



**Bass Coast Shire Council  
Minutes for Special Meeting  
Wednesday, 13 November 2019  
Council Chamber  
Bass Coast Civic Centre  
Baillieu Street East  
Wonthaggi  
5.00pm**

- 1. These minutes are due to be confirmed on 20 November 2019**
- 2. Any decision included in these minutes is subject to change resulting from a rescission motion passed by Council.**

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**Notes:**

Temporary Chair

Part B, Section 9.1 of the Bass Coast Shire Council Meeting Procedure Local Law 2018 states that the Chief Executive Officer must open the meeting at which the Mayor is to be elected and preside until the meeting elects a Mayor.

Once the Mayor has been elected, they will take the position of Chair.

## Meeting commenced

The meeting commenced at 5.00pm

Cr Geoff Ellis read the acknowledgement.

## Statement of Acknowledgement

Bass Coast Shire Council acknowledges Aboriginal and Torres Strait Islander people as the first Australians and recognises that they have a unique relationship with the land and water.

Council also recognises that we are situated on the lands of the traditional owners, members of the Kulin Nation who have lived here for thousands of years.

We offer our respect to their elders past and present and through them, all Aboriginal and Torres Strait Islander people.

Cr Pamela Rothfield read the Councillor Statement.

## Councillor Statement

All members of this Council pledge to the Bass Coast Shire community to consider every item listed on this evening's agenda:

- Based on the individual merits of each item;
- Without bias or prejudice by maintaining an open mind; and
- Disregarding Councillors' personal interests so as to avoid any conflict with our public duty.

Any Councillor having a conflict of interest in an item will make a proper, prior disclosure to the meeting and will not participate in the debate or vote on the issue.

## A Present and Apologies

Councillors:

- Cr Brett Tessari, Bunurong Ward (Mayor)
- Cr Geoff Ellis, Western Port Ward (Deputy Mayor)
- Cr Les Larke, Bunurong Ward
- Cr Pamela Rothfield, Island Ward
- Cr Michael Whelan, Island Ward
- Cr Clare Le Serve, Western Port Ward
- Cr Bruce Kent, Western Port Ward

Officers in Attendance:

Ms Ali Wastie, Chief Executive Officer

Ms Wayne Mack, Acting General Manager Business  
Transformation

Mr James Stirton, General Manager Place Making

Mr David Filmalter, Chief Financial Officer

Mr Christian Stefani, Partnerships, Advocacy & Economy

Ms Lee-Anne Harmer, Governance Officer

Apologies:

Cr Julian Brown, Bunurong Ward

Cr Stephen Fullarton, Island Ward

**B Declarations of Interest**

There were no Declarations of Interest

***Vale Donald Cameron***

Ali Wastie, Chief Executive Officer on behalf of Council acknowledged the passing of Donald Cameron OAM JP on Saturday, 9 November 2019. From 1980-1983 Mr Cameron served as Councillor for the Shire of Phillip Island. He also served as Councillor from 1997-2000 during the first term of the newly formed Bass Coast Shire Council and during this time served as Council's first Mayor from 1997-1998. Mr Cameron received the Medal of the Order of Australia on 26 January 2013 for his service to local government, to conservation and the environment and to the community, particularly through Lions International. He will be greatly missed.

# **Reports Requiring Council Decision**



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## **C Reports Requiring Council Decision**

### **C.1 2018/2019 Mayor's Highlights**

**File No:** CM19/714  
**Division:** Business Transformation  
**Council Plan Strategic Objective:** Governance

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#### **Declaration**

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

#### **Summary**

As the position of Mayor is contested annually it is appropriate for the outgoing Mayor to report on the highlights of their term.

#### **Recommendation**

**That Council receives the report on the Mayor's highlights for 2018/2019.**

#### **Attachments**

There are no attachments for this report

#### **Council Decision**

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

**That Council receives the report on the Mayor's highlights for 2018/2019.**

**CARRIED**

It has been an incredible 12 months – I am so proud and humbled to have been given the opportunity to represent this Shire as Mayor. There have been some amazing achievements that have been particularly rewarding, which I am excited to see continue over the final 12 months of this term.

I would like to take this opportunity to thank my fellow Councillors for their support over the past 12 months. It is quite an impressive achievement to get a group of nine people from different backgrounds and philosophies to come together and work so cohesively, for the benefit of the wider community.

I would also like to express my appreciation for my Deputy Mayor, Bruce. He has done an amazing job and has supported me brilliantly over the past 12 months. His dedication to the role is impressive and it is clear he is highly respected within the community that he is so heavily involved in.

It has been a year full of successful advocacy, fantastic projects and initiatives, achievements and challenges.

In the past 12 months, Council has invested a significant amount to upgrade recreational facilities across the Shire, which I am so proud of – the Cowes, Grantville and Corinella skate parks, tennis court redevelopments in Inverloch and Wonthaggi, netball court upgrades in Bass, Cowes and Inverloch, upgrades to pavilions and facilities at Cowes, Dalyston and Inverloch, as well as lighting at Bass, to name but a few.

In partnership with the Change for Sam group, we were successful in obtaining \$40,000 from State Government to develop and implement the Change for Sam strategy.

Council is continuing to advocate to both the State and Federal governments for erosion mitigation funding. So far, we have been successful in obtaining \$1.5 million as a pre-election promise from the Federal Government (to complete works at Inverloch and Cowes) and \$1.15 million from the State Government to address the erosion at Inverloch.

In September, Council declared a Climate Emergency and resolved to work with the community to develop a Climate Action Plan. The development of the Action Plan will include extensive community and stakeholder engagement to ensure participation and ownership across the community, which will allow us to put together a really comprehensive plan for the future.

One of the most exciting projects to come before us this year was the redevelopment of the Cowes Cultural and Community Centre – this represents a \$19 million investment from Council, and will create an incredible facility for the Phillip Island and broader Bass Coast Community. It is a long-awaited project, and represents our biggest investment in a single project to date.

I am very proud of the Mayoral Fundraiser, to see it all come together this year, to support the YES Youth Hub. We raised over \$15,000 in the end, which is an incredible achievement. I was truly humbled by the enormous amount of support for the event by sponsors, local businesses and the community. A massive thank you must also go to Sierra (Dunton) from Councillor Support, who did an incredible job of pulling it all together.

The Bourne Creek Trestle Bridge at Kilcunda received a huge makeover earlier this year, with over \$860,000 invested in improvements, to ensure that the bridge remains as a landmark feature of the region and can continue to provide a vital link for the Bass Coast Rail Trail well into the future.

It was exciting to welcome the Minister for Planning Richard Wynne to Bass Coast recently, to declare the entire Bass Coast Shire as a 'Distinctive Area and Landscape' (DAL) to protect its environment, landscape and lifestyle. The announcement to extend the DAL across the whole of Bass Coast reinforces what we all know - that Bass Coast is a beautiful place to live and to visit. By 2035, our population is expected to increase by 37 per cent. This growth will place significant pressure on residential availability in Bass Coast. It will be critical that this is managed in a way that encourages growth in our regional centre and protects our coastal hamlets.

In the past 12 months, Council recruited our new Chief Executive Officer, Ali Wastie, after the retirement of Paul Buckley PSM in February of this year. I would like to thank Paul and Ali, and the entire Executive Leadership Team for their support – they form just part of the dedicated, highly skilled and professional team we have here at Council.

I would like to acknowledge executive support – Linda, Sierra and Kirsty – they do an amazing job for all nine Councillors, which must, at times, be overwhelming, and this year the added pressure of organising the Mayoral Fundraiser – It wouldn't have happened without their unwavering support, skills, persistence and dedication.

I would also like to acknowledge the Communications Team, Christian, Steve, Nina, Lauren and Sarah. Their ability to work with me and in my word "Brett everything down to my lingo" has been an incredible effort.

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**C.2 Election of Mayor**

**File No:** CMI9/716  
**Division:** Business Transformation  
**Council Plan Strategic Objective:** Governance

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**Declaration**

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

**Summary**

Section 71 of the *Local Government Act 1989* (the Act) requires Councillors to elect a Mayor of the Council. All Councillors are eligible for election or re-election to the office of Mayor. The process for conducting the election of the Mayor is outlined in Section 9 of Bass Coast Shire Council's Meeting Procedure Local Law 2018.

Where two or more nominations are received an election will be held. Voting will be by show of hands in accordance with Section 90 of the Act.

The election will be conducted by the Chief Executive Officer. Once the Mayor has been elected, he or she will Chair the remainder of the meeting.

**Background**

Section 73 of the Act specifies that the Mayor must take precedence at all municipal proceedings within the municipal district and must chair all meetings at which he/she is present. If there is a vacancy in the position of Mayor, or the Mayor is absent from a meeting, Council must appoint another Councillor to be the acting Mayor. If Council chooses to appoint a Deputy Mayor, then the acting Mayor role will usually be filled by the Deputy Mayor. An acting Mayor may perform any function or exercise any power conferred on the Mayor.

Under s73AA of the Act, the functions of the Mayor of a Council include:

- (a) providing guidance to Councillors about what is expected of a Councillor including in relation to the role of a Councillor under section 65, and the observation of the Councillor conduct principles and the Councillor Code of Conduct by Councillors under sections 76B, 76BA and 76C; and
- (b) acting as the principal spokesperson for the Council; and
- (c) supporting good working relations between Councillors; and
- (d) carrying out the civic and ceremonial duties of office of Mayor.

Under Section 90 (1) (e) the Mayor receives a casting vote where necessary.

**Strategic Basis****Council Plan Objective:**

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

### **Finances**

The Mayoral Allowance is currently set at \$79,612 per annum with a 9.5% superannuation guarantee.

The Mayor is provided with resources and support as outlined in the Provision of Resources to Councillors Policy. These costs are contained within the Governance Department operating budget.

### **Stakeholders**

All residents, ratepayers and visitors are stakeholders in the decision to elect the Mayor.

### **Statutory Requirements/Codes/Standards/Policies**

Section 71 of the Act requires Councillors to elect a Mayor of the Council. The election of the Mayor is conducted in accordance with Part 9 of Bass Coast Shire Council's Meeting Procedure Local Law 2018.

### **Other Options**

There are no other options as it is a requirement under the Act to elect a Mayor.

### **Recommendation**

#### **That Council:**

- 1. Calls for nominations for the election of the Mayor and, if required, undertakes the election process.**
- 2. Confirms Cr \_\_\_\_\_ to the position of Mayor effective immediately until the end of this Council term.**

### **Attachments**

There are no attachments for this report

### **Council Decision**

**The Chair called for nominations for the position of Mayor:**

**Cr Les Larke nominated Cr Brett Tessari**

**Cr Pamela Rothfield seconded the nomination of Cr Brett Tessari**

**There being no further nominations the Chair declared Cr Brett Tessari duly elected as the Mayor.**

The Chief Executive Officer Ali Wastie removed herself from the position of Chair. The Mayor Cr Brett Tessari assumed position of Chair at 5.12pm.

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### C.3 Election of the Deputy Mayor

**File No:** CMI9/717  
**Division:** Business Transformation  
**Council Plan Strategic Objective:** Governance

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#### Declaration

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

#### Summary

The *Local Government Act 1989 (the Act)* does not recognise the role of Deputy Mayor other than the need to appoint an acting Mayor in the event of the Mayor being absent, incapable of acting, or resigning in accordance with Section 73 of the *Local Government Act 1989*.

This report recommends Council appoints a Councillor to the role of Deputy Mayor and undertake an election in line with Bass Coast Shire Council's Meeting Procedure Local Law 2018.

#### Background

The role of Deputy Mayor has included:

- Deputising for the Mayor at civic functions, Mayoral engagements and other meetings at which the Mayor is required to represent Council.
- Being nominated to chair Council Meetings in the absence of the Mayor
- Acting as Council spokesperson under Council's Communication and Engagement Strategy in the absence of the Mayor.

#### Strategic Basis

**Council Plan Objective:**

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

#### Finances

As the Deputy Mayor position is not officially recognized, it attracts the same allowance as a Councillor and is currently valued at \$25,730 per annum with a 9.5% superannuation guarantee.

All Councillors are entitled to resources and support as outlined in the Provision of Resources to Councillors Policy.

#### Stakeholders

All residents, ratepayers and visitors are stakeholders in the decision to elect the Deputy Mayor.

### **Statutory Requirements/Codes/Standards/Policies**

The Bass Coast Shire Council Meeting Procedure Local Law 2018 does set out the procedure used for electing a Deputy Mayor if Council determines the position of Deputy Mayor is required.

### **Other Options**

The Council could decide not to create a position of Deputy Mayor.

### **Recommendation**

#### **That Council:**

- 1. Calls for nominations for the election of the Deputy Mayor and, if required, undertakes the election process.**
- 2. Confirms Cr \_\_\_\_\_ to the position of Deputy Mayor effective immediately until the end of this Council term.**

### **Attachments**

There are no attachments for this report

### **Council Decision**

**The Chair called for nominations for the position of Deputy Mayor:**

**Cr Bruce Kent nominated Cr Geoff Ellis**

**Cr Les Larke seconded the nomination of Cr Geoff Ellis**

**There being no further nominations the Chair declared Cr Geoff Ellis duly elected as the Deputy Mayor.**

**C.4 Review of appointments to Council Committees and Delegated Committees**

**File No:** CMI9/718  
**Division:** Business Transformation  
**Council Plan Strategic Objective:** Governance

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**Declaration**

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

**Summary**

This report recommends that Council appoints Mayor or Councillor Representatives to Council committees and delegates to a number of external committees.

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

**Background**

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

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

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

**Strategic Basis****Council Plan Objective:**

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

**Discussion**

The Internal Council Committees include:

Access & Inclusion Advisory Committee	One Councillor (Chair)
Arts and Culture Advisory Committee	Three Councillors (one Councillor is the Chair)
Audit Committee	Mayor & Two Councillors



Bass Coast Community Road Safety Committee	One Councillor (Chair)
Bass Coast Events Advisory Committee	Three Councillors (one Councillor is the Chair)
Bass Coast Municipal Emergency Management Planning Committee	One Councillor (Chair)
Bass Coast Municipal Fire Management Committee	One Councillor (Chair) and Councillor substitute
Bass Coast Place Names Committee	One Councillor
Bass Coast Natural Environment Advisory Working Group	One Councillor (Chair)
Community Tourism Reference Group	One Councillor (Chair)
The Chief Executive Officer Employment Matters Committee	Mayor and Three Councillors
Phillip Island Aquatics Working Group	Two Councillors (one Councillor is the Chair)
Phillip Island Integrated Transport Study Reference Group	One Councillor (Chair)
Rural Engagement Group	Two Councillors (one Councillor is the Chair)

The External Committees where Council provides a delegate include:

Australian Coastal Councils Association Inc.	Mayor & Councillor substitute
Bass Coast Environmental Review Committee	One Councillor
Bass Coast South Gippsland Reconciliation Committee	One Councillor and Councillor substitute
Cape Barren Geese Working Group	Mayor
Destination Phillip Island – Regional Tourism Board	One Councillor or Chief Executive Officer
Gippsland Local Government Network	Mayor
Gippsland Local Government Waste Forum	Cr Pamela Rothfield and Councillor substitute
Gippsland Waste and Resource Recovery Group Board	Cr Pamela Rothfield (appointed by the Minister)
Municipal Association of Victoria (MAV)	One Councillor and Councillor substitute
Peri Urban Group of Councils	Mayor and Councillor substitute
Phillip Island Nature Park Community Advisory Committee	One Councillor and Councillor substitute
Regional Renewable Energy Roadmap	One Councillor

Rural Councils Victoria	One Councillor
South Coast Inclusion Network (SCIN)	One Councillor
South East Australian Transport Study	One Councillor
South East Council's Climate Change Alliance	One Councillor and Councillor substitute
Victorian Local Governance Association	One Councillor
West Gippsland Regional Library Corporation Board	One Councillor and Councillor substitute
Westernport Biosphere Reserve	One Councillor

### Finances

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

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

### Stakeholders

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

### Other Options

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

### Conclusion

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

**Recommendation****That Council:****1. Appoints Councillor representatives to the following Council Committees:**

Access & Inclusion Advisory Committee	One Councillor (Chair)
Arts and Culture Advisory Committee	Three Councillors (one Councillor is the Chair)
Audit Committee	Mayor & Two Councillors
Bass Coast Community Road Safety Committee	One Councillor (Chair)
Bass Coast Events Advisory Committee	Three Councillors (one Councillor is the Chair)
Bass Coast Municipal Emergency Management Planning Committee	One Councillor (Chair)
Bass Coast Municipal Fire Management Committee	One Councillor (Chair) and Councillor substitute
Bass Coast Place Names Committee	One Councillor
Bass Coast Natural Environment Advisory Working Group	One Councillor (Chair)
Community Tourism Reference Group	One Councillor (Chair)
The Chief Executive Officer Employment Matters Committee	Mayor and Three Councillors
Phillip Island Aquatics Working Group	Two Councillors (one Councillor is the Chair)
Phillip Island Integrated Transport Study Reference Group	One Councillor (Chair)
Rural Engagement Group	Two Councillors (one Councillor is the Chair)

**2. Appoints Councillor representatives to the following delegated Committees:**

Australian Coastal Councils Association Inc.	Mayor & Councillor substitute
Bass Coast Environmental Review Committee	One Councillor
Bass Coast South Gippsland Reconciliation Committee	One Councillor and Councillor substitute
Cape Barren Geese Working Group	Mayor
Destination Phillip Island – Regional Tourism Board	One Councillor or Chief Executive Officer
Gippsland Local Government Network	Mayor

Gippsland Local Government Waste Forum	Cr Pamela Rothfield and Councillor substitute
Gippsland Waste and Resource Recovery Group Board	Cr Pamela Rothfield (appointed by the Minister)
Municipal Association of Victoria (MAV)	One Councillor and Councillor substitute
Peri Urban Group of Councils	Mayor and Councillor substitute
Phillip Island Nature Park Community Advisory Committee	One Councillor and Councillor substitute
Regional Renewable Energy Roadmap	One Councillor
Rural Councils Victoria	One Councillor
South Coast Inclusion Network (SCIN)	One Councillor
South East Australian Transport Study	One Councillor
South East Council's Climate Change Alliance	One Councillor and Councillor substitute
Victorian Local Governance Association	One Councillor
West Gippsland Regional Library Corporation Board	One Councillor and Councillor substitute
Westernport Biosphere Reserve	One Councillor

### Attachments

**AT-1** Council Committees List 8 Pages

**AT-2** External Committees List 10 Pages

### Council Decision

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

**That Council:**

- I. Appoints Councillor representatives to the following Council Committees:**

Access & Inclusion Advisory Committee	Cr Geoff Ellis (Chair)
Arts and Culture Advisory Committee	Cr Clare Le Serve (Chair), Cr Michael Whelan, Cr Les Larke
Audit Committee	Mayor, Cr Pamela Rothfield, Cr Michael Whelan
Bass Coast Community Road Safety Committee	Cr Bruce Kent (Chair)

Bass Coast Events Advisory Committee	Cr Stephen Fullarton (Chair), Cr Clare Le Serve
Bass Coast Municipal Emergency Management Planning Committee	Cr Bruce Kent (Chair)
Bass Coast Municipal Fire Management Committee	Cr Bruce Kent (Chair), Cr Julian Brown (sub)
Bass Coast Place Names Committee - S86	Cr Julian Brown
Bass Coast Natural Environment Advisory Working Group	Cr Michael Whelan (Chair)
Community Tourism Reference Group	Cr Pamela Rothfield (Chair)
The Chief Executive Officer Employment Matters Committee	Mayor, Cr Clare Le Serve, Cr Julian Brown
Phillip Island Aquatics Working Group	Cr Stephen Fullarton (Chair), Cr Bruce Kent
Phillip Island Integrated Transport Study Reference Group	Cr Pamela Rothfield (Chair)
Rural Engagement Group	Cr Clare Le Serve (Chair)

**2. Appoints Councillor representatives to the following delegated Committees:**

Australian Coastal Councils Association Inc.	Mayor, Cr Michael Whelan (sub)
Bass Coast Environmental Review Committee	Cr Le Serve
Bass Coast South Gippsland Reconciliation Committee	Cr Geoff Ellis, Cr Julian Brown (sub)
Cape Barren Geese Working Group	Mayor
Destination Phillip Island – Regional Tourism Board	Cr Pamela Rothfield
Gippsland Local Government Network (GLGN)	Mayor
Gippsland Local Government Waste Forum	Cr Pamela Rothfield, Cr Michael Whelan (Sub)
Gippsland Waste and Resource Recovery Group Board	Cr Pamela Rothfield (appointed by the Minister)
Municipal Association of Victoria (MAV)	Mayor, Deputy Mayor (sub)
Peri Urban Group of Councils	Mayor, Deputy Mayor (sub)
Phillip Island Nature Park Community Advisory Committee	Cr Stephen Fullarton
Regional Renewable Energy Roadmap	Cr Michael Whelan
Rural Councils Victoria (RCV)	Cr Clare Le Serve
South Coast Inclusion Network (SCIN)	Cr Geoff Ellis
South East Australian Transport Study	Cr Clare Le Serve
South East Council's Climate Change Alliance	Cr Michael Whelan, Cr Geoff Ellis (Sub)
Victorian Local Governance Association	Cr Les Larke

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West Gippsland Regional Library Corporation	Cr Clare Le Serve, Geoff Ellis (Sub)
Westernport Biosphere Reserve	Cr Michael Whelan

**3. Amend the Bass Coast Events Advisory Committee Terms of Reference membership:**

- **From:** Three Councillors (one Councillor is the Chair)
- **To:** Two Councillors (one Councillor is the Chair)

**4. Amend the Rural Engagement Group Terms of Reference membership:**

- **From:** Two Councillors (one Councillor is the Chair)
- **To:** One Councillor (Chair)

**CARRIED**

***Mayoral Announcement Of Next Meeting Of Council***

The next **Ordinary Council Meeting** will be held on 20 November in the Bass Coast Civic Centre Council Chamber, Baillieu Street East, Wonthaggi commencing at 5.00pm.

**Meeting closed**

The meeting closed at 5.24pm