – Inverloch RSL
- 26 January Australia day – Citizenship Ceremony
- 27 January Cape Paterson – Dogs on beach pop up stand
- 8 February MAV re Local Govt Bill Exposure
- 11 February Wonthaggi Rotary Market
- 15 February South East Australian Transport Strategy meeting
- 16 February VLGA Delegates working group
- 19 February Wonthaggi Croquet Club meeting
- 20 February Bass Coast Young Leaders presentation

G.4 Councillor Report - Cr Bruce Kent

- 26 January Citizenship Ceremony
- 17 January Australia Day awards
- 23 January Bass Valley Child Centre
- 23 January Homeless discussion meeting
- 26 January Citizenship Ceremony

- 15 February Glen Forbes farming group
- 16 February Aquatic Committee
- 18 February Surf Beach Community Park playground opening

G.5 Councillor Report - Cr Geoff Ellis

- 13 December Ordinary Council Meeting, Cowes
- 14 December Chaired: Access and Inclusion Committee Meeting, Wonthaggi
- 14 December Attended: South Coast Inclusion Network End of Year Celebration- Archie's Couch
- 15 December San Remo Celebrates
- 16 December Carols By Candlelight – Corinella
- 19 December Meeting with WGRLC CEO - Warragul
- 20 December Coffee with a constituent
- 21 December Coffee with a constituent X4
- 21 December BSCS Staff Christmas Lunch
- 21 December Coffee with a constituent
- 31 December NYE on the Hill – Krowera
- 4 January Lunch with Farmers group, Kernot
- 7 January Coronet Bay Residents and Ratepayers Association meeting
- 7 January Attended Meeniyan Gallery - Phillip Island Artists Exhibition
- 9 January Kernot Hall Section 86 Committee meeting, 7pm
- 9 January Bass Valley Children's Centre Briefing with Mayor Rothfield.
- 10 January Jetty Triangle Announcement Cowes
- 11 January Coffee with a constituent X2
- 13 January Wonthaggi Ag Show
- 14 January Bass Valley Lions Club - Bunnings BBQ.
- 17 January Briefing re Section 86 Committees
- 17 January Australia Day Awards Announcement
- 18 January Meeting in Kernot re reserve
- 19 January Meeting with WGRLC CEO
- 20 January Attended Remembering Tunnerminnerwait and Maulboyheener
- 20 January Ethics Group meeting at Wonthaggi Library
- 23 January BVCC open day
- 24 January WPW Councillor Catch Up
- 25 January The Edge of Us -steering committee meeting
- 26 January Australia Day - Kernot, Pioneer Bay, Churchill Island
- 26 January Citizenship Ceremony Wonthaggi
- 28 January Kilcunda Lobster Festival -Dog off lead beach survey
- 29 January Discussion re Agenda collation
- 29 January Discussion Coffee with a constituent x3

- 31 January Councillor Briefings
- 2 February WGRLC Briefings and tour of Bunjil Place, Narre Warren
- 7 February Council Briefings
- 7 February Summer Readings at Wonthaggi Library
- 9 February South Coast Inclusion Network meeting
- 9 February Meeting regards potential development in Waterline Area
- 12 February Coffee with a constituent x2
- 14 February Councillor Briefings
- 15 February Coffee with a constituent - Inverloch
- 15 February Reconciliation Group Meeting - Inverloch
- 15 February Inverloch Library
- 15 February Tour of Union Theatre - Upgrade
- 15 February Wonthaggi Historical Society AGM
- 16 February Meeting with WGRLC CEO – Warragul
- 16 February Meeting with SCTA
- 16 February Meeting with BCSC Planning Dept and SCTA
- 17 February Tenby Point Ratepayers And Residents Association meeting
- 17 February Ethics Group meeting at Wonthaggi Library
- 20 February Bass Coast Young Leaders Awards
- 21 February Council briefings and Meeting - Inverloch

G.6 Councillor Report - Cr Brett Tessari

- Induction of Rev Jo White – Anglican Parish of Bass-Phillip Island
- Young Leaders – Question Time in Chambers
- Young Leaders – Awards Night

G.7 Councillor Report - Cr Michael Whelan

- Briefing Jetty Triangle
- Played music at the Cowes Centre – Australia Day
- Destination Phillip Island breakfast and tour of the nature parks
- Coughlan Road proposed pathway meeting

G.8 Councillor Report - Cr Clare Le Serve

- Public Transport Victoria forum
- South East Australian Transport Study (SEATS) Meeting
- Launch of the Phillip Island 150th Celebrations
- Australia Day Awards
- Australia Day Celebrations, Kernot, Pioneer Bay and Corinella

- Enrolment Day/Open to the Public Day Bass Valley Children's Centre

Reports Requiring Council Decision

H Reports Requiring Council Decision

H.1 Cowes to Stony Point Car Ferry Draft Business Case

File No:	CM17/791
Division:	Advocacy, Character and Economy
Council Plan Strategic Objective:	Economic Development
	Expanding, attracting and retaining business and investment

Previous Items: SR4/17 - Car Ferry Infrastructure - Business Case - Council - 15 Feb 2017 5.00pm
AT10/17 - Award of Tender No 17012 - Cowes to Stony Point Car Ferry Infrastructure Business Case - Council - 21 Jun 2017 5.00pm

Declaration

The author has no direct or indirect interests in relation to this report.

Summary

The purpose of this report is to present the Cowes to Stony Point Car Ferry draft Business Case to Council for authorisation to release the draft Business Case to the community for further consultation.

Background

At the Ordinary Council Meeting on 15 February 2017, Council resolved to:
Participate in the Cowes to Stony Point Car Ferry Infrastructure Business Case Project.

Bass Coast and Mornington Peninsula Shire Councils have been working on this project with the Victorian State Government, to develop a business case for a Cowes to Stony Point Car Ferry. Regional Development Victoria approached Bass Coast Shire Council in 2016 with an offer of \$200,000 towards a \$250,000 project, to which Bass Coast and Mornington Peninsula Shire Councils contributed \$25,000 each.

The objectives of the project are to:

1. Prepare a Business Case for the State Government of Victoria about the development of a vehicle and passenger ferry service between Phillip Island and Mornington Peninsula, considering French Island resident needs and reporting on any development shortfall;
2. Undertake community consultation and technical investigation of terminal locations and the development of infrastructure designs and their costs;
3. Investigate the economic impact of a vehicle and passenger ferry service operations estimating the level of government support required for service viability;

4. Investigate benchmark environmental standards required for the development and maintenance of a vehicle and passenger ferry infrastructure and operations; and
5. Develop a schedule for project implementation.

Project Consultants, EarthCheck Pty Ltd were appointed as Lead Project Consultants in June 2017 and the project commenced in July 2017. A project Steering Committee comprising key stakeholder agencies was established which is chaired by the Bass Coast Shire Council Mayor. The final Business Case is scheduled to be presented to Bass Coast and Mornington Peninsula Shire Councils at their ordinary meetings in April 2018. Bass Coast Shire Council is the lead Council for the project.

Strategic Basis

Council Plan Objective:

Economic Development – Expanding, attracting and retaining business and investment.

Strategic Outcome:

- **Improve visitor infrastructure and enhance the lifestyle of the local community**
- **Foster continued job creation and workforce retention**
- **Improve the economic value of the region**
- **Diversify the region's tourism market mix to promote year-round visitation**
- Enhance our visitor economy through preservation of our natural environment
- Advocate for key state and federal infrastructure and telecommunications that enables business development opportunities and improves internet and phone connectivity services for our community*
- Wonthaggi will be seen as the regional centre for Bass Coast
- Focus on jobs of the future for today's youth
- Foster and encourage agriculture and promote the Shire's rural sector
- Develop and grow local businesses including agritourism and agriculture
- Support rural business through networking and industry development

Strategic Indicators:

Strategic Indicators	Measures
Support events that boost visitation in off-peak season	Growth in number of events held in off-peak season
Increase focus on eco-tourism	Implement training and development for local businesses on eco-tourism opportunities Attract events that are eco-tourism and culture based

Increased investment in infrastructure improvements	Public Sector (Municipal, State and Federal) investment increased Private Sector investment level increased
Implement the Economic Development Strategy 2016-21	Action Plan completed annually
Implement the Phillip Island and San Remo Visitor Economy Strategy 2035 - Growing Tourism	Action Plan completed annually Gain international certification as a sustainable tourism destination under Global Sustainable Tourism Council by 2021 Monitor the reporting to Council of the marketing opportunities undertaken through Destination Phillip Island and Destination Gippsland Limited Investment opportunities document developed encouraging commercial interest in new accommodation development by 2021 Locations identified for temporary surfing event infrastructure to support surfing events by 2021 Complete upgrade to Cowes Jetty Triangle Delivery of identified budgeted path projects to improve visitor experience
Investigate the feasibility of the Car Ferry from Mornington Peninsula to Phillip Island	Undertake project feasibility study by 2018 Achieve business case on time and on budget Achieve a reach of 13,000 people through our community engagement process via all mediums
Support farm-gate and agri-tourism development	Planning Scheme updated by 2020

Major Initiative / Initiative:

Implementing the Car Ferry Business Case project is a major Council initiative for 2017/18.

Strategies / Policies

The *Phillip Island and San Remo Visitor Economy Strategy 2035 - Growing Tourism*, identifies Bass Coast Shire Council as the lead agency to progress Action 46 'Identify up to three suitable sites to undertake an environmental effects statement on the likely impacts of suitable locations for a car ferry including the area between the Cowes Yacht Club and the Anderson Road Boat Ramp and any other locations identified.'

Statutory Requirements/Codes/Standards/Policies

There is no statutory requirement to undertake the Car Ferry Business Case project.

Discussion

Council's role is to manage the project and ensure that it is delivered on time and within budget. Broad engagement with all relevant stakeholders has been the primary focus of the project. In November 2017, EarthCheck released a discussion paper titled *Cowes to Stony Point Vehicle Ferry Business Case Discussion Paper*. The document was a summary of feedback gathered to date and technical information to be used to prepare the business case. Considerable feedback has been obtained in response to the Discussion Paper:

- 1,103 people responded to an online survey, with 79.7 per cent of Bass Coast respondents being supportive or very supportive of the car ferry proposal. Support was stronger on the Mornington Peninsula with 89 per cent of respondents being supportive or very supportive. 70 per cent of local Bass Coast business operators who participated in the survey were in favour of the project.
- The Cowes Yacht Club has indicated that they are not in favour of being relocated to accommodate a car ferry terminal, although they have provided a submission outlining the cost of replacement facilities should this occur.
- More than 1,000 people signed a petition objecting to having a car ferry terminal in the vicinity of the Anderson Road Boat Ramp.
- There have been representations in favour of the car ferry from a variety of peak bodies including Destination Phillip Island, Destination Gippsland, the Emergency Management Commissioner and Sydney Melbourne Touring.
- There have been emails from community members both for and against the Car Ferry as well as community petitions. One community petition has attracted more than 1,000 respondents in favour of a car ferry and over 2000 people have signed the "Save Cowes Beach" group petitions.

The draft Business Case which has been prepared, includes an Investment Logic Mapping assessment of the need for a car ferry, and assessment of potential car ferry terminal sites on Phillip and French Islands and the Mornington Peninsula.

The draft Business Case outlines the costs, suitability and challenges with four different terminal locations on Phillip Island, and makes a recommendation as to the preferred site. The four options considered are:

1. A car ferry travelling between Stony Point and Cowes with the car ferry terminal on the Phillip Island side on the site of the Cowes Yacht Club.
2. A car ferry travelling between Stony Point, Tankerton (French Island) and Cowes with the car ferry terminal on the Phillip Island side in the vicinity of the Cowes Yacht Club.
3. A car ferry travelling between Stony Point and Cowes with the passengers disembarking at the existing Cowes jetty and vehicles continuing on to unload at a terminal near the Anderson Road Boat Ramp.
4. A car ferry established between Stony Point and Cowes with the car ferry terminal on the Phillip Island side immediately to the west of Mussel Rocks.

The Draft Business Case determines that option 4, a car ferry terminal on the Phillip Island side immediately to the west of Mussel Rocks is the most viable option. The total capital cost of the project including the infrastructure at both Cowes and Stony Point is \$80.3million. Bass Coast Shire Council has no allocation in its 10 year Financial Plan for any contribution to this cost.

The draft Business Case models a car ferry providing between 10 and 14 sailings a day, for example, five to seven each way. The capacity of the car ferry is anticipated to be 300 people, 30 vehicles and 2 coaches / heavy vehicles.

A bridge between Cowes and Stony Point was investigated but the cost, environmental sensitivity, and distance of around eight kilometres made it unviable.

The Project Plan provides for a further period of community engagement and feedback on the Draft Business Case, with extensive consultation planned specifically for stakeholders who are most directly impacted. The consultation period will finish on 6 April 2018, providing six weeks for consultation and engagement.

At the completion of this further period of engagement, the Final Business Case will be presented to both Bass Coast and Mornington Peninsula Shire Councils for consideration at their April 2018 Ordinary Council Meetings.

Finances

The Car Ferry Business Case project is expected to be completed by the end of the 2017/18 financial year within the project budget of \$250,000.

It is not known at this stage whether there will be a further role for Bass Coast Shire Council to play in future stages of the project. No additional expenditure from Bass Coast Shire Council been foreshadowed for any further stages.

Stakeholders

There are many stakeholders for this project:

- The State Government of Victoria is the major funder of the project and the Business Case that will be delivered is to assist the State Government with budget and project planning.

Four different staff from Regional Development Victoria and one from the Department of Economic Development, Jobs, Transport and Resources have all had a role in this project and all have attended Steering Committee meetings throughout the project.

- Bass Coast Shire Councillors and Officers have been involved in the project.

The Mayor chairs the Steering Committee and other Island ward Councillors have attended car ferry related meetings. All Councillors have been regularly briefed about the project.

Bass Coast Shire Council is the lead Council on the project and Council officers have been heavily involved in the project. Council's Manager Economic Development and Tourism is the Project Manager.

Local community and business operators have engaged with the project. They have been engaged by a range of methods including face to face meetings, online surveys, direct mail outs, Car Ferry dedicated Coastell, live face book session, roadside signage at the Phillip Island Visitor Information Centre, extensive media coverage, regular social media updates and more.

Mornington Peninsula Shire have been a partner throughout the project. A Councillor and the Manager, Economic Development and Tourism sit on the Steering Committee. They have undertaken consultation and community engagement similar to Bass Coast in their municipality.

- Other Stakeholders represented on the Steering Committee include:
 - Regional Tourism Boards – Phillip Island, Gippsland and Mornington Peninsula
 - Parks Victoria
 - Department of Environment, Land, Water and Planning
 - Harbour Master – Port of Hastings
 - French Island Community Association
- Other stakeholders consulted include:
 - RACV
 - Emergency Management Commissioner
 - Sydney – Melbourne Touring
 - Destination Phillip Island
 - Destination Gippsland
 - Phillip Island Tourism and Business Association
 - Other GLGN Councils
- Project Consultant EarthCheck Pty Ltd and members of their consortium.

Other Options

Council has the following options:

1. Release the draft Business Case for a period of community consultation and engagement until 6 April 2018. This will enable the final Business Case to be brought back to the April 2018 Ordinary Council Meeting for consideration.
2. Release the draft Business Case for a period of community consultation beyond 6 April 2018 to allow for extended consultation and present the final Business Case for consideration at a later Council Meeting. It is worth noting that consultation has been underway since September 2017. It has also been communicated to the community and the State Government since the start of the project that the final Business Case will be presented to Council at the April 2018 Ordinary Council Meeting.

3. Do not release the draft Business Case to the community at this point and seek further information. There is however high expectation from the community that the draft Business Case will be released following the February 2018 Ordinary Council Meeting and many community members are eagerly awaiting more information about the project.

Conclusion

It is important that all relevant stakeholders have the opportunity to provide their input into the draft Car Ferry Business Case. Whilst many have already done so, the release of the draft Car Ferry Business Case provides new data and it is important the community has time to review and provide feedback on this new information.

The proposed project timeframe allows a further six weeks for this review and feedback whilst still meeting the timeframes outlined in the adopted project plan. There will also be ample opportunities for further feedback on the car ferry project in subsequent stages of the project over several years, should it proceed beyond the business case stage.

Recommendation

That Council releases the draft Cowes to Stony Point Car Ferry Business Case to the community for a period of engagement and feedback until 5.00pm on 6 April 2018.

Attachments

AT-I Cowes to Stony Point Car Ferry draft Business Case February 2018 237 Pages

Council Decision

Moved: Cr. Stephen Fullarton / Seconded: Cr. Bruce Kent

That the recommendation be adopted.

CARRIED UNANIMOUSLY

H.2 Planning Permit Application 170172 - 22 Hamilton Street, Corinella

File No:	CM17/950
Division:	Advocacy, Character and Economy
Council Plan Strategic Objective:	Our Character
	Celebrating the uniqueness of our townships

Application Details

Development Sought:	Use and development of two dwellings in excess of seven metres in height in the Design and Development Overlay, Schedule I
The Land:	22 Hamilton Street, Corinella
Planning Scheme:	Bass Coast Planning Scheme
Zoning:	General Residential Zone Schedule I
Overlays:	Design and Development Overlay Schedule I

Declaration

The author has no direct or indirect interests in relation to this report.

Executive Summary

This application proposes to construct two dwellings at 22 Hamilton Street, Corinella.

The proposal triggers the need for a planning permit under Clause 32.08-6 (General Residential Zone) and 43.02-2 (Design and Development Overlay) of the Bass Coast Planning Scheme. The application was advertised and received seven submissions.

The application was presented to Council at its Ordinary Meeting of 13 December 2017, at the meeting Council resolved the following:

“That Council defers consideration of the Planning Permit Application 170172 – 22 Hamilton Street, Corinella to its Ordinary Meeting of 21 February 2018”.

This report addresses the planning merits of the proposal and the issues raised by submitters. It concludes that the proposal accords with the relevant provisions of the Planning Scheme.

On this basis, it is recommended that Council resolve to issue a notice of decision to grant a planning permit for application 170172.

Application Details

This application proposes to develop two four bedroom dwellings which exceed seven metres in accordance with preliminary town planning drawings prepared by Darren Brown Design. A copy of the plan is provided as attachment one (AT-1).



Figure 1 – Proposed Dwellings

Reason a Council Decision is required

Council's delegations require applications that attract five or more objections to be determined by Council. This application attracted seven objections.

Background

Following is a description of the subject site and other relevant information pertaining to the allotment.

Site Dimensions	The allotment has an abuttal to Hamilton Street of 17.18 metres and the long axis on the north measures 46.57 metres (approx. 800m ²).
Site Frontage	The sites frontage is not vegetated and is distinguished where the kerb and channel of the road formation transitions to an open drain.
Topography	The site appears generally flat. However the site contours reveal a general slope towards the eastern boundary away from the road.
Vegetation Cover	The site did not feature significant vegetation. A property to the north contained some larger trees and shrubs on or near the common boundary.
Current Use	The land is currently vacant.
Easements	No easements were shown on the plan of subdivision.
Restrictive Covenants	No restrictions appeared on the title submitted with the application.
Aboriginal Cultural Heritage Sensitivity	The site is within an area of cultural heritage sensitivity. The proposal is exempt from requiring a Cultural Heritage Management Plan.
Planning Permit History	The allotment was created by subdivision authorised under planning permit 070114A.

The subject site is located at 22 Hamilton Street illustrated in the aerial imagery below and in attachment 4 (AT-4). The subject site was subdivided off a larger property to the north and comprises some 800m² of relatively flat land devoid of significant vegetation. Surrounding the subject site are a number of subdivisions facilitating lots of between 350 and 500m². The standard density in the area appears to be within the 400-600m² range, refer attachment three (AT-3).



Notice

Notice of the application was required under Section 52 of the *Planning & Environment Act 1987*, as the responsible authority was not satisfied that the grant of the permit would not cause material detriment to any person.

The Applicant gave notice in the following manner:

- Sent copies of the Notice by registered mail to seven land owners and occupiers; and
- Placed a Notice on the land.

Submissions

In response to notification the application attracted seven submissions.

A summary of the submissions is listed in the following table and a copy of each submission is included in attachment five (AT-5).

Table One: Summary of Concerns raised in each submission

Submission	Summary of Concerns
1	There will be no garden or lawns remaining due to the size of the dwellings. The proposal is not in keeping with the neighbourhood character and the additional traffic will affect the amenity.
2	No reasons provided.
3	The development will block water views from an existing dwelling – devaluing it, and will devalue the area due to their modern design.
4	Building more than one dwelling, not providing enough garden area and building closer to the road than an adjoining property.
5	There are no dwellings on blocks as small as 800, the dwellings are not consistent with an adjoining heritage home, and the development will impact on existing views.
6	The land size is too small for two dwellings and out of character. The development does not allow for vegetation to grow. There will be direct views into our property. <i>“Medium density housing creates a lower socioeconomic society causing housing prices to fall.”</i>
7	The lot sizes will be too small, the development is not appropriate.

Referrals

The following table outlines the referral requirements of this application.

Table Two: Referral requirements and their comments

Referral Authority	Comments
Internal (Section 52 of the <i>Planning and Environment Act 1987</i>)	
Asset Management	Concerns in regard to drainage and the outfall from the development have not been identified. The development underwent assessment by Brosnan Engineering to provide a preliminary strategy for storm water. Two issues were raised – Stormwater discharge to Hamilton Street would require public works to direct flows to a discharge at the termination of Hamilton Street, or an easement would need to be created over adjoining land to efficiently service the proposal. These issues were resolved.

Planning Scheme Requirements

A planning permit is required to construct and use two dwellings on a lot in the General Residential Zone and construct a building which is higher than seven metres from the natural ground level in the Design and Development Overlay Schedule 1.

A development proposal for two or more dwellings on a lot must meet the objectives of Clause 55 (rescode) and the garden area requirements of the General Residential Zone.

The planning controls, planning permit triggers and policy as relevant to the assessment of this application is included in attachment two (AT-2).

Officer's Considerations

State and Local Planning Policy Framework Assessment

The intent of the relevant State and Local Policies is to ensure there is an adequate supply of residential land available for residential development and to ensure the sustainable development of communities through a settlement framework. Local policy seeks to ensure that the townships of Bass Coast are developed in accordance with structure plans for settlement growth to limit impact on agricultural productivity, natural and earth resources and ecological values. Clause 21.02 (*Growth of Towns*) identifies a settlement hierarchy based on expansion and infill capacity. Corinella is identified as a 'village' with moderate population levels and a low spatial growth capacity. Growth is encouraged through infill development on existing residentially zoned land.

State and local residential housing policies have consistent themes, these include increasing housing densities and consolidation of urban areas that offer good access to services; to provide a diversity of housing types and lot sizes to meet the community needs; to provide more affordable housing; encourage housing that is well designed and respect neighbourhood character; improve housing choice; and make better use of existing infrastructure. The following housing objectives (Clause 21.02-2) are relevant to this proposal:

- "To increase housing densities and the consolidation of urban areas in appropriate locations – Encourage increased housing densities within Wonthaggi, Cowes/Ventnor, San Remo, Inverloch and Grantville;
- To provide a diversity of housing types to meet the needs of all residents and visitors to the municipality;
- To provide more affordable housing options in the municipality; and
- To provide a diversity of lot sizes to meet the needs of all residents and visitors to the municipality."

It is policy when considering new development '*to plan for sustainable coastal development*' this is to be achieved by supporting a network of diverse coastal settlements which provides for a broad range of housing types; encourage urban renewal and redevelopment opportunities within existing settlements to reduce the pressure on township boundaries minimising urban sprawl. Development on ridgelines, primary coastal dune systems and low lying coastal areas are discouraged.

Relevant to the proposed design, State policy seeks to create urban environments that are safe, functional and provide good quality with a sense of place and cultural identity. To achieve this it is policy to ensure sensitive landscape areas such as the bays and coastlines are protected and that new development does not detract from their natural quality (Clause 15.01-1).

Local policy recognises that it is important that the valued aspects of the municipality's character are not lost through redevelopment. It is policy '*to achieve a high standard of architecture and urban design for built form and public spaces throughout the municipality*' strategies to achieve this include '*design and site development to*

complement the context in which it sits' and 'ensure the siting of buildings contributes positively to the public realm and respects the character of the area' (Clause 21.05-4).

The application is considered to be aligned with the policy objectives as the proposed development is within the township boundary and on appropriately zoned land. Clause 21.09-11 which is specific to the township stating that infill development should be supported. It is considered that the property is suitable for development as valued characteristics such as existing mature vegetation; setbacks from foreshore and local character have been considered.

Zone Assessment

The purpose of the General Residential Zone is to:

- “To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies;
- To encourage development that respects the neighbourhood character of the area;
- To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport; and
- To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.”

The application is consistent with the objectives of the General Residential Zone as the proposal provides for sympathetic development consistent with the strategic township objectives and the objectives of Clause 55.

Sufficient garden is proposed to meet the requirement of Clause 32.08-4 which means the proposed development provides 35% of the allotment dedicated to garden area (uncovered open living space) and substantially more open space due to common access along the southern boundary.

The General Residential Zone requires that a proposal to construct two or more dwellings on a lot must be accompanied by a neighbourhood site and context report and design response. The design response met the objectives of Clause 55 (two or more dwellings on a lot and residential buildings).

Overlays

Clause 43.02-2 of the Design and Development Overlay requires a planning permit for buildings and works, unless specifically exempted by the schedule. Schedule 1 relates to residential development by the coast and does not provide any exemptions for the proposed works.

The objectives for this overlay include:

- “To protect views from the coast to adjacent residential areas;
- To protect views to the coast from adjacent residential areas;
- To minimise the impact of development along the coastline;
- To protect and enhance the visual amenity and landscape of the coastal area; and

- To respond to the potential coastal impacts of climate change.”

The intent of this overlay is to minimise the visual impact of development next to the coast and to provide for view sharing.

The application triggers a planning permit under the Design and Development Overlay, Schedule I for the proposed dwellings as parts of the design extend above seven metres by 0.687m.

The overlay is not intended to prohibit development which is in excess of seven metres. The purpose is to consider whether or not the design has responded to the relevant considerations of the overlay.

The proposed development is considered to respond well to the objectives of the design and development overlay. The subject site at two storeys with a low gradient roof does not project unreasonably above the foreshore dwelling roofline (approximately five metres).

The views from Coastal roads are not hindered by the proposed development and the visual avenue through Hamilton and out across the bay would be uninterrupted by the proposed development.



The siting and design of the development is consistent with the siting guidelines for Coastal Areas and Rural Hinterland 1999 and the siting and design guidelines for structures on the Victorian Coast, 1998.

It is considered that the layout and design of the dwellings has had a strong regard to the existing views and solar aspect of the dwellings on adjoining lots and provided for view sharing opportunities with existing dwellings and potential dwellings on the undeveloped allotments.

The subject site is not considered to be affected by environmental risks associated with Coastal erosion or storm inundation. These decision guidelines of the design and development overlay schedule I were not considered relevant to the proposal.

Concerns raised by Submitters

- Contrary to neighbourhood character

Objectors raised concerns that having two dwellings on one lot was an overdevelopment of the site and the resulting dwelling yield (1 dwelling per 400m²) was not consistent with the large lot subdivision pattern of the neighbourhood.

A site inspection was conducted and a desktop assessment prepared in response to the consideration of neighbourhood character. Under clause 21.09-11 Corinella, the planning scheme states that the landscape and built form character to be protected are the significant tree lined streetscapes, the low key character and views to and from Westernport.

It was considered that the streetscape on the northern end of Hamilton Street differed substantially from that of the southern end which appeared more in line with the character statements of the scheme. Vegetation removal, new street infrastructure and surrounding development in particular subdivisions at 9 and 18 Hamilton are considered contributory to this emerging coastal character.

Attachment three (AT-3) illustrates that two dwellings on the allotment equating to a rough density of 1 dwelling per 400m² is entirely consistent with the prevailing lot sizes of the neighbourhood.

- Insufficient garden area

Concern was raised on the lack of available garden area for the proposed development as not consistent with the neighbourhood or appropriate for the development.

The design and layout of the development was prepared with consideration of 35% garden area required in the General Residential Zone. It is considered that the proposal has adequately provided for unsealed, open garden areas in accordance with the planning scheme.

- Impact on property values

The material detriment resulting from a loss or reduction of existing water-views has been considered in its own right and in terms of amenity. The impact on commercial value of a property is not a planning consideration.

- Impact on views

The impact of the development on the views obtained from adjacent residential areas was a consideration in respect to the design and siting of the proposed development.



It was considered that the proposed development has considered view sharing in the layout and design of the proposal.

- Overlooking

The proposed development was considered against the objective and standards of Clause 55.04-6. It was considered that the use of high sill heights and obscure glazing to the south facing windows of dwelling one as noted on the plan complied with the standards of the planning scheme.

- Respecting a heritage dwelling

One objection referred to an existing heritage dwelling nearby the development. While some houses appeared to be Federation or Edwardian by design, these structures have not been identified as having heritage significance. The foreshore heritage overlay is concerned mainly with the boatsheds and jetty approximately 500m to the west.

- Noncompliance with a registered restrictive covenant

No registered restrictive covenant or agreement under Section 173 applies to the property as evidenced by the register search statement and plan of subdivision accompanying the application (title).

Conclusion

The application has been assessed against the Bass Coast Planning Scheme and is considered to be consistent with the provisions of the Scheme.

The application underwent notification and as a result there were seven submissions received. Concerns raised by submitters were considered in the assessment of the application.

It is recommended that Council resolve to issue a notice of decision to grant a planning permit for application 170122, subject to conditions.

Recommendation

That in relation to planning permit application 170172 the use and development of two dwellings with a height over 7 metres in the DDO1 located at 22 Hamilton Street, Council resolves to issue a Notice of Decision to Grant a Permit subject to the following conditions:

- 1. The development as shown on multi-dwelling development Ref D17030 issued Pd6 (the endorsed plans) shall not be amended, altered or modified without the further approval in writing of the Responsible Authority.**
- 2. Prior to the issue of a building permit, public drainage infrastructure must be provided to service 22 Hamilton Street either by:**
 - Pit and pipe in Hamilton Street extending to an agreed discharge point where stormwater is directed to Hamilton Street; and/or**
 - Via drainage easement across adjoining land to the existing underground system for the conveyance of stormwater directed to the east of the development.****to the satisfaction of the responsible authority .**

-
3. Before the works commence, detailed civil construction plans must be prepared to the satisfaction of the Responsible Authority for endorsement by the Responsible Authority. The plans must show:
- a) Drainage of the subject land compliant with the Best Practice Environmental Management Guidelines for Urban Stormwater and Bass Coast Shire Stormwater Management Plan (2003).
 - b) A drainage retardation system connecting to existing underground drainage system.
 - c) Consideration of any buildings and works and landscaping in the design.
 - d) Concrete driveway crossovers and driveway entrance culverts where required in accordance with Council's Standard Drawings.
 - e) Car parking and access ways designed, constructed and sealed with an all-weather sealed pavement to the satisfaction of the Responsible Authority.
 - f) How all vehicles are to exit the subject land in a forward direction.
 - g) Car parking spaces and access aisles designed in accordance with the Australian Standard for off-street car parking AS 2890.1 – 2004 and the Bass Coast Planning Scheme.
- All works must be constructed or carried out in accordance with those plans.
4. Vehicle and pedestrian access and drainage to serve the subject land must be located, constructed and maintained for defects to the satisfaction of the Responsible Authority prior to the occupation of the development.
5. The development hereby approved must not be occupied until all works required by the conditions of this permit have been completed to the satisfaction of the Responsible Authority.
6. The development must be managed during construction so that the amenity of the area is not detrimentally affected through the:
- a) Transport of materials, goods or commodities to or from the land;
 - b) Appearance of any building, works or materials;
 - c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, litter, dust, waste water, waste products, grit or oil; and
 - d) Presence of vermin or animals.
7. No mud, dirt, sand, soil, clay, stones, oil, grease, scum, litter, chemicals, sediments, gross pollutants, animal waste or domestic waste shall be washed into, allowed to enter or discharged to the stormwater drainage system, receiving waters or surrounding land and road reserves, during the construction works hereby approved to the satisfaction of the Responsible Authority.
8. This permit will expire if one of the following circumstances applies:
- a) The development is not started within two years of the date of this permit; or

- b) The development is not completed within four years of the date of this permit.

The responsible authority may extend the times referred to in accordance with Section 69 of the Planning and Environment Act 1987.

Notes:

If the creation of an easement is proposed, this requires further planning permission under Clause 52.02.

Attachments

AT-1	Planning Permit Application I70172 - 22 Hamilton Street, Corinella - Applicants Planning Report	20 Pages
AT-2	Planning Permit Application I70172 - 22 Hamilton Street, Corinella - Proposed Development	4 Pages
AT-3	Planning Permit Application I70172 - 22 Hamilton Street, Corinella - Neighbourhood lot size and context	1 Page
AT-4	Planning Permit Application I70172 - 22 Hamilton Street, Corinella - Site and Context Imagery	1 Page
AT-5	CONFIDENTIAL - Planning Permit Application I70172 - 22 Hamilton Street, Corinella - Confidential Submissions	9 Pages

Council Decision

Moved: Cr. Brett Tessari / Seconded: Cr. Julian Brown

That the recommendation be adopted.

CARRIED

For	Against
Cr Rothfield	Cr Le Serve
Cr Tessari	Cr Whelan
Cr Brown	
Cr Larke	
Cr Fullarton	
Cr Ellis	
Cr Kent	

Cr Le Serve forshadowed a motion.

H.3 Planning Application 180028 - Buildings and Works in the Bushfire Management Overlay, 1019 Ventnor Road, Summerland

File No:	CM18/58
Division:	Advocacy, Character and Economy
Council Plan Strategic Objective:	Our Character
	Celebrating the uniqueness of our townships

Application Details

Use/Development Sought:	Buildings and Works in the Bushfire Management Overlay
The Land:	“Penguin Reserve” 1019 Ventnor Road, Summerland
Planning Scheme:	Bass Coast Planning Scheme
Zoning:	Public Conservation and Resource Zone
Overlays:	Bushfire Management Overlay

Declaration

The author has no direct or indirect interests in relation to this report.

Executive Summary

This application proposes to construct a Visitor Centre and associated infrastructure at the Penguin Parade, 1019 Ventnor Road, Summerland.

The proposal triggers the need for a planning permit under Clause 44.06-2 (Bushfire Management Overlay) of the Bass Coast Planning Scheme. The application was exempt from the notice requirements and review rights of the Planning and Environment Act 1987.

This report addresses the planning merits of the proposal and concludes that the proposal accords with the relevant provisions of the Planning Scheme.

On this basis, it is recommended that Council resolve to issue a notice of decision to grant a planning permit for application 180028.

Strategic Basis**Council Plan Objective:**

Our Character – *Celebrating the uniqueness of our townships*

Strategic Outcome:

- Partnering with our community to protect and enhance the unique character of our townships, open spaces and rural landscape
- Ensure the review of the Municipal Strategic Statement improves the controls within our townships to ensure that the character is protected
- Strengthen the role of Wonthaggi as our regional centre
- Manage the sensitivities of development and growth pressures

- Be proud of, and share, our history and cultural life

Strategic Indicators:

Strategic Indicators	Measures
Build capacity in community planning	Host quarterly community building events and networking opportunities each year
Overall Community Satisfaction Rating	Achieve the top quartile of Large Rural Councils
Advocate on behalf of the community on key planning issues *	Make representation to state and federal government on key planning matters
Review the Municipal Strategic Statement	Completed by June 2018
Develop a strategic vision/plan for Wonthaggi as regional centre	Implement actions identified in Wonthaggi Dalyston Structure Plan review Strategic vision developed and adopted
Wonthaggi North East Precinct Structure Plan	Implement into Planning Scheme by June 2018
Sites and Theme Plan 2014-24	Action Plan completed annually
Incorporate the Phillip Island and San Remo Visitor Economy Strategy 2035 – Growing Tourism in the Planning Scheme as a reference document	Planning Scheme updated by June 2018

Application Details

This application proposes to construct a new Visitor Centre and associated infrastructure at the Penguin Parade. The \$48 million development includes:

- Construction of a 4875m² building comprising interpretive centre, classrooms, office space, 400 seat restaurant and café, two retail spaces, theatre and general public space;
- 508 car parking spaces, 50 coach spaces and 64 mini bus spaces;
- 375 metres of boardwalks

This development will replace the existing Visitor Centre built in 1988. The existing centre will be demolished and the site rehabilitated to create an additional 6.7 hectares of penguin habitat. A new visitor centre is proposed to be constructed on the site which would better accommodate the educational and interpretative experience offered by Phillip Island Nature Parks. A copy of the plan is provided as attachment one.

This application triggers the need for a planning permit as a portion of the proposed development is within the Bushfire Management Overlay.

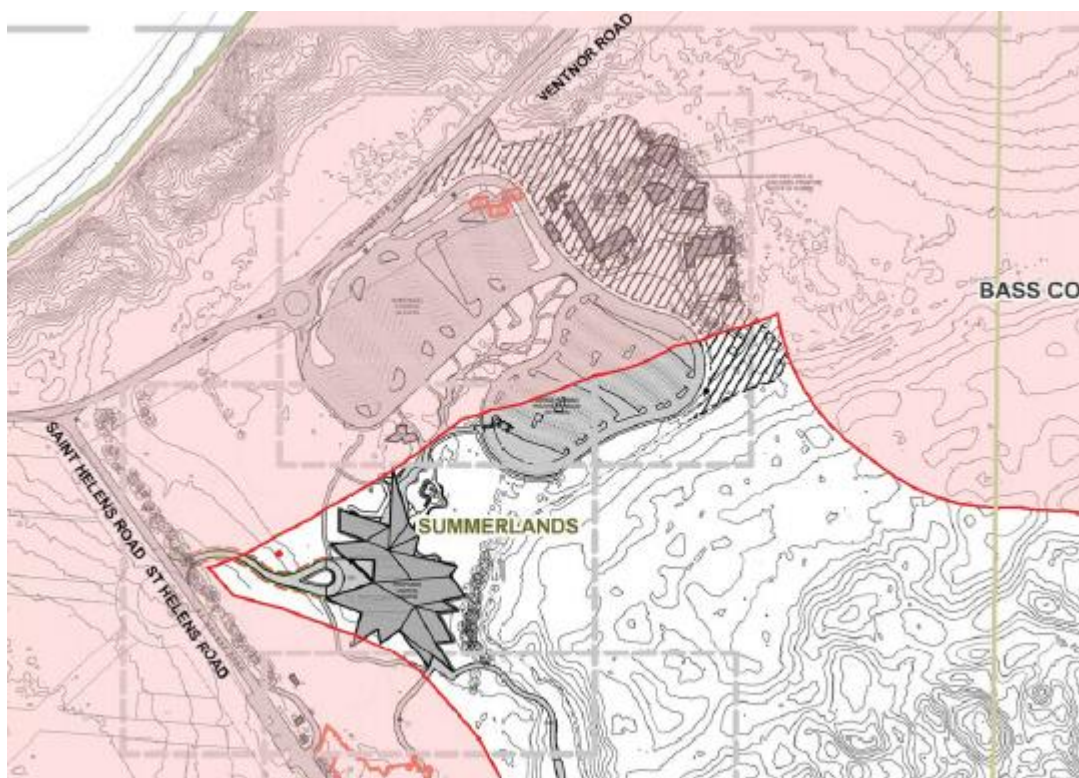


Figure 1: Proposed Development with Bushfire Mapping.

Reason a Council Decision is required

Council's delegations require that applications for developments of more than \$3 million be received by Council for determination. This application is valued at \$48 million.

Background

Following is a description of the subject site and other relevant information pertaining to the allotment.

Site Dimensions	The site is irregular in shape and measures 147.80 hectares
Topography	The land is generally flat.
Vegetation Cover	The site is vegetated with coastal banksia woodland, bird colony succulent hermland and small shrubs in foreshore areas.
Current Use	The subject site is home to the Penguin Parade Visitor Centre.
Easements	N/A
Restrictive Covenants	N/A
Aboriginal Cultural Heritage Sensitivity	A Cultural Heritage Management Plan has been provided with the application.
Planning Permit History	Planning Permit 170161 approved the removal of Native Vegetation under Clause 52.17.

The subject site is located on the Summerland Peninsula. The Peninsula is an exposed plateau of high conservation significance. The site contains a wide range of habitat of state botanical significance, in addition the site contains significant penguin habitat, and is home to many other species including migratory birds. The Peninsula is also home to the Nobbies Centre.

Notice

Applications within the Bushfire Management Overlay are exempt from the notice requirements of Section 52(1)(a),(b) and (d) of the Planning and Environment Act (the Act). The application is also exempt from the review rights of Section 82(1) of the Act.

Referrals

The following table outlines the referral requirements of this application.

Table two: Referral requirements and their comments

Referral Authority	Comments
External (Section 55 of the <i>Planning and Environment Act 1987</i>)	
Country Fire Authority.	No objection to the application subject to standard conditions.

Officer's Considerations

State and Local Planning Policy Framework Assessment

The key consideration for this application is the suitability of the site for the proposed buildings and works given a portion of the proposed development (refer to Figure 1) is within the Bushfire Management Overlay (BMO).

Given this context, the intent of the relevant State and Local Policies is to restrict and control development prone to wildfire and ensure that new development is designed to lessen the risk of fire.

Clause 13.05 of the State Planning Policy Framework sets out the State policy for bushfire, the policy requires that planning permit applications within the BMO consider the risk to people, property and infrastructure, require the implementation of appropriate measures to reduce risk and ensure that new development can implement bushfire protection measures without unacceptable biodiversity impacts.

Clause 21.01-5 (Environmental Hazards – Fire) seeks to ensure that new development is designed, sited and constructed to minimise the impact of fire. The policy also discourages development on land prone to wildfire and where development is permitted, seeks to ensure that the risk of the hazard is not increased.

The application is considered to be consistent with the relevant State and Local policies as;

- Consideration has been given to the location, design and construction of the buildings. This together with the implementation of bushfire protection measures would ensure that any risk to life and property is at an acceptable level.
- The proposal is a re-development of an existing facility on the same parcel of land, the new development, whilst larger, is proposed to be built to a Bushfire

Attack Level 12.5 (BAL12.5). The existing building has not been constructed in accordance with this standard.

- The applicant has addressed bushfire risk through consultation with the Country Fire Authority in relation to the proposal and has demonstrated that the required standards can be met.

Zone Assessment

The subject site is located within the Public Conservation and Resource Zone. The purpose of the zone is to protect and conserve the natural environment whilst providing facilities which assist in public education and interpretation.

A permit is not required for use and development in this zone as they are being conducted on behalf of the public land manager.

Overlays

The application triggers the need for a planning permit under clause 44.06 – 2 (Bushfire Management Overlay) of the Bass Coast Planning Scheme. The clause directs applications to include a bushfire hazard site assessment, bushfire hazard landscape assessment and bushfire management statement. All documents were supplied and referred to the Country Fire Authority refer attachment two.

The intent of the overlay is to ensure that human life is protected through the identification and management of the risk associated with bushfire. The Bushfire Hazard Landscape Assessment provided by the applicant identified the landscape as low risk due to the relatively low fuel hazard vegetation and flat topography.

An application within the BMO requires the applicant to demonstrate a range of measures aimed at reducing bushfire risk. The report provided demonstrates that measures in relation to landscape, design, siting, water supply and access can be met. Due to the competing needs of bushfire protection and revegetation of the site, the applicant has proposed a non-standard measure for defensible space. Effectively this will reduce the defensible space around the proposed building on the basis that other fire prevention measures are implemented. A reduction of defensible space is assessed as reasonable in this instance, as the building will not be used for accommodation, and will be staffed by employees experienced in fire and risk management procedures. The Country Fire Authority are satisfied with the reduction in defensible space.

The application is consistent with the objectives of the BMO for the following reasons;

- The application is consistent with the requirements of Clause 52.47 (Planning for Bushfire) of the planning scheme.
- The bushfire, site, hazard and landscape assessment have been referred to the Country Fire Authority, who have responded with no objection subject to standard conditions being placed on the permit.
- The landscape, design and siting objectives within clause 52.47-2.1 can be achieved, as can the water supply and access objectives of 52.47-3

Particular Provisions

Clause 52.06 Carparking.

An application which proposes to increase the floor area for a use is required to be assessed against Clause 52.06 – Carparking. The proposed development combines educational activities, restaurant, café, tourist attraction and retail premises. As such the car parking requirement cannot be determined by standard car park requirements listed at Clause 52.06-5 of the Scheme. In this circumstance car parking is required to be to the satisfaction of the Responsible Authority.

The applicant has advised the facility can accommodate a maximum of 3,800 patrons. The application proposes to construct 508 car parking spaces, 50 coach spaces and 64 mini bus spaces. Given the nature of the operation, in particular the large volumes of people who attend by coach and bus, it is assessed that the car parking proposed can accommodate more than 3,800 patrons and on this basis should be supported.

Conclusion

The application has been assessed against the Bass Coast Planning Scheme and is considered an appropriate response to the risk posed by bushfire.

It is recommended that Council resolve to issue a planning permit for application 180028, subject to conditions.

Recommendation

That in relation to planning permit application 180028 for Buildings and Works in the Bushfire Management Overlay located 1019 Ventnor Road, Summerland, Council resolves to issue a Planning Permit subject to the following conditions [or on the following grounds]:

Endorsed Plans

- 1. The Bushfire Management Plan (prepared by Terramatrix; dated 6 February 2018; must be endorsed to form part of the permit and must not be altered unless otherwise agreed in writing by the CFA and the Responsible Authority.**
- 2. The development as shown on the endorsed plans shall not be amended, altered or modified (whether or not in order to comply with any statute, statutory rule or for any other reason) without the further approval (in writing) of the Responsible Authority.**

Mandatory Bushfire Mitigation Measures

- 3. The bushfire mitigation measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defensible space, water supply and access, must be maintained to the satisfaction of the Responsible Authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.**

Asset Management

4. **No buildings or works shall be constructed on any existing easement or proposed easement without the further approval in writing of the Responsible Authority and relevant service provider.**
5. **Vehicle, pedestrian access and drainage to serve the subject land must be located, constructed and maintained for defects to the satisfaction of the Responsible Authority.**

Amenity

6. **No mud, dirt, sand, soil, clay, stones, oil, grease, scum, litter, chemicals, sediments, gross pollutants, animal waste or domestic waste shall be washed into, allowed to enter or discharged to the stormwater drainage system.**
7. **The development must be managed during construction so that the amenity of the area is not detrimentally affected through the:-**
 - a) **Transport of materials, goods or commodities to or from the land;**
 - b) **Appearance of any building, works or materials;**
 - c) **Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, litter, dust, waste water, waste products, grit or oil; and**
 - d) **Presence of vermin or animals.**

Country Fire Authority

8. **Within 12 months of the date of this permit is issued, the Phillip Island Nature Park's Emergency Management Plan must be reviewed and updated as necessary to the satisfaction of the CFA and Responsible Authority. The updated emergency management plan at a minimum should include the following details;**
 - a) **Premises details;**
 - i. **Describe the property and business details.**
 - b) **Procedures and actions**
 - i. **As necessary and in consultation with the CFA, clearly identify bushfire emergency management arrangements and outline procedures and actions;**
 1. **Prior to the fire danger period**
 - a. **Describe on site training sessions and fire equipment checks.**
 2. **On days of forecast for significant fire weather.**
 3. **For closure, evacuation and/or shelter in place.**

c) Review of the BEP

- i. Outline the plan must be reviewed and updated as required annually prior to the commencement of the Fire Danger Period**
- ii. Include a version control table.**

d) Roles and Responsibilities

- i. Detail the staff responsibilities for implementing the emergency management procedures in the event of bushfire. This must include assigning responsibility for the;**
 - 1. Management and oversight for implementing bushfire procedures.**
 - 2. Training of employees in emergency procedures.**
 - 3. Accounting for all persons during the emergency procedures.**

e) Emergency Contact Details

- i. Outline organization/person/contact details for emergency services personnel.**

f) Bushfire Monitoring Procedures

- i. Details measures for monitoring the threat of bushfire during the bushfire danger period.**
- ii. Describe and show (include a map) the area to be monitored for potential bushfire activity (i.e within 30 km of the site)**

g) Landscape Management Plan

- i. Details of the vegetation on site and how it will be managed for the purposes of defendable space and to reduce the effects of flame contact and radiant heat associated with bushfire.**

9. The building must be constructed to a minimum Bushfire Attack Level of BAL 12.5.

Permit Expiry

10. This permit will expire if one of the following circumstances applies:

- a) The development is not started within two (2) years of the date of this permit; or**
- b) The development is not completed within four (4) years of the date of this permit.**

The Responsible Authority may extend the periods referred to in accordance with Section 69 of the *Planning and Environment Act 1987*.

Attachments

AT- 1	Architectural Drawings TD-10-05 Rev 1 170929 1019 Ventnor Road Summerland 180028	1 Page
AT- 2	PINP Bushfire Management Statement	30 Pages

Council Decision

Moved: Cr. Stephen Fullarton / Seconded: Cr. Michael Whelan

That the recommendation be adopted.

CARRIED UNANIMOUSLY

H.4 Bass Coast Shire Municipal Recycling Material Processing

File No:	CM18/91
Division:	Infrastructure and Environment
Council Plan Strategic Objective:	Environment
	Maintain and protect the natural environment

Declaration

The author has no direct or indirect interests in relation to this report.

Summary

The purpose of this report is to inform Council of changes to the recycling processing industry in Victoria, and the implications this has for Council.

Visy Recycling has made a business decision that it has become commercially unviable to accept or process recycling materials at the current market rate. This is affecting multiple Council waste services contracts in Gippsland, Victoria and Australia.

Bass Coast Shire Council's waste collection contractors have a contract with Visy Recycling to accept and process Council's municipal recycling material, and are affected by the Visy Recycling decision.

A contract variation of up to \$45,000 (incl. GST) was approved, under delegation, to allow for collection and processing of recycling materials collected in Bass Coast Shire to occur after 9 February 2018 for a further 30 days. This allows services to continue while the State government and the Municipal Association of Victoria continue discussions with the recycling processors to find an immediate solution to the issue.

This report recommends that Council:

- Notes the variation made, under delegation, for up to \$45,000 (incl. GST) to Council's Waste Collection Services Contract allowing for collection and processing of recycled materials to continue for a further 30 days;
- Support the Municipal Association of Victoria's advocacy to State government for financial assistance to effected Council's until 30 June 2018, and ongoing negotiation with the recycling industry; and
- Continue to investigate and consider all other viable option to accepting and processing Bass Coast Shire municipal recycling material as an alternative to landfilling.

Background

Wonthaggi Recyclers Pty Ltd holds Council's kerbside waste collection contract which includes the requirement to responsibly process or landfill the materials they collect (organics, recycling, garbage). Approximately 5000 tonne of recycling material is collected within Bass Coast Shire per annum. Wonthaggi Recyclers P/L has an agreement with Visy Recycling to accept the municipal recycling materials collected from Bass Coast Shire under contract for 10 years, September 2016 to September 2026. The contract Wonthaggi Recycling has with Visy Recycling, as well as the

expected revenue from recycling material was considered when formulating the cost of the contract within their tender bid to Council.

Visy Recycling has made a business decision that it has become commercially unviable to accept or process recycling materials at the current contract rate. Visy Recycling have indicated that to regain commercial viability they must impose a gate fee significantly increasing the cost per tonne to accept and process recycling material.

Visy Recycling decision is due to significant and structural changes in local and global commodity markets, including:

- The gradual introduction by China (the world's largest purchaser of recycling commodities) of restrictions on commodity grades, culminating in a ban on the importation of sorted recycling materials (effective from 1 January 2018);
- The collapse and continued depression of prices for recycling commodities; and
- A general weak demand for these recycling materials.

These changes in recycling market conditions are also impacting the two other recycling materials processors in Victoria; SKM Recycling and Polytrade Recycling.

On the 24 January 2018 Wonthaggi Recyclers P/L received formal written notification from Visy Recycling that it will exercise the Force Majeure clause in the contract suspending services, effective 9 February 2018 for 30 days, with no foreseeable recommencement of services under the current contract conditions. (A force majeure is generally an event that is triggered by something beyond its reasonable control).

Strategic Basis

Council Plan Objective:

Environment – *Maintain and protect the natural environment*

Strategic Outcome:

- **Provide efficient and equitable waste management services and infrastructure**
- **Reduce the carbon footprint of the municipality**
- Manage the balance between our natural environment, public access and use of our foreshores and waterways
- Enhance our environment and landscape with vegetation and native wildlife protection initiatives
- Partner with other land managers along coastal areas for consistent management
- Advocate for state and federal government support and assistance on coastal erosion*

Strategic Indicator

Strategic Indicators	Measures
Emission Reduction	By 2025 achieve a 50% reduction in greenhouse gas levels per Bass Coast resident compared to 2009/10

Restore coastal and inland vegetation corridors in partnership with land owners, land managers and land care groups	Complete Biolinks Plan and commence implementation by June 2018
Increase coverage of native vegetation in the Shire	Increase native vegetation cover by minimum of 1.5% each year
Implement the Waste Management Strategy 2015-25	Increase diversion of kerbside waste from landfill to 70% by 2021 to extend the life of our landfill
Implement the Natural Environment Strategy 2016-26	Action Plan completed annually

Major Initiative / Initiative

Implement priority action of the *Natural Environment Strategy*

Strategies / Policies*Natural Environment Strategy 2016-26*

Action 1.1.4 - Identify and invest in environmentally sustainable waste technology and options to increase materials efficiency and reduce consumables.

Action 1.2.4 - Continue to ensure the social, environmental and economic responsible disposal of municipal waste.

Waste Management Strategy 2015-25

Objective - Provision of waste management services and infrastructure to community, residents and businesses to meet their needs as efficiently and equitably as possible, in a financially, socially and environmentally responsible manner.

Statutory Requirements/Codes/Standards/Policies

- *Local Government Act 2007*
- *Environment Protection Act 1970*
- *National Waste Policy: Less Waste, More Resources*
- *Getting Full Value: the Victorian Government Waste and Resource Recovery Policy*
- *Statewide Waste and Resource Recovery Infrastructure Plan*
- *Regional Waste and Resource Recovery Implementation Plan*
- *Bass Coast Procurement Policy, April 2017*
- *Natural Environment Strategy 2016-2026*
- *Waste Management Strategy 2015-25*
- *Waste Contracts 2017- 2027*

Discussion

Ongoing meetings and negotiation have been occurring between the State government (Premier, Treasurer, Minister for the Environment and Minister for Local Government), recycling materials processors, kerbside collectors, Municipal Association Victoria (MAV), Regional Waste and Resource Recovery Groups, the Metropolitan Waste and Resource Recovery Group, EPA Victoria and Sustainability Victoria to find other options to process co-mingled recycling materials.

MAV has been meeting with the Premier, Treasurer, Treasury and Finance discussing the financial impact to Council's budgets and municipal rates, job losses if kerbside collectors become unviable and accessing the Sustainability Fund to provide a financial assistance package to affected Councils.

Discussions are continuing between all parties to find a short term solution to the change in market conditions and price increases being imposed on kerbside collectors and Councils, however negotiations to date have been unsuccessful.

To date, 27 Victorian Councils are affected by the Visy Recycling decision and not having a processor for their recycling material. This figure is expected to grow as more metropolitan Councils are affected in the next week. Wonthaggi Recyclers P/L is working collectively with the other kerbside collectors who hold contracts with Visy Recycling which are also suspended and are affected.

Visy Recycling are attempting to renegotiate their contracts with kerbside collectors imposing significantly increased gate fees for the remaining term of the suspended contracts. Visy Recycling have advised an increased gate fee which reflects the price they have determined is commercially a viable for their continued acceptance and processing of co-mingled municipal recycling material.

Options available and being considered by affected Council's and their kerbside collectors at this time are:

- Collect and stockpile the Council's municipal recycling material until a solution is found. This is not viable due to breaches in insurance conditions, EPA regulations and insufficient physical space.
- Pay the increased gate fee to Visy Recycling. The cost increase is significant and if not passed through to the Council the collector business will become unsustainable. Council would need to procure a new kerbside waste collection service immediately for continuation of service. Council Procurement Policies and the *Local Government Act 1989* need to be considered due to the value of the contracts.
- Landfill the municipal recycling material until a solution is found. For some Council's the cost to landfill is equal too, or cheaper than the increase in the Visy Recycling gate fee and transport costs. This is not the case for Bass Coast Shire Council.

Wonthaggi Recyclers P/L have received the increased gate fee figure from Visy Recycling and have advised Council that they cannot absorb the cost of the gate fee offered and will become unsustainable if they are unable to pass this cost to Council, or find another viable option for processing the material.

Stockpiling Bass Coast Shire Council's kerbside recycling material for any length of time is not an option for Wonthaggi Recyclers P/L due to physical space constraints and insurance reasons.

Council has a clear position in relation to taking waste to landfill as outlined. Council does not wish to landfill its kerbside recycling material as this is not consistent with policy to divert waste from landfill, or Council's *Natural Environment Strategy* and *Waste Management Strategy*. Landfilling Council's kerbside recycling material would consume airspace resulting in increased capital construction and rehabilitation costs.

Landfilling kerbside recycling material is a more expensive option for Bass Coast Shire Council when comparing the landfill gate fee for municipal waste (including the State EPA levy) and the increased gate fee for co-mingled municipal recycling material being offered by Visy (including transport costs).

To facilitate Bass Coast Shire residential kerbside collection of recycling material to continue beyond 9 February 2018 Wonthaggi Recyclers P/L negotiated with Visy Recycling to accept and process co-mingled municipal recycling material at the increased gate fee until 28 February 2018.

Council, under delegation, agreed to a variation of up to \$45,000 (incl. GST) for Council's Waste Collection Services Contract with Wonthaggi Recyclers for a further 30 days whilst the State government and the MAV continue to find a satisfactory solution to the issue.

Since the variation was agreed, 9 February 2018, Visy Recycling has advised that they will only accept and process Council's co-mingled municipal recycling material for a further 16 days, until 28 February 2018.

As a result of this action there is no current practical change to the service for Bass Coast Shire residents who receive Council's kerbside waste collection.

Finances

The Victorian recycling processing industry which accepts municipal kerbside waste has been structured on a price rebate system. This has now become unviable and gate fee per tonne of recycling material has been imposed.

Visy Recycling, as the largest and most diverse of the three recycling processors in Victoria has offered the same increased gate fee and terms (until 28 February 2018) to the affected Council it has suspended its contracts with.

This results in a significant increase to the kerbside collectors who have all indicated that they are unable to absorb this cost and remain sustainable.

Councils Waste Services Collection contract sum is \$5,039,248.19 per annum for a period of 10 years.

Stakeholders

The following stakeholders have been identified:

- Bass Coast Shire Council
- Bass Coast Shire residents
- All Victorian Councils
- State government
- Wonthaggi Recyclers
- Municipal Association of Victoria

- Gippsland Waste and Resource Recovery Group
- Metropolitan Waste and Resource Recovery Group,
- Sustainability Victoria
- EPA Victoria
- Recycling materials processors

Council has been in daily contact with Wonthaggi Recyclers Pty Ltd and the Gippsland Waste and Resource Recovery Group. Daily telephone conferences have been held with MAV and representatives of the 27 affected Councils. Councillors have been briefed and provided with updates regularly.

Other Options

Council may choose to note this report, the information within and the officer recommendation. This would allow for the State government and MAV to continue negotiating a short term solution to the issue, and Council to understand the financial implications from the industry gate fee adjustment and any State government assistance package available.

Council may choose not to accept the report and officer recommendation, and let the contractor, Wonthaggi Recyclers P/L, absorb the cost of the additional gate fee imposed by Visy Recycling. This would result in the contractor becoming unsustainable and a breach in contract, with cessation of Council's kerbside collection.

Council may choose not to accept the report and officer recommendation, and send its collected co-mingled municipal recycling material to landfill. This option would be inconsistent with Council's policy position, exhaust airspace in the landfill, and cost more than the gate fee being imposed by Visy Recycling for the recycling material.

Conclusion

The recycling processing industry market in Victoria (and Australia) has shifted and a price adjustment has been imposed on the municipal kerbside collection contractors and Councils for the co-mingled municipal recycling material. The increased gate fee for this material will have a significant impact on kerbside collection contractors and contracts.

Discussions and negotiations between the State government, recycling processors, kerbside collectors and other affected parties continue. MAV are advocating for the State to find short and long term solutions for affected Councils and the recycling processing industry. This includes financial assistance to affected Councils until 30 June 2018, and ongoing negotiation with the recycling industry.

Council, with its kerbside collection waste contractor has negotiated with Visy Recycling to continue to accept and process Council's co-mingled municipal recycling material at an increase gate fee. This allows time for further discussions and negotiations to continue with the recycling processing industry, State Government and MAV to find an immediate short term solution, and then long term viable solution for Councils, kerbside collection contractors and processors.

Recommendation

That Council:

- 1. Notes the variation made, under delegation, for up to \$45,000 (incl. GST) to Council's Waste Collection Services Contract allowing for collection and processing of recycled materials to continue for a further 30 days;**
- 2. Support the Municipal Association of Victoria's advocacy to State Government for financial assistance to effected Council's until 30 June 2018, and ongoing negotiation with the recycling industry; and**
- 3. Continues to investigate and consider all other viable option to accepting and processing Bass Coast Shire municipal recycling material as an alternative to landfilling.**

Attachments

There are no attachments for this report.

Council Decision

Moved: Cr. Michael Whelan / Seconded: Cr. Bruce Kent

The amended recommendation be adopted.

That Council:

- 1. Notes the variation made, under delegation, for up to \$45,000 (incl. GST) to Council's Waste Collection Services Contract allowing for collection and processing of recycled materials to continue for a further 30 days;**
- 2. Support the advocacy to State Government for financial assistance to effected Council's until 30 June 2018, and ongoing negotiation with the recycling industry; and**
- 3. Continues to investigate and consider all other viable option to accepting and processing Bass Coast Shire municipal recycling material as an alternative to landfilling.**

CARRIED UNANIMOUSLY

H.5 Pioneer Bay Road and Drainage Upgrade Project - Notice of Declaration

File No: CMI7/904
Division: Infrastructure and Environment
Council Plan Strategic Objective: Liveability
 Enjoying the place we live

Previous Items: SR5/17 - Pioneer Bay Road and Drainage Improvement Project - Adoption of Concept Design - Council - 21 Jun 2017 5.00pm
 SR10/15 - Pioneer Bay Urban Road and Drainage Improvement Project - Council - 09 Dec 2015 5.00pm
 SR5/15 - Pioneer Bay - Results of Community Information Sessions on roads and drainage issues - Council - 19 Aug 2015 5.00pm
 SR11/17 - Pioneer Bay Road and Drainage Upgrade Project - Council - 20 Sep 2017 5.00pm

Declaration

The author has no direct or indirect interests in relation to this report.

Summary

Pioneer Bay is an urban area with unconstructed roads and drains which has been identified through the Urban Roads and Drainage Improvement Policy for potential upgrade.

At its Ordinary Meeting on 20 September 2017 Council resolved:

That the Bass Coast Shire Council (Council) –

- 1. Commences the statutory process under section 163 of the Local Government Act 1989 (Act) to declare at its (at its first ordinary meeting to be held in February 2018) a Special Charge for the purpose of defraying the expenses and costs to be incurred by Council in relation to the construction and drainage of the roads in of the Pioneer Bay Estate Area to be known as the 'Pioneer Bay Area Special Charge Scheme Number 61' (Special Charge or Scheme).*
- 2. In accordance with sections 163(1A) and 163B(3) of the Act, directs that public notice of the proposed declaration be given in the 'South Gippsland Sentinel Times' and 'Phillip Island and San Remo Advertiser' of the intention of Council to declare at its at its first ordinary meeting to be held in February 2018 a Special Charge in the form of the attachment to this resolution (Proposed Declaration of Special Charge) (Attachment 4 and including Schedule 1 and Schedule 2 and also the statement pursuant to sections 163(2)(a), (2A) and (2B) of the Act (Benefit Ratio Statement (Attachment 2)) such Special Charge to be for the purposes specified in paragraph 1 and otherwise set out in the Proposed Declaration of Special Charge.*
- 3. Further directs in accordance with section 163(1C) of the Act that separate letters enclosing a copy of the public notice be sent to the owners and occupiers of the properties referred to and set out in Schedule 2 to the Proposed Declaration of Special Charge advising of the intention of Council to declare the Special Charge at its first ordinary meeting to be held in February 2018 the amount for which each*

property owner will be liable, the basis of the calculation and distribution of the Special Charge and notifying such persons that any submissions and/or objections in writing in relation to the Proposed Declaration of Special Charge must be received by 3 November 2017 and will be considered and/or taken into account by Council in accordance with sections 163A, 163B and 223 of the Act.

- 4. Establishes and appoints a Committee under section 223(1)(b)(i) of the Act comprised of the Mayor (or an alternate nominated Councillor) and the three Ward Councillors, being Councillor Clare Le Serve, Councillor Bruce Kent and Councillor Geoff Ellis (or their respective appointed nominees) to hear any persons who have requested that they be heard in support of their submissions.*
- 5. Authorises the Council's General Manager Infrastructure or the person for the time being acting in that position to carry out any and all other administrative procedures to enable Council to carry out its functions under section 163A and sections 163(1A), (1B) and (1C) and sections 163B and 223 of the Act.*

A Committee of Council, previously established and appointed under section 223(1)(b)(i) of the Local Government Act 1989 (Act) to hear persons who in their written submissions lodged with Council in relation to the proposed Scheme had requested that they be heard by Council (Committee), has recommended that the Scheme proceed, unchanged.

The report of the proceedings of the Committee, which also includes for Council's consideration a summary of the hearings and other relevant comment by way of recommendation on all of the written submissions and objections received, is attached to this Report ('Committee Report') – Attachment 4 ('AT- 4').

On the basis otherwise set out in this Report, it is recommended that Council –

1. Proceed with the declaration of the Special Charge for which Council has previously given public notice, being for the upgrade of road and drainage infrastructure within the Pioneer Bay Area; and
2. Advise affected property owners in the Scheme of Council's decision, and the reasons for the decision.

The recommendation, if adopted by Council, is the next step in the Special Charge Scheme process in accordance with the requirements of the Act.

Following declaration of the Special Charge, Council may proceed to levy the Special Charge on those persons who are liable to pay the Special Charge.

A person aggrieved by the imposition of the Special Charge has a right to apply to the Victorian Civil and Administrative Appeals Tribunal (VCAT) for a review of the Special Charge.

Background

Bass Coast Shire Council (Council) has a legacy of urban areas with no drainage, unsealed roads and no footpaths. Council has a prioritised list of all the areas across the Shire that have unconstructed streets and inadequate drainage, with a view of upgrading these areas. This list is available on Council's website.

A mechanism that Council has adopted to fund these substantial upgrade projects in the past has been through the Special Charge provisions under the Act. These provisions allow Council to recover the costs of infrastructure works from (and for

the costs to be equitably distributed amongst) properties which receive a 'special benefit'.

As per Council's 'Urban Roads and Drainage Improvement Policy', the Pioneer Bay Estate is currently the highest priority on the priority list for possible infrastructure upgrades to be undertaken within the Shire.

Council allocated funding in the 2014/2015 Capital Works Program to undertake preliminary community consultation to determine if there was a sufficient level of support within the community for a potential improvement project, and whether property owners in the area would be prepared to contribute towards the cost of the works through a Special Charge. The results of this preliminary consultation justified Council in moving to the next stage of the process.

Following the preliminary consultation, the 'Pioneer Bay Road and Drainage Improvement Project Concept and Layout Plan for Preferred Design 'Option 1'' was adopted by Council on 21 June 2017. The document shows the extent of the proposed works for the Scheme and is attached to this Report ('Concept Design Plan') – Attachment 1 ('AT-1').

On 20 September 2017, Council commenced statutory procedures relating to the Scheme by advertising its intention to declare the proposed Special Charge. A public notice was placed in the 'South Gippsland Sentinel Times' on 3 October 2017 and the 'Phillip Island and San Remo Advertiser' on 4 October 2017. The notices advised of Council's intention to declare the Special Charge Scheme, and invited submissions and/or objections in relation to the proposal.

Copies of the public notices and the proposed declaration of the Special Charge were provided to all owners and occupiers of the properties included in the Scheme.

Also included with the information package sent to the persons referred to in the previous paragraph were details of the 'benefit ratio' which (as a part of Council's intention to declare the Special Charge) had been determined by Council ('Benefit Ratio Statement') – Attachment 2 ('AT-2'), the proposed apportionment distribution (including option trials) ('Apportionment and Distribution Statement') – Attachment 3 ('AT-3'), the Concept Design Plan and the estimated cost for each property.

The 'Benefit Ratio Statement' seeks to determine the total amount of the Special Charges to be levied on the special ratepayers and is the estimated proportion of the total benefits of the Scheme to which the road and drainage works relate, including special benefits and community benefits, that will accrue as special benefits to all of the persons who are liable to pay the Special Charges.

The 'Benefit Ratio Statement' requires Council to make a contribution towards the cost of the works being provided under the Scheme, details of which are set out and explained in the 'Benefit Ratio Statement'.

The 'Apportionment and Distribution Statement' seeks to determine the fairest and most reasonable way to apportion the Special Charges amongst those persons who are liable to pay the Special Charges.

Following trials carried out by Council officers and a consideration of different methods of distribution, it is being recommended to Council that it adopt the method of distribution of the Special Charge amongst those persons who are liable to pay which is set out in the 'Apportionment and Distribution Statement'.

The recommended method of distribution is based on the allocation of 'benefit units' for each property in the Scheme: with one benefit unit being for 'Road Related Infrastructure' and a second benefit unit being for 'Drainage Related Infrastructure'.

In applying the 'benefit units', the proposed calculation of the Special Charge takes into account the 'frontage' and the 'area' of each property (for the purposes of determining the 'road' and 'drainage' benefits in the Scheme) and then applies relevant 'adjustment' factors in order to determine the number of 'benefit units' which a particular property should receive and this being the basis for calculating the property's Special Charge, details of which are set out and explained in the 'Apportionment and Distribution Statement'.

The closing date for Scheme submissions and objections was 3 November 2017. The time allowed for was over and above the legislative requirement of a minimum of 28 days.

There are 227 residential properties affected by the proposed Scheme. All 227 properties have been identified as receiving, or likely to receive, a direct or indirect benefit from the proposed works.

Less than 50% of property owners have objected to the Scheme, therefore in accordance with the legislation, no legal basis is automatically triggered whereby Council cannot proceed with the Scheme (although notwithstanding this, Council may still decide not to proceed with the Scheme).

Copies of all of the written submissions received by Council under section 223 of the Act and all of the written objections lodged with Council under section 163B of the Act have, separately, been attached to this report (AT-5 and AT-6)

While Councillors will note that the Committee Report deals primarily with the hearing of submitters, the Committee Report also makes recommendations in respect to all of the submissions and objections which were received.

Separately, Council officers make the following relevant comments in relation to the submissions and objections which have been received by Council in relation to the Scheme.

Of the 227 properties:

- Fifty two (52) of the responses included objections to the Special Charge Scheme (This represents, for the purposes of section 163B of the Act, a 23% objection level). There was one late objection. This was nevertheless received by Council
- A total of forty five (45) submissions were received during the submissions period, plus an additional submission from one property owner who provided two submissions. There was one late submission. This was nevertheless received by Council.
- Three (3) property owners requested that they be heard in support of their submissions.
- The main issues raised in the submissions and objections and, by way of summary, are that:
 - The Special Charge cost is excessive and unreasonable
 - The works do not provide any benefit to at least some property owners

- Property owners cannot afford to pay the amounts of the Special Charge
- Property owners (and occupiers) would prefer the status quo to remain, with the roads remaining unconstructed and the drainage system not being upgraded.
- Some property owners consider the works or components of the works are unnecessary.
- Council should be paying for all of the Scheme costs from its general revenue.

A Committee of Council which heard the submitters who wished to speak in support of their submissions met (with Council Officers present) on 28 November 2017. The Committee consisted of the Mayor, Pamela Rothfield, and Ward Councillors, Clare Le Serve, Bruce Kent and Geoff Ellis.

For their consideration, Councillors are referred to the copies of the written submissions and objections provided with their agenda papers for this meeting and to the Committee Report.

By way of further background, and separate from and in addition to, the works associated with the Pioneer Bay Estate Road and Drainage Upgrade Project, confirmation is provided to Councillors that an additional main drainage system upgrade project involving Melbourne Water is also currently being planned (other main drainage works).

Council is contributing to the cost of the other main drainage works. It is proposed that the other main drainage works will be constructed in conjunction with, but not as a part of, the Pioneer Bay Road and Drainage Upgrade Project.

However, even if the other main drainage works are not constructed in conjunction with (or at the same time as) the Pioneer Bay Road and Drainage Upgrade Project, Council officers consider the Pioneer Bay Road and Drainage Upgrade Project to be a separate and stand-alone component of the overall works which are required to improve the physical standards of (and the property services available to) the Pioneer Bay Estate.

On this basis, it is considered that the works proposed for the Pioneer Bay Road and Drainage Upgrade Project, in themselves, will provide a present or future special benefit to all of the properties in the Estate.

The estimated Council contribution for the other main drainage works is outlined below, and includes the cost of acquiring land for a 'wetland area'.

Works to be done outside of (but in association with) the Special Charge Scheme	Contributions of stakeholders
Total of estimated cost of road and drainage works including land acquisition, wetlands and waterway works	\$6,938,692 (Estimate based on Melbourne water cost at \$1,750,000)
Estimated contribution from Melbourne Water	\$1,500,000 - \$2,000,000
Estimated total contribution from Council	\$1,098,518 (Includes wetland land acquisition of \$238,000 and Melbourne Water contribution of \$370,000)

Strategic Basis

The Local Government Act 1989

The Act sets out the objectives of Councils. Section 3C of this Act states that:

“the primary objective of Council is to endeavour to achieve the best outcomes for the local community having regard to the long term and cumulative effects of its decisions and in doing so, must have regard to the facilitating objective to improve the overall quality of life of people in the local community.”

The Council Plan 2017-2021

The Council Plan 2017-2021 includes strategic outcomes regarding Liveability and *enjoying the place we live*. Some of the outcomes included in the Council Plan are to:

- Plan and provide well maintained public amenities and facilities
- Ensure any road or drainage infrastructure projects consider safe and accessible crossings for pedestrians
- Protect our natural environment balanced with access for all to enjoy

In order to achieve these outcomes, Council has a number of existing strategies, plans and policies to manage its resources effectively, whilst still providing and improving infrastructure within the Shire. This includes the ‘Urban Roads and Drainage Improvement Policy’ which, as previously noted, lists the Pioneer Bay Estate with the highest priority on the priority list for possible infrastructure upgrades to be undertaken within the Shire.

Bass Coast Planning Scheme

The majority of the land included within the proposed road and drainage upgrade project is zoned ‘General Residential Zone (Schedule 1)’. In determining the ‘Maximum Levy Amount Payable’ across the applicable properties included in the Special Charge Scheme (and when considering the related Planning Scheme zone, overlays and other controls) two properties were identified as having subdivision potential, primarily due to their area and size. The overlays related to these two properties are the ‘Design Development Overlay’ and the ‘Land Subject to Inundation Overlay’. Further details regarding the applicable properties are included in the ‘Benefit Ratio Statement’.

In addition, the Council-owned recreational reserve at 11 Daisy Avenue is zoned 'Public Park and Recreation Reserve'. Notwithstanding its zoning, this land is (conservatively) considered to also have subdivision potential.

Clause 21.10 of the Planning Scheme includes provisions specifically related to upgrade of the road infrastructure in the Pioneer Bay settlement area. It states under 'Local Area Implementation (Infrastructure)':

"Investigate the community and feasibility issues associated with sealing the roads to a residential standard".

By Council resolving to declare a Special Charge Scheme for infrastructure upgrades in the Pioneer Bay Estate area, Council will continue to ensure that the proposed Special Charge Scheme is consistent with the Planning Scheme provisions.

Clause 21.10 of the Planning Scheme further states under 'Local Area Implementation (Environment)':

"Construct a footpath along the main street to connect Bass Highway and the bus stop with the majority of the estate and the foreshore".

The proposed road and drainage project for Pioneer Bay includes infrastructure upgrades that achieve this outcome.

Urban Roads and Drainage Improvement Policy

The Urban Roads and Drainage Improvement Policy states that:

- Council is committed to provide road, road related and pathway infrastructure within urban areas across the Shire that continues to meet the community needs both current and in future
- Council is committed to ensure stormwater is managed effectively in all urban areas across the Shire

The existing policy highlights Council's commitment to improving infrastructure for residents and ratepayers within urban areas.

The opportunity Council provides to property owners to consider road and drainage upgrades confirms Council's commitment to improve and or comply with the stated community service levels. This would also deliver on Council's commitment to improve the liveability, township character and both the built and natural environment for residents and ratepayers within the Shire's urban areas.

As previously noted, Pioneer Bay is currently the highest priority within the Urban Roads and Drainage Improvement Policy. The Policy states that Council will share the cost of any footpath construction with those property owners included in a related Special Charge Scheme. For this reason, 50% of the cost of the footpath construction in the proposed Pioneer Bay Road and Drainage Upgrade Project has been deducted from the overall project cost in order to calculate the cost of the works to be charged to the property owners.

In addition to this footpath deduction and its policy requirements, a further amount has also been deducted for removing (at Council's cost and where this is required) the existing sealed sections of road surface in the Estate and the existing sections of concrete kerb and channel (as to which, and so far as can be ascertained from available records and can reasonably be concluded by Council officers, no component of which has been paid for through any previous special rate or charge scheme).

The justification for removing the existing sealed sections of road surface in the Estate and the existing sections of concrete kerb and channel where this will be required (existing kerb and channel and existing road pavement will be retained wherever possible) – apart from the fact that Council is paying for the cost of its removal – is that the Estate’s existing kerb and channel and road pavement is considered to have exceeded its useful asset life and cannot reasonably be retained and integrated into the new infrastructure to be provided for the Estate under the Scheme works. Despite this, if it is possible to retain as a part of the works any existing road pavement or kerb and channel, Council will do so.

Special Charge Scheme

Section 163 of the Act enables Council to make a declaration to defray the costs incurred or to be incurred by Council from persons considered to receive a special benefit from the works through a Special Charge Scheme. Council has successfully implemented these types of Schemes in the past.

The statutory procedures under section 163 of the Act for declaring and levying a Special Charge are summarised as follows:

Procedural Step	Status	Proposed Date
Community Information Sessions held. Provided outline of proposed works to affected landowners	Completed	May 2015, April 2016, November 2016 and April 2017
Council resolves its intention to declare a Special Charge Scheme at its 20 September 2017 Council meeting, giving at least 28 days prior notice to declaring a Scheme.	Completed	20 September 2017
Advertise and place a copy of the proposed declaration on display for at least 28 days after the publication of the notice.	Completed	4 October 2017
Committee of Council to consider all submissions in relation to Council’s intention to declare the Special Charge Scheme.	Completed	28 November 2017
Council to consider the Committee’s recommendations and decide to proceed with, vary or abandon the levying of the Special Charge Scheme at its Ordinary Council Meeting on 21 February 2018.	Purpose of this Report	21 February 2018
Owners will be advised of Council’s decision and of their rights of review if Council decides to proceed.	Future step	February 2018
Appeals can then be made within 30 days to the Victorian Civil Administrative Tribunal (VCAT) for review of Council’s decision to proceed with the Scheme.	Future step	March 2018

If an appeal is made to VCAT Council will need to await a hearing date. Subject to review and approval by VCAT, Council can then proceed with construction works included in the Special Charge Scheme.	Future step	2018 - 2019 dependent on if VCAT appeals are made
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Section 163A of the Act outlines the formal statutory submissions process. This section of the Act states:

“A person may make a submission under section 223 in relation to a Council’s proposal to make a declaration under section 163.”

Under section 223 of the Act any person is eligible to make a submission regarding the proposed Special Charge. Forty six (46) written submissions from forty five (45) properties were received. One late submission was received. Three landowners included within the Scheme made a request to speak to their submission and were heard by the Committee of Council on 28 November 2017.

Councillors are again referred to the Committee Report attached to this Report as Attachment 4 ('AT-4').

Fifty two (52) property owners made a written objection to the Scheme within the advertised time frame. There was one late objection. This represents a 23% level of objection. This means there is no legal reason whereby Council is compelled to now abandon the Special Charge, however Council has the power to do so if this is its wish.

The Act was amended in 2003 and ministerial guidelines in relation to Special Charge Schemes were introduced in 2004. The Act and the prescribed ministerial guidelines set out the basis for administering the Scheme and determining the total Scheme cost and then the distribution of that cost amongst the contributors.

Council is required to determine the maximum amount that owners included within the Scheme must contribute, known as the 'Maximum Total Levy'. The legislation and guidelines require Council to:

- identify any properties within the Scheme boundary that will not be included in the Scheme (as financial contributors) but which will nonetheless receive a special benefit. This requirement primarily relates to non-rateable properties, such as Crown or Council-owned land. The guidelines indicate that Council should contribute financially for these properties; and
- determine the level of community benefit that Council is required to contribute to the Scheme based on the level of benefit to the broader community (the community benefits must be *clear, direct and tangible*).

Council must determine the 'Maximum Total Amount' that may be levied on landowners in accordance with the Act. The following formula is used to determine the maximum amount:

$$R \times C = S$$

where

R is the benefit ratio determined by Council in accordance with the Act and prescribed ministerial guidelines

C is the total Scheme cost

S is the maximum amount that may be levied on landowners

The benefit ratio (R) is the estimated proportion of the total Scheme cost that the owners involved in the Scheme can contribute. The balance is to be paid by Council on behalf of the whole community.

To determine the benefit ratio (R) for the proposed Scheme in the Pioneer Bay Area, an assessment of the properties included within the Scheme has been undertaken.

The 'Benefit Ratio Statement' attached to the report as Attachment 2 ('AT-2') provides a full explanation about how the benefit ratio (R) has been calculated and is which is being recommended to Council.

Discussion

Apportionment of costs

Once the 'Maximum Total Levy' has been calculated, the apportionment of costs for landowners who will receive a special benefit from the project is to be undertaken and this generally is (and in this Scheme will be) based on the following general principles:

- A property that gains a direct or indirect benefit from the road and road-related infrastructure contributes towards the cost of road and associated infrastructure (road access benefit);
- A property that gains a direct or indirect benefit from the drainage-related infrastructure *within the road reserve* contributes towards the cost of drainage related infrastructure *within the road reserve* (road drainage benefit); and
- A property that gains a direct or indirect benefit from the drainage-related infrastructure within property easements contributes towards the cost of drainage related infrastructure within property easements (this principle is not applicable in this Scheme, save that it will be applied in 'reverse', in circumstances where those properties which have previously contributed under a previous Special Charge Scheme to the establishment of easement drains at the rear of their properties will be given a discount of 0.5 of an 'apportionment benefit unit' at the apportionment stage of this Scheme which means they will pay a lesser Special Charge than those properties which have not done so).

In summary, the apportionment and distribution of the leviable costs is calculated by distributing the costs amongst the properties in the Scheme on the basis of frontage and/or sideage of a property for the road-related works and area of a property for the drainage-related works. It is considered that each property's frontage be assessed based on the length of that particular frontage, plus 0.3 sideage if on a corner block. It is also considered that, in the interests of equity and fairness, properties included in the previous easement drainage scheme implemented by Council (and which affected some of the properties in Pioneer Bay) should receive a discount of 0.5 of the

property area towards the drainage costs of this Scheme, while the remaining properties not included in the previous Scheme should make a full contribution towards the drainage costs based on the full area of the property. Once the frontages and areas of the properties have been worked out, a benefit unit monetary amount is then calculated for both the road works and the drainage works, and this methodology forms the basis of the apportionment of the Special Charges.

In concluding that this apportionment methodology is the most appropriate, Council officers have developed and analysed a range of alternative options by applying a range of adjustment factors for the trialling of options. These alternative options (along with reasoning about why the recommended methodology is considered to be the most appropriate option) are described and set out in the 'Apportionment and Distribution Statement' in Attachment 3 ('AT-3').

A full description of the apportionment method is described in the Apportionment and Distribution Statement.

Payment Options for Landowners

The total estimated project cost for the Pioneer Bay Road and Drainage Upgrade is \$4,580,691.99. After deduction of the additional amounts which Council will pay for, the Maximum Total Levy amount that can be charged to all landowners who will receive a special benefit from the works is calculated to be \$4,090,173.77.

The contribution to the cost of the proposed Scheme for each individual property included in the Scheme is estimated to be in the order of \$13,898.51 up to \$52,098.08.

The Act makes provision for Council to determine the payment options for a Scheme that best suits the project. It requires as a minimum that Council offer:

- payment by lump sum, minimum 30 days; and
- a payment plan, with quarterly repayments over a minimum period of four years.

Through the community consultation that has been held to date, payment options have been discussed. Through those discussions, two payment options were preferred by the community.

1. Lump sum payment with discount option.
2. Instalment payment plan over 10 years.

It is proposed that if this Special Charge Scheme were to proceed then the following payment options would be offered:

Payment Option 1 Lump Sum Discounted Payment

The Special Charge is required to be paid in a lump sum as follows:

- Upfront payment of the Special Charge in full within 30 days of the date of issue of an invoice for the Scheme, with a 5% discount

Payment Option 2 Lump Sum Payment

The Special Charge is required to be paid in a lump sum as follows:

- Upfront payment of the Special Charge in full within 90 days of the date of issue of an invoice for the Scheme, with no interest.

Penalty interest will apply to any balance outstanding after 90 days until payment in full is made. Penalty interest is the rate of interest equivalent to the rate set in section 2 of the Penalty Interest Rates Act 1983.

Payment Option 3 Instalment Payment Plan

The Special Charge is required to be paid in instalments as follows:

- the Special Charge is to be paid by 40 quarterly instalments (over ten years) from date of issue of an invoice for the Scheme. Interest will be charged on the reducing balance of the principal each quarter at the rate charged at 1% above the estimated rate of the Council. If a ratepayer is late with payment of an instalment, penalty interest will be charged on the balance of principal due each quarter.

How can a landowner elect to pay the special rate or charge?

The first invoice will list three payment options. The landowner will elect a payment option by ensuring that Council receives payment for that option by the relevant due date.

1. Payment Option One – Lump Sum Discounted Payment

This option will be elected by making a payment equal to the amount specified as payment option one within 30 days of the date of issue of an invoice for the Scheme.

2. Payment Option Two – Lump sum Payment

This option will be elected by making a payment equal to the amount specified as payment option two within 90 days of the date of issue of an invoice for the Scheme.

3. Payment Option Three – Instalment Payment Plan

This option will be elected by making a payment equal to the amount specified as payment option three within 30 days of the date of issue of an invoice for the Scheme.

Council has a Debt Management Policy. Council's Debt Management Policy is available to help those ratepayers who may experience financial hardship from the imposition of a Scheme.

If landowners do not elect a payment option by the relevant date, then Payment Option Two will be the default option.

Calculation of Council's estimated borrowing costs

Section 167 of the Act states that Council

“may include in the amount of an instalment a component for reasonable interest costs the total of which must not exceed the estimated borrowing costs of the Council in respect of the performance of the function or the exercise of the power in respect of which the special rate or Special Charge is to be levied by more than 1%”

For example, if the rate that Council would be able to obtain funds from its bank is 5%, then the interest rate charges to landowners, who opt for Payment Option Three would be 6%.

Finances

The estimated costs of the concept design option which was adopted by Council for the upgrade of roads and drainage for the Pioneer Bay area are as follows;

	Total Project Cost	Council Contribution to Pathways (as per URDIP*)	Council Contribution to removal of existing infrastructure	Total Scheme Cost	Maximum Total Levy to be recovered from Property Owners	Council Contribution to Scheme Costs	Total Council Contribution
Council Adopted Design Option	\$4,580,692	\$120,668	\$21,420	\$4,438,604	\$4,090,174	\$348,430	\$490,518

* Council's Urban Roads and Drainage Improvement Policy prescribes that Council will contribute 50% of the costs towards pedestrian related paths and infrastructure

As shown above, Council's contribution to the project would be **\$490,518**.

The total project cost of **\$4,580,692** allows for construction to commence in late 2018. If the project is delayed beyond this time then cost escalation may occur.

The current expenditure to date for the investigation, survey, geotechnical investigations, planning, consultation, design and estimates is outlined in the table below.

Financial Year	Expenditure
2011/12	\$38,741
2012/13	\$17,972
2013/14	\$2,816
2014/15	\$4,454
2015/16	\$43,633
2016/17	\$63,633
2017/18 (budgeted)	\$45,000
Total	\$216,249

The current total expenditure to date on the project, plus what is budgeted in the current financial year is \$216,249. This has been fully funded by Council and has included all of the necessary work and external studies for the investigation, survey, geotechnical investigations, planning, consultation, design and cost estimates to date. It also includes an allowance to run the Special Charge Scheme process up until construction. This work is allowed for in the overall project estimate of \$4,580,692. Therefore this Council's allocation of \$216,249 contributes to the Council contribution of \$490,518. This means that the remaining Council contribution to be allowed for in upcoming capital works programs, should the Special Charge Scheme proceed, is \$274,269.

Council may also be required to allow for additional borrowings for those property owners who choose to pay through instalment options or who qualify for financial assistance. Furthermore, based on 30% of property owners paying up front within 30

days, a 5% discount will result in approximately \$60,000 of additional Council contribution. However payments received up front will lead to cash flow advantages to the project and less administrative costs incurred.

All future income and expenses associated with the Scheme are not currently provided for within Council's Long Term Financial Plan or Council's Strategic Resource Plan. Funding and expenditure decisions will therefore need to be considered in future budget cycles.

Once construction of a project is completed and after a subsequent 12 months defects liability period, actual costs for the entire project can be determined.

Section 165 of the Act outlines that if Council receives more money than it requires from a Special Charge, it must make a refund proportionate to the contributions received to the current owners of the land. Should actual costs exceed estimated costs, Council may decide to recover the additional costs. However in accordance with the Act this potential increase is limited to a maximum of 10% should Council decide to pass on these extra costs to abutting property owners.

Stakeholders

There are 227 properties which would receive a special benefit from a potential road and drainage upgrade in the Pioneer Bay Estate.

The schedule of costs to each landowner is included in the Schedule (being Schedule 2) to the Declaration of Special Charge as set out in this Report.

Consultation with the landowners has been extensive throughout the planning phase of this project. It has included a number of interactive workshops which helped to inform the development of the concept designs which was ultimately adopted by Council in June 2017.

Other stakeholders include:

- Other ratepayers of Bass Coast Shire
- Visitors to the area
- Pioneer Bay Progress Association
- Bass Coast Shire Council
- Melbourne Water
- Vic Roads

Other Options

Council after considering this Report could decide not to proceed with the roads and drainage Scheme. This option would be considered acceptable to those who submitted an objection. It does, however, leave the roads in an unsealed status and with unconstructed drainage infrastructure. This does not meet Council's objective of upgrading urban roads and drainage in accordance with the Urban Roads and Drainage Improvement Policy.

The Committee of Council has recommended that the Special Charge Scheme for the road and drainage works for the Pioneer Bay Estate proceed to declaration.

Conclusion

As per Council's Urban Road and Drainage Improvement Policy, the Pioneer Bay Estate is the highest priority on the priority list for possible infrastructure upgrades to be undertaken within the Shire.

This priority was further confirmed through community sessions where residents and ratepayers in the area identified a number of significant infrastructure issues that are most appropriately resolved through a road and drainage upgrade project. These issues include concerns with drainage, dust generated from unsealed roads, driver behaviour and a need for safe pedestrian passage through the Estate.

Further community workshops assisted in developing concept plans that responded to the needs of the community and provided appropriate infrastructure for an urban area, such as the Pioneer Bay Estate.

For these reasons, it is recommended that Council continue the formal statutory scheme process by resolving to declare a Special Charge Scheme for the purpose of improving road and drainage infrastructure within the Pioneer Bay Area in accordance with the following recommendation.

Recommendation

That:

- 1. Bass Coast Shire Council (Council) having considered all submissions received and taken account of all objections lodged and complied with the requirements of sections 163A, 163B and 223 of the *Local Government Act 1989 (Act)*, and otherwise according to law and having, so far as can be reasonably ascertained from available records of the Council and can reasonably be concluded, ascertained that the roads or any component of the roads for which it is proposed the special charge will be declared has not previously been constructed by way of a special rate or charge, declares a Special Charge (*Special Charge*) under section 163(1) of the Act for the purpose of defraying costs and expenses incurred and/or to be incurred by Council in relation to the construction and improvement of roads and drainage in the Pioneer Bay Estate (*Estate*), such works involving the full upgrade of roads and drainage, including the provision of road pavement and sealing works, the provision of underground surface and stormwater drainage in the Estate's roads, the provision of kerb and channelling, nature strip works, speed humps for local traffic management and pedestrian pathways on selected streets and other ancillary works necessary to complete the construction of the project known as the 'Pioneer Bay Area Special Charge Scheme Number 61' otherwise in accordance with the design approved by Council at its ordinary meeting held on 21 June 2017 (*Roads or Scheme*).**
- 2. The criteria which form the basis of the Special Charge are the ownership of rateable land in the Scheme area based on the frontage or sideage of the properties (modified where appropriate) and the area of the properties (discounted where appropriate) which abut the Roads, which rateable land is situated within the**

geographical area in which the properties described in paragraphs 8 and 9 of this declaration are included.

3. Council considers that –

- (a) each rateable property included in the Scheme area that is required to pay the Special Charge will receive a special benefit through the provision of proper, safe and suitable roads, drainage and property services; and**
- (b) there will be a special benefit to the persons required to pay the Special Charge because there will be a benefit over and above, or greater than, the benefit that is available to persons who are not subject to the Special Charge and, directly and indirectly, the works to be provided will enhance or maintain the value and the use, occupation and enjoyment of the properties included in the Scheme, through the provision of proper, safe and suitable roads and drainage.**

- 4. In declaring the Special Charge, Council is performing functions and exercising powers in relation to the peace, order and good government of the municipal district of the Bass Coast Shire, in particular the provision of proper, safe and suitable roads, drainage and property services in the area for which the Special Charge is declared.**
- 5. The total cost of the performance of the functions and the exercise of the powers referable to the Scheme works is an amount of \$4,438,604.21 (being the estimated cost of the Scheme works to be undertaken) with Council declaring and levying by way of the Special Charges an amount of \$4,090,173.77 (but excluding as other related costs (which will be borne solely by Council) totalling \$142,087.79 and being the costs for connectivity provision under Council's 'Urban Road and Drainage Improvement Policy'(\$120,667.79), the costs of removing existing sections of existing road seal along Kallay Drive (\$11,900) and the costs of removing existing sections of kerb and channelling in the Estate (\$9,520).**
- 6. The Special Charge will commence immediately following the date of this declaration of Special Charge.**
- 7. In accordance with the Apportionment and Distribution Statement adopted by Council, the Special Charge will be declared and assessed by calculating an amount which is based on a 50/50 ratio of the length of the frontage and/or sideage of the properties included in the Scheme (for the road-related works) and the area of the properties included in the Scheme (for the drainage-related works) modified and adjusted where appropriate, and then ascribing to each property in the Scheme applicable 'Benefit Units' (BU's), which BU's will reflect the respective frontage/sideages and areas which the properties have to the Roads (with the 88 properties included in the previous easement special charge drainage scheme undertaken by the Shire of Bass in the 1990's being allowed an apportionment 'discount' of 0.5 BU towards the drainage-related costs).**

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8. The area for which the Special Charge is to be declared is all of the land shown on the plan set out in the Schedule forming a part of this declaration of Special Charge (being Schedule 1) [AT-7].
 9. The land in relation to which the Special Charge is to be declared is all of the rateable land described in the listing of rateable properties set out in the Schedule forming a part of this declaration of Special Charge (being Schedule 2) [AT-8].
 10. Based on the foregoing, the Special Charge will be declared, assessed and levied in accordance with the amounts set out alongside each property in the Schedule forming a part of this declaration (being Schedule 2), [AT-8] such amounts having been assessed based on the criteria and methodology set out in paragraphs 2 and 7.
 11. The Special Charge will be levied by the Council sending a notice of levy to the persons who are liable to pay the Special Charge. The first levy notice to be sent will include three options for payment which are as follows –
 - (a) ‘Payment Option 1 Lump Sum Discounted Payment’ – payment of the Special Charge in full within 30 days, with a 5% discount;
 - (b) ‘Payment Option 2 Lump Sum Payment’ – payment of the Special Charge in full within 90 days; and
 - (c) ‘Payment Option 3 Instalment Payment Plan’ – payment of the Special Charge in 40 quarterly instalments over 10 years, with interest as provided for in paragraph 12 of this declaration.Ratepayers who elect to pay by instalments will receive subsequent quarterly instalment notices.
 12. Because the performance of the functions and exercise of the powers in respect of which the Special Charge is declared and levied relates substantially to capital works, the Special Charge will be levied on the basis of the ‘Payment Option 3 Instalment Payment Plan’ being given to ratepayers, which will allow ratepayers to pay the Special Charge by 40 quarterly instalments over a 10 year period, or as otherwise negotiated. Quarterly instalments will include a component for reasonable interest costs, the total of which will not exceed the estimated borrowing costs of Council in respect of the construction of the Roads by more than 1%.
 13. The Council will consider cases of financial and other hardship and reconsider other payment options for the Special Charge. There will be incentives given for payment of the Special Charge before the due date for payment, with a discount of 5% being offered if the Special Charge is paid as a lump sum within 30 days of levying the Special Charge.
 14. For the purposes of having determined the total amount of the Special Charge to be levied under the Scheme, the Council considers and formally determines for the purposes of sections 163(2)(a), (2A) and (2B) of the Act (and in accordance with the

Benefit Ratio Statement adopted by Council) that the estimated proportion of the total benefits of the Scheme to which the performance of the functions and exercise of powers relate (including all special benefits and community benefits) that will accrue as special benefits to all of the persons who are liable to pay the Special Charge is in a ratio of 0.9215 or 92.15%. This is on the basis that, in the opinion of the Council, there are properties in the Scheme area which receive a special benefit but which are not required to pay the Special Charge and there are some (but otherwise in the opinion of Council very limited) clear, tangible and direct broader community benefits arising from the works to be performed under the Scheme.

- 15. Notice is to be given to all owners of properties included in the Scheme and all persons who have lodged a submission and/or an objection in writing of the decision of Council to declare and levy the Special Charge, and the reasons for the decision.**
- 16. For the purposes of paragraph 15, the reasons for the decision of Council to declare the Special Charge are that –**
 - (a) There is a relatively low level of formal objection to the Scheme and it is otherwise considered by Council that there is a broad level of support for the Special Charge from property owners;**
 - (b) Council considers that it is acting in accordance with the functions and powers conferred on it under the *Local Government Act 1989*, having regard to its role, purposes and objectives under the Act, particularly in relation to the provision of proper, safe and suitable roads and property services (including drainage) in the Scheme area;**
 - (c) All persons who are liable or required to pay the Special Charge and the properties respectively owned by them will receive a special benefit in the form of an enhancement or maintenance in land values and/or a maintenance or enhancement in the use, occupation and enjoyment of the properties;**
 - (d) The basis of the distribution of the Special Charge amongst those persons who are liable or required to pay the Special Charge is considered to be fair and reasonable;**
 - (e) The works proposed by the Scheme are consistent with the policies and objectives set out in the Bass Coast Shire Planning Scheme, and other policies, strategies and plans of the Council; and**
 - (f) The works proposed for the construction and drainage of the Roads are necessary, reasonable, not excessive, sufficient, suitable and not costly having regard to the locality or environment and to the probable use and drainage of the Roads.**

Attachments

AT-1	Concept and Layout Plan for Preferred Design "Option 1"	1 Page
AT-2	Benefit Ratio Statement (Calculation of "Maximum Total Levy")	11 Pages
AT-3	Apportionment and Distribution Statement (including option trials)	17 Pages
AT-4	Report of Section 223 Committee of Council	6 Pages
AT-5	CONFIDENTIAL - Submissions	58 Pages
AT-6	CONFIDENTIAL - Objections	59 Pages
AT-7	Declaration Schedule 1 Plan of Area for which the special charge is to be declared	1 Page
AT-8	Declaration Schedule 2 Amounts for each property in the scheme as assessed and declared	4 Pages

Council Decision

Moved: Cr. Geoff Ellis / Seconded: Cr. Clare Le Serve

That the recommendation be adopted.

CARRIED UNANIMOUSLY

H.6 Response to Petition Stewart Street Wonthaggi

File No:	CM17/906
Division:	Infrastructure and Environment
Council Plan Strategic Objective:	Liveability

Enjoying the place we live

Previous Items: PE1/17 - Petition - Stewart Street, Wonthaggi - Council - 15 Nov 2017 5.00pm

Declaration

The author has no direct or indirect interests in relation to this report.

Summary

A petition containing eleven signatures was tabled at the 15 November 2017 Council Ordinary meeting. The petition read:

The residents of Stewart Street Wonthaggi have several concerns regarding the Shire's disregard for the many requests for attention to be given to the state of our road.

STEWART STREET ISSUES**Open drains**

Residents have been cleaning and maintaining their own drains and access to their properties for several years and at their own expense.

Housing Permits

Bass Coast Shire have issued building permits for new properties over the last 10 years without considering access to these properties and the widening and upgrade of the road.

Intersection

The 5 way intersection between Stewart, Dickson and Matthew Streets is very dangerous as there is only room for one car at a time to enter and exit the unsealed section of Stewart Street.

Years of Waiting

I have lived in Stewart Street for 38 years and have contacted the Shire on several occasions with requests to upgrade and widen the unsealed section of road. The residents realize that to seal, kerb and channel this section of road could be at their own cost.

Width of the road

At present we have one resident who has 5 cars parked at the side of the road limiting access to other residents' vehicles. The road is not wide enough for two vehicles to pass and needs widening.

Maddison Park Estate

The subdivision for this estate was approved approximately 13 years ago and without consultation with the residents of Stewart Street our street was blocked off to through

traffic at the southern end. Since then we have experienced a great deal of foot traffic from this estate walking in the middle of the road as there are no footpaths. Since the street is so narrow this is very dangerous for the school children and bicycles who use this short cut to access Billson Street and the bus stop.

Urban Roads and Drainage Improvement Policy

We understand that our section of Stewart Street may come under the above Shire's policy and as such would say that the majority of householders are in favour of an upgrade to our street.

We the residents of Stewart Street seek the Shire's approval to have kerb and channeling to Stewart Street in the near future.

Council resolved:

1. That the petition be received and lie on the table until the February 2018 Ordinary meeting of Council.
2. That the head petitioner be advised of Council's decision.

The purpose of this report is to respond to that resolution and provide an update on the current Council adopted strategies related to the construction of roads infrastructure, and specifically how they relate to Stewart Street, Wonthaggi.

The recommendation is to advise the head petitioner of mechanisms within the Urban Roads and Drainage Improvement Policy (Section 18), which allows for Council to consider re-prioritising an area for upgrade if 70 per cent of landowners who will directly benefit from the project are willing to contribute to its upgrade. Should this 70 per cent support continue to only relate to the unsealed section of Stewart Street, it is recommended that further consideration be given to upgrading this section of road on its own rather than as part of a larger designated project area.

Background

Stewart Street in Wonthaggi is in an urban area and surrounded by residential properties. The road runs west to east and is intersected mid-way along its length by Dickson Street (AT-1). Each section of the road is approximately 200m. The east section of the road is a sealed road with open drains. The west section is an unsealed road with open drains. This petition relates to the unsealed west section of the road.

This area of Wonthaggi was subdivided during an era when there were not the modern requirements on developers, particularly in relation to constructing roads, footpaths and piped drainage.

Petitioners have also raised safety concerns about the road intersection between Stewart Street, Dickson Street and Matthew Street (AT-1). A road and drainage upgrade of the unsealed section of Stewart Street will assist in addressing some of these concerns. In addition, Council also has a Local Road Safety Improvement Program. The program identifies and prioritises areas in the local road network which would benefit from safety improvements. The Stewart Street, Dickson Street and Matthew Street intersection is included in the program for upgrade and subject to budget, design and/or construction works are planned to commence in 2018/19 (AT-2). This intersection upgrade could be completed in conjunction with, before or after a road and drainage upgrade on the unsealed section of Stewart Street.

Strategic Basis**Council Plan Objective:**

Liveability – *Enjoying the place we live*

Strategic Outcome:

- Promote Bass Coast as an all year events destination whilst supporting the continuation and development of new events
- Facilitate opportunities for multi-purpose facilities to improve access to recreation and sporting activities
- **Plan for and support a healthy, connected and active community**
- Support youth recreation and learning activities in our community
- Support dynamic and diverse arts and cultural activities
- Protect our natural environment balanced with access for all to enjoy
- Ensure any road or drainage infrastructure projects consider safe and accessible crossings for pedestrians
- Plan and provide well maintained public amenities and facilities

Strategic Indicators:

Strategic Indicators	Measures
Community grants program supporting events	Funding contributed to community events as identified in Annual Budget
Develop Municipal Recreation Plan	Developed by June 2018
Implement annual Health and Wellbeing Action Plan	Action Plan completed annually
Build community infrastructure that improves quality of life	90% of the projects included in the Capital Works program to be completed
Implement Asset Management Policy and Strategy Improvements	Action Plan completed annually
Implementation of annual maintenance programs	Annual program implemented
Implement priorities identified in the Pathways Network Plan 2016	Delivery of identified budgeted path projects Grant opportunities identified and applied for
Develop and Implement Domestic Animal Management Plan 2017-20	Action Plan completed annually
Implement Arts and Culture Plan 2015-19	Action Plan completed annually New plan revised and adopted by 2019

Implement Youth Action Plan 2016-20	Action Plan completed annually New plan revised and adopted by 2020
Bass Valley Children's Centre construction	Construction completed and facility opened by February 2018

Major Initiative / Initiative

This report does not relate to a current major initiative or initiative in the budget, and it is not a current capital works project.

Strategies / Policies

The following Council adopted Strategies and Policies relate to this report.

Asset Management Policy and Strategy 2017

These documents provide a framework for Council's long-term management of its infrastructure and associated assets.

Road Management Plan 2017

This is Council's legislative response to the Road Management Act 2004 and defines a coordinated management system for the provision of a safe footpath and road network.

Urban Roads and Drainage Improvement Policy

The Urban Roads and Drainage Improvement Policy (adopted 2015) provides the mechanism for upgrading roads, drainage and footpaths within townships and is the policy that most significantly relates to this report (AT-3). This policy sets out a list of priority projects (AT-4).

Stewart Street in Wonthaggi is included within an area which has been identified for upgrade in this policy. It is one road included with another eleven sections of road included within a designated project area called 'Dickson Street Area, Wonthaggi'. It is currently 12th highest priority on the list and unlikely to be considered for upgrade within the 10 year program.

The policy also gives residents the option of having the designated project area that their street is in, considered by Council for re-prioritisation if they can show 70 per cent support from those property owners who would directly benefit from the upgrade and are willing to financially contribute. The contribution by these property owners is calculated based on a number of factors. One of these factors is the benefit the upgrade will have to the wider community, which is Council's contribution to the project. A review of this policy is scheduled to commence in 2018.

Statutory Requirements/Codes/Standards/Policies

The Local Government Act 1989 and the Road Management Act 2004 set out the statutory obligations that Council has in respect of local roads within the municipality.

The petition includes the following words;

'The residents realize that to seal, kerb and channel this section of road would be at their own cost.'

This indicates that the petitioners would be willing to make a financial contribution to the project. This has been a typical funding mechanism used in past urban road and drainage upgrade projects whereby those property owners who directly benefit from the upgrade pay a contribution. This is defined by Special Charge Scheme provisions in the Local Government Act 1989.

Discussion

There are 17 properties that front or run alongside the unsealed section of Stewart Street. Eight properties are represented by those who signed the petition. This equates to approximately 47 per cent of the 17 properties.

The 70 per cent support needs to come from those who would be required to financially contribute to the project. This is usually the property owner rather than a resident who is renting the property. All residents who have signed the petition are property owners of the eight properties.

Section 18 of the Urban Roads and Drainage Improvement Policy states that Council will consider reprioritising an urban road and drainage infrastructure improvement project for a specific Designated Project Area defined in the Urban Road and Drainage Improvement Priority List, but does not form part of the Road and Drainage Improvement Program. Council will consider projects outside of the program only if 70 per cent or more of property owners included within that project area would support a project, which would be funded through 'user pays' principles in accordance with Council's Special Rates and Charges Policy. The policy also states that the inclusion of an urban road and drainage infrastructure improvement project into the program shall not have an impact on the approved program and shall only be included as an additional project to the program through Council resolution.

The unsealed section of Stewart Street, Wonthaggi is not included within the current Road and Drainage Improvement Program. However it is included within a specific designated project area defined in the Urban Road and Drainage Improvement Priority List. Stewart Street is included within the designated project area titled, 'Dickson Street Area, Wonthaggi'. Therefore, according to the Urban Roads and Drainage Improvement Policy to reprioritise Dickson Street Area, Wonthaggi, 70 per cent or more of property owners included within that project area would need to show support for the project to be funded through 'user pays' principles in accordance with Council's Special Rates and Charges Policy.

When the Urban Road and Drainage Improvement Priority List was developed in 2014 there were 236 properties in the 'Dickson Street Area, Wonthaggi' Designated Project Area. Seventy per cent of these properties equates to 165 properties. According to the Urban Roads and Drainage Improvement Policy support from at least 165 properties, indicating they would be willing to financially contribute, would be required for Council to consider reprioritising the 'Dickson Street Area, Wonthaggi' designated project area.

Finances

In order for the upgrade of road infrastructure along Stewart Street to occur there would need to be design work undertaken first. There is currently no funding allocated to proceed with design works or any other works requested through this petition.

There are no direct financial implications for Council which would result from adopting the recommendations in this report.

Stakeholders

The main stakeholders are the residents who have signed the petition as well as the 236 property owners in the 'Dickson Street Area, Wonthaggi' Designated Project Area.

These stakeholders would initially need to take the lead in the reprioritisation of the road and drainage upgrade in the Dickson Street Area, Wonthaggi by indicating at least 70 per cent financial support for the project.

Once Council funding is allocated and planning and design work commences on the upgrade project, the community is provided the opportunity to be actively involved through interactive design workshops.

Other Options

The petition presented to Council has been signed by residents adjoining the unsealed section on Stewart Street, Wonthaggi. This equates to 47 per cent support for the upgrade of road and drainage infrastructure in this section of road. If this extended to at least 70 per cent support (or at least 12 of the 17 properties) then an option for Council would be to reprioritise the upgrade of the unsealed section of Stewart Street separately to the broader Designated Project Area (Dickson Street Area, Wonthaggi).

In making this decision there would be two main considerations for Council. Firstly, from an engineering perspective, is it practical to undertake the upgrade of the unsealed section of Stewart Street on its own and secondly, what are the cost implications given that typically smaller areas of upgrade are more costly per property than larger areas being upgraded.

Initial investigations indicate that from an engineering perspective it would be practical to undertake the upgrade of the unsealed section of Stewart Street on its own. However this would need to be confirmed through further analysis should the 70 per cent support be presented to Council.

Further analysis of the cost implications would also need to be completed. Projects that are funded through special charge provisions typically require extensive administration effort on the part of Council, some of which do not reduce with smaller projects. Furthermore, small road and drainage upgrades typically have a higher rate per square meter than larger areas being upgraded.

Conclusion

The Council policy which provides for upgrades to road and drainage related infrastructure in urban areas is the Urban Road and Drainage Improvement Policy. There are many urban areas within the shire that have been identified for upgrade in this policy which allows for a fair and equitable prioritisation process including the distribution of funds to undertake these upgrades. The policy also allows for an area to be re-prioritised if those who would directly benefit from the works can prove there is sufficient support for the upgrade, including a willingness to contribute financially to the upgrade.

Designated Project Areas have been identified for upgrade so that multiple roads are packaged up together rather than doing them one at a time. This typically helps to reduce the costs of the works for the property owner and Council.

It is recommended that the head petitioner be advised of the mechanisms within the Urban Road and Drainage Improvement Policy for re-prioritising urban areas for road and drainage upgrades. It is also recommended that they are advised that further consideration would need to be given to the practical implications of upgrading the unsealed section of Stewart Street on its own, should at least 70 per cent support from potentially contributing property owners be provided.

Recommendation

That Council advise the head petitioner:

- a. **That the unsealed section of Stewart Street Wonthaggi is listed on the Urban Roads and Drainage Improvement Priority List, but not in the top 10 of priority projects adopted by Council in May 2015 (AT-4).**
- b. **That the unsealed section of Stewart Street Wonthaggi is included within the 'Dickson Street Area, Wonthaggi' Designated Project Area as defined in Council's Urban Roads and Drainage Improvement Policy.**
- c. **Of mechanisms within the Urban Roads and Drainage Improvement Policy (Section 18), which allows for Council to consider re-prioritising a Designated Project Area for upgrade if 70 per cent of landowners who will directly benefit from the project are willing to contribute to its upgrade.**
- d. **That further consideration would need to be given to costs and practical implications of prioritising the upgrade of the unsealed section of Stewart Street Wonthaggi on its own, should support from 70 per cent of landowners who will directly benefit from the project be provided indicating that they are willing to contribute to its upgrade.**

Attachments

AT-1	Map of Dickson Street Wonthaggi Area	1 Page
AT-2	Local Road Safety Improvement Program Projects	1 Page
AT-3	Urban Roads and Drainage Improvement Policy	9 Pages
AT-4	Priority Project List	21 Pages

Council Decision

Moved: Cr. Julian Brown / Seconded: Cr. Clare Le Serve

That the recommendation be adopted.

CARRIED UNANIMOUSLY

H.7 Bioweed trial in Bass Coast playgrounds

File No:	CMI7/946
Division:	Infrastructure and Environment
Council Plan Strategic Objective:	Environment
	Maintain and protect the natural environment

Previous Items: SRI/16 - Response to Request for Council to phase out Glyphosate Herbicide use at Childcare Centres, Schools and Playground - Council - 23 Nov 2016 5.00pm

Declaration

The author has no direct or indirect interests in relation to this report.

Summary

The purpose of this report is to present the findings of a one year trial to use Bioweed and other alternatives to Glyphosate near playgrounds and childcare facilities.

A report was presented to Council at its 23 November 2016 Ordinary Meeting responding to a petition received requesting Council cease the use of Glyphosate based products around schools, playgrounds and childcare centres. At this meeting, Council resolved:

That Council:

- 1. Supports a pilot program for the use of Bioweed at Council maintained playgrounds as well as any Council managed land abutting schools and childcare facilities, as an alternative to glyphosate based products.*
- 2. Receive a report at the February 2018 Ordinary Council Meeting on the result of the pilot program after 12 month implementation.*
- 3. Notifies the head petitioner of its decision.*

This report responds to part 2 of the above resolution.

A number of alternative methods and products have been trialed over the last 12 months. The site specific grasses that surround our playground areas consist mainly of Kikuyu, which grows as predominantly as a subterranean runner which requires a treatment that not only manages the visible growth but the subsurface invasion of growth. The products and methods trialed struggled to adequately deal with the subterranean growth. To effectively control subterranean growth a systemic herbicide is required. Systemic herbicides are absorbed via a plant's leaves and as soon as it comes into contact with the weed it begins to circulate inside the plant, eventually reaching the roots. Systemic herbicides that can control these weeds either contain glyphosate, or they are the same or a higher poison schedule to glyphosate.

The current method used by operational staff is to manually pull out runners out of the playground/soft fall areas and whipper snipper the edges and fence lines. This method requires time and resources, so is done on an as needs basis. During the trial there has been little feedback on the reduced aesthetics or service level at the trial sites. The current method is sustainable, however there is the potential for the subterranean invasion to escalate over time without the use of a glyphosate based product.

This report recommends:

That Council:

- I. Continue to maintain Council managed playgrounds and land abutting childcare facilities without the use of glyphosate based products.

Background

A year long trial has been conducted using Bioweed and other methods of weed management as an alternative to glyphosate based products in Council managed playgrounds and land abutting childcare facilities. A total of 45 sites was included in the trial.

Bioweed is a wholly plant derived herbicide. It is recommended that whatever decision is made following the trial that all council officers and chemical spraying licensed personnel continue looking for alternatives to glyphosate as products become available throughout the industry. To reduce risks is normal of operational activity and supports Occupational Health and Safety (OHS) and chemical handling best practice.

Strategic Basis

Council Plan Objective:

Liveability – *Enjoying the place we live*

Strategic Outcome:

- Promote Bass Coast as an all year events destination whilst supporting the continuation and development of new events
- Facilitate opportunities for multi-purpose facilities to improve access to recreation and sporting activities
- Plan for and support a healthy, connected and active community
- Support youth recreation and learning activities in our community
- Support dynamic and diverse arts and cultural activities
- Protect our natural environment balanced with access for all to enjoy
- Ensure any road or drainage infrastructure projects consider safe and accessible crossings for pedestrians
- **Plan and provide well maintained public amenities and facilities**

Strategic Indicators:

Community grants program supporting events	Funding contributed to community events as identified in Annual Budget
Develop Municipal Recreation Plan	Developed by June 2018
Implement annual Health and Wellbeing Action Plan	Action Plan completed annually
Build community infrastructure that improves quality of life	90% of the projects included in the Capital Works program to be completed
Implement Asset Management Policy and Strategy Improvements	Action Plan completed annually
Implementation of annual maintenance programs	Annual program implemented
Implement priorities identified in the Pathways Network Plan 2016	Delivery of identified budgeted path projects Grant opportunities identified and applied for
Develop and Implement Domestic Animal Management Plan 2017-20	Action Plan completed annually
Implement Arts and Culture Plan 2015-19	Action Plan completed annually New plan revised and adopted by 2019
Implement Youth Action Plan 2016-20	Action Plan completed annually New plan revised and adopted by 2020
Bass Valley Children's Centre construction	Construction completed and facility opened by February 2018

Major Initiative / Initiative

This is not a major initiative or initiative in the 2017/18 budget and this report is coming to Council as a result of a previous petition.

Statutory Requirements/Codes/Standards/Policies

- Agricultural and Veterinary Chemicals (Consequential Amendments) Act 1994
- AS2507 The Storage and Handling of Agricultural and Veterinary Chemicals 1998
- Occupational Health and Safety Act 2004
- Agricultural and Veterinary Chemicals (Control of Use) Act 1992
- Agricultural and Veterinary Chemicals (Control of Use) Regulations 2007
- Public Health and Wellbeing Act 2008
- Public Health and Wellbeing Regulations 2009
- Dangerous Goods Act 1985

- Dangerous Goods Storage and Handling - Code of Practice
- Hazardous Substances - Code of Practice

Discussion

Bioweed was used across a number of sites and within weeks there were concerns from the staff involved in the trial for a number of reasons. The first was that the regrowth and the application only 'browned off' the grass and the speed of recovery and re-growing was as little as two weeks. Some members of the public were concerned about what they were spraying, because when Bioweed is sprayed, white foam and a strong odour are evident.

Bioweed was continued to be used, however the reduced effectiveness required more regular spraying of the product, and it became more efficient to use manual methods to control the Kikuyu grass. In the instructions for Bioweed it is recommended for the best outcomes to mix with glyphosate for its systemic qualities. However, given that the purpose of the trial was to look for alternative products, the addition of glyphosate was not trialed.

Other products came onto the market early into the trial and were also trialed. The product was an acid based product which consisted of vinegar and citris based acids. The effectiveness and deficiencies of these products on the kikuyu were similar to Bioweed. There was no white foam, but the odour was also very strong.

In some locations there was evidence that ratepayers and neighbours to the parks were taking it upon themselves to spray the playground areas with what is assumed to be a glyphosate based product.

Steam has been used on selected sites during this trial and again the effectiveness to deal with subterranean runners was limited and manual intervention was still required.

There are many options to overcome the issues presented through the trial. All with pro's and con's which are detailed below:

Method	Description	Pro's	Con's
Manual Methods	Whipper snipper edges and fence lines. Hand remove subterranean runners.	Chemical Free No additional equipment requirement	Time and Resource Commitment. Affects efficiencies of plant utilisation. Increased manual handling risk.
Application Method (use of a using systemic herbicide)	Wand Applicator	Direct Contact to Pest Reduced quantity of poison	Still using glyphosate or a higher schedule poison. Would only be useful for playground area/runners. Edges would not be practical.
Physical Barrier	1. Subsurface barrier 2. Replace Softfall material to rubberized	Effective in stopping weed encroachment into playground areas. Effective in visible	The edge and fenceline still requires manual methods to manage. Capital budget

	overlay	weeds into playground areas.	requirement Expensive and would require renewal budget
Steam	Contract or purchase weed steam equipment	Non chemical method	Increased operating budget or contracts or initial capital expenditure required to purchase equipment Has some impact on subterranean but is still contact, not systemic.
Return to using Glyphosate	Use with chemical spray by licensed staff, status quo before trial.	Effective on weed/grasses. Systemic so regrowth times reduced.	Debate of the science is still underway. Reputational Risk

Finances

The funding of the trial and the continued methods and practices are operational expenditure included in existing maintenance budgets.

The options of using barrier or rubberised soft fall areas specifically for the playground area would require further investigation and would need to be referred to the Capital Program for consideration.

The 45 nominated sites can continue to be maintained without the use of glyphosate based products with minimal impact on existing maintenance budgets.

Stakeholders

- Community
- Visitors
- Parents and children
- Staff

Other Options

1. Continue to maintain Council managed playgrounds and land abutting childcare facilities without the use of glyphosate products.
2. Return to using glyphosate based products in Council managed playgrounds and land abutting childcare facilities.

Conclusion

A number of different methods were trialed over the last 12 months as how to best manage weed growth in Council managed playgrounds and land abutting childcare facilities without the use of glyphosate based products.

Using glyphosate based products is still the most efficient and effective way of managing weed growth. However, given the current debate on glyphosate and the

public interest in its use it is recommended that these sites continue to be maintained with a mix of glyphosate free products and manual removal.

Recommendation

That Council continue to maintain Council managed playgrounds and land abutting childcare facilities without the use of glyphosate based products.

Attachments

There are no attachments for this report.

Council Decision

Moved: Cr. Brett Tessari / Seconded: Cr. Bruce Kent

That the recommendation be adopted.

CARRIED UNANIMOUSLY

H.8 Kallay Drive Pioneer Bay - Outcome of findings into Cardinia Shire Council's Dust Suppression Program

File No: CMI7/949
Division: Infrastructure and Environment
Council Plan Strategic Objective: Liveability

Enjoying the place we live

Previous Items: SR5/17 - Kallay Drive, Pioneer Bay - Outcome of investigations into options for dust suppression treatments - Council - 15 Nov 2017 5.00pm
SR5/13 - Primer Seal Dust Suppression Roads - Long Term Management Strategy - Council - 21 Aug 2013 5.00pm
SR11/17 - Pioneer Bay Road and Drainage Upgrade Project - Council - 20 Sep 2017 5.00pm
PE1/17 - Petition - Kallay Drive, Pioneer Bay - Council - 17 May 2017 5.00pm

Declaration

The author has no direct or indirect interests in relation to this report.

Summary

The purpose of this report is to present further findings into Cardinia Shire Council's dust suppression program, its implementation and costs.

A report was presented to Council at its 15 November 2017 Ordinary Meeting regarding Kallay Drive, Pioneer Bay – Outcome of investigations into options for dust suppression treatments.

Council resolved as follows:

- 1. Receives this report as an investigation into the costs, benefits and broader implications of treating urban roads with short term dust suppressants.*
- 2. A further report be prepared for Council by February 2018 on the Cardinia Shire Council's dust suppression program, its implementation and costs.*
- 3. Continues planning for the sealing of roads in Pioneer Bay through the current Road and Drainage Upgrade Project as this is the most effective means of managing dust from road infrastructure, due to the possible adverse implications associated with short term dust suppressants.*

This report addresses Item 2 of the decision and recommends:

That Council:

1. Receives this report on the Cardinia Shire Council's dust suppression program, its implementation and costs.
2. Not treat Kallay Drive Pioneer Bay with a chemical dust suppressant treatment

3. Continues planning for the sealing of roads in Pioneer Bay through the current Road and Drainage Upgrade Project, as this is the most effective means of managing dust from road infrastructure, due to the adverse implications associated with short term dust suppressants.

Background

Previous Dust Suppressant Trials

In 2005-2007 Council undertook a dust suppression trial, utilising four different products. One of the methods trialled was a primer seal application.

The primer seal treatment involved a sprayed bituminous binder with the application of stone being applied to the unsealed road. When the primer seal treatment was applied, it was done so without strengthening the road's pavement, improving the drainage or applying a final seal to the surface. This work would need to be done to construct a road to a sealed standard. Its purpose was to suppress dust only in the short term rather than permanently seal the road.

A number of these roads treated with primer seal have deteriorated and in response Council adopted a management strategy in order to manage their ongoing condition. The management strategy sets criteria for returning unsealed surfaces to the roads as they continue to deteriorate.

A section of Kallay Drive in Pioneer Bay was treated with a primer seal that had deteriorated to the extent that an unsealed surface was required to be returned following the adoption of the management strategy.

The remaining three dust suppressant products trialled between 2005-2007 were all chemical treatments, applied by spraying them onto the unsealed roads or mixing them in with the crushed rock surface.

Following the first year of the trial, two of these products were discontinued due to them not being as effective in suppressing the dust sufficiently. The third product generally helped to suppress dust during the summer period however there were adverse impacts during periods of increased rainfall. Some surfaces deteriorated, developing potholes and becoming slippery. This required additional crushed rock and grading in order to rehabilitate the roads.

At the ordinary meeting of 21 August 2013 Council resolved not to continue with the dust suppressant program and instead continued to support the permanent upgrade of roads in urban areas to a sealed status through its Urban Roads and Drainage Improvement Policy.

Pioneer Bay Road and Drainage Upgrade Project

At the Ordinary Council Meeting on 20th September 2017 Council resolved to commence the statutory process to declare a special charge in relation to the construction of roads and drainage in Pioneer Bay Estate Area. If the project proceeds then all roads within the Pioneer Bay residential area will be upgraded to sealed roads.

The current status of this project is provided in a separate report at this Council meeting.

Cardinia Shire Council – Resident-funded Dust Suppression Works

As part of Council's resolution, further information has been collected from Cardinia Shire Council on how they undertake a resident-funded dust suppression program. This program has been in place since a council decision made between 2012-2013. It offers residents who reside on an unsealed road the option of dust suppression treatment (Dustmag) being applied to the pavement surface.

Applications are made to Council by property owners prior to December of each year. The resident then pays a fee to Council (set at \$350 including GST for this year) and a Dustmag treatment is applied to the pavement surface by a contracted party. This fee enables unsealed roads greater than 100 metres in length to be treated. The cost and length is based on a 4.8 metre pavement width which provides 480sqm of treated pavement.

Residents are informed that the chemical treatment is only a temporary suppressant lasting between 6 and 10 weeks subject to weather and site conditions. As such, the option of a second treatment, usually undertaken in February, is also offered which would incur an additional fee if selected. Approximately 13,000sqm of pavement was treated in December 2017, equating to 27 sections of treated pavement. The program is subject to weather conditions and contractor availability.

Strategic Basis

Council Plan Objective:

Liveability – *Enjoying the place we live*

Strategic Outcome:

- Promote Bass Coast as an all year events destination whilst supporting the continuation and development of new events
- Facilitate opportunities for multi-purpose facilities to improve access to recreation and sporting activities
- **Plan for and support a healthy, connected and active community**
- Support youth recreation and learning activities in our community
- Support dynamic and diverse arts and cultural activities
- Protect our natural environment balanced with access for all to enjoy
- Ensure any road or drainage infrastructure projects consider safe and accessible crossings for pedestrians
- Plan and provide well maintained public amenities and facilities

Strategic Indicators:

Strategic Indicators	Measures
Community grants program supporting events	Funding contributed to community events as identified in Annual Budget
Develop Municipal Recreation Plan	Developed by June 2018
Implement annual Health and Wellbeing Action Plan	Action Plan completed annually

Build community infrastructure that improves quality of life	90% of the projects included in the Capital Works program to be completed
Implement Asset Management Policy and Strategy Improvements	Action Plan completed annually
Implementation of annual maintenance programs	Annual program implemented
Implement priorities identified in the Pathways Network Plan 2016	Delivery of identified budgeted path projects Grant opportunities identified and applied for
Develop and Implement Domestic Animal Management Plan 2017-20	Action Plan completed annually
Implement Arts and Culture Plan 2015-19	Action Plan completed annually New plan revised and adopted by 2019
Implement Youth Action Plan 2016-20	Action Plan completed annually New plan revised and adopted by 2020
Bass Valley Children's Centre construction	Construction completed and facility opened by February 2018

Major Initiative / Initiative

This is not a major initiative or initiative in the 2017/18 budget and this report is coming to Council as a result of a previous petition.

Strategies / Policies

Asset Management Policy

A goal of the Asset Management Policy is to ensure infrastructure decisions made today will not leave a significant cost burden on future communities to fund the high maintenance and renewal costs of inappropriate infrastructure.

Primer Seal Dust Suppression Roads – Long Term Management Strategy adopted August 2013

This strategy sets out how remaining dust suppression trial roads from 2005-2007 are to be managed and the intervention criteria for rehabilitating dust suppressant seal roads to unsealed surfaces as they continue to deteriorate.

Urban Roads and Drainage Improvement Policy

The policy which guides the prioritisation and implementation of projects such as the Pioneer Bay Urban Roads and Drainage Improvement Project is the Urban Roads and Drainage Improvement Policy. The objectives of this policy are:

- Establish Council's commitment to improve the liveability and township character of both the built environment and the natural environment for residents and ratepayers within the Shire's urban areas.
- Improve the economic, social, environmental and cultural wellbeing of the community through the upgrade of urban infrastructure.

- Establish Council's commitment to providing its community with infrastructure that continuously meets its needs.
- Ensure that the development of urban road and drainage infrastructure upgrade projects is funded in a financially sustainable manner, which is fair and equitable for all ratepayers, both current and future, within the Shire.
- Define the principles and framework for the development of urban road and drainage infrastructure upgrade projects.
- Outline the elements of urban road and drainage infrastructure to be funded by Council.

Dust suppression treatments are not consistent with any of Council's strategies or policies or part of Council's funded programs.

Statutory Requirements/Codes/Standards/Policies

The Local Government Act 1989 and the Road Management Act 2004 set out the statutory obligations that Council has in respect of local roads within the municipality.

Discussion

Discussions and information sharing with Cardinia Shire Council Officers has helped provide an insight into this program.

Prior to the treatment being applied by contractors, operational staff are required to prepare the pavement surface and pre-wet the surface prior to application. These preparation works directly impacts the performance of the product which they have found to last between 6 to 10 weeks. Factors such as traffic speed, volume, load, UV exposure and rainfall can all significantly impact the performance of the product.

Once all applications are received, the requested segments are inspected and a pre-works program is produced with all identified defects rectified. These rectification works would generally be required on the network to ensure compliance with service standards, however given the inspection responds to any applications received from residents, it does alter existing inspection and works programs. The resources and costs required for the inspection and defect rectification works are not captured by as a separate cost and are absorbed into operational accounts. The fee paid by the residents generally only includes the purchase of the cost of the Dustmag product and its application by contractors.

Once the surface areas are ready the selected contractor is engaged to carry out the application of the chemical. Prior to the application pre-wetting of the pavement is required, which is performed by operational staff and equipment. This resource and cost is also not factored into the residents cost.

The works are usually completed in conjunction with Casey Shire Council and Yarra Ranges Shire Council which provides a significant cost benefit. The application for this years program was completed by the contractor in a single extended shift. Depending on operational resources and existing works program, additional resources and plant may be required before the application takes place.

The pavement that has been treated is then maintained in accordance with Council operational plans. Performance of the treatment varies from road to road. Some residents will only receive short term relief from dust because of the factors mentioned above and these residents generally opt for a second treatment. Due to

the drop in quantity of treated area this impacts the square metre rate price for the treatment and the cost is absorbed into operations.

The performance of the treated road has also become an issue after low rainfall periods have past. The severity and rate of defects of the pavement has generally spiked after a treatment forcing additional maintenance or periods of time where the road pavement is outside of intervention levels. Of greatest concern is the impact on the surface performance after the road has been treated and the road encounters heavy rainfall. The road was described as “turning the road pavement into a slurry” after heavy rain periods. This could lead to safety issues and cause loss of traction for road users. This issue has become more common on road segments that have received the treatment year after year and has required intervention such as full resheeting of the road to rectify.

Finances

The cost to apply a chemical dust suppressant treatment varies depending on the quantity of area to be treated. Typically, the larger the area the lower the price. Cardinia undertake their program in conjunction with bordering municipalities and secured a rate of 77 cents per square metre for this years program.

Based on the square metres sprayed it does not equate to full cost recover from the residents for the application as some seal widths exceed 4.8 metres. The additional cost is then absorbed into operations.

The preparation and pre-wetting works are performed in house and are carried out utilising operational resources and this cost is unknown by Cardinia. As a comparison for Bass Coast Shire Council to provide minimal preparation works to the unsealed section of Kallay Drive (generally the preparation work Cardinia undertake before application) would cost approximately \$600. To pre-wet the pavement would cost approximately \$200 in plant and labour excluding water costs.

A quotation of \$4,360 was received for the supply and application of the Dustmag product treating the unsealed section of Kallay Drive, bringing the total cost of a one off application to approximately \$5,160 excl GST.

The rate is considerably higher than Cardinia Shire Council due to the small section to be completed, compared to the 13,000sqm over 27 road segments completed during last year's program.

There is no dust suppressant funding included within the current Council budget.

Stakeholders

- Kallay Drive, Pioneer Bay residents
- The broader Pioneer Bay estate residents and property owners
- Other residents who live on unsealed road in urban areas
- Other ratepayers of Bass Coast Shire

Other Options

Option 1:

Council addresses concerns with dust from unsealed roads through the continued planning for the sealing of roads in Pioneer Bay through the current Road and Drainage Upgrade Project.

Option 2:

Chemically treat the 290m section of unsealed road on Kallay Drive in line with Cardinia Shire Councils treatment program.

Conclusion

Option 1 is the recommended option as this is the most effective means of managing dust from road infrastructure. Bass Coast Shire Council currently maintains approximately 356 kilometres of unsealed roads of which 125 kilometres are located in urban areas. The policy response that is in place to work through the challenges associated with a lack of infrastructure in these urban areas is the Urban Roads and Drainage Improvement Policy.

Council is currently progressing with the Urban Road and Drainage Upgrade Project for Pioneer Bay. The current status of this project is provided in a separate report at this Council meeting.

The trial of short term dust suppressant products that was implemented in 2005-2007 was not continued by Council. This was due to the high ongoing maintenance costs. The chemical based products that were trialed also had varying success rates. In wetter conditions, roads treated deteriorated therefore requiring re-sheeting with crushed rock to rehabilitate the road pavement. These products also require reapplication on an on-going basis. Kallay Drive has been treated in line with the adopted policy relating to the treatment of the dust suppression trial roads

The Roads and Drainage Upgrade Project that is being implemented in conjunction with the community has been found to be the best and most equitable method of eliminating dust, maintenance and drainage issues from road and drainage infrastructure throughout the Shire in urban areas such as Pioneer Bay.

Recommendation

That Council:

- 1. Receives this report on the Cardinia Shire Council's dust suppression program, its implementation and costs.**
- 2. Not treat Kallay Drive Pioneer Bay with a chemical dust suppressant treatment**
- 3. Continues planning for the sealing of roads in Pioneer Bay through the current Road and Drainage Upgrade Project, as this is the most effective means of managing dust from road infrastructure, due to the adverse implications associated with short term dust suppressants.**

Attachments

There are no attachments for this report.

Council Decision

Moved: Cr. Bruce Kent / Seconded: Cr. Geoff Ellis

That the recommendation be adopted.

CARRIED UNANIMOUSLY

H.9 Adoption of Wonthaggi Recreation Reserve Master Plan

File No:	CMI7/642
Division:	Healthy Communities and Governance
Council Plan Strategic Objective:	Health and Wellbeing
	We are a healthy and active community

Declaration

The author has no direct or indirect interests in relation to this report.

Summary

The purpose of this report is to present the Wonthaggi Recreation Reserve Master Plan (the Plan) to Council for adoption.

There are two attachments to this report:

- Wonthaggi Recreation Reserve Master Plan 2017 Report (AT-1)
- Wonthaggi Recreation Reserve Master Plan 2017 (AT-2)

Background

The Wonthaggi Recreation Reserve (Reserve) is the premier sporting and recreation precinct in Bass Coast. It is located approximately 1km northeast of the centre of Wonthaggi on the Korumburra-Wonthaggi Road, and is bound by Strickland Street to the west, the Wonthaggi North Primary School to the north, and Wentworth Road to the east. The Reserve is Council-owned and is zoned Public Park and Recreation.

The groups that currently regularly use the Reserve include:

- Bass Coast YMCA (Bass Coast Aquatic and Leisure Centre)
- Glen Alvie Cricket Club
- Leongatha and District Cricket Association
- Wonthaggi Angling Club
- Wonthaggi Croquet Club
- Wonthaggi and District Agricultural and Pastoral Society
- Wonthaggi and District Netball Association
- Wonthaggi and District Table Tennis Association
- Wonthaggi and District Tennis Association
- Wonthaggi Dog Obedience Club
- Wonthaggi Human Powered Vehicle (Event)
- Wonthaggi Miners Cricket Club
- Wonthaggi Power Football and Netball Club

- Wonthaggi United Soccer Club
- Wonthaggi Workmen's Cricket Club

As represented above, the Reserve accommodates a number of ongoing organised activities and events, as well as many passive activities including skating, walking, running and exercising.

The aim of the Master Plan is to establish clear directions for the use and development of Reserve over the next 10 years.

Several factors and considerations were identified for investigation during the project which included:

- General adequacy of existing buildings and facilities to meet the current and future needs of user groups.
- Opportunities to maximise co-location, sharing of facilities and spaces.
- Any implications of the implementation of the endorsed Bass Coast Aquatic and Leisure Centre redevelopment plan.
- Identification of options for the relocation of the Wonthaggi Croquet Club.
- Identification of opportunities to improve the number, location and configuration of soccer pitches for the Wonthaggi United Soccer Club.
- Identification of options for safer and more efficient traffic and pedestrian movements throughout the Reserve.
- Integration of the endorsed stormwater harvesting project for the Reserve.

Simon Leisure Consulting was appointed to prepare the Plan. This organisation has previously completed master plans for Cowes Future Recreation Land, Dalyston Recreation Reserve and Thompson Reserve Inverloch.

Consultation commenced with user groups in November 2015 and a chronological summary of the consultation undertaken is shown in the following table:

Date	Method of Consultation	Group / Stakeholder
11 November 2015	Project Inception Meeting	Project Steering Group
4 -18 December 2015	Resident survey	Residents (total response 53)
8 & 9 December 2015	Onsite meetings	Reserve user groups
	Workshop	Council staff
9 January 2016	Observation	Wonthaggi Show
18 March 2016	Project Meeting	Project Steering Group
30 March 2016	Councillor Briefing	Shire Councillors and Executive Management Team
11 May 2016	Meeting (presentation of concept plan)	Reserve user groups

Date	Method of Consultation	Group / Stakeholder
19 June 2016	Half-Day Workshop	Reserve user groups and Council Project Manager
20 July 2016	Project Meeting	Project Steering Group
29 August 2016	Meeting (presentation of 1 st draft master plan)	Reserve user groups
21 November 2016	Meeting (presentation of 2 nd draft master plan)	Council staff
	Meeting (presentation of 2 nd draft master plan)	Reserve user groups
November 2015 – February 2017	Various emails and telephone discussions	User Groups and Council Officers
3 May 2017	Master Plan Draft Presentation	Councillors
31 May 2017	Master Plan Draft Presentation	User Groups
November 2015-2017	Email and telephone	Council's Project Manager, other Council staff and user groups

The project is now complete and the Wonthaggi Recreation Reserve Masterplan is now presented to Council for adoption.

Strategic Basis

Council Plan Objective:

- Liveability- Enjoying the place we live
- Health and Wellbeing- We are a healthy and active community
- Advocacy – Representing the Community

Strategic Outcome:

- Plan for and support a healthy, connected and active community
- Provide opportunities for involvement in healthy active lifestyles
- Facilitate opportunities for multi-purpose facilities to improve access to recreation and sporting activities
- Plan and provide well maintained public amenities and facilities

Major Initiative / Initiative

This project was identified in the 2016/2017 year as an initiative of Council.

Strategies / Policies

- The Sport and Active Recreation Needs Assessment (SARNA) adopted by Council in 2016 identified the Wonthaggi Recreation Reserve Master Plan Project as a high priority for future development at the reserve.
- Bass Coast Aquatic Strategy 2015
- Bass Coast Playspace Strategy 2017
- Bass Coast Skate Strategy (Draft) 2017
- Bass Coast Youth Plan 2016

Statutory Requirements/Codes/Standards/Policies

There are no statutory requirements for this project.

Discussion

The project provided an opportunity for open discussions with all user groups and a chance for local residents and the Bass Coast community to share their thoughts on the future of the Reserve. The Plan considers current and future use requirements and engaged all user groups at the site. The Plan encompasses active and passive space, configuration and layout, change facility requirements and opportunities to meet growing demand (eg soccer and croquet) access to facilities and the three recreation areas within the Reserve. The Plan will guide the use and development of the Reserve over the next ten years.

Finances

The Wonthaggi Recreation Reserve Master Plan Project was completed through funding in Council's 2016-2017 Budget.

The Master Plan will be used to guide the prioritisation of projects, budget submissions, club and community contributions and provides clear evidence of strategic intent for grant applications into the future.

Stakeholders

This project was completed in collaboration with:

- All user groups
- Local Residents
- Bass Coast Community
- Councillors & Council Officers

Throughout the project all stakeholders were engaged and contributed and are aware of this report being presented to Council.

Other Options

Council may choose to not adopt this Master Plan.

Conclusion

The Wonthaggi Recreation Reserve Master Plan has been developed in conjunction with key user groups and the broader Bass Coast community. It sets the direction for the development of the Reserve over the next ten years and will inform the development of Active Bass Coast (Municipal Recreation Plan).

With the comprehensive tailored consultation process and production of the detailed plan, the project is now complete and the Wonthaggi Recreation Reserve Masterplan is presented to Council for adoption.

Recommendation

That Council adopt the Wonthaggi Recreation Reserve Master Plan 2017.

Attachments

AT-1 Wonthaggi Recreation Reserve Master Plan Report 54 Pages

AT-2 Wonthaggi Recreation Reserve Master Plan 1 Page

Council Decision

Moved: Cr. Brett Tessari / Seconded: Cr. Julian Brown

That the recommendation be adopted.

CARRIED UNANIMOUSLY

H.10 2017/2018 Major Initiatives, Finance and Capital Works Second Quarter Report

File No:	CMI7/970
Division:	Healthy Communities and Governance
Council Plan Strategic Objective:	Governance
	We are responsive, open, transparent and financially sustainable

Declaration

The author has no direct or indirect interests in relation to this report.

Summary

Annually Council adopts a Budget that identifies the services to be provided, the Capital Works Program and other major initiatives and initiatives that it will deliver during that year. The purpose of this report is to provide a quarterly update on our progress of these services, initiatives and capital works projects.

These Major Initiatives and Initiatives and the Capital Works Program are progressing well. The highlights for the second quarter include:

- 11% of Initiatives have been completed
- 89% of Initiatives are underway
- 30% of Capital Works projects have been completed
- 67% of Capital Works projects are underway

Background

The Council Plan articulates Council's Vision for the future of Bass Coast and outlines strategies to be used by Council in fulfilling the Vision. It is an important tool for measuring the performance of Council and its Officers. The 2017/18 Budget identified 13 Major Initiatives and 32 Initiatives. These Major Initiatives and Initiatives and the Capital Works Program will be reported on quarterly throughout the year.

The Council also adopted the Capital Works Program within the 2017/18 Budget, this program will be reported on quarterly. Council's financial performance will also be regularly reported.

Strategic Basis**Council Plan Objective:**

Advocacy - Representing the community

Strategic Outcome:

- Improve state and federal government investment into roads, facilities and services in Bass Coast
- Increase educational opportunities across the municipality

- Improve health and educational infrastructure and services in Bass Coast
- Articulate the community priorities for improvement to the state road network
- Influence regional strategies on public transport to meet community needs.
- Develop a statement for Bass Coast fairer funding requirement for any future elections resulting in increased funding for Bass Coast Shire Council

Strategic Indicators:

Strategic Indicators	Measures
Community Satisfaction with Advocacy	Meet top quartile of Large Rural Councils
Develop and Implement an Advocacy Strategy	Strategy developed with annual actions identified and completed
State and Federal Government funding for facilities and services	Funding provided from State and Federal Government Number of applications submitted for grants
Submission to Federal and State governments for additional funding support developed	Submission prepared by September 2017

Council Plan Objective:

Economic Development – *Expanding, attracting and retaining business and investment*

Strategic Outcome:

- Improve visitor infrastructure and enhance the lifestyle of the local community
- Foster continued job creation and workforce retention
- Improve the economic value of the region
- Diversify the region's tourism market mix to promote year-round visitation
- Enhance our visitor economy through preservation of our natural environment
- Advocate for key state and federal infrastructure and telecommunications that enables business development opportunities and improves internet and phone connectivity services for our community*
- Wonthaggi will be seen as the regional centre for Bass Coast
- Focus on jobs of the future for today's youth
- Foster and encourage agriculture and promote the Shire's rural sector
- Develop and grow local businesses including agritourism and agriculture
- Support rural business through networking and industry development

Strategic Indicators

Strategic Indicators	Measures
Support events that boost visitation in off-peak season	Growth in number of events held in off-peak season
Increase focus on eco-tourism	Implement training and development for local businesses on eco-tourism opportunities Attract events that are eco-tourism and culture based
Increased investment in infrastructure improvements	Public Sector (Municipal, State and Federal) investment increased Private Sector investment level increased
Implement the Economic Development Strategy 2016-21	Action Plan completed annually
Implement the Phillip Island and San Remo Visitor Economy Strategy 2035 - Growing Tourism	Action Plan completed annually Gain international certification as a sustainable tourism destination under Global Sustainable Tourism Council by 2021 Monitor the reporting to Council of the marketing opportunities undertaken through Destination Phillip Island and Destination Gippsland Limited Investment opportunities document developed encouraging commercial interest in new accommodation development by 2021 Locations identified for temporary surfing event infrastructure to support surfing events by 2021 Complete upgrade to Cowes Jetty Triangle Delivery of identified budgeted path projects to improve visitor experience
Investigate the feasibility of the Car Ferry from Mornington Peninsula to Phillip Island	Undertake project feasibility study by 2018 Achieve business case on time and on budget Achieve a reach of 13,000 people through our community engagement process via all mediums

Support farm-gate and agri-tourism development

Planning Scheme updated by 2020

Council Plan Objective:Environment – *Maintain and protect the natural environment***Strategic Outcome:**

- Provide efficient and equitable waste management services and infrastructure
- Reduce the carbon footprint of the municipality
- Manage the balance between our natural environment, public access and use of our foreshores and waterways
- Enhance our environment and landscape with vegetation and native wildlife protection initiatives
- Partner with other land managers along coastal areas for consistent management
- Advocate for state and federal government support and assistance on coastal erosion*

Strategic Indicator

Strategic Indicators	Measures
Emission Reduction	By 2025 achieve a 50% reduction in greenhouse gas levels per Bass Coast resident compared to 2009/10
Restore coastal and inland vegetation corridors in partnership with land owners, land managers and land care groups	Complete Biolinks Plan and commence implementation by June 2018
Increase coverage of native vegetation in the Shire	Increase native vegetation cover by minimum of 1.5% each year
Implement the Waste Management Strategy 2015-25	Increase diversion of kerbside waste from landfill to 70% by 2021 to extend the life of our landfill
Implement the Natural Environment Strategy 2016-26	Action Plan completed annually

Council Plan Objective:Governance – *We are responsive, open, transparent and financially sustainable***Strategic Outcome:**

- Provide equitable distribution of resources across the Shire
- Be diligent in ensuring services meet community need and are cost effective
- Manage our financial resources and report on our performance
- Engage with the community on decisions that impact them

- Explore other alternatives for revenue opportunities

Strategic Indicator:

Strategic Indicators	Measures
Community Satisfaction with Council Decisions	Achieve the top quartile of Large Rural Councils
Transparency of Council decisions	Achieve the top quartile of Large Rural Councils
Community Satisfaction with Consultation and Engagement	Achieve the top quartile of Large Rural Councils
Community satisfaction with customer contact	Achieve the top quartile of Large Rural Councils
Local Government Performance Reporting Framework (LGPRF) – Financial Performance	Measures that are reported are within the top quartile for Large Rural Councils as identified in the LGPRF
Victorian Auditor General Office (VAGO) Financial Sustainability indicators	The Strategic Resource Plan and the Long Term Financial Plan to meet or better VAGO low risk indicators
Other financial and non-financial performance indicators	Adjusted underlying operation result aims to achieve an operating surplus Implementation of monthly and year to date financial reporting, with plain English version for our Community Implementation of monthly and year to date non-financial performance reporting, with plain English version for our Community Increased efficiencies as a result of information technology improvements
Communications and Engagement Strategy 2015-18 actions implemented	Complete Strategy implementation by June 2018
Develop and Implement a Revenue Strategy	Strategy developed and actions implemented

Council Plan Objective:

Health and Wellbeing – *We are a healthy and active community*

Strategic Outcome:

- Provide opportunities for involvement in healthy active lifestyles
- Improved accessibility for people with a disability

- Engage in health promotion activities that support the health and wellbeing of our community
- Advocate for health services in our community*
- Deliver and advocate for appropriate services for older people, families and children
- Plan and prepare for emergency responses in the region
- Support our communities to be connected and empowered
- Work with other agencies to implement Family Violence Prevention Plans and Strategies

Strategic Indicator:

Strategic Indicators	Measures
Participation in health promotion activities	Health promotion activities from Health and Wellbeing Plan Actions undertaken annually
Compliance with Municipal Emergency Management Plan 2014	100% compliance
Implement the Youth Action Plan 2016-20	Action Plan completed annually
Implement annual Municipal Public Health and Wellbeing Action Plan	Action Plan completed annually
Implement the Disability Action Plan 2016-20	Action Plan completed annually
Implement Municipal Early Years Plan 2016-20	Action Plan completed annually

Council Plan Objective:

Liveability – *Enjoying the place we live*

Strategic Outcome:

- Promote Bass Coast as an all year events destination whilst supporting the continuation and development of new events
- Facilitate opportunities for multi-purpose facilities to improve access to recreation and sporting activities
- Plan for and support a healthy, connected and active community
- Support youth recreation and learning activities in our community
- Support dynamic and diverse arts and cultural activities
- Protect our natural environment balanced with access for all to enjoy
- Ensure any road or drainage infrastructure projects consider safe and accessible crossings for pedestrians
- Plan and provide well maintained public amenities and facilities

Strategic Indicators:

Strategic Indicators	Measures
Community grants program supporting events	Funding contributed to community events as identified in Annual Budget
Develop Municipal Recreation Plan	Developed by June 2018
Implement annual Health and Wellbeing Action Plan	Action Plan completed annually
Build community infrastructure that improves quality of life	90% of the projects included in the Capital Works program to be completed
Implement Asset Management Policy and Strategy Improvements	Action Plan completed annually
Implementation of annual maintenance programs	Annual program implemented
Implement priorities identified in the Pathways Network Plan 2016	Delivery of identified budgeted path projects Grant opportunities identified and applied for
Develop and Implement Domestic Animal Management Plan 2017-20	Action Plan completed annually
Implement Arts and Culture Plan 2015-19	Action Plan completed annually New plan revised and adopted by 2019
Implement Youth Action Plan 2016-20	Action Plan completed annually New plan revised and adopted by 2020
Bass Valley Children's Centre construction	Construction completed and facility opened by February 2018

Council Plan Objective:

Our Character – *Celebrating the uniqueness of our townships*

Strategic Outcome:

- Partnering with our community to protect and enhance the unique character of our townships, open spaces and rural landscape
- Ensure the review of the Municipal Strategic Statement improves the controls within our townships to ensure that the character is protected
- Strengthen the role of Wonthaggi as our regional centre
- Manage the sensitivities of development and growth pressures

- Be proud of, and share, our history and cultural life

Strategic Indicators:

Strategic Indicators	Measures
Build capacity in community planning	Host quarterly community building events and networking opportunities each year
Overall Community Satisfaction Rating	Achieve the top quartile of Large Rural Councils
Advocate on behalf of the community on key planning issues *	Make representation to state and federal government on key planning matters
Review the Municipal Strategic Statement	Completed by June 2018
Develop a strategic vision/plan for Wonthaggi as regional centre	Implement actions identified in Wonthaggi Dalyston Structure Plan review Strategic vision developed and adopted
Wonthaggi North East Precinct Structure Plan	Implement into Planning Scheme by June 2018
Sites and Theme Plan 2014-24	Action Plan completed annually
Incorporate the Phillip Island and San Remo Visitor Economy Strategy 2035 – Growing Tourism in the Planning Scheme as a reference document	Planning Scheme updated by June 2018

Finances

Detailed information on the financial performance of Council has been provided in the attached financial report for period ending December 2017. In summary, the year to date position is unfavourable when compared to budget, with the end of year operating result also forecast to be unfavourable, due primarily to half of the Commonwealth Financial Assistance Grants for 2017/18 being received in the prior financial year. For further information please refer to the attached financial report.

Stakeholders

Council, ratepayers, external funding bodies, residents and visitors are all affected by the delivery of the services, key initiatives and the capital program.

Statutory Requirements/Codes/Standards/Policies

Section 138 of the *Local Government Act 1989* (Act) requires that each quarter Council (and the community) is provided with a statement comparing the adopted budget with the actual results for the year to date.

The Major Initiatives and Capital Works are allocated for in the 2017/18 Budget. All of Council's expenditure are approved and spent in accordance with the Act and the Procurement Policy.

The Act states that the primary objective of Council is to endeavour to achieve the best outcomes for the local community having regard to the long term and cumulative effects of decisions.

Officer's Comments/Conclusion

Major Initiatives and Initiatives

Attached to this report is a progress summary of the Major Initiatives and Initiatives identified in the 2017/18 Budget. Council identified 45 initiatives or these initiatives

- 5 initiatives have been completed
- 40 initiatives are underway and on track

During this reporting period we completed the following actions:

- Develop Council's Environmentally Sustainable Design (ESD) policy and guidelines
- Prepare Resort and Recreation (Open Space) reserve investment framework
- Workers' Compensation Self Insurance Scheme commences

Advocacy

Initiative	Status
Develop and Advocacy Strategy (Major)	On Track

Economic Development

Initiative	Status
Implement the Car Ferry business Case Project (Major)	On Track
Implement Year 1 and relevant Year 2 actions in the Phillip Island and San Remo Visitor Economy Strategy 2035 (Major)	On Track
Implement Year 2 actions of the Economic Development Strategy (Major)	On Track
Undertake a review of the Events Policy	Completed

Environment

Initiative	Status
Implement priority actions of the Natural Environment Strategy (Major)	On Track
Introduce Council's kerbside food organics and green organics collection service (Major)	Completed
Complete Council's Biolinks Plan	On Track
Complete review of Council's waste infrastructure	On Track
Develop Council's Environmentally Sustainable Design (ESD) policy and guidelines	Completed

Facilitate the delivery of The Glade Sound Shell project	On Track
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Governance

Initiative	Status
Review the Communications and Engagement Strategy 2015-18 (Major)	On Track
Commence an IT Business Transformation (Cloud Strategy)	On Track
Continue investigation of shared services initiatives	On Track
Continue the Service Review Program	On Track
Continue redevelopment of Council's website	On Track
Commence implementation of a workforce attraction, diversification and retention strategy	On Track
Implement Revenue Strategy	On Track
Implement the Property Strategy	On Track
Continue implementation of the IT Core System replacement	On Track
Review the Local Law Meeting Procedure	On Track
Workers' Compensation Self Insurance Scheme commences	Completed

Health and Wellbeing

Initiative	Status
Complete the Municipal Recreation Plan (Major)	On Track
Complete an Action Plan to respond to the implementation of the NDIS and the National Health Reform	On Track
Develop Action Plan from the Skate Strategy	On Track
Implement the outcomes of the market testing for the operation of the Wonthaggi Union Community Arts Centre	On Track
Implement Year One of the Municipal Public Health and Wellbeing Plan 2017-2021	On Track
Implement Year Two of the Disability Action Plan	On Track

Liveability

Initiative	Status
Complete an Open Space Asset Management Plan (Major)	On Track
Complete the Bass Valley Children's Centre (Major)	On Track
Review of the Capital Investment Framework (Major)	On Track
Commence the review of the Road Asset Management Plan including the Urban Roads and Drainage Improvement Policy	On Track

Deliver Public Art Project - Bass Hinterland	On Track
Develop and implement the Domestic Animal Management Plan	On Track
Implement Year Four of the Education Plan	On Track
Implement Year Three of the Arts and Culture Plan	On Track
Implement Year Two of the Youth Action Plan	On Track
Implementation of the Infrastructure Delivery Service Review	On Track

Our Character

Initiative	Status
Following adoption of Council Plan, undertake a review of the Bass Coast Planning scheme (Major)	On Track
Implement Wonthaggi North East Precinct Structure Plan into the Bass Coast Planning Scheme (Major)	On Track
Implement Cowes Activity Centre Plan recommendations into the Bass Coast Planning Scheme	On Track
Implement Year One of the Play Space Strategy	On Track
Implement Year Two of the Municipal Early Years Plan	On Track
Prepare the Wonthaggi and Dalyston Structure Plans	On Track
Prepare Resort and Recreation (Open Space) reserve investment framework	Completed

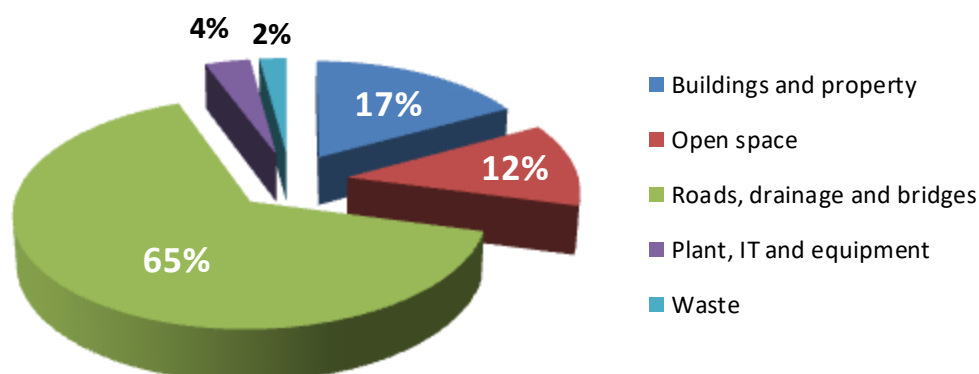
The attached report outlines the progress of each project. Summaries and highlights of some of these projects are also available in the CEO's Report and on Council's website.

Capital Works Program 2017/2018 – Quarter 2 – 1 October 2017 to 31 December 2017

Following the adoption of the 2017/18 Council budget at the 21 June 2017 Council Meeting, the 2017/18 Capital Works Program (CWP) comprised of 128 capital projects/actions with an approved capital budget of \$18.62 million. Subsequent to the end of year process, a number of projects were altered/added/deferred throughout Quarter 1 leading to a revised CWP of 139 projects at a value of \$24.21 million.

The below chart shows the current breakdown of the 2017/18 CWP by asset class.

Composition of 2017/18 Capital Works Program by asset class



Approved Position at 31 December 2017

Item	Value
Capital Works Projects inc carry over projects (as of 30 September 2017)	\$24.21 million
Budget Adjustments Variation approved throughout Quarter 2 – including Bass Valley Children's Centre *	\$0.3 million
Revised 2017/18 CWP (as of 31 December 2017)	\$24.51 million

* Works on the Bass Valley Children's Centre (BVCC) are nearing completion, with the Centre expected to be operational in late January 2018. At its 18 October 2017 meeting, Council approved the recommendation to authorise up to an additional \$100,000 to be allocated within Council's 2017/18 budget towards the BVCC subject to Ministerial approval and Council resolving to proceed with the lease following compliance with the *Local Government Act 1989* requirements.

Additional variations/changes also being sought for projects identified in Quarter 2 are outlined below.

Projects to be carried over

It is recommended that funds for the Stage 1 Construction Only of the Cowes Cultural and Community Centre Office Development be carried over into 2018/19. Substantial design work is being undertaken for this project in the current financial year, and this carry over recognises that construction will commence in 2018/19.

In addition is recommended that funds for Skate Park Improvements also be carried over to 2018/19 when the adoption of the 2018/19 Skate Strategy is finalised.

Project	Net Budget Movement	Action	Reason for Change
Cowes Revitalisation Projects – Cowes Cultural and Community Centre – Office Development – Stage I construction only	(\$1.83 million)	Carry over to 18/19	In recognition that this is a multi-year project and construction works will not commence until 2018/19
Skate Park Improvement Project – various locations – construction only	(\$300,000)	Carry over to 18/19	This project has been deferred until adoption of the 2018/19 Skate Strategy is finalised

Projects to be added

A number of projects were added to the CWP throughout Quarter 2, including but not limited to:

- Rural Roads Final Sealing Program – Ventnor Beach Road – construction only - \$27,000;
- Surf Beach Playspace, Surf Beach Phillip Island - \$35,000; and
- San Remo Public Arts – Tides of Change - \$30,000

Progress of the Capital Program

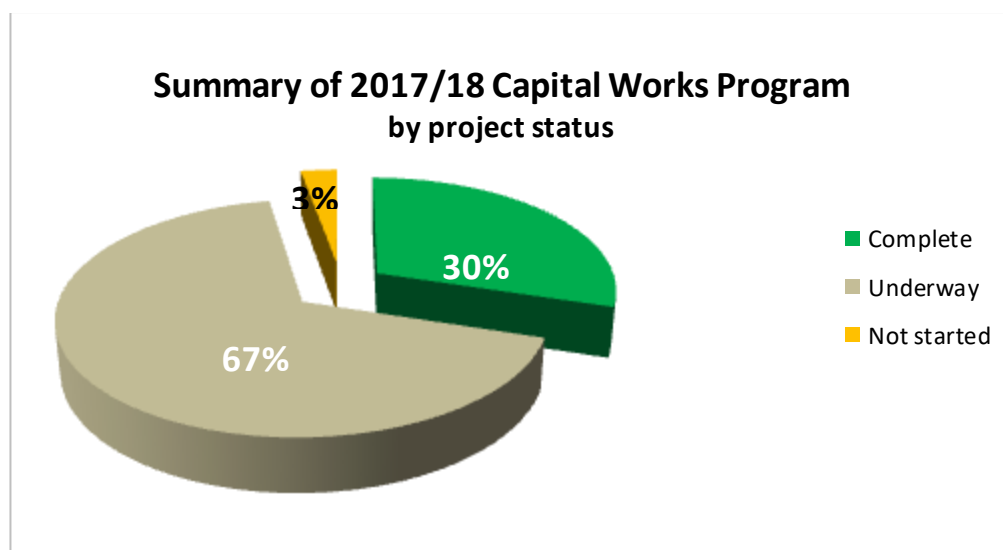
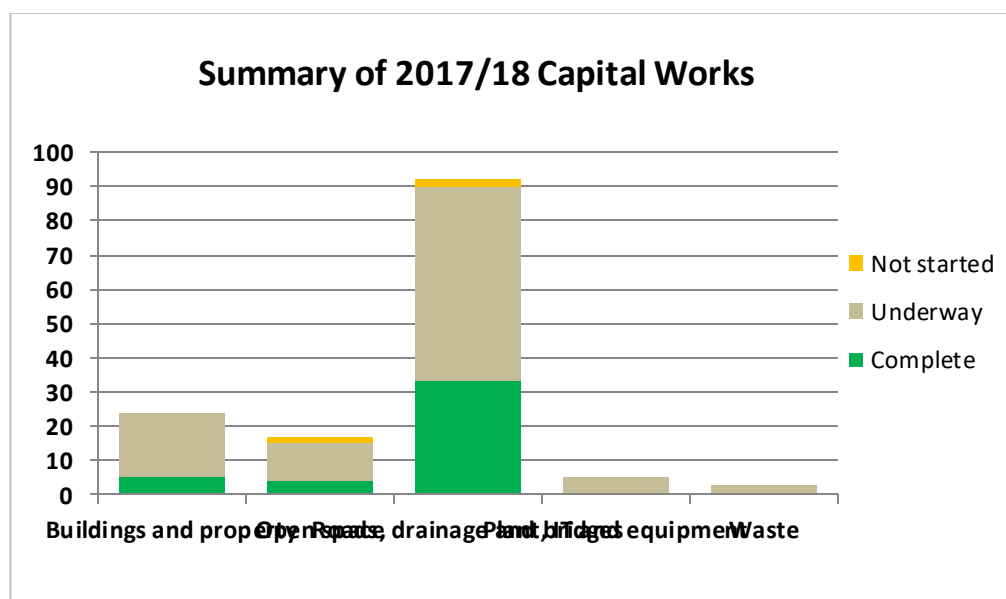
From the Quarter 2 starting point of \$24.21 million, the net impact of all of the above approved and requested changes is -\$1.76 million, leading to a revised 2017/18 CWP of 139 projects valued at \$22.44 million as shown in AT-1.

The reduction in the 2017/18 capital works budget is not available for reallocation due to being required to be carried forward to next year's budget.

The Capital Works Program Report (AT-1) shows the progress of projects/actions up until 31 December 2017. Projects not included in the original adopted program but carried over into the 2017/2018 financial year have "C/O" included within the project title. New projects are highlighted with red text.

Comparing actual progress to date against expected monthly targets indicates that the 2017/18 CWP is progressing according to schedule.

The below charts highlight the progress of the 2017/18 CWP by asset group and project status.



Some projects completed between 1 July 2017 and 31 December 2017 include, but are not limited to:

Buildings and Property:

- Building Renewal Program – Newhaven Information Centre – construction only
- Public Toilet – Cuttriss Street, Inverloch – construction only
- Building Renewal Program – Dalyston Football Club Change Rooms – design only

Open Space

- Wonthaggi Netball Courts Upgrades
- Playground Equipment Renewal - Jacobs Park Sussex Street, Wonthaggi - design and construction

Roads, Drainage and Bridges

- Urban Pavement Renewal Program – various locations
- Urban Asphalt Seal Program – various locations
- Rural Roads Spray Sealing Program – various locations
- Pathways Group Renewal Program – various locations

Finance

Further information is available in the attached Quarter 2 Financial Report (AT-3)

Recommendation

That Council:

1. **Receives the Finance, Major Initiatives and Capital Works Progress Report for quarter ended 31 December 2017.**
2. **Authorises the following changes to be made to the 2017/18 Capital Works Program:**
 - a. **Carry over of \$2.14 million for ‘Cowes Revitalisation Projects – Cowes Cultural and Community Centre – Office Development – Stage 1 construction only’ and ‘Skate Park Improvement Project – various locations – construction only’ into 2018/19**
 - b. **Adjustment of budget for Capital Works projects included within the program as listed within the attachment in AT-1**

Attachments

AT-1	2017/18 Capital Works Program Report	7 Pages
AT-2	Council Plan Progress Report 2017 - 18 Q2	17 Pages
AT-3	Financial Report - December 2017	14 Pages

Council Decision**Moved: Cr. Brett Tessari / Seconded: Cr. Clare Le Serve****That the recommendation be adopted.****CARRIED**

For	Against
Cr Le Serve	Cr Larke
Cr Rothfield	
Cr Tessari	
Cr Brown	
Cr Fullarton	
Cr Whelan	
Cr Ellis	
Cr Kent	

H.11 Review of appointments to Council Committees and Delegated Committees

File No:	CMI8/40
Division:	Healthy Communities and Governance
Council Plan Strategic Objective:	Governance
	We are responsive, open, transparent and financially sustainable

Declaration

The author has no direct or indirect interests in relation to this report.

Summary

Council appoints delegates to a number of Council committees and external committees in order to meet its legislative obligations and to enhance its involvement in community activities and to advocate on behalf of the community.

At its Ordinary Meeting in December 2016, Council resolved to appoint Councillor representatives to these committees and has made some revisions during 2017. The purpose of this report is to review the appointments made and to make any changes to Council's representation.

This report recommends that Council appoint representatives to both the Council Committees and delegates to the External Committees.

Background

A number of Council committees and external committees exist where Councillors are invited to participate across a broad interest area. Some of these committees have legislative requirements, but most committees operate in an advisory capacity.

It is important for Councillors to be represented on committees and networks for a number of reasons including:

- Some committees are legislated to provide input into strategic plans
- Committees provide opportunities for Councillors and the organisation to stay connected to advocacy groups and understand emerging issues
- Provide advice to Council on a variety of issues
- Help Council achieve its Council Plan objectives.

Strategic Basis**Council Plan Objective:**

Advocacy - Representing the community

Strategic Outcome:

- Improve state and federal government investment into roads, facilities and services in Bass Coast

- Increase educational opportunities across the municipality
- Improve health and educational infrastructure and services in Bass Coast
- Articulate the community priorities for improvement to the state road network
- Influence regional strategies on public transport to meet community needs.
- Develop a statement for Bass Coast fairer funding requirement for any future elections resulting in increased funding for Bass Coast Shire Council

Strategic Indicators:

Strategic Indicators	Measures
Community Satisfaction with Advocacy	Meet top quartile of Large Rural Councils
Develop and Implement an Advocacy Strategy	Strategy developed with annual actions identified and completed
State and Federal Government funding for facilities and services	Funding provided from State and Federal Government Number of applications submitted for grants
Submission to Federal and State governments for additional funding support developed	Submission prepared by September 2017

Council Plan Objective:

Governance – *We are responsive, open, transparent and financially sustainable*

Strategic Outcome:

- Provide equitable distribution of resources across the Shire
- Be diligent in ensuring services meet community need and are cost effective
- Manage our financial resources and report on our performance
- Engage with the community on decisions that impact them
- Explore other alternatives for revenue opportunities

Strategic Indicator:

Strategic Indicators	Measures
Community Satisfaction with Council Decisions	Achieve the top quartile of Large Rural Councils
Transparency of Council decisions	Achieve the top quartile of Large Rural Councils
Community Satisfaction with Consultation and Engagement	Achieve the top quartile of Large Rural Councils
Community satisfaction with customer contact	Achieve the top quartile of Large Rural Councils

Strategic Indicators	Measures
Local Government Performance Reporting Framework (LGPRF) – Financial Performance	Measures that are reported are within the top quartile for Large Rural Councils as identified in the LGPRF
Victorian Auditor General Office (VAGO) Financial Sustainability indicators	The Strategic Resource Plan and the Long Term Financial Plan to meet or better VAGO low risk indicators
Other financial and non-financial performance indicators	Adjusted underlying operation result aims to achieve an operating surplus Implementation of monthly and year to date financial reporting, with plain English version for our Community Implementation of monthly and year to date non-financial performance reporting, with plain English version for our Community Increased efficiencies as a result of information technology improvements
Communications and Engagement Strategy 2015-18 actions implemented	Complete Strategy implementation by June 2018
Develop and Implement a Revenue Strategy	Strategy developed and actions implemented

Discussion

The Internal Council Committees include:

Access & Inclusion Advisory Committee	One Councillor
Arts and Culture Advisory Committee	Three Councillors (one Councillor is the Chair)
Audit Committee	Mayor & Two Councillors
Bass Coast Community Road Safety Committee	One Councillor (Chair)
Bass Coast Events Advisory Committee	Three Councillors (one Councillor is the Chair)
Bass Coast Municipal Emergency Management Planning Committee	One Councillor (Chair)
Bass Coast Municipal Fire Management Committee	One Councillor (Chair) and Councillor substitute
Bass Coast Place Names Committee	One Councillor
Bass Coast Natural Environment Advisory Working Group	One Councillor (Chair)
Car Ferry Project Steering Committee	Mayor (Chair)

Community Tourism Reference Group	One Councillor (Chair)
The Chief Executive Officer Employment Matters Committee	Mayor and Two Councillors
Phillip Island Aquatics Working Group	Two Councillors (one Councillor is the Chair)
Rural Engagement Group	Mayor & One Councillor

The External Committees where Council provides a delegate include:

Australian Coastal Councils Association Inc.	Mayor & Councillor substitute
Bass Coast Environmental Review Committee	One Councillor
Bass Coast South Gippsland Reconciliation Committee	One Councillor
Destination Phillip Island – Regional Tourism Board	One Councillor or Chief Executive Officer
Gippsland Local Government Network	Mayor
Gippsland Local Government Waste Forum	One Councillor and Councillor substitute
Gippsland Waste and Resource Recovery Group Board	Cr Pamela Rothfield (appointed by the Minister)
Municipal Association of Victoria (MAV)	One Councillor and Councillor substitute
Peri Urban Group of Councils	Mayor and Councillor substitute
Phillip Island Nature Park Community Advisory Committee	One Councillor
Rural Councils Victoria	One Councillor
South East Australian Transport Study	One Councillor
South East Council's Climate Change Alliance	One Councillor and Councillor substitute
Victorian Local Governance Association	One Councillor
West Gippsland Regional Library Corporation Board	Cr Geoff Ellis and Cr Pamela Rothfield (substitute)
Westernport Biosphere Reserve	One Councillor

Finances

Councillor participation in these committees is covered by their general reimbursement as Councillors. Any associated expenses, such as travel, is claimable by each individual Councillor. These expenses are allowed for within Council's operating budget.

Council is a member of many of the external committees and either pays a membership or makes a contribution to the group. These membership fees or contributions are allowed for within Council's operating budget.

Stakeholders

The community of Bass Coast is a stakeholder. Participating in Committees helps to keep Councillors informed of key issues within the community they represent and retain the connection with their community.

Other Options

Council could choose not to appoint representation to these committees and networks. This could limit the level of interaction and ability to influence key outcomes for the community. It could also contribute to difficulty for Council to achieve its strategic direction articulated in the Council Plan.

Conclusion

A list of Council Committees and External Committees is presented for Councillors to participate. If a Councillor is not nominated to any of these committees a Council Officer may be appointed in their place by agreement.

Recommendation

That Council

I. Appoints Councillor representatives to the following Council Committees:

Access & Inclusion Advisory Committee	One Councillor
Arts and Culture Advisory Committee	Three Councillors (one Councillor is the Chair)
Audit Committee	Mayor & Two Councillors
Bass Coast Community Road Safety Committee	One Councillor (Chair)
Bass Coast Events Advisory Committee	Three Councillors (one Councillor is the Chair)
Bass Coast Municipal Emergency Management Planning Committee	One Councillor (Chair)
Bass Coast Municipal Fire Management Committee	One Councillor (Chair) and Councillor substitute
Bass Coast Place Names Committee	One Councillor
Bass Coast Natural Environment Advisory Working Group	One Councillor (Chair)
Car Ferry Project Steering Committee	Mayor (Chair)
Community Tourism Reference Group	One Councillor (Chair)
The Chief Executive Officer Employment Matters Committee	Mayor and Two Councillors

Phillip Island Aquatics Working Group	Two Councillors (one Councillor is the Chair)
Rural Engagement Group	Mayor & One Councillor

2. Appoints Councillor representatives to the following delegated Committees:

Australian Coastal Councils Association Inc.	Mayor & Councillor substitute
Bass Coast Environmental Review Committee	One Councillor
Bass Coast South Gippsland Reconciliation Committee	One Councillor
Destination Phillip Island – Regional Tourism Board	One Councillor or Chief Executive Officer
Gippsland Local Government Network	Mayor
Gippsland Local Government Waste Forum	One Councillor and Councillor substitute
Gippsland Waste and Resource Recovery Group Board	Cr Pamela Rothfield (appointed by the Minister)
Municipal Association of Victoria (MAV)	One Councillor and Councillor substitute
Peri Urban Group of Councils	Mayor and Councillor substitute
Phillip Island Nature Park Community Advisory Committee	One Councillor
Rural Councils Victoria	One Councillor
South East Australian Transport Study	One Councillor
South East Council's Climate Change Alliance	One Councillor and Councillor substitute
Victorian Local Governance Association	One Councillor
West Gippsland Regional Library Corporation Board	Cr Geoff Ellis and Cr Pamela Rothfield (substitute)
Westernport Biosphere Reserve	One Councillor

Attachments

AT-1 Council Committees List 9 Pages

AT-2 External Committees List 9 Pages

Council Decision**Moved: Cr. Stephen Fullarton / Seconded: Cr. Clare Le Serve****That the recommendation be adopted.****That Council****1. Appoints Councillor representatives to the following Council Committees:**

Access & Inclusion Advisory Committee	Cr Geoff Ellis
Arts and Culture Advisory Committee	Cr Clare Le Serve (Chair), Cr Michael Whelan, Cr Les Larke
Audit Committee	Mayor, Cr Brett Tessari, Cr Julian Brown
Bass Coast Community Road Safety Committee	Cr Bruce Kent (Chair)
Bass Coast Events Advisory Committee	Cr Stephen Fullarton (Chair), Cr Brett Tessari, Cr Clare Le Serve
Bass Coast Municipal Emergency Management Planning Committee	Cr Bruce Kent (Chair)
Bass Coast Municipal Fire Management Committee	Cr Bruce Kent (Chair), Cr Julian Brown substitute
Bass Coast Place Names Committee	Cr Geoff Ellis
Bass Coast Natural Environment Advisory Working Group	Cr Michael Whelan (Chair)
Car Ferry Project Steering Committee	Mayor (Chair)
Community Tourism Reference Group	Cr Michael Whelan (Chair)
The Chief Executive Officer Employment Matters Committee	Mayor, Cr Clare Le Serve, Cr Julian Brown
Phillip Island Aquatics Working Group	Cr Stephen Fullarton (Chair), Cr Bruce Kent
Rural Engagement Group	Mayor, Cr Clare Le Serve

2. Appoints Councillor representatives to the following delegated Committees:

Australian Coastal Councils Association Inc.	Mayor, Cr Michael Whelan substitute
Bass Coast Environmental Review Committee	Cr Les Larke
Bass Coast South Gippsland Reconciliation Committee	Cr Geoff Ellis, Cr Les Larke substitute
Destination Phillip Island – Regional Tourism Board	Cr Stephen Fullarton or Chief Executive Officer
Gippsland Local Government Network	Mayor
Gippsland Local Government Waste Forum	Cr Pamela Rothfield, Cr Bruce Kent substitute

Gippsland Waste and Resource Recovery Group Board	Cr Pamela Rothfield (appointed by the Minister)
Municipal Association of Victoria (MAV)	Cr Brett Tessari, Cr Geoff Ellis substitute
Peri Urban Group of Councils	Mayor, Cr Brett Tessari substitute
Phillip Island Nature Park Community Advisory Committee	Cr Pamela Rothfield, Cr Stephen Fullarton substitute
Rural Councils Victoria	Cr Clare Le Serve
South East Australian Transport Study	Cr Clare Le Serve
South East Council's Climate Change Alliance	Cr Michael Whelan, Cr Geoff Ellis substitute
Victorian Local Governance Association	Cr Michael Whelan
West Gippsland Regional Library Corporation Board	Cr Geoff Ellis and Cr Les Larke substitute
Westernport Biosphere Reserve	Cr Michael Whelan

CARRIED UNANIMOUSLY

H.12 Review of Corporate Fuel Cards

File No:	CMI8/32
Division:	Finance and Organisation Development
Council Plan Strategic Objective:	Governance

We are responsive, open, transparent
and financially sustainable

Declaration

The author has no direct or indirect interests in relation to this report.

Summary

To present the report of the Evaluation of fuel card options for councils fuel cards provider and to recommend the change to a different fuel card provider.

An evaluation of the current fuel car provider and cost was undertaken by the Coordinator of Procurement, Fleet and Facilities. The objective of the evaluation was to assess the current fuel card provider against other option available to council and identify a preferred fuel card provider for the purpose of assisting the Council in reaching a tender award decision.

The evaluation concluded that the Fleet Card offered by Procurement Australia will satisfy the requirements of the corporate fuel card provider and will provide Council with best value for money.

Background and Context

Following a Fleet Management Review conducted in June 2016, it was recommended that a review be conducted of Councils expenditure vehicle fuel cards. Council current provider is Motorpass (Wright Express Pty Ltd).

Council spends about \$600 000 per year via fuel cards which are utilised for fleet and our plant and equipment.

A comparison of the current fuel card systems offered by both MAV (Municipal Association of Victoria) and Procurement Australia was conducted. These fuel cards options are available to council and have been selected using competitive tendering processes by both Procurement Australia and MAV Procurement.

It was concluded that a change of the fuel card provider to Procurement Australia's contract with Business Fuel Cards Pty Ltd (Fleetcor) would provide Council with better value for money.

Internal stakeholders have indicated that a change now is the optimal time to transition to a new fuel card in order to have it in place before the set-up of fleet assets in the Technology One system.

Strategic Basis**Council Plan Objective:**

Governance – *We are responsive, open, transparent and financially sustainable*

Strategic Outcome:

- Provide equitable distribution of resources across the Shire
- Be diligent in ensuring services meet community need and are cost effective
- Manage our financial resources and report on our performance
- Engage with the community on decisions that impact them
- Explore other alternatives for revenue opportunities

Strategic Indicator:

Strategic Indicators	Measures
Community Satisfaction with Council Decisions	Achieve the top quartile of Large Rural Councils
Transparency of Council decisions	Achieve the top quartile of Large Rural Councils
Community Satisfaction with Consultation and Engagement	Achieve the top quartile of Large Rural Councils
Community satisfaction with customer contact	Achieve the top quartile of Large Rural Councils
Local Government Performance Reporting Framework (LGPRF) – Financial Performance	Measures that are reported are within the top quartile for Large Rural Councils as identified in the LGPRF
Victorian Auditor General Office (VAGO) Financial Sustainability indicators	The Strategic Resource Plan and the Long Term Financial Plan to meet or better VAGO low risk indicators
Other financial and non-financial performance indicators	Adjusted underlying operation result aims to achieve an operating surplus Implementation of monthly and year to date financial reporting, with plain English version for our Community Implementation of monthly and year to date non-financial performance reporting, with plain English version for our Community Increased efficiencies as a result of information technology improvements
Communications and Engagement Strategy 2015-18 actions implemented	Complete Strategy implementation by June 2018

Develop and Implement a Revenue Strategy	Strategy developed and actions implemented
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Statutory Requirements/Codes/Standards/Policies

The entire tender process undertaken by Procurement Australia, commencing with development of the tender documents, through the invitation to tender, to evaluation of tenders received and culminating in the conclusion reached in this report, has been carried out in accordance with the provisions of:

- The Victorian Local Government Procurement Best Practice Guidelines
- Code of Tendering Australian Standard 4120-1994; and
- Bass Coast Shire Council Policy - Tender & Contract Confidentiality

Key Information

Council spends an average of \$45,000-\$50,000 per month with Motorpass.

Council has 134 active cards.

The monthly management fee per card is \$9.42 which is \$15,147.36 annually.

Table I outlines the comparison between historic Motorpass arrangement, the new Motorpass offering and the Business Fuel Cards Pty Ltd (Fleetcor) contract tendered by Procurement Australia.

By changing to the Procurement Australia Fleetcor Card will achieve savings of at least \$11,947 annually on card fees.

It is also estimated that savings of \$3,000 per year will result from the discounted fuel available through the Fleetcor card.

This is a saving of approximately 2.5% annually on the fuel spend.

In changing the fuel card now we allow for the set up in the Technology One system of the new card provider rather than reworking the set up down the track.

Table I

	Procurement Australia Business Fuel Cards Pty Ltd (Fleetcor)	Old WEX Motorpass arrangement	New MAV- WEX Motorpass arrangement
Discount provided specific to arrangement	4cpl on petrol and diesel at all Shell and Coles Express locations 0 cpl at all other retail outlets accepting Fleet card LPG: 0 cpl discount	No discounts	3cpl at BP 2cpl at Puma
Fuel Card Pricing	1.99 per card	6.88 per card	3.25 per card
Fuel Card Provider	Fleet Card	Motorpass	Motorpass
Total number of sites accepting fuel card (includes all major and independent fuel retailers)	5,100	5,800	5,800

Number of sites providing retailer discount	1,047	0	0
Surcharging sites	Approx. 260 NIL at all Shell/Coles Express sites	Unknown	Unknown
Member website access to manage account	Yes - no cost	Yes	Yes
Greenhouse reporting	Yes - no cost	No	No
Security deposit	Not Required	Not required	Not required

Finances

The estimated value of the proposed contract for the operational costs of the fuel cards is \$600,000 (GST exclusive) per annum, with no locked in contract terms.

Fuel prices are subject to price volatility and Councils operational budgets and forecasting processes account for this on a monthly basis.

The cost for fuel supplies are funded through the operational budgets of fleet management and plant management.

Some of the fuel consumption of Council vehicles relates to the private use by Councils officers. Officers with these arrangements contribute via a salary package arrangement in order to offset the cost to council. This is budgeted for via the Fleet teams overall operating budget.

The change to fuel card providers will result in an ongoing saving of about \$15,000 per annum for Council. Council intends to utilise this savings as part of ongoing efficiently efforts in order to redirect operational spending to wards Capital Works.

Stakeholders

- Procurement and Fleet Team
- Assigned vehicle users
- All vehicle users
- Plant Management Team

Implementation Strategy

Timeline

It is recommended that Council approves the change in fuel card provider as proposed and that the move to the new provider be undertaken as soon as possible.

Communication

Application forms will be sent Procurement Australia within ten working days.

Motorpass will be notified of our intention to cancel our current fuel cards and our account in writing.

Other Options

1. Not award a contract at this time and re-view the options available for fuel card suppliers. It is unclear though that Council would receive any benefit in doing this.

-
2. Seek access to the new WEX Motorpass rates, which will result in a saving of \$9,921.36 per annum. However, this is not considered to present the best value for money of the available options.

Recommendation

That Council:

1. **Accept the recommendation from Procurement Australia to appoint Business Fuel Cards Pty Ltd as Council's Fuel Card provider.**
2. **Authorises the Coordinator Procurement, Fleet and Facilities to act as Contract Supervisor for the contract. All contract variations will be authorised in accordance with the Procurement Delegations Framework.**

Attachments

There are no attachments for this report.

Council Decision

Moved: Cr. Bruce Kent / Seconded: Cr. Brett Tessari

That the recommendation be adopted.

CARRIED UNANIMOUSLY

H.13 Award of Tender No 17041 - Construction of Football Changing Rooms at Dalyston Recreation Reserve

File No:	CMI8/22
Division:	Finance and Organisation Development
Council Plan Strategic Objective:	Governance
	We are responsive, open, transparent and financially sustainable

Declaration

The author has no direct or indirect interests in relation to this report.

Summary

To present the report of the Tender Evaluation Panel for Tender No 17041 – Construction of Changing Rooms at Dalyston Recreation Reserve and to recommend the awarding of the contract to TS Constructions Pty Ltd.

A panel, consisting of four Council officers was formed for the purpose of tender evaluation. The objective of the panel was to assess the submissions against the selection criteria and identify a preferred tenderer for the purpose of assisting the Council in reaching a tender award decision.

The panel concludes that the tender submitted by TS Constructions Pty Ltd will satisfy the requirements of the service/works and will provide Council with best value for money.

Background and Context

Council invited tenders from suitably experienced contractors for the reconstruction of the change rooms at the Dalyston Recreation Reserve, Tulloch Street Dalyston to provide change room facilities for sports teams, with a total building area of approx. 350m².

Strategic Basis**Council Plan Objective:**

Governance – *We are responsive, open, transparent and financially sustainable*

Strategic Outcome:

- **Provide equitable distribution of resources across the Shire**
- **Be diligent in ensuring services meet community need and are cost effective**
- **Manage our financial resources and report on our performance**
- Engage with the community on decisions that impact them
- Explore other alternatives for revenue opportunities

Strategic Indicator:

Strategic Indicators	Measures
Community Satisfaction with Council Decisions	Achieve the top quartile of Large Rural Councils
Transparency of Council decisions	Achieve the top quartile of Large Rural Councils
Community Satisfaction with Consultation and Engagement	Achieve the top quartile of Large Rural Councils
Community satisfaction with customer contact	Achieve the top quartile of Large Rural Councils
Local Government Performance Reporting Framework (LGPRF) – Financial Performance	Measures that are reported are within the top quartile for Large Rural Councils as identified in the LGPRF
Victorian Auditor General Office (VAGO) Financial Sustainability indicators	The Strategic Resource Plan and the Long Term Financial Plan to meet or better VAGO low risk indicators
Other financial and non-financial performance indicators	Adjusted underlying operation result aims to achieve an operating surplus Implementation of monthly and year to date financial reporting, with plain English version for our Community Implementation of monthly and year to date non-financial performance reporting, with plain English version for our Community Increased efficiencies as a result of information technology improvements
Communications and Engagement Strategy 2015-18 actions implemented	Complete Strategy implementation by June 2018
Develop and Implement a Revenue Strategy	Strategy developed and actions implemented

Statutory Requirements/Codes/Standards/Policies

The entire tender process, commencing with development of the tender documents, through the invitation to tender, to evaluation of tenders received and culminating in the conclusion reached in this report, has been carried out in accordance with the provisions of:

- The Victorian Local Government Procurement Best Practice Guidelines
- Code of Tendering Australian Standard 4120-1994; and

- Bass Coast Shire Council Policy - Tender & Contract Confidentiality

Key Information

The Evaluation Panel consisted of:

- Building & Open Space Project Officer
- Building and Project Officer
- Acting Coordinator Asset Management
- Procurement Officer (Panel Chair)

All Evaluation Panel members signed the standard form indicating they had no conflict of interest to declare and that they would keep the tender information confidential.

Prior to the Tender being advertised, the evaluation selection criteria and weightings were established.

Table I – Evaluation Selection Criteria	
Criteria	Weighting
Price	25%
Construction, Methodology and Approach	25%
Capacity (Proposed Staffing, Plant and Equipment)	15%
Previous Related Experience and Referees	15%
Integrated Management System	15%
Benefit to Local Economy	5%
Organisational Details	Mandatory
Financial Capacity	Mandatory
Insurance and Registration	Mandatory
Receipt of Addenda	Mandatory

Construction of Changing Rooms at Dalyston Recreation Reserve was advertised in:

- The Age on 2 December 2017
- South Gippsland Sentinel Times on 28 November 2017
- Phillip Island Advertiser on 29 November 2017
- Tenderlink Website 28 November 2017

Tenders closed on 20 December 2017; Council received three tenders submissions. All submissions were conforming and satisfied the mandatory filter criteria. No late tender submissions were received.

The final weighted scores are set out in Table 2.

Table 2 – Final Weighting Scores		
No.	Name	Score (Out of 100)
1	TS Constructions Pty Ltd	64
2	Tender B	58
3	Tender C	27

The Evaluation Process

For every tender, each panel member scored the criteria out of a maximum possible ten points. The individual panel member scores for each of the criteria were aggregated and averaged to give a final score for that criteria. The scores were then multiplied by the relevant weighting to obtain total scores. Refer to Attachment 1 for details of the final scores.

The evaluation process was both extensive and thorough. Very careful attention was paid to ensure that the proposed service would achieve the objectives of the specification.

The panel assessed the technical worth of each tender against the specification requirements and the selection criteria, identified issues for further review, clarified issues with tenderers and sought additional information.

Price

TS Constructions Pty Ltd has been assigned a score for price which has been derived from the ratio of lowest priced bid compared to each tenderer.

TS Constructions Pty Ltd presented the cheapest best price of the conforming tenders, and in accordance with the selection criteria present the best value to Council.

Construction Methodology and Approach

TS Constructions' rating is underpinned by the following factors:

- Methodology includes outlines, systems and processes.
- Detailed Gantt chart provided.

Capacity

TS Constructions' rating is underpinned by the following factors:

- Nominated resources are highly experienced.
- Resources are available to undertake the works within the proposed timeframes.

Previous Related Experience

TS Constructions' rating is underpinned by the following factors:

- Extensive previous experience in similar projects
- Previously delivered projects for Council to a high standard.

Integrated Management System

TS Constructions' rating is underpinned by the following factors:

- Third party accredited for their Quality, Environmental and OH&S Management Systems.
- IMS certified by third party.

Benefit to Local Economy

TS Constructions' rating is underpinned by the following factors:

- Business locally owned.
- Employees all live within Bass Coast shire.
- Large percentage of goods and services will be sourced within Bass Coast shire.

Financial Evaluation

The tenderers submitted detailed financial information with their tenderers.

A Financial Assessment was obtained from Corporate Scorecard for TS Construction Pty Ltd in November 2017. The financial assessment indicated a sound financial capacity to undertake the project.

Risk Analysis***Financial Risk***

The Conditions of Contract requires that prior to the commencement of the contract the contractor must submit, as performance security, two irrevocable Bank Guarantees, each payable to the Council for 2.5 per cent of the contract sum. In the event of failure by the Contractor to carry out and complete its obligations under the Contract, the Council may have recourse to the performance security.

The Conditions of Contract also gives the Contract Superintendent the option to require that, prior to receiving payment the contractor certifies that it has:

- paid all wages and allowances to its employees
- paid all amounts due to any sub-contractors
- made all payments in respect to its plant.

The requirement imposed on the contractor under this clause may give early warning of any financial problems that the Contractor may have and will help to protect the Council's interests in the event that the Contractor becomes insolvent.

The panel considers the financial risk to be adequately covered.

Insurance

The recommended tenderer holds:

- Contract Works and Public Liability insurance of \$20M

- Professional Indemnity insurance of \$10M
- WorkCover Insurance equal to that specified in the contract terms and conditions

The panel considers the insurance risk to be adequately covered.

Occupational Health & Safety

The contract requires an OHS plan to be implemented for this contract, together with a detailed hazard identification, risk assessment and program of implementation control measures be put in place at the contract commencement.

The panel considers the OHS risk to be adequately covered.

Stakeholders

The stakeholders for this tender include:

- Bass Coast Shire Council
- Dalyston Football and Netball Clubs
- Visiting Football and Netball Clubs
- Residents, Visitors and Tourists

Implementation Strategy

Timeline

It is recommended that Council awards the proposed contract as soon as possible to the recommended tenderer.

Construction Commencement: 26 February 2018

Anticipated Contract Completion: 13 July 2018

Contract Superintendent/Supervisor

Authorise Building & Open Space Project Officer to act as Contract Superintendent for the contract. All contract variations will be authorised in accordance with the Procurement Delegations Framework.

Communication

Contract documentation will be forwarded to TS Constructions Pty Ltd within ten working days.

All unsuccessful tenders will be notified in writing and offered the opportunity for a tender briefing with the Evaluation Panel.

Finances

The value of the proposed contract is \$733,060 (GST exclusive), with a contract term of 4.5 months.

The budget available for the contract is \$750,000 (GST exclusive).

This project will be funded through budget account number 100082 – Dalyston Recreation Reserve Change Rooms..

Other Options

1. Not award a contract at this time and re-tender for the construction of the changing rooms at Dalyston Recreation Reserve. It is unclear though that Council would receive any benefit in doing this and it would delay the start of the for at least twelve weeks.
2. Award the contract to an alternative tenderer. However, as TS Constructions Pty Ltd scored the highest in the evaluation process such a decision may not be consistent with the advertised evaluation criteria.

Officer's Comments/Conclusion

The Tender Evaluation Panel Report is attached.

The panel report concludes that the tender submitted by TS Constructions Pty Ltd will provide Council with best value for money for the following reasons

- They have demonstrated that they have the capacity and capability to complete the requirements of the project.
- They achieved the highest score for the evaluation criteria.

Recommendation

That Council:

1. **Accept the tender from TS Constructions Pty Ltd (ABN 91 068 447 610) and award Contract No 17041 - Construction of Changing Rooms at Dalyston, Recreation Reserve for the contract sum of \$733,060 GST exclusive, including Provisional Items, for a contract term of 4.5 months.**
2. **Affixes the Common Seal of the Bass Coast Shire Council to Contract 17041 between Council and TS Constructions Pty Ltd.**

Attachments

AT- CONFIDENTIAL - Evaluation Panel Report for Award of Tender 17041	6
I Construction of Football Changing Rooms at Dalyston Recreation Reserve	Pages

Council Decision**Moved: Cr. Brett Tessari / Seconded: Cr. Stephen Fullarton****That the recommendation be adopted.****CARRIED**

For	Against
Cr Le Serve	Cr Larke
Cr Rothfield	
Cr Tessari	
Cr Brown	
Cr Fullarton	
Cr Whelan	
Cr Ellis	
Cr Kent	

H.14 Award of Tender No 17040 - Retender Construction of Football and Netball Pavilion Cowes

File No:	CMI8/23
Division:	Finance and Organisation Development
Council Plan Strategic Objective:	Governance
	We are responsive, open, transparent and financially sustainable

Declaration

The author has no direct or indirect interests in relation to this report.

Summary

To present the report of the Tender Evaluation Panel for Tender No 17040 – Retender Construction of the Phillip Island Football and Netball Pavilion at Cowes Recreation Reserve and to recommend the awarding of the contract to Kubale Constructions Pty Ltd.

A panel, consisting of four Council officers was formed for the purpose of tender evaluation. The objective of the panel was to assess the submissions against the selection criteria and identify a preferred tenderer for the purpose of assisting the Council in reaching a tender award decision.

The panel concludes that the tender submitted by Kubale Constructions Pty Ltd will satisfy the requirements of the works and will provide Council with value for money.

Background and Context

Council invited tenders from suitably experienced contractors for the construction of a new pavilion at the Cowes Recreation Reserve, 1-15 Chapel Street, Cowes. The new pavilion will provide change room facilities for football and netball teams with a total building area of 163.58m².

The original Tender (Tender 17026) was open between 3 October and 31 October 2017 for the Phillip Island Football and Netball Club Pavilion with four (4) tenders received. The two compliant tenders received were however over the budget allocation, whilst the two non-compliant tenders received were under budget allocation.

Tender 17040 is then a retender of Tender 17026 following a revision of the scope.

Strategic Basis**Council Plan Objective:**

Governance – *We are responsive, open, transparent and financially sustainable*

Strategic Outcome:

- **Provide equitable distribution of resources across the Shire**
- **Be diligent in ensuring services meet community need and are cost effective**

- **Manage our financial resources and report on our performance**
- Engage with the community on decisions that impact them
- Explore other alternatives for revenue opportunities

Strategic Indicator:

Strategic Indicators	Measures
Community Satisfaction with Council Decisions	Achieve the top quartile of Large Rural Councils
Transparency of Council decisions	Achieve the top quartile of Large Rural Councils
Community Satisfaction with Consultation and Engagement	Achieve the top quartile of Large Rural Councils
Community satisfaction with customer contact	Achieve the top quartile of Large Rural Councils
Local Government Performance Reporting Framework (LGPRF) – Financial Performance	Measures that are reported are within the top quartile for Large Rural Councils as identified in the LGPRF
Victorian Auditor General Office (VAGO) Financial Sustainability indicators	The Strategic Resource Plan and the Long Term Financial Plan to meet or better VAGO low risk indicators
Other financial and non-financial performance indicators	Adjusted underlying operation result aims to achieve an operating surplus Implementation of monthly and year to date financial reporting, with plain English version for our Community Implementation of monthly and year to date non-financial performance reporting, with plain English version for our Community Increased efficiencies as a result of information technology improvements
Communications and Engagement Strategy 2015-18 actions implemented	Complete Strategy implementation by June 2018
Develop and Implement a Revenue Strategy	Strategy developed and actions implemented

Statutory Requirements/Codes/Standards/Policies

The entire tender process, commencing with development of the tender documents, through the invitation to tender, to evaluation of tenders received and culminating in the conclusion reached in this report, has been carried out in accordance with the provisions of:

- The Victorian Local Government Procurement Best Practice Guidelines
- Code of Tendering Australian Standard 4120-1994; and
- Bass Coast Shire Council Policy - Tender & Contract Confidentiality

Key Information

The Evaluation Panel consisted of:

- Building & Open Space Project Officer
- Building and Project Officer
- Acting Coordinator Asset Management
- Procurement (Panel Chair)

All Evaluation Panel members signed the standard form indicating they had no conflict of interest to declare and that they would keep the tender information confidential.

Prior to the Tender being advertised, the evaluation selection criteria and weightings were established.

Table I – Evaluation Selection Criteria	
Criteria	Weighting
Price	25%
Construction Methodology and Approach	25%
Capacity – Staffing Resources, Subcontractors, Plant and Equipment	15%
Previous Experience and Referees	15%
Integrated Management System	15%
Benefit to Local Economy	5%

Retender construction of Football and Netball Pavilion Cowes was advertised in:

- The Age on 2 December 2017
- South Gippsland Sentinel Times on 28 November 2017
- Phillip Island Advertiser on 29 November 2017
- Tenderlink Website 28 November 2017

Tenders closed on 20 December 2017; Council received three tenders submissions. All submissions were conforming and satisfied the mandatory filter criteria. No late tender submissions were received.

The final weighted scores are set out in Table 2.

Table 2 – Final Weighting Scores		
No.	Name	Score (Out of 100)
1	Kubale Constructions Pty Ltd	58
2	Tender B	53
3	Tender C	26

The Evaluation Process

For every tender, each panel member scored the criteria out of a maximum possible ten points. The individual panel member scores for each of the criteria were aggregated and averaged to give a final score for that criteria. The scores were then multiplied by the relevant weighting to obtain total scores. Refer to Attachment 1 for details of the final scores.

The evaluation process was both extensive and thorough. Very careful attention was paid to ensure that the proposed service would achieve the objectives of the specification.

The panel assessed the technical worth of each tender against the specification requirements and the selection criteria, identified issues for further review, clarified issues with tenderers and sought additional information.

Extensive reference checks were carried out for Kubale Constructions Pty Ltd, to assist the panel in its understanding and assessment of their tender.

Price

Kubale Constructions Pty Ltd was not assigned a score for price as their submitted price was over the allocated budget for the project.

Kubale Constructions Pty Ltd did however provide the lowest best price of the conforming tenders

In order to proceed further and to reduce the overall project cost, the Phillip Island Netball and Football Club have agreed to now complete the following aspects of the works:

- All electrical works including supplying materials
- Supply all plumbing fixtures including toilets, taps, sinks, etc.
- Supply and install internal bench seating

Construction Period and Methodology

Kubale Constructions' rating is underpinned by the following factors:

- Timeframe as proposed
- Gantt chart provided

Methodology

Kubale Constructions' rating is underpinned by the following factors:

- Outlined systems and processes

Previous Related Experience

Kubale Constructions' rating is underpinned by the following factors:

- Good experience that is related

Staff Resources

Kubale Constructions' rating is underpinned by the following factors:

- Experienced resources nominated
- Site Supervisor and OH&S Representative will be on site 100% of the time

Integrated Management System

Kubale Constructions' rating is underpinned by the following factors:

- Detailed internal processes and management systems

Benefit to Local Economy

Kubale Constructions' rating is underpinned by the following factors:

- Business is regionally owned
- Employees live in Gippsland region
- Large percentage of goods and services will be sourced from Bass Coast shire.

Financial Evaluation

The tenderers submitted detailed financial information with their tenderers. In addition Financial Assessments were obtained from Corporate Scorecard for Kubale Constructions Pty Ltd, which resulted in a score of 5.82 out of 10 indicating they had sound financial capacity.

Risk Analysis**Financial Risk**

The Conditions of Contract requires that prior to the commencement of the contract the contractor must submit, as performance security, two irrevocable Bank Guarantees, each payable to the Council for 2.5 per cent of the contract sum. In the event of failure by the Contractor to carry out and complete its obligations under the Contract, the Council may have recourse to the performance security.

The Conditions of Contract also gives the Contract Superintendent the option to require that, prior to receiving payment the contractor certifies that it has:

- paid all wages and allowances to its employees
- paid all amounts due to any sub-contractors
- made all payments in respect to its plant.

The requirement imposed on the contractor under this clause may give early warning of any financial problems that the Contractor may have and will help to protect the Council's interests in the event that the Contractor becomes insolvent.

The panel considers the financial risk to be adequately covered.

Insurance

The recommended tenderer holds:

- Public Liability insurance of \$20M
- WorkCover Insurance equal to that specified in the contract terms and conditions; and
- Commercial Builders Structural Defects Insurance of \$5M

The panel considers the insurance risk to be adequately covered.

Occupational Health & Safety

The contract requires an OHS plan to be implemented for this contract, together with a detailed hazard identification, risk assessment and program of implementation control measures be put in place at the contract commencement.

The panel considers the OHS risk to be adequately covered.

Stakeholders

The stakeholders for this tender include:

- Bass Coast Shire Council
- Phillip Island Football and Netball Clubs
- Visiting Football and Netball Clubs
- Residents, Visitors and Tourists

Implementation Strategy

Timeline

It is recommended that Council awards the proposed contract as soon as possible to the recommended tenderer.

Construction Commencement: 26 February 2018

Anticipated Contract Completion: 30 June 2018

Contract Superintendent/Supervisor

Authorise the Building Project Officer to act as Contract Superintendent for the contract. All contract variations will be authorised in accordance with the Procurement Delegations Framework.

Communication

Contract documentation will be forwarded to Kubale Constructions Pty Ltd within ten working days.

All unsuccessful tenders will be notified in writing and offered the opportunity for a tender briefing with the Evaluation Panel.

Finances

The value of the proposed contract is \$413,980.00 (GST exclusive), with a contract term of four months.

The budget available for the contract is \$330,000 (GST exclusive).

This project will be funded through budget account number 100123 – Phillip Island Football Netball Amenities Upgrade.

A Quantity Surveyors Report was undertaken on the final design, the estimate was \$400,246.21. Following meetings between Council and the Club it was agreed to reduce the scope to reduce the cost.

A further Quality Surveyors Report was conducted based on agreed change to the project scope, the estimate was \$359,445.62.

The project budget was refined to \$330,000 based on the most updated Quantity Surveyor Report. It was agreed there would be provisional items within the tender, and if tenders were over budget these could be delivered in-kind by the Club.

Grant funding of \$100,000 has been received Sports and Recreation Victoria's Country Football & Netball Program.

Council allocated up to \$110,000 to the Project, which is included in the signed Assisted Capital Works Deed between Council and Phillip Island Football Netball Club.

The current budget breakdown is as follows:

Sports and Recreation Victoria Grant	\$100,000
Bass Coast Shire Council	\$110,000 (increase of \$100,000 required)
Club (in-kind)	Electrical, seating and plumbing
Club (\$60K) and Bendigo Bank (\$60K)	\$120,000
Total	\$330,000

It is proposed that Council allocate an additional \$100,000.00 to the Construction of the Netball and Football Changing Rooms Cowes from savings realised in current projects including Agar Road Improvements and Cape Paterson Stairway.

Committing a further \$100,000.00 to the project will increase the overall project budget amount to \$430,000.00, which is \$16,020 above the contact price of \$413,980.00. The additional \$16,020 will be allocated to project management and contingency due to managing the in-kind contribution from Phillip Island Football Netball Club.

Other Option

Withdraw funding received from Sports and Recreation Victoria and do not deliver the project.

Officer's Comments/Conclusion

The Tender Evaluation Panel Report is attached.

The panel report concludes that the tender submitted by Kubale Constructions Pty Ltd will provide Council with value for money for the following reasons

- They have the capacity and capability to complete the requirements of the project.

- They can complete the projects within the timeframes.

Recommendation

That Council:

1. Authorise an additional \$100,000.00 be allocated towards the construction of the Phillip Island Football and Netball Club Pavilion at Cowes Recreation Reserve, funded from savings realised in current projects including Agar Road Improvements, and Cape Paterson Stairway.
2. Accept the tender from Kubale Constructions Pty Ltd (ABN 19 077 077 037) and award Contract No 17040 - Retender Construction of Football and Netball Pavilion Cowes for the contract sum of \$413,980.00 GST exclusive for a contract term of four months.
3. Affixes the Common Seal of the Bass Coast Shire Council to Contract 17040 between Council and Kubale Constructions Pty Ltd.

Attachments

AT-	CONFIDENTIAL - Evaluation panel Report for Tender 17040	6
I	Construction of Pavilion Cowes	Pages

Council Decision

Moved: Cr. Stephen Fullarton / Seconded: Cr. Michael Whelan

That the recommendation be adopted.

CARRIED UNANIMOUSLY

H.15 Award of Tender No 17039 - Rehabilitation of Bourne Creek Pedestrian Bridge

File No:	CMI8/33
Division:	Finance and Organisation Development
Council Plan Strategic Objective:	Governance
	We are responsive, open, transparent and financially sustainable

Declaration

The author has no direct or indirect interests in relation to this report.

Summary

This report to Council presents the outcome of the tender evaluation for Tender No 17039 – Rehabilitation of Bourne Creek Pedestrian Bridge.

The Tender Evaluation Panel (Panel) recommends awarding the contract to Brunton Engineering & Construction Pty Ltd.

A panel, consisting of four Council officers was formed for the purpose of tender evaluation.

The objective of the panel was to assess the submissions against the selection criteria and identify a preferred tenderer for the purpose of assisting the Council in reaching a tender award decision.

The request for tender asked tenderers to submit prices for the following two options:

- Option 1: Construct the Proposed Overlay Replacement (of existing painted mild steel overlay) with Stainless Steel Grade 316.
- Option 2: Design and Construct the Proposed Overlay Replacement (of existing painted mild steel overlay) using Hot-dipped Galvanized Mild Steel.

Option 1 is the preferred option as it will provide 50 year life span compared to an expected 10-12 year life span using galvanized steel.

The panel concludes that the tender submitted by Brunton Engineering & Construction Pty Ltd will satisfy the requirements of the service for Option 1 and will provide Council with best value for money.

This report recommends Council to accept the tender submission for Option 1 and award Contract No 17039 to Brunton Engineering & Construction Pty Ltd.

Background and Context

The rehabilitation of Bourne Creek pedestrian bridge incorporates the construction of a steel overlay replacement on the Bass Coast Rail Trail over Bourne Creek adjacent Bass Highway, Kilcunda including road and drainage construction.

Council is undertaking the project through its capital works program.

Council seeks to maintain a simple and resilient architecture to showcase the historic, former timber trestle railway bridge and replace the painted steel overlay. The request for tender asked tenderers to submit prices for the following two options.

- Option 1: Construct the Proposed Overlay Replacement (of existing painted mild steel overlay) with Stainless Steel Grade 316 – Schedule 10S Channel Sections, Rectangular and Square Hollow Sections and Connection plates polished to a mirror finish and fibre reinforced plastic decking in accordance with the Tender Drawings and Specifications.
- Option 2: Design and Construct the Proposed Overlay Replacement (of existing painted mild steel overlay) using Hot-dipped Galvanized Mild Steel geometrically identical to the Design for Option 1 and matching the stainless steel section sizes specified (on the current Design) as closely as practicable, and fibre reinforced plastic decking.

Option 1 is the preferred option for the following reasons.

- Based on a report prepared by an expert in the field, stainless steel will provide the best durability and resistance to corrosion. The stainless steel option is expected to have a design life of 50 years, compared to a design life of 10-12 years using a galvanized steel option.
- The existing bridge was last renewed using a galvanized steel structure and due to the severe air-borne salt water conditions has only lasted 12 years.
- Although the initial costs are approximately \$258K higher for stainless steel, the long term saving are expected to be over \$2M over the 50 year life span of the bridge.
- Evidence of similar locations show galvanized steel is providing approximately 10 year life spans compared to 50 years using stainless steel.

Strategic Basis

Council Plan Objective:

Governance – *We are responsive, open, transparent and financially sustainable*

Strategic Outcome:

- Provide equitable distribution of resources across the Shire
- Be diligent in ensuring services meet community need and are cost effective
- Manage our financial resources and report on our performance
- Engage with the community on decisions that impact them
- Explore other alternatives for revenue opportunities

Strategic Indicator:

Strategic Indicators	Measures
Community Satisfaction with Council Decisions	Achieve the top quartile of Large Rural Councils
Transparency of Council decisions	Achieve the top quartile of Large Rural Councils

Community Satisfaction with Consultation and Engagement	Achieve the top quartile of Large Rural Councils
Community satisfaction with customer contact	Achieve the top quartile of Large Rural Councils
Local Government Performance Reporting Framework (LGPRF) – Financial Performance	Measures that are reported are within the top quartile for Large Rural Councils as identified in the LGPRF
Victorian Auditor General Office (VAGO) Financial Sustainability indicators	The Strategic Resource Plan and the Long Term Financial Plan to meet or better VAGO low risk indicators
Other financial and non-financial performance indicators	Adjusted underlying operation result aims to achieve an operating surplus Implementation of monthly and year to date financial reporting, with plain English version for our Community Implementation of monthly and year to date non-financial performance reporting, with plain English version for our Community Increased efficiencies as a result of information technology improvements
Communications and Engagement Strategy 2015-18 actions implemented	Complete Strategy implementation by June 2018
Develop and Implement a Revenue Strategy	Strategy developed and actions implemented

Statutory Requirements/Codes/Standards/Policies

The entire tender process, commencing with development of the tender documents, through the invitation to tender, to evaluation of tenders received and culminating in the conclusion reached in this report, has been carried out in accordance with the provisions of:

- The Victorian Local Government Procurement Best Practice Guidelines
- Code of Tendering Australian Standard 4120-1994; and
- Bass Coast Shire Council Policy - Tender & Contract Confidentiality

Key Information

The Evaluation Panel consisted of:

- Acting Coordinator Asset Management
- Capital Projects Officer
- Coordinator Capital Projects Officer
- Procurement Officer (Panel Chair)

Each party declared that to the best of their knowledge they did not have any personal, perceived or potential conflict of interest.

Prior to the Tender being advertised, the evaluation selection criteria and weightings were established.

Table 1 – Evaluation Selection Criteria	
Criteria	Weighting
Price	25%
Construction Methodology & Approach and Design Capacity	25%
Capacity: - Proposed Contractor Resources - Sub-contract Works & Suppliers - Plant, Equipment and Associated Day Works Rates	15%
Previous Relation Experience & Referees	10%
Quality Products and Material	10%
Integrated Management System	10%
Benefit to Bass Coast Shire Economy	5%
Organisation Details	Mandatory - not weighted
Insurance	Mandatory - not weighted
Receipt of Addenda	Mandatory - not weighted

The rehabilitation of Bourne Creek pedestrian bridge was advertised in:

- The Age on 2 December 2017
- South Gippsland Sentinel Times on 28 November 2017
- Phillip Island Advertiser on 29 November 2017
- Tenderlink website on 28 November 2017

Tenders closed on Wednesday 20 December 2017. Council received three tender submissions. All submissions were conforming and satisfied the mandatory filter criteria. No late tender submissions were received.

The final weighted scores are set out in Table 2 and 3 below.

Table 2 – Final Weighting Scores for Stainless Steel Option		
No.	Name	Score (Out of 100)
1	Brunton Engineering & Construction Pty Ltd	78
2	Tender B	70
3	Tender C	70

Table 3 – Final Weighting Scores for Galvanised Steel Option		
No.	Name	Score (Out of 100)
1	Strzelecki Engineering Pty Ltd	73
2	Tender B	73
3	Tender C	Did not submit a tender for Option 2

The Evaluation Process

For every tender, each panel member scored the criteria out of a maximum possible five points. The individual panel member scores for each of the criteria were aggregated and averaged and the panel agreed on the final score for that criteria. The scores were then multiplied by the relevant weighting to obtain total scores. Refer to Attachment 1 for details of the final scores.

The evaluation process was both extensive and thorough. Very careful attention was paid to ensure that the proposed service would achieve the objectives of the specification.

The panel assessed the technical worth of each tender against the specification requirements and the selection criteria, identified issues for further review, clarified issues with tenderers and sought additional information.

Price

Brunton Engineering & Construction Pty Ltd has been assigned a score for price which has been derived from the ratio of lowest priced bid compared to each tenderer.

Brunton Engineering & Construction Pty Ltd presented the cheapest best price of the conforming tenders for Option 1, and in accordance with the selection criteria present the best value to Council for Option 1.

Construction Methodology, Approach and Design Capacity

Brunton Engineering & Construction Pty Ltd rating is underpinned by the following factors:

- Good methodology provided
- Works can be completed within preferred timeframes

Capacity (Proposed Contractor Resources, Sub-contract Works & Suppliers and Plant, Equipment and Associated Day Works Rates)

Brunton Engineering & Construction Pty Ltd rating is underpinned by the following factors:

- Experienced staff listed on the project
- Good plant and equipment proposed

Previous Related Experience & Referees

Brunton Engineering & Construction Pty Ltd rating is underpinned by the following factors:

- Extensive experience in similar projects

Quality Products and Material

Brunton Engineering & Construction Pty Ltd rating is underpinned by the following factors:

- Adequate information provided on suppliers

Integrated Management System

Brunton Engineering & Construction Pty Ltd rating is underpinned by the following factors:

- Have a third party certificate Integrated Management System

Benefit to Local Economy

Brunton Engineering & Construction Pty Ltd rating is underpinned by the following factors:

- Low level of benefit to local economy

No tenders were received from contractors located within the Bass Coast Shire.

Financial Evaluation

The tenderers submitted detailed financial information with their tenderers. In addition Financial Assessments were obtained from Corporate Scorecard for Brunton Engineering & Construction Pty Ltd.

The score of 2.89 is marginal and the Corporate Scorecard advises the Panel may proceed with this tenderer and should ensure the following steps are taken:

- Security be obtained in the form of (but not limited to) a bank guarantee or similar.
- Ensure prompt payments are made by the client to ensure the subject's cash flow is not materially impacted.

Risk Analysis

Financial Risk

The Conditions of Contract requires that prior to the commencement of the contract the contractor must submit, as performance security, two irrevocable Bank Guarantees, each payable to the Council for 2.5 per cent of the contract sum. In the event of failure by the Contractor to carry out and complete its obligations under the Contract, the Council may have recourse to the performance security.

The Conditions of Contract also gives the Contract Superintendent the option to require that, prior to receiving payment the contractor certifies that it has:

- paid all wages and allowances to its employees
- paid all amounts due to any sub-contractors
- made all payments in respect to its plant.

The requirement imposed on the contractor under this clause may give early warning of any financial problems that the Contractor may have and will help to protect the Council's interests in the event that the Contractor becomes insolvent.

The panel considers the financial risk to be adequately covered.

Insurance

The recommended tenderer holds:

- Public Liability insurance of \$20M
- WorkCover Insurance equal to that specified in the contract terms and conditions; and

The panel considers the insurance risk to be adequately covered.

Occupational Health & Safety

The contract requires an OHS plan to be implemented for this contract, together with a detailed hazard identification, risk assessment and program of implementation control measures be put in place at the contract commencement.

The panel considers the OHS risk to be adequately covered.

Implementation Strategy

Timeline

It is recommended that Council awards the proposed contract as soon as possible to the recommended tenderer.

Construction Commencement: 5 March 2018

Anticipated Contract Completion: 10 August 2018

Communication

Contract documentation will be forwarded to Brunton Engineering & Construction Pty Ltd within ten working days.

All unsuccessful tenders will be notified in writing and offered the opportunity for a tender briefing with the Evaluation Panel.

Contract Management

The Coordinator Capital Projects will act as Contract Superintendent for the contract. Authorisations of variations will be in accordance with the Procurement Delegations Frameworks adopted by Council on 15 March 2017.

Finances

The value of the proposed contract \$753,300 (GST exclusive) with a construction period of approximately 20 weeks.

The budget available for the contract, in the 2017/18 financial year is \$466,000 (GST exclusive). The remaining \$287,300 will be funded through the 2018/19 financial year renewal budget, plus contingency and project management costs of \$100,000.

This project will be funded through budget Bass Coast Rail Trail Bourne Creek Pedestrian Bridge Renewal.

Proceeding with option 1 will result in long term savings of over \$2M due to the expected 50 year life span of Stainless Steel Grade 316, compared to a 10 year life span of Hot-dipped Galvanized Mild Steel.

Stakeholders

The stakeholders for this tender include:

- Bass Coast Shire Council
- Local residents and rate payers
- Visitors to the area
- Rail trail users
- Kilcunda Community
- Department of Environment, Land, Water and Planning
- West Gippsland Catchment Authority

Other Options

1. Not award a contract at this time and re-tender for the Rehabilitation of Bourne Creek Pedestrian Bridge. It is unclear though that Council would receive any benefit in doing this and it would delay the start of the works for at least twelve weeks. If the works were to be delayed the bridge would need to be closed as it would pose a risk to public safety.
2. Award the contract to the tenderer that achieved the highest score for Option 2 as this option would be within the available budget for the project.

However, the Panel does not recommend Council proceed with Option 2 as based on advice from Council's Infrastructure Division and a structural engineer's report, it would not provide best value for Council when considering the whole life cost of the asset.

Officer's Comments/Conclusion

The Tender Evaluation Panel Report is attached.

The panel report concludes that the tender submitted by Brunton Engineering & Construction Pty Ltd for Option 1 will provide Council with best value for money for the following reasons

- They achieved the highest evaluation score
- They submitted the lowest price tender for option 1
- Option 1 will provide long term savings of over \$2M due to the expected 50 year life span of Stainless Steel Grade 316, compared to a 10 year life span of Hot-dipped Galvanized Mild Steel.

Recommendation

That Council:

- 1. Notes that the sum of \$387,300 will be funded through the 2018/19 Renewal Budget**

2. Accept the conforming tender from Brunton Engineering & Construction Pty Ltd and award Contract No 17039 (Rehabilitation of Bourne Street Pedestrian Bridge) for the contract sum of \$753,300 GST exclusive;
3. Affixes the Common Seal of the Bass Coast Shire Council to Contract 17039 between Council and Brunton Engineering & Construction Pty Ltd.

Attachments

AT- CONFIDENTIAL - Evaluation Panel Report for Award of Tender	11
I 17039 Rehabilitation of Bourne Creek Pedestrian Bridge	Pages

Council Decision

Moved: Cr. Brett Tessari / Seconded: Cr. Geoff Ellis

That the recommendation be adopted.

CARRIED UNANIMOUSLY

H.16 Award of Tender No 17029 - Supply of Electricity

File No:	CMI8/36
Division:	Finance and Organisation Development
Council Plan Strategic Objective:	Governance

We are responsive, open, transparent
and financially sustainable

Declaration

The author has no direct or indirect interests in relation to this report.

Summary

This report deals with the approval process for the provision for the supply of Electricity and GreenPower for large building & facilities and Unmetered street lighting under MAV Procurement (MAV) Tender No EC8310-2018.

The tender was undertaken as a group purchasing arrangement on behalf of Victorian Councils, including Bass Coast Shire Council utilising the services of the Trans Tasman Energy Group (TTEG).

MAV Procurement was appointed by Council to act as our Agent for the purpose of conducting a public tender for a Collaborative Procurement to appoint a provider for the supply of Electricity and GreenPower for large building & facilities and Unmetered street lighting sites in accordance with Section 186 of the Local Government Act 1989.

MAV Procurement prepared a summary report on 21 November 2017 and forwarded their results and recommendation to Council on 22 November 2017 (refer attached MAV/TTEG Tender Recommendation Report).

It recommended that Council support the MAV Procurement recommendation as the preferred supplier will adequately meet Council's needs and requirements for the supply of Electricity and GreenPower for large building & facilities and Unmetered street lighting sites and will provide Council with value for money.

Background and Context

MAV Procurement was appointed to act as Agent to undertake the tender as part of a group purchasing arrangement on behalf of Victorian Councils including Bass Coast Shire Council.

The tender was for the supply of electricity for large building & facilities and Unmetered street lighting.

Tenders were invited on Wednesday 4 November 2017 by way of a public tender and closed Thursday 16 November 2017 at 3.00pm. A total of four (4) tenders were received from the tender panel. Refer to attached MAV Procurement Recommendation Reports (Tender Evaluation Panel Reports) for details.

By participating in the tender and accepting the recommendation, Council will ensure the supply of electricity for large buildings & facilities and unmetered street lighting.

The term of the contract for the pricing is as follows:

Large Buildings and Facilities – 1 January 2018 to 31 December 2021. Council will access the new rates for buildings as of 1 January 2018 due to Councils current contract expiring on 31 December 2017.

Unmetered Street Lighting – 1 January 2018 to 31 December 2021. Council will access the new rates for buildings as of 1 January 2018 due to Councils current contract expiring on 31 December 2017.

Council is asked to support the recommendations outlined by the MAV in the attached report.

Strategic Basis

Council Plan Objective:

Governance – *We are responsive, open, transparent and financially sustainable*

Strategic Outcome:

- Provide equitable distribution of resources across the Shire
- Be diligent in ensuring services meet community need and are cost effective
- Manage our financial resources and report on our performance
- Engage with the community on decisions that impact them
- Explore other alternatives for revenue opportunities

Strategic Indicator:

Strategic Indicators	Measures
Community Satisfaction with Council Decisions	Achieve the top quartile of Large Rural Councils
Transparency of Council decisions	Achieve the top quartile of Large Rural Councils
Community Satisfaction with Consultation and Engagement	Achieve the top quartile of Large Rural Councils
Community satisfaction with customer contact	Achieve the top quartile of Large Rural Councils
Local Government Performance Reporting Framework (LGPRF) – Financial Performance	Measures that are reported are within the top quartile for Large Rural Councils as identified in the LGPRF
Victorian Auditor General Office (VAGO) Financial Sustainability indicators	The Strategic Resource Plan and the Long Term Financial Plan to meet or better VAGO low risk indicators
Other financial and non-financial performance indicators	Adjusted underlying operation result aims to achieve an operating surplus Implementation of monthly and year to date financial reporting, with plain English

	<p>version for our Community</p> <p>Implementation of monthly and year to date non-financial performance reporting, with plain English version for our Community</p> <p>Increased efficiencies as a result of information technology improvements</p>
Communications and Engagement Strategy 2015-18 actions implemented	Complete Strategy implementation by June 2018
Develop and Implement a Revenue Strategy	Strategy developed and actions implemented

Statutory Requirements/Codes/Standards/Policies

The entire tender process, commencing with development of the tender documents, through the invitation to tender, to evaluation of tenders received and culminating in the conclusion reached in this report, has been carried out in accordance with the provisions of:

- The Victorian Local Government Procurement Best Practice Guidelines
- Code of Tendering Australian Standard 4120-1994; and
- Bass Coast Shire Council Policy - Tender & Contract Confidentiality

Key Information

The assessment of the submitted offers was undertaken by Trans Tasman Energy Group (TTEG) on behalf of the Municipal Association of Victoria (MAV) and the participants. TTEG developed a recommendation report for participants which was reviewed and circulated by the MAV.

The review of the recommendation report from the MAV was undertaken by

- Acting Coordinator of Procurement and Fleet
- Coordinator of Catchment and Climate Change
- Climate change & Sustainability officer

Each party declared that to the best of their knowledge they did not have any personal, perceived or potential conflict of interest.

Finances

Council's 2017/2018 annual budget for large buildings and facilities is approximately \$85,000. For unmetered street lighting the annual budget is approximately \$420,000 which is based on current monthly figures.

Council participated in this tender process to obtain information that will deliver value for money through a combined expenditure arrangement for participant Councils, and to obtain competitive pricing based on the total combined purchasing influence of participant Councils. This has been achieved with the financial savings obtained which is detailed in the attached evaluation report, however is summarised as follows:

Comparison to current costs

Council's current electricity retailer is ERM Power. It is important to note that whilst the tendered rate from ERM represents the best pricing offer currently available it is a considerable increase on existing rates due to recent volatility in the electricity supply market.

Large Buildings and Facilities

Assuming Bass Coast Shire Council's situation remains the same, Council can expect to have an increase in electricity costs for Large Buildings & Facilities of around \$12,750 annually, which equates to \$38,250 (approx. 45 %) over the contract period of 36 months from 1 January 2018 to 31 December 2021.

Unmetered Street Lighting

Assuming Bass Coast Shire Council's situation remains the same, Council can expect to have an increase in electricity costs for Unmetered Street Lighting of around \$67,200 annually, which equates to \$201,600 (approx. 48 %) over the contract period of 36 months from 1 January 2018 to 31 December 2021.

These increases do not include the impact of non-contestable network tariff cost changes that are likely to take place in 2018 but have not yet been determined or announced.

Other Offer Considerations

The current wholesale market is offering higher prices for 2018 than following years, so there is considerable benefit to the offer presented by ERM Power in the flat rate pricing over the 36 months offer in the contract. This is similarly the case for the Unmetered Street Lighting.

Comparison of offers shows that ERM Power has provided a better offer in several key areas. The offered contract from ERM provides access to the following

1. Access to online electricity data and load profiling
2. Free access to invoices and billing data online
3. Consolidated billing
4. Billing and Meter data reporting
5. Greenhouse Gas Reporting

GreenPower and other Renewable Energy

ERM is willing to supply accredited GreenPower for the period only extending up to the end of the contract. ERM's buy back rate for Solar Power Feeding is the most attractive of the respondents. Rates are not provided for GreenPower at this point in time, however could be provided once the contract is entered into.

In reviewing the recommendation report provided by MAV Procurement Councils Officers have assessed the value for money options in relation to energy costs and greenhouse gas emissions savings.

At this point, we recommend utilising the best value for money energy procurement option available and directing funds towards capital projects to achieve generation of clean renewable energy onsite at Council facilities. This will assist in the future proofing of Council against energy price volatility in the future.

Renewable energy projects are initiated by the Sustainable Environment department and are subject to normal budget approval processes and can be subject to grant funding opportunities for agencies such as Sustainability Victoria.

Contract Management

The Coordinator of Procurement Fleet and Facilities will act as Contract Supervisor for the contract. Authorisations of variations will be in accordance with the Procurement Delegations Frameworks adopted by Council on 15 March 2017.

Stakeholders

Stakeholders for this project include Bass Coast Shire Council, its employees, residents, ratepayers and visitors.

Other Options

Other options are for Council to tender for the provision of the supply of electricity for buildings & facilities and unmetered street lighting however Council would not be able to obtain competitive pricing based on the total combined purchasing influence of participant Councils as per this tender process.

Officer's Comments/Conclusion

The MAV assessed the tenders for compliance with the specification, the conditions of tendering and against the evaluation criteria. The recommendation from the MAV is that Council accepts the recommendation for the supply of electricity for large building & facilities and unmetered street lighting.

Recommendation

That Council, having considered the evaluation criteria, and the Tender Evaluation Report (MAV Procurement Recommendation Report), resolve to:

- 1. Appoint ERM Power Limited ABN 28 122 259 223 as Council's retail electricity supplier for the following:
Large Buildings and facilities – 1 January 2018 to 31 December 2021.
Unmetered Street Lighting – 1 January 2018 to 31 December 2021.**
- 2. Advise MAV Procurement of Council's decision**

Attachments

AT- I	CONFIDENTIAL - MAV Procurement Electricity for Large Buildings and Facilities and Public Lighting Recommendation Report (2)	31 Pages
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Council Decision**Moved: Cr. Julian Brown / Seconded: Cr. Brett Tessari****That the recommendation be adopted.****CARRIED**

For	Against
Cr Rothfield	Cr Le Serve
Cr Tessari	Cr Whelan
Cr Brown	
Cr Larke	
Cr Fullarton	
Cr Ellis	
Cr Kent	

Statutory Reports

Council Decision

Moved: Cr. Brett Tessari / Seconded: Cr. Geoff Ellis

That agenda items I.1, I.2, I.3, I.4, I.5, I.6 and I.7 be considered as a block.

CARRIED UNANIMOUSLY

I Statutory Reports

I.1 CEO's Report for February 2018

File No:	CM18/49
Division:	Advocacy, Character and Economy
Council Plan Strategic Objective:	Governance

We are responsive, open, transparent
and financially sustainable

Declaration

The author has no direct or indirect interests in relation to this report.

Summary

Council is committed to introducing more regular updates on the projects and initiatives that are implemented for our community. The attached report (AT-1) highlights a number of projects and initiatives, along with their progress.

Strategic Basis

The Council Plan 2017-2021 contains a number of themes and key strategic outcomes and indicators. The projects outlined in this report all contribute to the achievement of this Plan. The themes in the Council Plan include:

- Advocacy
- Economic Development
- Environment
- Governance
- Health and Wellbeing
- Liveability
- Our Character

Major Initiatives are identified annually through the budget process, these initiatives ensure the strategies and plans which aid Council to sustain and deliver better services to the community are achieved.

Finances

All of the projects highlighted in this report are funded through the 2017/18 Budget. Some of these projects may have received grant funding.

Stakeholders

Council, ratepayers, external funding bodies, residents and visitors are all affected by the delivery of Council projects and the programs.

Statutory Requirements/Codes/Standards/Policies

The Major Initiatives are allocated for in the 2017/18 Budget. These projects are developed, approved and spent in accordance with the *Local Government Act 1989*, and the Procurement Policy.

The Local Government Act states that the primary objective of Council is to endeavour to achieve the best outcomes for the local community having regard to the long term and cumulative effects of decisions.

Recommendation

That the CEO's Report for February 2018 be received.

Attachments

AT-1 CEO's Report - February 2018 2 Pages

1.2 Councillor Expenditure Report (current Council Term to December 2017)

File No: CMI8/57
Division: Executive Office
Council Plan Strategic Objective: Governance

We are responsive, open, transparent
and financially sustainable

Declaration

The reporting officer does not have any direct or indirect interests in this matter.

Summary

The Local Government Act 1989 provides for the Mayor and Councillors to be paid an allowance and provided with appropriate tools and support to enable them to properly undertake their role as Councillor.

A report covering the period of time from commencement of the current Council term to 31 December 2017 is presented for Council's consideration.

Introduction

The Mayor and Councillor Expenses Register includes:

- Mayor and Councillor allowances
- Car mileage travel claims submitted by Councillors
- Conferences and professional development expenses
- Information and telecommunications expenses
- Travel expenses
- Vehicle expenses.

Strategic Basis

The Provision of Resources to Councillors Policy prescribes the range of resources that must be provided to the Mayor and Councillors to enable them to effectively carry out their role.

Council Plan Objective:

Governance – *We are responsive, open, transparent and financially sustainable*

Strategic Outcome:

- Provide equitable distribution of resources across the Shire
- Be diligent in ensuring services meet community need and are cost effective
- Manage our financial resources and report on our performance
- Engage with the community on decisions that impact them
- Explore other alternatives for revenue opportunities

Strategic Indicator:

Strategic Indicators	Measures
Community Satisfaction with Council Decisions	Achieve the top quartile of Large Rural Councils
Transparency of Council decisions	Achieve the top quartile of Large Rural Councils
Community Satisfaction with Consultation and Engagement	Achieve the top quartile of Large Rural Councils
Community satisfaction with customer contact	Achieve the top quartile of Large Rural Councils
Local Government Performance Reporting Framework (LGPRF) – Financial Performance	Measures that are reported are within the top quartile for Large Rural Councils as identified in the LGPRF
Victorian Auditor General Office (VAGO) Financial Sustainability indicators	The Strategic Resource Plan and the Long Term Financial Plan to meet or better VAGO low risk indicators
Other financial and non-financial performance indicators	Adjusted underlying operation result aims to achieve an operating surplus Implementation of monthly and year to date financial reporting, with plain English version for our Community Implementation of monthly and year to date non-financial performance reporting, with plain English version for our Community Increased efficiencies as a result of information technology improvements
Communications and Engagement Strategy 2015-18 actions implemented	Complete Strategy implementation by June 2018
Develop and Implement a Revenue Strategy	Strategy developed and actions implemented

Finances

The 2017/18 Budget allocated funds to cover the Provision of Resources to Councillors and reimbursement of Councillors' expenses.

Stakeholders

Stakeholders include the ratepayers of the municipality and Council.

Statutory Requirements/Codes/Standards/Policies

The statutory requirements and standards relevant to the provision of resources to Councillors include:

-
- Section 74 and 75 of the *Local Government Act 1989*
 - The Provision of Resources to Councillors Policy

Recommendation

That the report on Councillor Expenditure for the current Council term to 31 December 2017 be received.

Attachments

AT-1	Councillor Expense Report current Council Term to 31 December 2017	I Page
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1.3 Efficiency Report 2017/2018

File No:	CMI8/14
Division:	Healthy Communities and Governance
Council Plan Strategic Objective:	Governance
	We are responsive, open, transparent and financially sustainable

Declaration

The author has no direct or indirect interests in relation to this report.

Summary

The purpose of this report is for Council to note the efficiencies that the organisation has found during the second quarter of 2017/2018. These efficiencies have been organised into three categories which include:

- Service Reviews
- Organisation Design and Productivity Savings
- Continuous Improvement

Council Officers continue to look for opportunities to review the way we provide services to ensure that they remain relevant and are as efficient as possible. Any savings identified will allow greater investment in Capital Works or a reduction in any need for rate increases in future years.

Background

The Council Plan articulates Council's vision for the future of Bass Coast and outlines strategies to be used by Council in fulfilling the vision. The Chief Executive Officer is responsible for the delivery of services and initiatives that align to the achievement of the Council Plan (Plan).

Staff resources are aligned to ensure that the structure allows for efficient delivery of services and key initiatives identified within the Plan. Management continually reassess the structure of the organisation to ensure resources are best allocated to achieve good outcomes for our community.

Council has also committed to a culture of continuous improvement and review of processes and practices to ensure the way we deliver services is efficient, relevant and meets the needs of our community. Council has also committed to a series of Service Reviews which include the review of six services per year. The purpose of the service reviews:

- is designed to find operational efficiencies and innovations to deliver services to the community in accordance with the Council Plan and Long Term Financial Plan.
- is our commitment to continuous improvement in what we do.

- in general, service reviews are designed to determine the level of service we will provide and the most appropriate strategic business model to provide that service.

Each of these initiatives provides Council with opportunities to identify savings and improvements.

Strategic Basis

Council Plan Objective:

Governance – *We are responsive, open, transparent and financially sustainable*

Strategic Outcome:

- Provide equitable distribution of resources across the Shire
- Be diligent in ensuring services meet community need and are cost effective
- Manage our financial resources and report on our performance
- Engage with the community on decisions that impact them
- Explore other alternatives for revenue opportunities

Strategic Indicator:

Strategic Indicators	Measures
Community Satisfaction with Council Decisions	Achieve the top quartile of Large Rural Councils
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Local Government Performance Reporting Framework (LGPRF) – Financial Performance	Measures that are reported are within the top quartile for Large Rural Councils as identified in the LGPRF
Victorian Auditor General Office (VAGO) Financial Sustainability indicators	The Strategic Resource Plan and the Long Term Financial Plan to meet or better VAGO low risk indicators
Other financial and non-financial performance indicators	Adjusted underlying operation result aims to achieve an operating surplus Implementation of monthly and year to date financial reporting, with plain English version for our Community Implementation of monthly and year to date non-financial performance reporting, with plain English version for our

Strategic Indicators	Measures
	Community Increased efficiencies as a result of information technology improvements
Communications and Engagement Strategy 2015-18 actions implemented	Complete Strategy implementation by June 2018
Develop and Implement a Revenue Strategy	Strategy developed and actions implemented

Finances

All of the major efficiencies identified will be considered in the preparation of any future budgets and will be transferred to future Capital Works or to the reduction in any need for rate increases in future years.

All efficiencies will be in accordance with the Council Resolution from Council's Ordinary Meeting of 22 April 2015:

That future rate increases proposed in the long-term financial plan be reviewed when considering options for the application of savings achieved as a result of service reviews.

Stakeholders

Council, Council staff, ratepayers, residents and visitors are all affected by the delivery of efficiencies across Council.

Statutory Requirements/Codes/Standards/Policies

The *Local Government Act 1989* states that the primary objective of Council is to endeavour to achieve the best outcomes for the local community having regard to the long term and cumulative effects of decisions.

Officer's Conclusion and Recommendation

The efficiencies and savings that have been identified are detailed in AT-1, they include:



Service Reviews

Service	Efficiency Realised
Reduction in EPA levy costs with the change of kerbside landfill waste collection to 30 June 2018	\$130,000
Amount of kerbside waste collected diverted from landfill 1 September - 31 December 2017	79%
Increase in revenue from identified customers accessing garbage collection without correct garbage charge applied in rates (130 properties Aug – Sept)	\$38,522

Service	Efficiency Realised
Changes to management arrangements of community housing	\$50,000

**Organisation Design and Productivity Savings**

Department	Reduction of Effective Full Time (EFT) Staff
Nil	

**Continuous Improvement**

Activity or Process	\$ Savings or Hours Saved
Revenue from failure to vote from Council Election	\$31,000

Recommendation

That the 2017/2018 Efficiency Report be received.

Attachments

AT-I 2017 2018 Q2 Efficiency Report 6 Pages

I.4 Assembly of Councillors Report

File No:	CMI7/969
Division:	Healthy Communities and Governance
Council Plan Strategic Objective:	Governance
	We are responsive, open, transparent and financially sustainable

Declaration

The reporting officer has no direct or indirect interest in this matter

Summary

Section 80A of the *Local Government Act 1989* (the Act) requires all assembly of Councillors records to be reported on at the next practicable ordinary meeting of Council and to be recorded in the minutes of that meeting. This report intends to fulfil the requirements of the legislation.

Introduction

Section 3 of the Act defines an Assembly of Councillors as

‘a meeting of an advisory committee of the Council, if at least one Councillor is present, or a planned or scheduled meeting of at least half of the Councillors and one member of Council staff which considers matters that are intended or likely to be-

- a. the subject of a decision of the Council; or*
- b. subject to the exercise of a function, duty or power of the Council that has been delegated to a person or committee-*

but does not include a meeting of the Council, a special committee of the Council, an audit committee established under section 139, a club, association, peak body, political party or other organisation.’

Section 80A requires a written record to be kept of all such assemblies, stating the names of all Councillors and Council staff attending, the matters considered and any conflict of interest disclosures made by a Councillor. These records must be reported, as soon as practicable, at an ordinary meeting of the Council and recorded in the minutes.

Below is a summary of all assembly of Councillors records since the last Ordinary meeting of Council.

Date	Assembly of Councillors	Councillors in attendance
27 March 2017	Community Tourism Reference Group	Cr Whelan
18 April 2017	Community Tourism Reference Group	Cr Whelan
18 July 2017	Community Tourism Reference Group	Cr Whelan
21 September 2017	Community Tourism Reference Group	Cr Whelan
10 November 2017	Combined Community Tourism Reference Group and Phillip Island Integrated Transport Community Reference Group	Cr Pam Rothfield, Cr Michael Whelan
21 November 2017	Community Tourism Reference Group	Cr Michael Whelan
22 November 2017	Policy Workshop	Cr Rothfield, Cr Brown, Cr Larke, Cr Fullarton, Cr Whelan, Cr Ellis, Cr Kent, Cr Le Serve, Cr Tessari
29 November 2017	Policy Workshop	Cr Rothfield, Cr Brown, Cr Larke, Cr Whelan, Cr Ellis, Cr Kent, Cr Le Serve, Cr Tessari
6 December 2017	Policy Workshop	Cr Rothfield, Cr Brown, Cr Larke, Cr Fullarton, Cr Whelan, Cr Ellis, Cr Kent, Cr Le Serve, Cr Tessari
6 December 2017	Community Connection Session	Cr Rothfield, Cr Brown, Cr Larke, Cr Fullarton, Cr Whelan, Cr Ellis, Cr Kent, Cr Le Serve, Cr Tessari
13 December 2017	Policy Workshop	Cr Rothfield, Cr Kent, Cr Ellis, Cr Fullarton, Cr Tessari, Cr Brown, Cr Whelan,
13 December 2017	Policy Workshop	Cr Rothfield, Cr Kent, Cr Ellis, Cr Fullarton, Cr Brown, Cr Whelan
13 December 2017	Policy Workshop	Cr Rothfield, Cr Brown, Cr Larke, Cr Fullarton, Cr Whelan, Cr Ellis, Cr Kent, Cr Le Serve, Cr Tessari
14 December 2017	Access and Inclusion Advisory Committee	Cr Ellis

Attachments**AT-I** Assembly of Councillors Forms 17 Pages

1.5 Contracts Awarded Register

File No:	CMI8/45
Division:	Finance and Organisation
Council Plan Strategic Objective:	Development
	Governance
	We are responsive, open, transparent and financially sustainable

Declaration

The author has no direct or indirect interests in relation to this report.

Summary**Contracts Awarded**

For the period from 1 November 2017 to 31 December 2017, the following contracts have been awarded under the Chief Executive Officer's Instrument of Delegation.

Contract No.	Description	Contractor	Contract Sum
17032	Road Network Condition and Functional Survey and Modelling	Infrastructure Management Group Pty Ltd	\$159,765.00 incl GST

Contracts Extended

For the period from 1 November 2017 to 31 December 2017, the following contracts were extended under the Procurement Delegation Framework.

Contract No.	Description	Contractor	Contract Sum
15028	Annual Supply of Quarry and Road Making Materials	Evans Quarries	Schedule of Rates

Recommendation

That Council receives the report.

Attachments

AT-1	Contracts Register 17032 Road Network Condition and Functional Survey and Modelling	2 Pages
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I.6 Planning and Building Statistics - November 2017

File No:	CM17/938
Division:	Advocacy, Character and Economy
Council Plan Strategic Objective:	Our Character
	Celebrating the uniqueness of our townships

Summary**PERMITS REFUSED:**

Nil.

PERMITS ISSUED:**Island Ward**

- 170198: Use and development of an agricultural shed in a farming zone, heritage overlay and within 100m of a dwelling in different ownership located at 28 Coghlan Road, Rhyll.
- 170217: Resubdivision of the land into two (2) lots at 190 and 192 Thompson Avenue, Cowes.
- 170251: Buildings and works in the Industrial 3 Zone located at 40-42 The Concourse, Cowes.
- 170255: Construction of a replacement farm managers dwelling located at 105 Berrys Beach Road, Ventnor.
- 170263: Buildings and works associated with a dwelling on land affected by the Land subject to Inundation Overlay located at 127 Silverleaves Avenue, Silverleaves.
- 170288: Vegetation removal in a Vegetation Protection Overlay Schedule 2 located at 23 Redwood Drive, Cowes.
- 170311: Buildings and works extension to dwelling on land less than 300sqm located at 1/115 Church Street, Cowes.
- 170332: Alterations and additions at property located at 2/27 Jenner Avenue, Cowes.

Western Port Ward

- 170048: Construction of an indoor swimming pool, use of land for an indoor recreation facility, display advertising signage, and provision of car parking spaces on another site (Council road reserve) on land in the General Residential Zone located at 232 The Esplanade, Surf Beach.
- 170110: Subdivision of the land into four lots at 6 Agnes Street, Grantville.
- 170152: Subdivide the land into two (2) lots located at 46-48 Clearwater Avenue, Cape Woolamai.
- 170174: Buildings and works within 100 metres of a waterway in the Rural Living Zone located at 1 Hurdy Gurdy Lane, The Gurdies.

-
- I70226: Buildings and works on land affected by the Design and Development Overlay, Schedule 1 located at 35 Grofam Court, Cape Woolamai.
- I70249: Construct one (1) single storey dwelling in a Farming Zone with a Bushfire Management Overlay located at 2063 Dalyston-Glen Forbes Road, Glen Forbes.
- I70254: Buildings and works dwelling additions within the ESO4 and SLO1 located at 9 Warren Parade, Kilcunda.
- I70264: Buildings and works associated with a dwelling on land affected by Heritage Overlay Schedule 28 located at 14 Hamelin Close, Corinella.
- I70268: Buildings and works for a dwelling on land affected by the Design and Development Overlay Schedule 1 located at 18 Paul Street, Grantville.
- I70272: Use and development of a dwelling in the significant landscape overlay located at 167-169 Shetland Heights Road, San Remo.
- I70278: Use and development of a dwelling in the Bushfire Management Overlay located at 3 Buttonwood Way, Grantville.
- I70306: Use and development of a dwelling in the EMO1 and SLO1 located at Lot 2 PS635456 Clematis Road, Woolamai.
- I70329: Subdivide existing dwellings into 3 allotments located at 28 Malcliff Road, Newhaven.
- I70359: Two lot subdivision of an existing building containing one shop and one dwelling located at 86 Back Beach Road, San Remo.

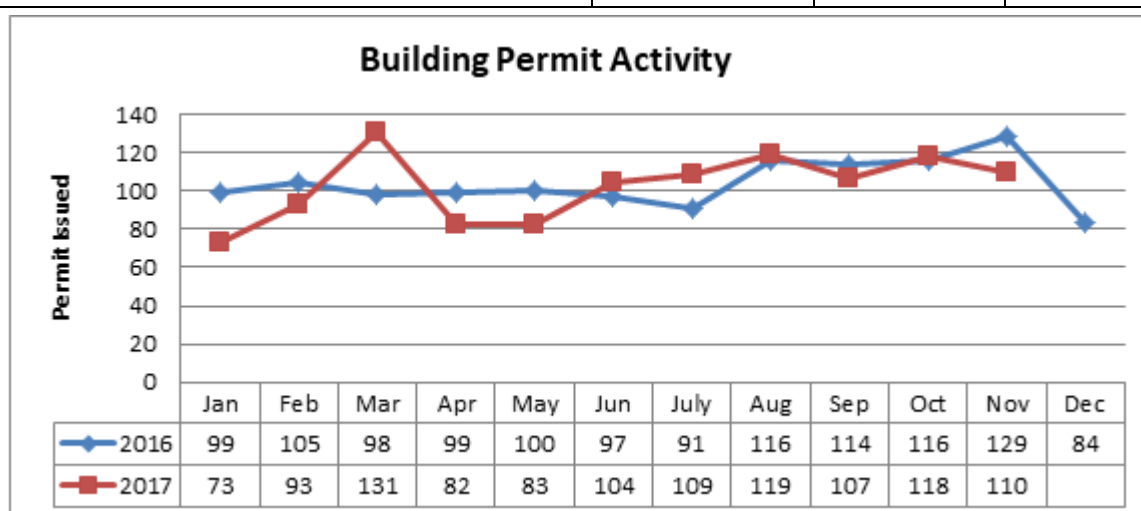
Bunurong Ward

- I70125: Construct three (3) single storey dwellings in a General Residential Zone Schedule 1 located at 52 Hagelthorn Street, Wonthaggi.
- I70146: Multi lot subdivision located at 69-77 Cashin Street, Inverloch.
- I70147: Subdivide the land into two (2) lots located at 7 Regency Drive, North Wonthaggi.
- I70194: To vary restriction 1 on PS710374X to alter the building envelope located at 12 Ovata Place, Inverloch.
- I70197: Subdivide the land into two (2) lots located at 3 Seaberry Court, Cape Paterson.
- I70257: Install and display illuminated and non-illuminated business identification signage located at 307 White Road, South Dudley.
- I70270: Buildings and works associated with a dwelling extension on land affected by the Environmental Significance Overlay Schedule 4 located at 32 Carl Street, South Dudley.
- I70305: Development of an agricultural shed in excess of 100sqm in ESO1 located at Yancowinna, 700 Cape Paterson-Inverloch Road, Cape Paterson.
- I70321: Display business identification signage and buildings and works construction shade sales located at 22-40 Murray Street, Wonthaggi.

PLANNING AND BUILDING ACTIVITY REPORT FOR NOVEMBER 2017

Statutory Planning	This month (November)	Last month	Year to date (financial year)
% of applications determined within statutory timeframe	80%	91%	82%
Average Gross Days (Responsible Authority determination)	112	89	107
(new) Average Gross Days to final outcome	122	107	121
Number of live applications	152	159	-
Number of applications received for the month	42	58	210
Number of Responsible Authority outcomes	49	35	183
Enforcement	This month (November)	Last month	Year to date (financial year)
Number of new planning cases	8	12	70
Number of new building cases	0	0	0
Number of live enforcement files	127	130	—
Number of planning infringement notices issued	1	0	2
Number of VCAT enforcement orders issued		0	0
Number of Magistrates Court prosecutions	1	0	1
Total infringements received (\$)	\$0.00	\$0.00	\$1554.60
Municipal Building Services & Enforcement	This month (November)	Last month	Year to date (financial year)
Essential Safety Measure inspections <i>(Commercial building owners must maintain and ensure all safety systems within their building are operational. This may include: Fire services, Exits, Emergency lighting, alarms etc.)</i>	0	0	11
Swimming Pool & Spa safety barrier inspections <i>(All swimming pool and spa owners are required to maintain a safety fence or barrier. Council is required to implement an audit program to ensure compliance is being</i>	15	5	25

achieved.)			
Report and Consent applications determined (Building proposals cannot always comply or fit into a required building envelope. Where this situation arises, Council may provide consent with respect to the non-compliance issue.)	17	15	94
Siting consents issued for temporary structures (Consent of the Municipal Building Surveyor must be obtained in order to erect marquees, grandstand or stages in association with any place of public entertainment or event.)	0	2	3
Complaints received requiring investigation	3	5	29
New building enforcement cases	3	2	11
Number of open building enforcement cases	59	58	n/a
Building permits issued by Council	0	1	1



Recommendation

That Council:

1. Receive and note the Planning Permits issued under delegation report for November 2017; and
2. Receive and note the Planning and Building Activity Report for November 2017.

Attachments

There are no attachments for this report.

I.7 Planning and Building Statistics - December 2017

File No:	CM18/1
Division:	Advocacy, Character and Economy
Council Plan Strategic Objective:	Advocacy
	Representing the community

Summary**PERMITS REFUSED:**

Nil.

PERMITS ISSUED:**Island Ward**

- I70049: Construction and use of a warehouse located at 2 Harvey Drive, Cowes.
- I70169: Subdivision of the land into three lots located at 65 Dunsmore Road, Cowes.
- I70189: Use of the land for glamping facility (caravan park and camping) located at 493 Berrys Beach Road, Ventnor.
- I70204: Use and development two dwellings in excess of 7m and associated vegetation removal located at 1 Bellavista Road, Cowes.
- I70206: Use and development of two dwellings on the land located at 266 Settlement Road, Cowes.
- I70262: Building and works to the existing dwelling roofline in a Design and Development Overlay Schedule 1 located at 22 Waterloo Street, Rhyll.
- I70279: To use the site for a Martial Arts School and waive car parking in an Industrial 3 Zone located at 2/10 Industrial Way, Cowes.
- I70308: Development of land for a dwelling in a BMO and the removal of a restrictive covenant PS439001B dated 29/07/2004 located at 2 Toscana Rise, Cowes.
- I70331: Use and development of a dwelling in the BMO located at 27 Heyley Avenue, Ventnor.

Western Port Ward

- I70176: Alterations and additions to a dwelling within 100m of a dwelling in different ownership and group accommodation, EMOI and SLOI located at 580a Densley Road, Woolamai.
- I70218: Variation to a restrictive covenant located at 118a The Esplanade, Surf Beach.
- I70300: Building and works for a dwelling in a Heritage Overlay Schedule 28 located at 34 Wetherall Drive, Corinella.
- I70301: Development of two sheds in the Farming Zone affected by the Significant Landscape Overlay Schedule 1 located at CA 6 Loch-Kernot Road, Loch.

- 170315: Buildings and works for the construction of shed in Farming Zone located at 110 Corinella Road, Corinella.
- 170336: Use and development of the land for one dwelling in a Farming Zone with a Significant Landscape Overlay Schedule 1 and an Erosion Management Overlay Schedule 1 located at 94 McDowell Road, Woolamai.
- 170337: Construction of a farm shed in FZ and ESO2 located at 215 Bay Road, Jam Jerrup.
- 170341: Buildings and works to a barn ancillary to the existing dwelling in a Farming Zone located at 85 McKenzies Road, Loch.
- 170351: Buildings and works for the extension to the Telecommunications Antenna for emergency services located at Lot 1 LP62425 McDowell Road, Ryanston.
- 170356: Use and development of land for a dwelling in a RLZ and BMO located at 36 Hurdy Gurdy Lane, The Gurdies.
- 170360: Building and works for a single dwelling in a Heritage Overlay Schedule 28 located at 11 Wetherall Drive, Corinella.

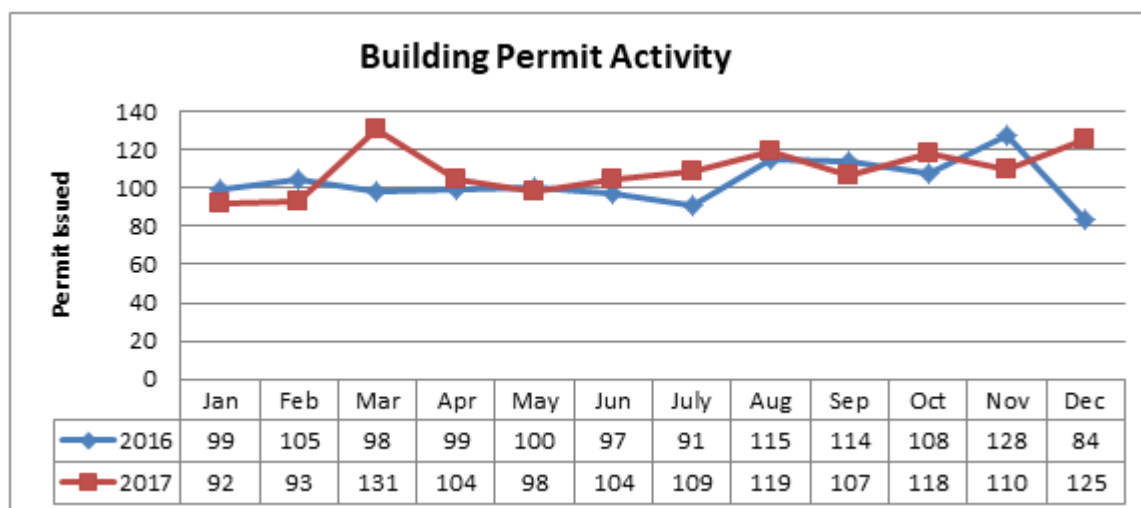
Bunurong Ward

- 170089: Use and develop land for a single dwelling and shed within the ESO1 located at 32 Townsend Bluff Road, Inverloch.
- 170202: Use and development of dwelling with a site coverage greater than 30% in the DDO9 located at 9 Overlook Drive, Inverloch.
- 170248: Buildings and works associated with a pool and fencing on land in the Rural Living Zone affected by the Environmental Significance Overlay Schedule 1 and the Significant Landscape Overlay Schedule 5 located at 13 Townsend Bluff Road, Inverloch.
- 170266: To construct one (1) single storey dwelling in a Farming Zone with an Environmental Significance Overlay Schedule 4 located at 245 Lower Powlett Road, Wonthaggi.
- 170340: Buildings and works (Dwelling) in a Bushfire Management Overlay Schedule 1 located at 21 Cuttlers Circuit, Wonthaggi.
- 170347: Use and development of a dwelling in BMO located at 7 Heron Drive, Wonthaggi.
- 170355: Construction of a dwelling within a Bushfire Management Overlay located at 20 Cuttlers Circuit, Wonthaggi.

PLANNING AND BUILDING ACTIVITY REPORT FOR DECEMBER 2017

Statutory Planning	This month (December)	Last month	Year to date (financial year)
% of applications determined within statutory timeframe	79%	80%	81%
Average Gross Days (Responsible Authority	97	111	105

determination)			
(new) Average Gross Days to final outcome	99	122	117
Number of live applications	151	152	-
Number of applications received for the month	40	43	251
Number of Responsible Authority outcomes	41	47	222
Municipal Building Services & Enforcement	This month (December)	Last month	Year to date (financial year)
Essential Safety Measure inspections <i>(Commercial building owners must maintain and ensure all safety systems within their building are operational. This may include: Fire services, Exits, Emergency lighting, alarms etc.)</i>	1	0	12
Swimming Pool & Spa safety barrier inspections <i>(All swimming pool and spa owners are required to maintain a safety fence or barrier. Council is required to implement an audit program to ensure compliance is being achieved.)</i>	5	15	30
Report and Consent applications determined <i>(Building proposals cannot always comply or fit into a required building envelope. Where this situation arises, Council may provide consent with respect to the non-compliance issue.)</i>	20	17	114
Siting consents issued for temporary structures <i>(Consent of the Municipal Building Surveyor must be obtained in order to erect marquees, grandstand or stages in association with any place of public entertainment or event.)</i>	2	0	5
Complaints received requiring investigation	7	3	36
New building enforcement cases	3	3	14
Number of open building enforcement cases	60	59	n/a
Building permits issued by Council	0	0	1



Total Activity – 1238 (2016) 1310 (2017)

Planning Enforcement	This month (December)	Last month	Year to date (financial year)
Number of new planning enforcement cases	1	8	71
Number of live enforcement files	121	127	n/a
Number of planning infringement notices issued	0	1	2
Number of VCAT enforcement orders issued	0	0	0
Number of Magistrates Court prosecutions	0	1	1
Total infringements received (\$)	\$0.00	\$0.00	\$1554.60

Recommendation

That Council:

1. Receive and note the Planning Permits issued under delegation report for December 2017; and
2. Receive and note the Planning and Building Activity Report for December 2017.

Attachments

There are no attachments for this report.

Council Decision

Moved: Cr. Brett Tessari / Seconded: Cr. Stephen Fullarton

The CEO Mr Paul Buckley advised Councillors that the attached summary of Councillors and Mayoral Allowances agenda item I.2 contained an error. Cr Larke's allowance should read as per the other Councillors as \$31,071.53.

That agenda items I.1, I.2, I.3, I.4, I.5, I.6 and I.7 be adopted

CARRIED UNANIMOUSLY

J Urgent Business

There was no Urgent Business.

Mayoral Announcement Of Next Meeting Of Council

The next **Community Connection Session** will be held on 14 March 2018 in the Bass Coast Civic Centre Council Chamber, Baillieu Street East, Wonthaggi commencing at 3.00pm.

The next **Ordinary Council meeting** will be held on 21 March 2018 in Bass Coast Civic Centre Council Chamber, Baillieu Street East, Wonthaggi commencing at 5.00pm.

The Mayor Cr Pamela Rothfield, with the support from The Cape Kitchen in Newhaven is hosting a breakfast to celebrate International Women's Day Thursday 8 March 2018.

Meeting closed

The meeting closed at 7.34pm