1. These minutes are due to be confirmed on 16 October 2019
2. Any decision included in these minutes is subject to change resulting from a rescission motion passed by Council.
TABLE OF CONTENTS

A Present and Apologies ................................................................. 4
B Declarations of Interest ................................................................. 5
C Confirmation of Minutes ............................................................... 6
   C.1 Ordinary Meeting held on 21 August 2019 ............................... 6
   C.2 Special Meeting held on 11 September 2019 .............................. 6
D Public Question Time ................................................................. 7
   D.1 Keith Godridge - Inverloch Surf Beach .................................... 7
   D.2 Robin Bowman - Inverloch Surf Beach .................................... 7
   D.3 Neil Daly - Living Libraries Infrastructure Program .................... 8
   D.4 Peter McMahon - Desire to better understand how Council uses
      Residents rate income (‘Climate Change Action Plan 2020-2030’) 
      Agenda item H.4 Response to Petition - Bass Coast Shire ............. 8
   D.5 Jeni Jobe - Agenda item F.1 13/19 Rescind resolution passed at the
      Ordinary Council Meeting on 21 August 2019 relating to F.2 211/19 
      Climate Emergency Governance .............................................. 9
   D.6 Grazyna Mackiewicz - Agenda item F.1 13/19 Rescind resolution 
      passed at the Ordinary Council Meeting on 21 August 2019 relating to 
      F.2 211/19 Climate Emergency Governance ................................ 9
E Petitions, Joint Letters, Deputations and Correspondence .................. 10
F Notices of Motion ........................................................................ 12
   F.1 13/19 Rescind resolution passed at the Ordinary Council Meeting on 
      21 August 2019 relating to F.2 211/19 Climate Emergency Governance .... 12
G Mayor and Councillors Reports ................................................... 16
   G.1 Mayoral Report - Cr Brett Tessari ........................................... 16
   G.2 Councillor Report - Cr Stephen Fullarton .................................. 17
   G.3 Councillor Report - Cr Les Larke ............................................ 17
   G.4 Councillor Report - Cr Julian Brown ....................................... 17
   G.5 Councillor Report - Cr Geoff Ellis .......................................... 18
   G.6 Councillor Report - Cr Michael Whelan ................................... 19
   G.7 Councillor Report - Cr Clare Le Serve ..................................... 20
   G.8 Councillor Report - Cr Pamela Rothfield ................................. 20
   G.9 Councillor Report - Cr Bruce Kent ......................................... 20
H Reports Requiring Council Decision ........................................... 22
   H.1 Draft Bass Coast Shire Council Meeting Livestreaming Policy 2019 ... 22
   H.2 Economic Development Strategy 2016 - 2021 Annual Snapshot 
      2018/19 ................................................................................ 29
   H.3 Bass Coast Marine and Coastal Park ......................................... 33
   H.4 Response to Petition - Bass Coast Shire to Declare a Climate 
      Emergency .......................................................................... 37
   H.5 Illegal Clearing of Native Vegetation on Council Foreshores .......... 45
   H.6 Blue Gum Reserve Master Plan, Harold Hughes Reserve Master Plan 
      and Thompson Reserve Master Plan Review ................................ 52
   H.7 Access and Inclusion Advisory Committee Appointment .............. 57
   H.8 Place Names Committee Meeting minutes and recommendation to 
      realign Anderson/San Remo boundary ...................................... 62
   H.10 Award of Tender 19009 - Cowes-Rhyll Road Black Spot Project .... 70
H.11 Award of Tender No. 19014 Corinella Tennis Courts Redevelopment - Harold Hughes Reserve
H.12 Award of Tender No. 19015 - Landfill Environmental Monitoring

I Statutory Reports
I.1 Assembly of Councillors
I.2 Planning and Building Statistics - July 2019
I.3 Contracts Awarded Register
I.4 Receipt of Bass Coast Shire Council Audit Committee Minutes - 22 May 2019

J Urgent Business
Meeting commenced

The meeting commenced at 5.07pm

Acknowledgement: Cr Geoff Ellis read the acknowledgement.
Statement: Cr Julian Brown read the Councillor Statement.

A Present and Apologies

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

Officers in Attendance:

Ms Ali Wastie, Chief Executive Officer
Ms Deirdre Griepsma, Acting General Manager Resilient Communities
Mr Jamie Sutherland, Acting General Manager Place Making
Ms Allison Jones, General Manager Business Transformation
Mr Christian Stefani, Executive Manager Partnerships, Advocacy & Economy
Mr David Filmalter, Chief Financial Officer
Ms Lee-Anne Harmer, Governance Officer
Ms Chelsea Wilson, Bass Coast Shire Council Trainee

Apologies: Nil
B Declarations of Interest

There were no Declarations of Interest.
C  Confirmation of Minutes

C.1  Ordinary Meeting held on 21 August 2019

Council Decision

Moved: Cr. Geoff Ellis / Seconded: Cr. Pamela Rothfield

That the minutes of the Ordinary Meeting held on 21 August 2019 be confirmed.

CARRIED

C.2  Special Meeting held on 11 September 2019

Council Decision

Moved: Cr. Geoff Ellis / Seconded: Cr. Pamela Rothfield

That the minutes of the Special Meeting held on 11 September 2019 be confirmed.

CARRIED
D Public Question Time

D.1 Keith Godridge - Inverloch Surf Beach

1. What is the total amount so far expended on implementing the wet sand trial at the Inverloch surf beach?

2. If the wet sand fencing trial is judged to be a success is it intended to be used over the full length of the eroded section of the surf beach?

Response:

1. The total amount spent to date implementing the wet-sand fencing and sand renourishment trial at the two sites is $219,600. This includes on ground works, purchase of materials, design and preliminary investigations (i.e. survey and geotechnical reports). Council’s financial contribution has been $25,065 and significant officer time for project management tasks. The state government has funded the remaining $194,535 for the works.

2. The inter agency Inverloch Erosion Working Group will evaluate the success of the wet sand fences after a season of storm surge followed by a summer season where beach accretion normally occurs. If the trial is considered to be a success there is the option to extend these techniques to other areas.

D.2 Robin Bowman - Inverloch Surf Beach

1. Given that Bass Coast Shire Council has announced that the trigger points to implement harder engineering options to protect the Inverloch Surf Lifesaving Club building have now been reached and planning is underway, will Council inform the community as to what those harder engineering options are and when they will be implemented?

2. Will Council inform the community as to how much money in total the Shire has spent so far in relation to all aspects of the two wet-sand fencing trials at Inverloch surf beach and how much more is Council estimating will be spent to complete the trials?

Response:

1. Coastal engineers engaged by the inter agency Inverloch Erosion Working Group are currently investigating and designing these harder engineering options. These include geotextile sandbags, rock revetments and other structures to protect the Inverloch Surf Lifesaving Club and prevent further erosion. A community drop in session is currently being organised for the 27 September at the Inverloch Hub to inform the community of these options.
2. The total amount spent to date implementing the wet-sand fencing and sand renourishment trial at the two sites is $219,600. This includes on ground works, purchase of materials, design and preliminary investigations (i.e. survey and geotechnical reports). Council’s financial contribution has been $25,065 and significant officer time for project management tasks. The state government has funded the remaining $194,535 for the works.

D.3 Neil Daly - Living Libraries Infrastructure Program

1. Could the Bass Coast Shire Council (BCSC) please state if it has, under the Living Libraries Infrastructure Program 2019 Grant Guidelines, submitted a library proposal for a:
   - minor grant; or
   - major grant?

2. If it has, what is it for?

Response:

1. Council has not submitted a proposal to the Living Libraries Infrastructure Program 2019 in both the minor or major category. Council is working closely with the West Gippsland Libraries Corporation toward the provision of library services across the Shire, with the Waterline area as its current priority. Should funding be required to support a potential initiative within libraries, Council will consider future funding rounds of this program.

D.4 Peter McMahon - Desire to better understand how Council uses Residents rate income (‘Climate Change Action Plan 2020-2030’) Agenda item H.4 Response to Petition - Bass Coast Shire

Given that officers have advised Council that the development of ‘Climate Change Action Plan 2020-2030’ is currently unfunded and cannot be delivered from within the current resource (1.0 FTE) and the development of said plan will cost approximately $200,000 and funds will be required for community engagement, consultation, and specialist expertise, will Council inform the community as to the expected additional resources (FTE) required and the ongoing annual costs in detail including funds required for community engagement, consultation, and specialist expertise?

Response:

Councillors will consider and debate all aspects and implications of this issue as part of Council’s agenda.
D.5 Jeni Jobe - Agenda item F.1 13/19 Rescind resolution passed at the Ordinary Council Meeting on 21 August 2019 relating to F.2 211/19 Climate Emergency Governance

How can Bass Coast Councillors even consider rescinding a very important decision made at the last meeting to acknowledge we are in a climate emergency?

Response:

Councillors will consider and debate all aspects and implications of this issue as part of Council’s agenda.

D.6 Grazyna Mackiewicz - Agenda item F.1 13/19 Rescind resolution passed at the Ordinary Council Meeting on 21 August 2019 relating to F.2 211/19 Climate Emergency Governance

While Councils and countries all over Australia and the world are recognising and declaring a climate emergency, why is Bass Coast considering backing down on this most urgent imperative initiative?

Response:

Councillors will consider and debate all aspects and implications of this issue as part of Council’s agenda.
E   Petitions, Joint Letters, Deputations and Correspondence

There were no Petitions, Joint Letters, Deputations and Correspondence.
Notices of Motion
F  Notices of Motion

F.1  13/19 Rescind resolution passed at the Ordinary Council Meeting on 21 August 2019 relating to F.2 211/19 Climate Emergency Governance

I, Cr Les Larke, hereby give notice that I intend to move a motion of rescission at the Ordinary Meeting on 18 September 2019, which reads as follows:

RESCIND RESOLUTION PASSED AT THE ORDINARY COUNCIL MEETING ON 21 AUGUST 2019 RELATING TO F.2 211/19 CLIMATE EMERGENCY GOVERNANCE

Motion

That Council rescind the resolution passed at the Ordinary Council Meeting on 21 August 2019 relating to F.2 211/19 Climate Emergency Governance

Vis:

1. Declares that climate change poses serious risks to Bass Coast and Australia and should be treated as an emergency

2. Notes that Bass Coast Shire is vulnerable to sea level rise and greater climate variability leading to more intense disaster events including storms, heat waves and bushfire and flooding

3. Notes that the effects of climate change extend beyond environmental impacts into, e.g., business, finance and health outcomes, and will impact species and population in a range of ways requiring a change to business as usual and an integrated response to managing the impacts of a changing climate

4. Directs the CEO to urgently commence the development of a Bass Coast Climate Change Action Plan 2020-30 with a view to ensuring Bass Coast can more effectively contribute to climate change mitigation and be more resilient and well adapted to the effects of a changing climate (climate change adaptation). It should inter alia:

   a. Include a target of zero net emissions by 2030 for both (a) emissions attributable to Council’s own operations and (b) emissions attributable to the broader Bass Coast community;

   b. Quantify what council can do to reach the target and project how and when Council will reach it

      i. Quantify what the community can do toward reaching the target, including ongoing support for and building on the Totally Renewable Communities model currently being applied through Totally Renewable Phillip Island (TRPI). TRPI is developing the pathway to and mapping the process toward achieving 100% renewable energy
c. Include engagement and communication strategies to ensure Council and the community are properly engaged with and advised of climate change risk and what action can be taken

d. Include an ongoing advocacy strategy seeking strong government action to address the threat of climate change and for appropriate adaptation measures

5. Directs the CEO to urgently review Council's governance arrangements and request the Audit Committee update their Charter to ensure that climate change governance is integral to review of Council's activities

a. Build the capacity of staff around Climate Change Governance and Council's role in addressing it

6. Notes that Bass Coast has made progress in reducing emissions through:

- The introduction of the Food Organics and Garden Organics waste collection that has increased diversion from landfill by 35% since its introduction

- Totally Renewable Phillip Island that is undertaking groundwork to support community energy projects, waste strategies, low emission vehicles and carbon insetting

- Has committed to purchase 30% of its electricity through a renewable energy Power Purchase Agreement (PPA) with other Victorian councils and is investigating possible further PPAs and local Community energy projects

- The Council Plan commits to increasing vegetation cover by 1.5% a year and that Council has been a leader in developing the bio links program

7. Notes the BCSC support for the recently adopted resolution at the Australian Local Government Association National General Meeting calling on the federal government to declare a climate emergency and that BCSC moved a resolution calling on the Australian Government to support initiatives by councils to develop and implement coastal climate change adaptation plans, to improve the sustainability and resilience of coastal settlements vulnerable to increasing climate change risks

Background by Councillor

My understanding is that a member of Council Staff must not implement a previous resolution if the resolution has not been acted on and the notice of motion to rescind has been properly lodged.
Officers Comments

Under the Local Law Meeting Procedure 2018, the resolution Climate Change Governance adopted at the Ordinary Meeting of Council on 21 August 2019, can be rescinded because it is not considered to be ‘acted upon’. ‘Acted Upon’ means that the decision is formally communicated to a person or persons whose rights and interests are impacted. This communication must come from an officer of Council who reasonably has the authority.

Because the climate change resolution is more about policy, it is considered that not one person or persons relies on the decision and are impacted. The use of the words ‘noted’ in the motion are open to a rescission because ‘acted upon’ requires an active step to be taken and Council can remove an item that be ‘noted’ from its record.

Other points within the motion that direct the CEO to perform a function have not been ‘acted upon’ as the rescission motion was provided immediately following the Ordinary Meeting of Council on 21 August 2019.

-----------------------------------------------
Cr Les Larke, Bunurong Ward
Dated: 18 September 2019

Council Decision

Cr Les Larke withdraw the Notice of Motion - 13/19 Rescind resolution passed at the Ordinary Council Meeting on 21 August 2019 relating to F.2 211/19 Climate Emergency Governance
Mayor and Councillors Reports
G Mayor and Councillors Reports

G.1 Mayoral Report - Cr Brett Tessari

Acknowledged and thanked Jamie Sutherland, Acting General Manager Place Making for his contribution and service of 14 years, and wished him all the best for his future endeavours.

Congratulations to our CEO, Ali Wastie, who was recently named as one of IPAA Victoria's Top 50 Public Sector Women for 2019! Due to council commitments, Ali was unable to attend the awards, but Mayor, Cr Brett Tessari was happy to present Ali with this well-deserved accolade. Congratulations to our CEO, Ali Wastie, who was recently named as one of IPAA Victoria's Top 50 Public Sector Women for 2019!

Activities

Attended Phillip Island Winery – Info session – planning permit
Speaker at 2019 Bass Coast Business Awards
MC at Gippsland Business Festival Business Breakfast – Tom O'Toole
Attended GLGN All Councillor Forum
Attended Deb Ball – Dizane
Attended Better Approvals Official Launch
Speaker at Bass Coast Adult Learning's Adult Learner Week Event
Attended Wonthaggi and District Girl Guides Celebration
Attended site visit with Minister for Health, the Hon Jenny Mikakos MP - Wonthaggi Hospital
Opened the South Gippsland Orchid Society 30th Annual Orchid Show
Attended site visit with Hon Jaala Pulford MP, Rhyll Boat Ramp project
Speaker at HIKSA Charity Launch
Attended Roundtable Discussion with Minister for Energy, Environment & Climate Change on Kerbside Reforms- Gippsland
Attended YMCA Action Sports Video Interview
Officiated Bass Coast Citizenship Ceremony

Meetings

Attended Council Workshops and Briefings
Attended Community Connection Sessions
Chaired Councillor Only Meetings
Weekly meetings with CEO, Council Support and Communications

Additional Meetings:
- Liz Stinson – Chair PINP Board
- Watersure - Bass Coast Country University Centre Project
- Eleanor McKay – Phillip Island and San Remo Advertiser
- Jordan Crugnale MP
- Russell Broadbent MP
- Neville Chapman re South Gippsland Bridge Club

G.2  Councillor Report - Cr Stephen Fullarton
Acknowledged that today 18 September 1928 was when the Shire of Phillip island was constituted.

G.3  Councillor Report - Cr Les Larke
- Community engagement re Phillip Island Winery planning application
- Inverloch surf beach on site excursion with Alkira College Cranbourne/other periodic site visits including meeting with Marine & Coastal Council (3)
- Budget presentation Wonthaggi U3A group
- Wonthaggi Girl Guides 96th birthday celebration
- Wonthaggi & San Remo Cemetery Trusts’ special meeting
- Bass Coast Specialist School True Colours arts exhibition/concert
- The Cape – sustainable house day festival

G.4  Councillor Report - Cr Julian Brown
- Bass Coast Business Awards
- Rural Engagement Group
- Better Approvals Official Launch
- Wonthaggi Girl Guides
- Citizenship Ceremony
G.5  Councillor Report - Cr Geoff Ellis

Attended:

Bass Coast Business Awards,
Kilcunda CFA 75th Anniversary,
Regional Weeds Task Force,
Final meeting of the 2017-2019 AIAC at Cape Kitchen,
Meetings with PHN re October Mental health Forum (several),
Women's Adventure Film Tour at The Union,
Meeting with Fiona Passarin re gendered violence,
Meeting of Unemployed Workers Union (Wonthaggi),
Launch of HISKA suicide prevention charity,
Kernot Hall reserve AGM,
R U OK day event in Wonthaggi,
TRUE COLOURS - Wonthaggi Specialist school concert and art show,
Phillip Island Ten Pin ALL ABILITIES League Gala end of season Tournament, Meeting of SCIN executive,
Phillip Island Running Festival - came second in the over sixty male 2km,
Meeting with Beau Vernon in Cowes RSL to workshop the PHN Men's Suicide Prevention forum.

Also:

Various informal 'catch ups' with community reps re Climate Emergency and related issues such as Inverloch and Jam Jerrup foreshore.
Spent an average of 1.5 hours a day responding to emails.
Spent at least 20 hours in the car driving to the above events
G.6 Councillor Report - Cr Michael Whelan

Overwhelmed with support for Climate Strike

TRPI Open Day Successful Carbon Auction – auctioneer Greg Price first ever tonne of carbon in a public auction $800

School Students strike 20th September

Vale, Kate McLaughlin.

The Friends of Scenic Estate Reserve wishes to pay a heartfelt tribute to Kate McLaughlin, who died several weeks ago. Kate was a tireless champion for the natural environment, and despite a passionate commitment to Cape Woolamai Coast Action, family and other community involvement, somehow found time to also support the conservation work of FOSER and the development of Scenic Estate Reserve, since its inception in 2015.

Positive and caring, Kate was always fun to work with, expressing her ideas and contributing in the most helpful way. She always assisted with the provision of our morning teas at working bees, even at times when she was not well enough to participate in the hands-on work. Her courage and optimism in the face of an increasingly difficult illness were an inspiration to us. We loved having her as part of our team.

Vale, Kate, and thank you. You are sadly missed.

John Eddy, coordinator, Friends of Scenic Estate Reserve

Penny Whetton

Penny recently visited Inverloch to speak at the Bass Coast Climate Action Network information session on the coastal erosion. Penny was a scientist and artist, intelligent, creative and able to turn her hand and her intellect to almost anything, from the climate science that was her profession, to landscape painting and furniture making. She was principled and loyal, a collaborative leader, and a mentor to many.

Penny led CSIRO’s national climate projections work from 1992 to 2014, producing the reports which predict how Australia’s climate is going to change due to global heating. She was a lead author of three IPCC (Intergovernmental Panel on Climate Change) reports including the 4th assessment report which was awarded the Nobel Peace Prize.

She was deeply angry about current politics that is hurrying us to avoidable climate crisis, and deeply worried about the damage being done and the future prospects for our precious natural world. She was so worried about the coming summer…
G.7  Councillor Report - Cr Clare Le Serve

- 23rd Aug – VFF Annual Dinner
- 29th Aug – Rural Engagement Group
- 6th Sept – Bass Valley Historical AGM
- 7th Sept – Newhaven College Spring Concert
- 10th Sept – Kernot Recreation & Hall Committee AGM
- 15/16th Sept – SEATS Executive meeting

G.8  Councillor Report - Cr Pamela Rothfield

- Acknowledged and talked about the everyday stories of local people who help others in the community
- Phillip Island Red Cross lunch
- PICAL BBQ RUOK Day

G.9  Councillor Report - Cr Bruce Kent

- Bass Coast Business Awards
- Gippsland Business Awards
- PICAL BBQ RUOK Day – supported the local Police Force
Reports Requiring Council Decision
H  Reports Requiring Council Decision

H.1  Draft Bass Coast Shire Council Meeting Livestreaming Policy 2019

File No: CM19/577
Division: Partnerships, Advocacy & 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
The purpose of this report is to present Council with a draft Bass Coast Shire Council Meeting Livestreaming Policy.

At its Ordinary Meeting on 21 August 2019, Council resolved to commence a six-month trial of Livestreaming Council Meetings from October 2019, pending the adoption of a Livestreaming Policy (Policy).

The draft Policy provides information and guidance for Councillors, Council employees and the community around the process of livestreaming.

This report recommends the adoption of the draft Policy. A six-month livestreaming trial period will then commence from 16 October 2019, at all Council Meeting venues.

Background
At its Ordinary Council Meeting on 17 July 2019, Council responded to a petition to Introduce Livestreaming of Council Meetings.

Council resolved that it:

1. Invests in the purchase of suitable equipment and software up to the value of $2,500 to conduct livestreaming of Council Meetings;
2. Develops a draft Livestreaming Council Meeting Policy and Statement to be endorsed by Council at an Ordinary Meeting prior to commencing any trial;
3. Commences livestreaming of Council Meetings as a six-month trial across its Meeting venues from October 2019, subject to a Livestreaming Policy and Statement being adopted;
4. Receives a report on the effectiveness of livestreaming following the six-month trial period; and
5. Writes to the head petitioner advising them of its decision.

This report responds to the resolution of Council to develop a draft Livestreaming Policy.
Strategic Basis

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

Major Initiative / Initiative
Livestreaming Council Meetings is not a major initiative or initiative. This Policy has been prepared in response to a Council decision.

Strategies / Policies
- Meeting Procedure Local Law 2018
- Councillor Code of Conduct
- Employee Code of Conduct

Council’s Communication and Engagement Strategy 2018 - Revised Version, does not specifically refer to ‘livestreaming’; however, this Strategy does guide Council’s communication and engagement objectives, which encourage diverse methods of engagement to be delivered to our community.

Statutory Requirements/Codes/Standards/Policies
- Local Government Act 1989
- Privacy and Data Protection Act 2014
- Freedom of Information Act 1982

Discussion
Council aims to be accountable and transparent and recognises the important role that access to information has in facilitating these aims for people of all abilities.

By observing Council’s decision-making process, members of the public are better informed of Council’s position and activities. Rotating Council meetings to different locations across the Shire has helped lower the barrier of distance for members of the public who wish to attend meetings.

With just over half of Bass Coast ratepayers living outside the Shire and many local residents unable to travel due to restricted mobility, the distance to travel to a meeting is still a significant barrier.

Livestreaming represents an opportunity to overcome this barrier, enabling people to watch a Council meeting from their computer, tablet or smartphone.

For the purpose of this report and Policy, Livestreaming is the process of making a live video feed available online and subsequently publishing this video to be available ‘on demand’ at a later date.

Livestreaming is considered by many Victorian Councils as a way to increase the public’s accessibility to Council Meetings, particularly for people who find it difficult to physically attend. It allows the public to watch Council decision making live, rather than hearing or reading about decisions after they have been made.

Following the livestreaming of a Council meeting, many councils also provide access to the broadcasts from their council website or video platform (such as YouTube) which can also contain archived Council Meetings – some with further links to Meeting schedules, agendas and minutes.
Accessibility

Since Council’s decision in August, there has been further discussion on closed captioning video. The following information is presented for Council’s consideration.

In 2010 the Federal Government published a Web Accessibility National Transition Strategy, which set a target for Government and agency websites to comply with Web Content Accessibility Guidelines over a four-year period.

The scope of this Strategy applied to all States and Territory Governments and, indirectly, Local Governments. Of the three increasing levels of compliance, ‘A’, ‘AA’ and ‘AAA’, websites were to meet ‘AA’ compliance at the end of 2014.

Captioning pre-recorded video content meets level ‘A’ compliance, while live captioning video meets ‘AA’ compliance.

Although all councils seek to meet required accessibility standards, adding captions is time-consuming and resource intensive.

Indicative quotes to provide captions for a two-hour meeting are around $1,200-$1,300 for a one-week turnaround. To add captions in real-time (as the meeting is broadcast) to the same two-hour meeting would raise this cost to around $1,900-$2,000 per meeting.

Based on the duration of Ordinary and Special Meetings over the last 12 months, the cost for live captioning and adding captions to the recording is estimated to be around $20,000 annually.

Many councils who livestream meetings do not provide this service.

Until another solution is found or budget allocations made, participating councils currently direct community members to their council meeting minutes published on their council website following a meeting.

For the purposes of conducting the trial, Council may consider a similar approach and direct people to read the published meeting minutes. Upon conclusion of the trial, officers would include any feedback on the accessibility of meetings in the report back to Council.

Services such as YouTube can produce captions automatically at no cost by using voice-to-text technology.

The accuracy of this feature currently can’t be relied on as it can result in some incorrect and inappropriate captions being published. Council could consider this free solution however, in doing so; it is recommended that a disclaimer regarding potential inaccuracies in text be provided.

Next steps

If Council adopts this draft Policy, a trial of Livestreaming would begin at the following meeting.

Closed Council Meetings and confidential items of business in a Council Meeting will not be streamed live and will not be recorded or made available later as a recording.

It is proposed that Livestreaming of Council Meetings will commence at the beginning of a Council Meeting, concluding with the last open agenda item.
Appropriate signage at Meeting venues would be displayed. The Council Meeting agenda and Council website would be updated to reflect Livestreaming through an additional statement which confirms the Livestreaming process along with Councillor, staff and the public’s obligations. The Meeting Chair would read out the Livestreaming statement at the commencement of each Meeting.

It is proposed that once operating, the camera/s that would be set up at the Meeting venue/s would film the Councillors and Council staff only, with members of the public who attend a Council Meeting not being filmed, unless they ask a question or address the Council. Constraints of the room layout at some venues may make this difficult; however, Council officers will always try to ensure members of the public are not intentionally filmed.

**Reliable internet connectivity and potential technical issues**

Should Council adopt the draft Policy and proceed with Livestreaming there may be situations where, due to technical difficulties beyond Council’s control, a livestream or recording may not be available. Every reasonable effort would be made to ensure the availability of livestreaming and recordings of Meetings, and of Council’s website.

For example, some technical issues may include connectivity to the internet, network or device failure or malfunction, unavailability of social media platforms or power outages.

**Risks**

Council Meetings are public forums that include people making statements, asking and answering questions. It is a possibility that at times some statements may breach the law and/or may be regarded as offensive or defamatory.

Statements such as these made in a Council Meeting by Councillors, Council Officers or members of the public are not protected and may be the subject of legal proceedings and potential liability.

This Policy guides Council in the appropriate use and management of Livestreaming. It also provides the Chair and/or the Chief Executive Officer the authority to direct the termination or interruption of Livestreaming if they believe it is advisable to do so.

It is intended that this would only be given in exceptional circumstances, where statements are likely to be made that are considered inappropriate to be published or where audio/video quality was not up to standard.

Material that could be considered to be inappropriate may include defamatory, discriminatory and/or offensive statements. Statements that breach the privacy of an individual or unauthorised disclosure of personal or privileged information are also inappropriate.

**Online bullying and harassment**

Commentary on other Council-managed social media platforms will be subject of existing moderation practices as outlined in the Council’s Social Media Policy and Guidelines. By default, comments are disabled on Council’s YouTube channel.

**Accessing the livestream**

Initially the trial will involve publishing the livestream to Council’s YouTube channel. After the meeting, the video will be embedded on a page on Council’s website.
While it is possible to publish to many different video platforms, one of the outputs of this trial is the measurement of viewing. Making the livestreams and on-demand recordings available on the most popular video platform simplifies the collection of these statistics without limiting access. It may be considered after the trial to publish to multiple platforms.

On some video platforms (such as Vimeo), it’s possible to limit access to registered viewers only. This feature comes at an additional expense (around $95 per month). It would require community members to complete an extra step through registration, in order to access the livestream.

In terms of securing the video, while it can be marked as Copyright material, officers cannot prevent anyone from recording the livestream from their screen and reposting it elsewhere.

Finances

Over recent times, officers have enabled improved audio for Meetings with a sound mixer, microphones and speakers now being used to improve the acoustics at the Council Meeting venues. An appropriate digital camera, supporting software and a dedicated mobile data device is also required for filming purposes.

Following the first recommendation from the July meeting, Council will acquire digital camera equipment and software, for the purpose of livestreaming meetings. This will be accommodated within the Advocacy and Engagement Department’s 2019/20 budget.

Existing Council staff will manage the logistics of setting up the location/s, attend Council Meetings to manage the operation and ensure any post–meeting publishing and editing requirements.

Depending on travel requirements, number of meetings (including additional Special Meetings in a month) and venue set up and pack up requirements, it is estimated that an additional five to six hours per month in staffing dedicated to the tasks is required; which would be approximately $3,000 per year. For the trial, this will be accommodated through existing resources.

Stakeholders

- Bass Coast Shire community, non-residents and visitors
- Bass Coast Shire Councillors and Staff
- Municipal Association of Victoria
- Other Local Government Authorities

Other Options

1. Adopt the Livestreaming Policy as recommended. Do not include closed captions for the purpose of the trial.

2. Adopt the Livestreaming Policy as recommended and make additional budgetary allowance to include closed captions on the recorded video after or during the meeting. This will meet web accessibility requirements, but will require up to $20,000 per annum in additional budget allocated towards captioning.
3. Adopt the Livestreaming Policy as recommended and determine the starting and ending point of the livestream to only include agenda items subject to Council decisions. This may include the entire meeting or may be for specified parts of the meeting.

4. Adopt the Livestreaming Policy as recommended, but limit access to registered viewers only. This would include an additional expense (around $95 per month). It would require community members to complete an extra step through registration, in order to access the livestream. This may limit viewership and audience reach.

5. Defer adoption of the Policy, subject to further consideration. By doing this, Council acknowledges that there will be a delay for the start date of the livestreaming trial.

**Conclusion**

Council has resolved to commence a livestreaming trial. This report recommends adopting a policy to enable the trial to commence.

Following the proposed trial, a report would come back to Council evaluating its success, including statistics on the number of views and how many viewers, duration, logistics, connectivity and any feedback received during the trial.

**Recommendation**

**That Council:**

1. **Adopt the Bass Coast Shire Council Meeting Livestreaming Policy 2019**;

2. **Commences livestreaming of Council Meetings as a six-month trial across its Meeting venues from October 2019; and**

3. ** Receives a report on the effectiveness of livestreaming following the six-month trial period.**

**Attachments**

**AT-1** Draft Bass Coast Shire Council Meeting Livestreaming Policy 2019 6 Pages
Council Decision

Moved: Cr. Pamela Rothfield / Seconded: Cr. Geoff Ellis

That Council:

1. Note the draft Bass Coast Shire Council Meeting Livestreaming Policy 2019 and that it does not adequately address access and inclusion or security issues. Nor is the full costs of implementing the policy adequately scoped; and

2. Refers the issue of livestreaming of Council meetings for Council consideration of the full cost of implementing a comprehensive live streaming policy in the 2020/21 budget process.

CARRIED

Cr Les Larke called for a division

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H.2 Economic Development Strategy 2016 - 2021 Annual Snapshot 2018/19

File No: CM19/490
Division: Partnerships, Advocacy & Economy
Council Plan Strategic Objective: Economic Development
Expanding, attracting and retaining business and investment

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

Summary

The purpose of this report is to provide an update on year three actions for the Bass Coast Shire Council’s Economic Development Strategy 2016-2021.

Bass Coast has recorded strong residential and commercial growth in the last year as a result of confidence demonstrated by investors and other levels of government to invest in the region. This strong growth has led to an increase in employment opportunities and a reduction in the unemployment rate.

This report recommends that Council receives the attached Economic Development Strategy 2016-2021 Year Three Snapshot 2018/19. (AT-1)

Background


The Strategy provides a framework to promote and facilitate sustainable economic development in Bass Coast.

The Strategy outlines:

- What Bass Coast Shire Council aims to achieve in economic development over the next five years.
- The role Bass Coast Shire Council, in partnership with business and other levels of Government, will play in delivering the objectives of this strategy.

The Strategy provides the framework to facilitate investment and development into the municipality.

In 2018, Council participated as one of five Councils in the Victorian Auditor-General’s Office (VAGO) audit of Local Government and Economic Development. The VAGO report indicated that the growth in Gross Regional Product in Bass Coast was the 3rd highest of all Victorian Councils during the decade between 2006 and 2016.

Strategic Basis

Implementation of The Strategy was an initiative of the 2018-19 Budget.
Council Plan Objective:
Economic Development – Expanding, attracting and retaining business and investment

Major Initiative / Initiative
Update on the 2018/19 initiative:
Implement year three actions from Council’s Economic Development Strategy 2016-2021

Strategies / Policies
- Bass Coast Shire Council’s Economic Development Strategy 2016-2021
- Bass Coast Shire Council Natural Environment Strategy 2016-2026
- Bass Coast Shire Council Events Policy 2017
- Phillip Island and San Remo Visitor Economy Strategy 2035 – Growing Tourism
- Bass Coast Planning Scheme

Discussion
Council, through its Economic Development Strategy, makes a strong contribution to the creation of an environment that:
- At an operational level, supports existing businesses to be innovative and sustainable and
- At a strategic level, attracts and encourages the kind of business activities that will drive the local economy.

Council has worked to implement policies to create the environment for investment that complement the natural environmental values of the region. It also supports existing businesses to grow into new markets and products.

Key achievements for 2018-19 include:
- Council advocacy achieved major funding commitments for the Wonthaggi Hospital upgrade ($115m) and Wonthaggi Secondary College new senior campus ($25m). As well as servicing the needs of the growing community will create local jobs (construction and operational) plus stimulate investment opportunities in ancillary services.
- Planning Scheme Amendment C151 was approved which implements the planning aspirations of the Cowes Activity Centre Plan with new planning policy and controls now in place.
- Continuing advocacy and input into Regional Roads Victoria corridor and highway planning across Phillip Island and Bass Coast – including Woolamai Beach and Back Beach Roads and corridor planning across Phillip Island and Bass Highway upgrades from Anderson to Leongatha.
- Continuing advocacy for investment in eliminating mobile blackspots.
- Progressing Cowes revitalisation works including the Cowes Jetty Triangle and Phillip Island Transit Centre that improve community and tourism facilities and create employment.
- Won Gold in the Local Government Award for Tourism category and was a finalista in the Visitor Services category at the Victorian Tourism Awards.

- Working with the cruise ship industry to promote visits to Phillip Island resulted in three additional visits in 2018/19, 13 ships pre-booked for 2019/20 and 19 ships pre-booked for 2020/21.

- Delivered the new Visit Bass Coast tourism website to provide a better digital experience for visitors with enhanced functionality and imagery.

- Successful delivery of the 2018 Bass Coast Business Awards with 214 local businesses participating and 160 attending the Gala Awards Ceremony.

- Hosted three ‘Developing Bass Coast’ forums to provide information to investors and improve networking opportunities between investors, local businesses, Councilors and Council officers.

- Delivered business events and tourism training workshops to over 120 business operators.

- Provided shop front improvement grants for six Wonthaggi businesses.

- Commenced strategic discussions across relevant departments to facilitate the commencement of the Better Approvals Project to streamline small business interactions with Council.

Looking forward, key actions for delivery in 2019/20 include:

- Complete the Better Approvals Project and implement findings to streamline business approvals processes and support new and existing businesses.

- Contribute Bass Coast investment data and opportunities on the new Invest Gippsland website.

- Develop an Investment Prospectus to showcase Bass Coast as an attractive investment destination.

- Establish industry networks for the construction and manufacturing industries.

- Undertake a business survey.

- Undertake an audit of businesses operating in each town centre.

- Progress the Wonthaggi North East Precinct Structure Plan that will provide for approximately 5,030 residential lots and 61 hectares of industrial and commercial land.

- Roll out the My Phillip Island Tourism Ambassador program and create the My Bass Coast Tourism Ambassador Program.

- Continue to support the Rural Engagement Group and explore opportunities to grow Agri-business and Agri-tourism.

Finances

All activities were delivered within the Economic Development operational and project budget.
Stakeholders

The key stakeholders for delivery of the Strategy include:

- Bass Coast Community
- Local business and tourism associations
- Local businesses
- Visitors
- Government agencies
- Council

Options available to Council

1. Council may receive this Annual Snapshot.
2. Council may choose to not receive this Annual Snapshot
3. Council may choose to defer receipt of the Annual Snapshot pending further information.

Conclusion

Council’s Economy Development team has made great progress this year delivering actions identified in the Strategy. The Annual Snapshot Report provides an overview of the actions and achievements completed during year three of implementation of the Strategy.

Recommendation


Attachments

AT-1 Three Year Snapshot Economic Development Strategy 14 Pages

Council Decision

Moved: Cr. Bruce Kent / Seconded: Cr. Julian Brown
That the recommendation be adopted.

CARRIED
H.3 **Bass Coast Marine and Coastal Park**

**File No:** CM19/635  
**Division:** Partnerships, Advocacy & Economy  
**Council Plan Strategic Objective:** Environment

Maintain and protect the natural environment

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**Declaration**

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

**Summary**

The creation of a new Bass Coast Marine and Coastal Park and a walking trail connecting Inverloch to San Remo is an initiative of the Victorian Government. The Department of Environment, Land, Water and Planning (DELWP) is overseeing the first step which is the creation of the Marine and Coastal Park by amalgamating a number of existing foreshore and coastal reserves and marine parks.

The establishment of the walking trail and any camping facilities, which will be overseen by Parks Victoria, will occur after the establishment of the Marine and Coastal Park.

Council received a letter from DELWP on 23 July 2019, requesting Council endorse the inclusion of the relevant Parks and Reserves to form the new Park (AT-1).

Council considered the request from DELWP at the August Ordinary Meeting and determined:

**That Council:**

1. **Notes the Victorian Government request of Council to endorse the consolidation of the Bunurong Marine Park and Bunurong Coastal Reserve, Punchbowl Coastal Reserve, Kilcunda Harmers Haven Coastal Reserve, Wonthaggi Heathlands Nature Conservation Reserve and parts of Kilcunda Foreshore Reserve into the Bass Coast Marine and Coastal Park.**

2. **Defers consideration of this request until the community engagement for the project has been completed and requests an overview from the Minister for the Environment of the engagement and the level of support or otherwise the project has attracted.**

Subsequent to the August Council Meeting, DELWP provided Council with a summary of the consultation undertaken (AT -2)

The purpose of this report is for Council to consider endorsing the inclusion of the Marine Parks, Coastal and Foreshore Reserves identified by DELWP to form the new Bass Coast Marine and Coastal Reserve.

This report recommends that Council provides in principle support for the inclusion of the Parks and Reserves to create the new Park.
Background

As part of the Victorian State Government’s “Victoria’s Great Outdoors” program, $19.6M has been allocated to a new project for Bass Coast. By amalgamating existing Parks and Reserves along 40km of coast from San Remo to Inverloch, a sizeable Marine and Coastal park will be created under the National Park Act.

Whilst DELWP and Parks Victoria will work together to oversee creation of the Park and any subsequent infrastructure in the Park, such as a coastal trail, stage one of the project, the proclamation of the Park, is being managed by DELWP.

The foreshore areas that have been identified for inclusion in the Marine and Coastal Park are currently under a variety of management arrangements including Parks Victoria and Bass Coast Shire Council Committees of Management. The creation of the Park will see all of the identified parcels included in one management structure under the responsibility of Parks Victoria.

Strategic Basis

Council Plan Objective:

Environment – Maintain and protect the natural environment

Major Initiative / Initiative

This project is not a major initiate or initiative in the Council budget, however it is strongly aligned with Council’s strategic objectives as outlined in a range of Strategies and including the Council Plan and the natural Environment Strategy.

Statutory Requirements/Codes/Standards/Policies

There is not a statutory requirement for Council to support this request from DELWP.

Discussion

The Project will amalgamate the following Parks and Reserves:

- Bunurong Marine Park and Bunurong Coastal Reserve
- Punchbowl Coastal Reserve and Kilcunda-Harmers Haven Coastal Reserve
- Wonthaggi Heathland Nature Conservation Reserve
- Sections of the Kilcunda and Cape Paterson Foreshore Reserves

This spectacular part of Victoria’s coastline hosts a wide range of flora and fauna, including several threatened species. The area includes numerous indigenous cultural heritage sites such as shell deposits, artefact scatters and a grinding stone site, and is also the location of Australia's first dinosaur fossil discovery.

After the creation of the Park, the George Bass Coastal Walk will be upgraded and extended to showcase the natural and cultural values of the area to visitors and locals alike. Through improved access to beaches and other points of interest, interpretive and wayfinding signage, and potentially a new campground and facilities the trail will be an iconic walk.

DELWP will oversee coordination and creation of the park, including seeking community feedback during the planning phase. They are partnering with the Traditional Owners throughout the life of the project.
Parks Victoria will engage with stakeholders and the wider community in developing an Access and Infrastructure Plan. The plan will focus on a capital works program to improve beach access, make provision for a new campground and facilities, and develop the coastal trail.

The level of protection of the Bunurong Marine National Park will not change as it is not included in the Bass Coast Marine and Coastal Park. There will be no changes to current recreational and commercial fishing opportunities within the Bass Coast Marine and Coastal Park footprint, with no new marine protected areas currently proposed for the Bass Coast.

One of the objectives that DELWP is endeavouring to achieve is to simplify land management arrangements. It is also important that a whole of government approach is taken to ensure that other key government initiatives are considered. Examples of such initiatives include proposed road infrastructure changes along the Bass Highway corridor and Distinctive Area and Landscapes planning.

Funds are included in the allocation for acquisition of land should it be required.

**Finances**

The Victorian State Government committed $19.6M for land acquisition and construction of the coastal walk and associated infrastructure.

Council has not committed any funds to this project.

**Stakeholders**

- Department of Environment Land Water and Planning
- Parks Victoria
- Victorian state Government
- Council
- Bass Coast Community
- Visitors to Bass Coast

**Other Options**

Council may choose to support the request from DELWP to endorse the formation of the Bass Coast Marine and Coastal Park. This will support DELWP’s efforts to proclaim the Park through legislation in a timely manner.

Council may choose to delay endorsement of DELWP’s request in order to seek further information or additional consultation on top of that which DELWP has already undertaken. This may delay DELWP’s efforts to proclaim the Park or may necessitate DELWP proceeding without support from Council.

Council may choose not to endorse DELWP’s request. DELWP may proceed without support from Council.
Conclusion

The formation of the new Bass Coast Marine and Coastal Park and associated trail infrastructure provides a great opportunity for Bass Coast. Council has indicated its wish to work collaboratively with key agencies including the Victorian State Government, DELWP, Parks Victoria and a range of community stakeholders to facilitate the formation of the Park and associated infrastructure. Council’s endorsement of DELWP’s request to support the creation of the new Park will demonstrate this commitment.

Recommendation

That Council:

1. Provides in principle support for the inclusion of the Bunurong Marine Park and Bunurong Coastal Reserve, Punchbowl Coastal Reserve, Kilcunda Harmers Haven Coastal Reserve, Wonthaggi Heathlands Nature Conservation Reserve and parts of Kilcunda Foreshore Reserve and Cape Paterson Foreshore Reserve in the Bass Coast Marine and Coastal Park; and

2. Writes to Minister D’Ambrosio to seek a commitment to ensure land management simplification and a whole of government approach are priorities for this project.

Attachments

AT-1 Letter and maps from DELWP re Bass Coast Marine and Coastal Park 7 Pages

AT-2 CONFIDENTIAL - DELWP additional information 15 Pages

Council Decision

Moved: Cr. Michael Whelan / Seconded: Cr. Geoff Ellis
That the recommendation be adopted.

CARRIED
H.4 Response to Petition - Bass Coast Shire to Declare a Climate Emergency

File No: CM19/606
Division: Resilient Communities
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 respond to a petition received at the 21 August 2019 Ordinary Meeting where Council resolved:

1. That the petition, Bass Coast Shire to declare a Climate Emergency be received and lie on the table until the next Ordinary Meeting of Council to be held on 18 September 2019.

2. That the head petitioner be advised of Council's decision.

This report considers the petition request to declare a climate emergency and outlines how the development of the Climate Change Action Plan 2020-2030, under the Framework for Effective Local Government Climate Emergency Response, can provide the authorising environment and actions under a climate emergency declaration.

The report considers the request within the petition and recommends that Council:

1. Declare a Climate Emergency.

2. In response to the declaration of a Climate Emergency develop the Bass Coast Climate Change Action Plan 2020-30, including community engagement and consultation.

3. Allocate $200,000 from the 2018/19 surplus for the purpose of developing the Bass Coast Climate Change Action Plan 2020-2030; and

4. Advise the head petitioner of Council’s decision.

Background
A petition containing 1,084 signatures has been received. The petition reads:

We the undersigned:

1. acknowledge that dangerous climate change is happening now, and accelerating,

2. demand action at a pace far beyond business and politics as usual, and

3. hereby petition Bass Coast Shire Council to:
   a. take a leadership role within the Bass Coast community for urgent action on climate change,
   b. require all reports to Council to include a section on climate implications for Council's own operations and for the broader Bass Coast community, and
c. declare a climate emergency along with more than 550 local governments who have already done so around the world (www.cedamia om/global)

Section 61.3 of the Bass Coast Shire Council Meeting Procedure Local Law 2018 states that:

“A petition or joint letter presented to Council must lay on the table until a future Ordinary meeting and no motion, other than to receive the petition or joint letter, may be accepted by the Chairperson, unless Council resolves to deal with it earlier.”

This report addresses the petition and responds to the resolution of Council.

**What is a Climate Emergency?**

A ‘Climate Emergency’ is a call for immediate and urgent action to reverse global warming. The declaration acknowledges that the United Nations, in March 2019 released a media release stating their position that there may only be 11 years left to limit a climate change catastrophe.

Organisations representing 66 million people in 13 countries have adopted formal climate emergency resolutions. This includes over 965 governments across the globe have declared a climate emergency, of which 37 are Australian Councils and States.

The declaration of a climate emergency acknowledges the requirement for immediate and urgent action and compliments council activities, such as education, mitigation measures to draw down and reduce emissions from previous levels and build community resilience against the impacts of global warming.

**Strategic Basis**

**Council Plan Objective:**

Environment – *Maintain and protect the natural environment*

**Major Initiative / Initiative**

This is not a major initiative or initiative of Council.

Council has a Local Law Meeting Procedure 2018 which outlines how a Council meeting should be conducted.

**Strategies / Policies**

*Natural Environment Sustainability Strategy 2016 – 26*

- Strategic Objective 1.2.5 - Investigate and promote clean energy initiatives and alternatives within the Shire, including community energy projects.
- Strategic objective 1.2.6 - Actively participate and support education, investigation, feasibility and development of community energy innovation and initiatives, led by the community.
- Strategy Objective 1.3.4 - Develop a knowledge base and networks to facilitate and support community energy initiatives.

*Climate Change Plan Part 1 states that:*

- Council accepts that Climate Change is real and impacts our community and our organisation. Council recognises the international scientific consensus that Climate Change is a result of increases in greenhouse gases in the atmosphere, influenced principally by human activities.
Advocacy Strategy 2018-21 and Advocacy Priority List:

- Climate Change and Adaptation - Environment and Erosion

Statutory Requirements/Codes/Standards/Policies

The legislation and regulations related to this report include:

- Crown Land (Reserves) Act 1978
- Coastal Management Act 1995
- Planning and Environment Act 1987
- Catchment and Land Protection Act 1994
- Climate Change Act 2017
- Environment Protection and Biodiversity Conservation Act 1999
- National Greenhouse and Energy Reporting Act 2007
- Environment Protection Act 2006
- Flora and Fauna Guarantee Act 1988
- Conservation, Forrest and Lands Act 1987
- Native Vegetation Framework 2003

Discussion

The declaration of a climate emergency acknowledges the requirement for immediate and urgent action and compliments Council activities, such as education, mitigation measures to draw down and reduce emissions from previous levels and build community resilience against the impacts of global warming.

Council understands that to respond to climate change through reducing emissions to keep global temperatures below 1.5°C and protect the region from the impacts of climate change, we need to work closely with our community to identify actions at an accelerated pace.

At its 21 August 2019 Ordinary Meeting, Council “declared that climate change poses serious risks to Bass Coast and Australia and should be treated as an emergency”.

Council also resolved to commence the development of a Bass Coast Climate Change Action Plan 2020-2030 (the Plan).

The Plan will have regard to the Framework for Effective Local Government Climate Emergency Response (The Framework) developed by leaders in the Climate Emergency declaration movement, the City of Darebin.

Guidance documents, developed by the climate emergency movement, for what a declaration of a climate emergency means and how councils can respond, advise that ‘emergency mode’ or ‘mobilisation’ is when Councils allocate funds the task of community education, advocacy for action by higher levels of government, mitigation or resilience building and could include funding or undertaking the planning and research needed to respond accordingly.

The Framework provides guidance on the type of climate emergency responses to tackling climate change, mobilising and taking action at scale and speed that will restore a safe climate with the least possible loss and damage during the transition.
A safe climate is defined as a climate that will allow existing and future generations, communities and ecosystems to survive and flourish.

The Bass Coast Climate Change Action Plan 2020-2030, will be developed with inclusion of the following:

- **Greenhouse Gas Emissions Reduction Target and Actions:**
  - Complete the Council and community wide emissions profile to establish community and Council baselines;
  - How Council will continue to reduce greenhouse gas emissions from council activities and build on the work identified and completed in the Climate Change Plan Part One (2014) and the Natural Environment Strategy (2016-2026); and
  - Quantify the transition and pathway for Council and the community to reach the target.

- **Advocacy, Engagement and Education:**
  - Develop a comprehensive community engagement plan that harnesses the expertise and capability that is prevalent in the broader Bass Coast community. Early engagement with community leaders, organisations, and government entities will be undertaken to shape the development of the Plan;
  - Undertake internal engagement and education to embed climate change thinking into strategic planning, planning schemes, community development, governance, infrastructure, health, place making emergency management, finance and asset management; and
  - Provide detail of objectives and actions to advocate for effective action and significant changes to state, federal and international government policy, legislation and funding.

- **Community communication, collaboration and education strategy:**
  - Partner with neighbouring councils, the South Eastern Councils Climate Change Alliance, Bass Coast Climate Action Network, Totally Renewable Phillip Island, Bass Coast Landcare Network, Bass Coast businesses, farming communities, key industry sectors and government agencies to assist transition to a net-zero emissions community.

- **Planning and Research:**
  - Acknowledge that there are still unknowns on appropriate solutions and local impacts;
  - Identify gaps and areas for further research, assessment and analysis to ensure technical solutions are sound and have scientific basis; and
  - Build understanding on the impacts of climate change in Bass Coast to respond appropriately and provide the options.

- **Budget and Resources:**
  - Identify the resource requirements to implement the Plan at a pace that is beyond the “business as usual” speed and approach; and
• **Governance:**
  - Detail the steps for implementing the Plan and required actions across Council, including governance and risk considerations.

• **Reporting:**
  - Provide a transparent monitoring, measurement and reporting process to track the progress of the actions and targets outlined in the Plan. This may include establishing an annual reporting protocol for Council and community.

The Plan will incorporate current and planned relevant projects, including but not limited to:

• Support for the Energy Innovation Co-operative ‘Totally Renewable Phillip Island’ initiative;

• Increasing vegetation cover by 1.5% per annum through the Biolinks project;

• Management of coastal erosion across Bass Coast in partnership with relevant authorities and community organisations;

• Implementing the Council adopted Environmentally Sustainable Design (ESD) Policy for Council Buildings (2017);

• Implementation of solar installations identified through the Local Government Energy Saver Program (Local Government Owned Energy Audits);

• Ongoing projects include the Council Food Organic Green Organic (FOGO) waste system and capture and flaring of landfill gas to reduce greenhouse gases;

• Support the progression and development of initiatives and actions to support low income families and individuals benefit from the Plan;

• Ensure the needs of people experiencing vulnerability including homelessness and social isolation are explicitly acknowledged and actions identified in the Plan;

• Participation and nomination of 30 percent of electricity to the Local Government Power Purchase Agreement to purchase renewable energy; and

• Support the transition to a circular economy which prioritises the collection, recovery and reuse of products within Australia.

**Finances**

The development of a *Climate Change Action Plan 2020-2030* is currently unfunded and cannot be delivered from within the current resource (1.0 FTE) as this resource is already fully committed.

The development of the *Climate Change Action Plan 2020-2030* would cost approximately $200,000 to scope and include the outcomes detailed in the 21 August 2019 Council resolution and respond to the declaration of a ‘climate emergency’. Funds will be required for community engagement, consultation, and specialist expertise.
The Plan will detail the resource requirements (budget and resources) needed to implement the actions under a climate emergency scenario for Bass Coast Shire Council.

**Stakeholders**

Declaring a ‘climate emergency’ will affect all residents, businesses and visitors to Bass Coast Shire Council.

The development of a *Climate Change Action Plan 2020-2030* will require extensive community and stakeholder engagement to ensure buy-in, participation and ownership across the community. The Plan will also require a community communication and education strategy for implementation.

**Other Options**

1. Council may choose to accept the officer’s recommendation, declare a climate emergency and develop the *Climate Change Action Plan 2020-2030*. This is consistent with Council’s vision to protect its natural environment, and would support the Council’s current position regarding climate change. It would demonstrate leadership, allow the community to put forward their thoughts and have input to actions to reduce their emissions. By declaring a climate emergency Council would need to have consideration for, prioritise and incorporate the requirement for immediate and urgent action on climate change into all its decision making.

2. Council may decide to not accept the officer’s recommendation and not support the petition to declare a climate emergency. This would result in developing the *Climate Change Action Plan 2020-2030* without the framework of a “climate emergency”. Resourcing of the Plan actions would not have the priority experienced under a climate emergency declaration.

**Conclusion**

The petition requesting Council to declare a climate emergency is consistent with Council’s vision to protect its natural environment, current advocacy priority - *Environment* and would support the Council’s current position regarding climate change. It would demonstrate leadership, allow the community to put forward their thoughts and have input to actions to reduce their emissions.

Supporting the petition is also consistent with Council resolution at its 21 August 2019 Ordinary Meeting to ‘*Declares that climate change poses series risks to Bass Coast and Australia and should be treated as an emergency.*’
Recommendation

That Council:

1. Declare a Climate Emergency;
2. In response to the declaration of a Climate Emergency develop the Bass Coast Climate Change Action Plan 2020-30, including community engagement and consultation;
3. Allocate $200,000 from the 2018/19 surplus for the purpose of developing the Bass Cost Climate Change Action Plan 2020-2030; and
4. Advise the head petitioner of Council’s decision.

Attachments

There are no attachments for this report.

Council Decision

Moved: Cr. Michael Whelan / Seconded: Cr. Pamela Rothfield
That the recommendation be adopted.

Cr. Les Larke proposed an amendment
Moved: Cr. Les Larke / Seconded: Cr. Julian Brown
Amend wording to dot point 2

2. In response to the declaration of a Climate Emergency develop the Bass Coast Climate Action Plan 2020-30 including Emissions Reduction Target/s and Actions (the Plan), based on comprehensive local community engagement and consultation performed prior to finalising the Plan;

The Chair disallowed the amendment as it contravened Section 34 Moving an Amendment of the Bass Coast Shire Council Meeting Procedure Local Law 2018.

The motion before Council:

That Council:

1. Declare a Climate Emergency;
2. In response to the declaration of a Climate Emergency develop the Bass Coast Climate Change Action Plan 2020-30, including community engagement and consultation;
3. Allocate $200,000 from the 2018/19 surplus for the purpose of developing the Bass Coast Climate Change Action Plan 2020-2030; and

4. Advise the head petitioner of Council’s decision.

CARRIED

Cr Les Larke called for a division

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Cr Les Lark abstained
Cr Julian Brown abstained
H.5 Illegal Clearing of Native Vegetation on Council Foreshores

File No: CM19/536
Division: Resilient Communities
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 respond to the Council resolution 17 July 2019:

That a report be presented to the Ordinary Meeting of Council in September 2019 to address the ongoing, wilful and illegal removal of native vegetation on Council managed land and foreshore areas. The report will detail:

a) Current response and actions;
b) Council’s ability to prosecute offenders; and
c) Mitigation options to discourage the effect of the vegetation removal for views.

This report provides:

- An overview of incidents of unauthorised vegetation damage within Council-managed coast and bushland reserves and details Council’s action in response to such incidents;
- Details of Council’s ability to prosecute offenders, including the legislative support for enforcement; and
- Options for mitigation to discourage unauthorised vegetation damage for views.

The report recommends that Council notes this report, and updates the Vegetation Damage in Reserves - Procedure for Action (2008) to strengthen actions to address unauthorised vegetation removal and damage in Council managed bushland and coastal foreshore reserves, and advocate for the increase in penalties associated with this action.

Background

Bass Coast Shire Council is the land manager of 42 kilometres of Crown Land foreshore reserves, as appointed by the Department of Environment, Land, Planning and Water (DELWP) under the Crown Land (Reserves) Act 1978. This includes 14 foreshore reserves in various locations across the municipality.

Council is also the land manager of just over 150 hectares of inland bushland reserves including Ventnor Common, Saltwater Creek Reserve, Scenic Estate Conservation Reserve, Smiths Beach Drainage Reserve, Screw Creek Reserve, Thompson Reserve and Ayr Creek Reserve.
These reserves are characterised by remnant indigenous vegetation that contributes to the natural values by which many chose to live and visit Bass Coast. Native vegetation provides important habitat for native animals, has a role in protecting biodiversity and improving the quality of waterways.

Since non-indigenous settlement of the Bass Coast, most of the region’s indigenous vegetation has been removed for the development of agricultural land and human settlements. Currently, less than 20 per cent of the original native vegetation cover remains, most remaining within foreshore and bushland reserves.

Over the years the values of native vegetation in coast and bushland reserves has been compromised by incidents of deliberate and unauthorised vegetation damage. This has occurred through various methods including wilful destruction by trimming branches, felling or poisoning vegetation.

Reasons for unauthorised and wilful vegetation damage include:
- Improvement of views by nearby private landholders.
- Encroachment activities such as creation of access tracks through a reserve, extending property “boundaries”, fire breaks, cubbies and BMX tracks.

Strategic Basis

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

Major Initiative / Initiative

Strategies / Policies

Bass Coast Shire Council Natural Environment Strategy 2016-26:
Strategic Objective 3 – Improve health of the landscape through increased biodiversity and indigenous vegetation protection

Vegetation Damage in Reserves - Procedure for Action 2008

Statutory Requirements/Codes/Standards/Policies
- Crown Land (Reserves) Act 1978
- Coastal Management Act 1995
- Planning and Environment Act 1987
- Catchment and Land Protection Act 1994
- Environment Protection and Biodiversity Conservation Act 1999
- Flora and Fauna Guarantee Act 1988
- Conservation, Forrest and Lands Act 1987
- Native Vegetation Framework 2003
- Bass Coast Shire Local Law No. 1
- Bass Coast Planning Scheme
- Vegetation Damage in Reserves - Procedure for Action (2008)
Discussion

In order to protect native vegetation and address community concern over vegetation damage, Council Officers developed operational documents to address vegetation damage in Council-managed coast and bushland reserves. The Vegetation Removal Action Plan was developed in 2000, and later updated in 2008 and renamed to the Vegetation Damage in Reserves - Procedure for Action (2008) (AT-1).

The Procedure for Action (2008) together with state government legislation have set the framework for how Council officers have responded to incidents of unauthorised vegetation removal and damage in Council managed coast and bushland reserves.

The Procedure for Action (2008) works on the principle that incidents of unauthorised vegetation removal and damage differ and each incident is considered separately, and a "one size fits all" approach cannot be applied to all incidents. The procedure has provided clear processes for officers to follow during different vegetation damage scenarios.

A summary of how council currently respond to vegetation damage under the Procedure for Action (2008) and state government legislation is provided below.

a) Current response and actions

The Procedure for Action (2008) identifies landholder education as action that can be utilised in response to several types of vegetation damage.

Council uses communication methods such as Council’s website, media release, social media, publications and site signage to educate the community on the importance of indigenous vegetation and penalties associated with vegetation unauthorised damage.

Landholder education also takes place following an incident where letters are sent to property owners in the vicinity to the vegetation damage site, alerting them to the incident, the importance of indigenous vegetation, possible penalties, and to inform residents that any information that will assist Council in this investigation will remain in confidence.

Surveillance of hot spots is also identified in the Procedure for Action (2008) and is undertaken particularly where there is reoccurring activity. This is in the form of regular inspections and use of motion sensor cameras placed in the area. Several sites have been monitored using motion sensor camera technology as this can capture evidence which could be admissible in a prosecution case.

b) Council’s ability to prosecute offenders

Indigenous vegetation is protected under the Planning and Environment Act 1987 through a number of planning scheme controls. A permit is needed in most cases to legally remove, lop or destroy any vegetation in the foreshore. If the action is not exempt under the Planning and Environment Act 1987, it is an offence to remove vegetation from foreshore and bushland reserves.

State Government policy sets levels of penalties depending on the circumstances of a vegetation removal or damage event. Council officers have the legislative delegation to issue a Planning Infringement Notice (PIN) of up to five penalty units (currently $805.95) for a natural person and 10 penalty units (currently $1611.90) for a company or body corporate per event.
If prosecuted under the *Planning and Environment Act 1987* a guilty offence can incur penalties of up to 1,200 penalty units (currently $193,428), or an offender can be taken to the Victorian Civil Appeals Tribunal (VCAT) for an enforcement order, such as undertaking remedial works.

Council’s ability to fine, prosecute or issue enforcement orders is limited as council must prove guilt ‘beyond reasonable doubt’, which is especially difficult in foreshore cases as it is rare that the incident is witnessed by a party willing to come forward.

Since the development of the Vegetation Removal Action Plan in 2000, over 150 cases of foreshore and bushland vegetation damage have been investigated. These cases have not resulted in a fine or prosecution in VCAT or the Magistrates Court due to the difficulty to obtain evidence admissible in a court of law. Most incidents of vegetation damage are reported or discovered after the fact and people are reluctant to become involved.

Council’s Planning and Enforcement Officer often contacts the suspected person who has gained from the activity however no further information has been forthcoming.

It is noted that there has been some success in prosecution on private property in the Bass Coast in scenarios where evidence was much stronger.

c) Mitigation options to discourage the effect of vegetation removal for views

A mitigation option identified in the *Procedure for Action (2008)* is the installation of “tree vandalism” signs. The procedure stipulates that this action can only be taken at sites of significant vegetation removal. Examples of significant removal are where several trees are clear felled at one time, or within a short period of time, or if a significant, often large tree is poisoned. This differs to minor removal where a person may engage in the trimming of branches, or hedging of vegetation.

The erection of signage is considered a deterrent when a sign is placed in the line of the view that the suspected offender has achieved as a result of the unauthorised action. Some signs have remained in place for many years (10+ years). This signage may act as a deterrent to others who might consider undertaking unauthorised vegetation damage.

The messaging contained within these signs has an educational component for the broader community regarding the importance of indigenous vegetation and penalties associated with unauthorised vegetation damage. A sign erected in Cowes foreshore reserve after significant unauthorised removal of vegetation can be seen in Image -1 below.

Significant vegetation removal has resulted in the erection of signs at seven locations since 2000. All of these were erected between 2000 and 2012. In the seven years since 2012 there has been no incidents of significant vegetation damage that has justified or met the criteria for site signage.
To get a better understanding of the options available to Council, enquiries and benchmarking against other Councils who have a coastal management responsibility has been undertaken. Findings include:

- **Bayside City Council** - Have a procedure where signs are erected in all instances where vegetation damage has occurred on foreshore reserves. The signage also details the offer of a $20,000 reward for information that leads to a prosecution. The signs are left in place until the vegetation grows back, or a revegetation effort has reached the height of the removed vegetation.

- **City of Kingston** – There is no formal procedure or policy for the program however following an incident an investigation is conducted, including gathering evidence for enforcement action. This includes door knock interviews with suspected parties. City of Kingston have not achieved a successful prosecution from this action. City of Kingston Council resolved supporting the erection of signs, which are left in situ until the vegetation is deemed to be recovered.

- **Mornington Peninsula Shire Council** - There is no formal procedure or policy for the program. A reactive assessment matrix is used by the Planning Compliance Officers. Mornington Peninsula Shire Council do undertake prosecutions through the Magistrate’s Court and escalate others to VCAT. However, most of the compliance is undertaken on events that have occurred on private properties, not foreshore reserves.
In Bass Coast Shire reserves, incidents of significant vegetation damage and removal have reduced since 2000 with action taken under The Procedure for Action (2008) and installation of signage on the site of the offence operating as a deterrent. However the rate of minor vegetation damage has remained relatively constant, with Council currently monitoring or investigating 17 incidents of vegetation damage in foreshore reserves that have occurred since the start of 2018.

An update of the Procedure for Action (2008) is due to ensure it reflects current legislation and regulation, and addresses community frustration at perceived inaction by Council. Reviewing the procedure would provide Council the opportunity to tighten the criteria for signage installation, take a firmer position against all instances of vegetation damage (including trimming, hedging and lopping), and implement other actions.

**Finances**

Council has $18,500 within its 2019/20 Operational Budget for actions for the unauthorised removal and damage of vegetation in coast and bushland reserves. This is used for production, erection and maintenance of signs, laboratory testing of vegetation for traces of herbicide (poisoning events), legal fees and site rehabilitation including the purchase of plants and materials for revegetation and weed control.

An update of the Procedure for Action (2008) could be done within current budget and resources, within six months.

**Stakeholders**

Identified stakeholders include:

- Bass Coast Shire community and visitors
- Foreshore and bushland reserves users
- Volunteer groups working in reserves
- Landholders/occupiers of property near foreshore and bushland reserves
- Bass Coast Shire Council
- Department of Environment, Land, Water and Planning (DELWP)

**Other Options**

Council may choose to note the report and adopt the officer recommendation to review and update the Vegetation Damage in Reserves - Procedure for Action (2008).

This would allow for Council to send a clear message to the community that it does not ignore illegal removal and damage of vegetation from Council managed reserves, and intends to strengthen actions to prevent this action. The revised and updated procedure could be communicated broadly to inform and educate the community of Council’s objectives to prevent occurrences and prosecute offenders.

Council may choose to not note the report or adopt the officer recommendation and seek further information. There is limited ability to provide further information at this stage. Undertaking a review and updating the Vegetation Damage in Reserves - Procedure for Action (2008) would allow for further information to be established through the process.
Conclusion

In order to protect native vegetation and prevent the wilful and illegal removal and damage of native vegetation Council Officers developed an operational document in 2000, and later updated in 2008 and renamed to the Vegetation Damage in Reserves - Procedure for Action (2008). Along with state government legislation and regulation, this has provided the framework for council to operate within.

Since 2000, a reduction in the occurrence of incidents of significant vegetation removal has been seen but a continuation of incidents of minor vegetation removal, such as lopping, trimming and the hedging of bushes.

An update of the Procedure for Action (2008) is due to ensure it reflects current legislation and regulation, and addresses community frustration at perceived inaction by Council. Council’s ability to increase fines for illegal vegetation damage is limited, as these statutory penalties are set by the state government. However Council could advocate for a review of these penalties.

Reviewing the procedure would provide Council the opportunity to tighten the criteria for signage installation, take a firmer position against all instances of vegetation damage (including trimming, hedging and lopping), and implement other actions.

Recommendation

That Council:

1. Note the report regarding illegal clearing of native vegetation on Council managed bushland and coastal foreshore reserves; and
2. Update the Vegetation Damage in Reserves - Procedure for Action 2008 strengthening actions to address unauthorised vegetation removal and damage in Council managed bushland and coastal foreshore reserves.
3. Continue to advocate to the state government for an increase in penalties for illegal removal of vegetation.

Attachments

AT-1 Vegetation Damage in Reserves - Procedure for Action 2008 11 Pages

Council Decision

Moved: Cr. Stephen Fullarton / Seconded: Cr. Geoff Ellis
That the recommendation be adopted.  

CARRIED
H.6 Blue Gum Reserve Master Plan, Harold Hughes Reserve Master Plan and Thompson Reserve Master Plan Review

File No: CM19/331
Division: Resilient Communities
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 to seek Council adoption of the Blue Gum Reserve Master Plan (AT-1), Harold Hughes Reserve Master Plan (AT-2) and the Thompson Reserve Masterplan Review (AT-3). The Master Plans have been developed in consultation with our community. The plans assist in determining projects and requirements for each recreation reserve.

Background
Active Bass Coast 2018-2028, identifies reserves that require new or updated master plans. Master plans assist Council and Committees of Management to determine priorities at recreation reserves. Plans are developed in conjunction with user groups and the broader community.

There are three master plans presented for adoption, they are;

- Blue Gum Reserve, Cowes
- Harold Hughes Reserve, Corinella
- Thompson Reserve (Review), Inverloch

Details on each consultation process undertaken and key themes identified are provided below:

Blue Gum Reserve:

Consultation
- Key stakeholders meeting Thursday, 21 March 2019 (18 attendees)
- Community drop in session Thursday, 2 May 2019 (16 attendees)
- Community drop in session Sunday, 12 May 2019 (14 attendees)
- On-line survey March to May (41 received)
- Public exhibition of Plan 24 June to 4 August 2019

Key themes
- Preserve the natural environment
- Maintain the informal/natural feel of the Reserve
- Regulate dogs off-leash to ensure the whole community can enjoy the Reserve and participate in recreation activities
- Incorporate of a fenced-off area for puppies and dog training
- Redevelopment of Croquet Club Pavilion
- Public toilet is required but not stand-alone building (incorporate into Croquet Club Pavilion)
- Regulate vehicle access across the Reserve through to adjoining properties

**Harold Hughes Reserve:**

**Consultation**
- Community drop in session Thursday, 14 March 2019 (16 attendees)
- Community drop in session Saturday, 11 May 2019 (2 attendees)
- On-line survey March to May (12 received)
- Previous community led consultations, including an online survey undertaken between November 2016 - February 2017 (70 respondents)
- Public exhibition of Plan 24 June to 4 August 2019

**Key Themes**
- Replacement of playground
- Redevelopment of tennis courts
- Improved permanent skate facilities
- Improved pedestrian access
- Improved infrastructure for the community market

**Thompson Reserve:**

**Consultation**
- Stakeholder meetings at the Reserve (Inverloch Cricket and Soccer Clubs)
- Community drop in session on Wednesday, 8 May 2019 (10 attendees)
- Public exhibition of Plan 24 June to 4 August 2019

**Key Themes**
- Change facilities for Inverloch Stars Soccer Club
- New multi-purpose training facilities for cricket and soccer
- Improved entry/exit access, including pedestrian only areas
- Relocation of main entry to Cuttriss Street*

*Develop Traffic Management Plan for Inverloch-Venus Bay Rd / Cuttriss Street intersection prior to planning a relocation of the entry
Strategic Basis

Council Plan Objective:
Liveability – *Enjoying the place we live*

Major Initiative / Initiative
This is not a major initiative of Council.

Strategies / Policies
The adopted Council strategies, Active Bass Coast 2018 and the Sport and Active Needs Assessment 2016, identify the need to undertake master planning for recreation reserves.

Statutory Requirements/Codes/Standards/Policies
Nil

Discussion
The development of the Master Plans has been undertaken with key user groups and the broader community. The Master Plans provide an opportunity to formally prioritise key projects at each Reserve.

It is the intention that the Master Plan recommendations remain current and relevant to the changing community needs and expectations as well as allow Council officers and the community to be responsive to funding opportunities.

Although the Master Plan recommendations aim to be completed within a 10-year period, reviews can be undertaken if required, to reflect changing needs and priorities.

Implementation of the Master Plans will be monitored annually, in line with annual reporting on the implementation of Active Bass Coast 2018.

Finances
There are several funding streams for recreation and open space reserve improvements. These include:

- Maintenance and renewal of existing infrastructure
- Capital works program for new projects (Council’s Annual Budget)
- Developer contributions
- External grants

Stakeholders
Blue Gum Reserve:

- Artists Society of Phillip Island
- Blue Gum Reserve dogs off leash community members
- Friends of Blue Gum Reserve
Lions Club of Phillip Island
Phillip Island Conservation Society
Phillip Island and San Remo Rotary Club
Phillip Island Croquet Club
Phillip Island Scouts Group
Cowes community, including local residents

Harold Hughes Reserve:
- Bass Valley Primary School
- Corinella Bowls Club
- Corinella Community Hall
- Corinella Community Market
- Corinella Community Centre
- Corinella Residents and Rate Payers
- Corinella community, including local residents

Thompson Reserve
- Inverloch Cricket Club
- Inverloch Soccer Stars Soccer Club
- Inverloch community, including local residents

Other Options
Council may choose not to adopt the Blue Gum Reserve, Harold Hughes Reserve and Thompson Reserve (Review) Master Plans and request further development.

Conclusion
The Blue Gum Reserve and Harold Hughes Reserve Master Plans have been developed in line with priorities within Active Bass Coast 2018 and following extensive community consultation as has the Thompson Reserve Master Plan review.

The Blue Gum Reserve Master Plan highlights the need for conserving the natural environment, whilst supporting the development of better facilities for the Phillip Island Croquet Club, better management of dogs off leash spaces and a management plan with how vehicles access the Reserve.

The Harold Hughes Reserve in Corinella is the town’s central space for community gatherings, including markets and play. The Master Plan supports recent commitments to upgrade existing facilities and provide better public amenity for passive and formal uses.

The Thompson Reserve Master Plan prioritises the construction of new change rooms to cater for soccer at the Reserve as well the construction of new multi-use cricket nets. The Plan also addresses access and circulation for vehicles and pedestrians.
Recommendation

That Council:

1. Adopts the Blue Gum Reserve Master Plan (AT-1)
2. Adopts the Harold Hughes Reserve Master Plan (AT-2)
3. Adopts the Thompson Reserve Master Plan Review (AT-3)

Attachments

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<th>Attachment</th>
<th>Description</th>
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<td>Harold Hughes Reserve Master Plan August 2019 FINAL</td>
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<td>AT-3</td>
<td>Thompson Reserve Master Plan Review August 2019 FINAL</td>
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Cr Clare Le Serve left the meeting at 6.31pm.
Cr Clare Le Serve left the meeting at 6.34pm.

Council Decision

Moved: Cr. Geoff Ellis / Seconded: Cr. Michael Whelan
That the recommendation be adopted.

CARRIED
H.7 Access and Inclusion Advisory Committee Appointment

Declaration

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

Summary

The purpose of this report is to request Council’s endorsement of the nominees for the Access and Inclusion Advisory Committee (AIAC) for 2019-2021, along with an amended AIAC Terms of Reference.

Nominations for community and agency representatives for 2019-2021 were called for through a publically advertised process. Fourteen nominations were received.

The AIAC is an advisory committee of Council and the Terms of Reference identifies that where the number of nominations received is greater that the vacancies available, appointments will be made by Council. This decision must be based on the person or organisation most suited to represent the interests of people with disability living, working and studying in, or visiting Bass Coast Shire.

Background

The role of the AIAC is to provide Council with advice and recommend practical solutions to access and inclusion issues for people living with a disability. It also informs the development and implementation of Council's Disability Action Plan (DAP).

The AIAC consists of both community and organisational representatives, as well as a Councillor and Council officers. Nominations for the Access and Inclusion Advisory Committee must be from people living, working or studying in Bass Coast who identify as:

- A person with a disability; or
- A person with interest in and/or with experience of the range of access and inclusion issues faced by people with a disability in the local area.

The current AIAC term ended on 29 August 2019. Current members were eligible to re-nominate and were encouraged to do so. Committee membership is for two years. Vacancies for the Committee were advertised widely in local print media, radio, social media, on the Council website and via email to relevant community contacts.

Cr Ellis was appointed as Council’s representative for the AIAC in 2017 and was re-appointed at the 20 February 2019 Ordinary Meeting of Council.
Strategic Basis

Disability Action Plan

The current Disability Action Plan 2016-2020 outlines the role of the Committee as providing advice to Council and monitoring, review and evaluation of the plan.

Council Plan Objective:

Health and Wellbeing – We are a healthy and active community

Major Initiative / Initiative

This is not a major initiative of Council.

Strategies / Policies

The Disability Action Plan (DAP) 2016-2020 is a strategic plan of Council.

Statutory Requirements/Codes/Standards/Policies

The AIAC is an advisory committee to Council governed by a Terms of Reference (AT-1). The Committee informs and supports the development and implementation of Council’s Disability Action Plan.

The Disability Act 2006 is Victorian legislation that stipulates that as a public sector body, Council must ensure a Disability Action Plan is in place. The key purposes being:

- Reducing barriers to persons with a disability accessing good, services and facilities.
- Reducing barriers to persons with a disability obtaining and maintaining employment.
- Promoting inclusion and participation in the community of persons with a disability.
- Achieving tangible changes in attitudes and practices which discriminate against person with a disability.

The AIAC is referred to within the DAP as having a key role in providing Council advice on disability related issues.

The Disability Discrimination Act 1992 also encourages organisations to develop action plans to eliminate discriminatory practices.

Discussion

Committee vacancies were advertised extensively in print media, local radio, social media, on the Council website and via email to relevant community contacts. Current Committee members were also encouraged to re-nominate.

Fourteen nominations were received from six community representatives and eight agency representatives. Nominations were from a diverse range of organisations and community representatives including people living with disabilities, carers, community advocates, disability employment, education, and health sectors.

The nominations were assessed by a panel of Council officers. Through the assessment process, it was noted that all nominations were of high quality and would add value to the function of the AIAC. In light of the assessment, the panel considered that the eight agency and six individual nominations received were ideal to
take the Committee forward. It is also noted that during the 2019-2021 term, the AIAC will be required to provide strategic advice to Council on the development of the Disability Action Plan 2020–2024.

The assessment panel noted that the total number of recommended Committee members exceeds the guidelines in the Terms of Reference. The quality of nominees was of a high standard. It is therefore recommended to include all nominees as part of the Committee.

A minor amendment is recommended to the Terms of Reference (AT-1, page 3) to achieve this. It is recommended that the Terms of Reference include the following additional point:

Council may vary the number of Committee members based on the strength of the nominations received.

This allows discretion for Council to consider and appoint a Committee that comprises an appropriate skills based group of community and organisation representatives. No other changes to the Terms of Reference are recommended.

The revised AIAC Terms of Reference is attached with the additional point referenced above included.

Finances

Nil

Stakeholders

Stakeholders related the work of the Committee include, people with disability, their families, carers, service providers and the broader community.

Other Options

Council may choose to accept only the number of persons as outlined by the current Terms of Reference, declining five of the agency nominations. Given the caliber of nominations, this course of action is not recommended.

Conclusion

The following persons have nominated to be appointed to the Committee for a two year term from September 2019 to September 2021.

Nominees:

Dyonn Dimmock Community representative
Fred Lodge Community representative
Maree Grover Community representative
Paul Drew Community representative
Kristin Nusk Community representative
Nancy Patinson Community representative
Rebecca Massaro Interchange Gippsland
Robert Sands Bass Coast Specialist School
Adrian Terranova Gippsland Disability Advocacy
Recommendations

That Council:

1. Approves the following nominees, comprising six community representatives and eight organisational representatives for membership of the Access and Inclusion Advisory Committee for 2019-2021:

   - Dyonn Dimmock - Community representative
   - Fred Lodge - Community representative
   - Maree Grover - Community representative
   - Paul Drew - Community representative
   - Kristin Nusk - Community representative
   - Nancy Pattinson - Community representative
   - Rebecca Massaro - Interchange Gippsland
   - Robert Sands - Bass Coast Specialist School
   - Adrian Terranova - Gippsland Disability Advocacy
   - Lois Pratt - Latrobe Community Health Service
   - Greg Thompson - Phillip Island Community & Learning Centre (PICAL)
   - Emily Sinnbeck - Bass Coast Adult Learning
   - Kerrie Neducic - Wonthaggi WHO Group and South Gippsland FOCUS
   - Andrew West - Maxima Joblink

2. Adopts the revised Terms of Reference.

Attachments

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<tr>
<th>AT-1</th>
<th>AIAC Terms of Reference</th>
<th>4 Pages</th>
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<tr>
<td>AT-2</td>
<td>AIAC Schedule of Applicants</td>
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Council Decision

Moved: Cr. Geoff Ellis / Seconded: Cr. Clare Le Serve
That the recommendation be adopted

Cr. Pamela Rothfield proposed an amendment

Moved: Cr. Pamela Rothfield / Seconded: Cr. Stephen Fullarton
Add an additional dot point 3:

3. Add an additional note that the Councillors delegate is appointed as the Chair of the AIAC

CARRIED

The motion before Council

That Council:

1. Approves the following nominees, comprising six community representatives and eight organisational representatives for membership of the Access and Inclusion Advisory Committee for 2019-2021:

   Dyonn Dimmock - Community representative
   Fred Lodge - Community representative
   Maree Grover - Community representative
   Paul Drew - Community representative
   Kristin Nusk - Community representative
   Nancy Pattinson - Community representative
   Rebecca Massaro - Interchange Gippsland
   Robert Sands - Bass Coast Specialist School
   Adrian Terranova - Gippsland Disability Advocacy
   Lois Pratt - Latrobe Community Health Service
   Greg Thompson - Phillip Island Community & Learning Centre (PICAL)
   Emily Sinnbeck - Bass Coast Adult Learning
   Kerrie Neducic - Wonthaggi WHO Group and South Gippsland FOCAS
   Andrew West - Maxima Joblink

2. Adopts the revised Terms of Reference.

3. Add an additional note that the Councillors delegate is appointed as the Chair of the AIAC

CARRIED
Declaration

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

Summary

This report requests Council receives the minutes of the Place Names Committee (PNC) meeting of 24 July 2019 and the decisions made under delegation within the Local Government Act 1989. The report also recommends that Council accepts the recommendation to realign the boundary between Anderson and San Remo as detailed in the attached minutes (AT-1).

The Place Names Committee does not have delegation to make decisions in relation to naming locality or features.

Background

The PNC is a special committee of Council delegated under sections 86 & 87 of the Local Government Act 1989 to exercise Council’s functions and powers and to perform Council’s duties in relation to obligations under the Geographic Place Names Act 1998 and those parts of Schedule 10 of the Local Government Act 1989 relating to road names and property addressing and for those purposes:

1. to make final and binding decisions in respect of all road naming issues
2. to make recommendations to the full Council in respect of locality and feature naming issues
3. to do all things necessary or convenient to be done for or in connection with the performance of those functions, duties and powers
4. hear submissions relating to Council’s naming and addressing functions

The majority of all place naming matters relate to roads. These decisions are made under delegation. The most recent PNC meeting consisted of agenda item 2 – Anderson / San Remo Locality Boundary realignment which requires a decision of Council.

Strategic Basis

Council Plan Objective:

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

Major Initiative / Initiative

This is not a major initiate or initiative in the budget.
**Strategies/Policies/Statutory Requirements/Codes/Standards**

- *Local Government Act 1989*
- *Geographic Place Names Act 1998*

**Discussion**

The update and decisions reached by the PNC at the meeting of 24 July 2019 are detailed in the attached Minutes (AT-1).

Item 2 of the Minutes relates to a boundary realignment between Anderson and San Remo. Locality issues such as this require a recommendation be made to the full Council as required under the Place Names Special Committee Instrument of Delegation.

After consideration of all options and submissions received relating to this matter, the Committee decided to proceed with the recommendation of a locality boundary amendment as the most appropriate way to resolve this high risk issue and ensure public safety.

Seven parcels of land have been identified by the PNC to form part of the locality boundary amendment. These properties are currently within the San Remo locality and are proposed to become part of the Anderson locality.

Full details of the process undertaken to date is provided in the attached Minutes and the proposed realignment is shown on the plans below:

**Anderson / San Remo Existing Locality Boundary**
Finances

There are no financial implications associated with any of these PNC matters. Any administrative costs associated with the boundary realignment are allocated within the Property Department budget.

Stakeholders

- Owners and residents affected and bordering the Anderson/San Remo locality boundary
- Bass Coast Shire and wider community
- Council
- Place Names Committee
- Geographic Names Victoria
- Emergency and postal services, spatial information or mapping organisations.

Other Options

The boundary of Anderson/San Remo could remain as is, with no resolution to this high-risk issue. Other options have been discussed in this report but they present a greater risk to a larger number of property owners and residents.

Conclusion

Item 2 of the agenda relates to a boundary realignment between Anderson and San Remo. Locality issues such as this require a recommendation made to the full Council as per the Place Names Special Committee Instrument of Delegation.
Recommendation

That Council:

1. Receives the Place Names Committee meeting Minutes held on 24 July 2019 as detailed in Attachment 1.

2. Adopts the Place Names Committee recommendation to realign the boundary between Anderson and San Remo to rectify a high risk addressing issue and allow the Place Names Committee to undertake and complete all associated tasks involved in finalising this change.

Attachments

AT-1 MINUTES - Place Names Committee Meeting 24 July 2019 7 Pages

Council Decision

Moved: Cr. Julian Brown / Seconded: Cr. Stephen Fullarton

That the recommendation be adopted.

CARRIED

Cr Geoff Ellis called for a division

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H.9  Financial Statements and Performance Statement for 2018/19

File No: CM19/633
Division: Finance
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 meet legislative requirements this report is presented to Council to:

1. Seek an ‘in principle’ approval of the draft financial and performance statements to be submitted to the auditor; and
2. Seek a resolution of Council authorising two Councillors to certify the statements in their final form following completion of the audit.

Background

Pursuant to Section 133 (1) of the Local Government Act, Council’s Annual Report must be submitted to the Minister by 30 September annually. Section 131 (2) also states that the audited Financial Statements and Performance Statement, including the Auditor’s report on the Performance Statement, are to form part of the Annual Report. This requires the completion and audit of the statements early to mid-September to allow sufficient time for inclusion into the Annual Report.

Section 132 (2) states that Council must approve in principle the draft Financial Statements and Performance Statement prior to formally submitting the accounts for audit. Because of the timing restrictions noted above and a requirement that an audit review is required by the Auditor General, it is normal for the Council to provide ‘in principle’ approval of the draft financial statements. The bulk of the audit work will have been completed prior to Council approving the draft statements.

Any issues raised by the Auditor are required to be appropriately dealt with in the draft statements presented to Council, providing a greater degree of comfort that the statements are true and fair. A meeting of the Audit Committee was held on 5 September to review the draft statements with Council’s Auditors. Council’s representatives on the Audit Committee can, if required, raise any further issues arising out of the Audit Committee meeting, directly with Council.

As Council’s approval is only in-principle, based on the draft Financial Statements and Performance Statements, opportunities for changes to the statements may arise, particularly after review by the Auditor General’s office. To cover such changes, section 132 (5) requires Council to appoint two Councillors to certify the statements following any amendments that may arise after finalisation of the audit.
Strategic Basis

Statutory Requirements

The Local Government Act 1989 requires specific actions by Council in relation to the statements, namely:

**Financial and performance statements**

- Section 132 (2) – The Council, after passing a resolution giving its approval in principle to the performance statement and financial statements, must submit the statements to the auditor for reporting on the audit.; and
- Section 132 (5) – The Council must ensure that the performance statement and financial statements, in their final form after any changes recommended or agreed by the auditor have been made, are certified in accordance with the regulations by —
  a. Two Councillors authorised by the Council for the purposes of this subsection; and
  b. any other prescribed persons.

The Local Government Act requires that Council send a copy of its Annual Report to the Minister by 30 September, each year. The Annual Report must contain the financial statements and the performance statement.

Finances

The salient features of Council’s financial performance are summarised below:

- $88.10 million revenue against a budgeted $84.86 million.
- $17.63 million capital works program delivered against a budgeted $19.63 million.
- Rates and charges comprised $58.58 million (66%) of the total operating revenue.
- Operating surplus of $2.09 million (budget $2.1 million surplus).
- Underlying result of $9.85 million deficit (budget $0.94 million deficit).
- Cash and investments increased by $4.65 million from $46.65 million in 2017/18 to $51.30 million in 2018/19.
- Net borrowings increased by $2.39 million from $15.46 million in 2017/18 to $17.85 million in 2018/19.
- Asset renewals expenditure increased from $6.37 million to $12.25 million.

The financial results have been adversely impacted by a ‘one off’ adjustments of $2 million to recognise redundancy costs that relate to the planned cessation of home and aged care services and $5.2 million being additional non-cash amortisation costs that are linked to the Grantville landfill site. In 2017 Council commenced gas management aftercare at the Grantville landfill and this new treatment requires it to provide for the expected future costs of gas management on top of other leachate and ground water management that it is currently incurring.
Council’s roads infrastructure was revalued in 2018/19. This gave rise to a net asset revaluation increase of $61.36 million that was mainly attributable to the condition of the roads network being in better condition. A fair value assessment of Council’s land holdings has resulted in a revaluation increase of $15.63 million linked to Valuer General land indice movements in the municipality.

Council remains in a strong financial position with its net liquid assets increasing from $31.19 million to $33.45 million.

The Financial Report and Performance Statement were reviewed at a Special Audit Committee Meeting held on 4 September. Noting that the statements are still subject to final review by the Victorian Auditor General (VAGO), the Audit Committee has recommended that the relevant Councillors sign off on the final statements subject to the following:

- Receipt of the Closing Report from VAGO
- Receipt of the final management letter from VAGO or their audit agents
- Sign off by the Chief Executive Officer and Principal Accounting Officer of the management representation letter which includes a representation that ‘no events have occurred subsequent to the balance sheet date that would require adjustment to, or disclosure in, the financial report.’

**Stakeholders**

Council is responsible for the preparation of the statements. The Auditor General is responsible for auditing the statements and providing audit reports which are included in Council’s Annual Report. The Annual Report once finalised, becomes a public document.

**Other Options**

Approval of the statements is a statutory reporting requirement.

**Conclusion**

Before Council considers and approves the financial and performance statements in principle, the Audit Committee reviews and discusses the statements, with the Auditor present. The Committee then makes a recommendation to the Council as to whether the Council should approve the statements in principle.

Once Council approves the statements in principle and authorises two Councillors to sign the statements, the statements are presented to the Auditor General for the issuing of audit certificates. These certificates will be published along with the statements in the Annual Report.

A copy of the Annual Report for 2018-2019 will be presented to Council for the October 2019 meeting.

Council needs to adopt the recommendation below in order to finalise the 2018-2019 financial and performance statements.
Recommendation

That Council:

1. Approves in principle the draft Annual Financial Statements and the draft Performance Statement for the year ended 30 June 2019, to be submitted to the Auditor for reporting on the audit;

2. Authorises the Principal Accounting Officer to make any subsequent changes to the statements as necessary to meet the Auditor-General’s requirements; and

3. Nominates and authorises Councillor Brett Tessari and Councillor Bruce Kent to certify the statements in their final form on behalf of the Council.

Attachments

<table>
<thead>
<tr>
<th>AT-1</th>
<th>BCSC Financial Statements 2018-19</th>
<th>45 Pages</th>
</tr>
</thead>
<tbody>
<tr>
<td>AT-2</td>
<td>BCSC Performance Statement 2018-19</td>
<td>16 Pages</td>
</tr>
</tbody>
</table>

Council Decision

Moved: Cr. Michael Whelan / Seconded: Cr. Pamela Rothfield

That the recommendation be adopted.

CARRIED

Cr Geoff Ellis called for a division

<table>
<thead>
<tr>
<th>For</th>
<th>Against</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cr Le Serve</td>
<td></td>
</tr>
<tr>
<td>Cr Rothfield</td>
<td></td>
</tr>
<tr>
<td>Cr Tessari</td>
<td></td>
</tr>
<tr>
<td>Cr Brown</td>
<td></td>
</tr>
<tr>
<td>Cr Fullarton</td>
<td></td>
</tr>
<tr>
<td>Cr Whelan</td>
<td></td>
</tr>
<tr>
<td>Cr Ellis</td>
<td></td>
</tr>
<tr>
<td>Cr Kent</td>
<td></td>
</tr>
</tbody>
</table>

Cr Les Larke abstained
H.10 Award of Tender 19009 - Cowes-Rhyll Road Black Spot Project

File No: CM19/553
Division: Finance
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 19009 – Cowes-Rhyll Road Black Spot Program.

The tenders were assessed by an independent Tender Evaluation Panel.

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 Fowlers Asphalting Pty Ltd will satisfy the requirements of the works and will provide Council with best value for money.

This report recommends Council to accept the tender submission and award Contract No 19009 to Fowlers Asphalting Pty Ltd.

The report contains an attachment which is declared to be confidential in accordance with Bass Coast Shire Council’s Tender & Contract Confidentiality Procedure.

Background and Context

The Cowes-Rhyll Road, Cowes project is funded from Federal Government National Building Black Spot Program for 2018/2019. The project shall incorporate guard rails, wire rope barrier, signage, road widening works, pavement rehabilitation works, drainage works and all ancillary works outlined in the construction plans, the specification and standard drawings.

The main objective of this project is to address run-off road crashes by providing clear delineations to assist drivers judging their position on the road, and reducing the severity level of crashes.

The term of the contract will be 2.5 months.

Strategic Basis

Council Plan Objective:

Governance – We are responsive, open, transparent and financially sustainable
Statutory Requirements/Codes/Standards/Policies

The entire tender process, commencing with development of the tender documents, through to the invitation to tender, the evaluation of tenders received, 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;
- Bass Coast Shire Council’s Procurement Policy; and
- Bass Coast Shire Council Policy - Tender & Contract Confidentiality

Tender Process

This tender was publicly advertised in accordance with the Local Government Act 1989.

Tenders closed at 2.00pm on 16 July 2019 and Council received five conforming tender submissions.

Evaluation Process

The conforming tenders were assessed on the following evaluation criteria and weightings:

<table>
<thead>
<tr>
<th>Table 1 – Evaluation Selection Criteria</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Criterion</strong></td>
</tr>
<tr>
<td><strong>Mandatory</strong></td>
</tr>
<tr>
<td>Integrated Management System</td>
</tr>
<tr>
<td>Insurance</td>
</tr>
<tr>
<td><strong>Weighted</strong></td>
</tr>
<tr>
<td>Price</td>
</tr>
<tr>
<td>Construction Methodology and Approach (construction timeframe, site management &amp; methodology)</td>
</tr>
<tr>
<td>Capacity (proposed staffing, plant and equipment)</td>
</tr>
<tr>
<td>Previous Related Experience &amp; Referees</td>
</tr>
<tr>
<td>Benefit to Bass Coast Shire Economy</td>
</tr>
</tbody>
</table>

An Evaluation Panel consisting of Council Officers was formed. The panel was chaired by an Officer from the Procurement Team who oversaw the process and did not score the tenders.

Each tenderer passed the mandatory selection criteria. For the tender submissions received, each panel member scored the criteria out of a maximum possible five points. Following the initial independent evaluation, the Panel met to discuss their independent scores and arrived at a consensus on final scores for each criterion. The scores were then multiplied by the relevant weighting to obtain final scores.
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 with Fowlers Asphalting, which confirmed they have the capability to carry out the works.

The final weighted scores are set out in Table 2.

<table>
<thead>
<tr>
<th>No.</th>
<th>Name</th>
<th>* Price Score %</th>
<th># Non-Price Score %</th>
<th>Total Score %</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Fowlers Asphalting Pty Ltd</td>
<td>30</td>
<td>56</td>
<td>86</td>
</tr>
<tr>
<td>2</td>
<td>Tender B</td>
<td>0</td>
<td>62</td>
<td>62</td>
</tr>
<tr>
<td>3</td>
<td>Tender C</td>
<td>0</td>
<td>43</td>
<td>43</td>
</tr>
<tr>
<td>4</td>
<td>Tender D</td>
<td>0</td>
<td>39</td>
<td>39</td>
</tr>
<tr>
<td>5</td>
<td>Tender E</td>
<td>0</td>
<td>24</td>
<td>24</td>
</tr>
</tbody>
</table>

* The higher the price score – lower the tendered price.
# The higher the non-price score – represents better capability and capacity to undertake the service.

Fowlers Asphalting was assigned the maximum possible score for price as they submitted the lowest price tender and were within budget; all other tenderers received zero for tender price as they were over the allocated tender budget.

Fowlers Asphalting Pty Ltd present best value for money because of their extensive relevant experience, sound methodology, and appropriate resources allocated.

**Contract Management**

Building and Open Space Project Officer will act as Contract Superintendent for the contract. Authorisations of variations will be in accordance with the Procurement Delegations Frameworks adopted by Council on 16 May 2018.

Contract Commencement: 30 September 2019
Anticipated Contract Completion: 12 November 2019

**Finances**

This project is in the 2018/19 capital program.

The budget available for the contract is $782,599.00 (GST exclusive), which includes contingency and project management fees. Funding was received from the Australian Government Black Spot Program, and additional funds were carried over from accounts 100364 and 100415.

The total value of the contract is 640,731.98 (GST exclusive), which includes a provisional sum of $16,988.00.
GST Exclusive

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction including permits and approvals (lump sum components)</td>
<td>$623,743.98</td>
</tr>
<tr>
<td>Provisional Sums to be completed by Contractor (summarise items to be included)</td>
<td>$16,988.00</td>
</tr>
<tr>
<td><strong>Total Contract Sum</strong></td>
<td><strong>$640,731.98</strong></td>
</tr>
<tr>
<td>Internal Project Management costs</td>
<td>$6,000.00</td>
</tr>
<tr>
<td>Contingency (7%) *</td>
<td>$44,851.24</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$691,583.22</strong></td>
</tr>
</tbody>
</table>

* Normal practice for a capital project is to allow for a contingency sum of 10% of the contract value, 7% was allowed for this project. This contingency refers to unforeseeable costs, likely to be incurred during the contract, if required.

**Stakeholders**

The stakeholders for this tender include:

- Bass Coast Shire Council
- Residents, ratepayers and visitors

**Other Options**

1. Not award a contract at this time and re-tender for the Cowes-Rhyll Road Black Spot Program. It is unclear though that Council would receive any benefit in doing this and it would delay the start of the project for at least twelve weeks.

2. Award the contract to an alternative tenderer. However, as Fowlers Asphalting Pty Ltd scored the highest in the evaluation process such a decision may not be consistent with the advertised evaluation criteria.

**Conclusion**

The Tender Evaluation Panel Report is attached.

The panel report concludes that the tender submitted by Fowlers Asphalting Pty Ltd will provide Council with best value for money for the following reasons:

- Their price was within the allocated budget for the project;
- They achieved the highest score based on the method of evaluation;
- They has demonstrated they have the specific and relevant experience and capability to undertake the works in accordance with the specification.
Recommendation

That Council:

1. Accept the tender from Fowlers Asphalting Pty Ltd and award Contract No 19009 Cowes-Rhyll Road Black Spot Program for the contract sum of $640,731.98 plus GST of $64,073.20, which includes lump sum and provisional amounts.

2. Affixes the Common Seal of the Bass Coast Shire Council to Contract 19009 between Council and Fowlers Asphalting Pty Ltd.

Attachments

AT- CONFIDENTIAL - Tender Evaluation Panel Report 19009 Cowes-Rhyll 7 Pages

Council Decision

Moved: Cr. Geoff Ellis / Seconded: Cr. Pamela Rothfield

That the recommendation be adopted.

CARRIED

Cr Michael Whelan called for a division

<table>
<thead>
<tr>
<th>For</th>
<th>Against</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cr Rothfield</td>
<td>Cr Le Serve</td>
</tr>
<tr>
<td>Cr Tessari</td>
<td>Cr Whelan</td>
</tr>
<tr>
<td>Cr Brown</td>
<td></td>
</tr>
<tr>
<td>Cr Larke</td>
<td></td>
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<tr>
<td>Cr Fullarton</td>
<td></td>
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<tr>
<td>Cr Ellis</td>
<td></td>
</tr>
<tr>
<td>Cr Kent</td>
<td></td>
</tr>
</tbody>
</table>
H.11  Award of Tender No. 19014 Corinella Tennis Courts Redevelopment - Harold Hughes Reserve

File No: CM19/599  
Division: Finance  
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 19014 – Corinella Tennis Courts Redevelopment – Harold Hughes Reserve.

The tenders were assessed by an independent Tender Evaluation Panel.

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 R & C Asphalt Paving Pty Ltd will satisfy the requirements of the works and will provide Council with best value for money.

This report recommends Council to accept the tender submission and award Contract No 19014 to R & C Asphalt Paving Pty Ltd.

The report contains an attachment which is declared to be confidential in accordance with Bass Coast Shire Council’s Tender & Contract Confidentiality Procedure.

Background and Context

The Bass Coast Shire Council is committed to providing effective roads, drains, reserves and other public infrastructure within the Bass Coast Shire.

The reconstruction of the Harold Hughes Reserve Corinella courts shall incorporate tennis court and drainage construction.

Council is arranging the project through its capital works program.

Strategic Basis

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

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

Bass Coast Shire Council’s Procurement Policy

Bass Coast Shire Council Policy - Tender & Contract Confidentiality

Tender Process

This tender was publically advertised in accordance with the Local Government Act 1989.

Tenders closed at 2pm on Tuesday 23 July 2019 and Council received nine (9) conforming tender submissions.

Evaluation Process

The conforming tenders were assessed on the following evaluation criteria and weightings:

<table>
<thead>
<tr>
<th>Table 1 – Evaluation Selection Criteria</th>
</tr>
</thead>
<tbody>
<tr>
<td>Criterion</td>
</tr>
<tr>
<td>-----------</td>
</tr>
<tr>
<td><strong>Mandatory</strong></td>
</tr>
<tr>
<td>Integrated Management System</td>
</tr>
<tr>
<td>Financial Viability</td>
</tr>
<tr>
<td>Insurance and Registration</td>
</tr>
<tr>
<td><strong>Weighted</strong></td>
</tr>
<tr>
<td>Price</td>
</tr>
<tr>
<td>Previous Related Experience &amp; Referees</td>
</tr>
<tr>
<td>Construction Methodology and Approach (Site Management, Construction Timeframes, Methodology)</td>
</tr>
<tr>
<td>Capacity – Staff Resources, Sub-contractors, Suppliers and Plant &amp; Equipment</td>
</tr>
<tr>
<td>Benefit to Bass Coast Shire Economy</td>
</tr>
</tbody>
</table>

An Evaluation Panel consisting of Council Officers was formed. The panel was chaired by an Officer from the Procurement Team who oversaw the process and did not score the tenders.

Each tenderer passed the mandatory selection criteria.

For the tender submissions received, each panel member scored the criteria out of a maximum possible five points. Following the initial independent evaluation, the Panel met to discuss their independent scores and arrived at a consensus on final scores for each criterion. The scores were then multiplied by the relevant weighting to obtain final scores.
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.

The final weighted scores are set out in Table 2.

<table>
<thead>
<tr>
<th>No.</th>
<th>Name</th>
<th>* Price Score %</th>
<th># Non-Price Score %</th>
<th>Total Score %</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>R &amp; C Asphalt Paving Pty Ltd</td>
<td>35%</td>
<td>52%</td>
<td>87%</td>
</tr>
<tr>
<td>2</td>
<td>Tender B</td>
<td>31%</td>
<td>53%</td>
<td>84%</td>
</tr>
<tr>
<td>3</td>
<td>Tender C</td>
<td>28%</td>
<td>50%</td>
<td>78%</td>
</tr>
<tr>
<td>4</td>
<td>Tender D</td>
<td>29%</td>
<td>48%</td>
<td>77%</td>
</tr>
<tr>
<td>5</td>
<td>Tender E</td>
<td>28%</td>
<td>45%</td>
<td>73%</td>
</tr>
<tr>
<td>6</td>
<td>Tender F</td>
<td>23%</td>
<td>43%</td>
<td>66%</td>
</tr>
<tr>
<td>7</td>
<td>Tender G</td>
<td>32%</td>
<td>26%</td>
<td>58%</td>
</tr>
<tr>
<td>8</td>
<td>Tender H</td>
<td>20%</td>
<td>36%</td>
<td>56%</td>
</tr>
<tr>
<td>9</td>
<td>Tender Q</td>
<td>18%</td>
<td>21%</td>
<td>39%</td>
</tr>
</tbody>
</table>

* The higher the price score – lower the tendered price.
# The higher the non-price score – represents better capability and capacity to undertake the service.

R & C Asphalt Paving Pty Ltd presented the lowest cost conforming tenders and in accordance with the selection criteria present the best value to Council.

R & C Asphalt Paving Pty Ltd demonstrated they have the capacity and capability to undertake the works in accordance with the specification and within a reasonable timeframe.

**Contract Management**

Senior Capital Projects Engineer will act as Contract Superintendent for the contract and Technical Projects Officer will act as the Contract Superintendent’s Representative. Authorisations of variations will be in accordance with the Procurement Delegations Frameworks adopted by Council on 16 May 2018.

Contract Commencement: 24 February 2020

Anticipated Contract Completion: 5 June 2020

**Finances**

This project is in the 2019/20 capital works program.

The total value of the contract is $402,037.45 (GST exclusive), which includes a provisional sum of $133,061.34
GST Exclusive

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction including permits and approvals (lump sum components)</td>
<td>$268,976.11</td>
</tr>
<tr>
<td>Provisional Sums to be completed by Contractor:</td>
<td></td>
</tr>
<tr>
<td>- Electrical Services</td>
<td>$133,061.34</td>
</tr>
<tr>
<td>- Hit up wall</td>
<td></td>
</tr>
<tr>
<td><strong>Total Contract Sum</strong></td>
<td><strong>$402,037.45</strong></td>
</tr>
<tr>
<td>Internal Project Management costs</td>
<td>$24,000.00</td>
</tr>
<tr>
<td>Contingency (10%) *</td>
<td>$40,203.75</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$466,241.20</strong></td>
</tr>
</tbody>
</table>

* Normal practice for a capital project is to allow for a contingency sum of 10% of the contract value. This contingency refers to unforeseeable costs, likely to be incurred during the contract, if required.

The budget available for the contract is $684,649.00 (GST exclusive), which includes contingency and project management fees.

**Stakeholders**

The stakeholders for this tender include:

- Bass Coast Shire Council
- Residents, ratepayers and visitors
- Users of the Courts

**Other Options**

1. Not award a contract at this time and re-tender for the Corinella Tennis Courts Redevelopment. It is unclear though that Council would receive any benefit in doing this and it would delay the start of the project for at least twelve weeks.

2. Award the contract to an alternative tenderer. However, as R & C Asphalt Paving Pty Ltd scored the highest in the evaluation process such a decision may not be consistent with the advertised evaluation criteria.

**Conclusion**

The Tender Evaluation Panel Report is attached.

The panel report concludes that the tender submitted by R & C Asphalt Paving Pty Ltd will provide Council with best value for money for the following reasons:

- They achieved the highest score and submitted the lowest cost submission;
- They have demonstrated they have the capacity and capabilities to undertake the project in accordance with the specification;
- Their tender price was within the budget allocated for the project.
Recommendation

That Council:

1. Accept the tender from R & C Asphalt & Paving Pty Ltd and award Contract No 19014 Corinella Tennis Courts Redevelopment for the contract sum of $402,037.45 plus GST of $40,203.74, which includes lump sum and provisional amounts.

2. Affixes the Common Seal of the Bass Coast Shire Council to Contract 19014 between Council and R & C Asphalt Paving Pty Ltd.

Attachments

AT-1 CONFIDENTIAL - Tender Evaluation Panel Report - 19014 13 Pages

Council Decision

Moved: Cr. Clare Le Serve / Seconded: Cr. Bruce Kent
That the recommendation be adopted.

CARRIED
H.12 Award of Tender No. 19015 - Landfill Environmental Monitoring

File No: CM19/600
Division: Finance
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 19015 – Landfill Environmental Monitoring.

The tenders were assessed by an independent Tender Evaluation Panel.

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 Meinhardt Infrastructure and Environment Pty Ltd will satisfy the requirements of the service and will provide Council with best value for money.

This report recommends Council to accept the tender submission and award Contract No 19015 to Meinhardt Infrastructure and Environment Pty Ltd.

The report contains an attachment which is declared to be confidential in accordance with Bass Coast Shire Council’s Tender and Contract Confidentiality Procedure.

Background and Context
Council invites tenders from suitably qualified consultancy to organise and undertake the Environmental Monitoring program and reporting for an initial three-year contract term.

The objectives of the monitoring program and reporting is to:

- Sample and analyse each bore and report, including field data and condition three times per financial year for Grantville and Wonthaggi sites and two times per financial year for the Rhyll site,
- Confirm baseline groundwater and surface water conditions,
- Monitor the environmental impacts of the landfill operations,
- Assess whether maximum leachate levels are exceeded,
- Assess and demonstrate compliance with license condition and environmental monitoring programs,
- Assess the effectiveness of management actions and process controls.
Strategic Basis

Council Plan Objective:

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

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;
- Bass Coast Shire Council’s Procurement Policy; and
- Bass Coast Shire Council Policy - Tender & Contract Confidentiality

Tender Process

This tender was publically advertised in accordance with the Local Government Act 1989.

Tenders closed at 2pm on Tuesday 16 July 2019 and Council received twelve (12) conforming tender submissions.

Evaluation Process

The conforming tenders were assessed on the following evaluation criteria and weightings:

<table>
<thead>
<tr>
<th>Table 1 – Evaluation Selection Criteria</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Criterion</strong></td>
</tr>
<tr>
<td><strong>Mandatory</strong></td>
</tr>
<tr>
<td>Integrated Management System</td>
</tr>
<tr>
<td>Financial Viability</td>
</tr>
<tr>
<td>Insurance and Registration</td>
</tr>
<tr>
<td><strong>Weighted</strong></td>
</tr>
<tr>
<td>Price</td>
</tr>
<tr>
<td>Previous Related Experience &amp; Referees</td>
</tr>
<tr>
<td>Methodology &amp; Approach</td>
</tr>
<tr>
<td>Capacity – Staff Allocation and Capability</td>
</tr>
<tr>
<td>Benefit to Bass Coast Shire Economy</td>
</tr>
</tbody>
</table>

An Evaluation Panel consisting of Council Officers was formed. The panel was chaired by an Officer from the Procurement Team who oversaw the process and did not score the tenders.
Each tenderer passed the mandatory selection criteria.

For the tender submissions received, each panel member scored the criteria out of a maximum possible five points. Following the initial independent evaluation, the Panel met to discuss their independent scores and arrived at a consensus on final scores for each criterion. The scores were then multiplied by the relevant weighting to obtain final scores.

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.

The final weighted scores are set out in Table 2.

<table>
<thead>
<tr>
<th>No.</th>
<th>Name</th>
<th>* Price Score %</th>
<th># Non-Price Score %</th>
<th>Total Score %</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Tender A</td>
<td>30%</td>
<td>52%</td>
<td>82%</td>
</tr>
<tr>
<td>2</td>
<td>Meinhardt Infrastructure and Environment Pty Ltd</td>
<td>23%</td>
<td>58%</td>
<td>81%</td>
</tr>
<tr>
<td>3</td>
<td>Tender C</td>
<td>22%</td>
<td>53%</td>
<td>75%</td>
</tr>
<tr>
<td>4</td>
<td>Tender D</td>
<td>18%</td>
<td>55%</td>
<td>73%</td>
</tr>
<tr>
<td>5</td>
<td>Tender E</td>
<td>15%</td>
<td>56%</td>
<td>71%</td>
</tr>
<tr>
<td>6</td>
<td>Tender F</td>
<td>19%</td>
<td>49%</td>
<td>68%</td>
</tr>
<tr>
<td>7</td>
<td>Tender G</td>
<td>27%</td>
<td>40%</td>
<td>67%</td>
</tr>
<tr>
<td>8</td>
<td>Tender H</td>
<td>8%</td>
<td>56%</td>
<td>64%</td>
</tr>
<tr>
<td>9</td>
<td>Tender I</td>
<td>20%</td>
<td>38%</td>
<td>58%</td>
</tr>
<tr>
<td>10</td>
<td>Tender J</td>
<td>17%</td>
<td>39%</td>
<td>56%</td>
</tr>
<tr>
<td>11</td>
<td>Tender K</td>
<td>10%</td>
<td>41%</td>
<td>51%</td>
</tr>
<tr>
<td>12</td>
<td>Tender L</td>
<td>15%</td>
<td>33%</td>
<td>48%</td>
</tr>
</tbody>
</table>

* The higher the price score – lower the tendered price.
# The higher the non-price score – represents better capability and capacity to undertake the service.

The panel concluded that Meinhardt Infrastructure and Environment Pty Ltd present best value for money to Council. Meinhardt Infrastructure and Environment Pty Ltd demonstrated they have the capacity and extensive relevant experience together with a sound methodology to undertake the service in accordance with the requirements of the specification.

In addition, Meinhardt Infrastructure and Environment Pty Ltd demonstrated specialised expertise in managing and monitoring the contamination risks associated with landfill sites.

**Contract Management**

Coordinator Waste Services will act as Contract Supervisor for the contract. Authorisations of variations will be in accordance with the Procurement Delegations Frameworks adopted by Council on 16 May 2018.
Contract Commencement: 1 October 2019
Contract Completion: 30 September 2022
Extension options: up to one (1) year

Finances
This is an ongoing service and will be funded through account number 10-1055-1001-63702. The budget available for the contract is $135,000 (GST exclusive) per annum.
The proposed value of the contract for the first 12 months is $87,240 (GST exclusive), with the years two and three being less at $85,740 (GST exclusive) per year, making it a total lump sum contract amount of $258,720 for the initial contract term of three (3) years.

Stakeholders
The stakeholders for this tender include Bass Coast Shire Council, its employees, residents and ratepayers, users of the Landfills and the Contractors managing the Landfills.

Other Options
1. Not award a contract at this time and re-tender for the Landfill Environmental Monitoring. It is unclear though that Council would receive any benefit in doing this and it would delay the start of the project for at least 12 weeks.
2. Award the contract to an alternative tenderer. However, as Meinhardt Infrastructure and Environment Pty Ltd scored the highest in relation to a non-price score in the evaluation process such a decision may not be consistent with the advertised evaluation criteria, especially given the risks associated with landfill contamination.

Conclusion
The Tender Evaluation Panel Report is attached.
The panel report concludes that the tender submitted by Meinhardt Infrastructure and Environment Pty Ltd will provide Council with best value for money for the following reasons:

- They have demonstrated they have the capacity and capabilities to undertake the service in accordance with the specification.
- They have extensive relevant Local Government experience together with a sound methodology.
- Their tender price was within the budget available for the service.
Recommendation

That Council:

1. Accept the tender from Meinhardt Infrastructure and Environment Pty Ltd and award Contract No 19015 Landfill Environmental Monitoring for the contract sum of $258,720 plus GST of $25,872, for a contract term of three (3) years with an extension option of up to one (1) year;

2. Affixes the Common Seal of the Bass Coast Shire Council to Contract 19015 between Council and Meinhardt Infrastructure and Environment Pty Ltd.

Attachments

AT-1CONFIDENTIAL - Tender Evaluation Panel Report - 19015 15 Pages

Council Decision

Moved: Cr. Pamela Rothfield / Seconded: Cr. Geoff Ellis
That the recommendation be adopted.

CARRIED

Cr Geoff Ellis called for a division

<table>
<thead>
<tr>
<th>For</th>
<th>Against</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cr Le Serve</td>
<td>Cr Brown</td>
</tr>
<tr>
<td>Cr Rothfield</td>
<td></td>
</tr>
<tr>
<td>Cr Tessari</td>
<td></td>
</tr>
<tr>
<td>Cr Fullarton</td>
<td></td>
</tr>
<tr>
<td>Cr Whelan</td>
<td></td>
</tr>
<tr>
<td>Cr Ellis</td>
<td></td>
</tr>
<tr>
<td>Cr Kent</td>
<td></td>
</tr>
</tbody>
</table>

Cr Les Larke abstained.
Statutory Reports
Council Decision

Moved: Cr. Geoff Ellis / Seconded: Cr. Pamela Rothfield

That agenda items I.1, I.2, I.3 and I.4 be considered as a block.

CARRIED
I  Statutory Reports

I.1  Assembly of Councillors

<table>
<thead>
<tr>
<th>File No:</th>
<th>CM19/136</th>
</tr>
</thead>
<tbody>
<tr>
<td>Division:</td>
<td>Business Transformation</td>
</tr>
<tr>
<td>Council Plan Strategic Objective:</td>
<td>Governance</td>
</tr>
<tr>
<td></td>
<td>We are responsive, open, transparent and financially sustainable</td>
</tr>
</tbody>
</table>

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.

Council Plan Objective:

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

Attached is a summary of the Assembly of Councillors records completed since the last Ordinary meeting of Council.
Recommendation

That the attached Assembly of Councillors Records be received.

Attachments

<table>
<thead>
<tr>
<th>AT-</th>
<th>Description</th>
<th>Pages</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Assembly of Councillor Records merged attachment for Council Meeting 18 September 2019</td>
<td>8</td>
</tr>
</tbody>
</table>
I.2 Planning and Building Statistics - July 2019

File No: CM19/556
Division: Place Making
Council Plan Strategic Objective: Our Character
Celebrating the uniqueness of our townships

PERMITS REFUSED:
170348: Development of a dwelling in Erosion Management Overlay and Significant Landscape Overlay at 422 Kilcunda Ridge Road, Woolamai.
180456: Development of the land for a warehouse in the INIZ located at John Street, Wonthaggi.

PERMITS ISSUED:

Island Ward
180361: Subdivide the land into four lots, create and vary easements, alter access to a Road Zone Category 1 and removal of vegetation located at 423 Rhyll-Newhaven Road, Surf Beach and 1398 Phillip Island Road, Surf Beach.
190046: Development of the land for a dwelling in the BMO located at 10 Sweet Bursaria Place, Cowes.
190060: Development of the land for a dwelling in the LSIO and variation of a restriction on title located at 17 Sanders Road, Silverleaves.
190073: Development of the land for a dwelling in the DDO1 and LSIO located at 4 Silverleaves Avenue, Silverleaves.
190074: Development of piazza under the C1Z and DDO3 located at 1/29-31 Thompson Avenue, Cowes.
190114: Subdivision of the land into two lots under the GRZ1 located at 28 Morgan Street, Cowes.
190143: Use of the land to sell and consume liquor located at Penguin Reserve, 1019 Ventnor Road, Summerlands.
190159: Buildings and works for the construction of a dwelling located at 9 Blossom Road, Cowes.
190191: Removal of native vegetation at 131 Silverleaves Avenue, Silverleaves.
190193: Removal of one (1) tree under the VPO2 at 131 Silverleaves Avenue, Silverleaves.
190197: Development of the land for toilets located at Lot 2 PS346794 Back Beach Road, Ventnor.
190202: Remove native vegetation located at 37 Jansson Road, Rhyll.
190212: Alteration or extension to an existing building associated with Section 2 use located at 414 Berrys Beach Road, Ventnor.
Western Port Ward

180403: Buildings and works (Dwelling extension) in RCZ, EMO1, HO and SLO1 located at 735 Sheepways Road, Krowera.

180421: To vary a restrictive covenant to allow the construction of an outbuilding (shed) and development of the outbuilding (shed) under the Significant Landscape Overlay Schedule 1 located at 100-102 Shetland Heights Road, San Remo.

190010: Subdivision of the land into two lots and development of the land for two dwellings located at 13 Hillcrest Avenue, Kilcunda.

190023: Development of the land for a dwelling in the DDO1 and creation of an access to a Road Zone – Category 1 located at 3517 Bass Highway, Kilcunda.

190024: Development of the land for two dwellings in the GRZ1 located at 31 Bergin Grove, San Remo.

190092: Variation of title covenant to allow for the construction of buildings and works other than planning permit 090363 located at 2/41 Forrest Avenue, Newhaven.

190112: Subdivision of the land into 2 lots in the RLZ located at 230 McCraws Road, Wattle Bank.

190129: Construction of a dwelling in the SLO1 located at 4 Golf Club Drive, San Remo.

190140: Buildings and works for the construction of a dwelling located at 15 Nouvel Crescent, Corinella.

190145: Buildings and works associated with the construction of a dwelling located at 43 Bridgeview Drive, Cape Woolamai.

190149: Use and development of a dwelling and to create access to a Road Zone Category 1 located at 499 Corinella Road, Coronet Bay.

190174: Development and construction of a dwelling located at 96-98 Shetland Heights Road, San Remo.

190176: Development of land for a dwelling in the HO30 located at 27 Gaudi Boulevard, Corinella.

190179: Development of land for a dwelling in SLO1 located at 108 Potters Hill Road, San Remo.

190181: Alterations and additions to the existing dwelling in ESO4 and SLO1 located at 2 Mabilia Road, Kilcunda.

Bunurong Ward

180052: Buildings and works for a dwelling in a Bushfire Management Overlay located at 8 Williamsons Walk, Wonthaggi.

180433: Development of the land for a dwelling in the DDO9 located at 35 Golf Street, Inverloch.
180437: Subdivision of land into 2 lots and access to RDZ1 located at 30 Graham Street, Wonthaggi.

180481: Subdivision of the land into two lots in the GRZ1 and DDO9 located at 11 Short Street, Inverloch.

190061: Development of the land for 3 dwellings in the GRZ1 located at 9 Fahey Street, Wonthaggi.

190162: Development of the land for a dwelling located at 5 Bowman Court, Wonthaggi.

190175: Increasing the area that liquor is allowed to be consumed or supplied under a license located at 2 Murray Street, Wonthaggi.

PLANNING AND BUILDING ACTIVITY REPORT FOR JULY 2019

<table>
<thead>
<tr>
<th>Statutory Planning</th>
<th>This month (July)</th>
<th>Last month</th>
<th>Year to date (financial year)</th>
</tr>
</thead>
<tbody>
<tr>
<td>% of applications determined within statutory timeframe</td>
<td>71</td>
<td>83</td>
<td>71</td>
</tr>
<tr>
<td>Average Gross Days (Responsible Authority determination)</td>
<td>169</td>
<td>155</td>
<td>169</td>
</tr>
<tr>
<td>(new) Average Gross Days to final outcome</td>
<td>167</td>
<td>193</td>
<td>167</td>
</tr>
<tr>
<td>Number of live applications</td>
<td>184</td>
<td>196</td>
<td>-</td>
</tr>
<tr>
<td>Number of applications received for the month</td>
<td>34</td>
<td>36</td>
<td>34</td>
</tr>
<tr>
<td>Number of Responsible Authority outcomes</td>
<td>53</td>
<td>36</td>
<td>53</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Municipal Building Services &amp; Enforcement</th>
<th>This month (July)</th>
<th>Last month</th>
<th>Year to date (financial year)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Essential Safety Measure inspections</td>
<td>0</td>
<td>9</td>
<td>0</td>
</tr>
<tr>
<td>(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.)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Swimming Pool &amp; Spa safety barrier inspections</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>(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.)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Report and Consent applications determined</td>
<td>15</td>
<td>13</td>
<td>15</td>
</tr>
<tr>
<td>(Building proposals cannot always comply or fit into a required building envelope. Where this situation arises, Council may provide consent with)</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Minutes of Ordinary Meeting - 18 September 2019

**Bass Coast Shire Council**

**Building Permit Activity**

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>2019</td>
<td>82</td>
<td>110</td>
<td>110</td>
<td>135</td>
<td>152</td>
<td>98</td>
<td>70</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Planning Enforcement**

<table>
<thead>
<tr>
<th></th>
<th>This month (July)</th>
<th>Last month</th>
<th>Year to date (financial year)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of new planning enforcement cases</td>
<td>4</td>
<td>2</td>
<td>4</td>
</tr>
<tr>
<td>Number of closed enforcement cases</td>
<td>3</td>
<td>7</td>
<td>3</td>
</tr>
<tr>
<td>Number of live enforcement files</td>
<td>139</td>
<td>138</td>
<td>-</td>
</tr>
<tr>
<td>Pre commencement meetings</td>
<td>0</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Official warnings issued</td>
<td>0</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>Number of planning infringement notices issued</td>
<td>2</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Total infringements received ($)</td>
<td>$1586.00</td>
<td>$2617.85</td>
<td>$1586.00</td>
</tr>
<tr>
<td>Number of CRS's closed</td>
<td>19</td>
<td>15</td>
<td>4</td>
</tr>
<tr>
<td>Number of open complaints</td>
<td>57</td>
<td>48</td>
<td>-</td>
</tr>
<tr>
<td>Number of closed complaints</td>
<td>2</td>
<td>4</td>
<td>-</td>
</tr>
</tbody>
</table>
Recommendation

That Council:

1. Receives and notes the Planning Permits issued under delegation report for July 2019; and
2. Receives and notes the Planning and Building Activity Report for July 2019.

Attachments

There are no attachments for this report.
I.3 Contracts Awarded Register

File No: CM19/601
Division: Finance
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

Contracts Awarded
For the period from 1 July 2019 to 31 July 2019, the following contract was awarded under the Chief Executive Officer’s Instrument of Delegation.

<table>
<thead>
<tr>
<th>Contract No.</th>
<th>Description</th>
<th>Contractor</th>
<th>Contract Sum Including GST</th>
</tr>
</thead>
<tbody>
<tr>
<td>19008</td>
<td>Ground Maintenance at Wonthaggi and San Remo Cemeteries</td>
<td>Connecting2Australia</td>
<td>$45,716.00 for Year 1. The rates for Year 2 and 3 are subject to CPI increases.</td>
</tr>
</tbody>
</table>

Contracts Extended
For the period from 1 July 2019 to 31 July 2019, no contracts were extended under the Procurement Delegation Framework.

Recommendation

That Council receives the report.

Attachments

AT-1 Contract Register 19008 1 Page
I.4 Receipt of Bass Coast Shire Council Audit Committee Minutes - 22 May 2019

File No: CM19/576
Division: Business Transformation
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

Attached are the minutes of the Bass Coast Shire Council Audit Committee Meeting held on Wednesday 22 May 2019. Items discussed at this Meeting were:

Confirmation of Minutes

- Confirmation of Audit Committee Meeting Minutes from 25 March 2019

Matters Arising from Previous Minutes

- Development Contributions Policy and Procedure Update
- Actions arising from previous meeting

Internal Audits

- Status report on action items identified through the audit program

Financial Reports

- Updates in Accounting Standards

Risk Management

- Risk Management Report
- Review any reports concerning evidence of material violation or breaches of fiduciary duty
- Review any instances of fraud or possible illegal acts
- Evidence Based Controls Effectiveness Testing
- Draft Risk Management Policy and Plan
- OHS Report
Compliance

- Legislative Compliance Registers
- Research reports from other agencies
- Non-compliance and legal counsel engagement report for the period 1 January 2019 to 31 March 2019

Reporting Responsibilities

- Update on the Service Review Program

Governance Matters

- Project Phoenix - IT Core System Quarterly Report
- Audit Committee annual performance assessments

Recommendation

That the minutes of the Bass Coast Shire Council Audit Committee meeting held on 22 May 2019 be received and the recommendations therein adopted.

Attachments

AT-1 CONFIDENTIAL - Audit Committee Minutes 22 May 2019 33 Pages
Council Decision

Moved: Cr. Pamela Rothfield / Seconded: Cr. Geoff Ellis

That the recommendations attached to agenda items I.1, I.2, I.3 and I.4 be adopted.

CARRIED
J Urgent Business

There was no Urgent Business.
Mayoral Announcement Of Next Meeting Of Council

The next Community Connection Session will be held on 9 October 2019 at the Grantville Recreation Reserve Grantville Hall, 1470 Bass Highway, Grantville commencing at 3.00pm.

The next Ordinary Council Meeting will be held on 16 October 2019 at the Grantville Recreation Reserve Grantville Hall, 1470 Bass Highway, Grantville commencing at 5.00pm.

YES to Youth

Mayoral Benefit Concert

Saturday, 12 October 2019

Wonthaggi Union Community Arts Centre, 96 Graham St, Wonthaggi.

Meeting closed

The meeting closed at 7.20pm.