



Minutes for Ordinary Meeting

Wednesday, 20 May 2015

Bass Coast Shire Council

**Council Chamber,
Bass Coast Civic Centre,
Baillieu Street, Wonthaggi**

5.00pm

- 1. These minutes are due to be confirmed on 24 June 2015**
- 2. Any decision included in these minutes is subject to change resulting from a rescission motion passed by Council.**

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Meeting commenced

The meeting commenced at 5.04pm

Prayer: Cr Brown read the prayer.
Acknowledgement: Cr Crugnale read the acknowledgement.
Statement: Cr Phillips read the Councillor Statement.

Cr Crugnale asked all to remain standing for a minutes silence out of respect for the deceased, missing and wounded victims of the Nepal disaster.

A Present and Apologies

Councillors: Cr Kimberley Brown, McHaffie Ward (Mayor)
Cr Jordan Crugnale, Townsend Ward (Deputy Mayor)
Cr Andrew Phillips, Thompson Ward
Cr Bradley Drew, Anderson Ward
Cr Clare Le Serve, Leadbeater Ward
Cr Neil Rankine, Hovell Ward
Cr Phil Wright, Churchill Ward

Officers: Mr Paul Buckley, Chief Executive Officer
Mr Mark Brady, General Manager Governance and Organisation
Development
Mr David Elder, General Manager Healthy Communities
Ms Felicity Sist, General Manager Infrastructure
Mrs Allison Jones, General Manager Sustainable Development and
Growth
Ms Sarah Male, Governance Officer
Ms Simone Short, Media Communications Officer

Apologies: Nil

Cr Drew left the meeting at 5.06pm

Cr Drew returned to the meeting at 5.07pm

B Community Question Time**B.1 Matt Ingham, Newhaven - 2014/2015 Capital Programme**

Council has budgeted and currently forecasts to spend in the current financial year the amount of \$100,000 to connect the Newhaven Jetty Shed into the sewerage system. On commissioning is it the intention of Council to gift this infrastructure to Westernport Water and if so how will the loss on disposal be reflected in the Bass Coast Shire Council annual accounts and in which financial year?

Cr Brown responded that in the simple example where construction and disposal occurs in the same year, the costs of the sewer (to the property boundary) would be treated as an operating expense in the financials. In effect it is treated as a donation or gift.

B.2 Lorraine Noisette, Wonthaggi - Car parking safety

I have procrastinated over writing to you for some time now but yesterday I could have ended up as 'mince meat' so I decided I should write in case someone else is not so lucky.

In the shopping precinct drivers perform a 'u' turn, or right turn if they see a parking space on the other side of the road. I am a newcomer to Wonthaggi (three years) but where I was living the Council put double lines on the road in the shopping areas to stop this dangerous practice. Yesterday I was just out of my car when a car did exactly this in the parking space next to me; the driver then had to reverse to come in at the correct angle. I would like all Councillors to think of this and hopefully make some changes.

Cr Brown advised that Council officers will contact the questioner to clarify the specific details. However the described manoeuvre is currently permitted. Painting a solid white line down the middle of the road could be a mechanism to prevent the manoeuvre however there may be community concern regarding any changes given it is a fairly common practice. The recommendation is to confirm the specific details and refer the matter to the Road Safety Committee for consideration. It should be noted that some roads in the Wonthaggi CBD are under the control of VicRoads as well as Council.

B.3 Lorraine Noisette, Wonthaggi - Councillor iPads

The second matter I would like to raise is that perhaps six weeks ago it was reported that all Councillors were given a new iPad. The ones they had previously were only a couple of years old and were not doing the job that was required of them; my question is what happened to the old ones – I know they are government property but were they offered to senior citizens or school children to use or were they just put in a drawer?

Cr Brown responded that Council's policy is to provide redundant equipment to the not-for-profit organisation Green PCs who clean and make available the equipment to community groups and organisations.

B.4 Cr Bradley Drew - VicSmart

The new VicSmart guidelines have now been in place for some time. Can Council (the CEO) comment on its internal implementation, self-evaluation and officer understanding within the planning department?

Is there room for improvement and if so how does Council intend to achieve this?

Cr Brown responded that since the introduction of VicSmart by the Victorian State Government into the Victorian Planning system on the 19 September 2014, Council has received 18 VicSmart applications. Three permits have been refused, and three are currently being assessed. The VicSmart process is for simple, straightforward and low impact planning applications.

The key features of VicSmart include:

- permit processed in 10 business days
- applications are not advertised
- the information required to be submitted is pre-set by Council

In terms of processes, at the 28 August 2014 consultant forums (consultants, real estate agents, developers) staff provided a summary of VicSmart and made it clear that there will be a requirement to have a pre-application meeting to ensure all documentation is lodged with a VicSmart application. There are 12 classes of application and each has a checklist to go through. These are all on Council's website.

The VicSmart process involves four simple steps:

Prepare: Call and speak to a planning officer. Arrange a meeting to discuss your proposal, pick up checklists and any other information before submitting your application.

Submit: Submit application to Council with all the required information as per your discussion with the Council planning officer. (Given the timeframes, if all the information is not provided – often because have not had a pre-application meeting, then the application is refused.)

Assess: A Council officer assesses the application against pre-set criteria.

Decide: A Council officer approves or refuses (delegated to General Manager Sustainable Development and Growth) within 10 business days.

B.5 Cr Bradley Drew - Communication

How is Council looking at improving its communication with the broader community?

Is there consideration to connect better through social media in the near future, e.g., a Council Facebook page, twitter, and live streaming of Council meetings as a way of better informing our community and allowing a more direct way of delivery?

Cr Brown advised that Council is currently developing a Communications and Engagement Strategy with the support of CPR Communications. Input has been sought from the local media, community groups, the general community and staff. Feedback has been gained through surveys, focus groups and pop up stands at local shopping centres and libraries. The strategy will inform how Council will engage with its residents and ratepayers and offer a variety of methods to communicate our message. We anticipate that social media will feature strongly as a tool of communications as part of this strategy.

B.6 Cr Bradley Drew - Consultants

What mechanisms are Council looking at to address the ever increasing need on consultants?

Some Councils have a ratio of officer vs consultant 80/20%. Will this Council work towards a measurable ratio/target and consider a program of upskilling staff where identified?

Cr Brown advised that Council does not have an increased need for consultants; in fact our operating costs are being contained.

The services of external experts to deliver specialised project work are engaged when it doesn't make economic sense to employ staff to undertake the project work. It is common practice to do so across local government, and any engagement with external experts is subject to an open and transparent budget and procurement process.

In the Long Term Financial Plan and Budget, Council has committed to delivering operational efficiencies and savings. In 2015/16 efficiencies in the order of \$2 million have enabled overall increase in operating costs to be contained at 1.6%. This demonstrates that all areas of operating expenditure, including staff and external contractors are being contained.

B.7 Maurice Schinkel, Cowes - Cowes Jetty Triangle

Why is Council proceeding in a presumptuous manner to spend money to alter the Cowes Jetty Triangle when submissions to the draft Cowes Activity Centre Plan only closed on 19 May and the Plan is yet to be adopted?

Cr Brown responded that Council's draft budget for financial year 2015/16 includes \$500,000 for project activities that is dependent on the Cowes Activity Centre Plan being adopted and subsequently securing external funding.

Council has not commenced any work that is proposed in the Cowes Activity Centre Plan. Council has worked in partnership with the RSL on modifications to the cenotaph in time for ANZAC day centenary.

Cr Phillips asked when the Cowes Activity Centre Plan will be coming to Council for decision. Ms Jones answered that it will be coming to Council in June 2015.

B.8 Maurice Schinkel, Cowes - Tough Mudder

What does Council believe to be the circumstances of the departure from the Phillip Island Motor Racing Circuit of 'Tough Mudder' event?

Cr Brown responded that the organisers of the Tough Mudder event prefer to keep moving the event around to keep it 'fresh' and prefer greenfield sites rather than built environments such as the Grand Prix Circuit.

It was an event that brought significant economic benefit to Bass Coast however Council cannot determine where the organisers choose to run the event.

B.9 Patricia Hunt, Cowes - Draft Cowes Activity Centre Plan

Will Council explain how they can justify allocating funding for car parking, a transit centre and alterations to the Town Square before the design for the Cultural Centre area has been made available for public comment?

Cr Brown responded that Council has not allocated funding for car parking, a transit centre and alterations to the Town Square.

The Council draft budget for financial year 2015/16 includes \$500,000 for project activities that is dependent on the Plan being adopted and subsequently securing external funding.

The design work for the Cowes Cultural and Civic Precinct is being undertaken this financial year.

Ms Hunt replied that it was difficult to comment on the Cowes Activity Centre Plan was difficult to comment on without knowing what the Cowes Cultural and Civic Precinct was going to look like.

B.10 Patricia Hunt, Cowes - Green waste disposal

Can Council explain why \$50,000 is being spent to prepare a waste management plan, which presumably includes plans for the disposal of green waste, when a neighbouring Council is able to provide a fortnightly collection of green waste for \$78 per annum?

Also, does Council agree that, having failed to continue the fortnightly green waste collection and actually extending it to other areas to make it viable, the only option to residents without a trailer is to use a private operator at \$10 a pick-up which, if used fortnightly, would amount to \$260 per annum?

Cr Brown responded that Council has engaged a consultant to develop the Waste Management Strategy as part of the commitment made to provide sustainable solutions for the collection, disposal and resource recovery from waste generated within the community.

The Strategy's main purpose is to guide the responsible management of waste over the next 10 years; a service with a current annual cost of \$7 million dollars.

The strategy will form the basis of waste management planning, including waste technologies, infrastructure, education programs, and collection and recovery services. This includes green and organic waste.

The 18 month green waste collection trial, conducted in selected areas of Phillip Island concluded as planned. Council has resolved to undertake a feasibility study, including a full cost benefit analysis, to implement a three bin system across the entire municipality.

B.11 Peter McMahon, Cowes - Green waste service

How is it that a private operator who had been operating a pick-up and disposal service of green waste on a next day basis (3 times/week on the Island) for a price of \$18.00 per service is able to set up a service that covers the whole Shire, reduce the price to \$10.00/pick-up once a fortnight and Council is unable to obtain more than a 7% take up at \$140.00 per year for its service!

1. Is Council unaware of what its residents want or don't they understand how to convince them, or is it saying we should remove waste disposal completely from Council and have private companies carry out the service?
2. In light of this happening where does Council stand in relation to this issues, was your latest budget a missed opportunity of setting things right in relation to waste services?

If required I would like to speak to my questions.

Cr Brown responded that Council is currently developing a Waste Management Strategy to provide sustainable solutions for the collection, disposal and resource recovery from waste generated within the community. Council has sought community input as to the current issues and options. The community will have further opportunity to comment on the draft waste management strategy in the coming months.

With current waste practices there is a place for private contractors to provide additional and complementary services, particularly in the area of green waste collection to those provided by Council.

Council has resolved to undertake a full feasibility study, including cost benefit analysis to introduce a three bin system to include green waste/organics collection across the Shire. Council will then fully understand the cost associated, in addition to the current \$7 million per annum to deliver waste services.

Mr McMahon added that he was disappointed Council did not take the opportunity to reduce the rate burden by introducing a number of appropriate charges which would have, in his opinion, been fairer, put Council in a better position and improve the Shire.

B.12 Cr Phil Wright - Smiths Beach Surf Life Saving Tower

What is the latest plan by Phillip Island Nature Parks for a Surf Life Saving Tower at Smiths Beach?

Cr Brown responded that the Department of Environment, Land, Water and Planning and Phillip Island Nature Parks have been in discussion with the Woolamai Beach Surf Life Saving Club Inc. regarding a suitable design and location for a surf lifesaving observation tower at Smith's Beach to meet their requirements.

Council is not involved in this project as it is not the Crown land manager, however has advocated in discussions with the department for community consultant regarding any structure.

Cr Wright asked whether they would need a planning permit for these works, and if not, would Council have any say? Is there anything in their Memorandum of Understanding with Council? Mr Buckley took this on notice but advised that if a planning permit was not required then it would rely on the Phillip Island Nature Parks' good will to liaise with Council.

B.13 Cr Phil Wright - Phillip Island Traffic Flow

Does Council have a Phillip Island Traffic Flow Path that includes a long term plan for Coghlan Road?

If not, when will one be developed?

Cr Brown advised that a Phillip Island Traffic Flow Path, that includes a long term plan for Coghlan Road, would be developed if it was identified as a priority through development of strategy. This would mean that Council would also need to fund the development of the plan.

C Confirmation of Minutes

C.1 *Special Meeting held on 22 April 2015*

Council Decision

Moved: Cr. Andrew Phillips / Seconded: Cr. Clare Le Serve

That the minutes of the Special Meeting held on 22 April 2015 be confirmed.

CARRIED

D Petitions and Deputations

D.1 Petition - Morey Street residents request drainage works

File No: CMI5/377
Department: Infrastructure
Council Plan Strategic Objective: Sustainable Development & Growth

Our built environment complements
our landscape, lifestyle and climate.

A petition, together with a covering letter from the head petitioner, was received on 14 April 2015 from residents of Morey Street Wonthaggi containing eight names, addresses and signatures. Both of these were addressed to a specific Council Officer.

The petition states:

“Dear Sir,

As instructed before Christmas I have collected signatures of residents wanting drainage attended to in Morey Street.

We would like an estimation of our contribution required towards this prior to any work being carried out”

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

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

Council, at this ordinary meeting of 20 May 2015 will consider the urban roads and drainage policy. This document will guide the process for consideration of an upgrade outside the adopted list of priorities for road and drainage upgrades.

Given that investigative work will be required to prepare a report on the options for drainage, it is recommended that a report be presented to Council at its ordinary meeting in July 2015 for consideration.

An acknowledgement letter was sent to the head petitioner advising that the petition would be presented at the 20 May 2015 Ordinary Council Meeting to lie on the table until the next ordinary meeting of Council.

Recommendation

- 1. That the petition be received and lie on the table until the July 2015 Ordinary meeting of Council.**
- 2. That the head petitioner be advised of Council’s decision.**

Attachments

AT-I CONFIDENTIAL - Petition 2 Pages

Council Decision

Moved: Cr. Bradley Drew / Seconded: Cr. Clare Le Serve

That the recommendation be adopted.

CARRIED

Reports Requiring Council Decision

E Reports Requiring Council Decision

E.1 Phillip Island Tourism Strategy 2035

File No:	CMI5/323
Department:	Sustainable Development and Growth
Council Plan Strategic Objective:	Economic Development

Our economy is supported by diverse, local and innovative businesses and employment.

Declaration

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

Summary

The purpose of this report is to recommend that Council adopt the:

- Phillip Island Tourism Strategy 2035 Project Plan
- Governance Structure

In addition the report also recommends that Council endorse the following documents:

- Consultant Brief for action (commencement of the project)

Background

Phillip Island is one of Australia's most important tourism destinations attracting over 3.4 million visitors every year. Phillip Island's natural attractions and unique wildlife experiences are key tourism strengths.

In Bass Coast a very significant proportion of the economy benefits or is directly supported by the visitors to Phillip Island. The Phillip Island tourism industry contributes an estimated \$653 million per annum to the local economy and employs approximately 5,700 people (2,600 direct and 3,100 indirect jobs). As stated in Tourism Victoria's document, Value of Tourism to Phillip Island 2012-13, Phillip Island ranked first overall in the comparative importance of tourism across Tourism Victoria regions. Tourism represented 37.9% of the Gross Regional Product of Bass Coast region and represented 38.2% of regional employment.

The Gippsland Regional Growth Plan 2013 recommends the preparation of a 20 year Tourism Strategy for Phillip Island, which is to emphasis the high quality and sophisticated experiences, nature-based tourism investment and to include an environmental capacity statement for the island.

It is proposed that Council will engage a consultant to prepare the Phillip Island Tourism Strategy 2035 (the Strategy). The Strategy will be a comprehensive 20 year Tourism Strategy for Phillip Island including San Remo, that will establish a vision which recognises the region's significance as key international and domestic tourist destination based on its unique natural environment.

The Strategy, which will be developed from direct engagement with key stakeholders and the local community, will provide a long-term strategic framework to guide tourism development, improve visitor opportunities and facilities and strengthen the local economy through sustainable tourism and investment.

Strategic Basis

The Council Plan 2013 – 2017 has clearly stated objectives around Economic Development, specifically *‘our economy is supported by diverse, local and innovative businesses and employment’*.

One of the strategies identified to assist Council to deliver this objective is *‘promote Bass Coast as an all year unique tourist and events destination’*.

Council Plan Principle:

- The social, environmental and economic priorities of the Shire benefit both current and future generations.

Finances

The Gippsland Regional Growth Plan 2013 identified the need to develop a 20-year tourism strategy for Phillip Island. Funding of \$150,000 has been granted by the Victorian Government through the Regional Growth Fund.

Council has also made a budget commitment to the Phillip Island Tourism Strategy with \$50,000 allocated in the 2014/15 Budget.

Stakeholders

The key stakeholders for this project include:

- Bass Coast Community
- Local businesses
- Visitors
- Local, regional and state tourism bodies
- Government agencies
- Council

Statutory Requirements/Codes/Standards/Policies

N/A

Other Options

There are three options available to Council.

Option One – The first option as recommended by this report is for Council to adopt the Project Plan and Governance Structure, and endorse the Consultant Brief. This will establish the commencement of the project with the first step being appointment of a consultant team to work with Council and the stakeholders to develop the Strategy.

Implications for Council – This option would signify the commencement of the project and is consistent with the timelines and outputs detailed in the funding agreement.

Option Two – The second option is to adopt the Project Plan and Governance Structure, and endorse the Consultant Brief with changes.

Implications for Council – Dependent on the level of changes proposed, this may delay the commencement of the tender process. Subject to the level of delay, this will need to be discussed and negotiated with representatives from Regional Development Victoria to ensure the overall project outputs and timelines are met.

Option Three – The third option is not to adopt the Project Plan and Governance Structure, or endorse the Consultant Brief.

Implications for Council – This will require further work to occur before the project can commence, including being deferred to a later Council meeting. This could result in a significant delay to the project.

Officer's Conclusion and Recommendation

Feedback provided by Regional Development Victoria, as the funding body, has been incorporated into the Draft Consultant Brief.

There has been a significant amount of strategic work already undertaken regarding tourism on Phillip Island. This project will review and build on this work, establishing a long term vision that can be implemented in partnership with key stakeholders.

It is recommended that Council adopts the following recommendation.

Recommendation

That Council:

- 1. adopts the Project Plan and Governance Structure for the Phillip Island Tourism Strategy 2035 Project; and**
- 2. endorses the Consultant Brief for the Phillip Island Tourism Strategy 2035 Project.**

Attachments

AT-1	Consultant Brief Phillip Island Tourism Strategy 2035	21 Pages
AT-2	Project Plan Phillip Island Tourism Strategy 2035	1 Page
AT-3	Governance Structure Phillip Island Tourism Strategy 2035	1 Page

Council Decision

Moved: Cr. Phil Wright / Seconded: Cr. Andrew Phillips

That Council:

- 1. adopts the Project Plan and Governance Structure for the Phillip Island Tourism Strategy 2035 Project; and**
- 2. endorses the Consultant Brief for the Phillip Island Tourism Strategy 2035 Project.**
- 3. requests the CEO present a report to the Council meeting to be held 24th June 2015, outlining potential Terms of Reference and Structure for the establishment of a Phillip Island Tourism Community Reference Group.**

CARRIED

E.2 Drainage and Flood Mitigation Strategy - Silverleaves

File No: CMI5/194
Department: Infrastructure
Council Plan Strategic Objective: Sustainable Development & Growth

Our built environment complements our landscape, lifestyle and climate.

Declaration

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

Summary

Council approved funds in the 2014/15 Budget to complete a Drainage and Flood Mitigation Strategy for the Silverleaves area within Cowes. This report outlines outcomes and recommendations from the recently completed study undertaken by Engeny Water Management.

The development of the strategy considered all of the available data, in conjunction with the various Council policies, plans, objectives. The recent consultation process for Planning Scheme Amendment C82, Land Subject to Inundation Overlay provided valuable information in the formation of the strategy.

The strategy offers three possible options in the treatment of the catchment for Silverleaves. The Adapt option being the most feasible. This option has two aspects to address the existing flood risk and the potential for changes in the coastal flooding risk. These being; planning controls to the specific Silverleaves urban area and structural drainage and flood protection works. The Silverleaves Drainage Strategy Section 7 has the full detail, however it is summarised as a series of pipe drains and pumps at low lying areas connected to existing outfall pipes. The Adapt option will not require immediate action or allocation of funds. It is envisaged that this would be included in future long term financial plans or as budgets allow.

The Drainage Service Asset Management Plan (DSAMP), which is to be presented to Council in June 2015 for consideration, will outline the level of service for drainage. This will in turn provide guidance on action to be undertaken.

It is recommended that Council

- 1. endorses the Silverleaves Drainage Strategy 2015**
- 2. endorses the adaption option, which is outlined on page 32 of the Silverleaves Drainage Strategy 2015 and includes installation of pumps, levee bank, flood gate and a wetland, as the preferred option**
- 3. refers the Silverleaves Drainage Strategy 2015 as a reference document in the Draft Drainage Services Asset Management Plan.**

Background

Silverleaves Estate was developed in the mid 1980's using the private street scheme provision of the 1958 Local Government Act.

Basic road infrastructure was provided however no underground drainage was constructed as there were concerns about the impact to existing vegetation and the groundwater table.

Further to this, Woods Estate was developed after subdivision approval in 1990, relying on a drainage strategy that stated that infiltration was all that was required as the land was only subject to inundation for short periods.

However, this has not proven to be the case. Sections of the Silverleaves area have been subject to inundation – particularly around Chale Court, Moore Street and Tedwood Court, due to the following factors:

- The ending of a major and long running drought in 2010, with three years of above average record rainfall.
- Increasing impervious areas due to larger dwellings and paved areas being built.
- Importation of soil and plants that are not conducive to water penetration.
- Rising ground water table.
- The compaction of soil due to increased vehicular movements within internal property areas.

During 2012 there were significant issues in Woods Estate, causing significant disruption and nuisance with resultant community reaction. As a consequence, Council allocated funds for remedial works to occur, including the installation of pumps in Moore Street and Tedwood Court.

As well as remedial works, Council allocated funds in the 2014/15 Budget to develop a Drainage and Flood Mitigation Strategy for the whole of Silverleaves.

At the same time, a major initiative for Council is the development of a Drainage Services Asset Management Plan. This is scheduled to be presented to Council at its Ordinary Meeting in June 2015 for consideration. The Drainage Services Asset Management Plan will articulate the levels of service for drainage. Refer to Attachment 3 for descriptions of the levels of service.

The particular issues raised in Moore and Tedwood Court were concerns with flow under a resident's house (Level 3 DSAMP), and the long period of time that the roadway (Level 3 DSAMP) and part of properties (Level 4 DSAMP) were inundated.

Strategic Basis

The Local Government Act 1989

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

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

Sections 198, 199, 200, and 201 give the Council powers to manage the drainage of land and refers to the Water Act 1989. Section 205 Powers on Roads, and also refers to the Road Management Act 2004.

The Bass Coast Planning Scheme

The planning scheme includes a number of objectives with supporting strategies around environmental issues including catchment management and flooding.

Those relevant to the issues covered in this Briefing are:

- **21.07-2 Catchment Management**

Objective 1: *To improve water quality and availability.*

Strategy 1.1: Encourage the incorporation of water sensitive urban design principles into future, and, where practicable, existing urban subdivisions, in accordance with Council's Stormwater Management Policy at Clause 22.1

Objective 3: *To protect waterways, wetlands and floodplain areas of environmental significance, protect life, health, safety and community wellbeing from flood hazard, and to minimize the impact of flooding on the community.*

Strategy 3.3: Encourage the use of "constructed wetlands" or other similar systems, as a means of storing floodwater, improving water quality and adding to natural habitats.

- **21.07-3 Environmental Hazards – Flooding and Salinity**

Objective 3: *To restrict and control development on land prone to flooding and salinity.*

Strategy 3.1: Ensure that the areas prone to flooding are planned and managed in a way which reduces the vulnerability of uses to flooding and prevents inappropriate works and developments.

The development of this Drainage and Flood Mitigation Strategy will assist Council in achieving all of the above objectives and strategies in an area from which water flows into sensitive wetlands and then into Western Port Bay.

The Council Plan 2013-2017

The Council Plan contains a number of principles and key strategic objectives.

The Council Plan Principles which apply are:

- The social, environmental and economic priorities of the Shire benefit both current and future generations.
- Intrinsic value of biodiversity and the protection of the natural eco systems will be recognised.
- The provision and use of energy and resources will be promoted in an efficient and sustainable way.

The key strategic objective titled Sustainable Development and Growth relates to the built environment complementing our landscape, lifestyle and climate. Some of the strategies that underpin this objective are:

- Providing infrastructure and facilities that are well managed, environmentally sustainable and are suitable for the community's needs; and
- Decreasing the adverse environmental footprint of development.

The key strategic objective titled Natural Environment, relates to our unique natural environment being protected, maintained and enhanced for the enjoyment of all.

Some of the strategies that underpin this objective are:

- Improving the health of the landscape through increased biodiversity and

indigenous vegetation protection.

- Facilitating appreciation of our unique natural environment through sustainable public access.
- Mitigating the forecast impacts of climate change by integrating the predictions into our decision making and planning for infrastructure, services and utilities.

Implementation of the Drainage and Flood Mitigation Strategy for Silverleaves will ensure improved drainage outcomes for property owners and residents by improving drainage within the area and mitigating flooding risks to property from waterways.

In addition to this, the implementation of the strategy will ensure that the impact of the existing urban residential development within these areas does not continue to have an adverse impact on waterways in the area.

Finances

There are a number of options referred to within the report.

The adoption of this report does not commit Council to a financial allocation. Rather it will allow possible treatments to be factored into the long term financial plans or as future budgets allow (in accordance with the future Drainage Services Asset Management Plan – policy on service levels and the Urban Road and Drainage Improvement Policy).

Stakeholders

The various stakeholders that would need to be considered as part of any potential drainage improvement in the Silverleaves Estate are as follows:

- Property owners within the area that may benefit directly or indirectly;
- Other ratepayers within Bass Coast Shire Council;
- Visitors to Bass Coast Shire Council;
- Bass Coast Shire Council; and
- Melbourne Water.

The community within Silverleaves have been consulted by Council in relation to coastal flooding for Planning Scheme Amendment C82 Land Subject to Inundation Overlay. The information from these consultations provided valuable information in the development of this strategy.

Statutory Requirements / Codes / Standards / Policies

The Bass Coast Planning Scheme through Clause 56.07-4 provides the following management objectives for urban run-off management:

- To minimise damage to properties and inconvenience to residents from urban run-off.
- To ensure that the street operates adequately during major storm events and provides for public safety.

- To minimise increases in stormwater run-off and protect the environmental values and physical characteristics of receiving waters from degradation by urban run-off.

The following design objectives to achieve the Planning Scheme requirements were extracted from the Infrastructure Design Manual and are used when designing stormwater drainage systems for new subdivisions:

- Make provision for coping against nuisance flows in a minor storm event: Council typically requires piped stormwater in residential developments to adopt a 5 year ARI (Average Recurrence Interval) design capacity.
- Make provision for coping against major flows in a major storm event: Council requires that runoff resulting from a 100 year ARI storm be able to safely remain within roads, reserves and pipelines to ensure protection of the surrounding dwellings from flooding. This includes provision of cut-off drains to prevent runoff entering a subdivision from an external catchment.
- All low points on roads are required to cater for the 100 year ARI storm event by storage and /or drainage.

As previously stated, The Local Government Act 1989 sets out the objectives of Council:

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

Council has no statutory obligation to improve local drainage infrastructure. The upgrade of drainage infrastructure would be guided by the adopted service levels in the DSAMP. If applied within the Silverleaves area, this will go towards achieving the primary and facilitating objective of Council by improving the overall quality of life for citizens who live within this area.

A related project is the proposed drainage services asset management plan.

Other Options

Defend

To defend the area against flooding would require significant works to defend the whole area from coastal flooding, and to enable the area behind the coastal protection works to be drained via a combination of flood gates and pumping.

Installing a levee such as this would also require a number of flood gates or pumps at the low points against the levee wall on the landward side. This would allow runoff to drain out of the catchment during times of high coastal water levels. The estimated costs of defend options is expected to be in the \$50 to \$60 Million. The issue for expensive treatments such as these is that if the infrastructure fails or is overtopped, then the consequences are likely to be catastrophic.

Retreat

Retreating from the Silverleaves area would involve not constructing any infrastructure to defend the area from inundation. It would mean allowing future events to flood the area with the expectation that people will leave the area and not return either before, or most likely after, a large flooding event.

Officer's Conclusion and Recommendation

Adapt

The Silverleaves Drainage Strategy report considers a number of options to Defend, Retreat or Adapt, to protect the area from flooding. The consultant has made a recommendation that an adaptation strategy is considered most appropriate in the Silverleaves area.

This adaption strategy includes a series of pumps, a levee bank, a flood gate outlet and a wetland, refer page 32 of the attached Silverleaves Drainage Strategy 2015.

The proposed adaption strategy had advantages over other options for the following reasons:

- It retains Silverleaves area and community in place.
- Is able to be implemented as required over a number of years.
- Is able to be adjusted in the light of new information and in response to future coastal and/or catchment flood events being an adaptive and responsive strategy.
- Does not require expensive flood defence structures, which could have catastrophic consequences if they fail or are overwhelmed.

The estimated cost of the adaption option is estimated to be in the vicinity of \$3-\$4Million and would not need to be implemented until adopted service levels are not being met (as set by the drainage services asset management plan). When this time comes, funding options could be considered according to the Council policy.

Recommendation

That Council

1. **endorses the Silverleaves Drainage Strategy 2015**
2. **endorses the adaption option, which is outlined on page 32 of the Silverleaves Drainage Strategy 2015 and includes installation of pumps, levee bank, flood gate and a wetland, as the preferred option**
3. **refers the Silverleaves Drainage Strategy 2015 as a reference document in the Draft Drainage Services Asset Management Plan.**

Attachments

AT-1	Silverleaves Drainage Strategy Report	68 Pages
AT-2	Silverleaves Drainage Strategy Report ADAPT scenario	1 Page
AT-3	Proposed Service Level Standards	2 Pages

Council Decision

Moved: Cr. Andrew Phillips / Seconded: Cr. Phil Wright

That the recommendation be adopted.

CARRIED

E.3 Review of Urban Roads and Drainage Improvement Policy

File No: CMI5/350
Department: Infrastructure
Council Plan Strategic Objective: Sustainable Development & Growth

Our built environment complements our landscape, lifestyle and climate.

Previous Items: SR6/15 - Review Urban Roads and Drainage Improvement Policy - Receipt of Submissions - Council - 18 February 2015
SR7/14 - Review of the Urban Streets Improvement Policy - Council - 15 October 2014
SR5/13 - Primer Seal Dust Suppression Roads - Long Term Management Strategy - Council - 21 August 2013

Declaration

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

Summary

Council resolved at its 21 May 2014 meeting, to complete a review of the Urban Streets Improvement Policy and associated procedures by 30 June 2015.

The current Urban Streets Improvement Policy was adopted by Bass Coast Shire Council in 1996.

Nine submissions received in relation to the draft policy were presented to Council at its 18 February 2015 Ordinary Meeting.

At this meeting Council resolved to undertake further revision of the policy and its associated supporting documents prior to its adoption.

The revised policy and associated documents will provide policy direction and set the criteria for consideration of the future priorities for Council's road and drainage upgrade program.

In addition, the revised policy will set out the process for the initiation, planning and delivery of the road and drainage improvement program.

The proposed changes to the Draft Urban Roads and Drainage Improvement Program are:

- Additional information included within the preamble of the policy to clearly identify the linkages between the strategic documents such as Bass Coast 2030, Council Plan 2013-2017, the Bass Coast Shire Planning Scheme and the proposed Urban Roads and Drainage Improvement Policy.
- Inclusion of additional Policy Statements reflecting both the linkage to the strategic documents and the comments made in the submissions received.
- Inclusion of further clarity around the infrastructure elements that Council will be liable for under any potential road and drainage improvement project.

- The Urban Roads and Drainage Improvement Projects timeline has been further modified to reflect both submissions raised in submissions and actual practice during the initiation stage of the Sunset Strip potential road and drainage improvement project.
- The Urban Roads and Drainage Improvement Projects process flowcharts for both the initiation and planning phases of potential road and drainage improvement projects have been further modified to reflect both submissions and actual practice during the initiation stage of the Sunset Strip potential road and drainage improvement project.

It is anticipated these changes will provide a clear line of sight between Council's vision, its key strategic objectives and how the delivery of road and drainage improvement projects provides outcomes that meet these objectives.

It is recommended that Council, having considered all the submissions received, adopt the Urban Roads and Drainage Improvement Policy 2015.

Background

Prior to the implementation of the Town Planning Act (circa 1970), Council's had no way of requiring developers to consider the social, environmental and cultural wellbeing of a community as part of proposed development. This meant there were a large number of residential areas throughout Victoria which do not meet the most basic of requirements under the current planning legislation.

This has left a legacy that all current and future ratepayers are left to resolve. In order to address this legacy, Bass Coast Shire adopted the Urban Streets Improvement Policy in 1996.

Accompanying the Urban Streets Improvement Policy was the Local Road Priority List, which set the priorities for road and drainage upgrades across the Shire in accordance with the policy.

The Urban Streets Improvement Policy set out to provide policy direction surrounding the following:

- The prioritisation of urban areas across the Shire for proposed road and drainage upgrades
- The use of special charge schemes as the funding mechanism for the upgrade of urban areas within the roads priority list

Council has in the past completed a number of road and drainage upgrade projects through the Capital Works Program which have been initiated as a result of the existing Urban Streets Improvement Policy and the accompanying Roads Priority List. The value of these projects in today's dollars is \$40 million and improved the liveability of approximately 2900 properties.

The delivery of these projects through the existing policy and the accompanying road and drainage upgrade program has been an initiative that Council has implemented to improve liveability for communities across the Shire.

However, the existing Urban Streets Improvement Policy was based on different political, economic, environmental and social factors. The existing policy was developed without any reference to Council's current Council Plan, Vision or Mission Statement.

The objectives of the review of the policy are to enable Council to:

- Outline the strategic links between the various strategic documents such as the Council Plan and the Bass Coast Planning Scheme.
- Enable the achievement of a number of Council's key strategic objectives.
- Improve the social, economic and environmental benefits to the community.
- Define procedures and guidelines for the upgrade of urban infrastructure.
- Ensure that the upgrade of urban infrastructure is in accordance with Council's Policy and Standards.
- Have a consistent approach to the upgrade of urban infrastructure.
- Minimise long-term maintenance and renewal costs for road and drainage infrastructure.

The revised policy seeks to redefine Council's commitment to improving the health and wellbeing of its ratepayers by offering the opportunity for the provision of urban road and drainage infrastructure improvement works in their community.

The Road Priority List, which forms a major part in the implementation of the existing policy, has also been reviewed. Significant major changes to the priority list have occurred. This resulted in some urban areas or estates being moved up the list of priorities and subsequently some areas being moved down.

It was therefore necessary to give the community an opportunity to provide feedback on the revised policy and priority list prior to Council adopting a revised policy.

A report was presented to Council at its 17 October 2014 Ordinary Meeting which outlined the draft policy and the associated supporting documents.

Council resolved to place the draft policy on public exhibition and invite submissions on the proposed policy.

A public notice was placed in the Sentinel Times on 4 November 2014, with the submission period of 6 weeks closing on 19 December 2014.

A total of nine submissions were received. Three of these are from the same ratepayer.

Council Officers have considered all the submissions received to determine what, if any changes are required to the draft policy. A copy of all the submissions received has been included as Attachment I.

Majority of the submissions received focus around the social and/or financial impacts of any potential road and drainage improvement projects. Some submissions also discuss the standard of infrastructure to be provided as part of these projects.

Key matters around the policy within submissions are summarised below:

1. Social impacts of any potential road and drainage improvements.
2. Financial impacts of any potential road and drainage improvements.
3. Priority list needs to also consider potential development on existing infrastructure within an existing estate. The implications of future development and the associated planning controls need to somehow be also evaluated. This issue has the potential to significantly influence the proposed priority list.

4. Consider splitting estates into areas.
5. Consideration of providing alternative options.
6. Special Maintenance Levy and re-construction charges.
7. Reprioritisation of certain roads.
8. Community engagement process.
9. The evaluation matrix.

Responses to each of these key matters have been provided later within the Officer's Conclusion and Recommendation.

Strategic Basis

The Local Government Act 1989 sets out the objectives of Councils. Section 3C of this Act states that:

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

- **Bass Coast 2030**

Adopted by Council in 2008, this document outlines Council's vision for how it wishes to be seen in 2030.

It also includes aspirational statements of what Bass Coast will look and feel like by 2030. A number of these statements will rely on the provision of infrastructure if they are to come to pass. These include:

1. A celebration of natural assets – *By protecting and maintaining our natural assets as well as putting in place infrastructure and services, our tourism industry thrives.*
2. A window on the history of Victoria – *Our rich history is preserved and protected. Our built environment has been developed sensitively to acknowledge the significance of Bass Coast's heritage.*
3. A village in a technology world – *We have plenty of eco-friendly transport alternatives to choose from, reducing our reliance on cars and increasing access to social activities, services and jobs. Safe walking and riding paths, community based transport and public transport including both buses and trains connect key destinations across and beyond the Shire.*

- **Council Plan 2013-2017**

The Council Plan 2013-2017, adopted by Council at its 19 June 2013 Ordinary Meeting, is the strategic document for achieving its vision. Established by the Councillors, this document also outlines how Council will meet the priorities identified through the consultation processes and community surveys.

The Council Plan outlines the broad strategies on how Council intends to deliver and fund these outcomes for the community.

The Council Plan identifies through the key strategic objectives the broad direction that Council commits to over its term. Strategies are set to achieve the key strategic objectives.

The Council Plan includes a Key Strategic Objective regarding Sustainable Development and Growth. This objective is underpinned by a number of strategies including:

- *“Provide infrastructure and facilities that are well managed, environmentally sustainable and are suitable for the community’s need.”*
- *“Improve access networks and pathways for our community.”*

The Council Plan also has Principles which apply to this policy:

- The social, environmental and economic priorities of the Shire benefit both current and future generations.
- Equity in the distribution of resources across the Shire.
- Transparent evidence based and inclusive decision making.
- The provision and use of energy and resources will be promoted in an efficient and sustainable way.
- **Bass Coast Planning Scheme**

Under the current Bass Coast Council Planning Scheme, there are a number of key objectives each new development needs to achieve prior to it being approved. These objectives are around social, environmental and liveability of an area.

The objectives and strategies are set out under five themes:

- Settlement
- Land Uses
- Environment
- Landscape and Built Form
- Infrastructure

The objectives and strategies that are most relevant to any potential road and drainage upgrade project are:

CI 21.07-2 Environment - Catchment management

Objective 1. To improve water quality and availability.

Strategy 1.1 Encourage the incorporation of water sensitive urban design principles into future and where practical, existing urban subdivisions, in accordance with Council’s Stormwater Management Policy.

Objective 3. To protect waterways, wetlands and floodplain areas of environmental significance, protect life, health, safety and community wellbeing from flood hazard and to minimize the impact of flooding on the community.

Strategy 3.3 Encourage the use of “constructed wetlands” or other similar systems, as a means of storing floodwater, improving water quality and adding to natural habitats.

CI 21.07-3 Environmental hazards – Flooding and Salinity

Objective 3. To restrict and control development on land prone to flooding and salinity.

Strategy 3.1 Ensure that the areas prone to flooding are planned and managed in a way which reduces the vulnerability of uses to flooding and prevents inappropriate works and developments.

CI 21.08-4 Landscape Architecture

Objective 1. To increase vegetation across the Municipality.

Strategy 1.1 Increase landscaping in public areas

Strategy 1.3 Encourage the use of local native plants in landscaping.

Objective 2. To ensure that development creates and maintains a high quality landscape setting.

Strategy 2.2 Consider landscape architecture as an integral part of an overall concept for development and provide opportunities to enhance landscape features of the area.

CI 21.09 Infrastructure

Objective 2. To have an effective and efficient road network throughout the municipality.

Strategy 2.1 Require full street construction and drainage for all new subdivisions in urban areas.

Objective 4. To create a shared path network between and within towns.

Objective 4.2 To facilitate the expansion of the bicycle network in accordance with Bass Coast Shire Bicycle Strategy, including a combined bicycle and pedestrian path around Phillip Island.

In order to achieve these strategic objectives and principles, Council has a number of existing strategies, plans and policies to manage our resources effectively, whilst providing and improving infrastructure within the Shire. They include the existing Urban Streets Improvement Policy.

The existing Urban Streets Improvement Policy states that:

- *Council be committed to upgrade and maintain all the urban streets to a sealed status.*
- *Council be committed to provide drainage to all unserviced urban subdivisions in the Shire.*

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

Council's Asset Management Policy outlines the Council's goals with respect to the way in which it manages infrastructure. These include:

- Taking a forward looking, long term and 'whole of life' view to the provision and management of infrastructure for service delivery.
- Understanding and taking into account community expectations in all significant decisions affecting infrastructure.

The review of this policy, in line with the Asset Management Policy, aims to ensure that the long term and 'whole of life' costs of the infrastructure are included as part of these upgrade projects, and minimises the impact to Council's renewal and maintenance demands.

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

In addition, the Road Services Asset Management Plan and Drainage Services Asset Management Plan, through the adopted community service levels, aims to ensure that community expectations for improved road and drainage infrastructure are met.

A full review of this policy was required to determine the future direction of the urban road and drainage improvement program, based on the stated community services levels. The review of the policy will reaffirm Council's commitment to its key objectives in the Council Plan and recognises that this policy also reaffirms Council's vision within the Municipal Strategic Statement. This includes:-

- A high quality built environment enhancing the natural environment and landscape values.
- Effective and efficient road, pedestrian cycling and drainage networks provided throughout the Shire.
- Improved quality of water and the surrounding catchment environment.

It is anticipated that this policy will provide strategic direction to improve the liveability and township character of both the built and natural environment for residents and ratepayers within the Shire's urban areas.

Finances

The adoption of the revised policy, the accompanying priority list and the subsequent upgrade program will have a financial implication for Council as the upgrade of roads and drainage will require an investment of capital.

There are over 125 kilometres of unmade roads within urban residential, commercial and industrial areas across the Shire, which includes both primary access roads and secondary access rear lanes.

In addition to this, these areas make up 6,074 properties out of the total 25,199 properties within residential, commercial and industrial areas. This equates to almost 25% of properties within urban areas across the Shire having insufficient road and drainage infrastructure.

In order for Council to bring all of the urban road and drainage infrastructure in these areas across the Shire (not including rear lane access) to a standard which is consistent with community expectations within an urban residential commercial or industrial area, will cost over \$135 million.

Council does not have the resources or the financial capacity to deliver all of these road and drainage improvements at the one time. Therefore, Council must prioritise specific areas into a program in order to deliver these improvements over time.

The Council contribution and funding will need to be considered as part of the development of the Long Term Financial Plan and considered annually as part of budget development. It is envisaged that a program to upgrade all existing areas would take over 50 years to implement.

Under the existing policy, over 2900 properties have contributed to upgrades in their estates through the provision of a special charge.

Stakeholders

There are various stakeholders regarding the review of the existing policy.

The primary stakeholders in the review of the revised policy are those property owners in areas that have insufficient infrastructure and have been prioritised within the ten-year program for road and drainage improvements.

Other stakeholders include:

- Bass Coast Shire Council;
- Property owners in these areas that may get a benefit but indirectly;
- Property owners that have been included in past projects;
- Other ratepayers of Bass Coast Shire;
- Community groups such as community planning groups and resident/ratepayers associations; and
- Visitors to the area.

Council exhibited the draft policy documents and called for those that would like to comment or provide feedback to do so formally in writing.

The response, comment and feedback are the subject of this report.

Statutory Requirements/Codes/Standards/Policies

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

Section 40 (1) of the Road Management Act 2004 states that a road authority, in this case Council, has a statutory duty to inspect, maintain and repair public roads.

However, Section 40 (2) states that the statutory duty imposed by sub-section (1) does not create a duty to upgrade a road or to maintain a road to a higher standard than the standard to which the road is constructed.

In accordance with these sections of the Road Management Act 2004, there is no statutory obligation for Council to upgrade road and drainage infrastructure within the Shire.

The Local Government Act 1989 sets out the objectives of Councils. Section 3C of this Act states that:

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

Council has an Asset Management Policy and associated with this are the adopted Road Services Asset Management Plan 2014, and the Drainage Services Asset Management Plan which will be considered by Council in June 2015.

Other Options

Council has resolved to complete a review of the Urban Streets Improvement Policy with a view to adopt a revised policy prior to 30 June 2015.

Given that Council has resolved to complete a review of the existing Urban Streets Improvement Policy, there are no further options than to review the policy in accordance with this resolution.

However, in considering the matters raised in the comment, there are a number of further changes that Council has made in the review of the Urban Streets Improvement Policy. These are:

- A stronger emphasis on how the provision of infrastructure is a way to meet Council's overall strategic objectives, and subsequently the social impacts of these types of projects.
- Identification of the various infrastructure that Council considers will be their responsibility to fund for any future improvement projects.
- Revisions to the draft process flow charts for both the initiation and planning phases of road and drainage improvement projects.
- Revisions to the project timeline to include the additional levels of stakeholder engagement, as per that undertaken for the Sunset Strip Estate.

Officer's Conclusion and Recommendation

Each of the submissions received have been considered by Council Officers and have been summarised into the following broad topic areas. A response has been provided addressing these topic areas.

- Social impacts of any potential road and drainage improvements.

The provision of providing road and drainage infrastructure within an established urban area does impact on a range of social, economic and financial aspects.

These types of projects are generally carried out over a number of years. The extent of the initial stage of community engagement has changed over recent times. In particular, for Sunset Strip there were community sessions arranged initially to discuss not only the issues in the area relating to drainage, traffic and road safety, but also if improvements were undertaken what they wished their streetscape to look like.

Council Officers were attempting to achieve some sense of ownership of the project from the Sunset Strip community.

Since the Pine Avenue/Churchill Drive road and drainage improvement project, Council officers have continued to modify the way in which we engage with the community for these projects.

For projects undertaken after the Pine Avenue/Churchill Drive road and drainage improvement project, Council Officers have provided opportunities to meet one on one. Such meetings/sessions have been carried out after the development of concept plans and estimated costs have been prepared. The one on one sessions are usually a more relaxed format for property owners to discuss any concerns or questions they may have regarding a potential project.

Council Officers have also been considering the formation of steering groups for these types of projects. This will require considerable investment of resources by Council to work successfully.

It may also assist in minimising the level of inaccurate information being circulated around the community and also assist in developing an open discussion between the affected property owners and Council Officers.

The additional idea of an individual who can offer the opportunity to hear those concerns and then share those concerns with Council and the best way to resolve them, has merits. In the past this role has tended to be undertaken by the Ward Councillor rather than Council Officers.

The way forward...

Council Officers have commenced the preparation of the engagement plan for the potential development of Sunset Strip Estate road and drainage improvements. This includes the potential formation of a steering group who will assist Council Officers to develop the potential concept plans. The opportunity to form a steering group will be offered as part of all future potential road and drainage improvement projects. It is anticipated that the formation of a steering group will assist in creating a better outcome for the community as they will work through drainage, traffic and road safety issues as well as the vision for the estate. The revised project plan and process flow charts include references to the formation of a community steering group

- Financial impacts of any potential road and drainage improvements.

As expected the overwhelming issue when implementing these types of projects is how property owners will be able to pay. This issue then tends to take over any others.

It is clear from past experience, that this is a matter that needs to be addressed up front. On past projects at our one on one sessions, Council's Finance Project Officer is on hand to discuss individual concerns with property owners and to discuss options should any improvement project proceed, following receipt of concept plans and detailed costings.

The dilemma Council faces is when those conversations should be held. Should it be as early in the process as possible, prior to concept plans and costs being prepared, or later in the process?

When discussing needs and aspirations it is preferable that issues around costs do not distract from ascertaining whether or not a potential upgrade is necessary.

If we do not provide financial data at the time of sending concept plans and costings, then there may not be a level of support due to the concerns over the ability to pay.

This matter needs to be formally addressed as part of a funding policy which will need to consider possible repayment options for those property owners who are unable to fund their contribution.

Again the resourcing of this financial advice and support needs to be considered early on in the initiation phase of the project.

The way forward...

Council Officers will include these discussions as part of the steering group's terms of reference for consideration by Council once the concept plans are completed. Typical repayment options would be included in a potential special charge scheme policy. They would not be included in the Urban Roads and Drainage Improvement Policy.

- The priority list needs to also consider potential development on existing infrastructure within an existing estate.

The Council Plan 2013-2017 has a number of overarching principles to guide all decisions and actions. It also includes five key strategic objectives which identifies the broad strategic direction of Council.

A methodology was developed in order to prioritise urban areas across the Shire. This methodology was aligned with the key strategic objectives of the Council Plan.

The current draft policy considers the impact of future development on an existing area. It is included under Sustainable Development and Growth – External Development. This element is scored between zero to five (0-5), with five being the highest.

This was based on the current strategic planning controls, with those estates with abutting land already zoned for development scoring the highest.

However, it did not take into account any of the outcomes from any of Councils adopted studies including the San Remo Access Strategy and Phillip Island Integrated Transport Study.

The full implications of these studies on the priority list needs to be considered at length, and may involve some revisions in the assessment criteria. Any future proposed revisions will need to reassess the criteria based on the outcomes of any future strategies in more detail.

A more detailed outline of the evaluation criteria is provided within Attachment 5.

The way forward...

Council Officers will continue to review the priority list as part of the Road and Drainage Services Asset Management Plans. Currently the review of these documents occurs every 4 years.

- Consider splitting estates into areas with various levels of infrastructure.

In order to determine the extent of an urban area to be prioritised, as an individual road and drainage improvement project and to ensure economies of scale in the delivery of the project, designated areas were defined.

Designated project areas have generally been developed by grouping roads/streets and drainage catchment areas that are adjacent, intersecting, or in the vicinity of others that require an upgrade of infrastructure.

In the practical sense when considering a project of this type, there are guiding and legislative principles that need to take precedence. These are:

- The overall “special benefit” each property owners will receive from the proposed works.
- What types of works are proposed? Will all properties be adequately serviced?
- Will the maintenance requirements and costs required over the life of any proposed treatment be sustainable?
- How the costs of the works would be fairly and equitably shared between all the affected properties.
- What is the level of benefit to external ratepayers from the works and subsequently Council’s contribution?

There are also a number of key objectives and strategies within Councils Planning Scheme that apply to these types of projects. These will also guide Council Officers into determining the appropriate level of infrastructure. They are outlined later in this report under “Strategic Basis”.

The current draft policy does not exclude considering various levels of infrastructure. However, based on the above criteria, it is extremely difficult to implement and ensure the above principles are met.

There is a minimum standard of infrastructure Council requires to ensure it improves the overall liveability and amenity of the area.

Again the formation of a steering group will assist in determining what the community feels is the most appropriate level of infrastructure required to address all of the concerns raised by the community. In considering partial areas of estates, there is likely to be a substantial cost implication to Council to consider any additional “community benefit” contributions.

Based on initial conversations around current issues, needs and future vision of an area, it would be anticipated that the extent of the road construction as determined by the steering group would be presented to Council.

The way forward...

A revised process flowchart for the planning phase of a road and drainage improvement project has been prepared and is to be used for the Sunset Strip potential road and drainage improvement project, and all other future road and drainage improvement projects. For a copy of this revised process flow chart refer to Attachment 4.

- Drainage construction should be compulsory.

Over recent years following the end of the drought, there has been a return to a number of drainage issues in various areas across the Shire. Most of these drainage issues are the result of little or inadequate formal drainage infrastructure.

It is anticipated that the provision of controlled stormwater connection points and an appropriate outfall would be provided as a minimum for all improvement projects presented under this policy.

Again, this policy does not preclude drainage being undertaken independently. It is also considered appropriate to undertake a formal drainage strategy to assist Council in determining what works should be carried out regardless of whether a potential road and drainage improvement projects proceeds. The preparation of the drainage strategy would also support Council in any application for external funding to undertake drainage works. This is particularly true for works undertaken within the Melbourne Water catchment area.

The way forward...

Council Officers will include the requirement that where appropriate, a drainage strategy will be prepared for all potential road and drainage improvement projects.

- Consideration of providing alternative options

As stated previously, there are a number of key strategic objectives within Council’s Planning Scheme which are to be used as guiding principles. Council is committed in pursuing these objectives and ensuring unconstructed urban areas can expect a minimum level of infrastructure to improve their liveability. Certain elements of road and drainage construction are required to adequately cater for both current and future needs within an area.

One comment talked about certain elements of the Nillumbik Shire Council’s policy particularly relating to the level of infrastructure.

Like most Council's contacted as part of recent research into the various road and drainage improvement policies, there is generally a minimum standard that is adopted within "Urban" areas. These areas are generally defined based on a number of criteria. The most common criteria are:

- The area is generally zoned Residential 1.
- The size of the properties are smaller than 1 acre.

In these areas, it is generally accepted practice to consider the provision of underground drainage, a sealed road pavement and kerb and channel.

Nillumbik Shire is no different.

Recently informal benchmarking was undertaken in order to determine what other Councils were doing in addressing inadequate infrastructure in their urban communities.

Bass Coast Council plus only one of the 4 Council's contacted as part of this informal benchmarking are aware of the extent of the legacy of unconstructed urban areas. The other, Mornington Peninsula Shire also has a significant legacy. Its former predecessor, Shire of Flinders, had a very progressive program whereby it went through many of the urban holiday areas in Rye, Blairgowrie etc. in the late 1980's and 1990's. All of these areas considered the provision of kerb and channel and drainage compulsory.

Again, the formation of a steering group will assist in determining what the community feel is the most appropriate level of infrastructure required to address all of the concerns raised by the community. In considering partial areas of estates, there is likely to be a substantial cost implication to Council when calculating the "community benefit" contributions.

Based on initial conversations around current issues, needs and future vision of an area, it would be anticipated that the steering group would agree on a preferred option and this option would then be put to the rest of the community for discussion as part of one on one sessions. This "draft" would then be revised as required with the "final" preferred option being recommended for adoption by Council.

The way forward...

The revised project plan and process flow chart for the development of concept plans prepared as part of the planning phase of a road and drainage improvement project includes these steps. It will be used for the potential Sunset Strip road and drainage improvement project. For a copy of this revised process flow chart refer to Attachment 4.

- Special Maintenance Levy and re-construction charges.

There has been some discussion on the introduction of a maintenance levy should property owners reject the idea of road and drainage improvements.

This acknowledges that there is an ongoing cost around maintaining an area with lesser standard infrastructure and due to the potential higher traffic volumes requires a more frequent maintenance regime.

It was suggested this be used in conjunction with a formal drainage scheme as a minimum. The decision of investigating the implementation of a maintenance levy would need to be adopted by Council.

A further alternative to this is to redefine the service levels for maintenance in these areas. Therefore anything above those service levels would need to be an extra charge.

The way forward...

The revision of service levels in areas that do not take up the opportunity for road and drainage improvements would need to be included in the Road and Drainage Services Asset Management Plans. This would need to occur at the time these documents are under their recurring review. Any amended service levels would be subject to formal process under the Road Management Act.

- Reprioritization of certain roads.

One comment was around the reprioritisation of The Esplanade in Ventnor.

The Esplanade is included within the Ventnor Street Project Area. It currently follows directly after the Koala Estate and therefore would be considered just outside of the proposed 10 year program.

It is unlikely to be able to be pushed up the priority list as the projects ahead of it all have a higher score overall after considering all of the criteria under Council's key objectives.

The way forward...

Council Officers will continue to review the priority list at the intervals set out in the policy and present to Council as part of the adoption of the Road Services Asset Management Plan.

- Community engagement process

Many of the matters raised in the submissions revolve around how Council does/should implement a potential road and drainage improvement project.

Many of the suggestions in some form have been implemented over the past few years. The Sunset Strip project, and in particular the community forums, were about providing the opportunity for property owners to assist Council in identifying issues that they have within their estate.

These conversations were around traffic, road safety, drainage and also what they would like to see their area look like if road and drainage improvements were implemented.

As mentioned previously, it is difficult for some members of the community to separate the possibility of improvements to their area from the overarching concerns about their ability to pay.

What has been more obvious over the past few projects is that there is no one perfect way to engage with a community and it is necessary to ensure that sufficient information is available at the earliest stage of any potential project. Most owners in Sunset Strip wanted more information particularly around what they would get and more accurate information about how much they would be required to pay.

It is considered that the formation of a steering group will also assist in ensuring further opportunities are provided to the affected property owners to obtain more information, and also to contribute to the overall development of concept plans in their communities

The way forward...

Council Officers have revised the proposed engagement plan for the initiation phase of a road and drainage improvement project. An engagement plan has now been developed for the planning phase of these types of projects.

- The evaluation criteria calculations.

There were a number of submissions which touched on the evaluation criteria calculations. The reasons raised behind this were all subtly different.

A detailed outline of how the evaluation criteria were assessed is provided in Attachment 3.

The criteria was provided as an attachment in the report presented to Council at its October Ordinary Meeting, as well as placed on Council's web page for public access during the submission process.

Whilst some of the criteria is subjective and determined by a Council Officer, the majority of the criteria is supported by actual data.

The way forward...

Ongoing assessment of the evaluation criteria is to be undertaken to ensure all relevant data and supporting information has been considered where appropriate.

As a result of these submissions, a number of changes to the draft policy have been made. The changes are summarised as follows:

- Additional information included within the preamble of the policy to clearly identify the linkages between the strategic documents such as Bass Coast 2030, Council Plan 2013-2017, the Bass Coast Shire Planning Scheme and the proposed Urban Roads and Drainage Improvement Policy.
- Inclusion of additional Policy Statements reflecting both the linkage to the strategic documents and the submissions made in the submissions received.
- Inclusion of further clarity around the infrastructure elements that Council will be liable for under any potential road and drainage improvement project.
- The Urban Roads and Drainage Improvement Projects project timeline has been further modified to reflect both submissions raised in submissions and actual practice during the initiation stage of the Sunset Strip potential road and drainage improvement project.
- The Urban Roads and Drainage Improvement Projects process flowcharts for both the initiation and planning phases of potential road and drainage improvement projects have been further modified again to reflect both submissions raised in submissions and actual practice during the initiation stage of the Sunset Strip potential road and drainage improvement project.

Over many years Council has been offering the opportunity for communities to consider potential road and drainage improvements. These communities generally experience a number of problems surrounding water inundation, dust, access and road safety.

These projects were initiated as a result of the existing Urban Streets Improvement Policy and the accompanying Roads Priority List. These areas are now offering their community increased liveability and social wellbeing.

Formalised underground drainage has removed the many inundation problems and provided flood protection. Sealed roads have eliminated the dust, removed silt and gravel from the drainage networks and improved the quality of the water in the receiving waterway. Footpaths have provided the opportunities for healthier lifestyles and access for all, irrespective of their physical capabilities. Landscaping has improved the streetscape and the overall amenity.

This policy reinforces all of the key objectives and principals that have been adopted by Council in all of its key strategic documents including Bass Coast 2030, the Council Plan, Municipal Strategic Statement and the Bass Coast Shire Planning Scheme.

Therefore, projects offered under this policy are not solely about the provision of infrastructure but rather they are a way for Council to fulfil these key objectives and to consider not only current owners but also the future owners that will live in these areas. These projects need to consider the future growth and development within these urban areas and to ensure that the level of infrastructure can cater for this growth.

This was further reinforced by the South Coast Communities – Community Plan, which identified many of the above problems as key areas they would like to see improved in their estates.

These projects totalling approximately \$40 million in today's dollars were funded via the implementation of a special charge scheme by the Bass Coast Shire. They could not have been achieved through rate revenue alone. All of the Bass Coast Shires predecessors used the special charge scheme provisions (post 1989) to raise funds for road upgrades and the private street provisions for the same purpose (1958-1989).

By strengthening the link between the current Planning Scheme and this policy, it ensures that the key strategic objectives are considered at the initiation stage of any potential project.

By placing sufficient emphasis on what Council is trying to achieve for all its ratepayers (both current and future) regarding liveability, social and environmental outcomes, this will broaden the understanding of any infrastructure improvements which are proposed to meet these outcomes.

Whilst the current Planning Scheme primarily addresses the social and livability outcomes for new urban areas, many of the criteria should and does equally apply to existing urban unconstructed areas.

If Council does not reinforce its commitment to providing road and drainage improvements to the existing unconstructed areas, there is a real risk that there will end up significant disparity between the newly developed and the existing urban areas. This could effectively create “has” and “has not” community areas.

Improvements to urban areas can take into consideration the individual character of an area and still offer a level of infrastructure to meet both the current and future needs of the community.

The challenge for Council is to gain an adequate understanding of the issues and expectations that exist within an area in order to create a concept plan/s that best meets those needs and expectations and are financially achievable for most property owners.

There are a number of assets Council already provides at no cost to the abutting property owners. The inclusion within the policy of a list of infrastructure assets that Council will provide without community contribution will provide clarity around what they can expect Council to contribute to a project.

Whilst there are usually a number of reasons that are mentioned by property owners against potential improvements, a key reason is generally around the costs and the impact these costs will have on their future circumstances.

As the costs of these projects continue to increase, it is becoming more critical that the success of these projects is dependent on how Council proposes to address these financial concerns. To assist with project development and community engagement it would be appropriate for Council to adopt a position on which infrastructure assets Council would want to provide without any direct community contributions. These infrastructure items would be those required as a minimum to achieve the objectives within the Planning Scheme, Council Plan and existing strategic plans.

If Council continues with the current project methodology, a more proactive approach to repayment options needs to be resolved at the commencement of the community engagement. Ideally a project funding policy would be written and adopted which considers a number of alternative options for those owners potentially affected by a road and drainage improvement project.

Council will shortly have a Drainage Services and Asset Management to assist in progressing through a list of urban drainage improvements where retro fitting of existing drainage systems is required as these are now not meeting the basic service objective of property protection.

Council should ensure we do not repeat the mistakes of the past where either lower standard outcomes were provided, or not enough consideration was given to the growth of the urban catchment.

Therefore to enable a clear direction to the future provision of urban road and drainage improvement projects, it is recommended that Council adopt the revised Urban Road and Drainage Improvement Policy together with its associated documents.

Recommendation

That Council, having considered all the submissions received, adopts the Urban Roads and Drainage Improvement Policy 2015.

Attachments

AT-1	CONFIDENTIAL - Submissions Received	19 Pages
AT-2	Urban Roads and Drainage Improvement Policy	9 Pages
AT-3	Road and Drainage Improvement Projects - Project Plan	1 Page
AT-4	Road and Drainage Improvement Projects - Process Flow chart	2 Pages
AT-5	Road and Drainage Improvement Projects - Priority List	21 Pages
AT-6	Road and Drainage Improvement Projects - 10 year program	1 Page

Council Decision

Moved: Cr. Bradley Drew / Seconded: Cr. Andrew Phillips

That the recommendation be adopted.

CARRIED

E.4 Proposed lease 50-54 Church Street Cowes - Phillip Island Community Health and Wellbeing Hub

File No:	CMI5/249
Department:	Governance and Organisation Development
Council Plan Strategic Objective:	Effective Governance

Our leadership will be achieved through good governance, community engagement and excellence in service delivery.

Declaration

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

Summary

Council, at its Ordinary meeting held 25 June 2014, confirmed its willingness to provide land at 50-54 Church Street, Cowes under a long-term lease based on a 'peppercorn' rent, subject to the land being used to provide an Integrated Primary Care Centre that is operated by Bass Coast Health. Council's full resolution from 25 June 2014 is as follows:

That Council;

- 1. seeks details regarding the service and type of facility that is proposed to be developed in Cowes from the Minister for Health, David Davis, in relation to the recent announcement that The Victorian Government will provide \$2.2 million to build a modern community health centre in Cowes.*
- 2. seeks confirmation from the Minister that a project control group will be created that will provide input in to the establishment of any new State funded health facility on Phillip Island and that the group will include Council representation.*
- 3. offers to facilitate an urgent meeting of key stakeholders including State and Federal representatives, to discuss the future of health services on Phillip Island.*
- 4. reiterates to the Minister, its support for an Integrated Primary Care Centre model in Cowes as identified in the Gippsland South Coast Service Plan and Model of Care 2010.*
- 5. confirms it is willing to provide land at 50-54 Church St Cowes under a long-term lease based on a 'peppercorn' rent, subject to the land being used to provide an Integrated Primary Care Centre that is operated by Bass Coast Health.*

Council, at its Ordinary meeting held 18 February 2015, resolved to defer consideration of the matter pending advice from Bass Coast Health in relation to future plans for expanding services on the site and clarification of the negotiations regarding the use of the \$2.5 million offered by Minister Greg Hunt for health services on Phillip Island.

Since the above resolution clarification has been provided and the terminology referencing the centre has changed from Integrated Primary Care Centre to Community Health Centre. The term 'Integrated Primary Care Centre' and 'Community Health Centre' are clarified in **Attachment I**. Bass Coast Health – Interim Statement of Purpose, Phillip Island Community Health Centre.

A power point presentation to Councillors by Bass Coast Health 16 March 2015 is shown in **Attachment 2**.

It has also been confirmed via correspondence dated 27 November 2014 from the Chief Executive Officer, Bass Coast Health that "It is Bass Coast health's belief that the proposed facility at Cowes is entirely consistent with our Rural Capital Support Fund submission and that it supports the goals of the 2010 Gippsland South Coast Service Plan around the development of a facility for the delivery of primary care services on Phillip Island."

The project development for the Community Health Centre was announced 30 March 2014 as a \$3.3m development and identified funding sources would be from:

- Department of Health (\$2.2m)
- Warley Trust (overseen by Leading Age Services Australia (Vic)) (\$1.1m)

Bass Coast Health has been informed by the Federal member for Flinders, The Honorable Greg Hunt that an amount of \$2.5 million will be made available from the Federal Government for health care services on Phillip Island. It is proposed that this money be used to construct specialist consulting suites that could be used by a range of medical and surgical specialists. (Confirmation of funding) **Attachment 3 and 4**.

Bass Coast Health will provide \$700,000 for furniture, fittings and equipment. The total cost of the project is \$6.5m.

Given the information provided by Bass Coast Health, it is recommended that Council confirm its willingness to proceed in accordance with point 5 of its resolution of 25 June 2014 and resolve the following to proceed.

That Council:

1. pursuant to section 191 of the *Local Government Act 1989* enters into an Agreement for Lease (whilst construction of the facility occurs) then Lease to Bass Coast Health for the land, or part of, known as 50-54 Church Street Cowes, being the land described in certificate of title volume 1355 folio 956 and volume 08286 folio 332 for the permitted use of community health services, for a 50 year term and rental of \$104 per annum plus GST.
2. authorises the Chief Executive Officer to negotiate any further conditions of the agreements and execute the documents, subject to the funding proceeding for the establishment of the Phillip Island Community Health Centre.

Background

A proposal developed by Bass Coast Community Health Service (BCCHS) to build a Community Hub (entitled an Integrated Primary Care Centre in their capital funding submission) in Cowes had been put forward for consideration under the State Governments "Rural Capital Support Fund". This was costed at approximately \$2.9 million and would replicate what BCCHS provided in Cowes in an inadequate rental facility, and allow for modest expansion over time.

Since the closure of Warley Hospital in Cowes in 2008 there has been a campaign for enhanced public health provision on Phillip Island. The State Government had responded with additional funding mainly for Ambulance Services, and invested heavily in an After Hours Medical Service (jointly funded by the Commonwealth) delivered by Phillip Island Medical Group. There has been many stakeholder groups with diverse views on what the State and Commonwealth should be bolstering further on the Island, with some groups at different times advocating strongly for 24/7 urgent care services and some bed based services. Some of the groups had moderated their demands although there is still not complete alignment regarding the desired scope of future health services from all stakeholder groups.

The Department of Health and the Minister had been clear that any proposed development on Phillip Island will not include hospital beds or newly funded services such as 24/7 Urgent Care nor compete with Medical and Aged Care Group's Cowes practice (formerly Phillip Island Medical Group). The Medical Practice forwarded a letter of support for the current BCCHS capital submission, on the basis and condition it compliments and does not compete with their own existing services. The 'Phillip Island Hospital Action Group' provided a more conditional letter of support saying they would ultimately like to see other services we consider out of scope in the development or its future phases.

One of the outstanding issues had been location, with two main options. The Council generously offered to make land available at 50-54 Church Street Cowes for the development of the facility. The other option had been land available for sale at the rear of and adjacent to the current Medical Practice in Thompson Avenue. The latter was attractive as a potential 'Health Precinct' but is essentially a residential block in a largely residential street, with capacity and future proofing issues together with the significant additional expense to purchase the site. The council land is not co-located, but is large, accessible and allows for car parking and future expansion. BCCHS's preferred location is the council owned land and this has been the basis of its discussions with various stakeholder groups.

In July 2014 BCCHS and Bass Coast Regional Health merged to become Bass Coast Health which is the entity that would lease the Council land.

Strategic Basis

Council Plan Principles

- The social, environmental and economic priorities of the Shire benefit both current and future generations.
- Equity in the distribution of resources across the Shire.

Finances

The project development for the Cowes Community Health Centre was announced as a \$3.3m development and identified funding sources would be from:

- Department of Health (\$2.2m)
- Warley Trust (overseen by Leading Age Services Australia (Vic)) (\$1.1m)
- Federal Government (\$2.5m)
- Bass Coast Health (\$700,000)

Council will contribute the land at 50-54 Church Street Cowes (total site value of approximately \$1.6m)

Stakeholders

- The community, ratepayers and tourists of Bass Coast municipality
- Bass Coast Health
- Department of Health
- Leading Age Services Australia (Vic)
- Council
- Federal Government

Statutory Requirements/Codes/Standards/Policies

LOCAL GOVERNMENT ACT 1989 - SECT 191

Transfer, exchange or lease of land without consideration

- (1) A Council's powers to transfer, exchange or lease any land include the power to do so with or without consideration to—
- (a) the Crown; or
 - (b) a Minister; or
 - (c) any public body; or
 - (d) the trustees appointed under any Act to be held on trust for public or municipal purposes; or
 - (e) a public hospital within the meaning of the Health Services Act 1988 or other hospital carried on by an association or society otherwise than for profit or gain to the members of the association or society.
- (2) Any transfer, exchange or lease under this section is valid in law and equity.
- (3) Sections 189 and 190 do not apply to any transfer, exchange or lease under this section.

Other Options

Council could lease or sell the land on a commercial basis but that would diminish the capacity to complete the project given financial restraints.

Council could transfer the land for \$1 but Council would not have input or control of the site on behalf of the community.

Officer's Conclusion and Recommendation

Given the information provided by Bass Coast Health, it is recommended that Council confirm its willingness to proceed.

Council understands that an arrangement has been entered into with the Federal Government for funding; we are awaiting a copy of this advice.

Recommendation**That Council:**

1. pursuant to section 191 of the *Local Government Act 1989* enters into an **Agreement for Lease (whilst construction of the facility occurs) then Lease to Bass Coast Health for the land, or part of, known as 50-54 Church Street Cowes, being the land described in certificate of title volume 1355 folio 956 and volume 08286 folio 332 for the permitted use of community health services, for a 50 year term and rental of \$104 per annum plus GST.**
2. **authorises the Chief Executive Officer to negotiate any further conditions of the agreements and execute the documents, subject to the funding proceeding for the establishment of the Phillip Island Community Health Centre.**

Attachments

AT- 1	Attachment 1. Interim Statement of Purpose, Phillip Island Community Health Centre	6 Pages
AT- 2	Attachment 2. Bass Coast Health Power Point Presentation	8 Pages
AT- 3	Attachment 3. Letter from Greg Hunt	1 Page
AT- 4	Attachment 4. Confirmation letter from State Minister for Health re arrangements with the Federal Government	2 Pages

Council Decision**Moved: Cr. Andrew Phillips / Seconded: Cr. Phil Wright****That the recommendation be adopted.****CARRIED**

E.5 Anderson to Nyora Rail Trail - Committee of Management

File No:	CM15/397
Department:	Governance and Organisation Development
Council Plan Strategic Objective:	Effective Governance

Our leadership will be achieved through good governance, community engagement and excellence in service delivery.

Declaration

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

Summary

The purpose of this report is to seek agreement for Council to become the Committee of Management for the Rail Trail from Anderson to Woolamai and to pursue funding options for the development of its next stage between Woolamai and Nyora.

Council has been in discussions with the Department of Environment, Land, Water and Planning (DELWP) regarding the Rail Trail from Wonthaggi to Nyora since the 1990's.

In 1993, the *Draft Nyora to Wonthaggi Railway Line Management Plan* was prepared by the then Department of Conservation and Natural Resources. The purpose of the Rail Trail to retain public land for recreational development and revegetation works to enhance the value of the reserve as a wildlife corridor.

The 1999 Concept Plan: Anderson to Wonthaggi Rail Trail detailed the vision and guidelines for the construction of this particular section of Rail Trail. Council, appointed as the Committee of Management for the section from Wonthaggi to Anderson carried out works in line with the Plan.

DELWP are now requesting confirmation of Council's decision to be appointed the Committee of Management over the entire section between Anderson and Nyora so that Rail Trail works for this section can continue.

Council Officers advice, however, would be to agree to be appointed Committee of Management from Anderson to Woolamai only at this stage. Funding options can then be considered for the section between Woolamai to Nyora before committing to the financial implications of being the Committee of Management.

A map of the area that show the completed and proposed sections of rail trail are seen in the Surveyors report Attachment I.

Background

Communication with The Department of Environment and Primary Industry in September 2013 raised the requirement for a survey report for the section of the Nyora to Wonthaggi Rail Trail between Nyora and Anderson for the purposes of creating the Crown Land parcels and reserving the land for rail trail purposes so that Council may become the Committee of Management.

The survey of the former railway land from Anderson to Nyora has been completed and is currently with the Surveyor General to create the crown land parcel. The next step for DELWP is to reserve the land for Rail Trail purposes and appoint a committee of management, which would be Council. Council Officers advice is to limit the extent of its Committee of Management responsibility to between Anderson to Woolamai only in order complete this stage of works.

Further to this, the development of the trail from Woolamai, to Nyora involves a staged approach with many adjoining land owners, mainly farming, being effected by the reinstatement of fencing, cattle crossings and future tenure of parts of the land from Council.

The section between Woolamai and Nyora requires significant further studies to ascertain costs for the construction and maintenance plus data that shows the economic impact and possible tourism growth that is integral when applying for funding to develop the Rail Trail.

Strategic Basis

Council Plan Principles

- The social, environmental and economic priorities of the Shire benefit both current and future generations.
- Equity in the distribution of resources across the Shire.
- Transparent evidence-based and inclusive decision making.

Finances

Current works and Rail Trail maintenance is funded through Councils Capital Works and maintenance program. The financial impacts of works undertaken between Woolamai and Nyora are currently unknown until development and maintenance costings are prepared together with a study of the economic impact of tourism opportunities. The studies are integral when applying for funding through the State Government.

Stakeholders

- Community and tourists
- Internal Council Departments
- State Government

Statutory Requirements/Codes/Standards/Policies

Crown Land (Reserves) Act 1978.

Other Options

Council could decide not to be appointed as Committee of Management for any part of the Rail Trail between Anderson and Nyora, but would be held responsible for the works completed to date.

Council could extend its willingness to becoming the Committee of Management over the entire section from Anderson to Nyora and further develop next stages of the trail once it is aware of the financial considerations and timing.

Officer's Conclusion and Recommendation

DELWP are well on their way to appointing Council as the Committee of Management over the entire section of Rail Trail from Anderson to Nyora. Council Officers advice, however, is to agree to become the Committee of Management for the Rail trail from Anderson to Woolamai only at this stage. Further, to pursue funding options for a study of associated costs for the remaining undeveloped sections and its economic impact including tourism opportunities for the entire sections from Wonthaggi to Nyora before committing to being the Committee of Management for this section from Woolamai to Nyora.

Recommendation

That Council:

- 1. agrees to become the Committee of Management for the Rail Trail from Anderson to Woolamai, and;**
- 2. pursues funding options for a study of associated costs for the remaining undeveloped sections and its economic impact including tourism opportunities for the entire sections from Wonthaggi to Nyora before committing to being the Committee of Management for this section from Woolamai to Nyora.**

Attachments

AT-1 Attachment 1 Rail Trail Survey Report

Council Decision

Moved: Cr. Neil Rankine / Seconded: Cr. Clare Le Serve

That the recommendation be adopted.

CARRIED

E.6 Instrument of Delegation from Council to staff

File No:	CM15/408
Department:	Governance and Organisation Development
Council Plan Strategic Objective:	Effective Governance

Our leadership will be achieved through good governance, community engagement and excellence in service delivery.

Declaration

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

Summary

It is not practical for Council and the Chief Executive Officer alone to exercise the many statutory powers bestowed on Council. Delegation facilitates the achievement of good governance for the community by empowering appropriate members of staff to make decisions on behalf on Council and the Chief Executive Officer. In seeking to achieve its purposes under the *Local Government Act 1989 (Act)*, one of Council's objectives is to delegate decision making to appropriate levels within the organisation. The Act allows both Council and the Chief Executive Officer to delegate to members of staff, by Instrument of Delegation, certain powers, duties and functions under any Act administered by Council.

Instruments of Delegation are appointed to positions, not people. A power, duty or function applied to any position through an Instrument of Delegation cannot be on-delegated, but does cover anybody who is 'acting' in a position.

This report is presenting an Instrument of Delegation from Council to staff, for Council adoption.

Background

Traditionally at Bass Coast, Instruments of Delegation have been created for individual teams, with the responsibility for review borne by individual managers. We have now undertaken a process to centralise all Instruments of Delegation, with one Instrument representing all relevant positions within the organisation. This single Instrument will improve the review process and allow for better control. It will also allow staff to view all Delegations across the organisation in a single document. Changes to the organisational structure, and ensuing changes to position titles have also prompted a review of Council's Instrument of delegation. The review process will be managed by Governance, ensuring consistent and timely reviews in line with legislation changes. This approach has been endorsed by the Bass Coast Shire Council Audit Committee.

Council subscribes to a suite of Instruments prepared by Maddocks Lawyers, which are then adapted and completed to meet the requirements of Bass Coast. Twice each year Maddocks provide updates to their Instruments, capturing any changes made to the wide range of legislation Council operates within. In order to keep Council's Instruments of Delegation current, any updates received from Maddocks will be applied and presented to Council for adoption. Updates will also be made should any position titles change for positions which have delegations attached.

What is an Instrument of Delegation?

An Instrument of Delegation is a means required under the Act of evidencing the delegation given to a position of staff. It is completely discretionary and Council or the Chief Executive Officer, depending on where the power has come from, can revoke a delegation at any time. Even if a power has been delegated, Council or the Chief Executive Officer can continue to exercise the power and the delegate is also not compelled to act under delegation. The most important consideration is that a decision made by a delegate is for all legal purposes, a decision of Council or the Chief Executive Officer.

In exercising delegated authority, officers must act in accordance with the conduct principles under section 95 of the Act, being impartiality, integrity, avoiding conflicts of interest, accountability and responsiveness. Officers should also be mindful of sections 3C of the Act, which addresses the primary and facilitating objectives of Council.

Decisions under delegation should be fair and reasonable the fundamental common law principles of natural justice must be adhered to.

Any decisions made under delegation must be properly documented and must be able to be substantiated should a review, by management, Council, the Ombudsman, VCAT or a law court, be necessary.

Strategic Basis

Delegations ensure the effective governance of Council; "our leadership will be achieved through good governance, community engagement and excellence in service delivery", and meets the Council Plan Principle of:

- Transparent evidence-based and inclusive decision making.

Finances

There are no financial impacts to having a current Instrument of Delegation in place.

Stakeholders

Council – ensuring they can focus on high level strategic and Council planning.

Staff – ensuring the ability to undertake their roles.

Community – knowledge that appropriate delegations are in place to allow for the effective and efficient running of Council.

Statutory Requirements/Codes/Standards/Policies

Section 98 of the *Local Government Act 1989* provides:

(1) A Council may by instrument of delegation delegate to a member of its staff any power, duty or function of a Council under this Act or any other Act other than –

-
- (a) *this power of delegation; and*
 - (b) *the power to declare a rate or charge; and*
 - (c) *the power to borrow money; and*
 - (d) *the power to approve any expenditure not contained in a budget approved by the Council; and*
 - (e) *any power, duty or function of the Council under section 223; and*
 - (f) *any prescribed power.*

The powers, duties and functions included in this Instrument of Delegation relate to the following legislation:

- *Cemeteries and Crematoria Act 2003*
- *Domestic Animals Act 1994*
- *Environment Protection Act 1970*
- *Food Act 1984*
- *Heritage Act 1995*
- *Planning and Environment Act 1987*
- *Residential Tenancies Act 1997*
- *Road Management Act 2004*
- *Cemeteries and Crematoria Regulations 2005*
- *Planning and Environment Regulations 2005*
- *Planning and Environment (Fees) Further Interim Regulations 2014*
- *Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010*
- *Road Management (General) Regulations 2005*
- *Road Management (Works and Infrastructure) Regulations 2005*

Any decision made by an officer under delegation is treated the same as having been made by Council.

Other Options

Council could choose not to delegate any powers, duties or functions to staff. However, if this were to occur Council would be responsible for making all decisions and acting on all powers, duties and functions as outlined in each relevant section of each piece of legislation. This would not allow for timely decision making, or effective governance. This would also place a large financial burden on Council for two reasons. Firstly, if all officers have to present all decisions to Council for formal resolution, including standard administrative matters, there would be a significant cost. Secondly, if Council is challenged in court for not having appropriate delegations in place for officers there would be a substantial financial impact.

Officer's Conclusion and Recommendation

It is recommended that Council adopt an Instrument of Delegation for the powers, duties and functions under the relevant legislation to officers as outlined in the attachment.

Recommendation

That Council adopts the Instrument of Delegation from Council to staff and revokes all previously adopted Instruments of Delegation from Council to staff.

Attachments

AT-1 Instrument of Delegation Council to staff 83 Pages

Council Decision

Moved: Cr. Andrew Phillips / Seconded: Cr. Jordan Crugnale

That the recommendation be adopted.

CARRIED

Council Decision

Moved: Cr. Jordan Crugnale / Seconded: Cr. Neil Rankine

That the Chief Executive Officer investigate options/models for the establishment of a planning/infrastructure committee to assist Council in the assessment of major planning applications and present a report on options/models to the Ordinary Council meeting to be held 15th July 2015.

CARRIED

E.7 WorkCare Self Insurance

File No:	CMI5/430
Department:	Governance and Organisation Development
Council Plan Strategic Objective:	Effective Governance

Our leadership will be achieved through good governance, community engagement and excellence in service delivery.

Declaration

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

Summary

This Council is one of 61 Victorian councils that have been working with the MAV on gaining a licence for workers compensation self-insurance.

Self-insurance promises significant financial savings to councils as well as improved performance in workplace health and safety, early intervention and return to work statistics. All self-insurance schemes with local governments in other States have significantly improved in these areas leading to significantly reduced Scheme costs and significantly reduced insurance premiums.

This report provides an explanation of what self-insurance workers compensation means, the benefits involved and a recommendation for Council to commit to joining the Scheme.

Background

Local Government in Victoria is seeking to self-insure for workers compensation. This is being facilitated by the MAV at the request of councils.

Self-insurance has been sought on three previous occasions over the past 15 years but on each of those occasions the Victorian WorkCover Authority (VWA) has not supported the proposal beyond step one. However, on this occasion the VWA is supporting the application largely due to the workers compensation performance across local government in Victoria showing no signs of improvement over the past 10 years.

Along with the industry's poor performance, councils have also been frustrated by the VWA's levying of additional WorkCover premium each time there is a call on councils to contribute to the unfunded liability associated with Defined Benefits Super. This is viewed by Councils as an easy revenue raiser for the VWA at the expense of ratepayers. Under the self-insurance scheme contributions towards unfunded superannuation liability will not be deemed as wages and as such will not be levied for workers compensation insurance.

The benefits that are expected from self-insuring need to be considered alongside the risks that may also present. However, the benefits expected have been assessed to greatly outweigh the risks.

Expected Benefits of Self-Insurance***Financial Savings***

- Actuarial assessment of the proposed scheme estimates savings of at least 15% in the first three years – for Bass Coast this represents \$100,000 – experience in other States suggest the proposed savings could be doubled.
- No requirement for Council to pay additional premium on defined benefit superannuation liability call – last call in 2012 cost Bass Coast \$115,000 in additional premium.
- No excess payments required on claims – for Bass Coast this represents about \$20,000 a year.
- Premiums will not be impacted on by claims incurred in other industries.
- Local government will not be subsidising workers compensation in other industries.
- Reduced reliance on third parties for advice on workers compensation claims and OHS initiatives.

Improved Outcomes for Employees

- Improved performance in injury prevention and rehabilitation
- Improved systems in health and safety and return to work options
- Proactive initiatives shared across the industry

Self-Insurance success stories

- All self-insurers in Victoria have experienced improved performance
- No self-insurer in Victoria has ever reverted back to the VWA scheme
- All self-insurance schemes involving local governments in Australia have resulted in significant improvements for councils:
 - LG South Australia – since 1987 \$219m saved and rate half that of LG rate in State Scheme
 - LG NSW – since 2001 51% reduction in claims cost Saving \$5m pa against gazetted premium
 - LG Qld – since 1998 Cost of claims 26.5% below State Scheme and average days lost 39.5% below State Scheme 33% reduction in premium rate in first year
 - LG WA – since 1996 Claims number and cost reduced by 55% in first year and continued improvement in WHS performance

Focus on Local Government

- Increased investment in health and safety initiatives specific for local government in Victoria
- Local government will control its own destiny
- Safety and WorkCare performance will become a feature in CEO forums

Simpler System

- There will be one industry rate rather than several differing rates for different work sites – Civic Centre, depots, visitor centres
- Claims estimates will be based on actual claims costs rather than statistical estimates
- If Council is not satisfied with a decision on a claim there will be opportunity for the decision to be reviewed by the MAV WorkCare Board – currently not an option under VWA scheme.

Possible Risks of Self-Insurance

- Unknown costs of requirement to obtain safety accreditation under the National Audit Tool – Bass Coast, like most councils, currently has no accreditation which may cost about \$30,000 which would be spread over 3 years.
- Additional calls on councils could be made if the scheme finds itself short of funds – actuarial assessments are made and then checked by another independent accounting firm each year that premiums are set. There has never been an instance of this occurring with any local government mutual insurance schemes in Australia.
- If the self-insurance scheme takes on the management of “tail claims” – those workers compensation claims that already exist prior to the scheme commencing – the VWA will need to allocate appropriate funds to cover this management to ensure that councils are not burdened with this cost.
 - A decision is yet to be made as to whether the “tail claims” will form part of the scheme as the MAV and VWA are still negotiating to ensure sufficient funds are provided and kept in a separate fund.
- Claims are currently capped at \$360,000 under the VWA scheme. The cap will be \$500,000 under self-insurance.
 - This is the minimum allowed under self-insurance rules. While the current cap is lower, any costs in excess of the cap are recouped by the VWA in future premium rates which in effect means employers pay regardless.
- If the Scheme fails disastrously councils may be left with a liability in addition to reverting back to the VWA’s scheme.
 - The self-insurance scheme will have in place a bank guarantee for the amount of 150% of the Scheme liabilities. What this means is that in the event the Scheme does not continue for any reason, there will be no call on individual members unless the 150% guarantee was breached which is believed to be unprecedented. This is a standard risk mitigation strategy required by both the MAV and WorkSafe.

Future Options

Council’s initial commitment to the self-insurance scheme will be for three years. Subsequent to that the option to revert to the VWA scheme will be available should that be Council’s preference.

Strategic Basis

Continual pursuit of efficiencies is intrinsic to our strategic objective of Governance. Reducing employee costs through reduced workers compensation costs will assist in delivering on this objective as well as improving the:

- Equity in the distribution of resources across the Shire.
- The social, environmental and economic priorities of the Shire benefit both current and future generations.

Finances

The projected savings of self-insurance are based on the actuarial advice obtained by the MAV as part of the work in preparing the application to the VWA. For Bass Coast the projected savings over the first three years are conservatively estimated at about \$100,000.

The savings will be greater if the expected improvements in health and safety performance across the local government industry are also achieved.

Stakeholders

Council, ratepayers, employees, all other Victorian councils, the MAV, and the VWA are the primary stakeholders in the self-insurance workers compensation scheme.

Statutory Requirements/Codes/Standards/Policies

Workers compensation insurance is a requirement under the Victorian Workplace Injury Rehabilitation and Compensation Act as well as the federal Workplace Relations Act.

A decision on whether to formalise Council's commitment to participating in the scheme requires a decision of Council given that the commitment is for three years with a total cost exceeding \$1 million over that period.

Other Options

The option to self-insure for workers compensation provides excellent opportunities for savings as well as improvements in health and safety for employees. However, the option to remain insured with the VWA continues to exist.

Officer's Conclusion and Recommendation

There has been significant preparatory work undertaken by the MAV and its actuaries. This work has at the request of Councils and CEOs due to the rising cost of WorkCover premiums, the requirement of the VWA for Councils to pay additional premiums on calls to top-up the defined benefit superannuation scheme and the Auditor General's report on the poor state of performance within Victorian local government on health and safety.

The financial benefits projected are highly unlikely to be achieved under the current VWA model. Remaining with the VWA suggests that the cost of insurance and Council's health and safety performance are unlikely to be much different to the status quo which has existed for the past ten years.

Mutual insurance schemes have proven successful for local governments across Australia. Other states with self-insurance workers compensation schemes have all experienced significant savings and improvements. In Victoria, there has been proven success with local government's mutual public liability scheme CMP.

Committing to the MAV's WorkCare self-insurance scheme should be viewed as a welcomed opportunity for Council.

Recommendation

That Council commits to being named as a participating corporation in the MAV's application to WorkSafe to be a workers' compensation self-insurer which, if the application is successful, will commit Council to participate in the Scheme including payment of workers' compensation premiums in accordance with the Scheme's premium formula until the Scheme comes to an end or until Council terminates its involvement with the Scheme.

Attachments

There are no attachments for this report.

Council Decision

Moved: Cr. Andrew Phillips / Seconded: Cr. Bradley Drew

That the recommendation be adopted.

CARRIED

E.8 Human Resources Committee

File No: CMI5/409
Department: Executive Office
Council Plan Strategic Objective: Effective Governance

Our leadership will be achieved through good governance, community engagement and excellence in service delivery.

Declaration

The author has a direct interest in relation to this report.

Summary

This report is tabled by the Human Resources Committee and proposes amendments to the Terms of Reference that guide the governance of the Committee. The proposed amendments relate to:

- The appointment of the Committee Chair;
- Meeting frequency; and
- Submission of the Meeting Record from each Committee meeting to Council.

This report also seeks authorisation for a change in Councillor representation on the Committee.

Background

The Council's Human Resources Committee is a Committee appointed by the Council under Section 86 of the Local Government Act 1989. The Committee's membership currently includes Cr Kimberley Brown (Mayor), Cr Rankine, Cr Drew and Mr Rob Goddard (appointed external member).

Under the Human Resources Committee's Terms of Reference the Committee has the following delegated responsibilities:

- To advise and assist the Council in the recruitment of the CEO.
- To conduct the annual review of the CEO and set performance targets for the CEO for the following year.
- To carry out any of the Council's obligations under the CEO's Contract.
- To advise on any instrument of delegation issued to the CEO.

The recommended changes to the Terms of Reference are as follows:

1. Chair

It is recommended that the external member appointed to the Committee be the Chair.

2. Meetings

It is recommended that meetings of the Committee be held quarterly.

3. Minutes

It is recommended that the Minutes of each Human Resources Committee meeting be presented to Council at the earliest opportunity after each meeting.

4. Councillor representation

Councillor appointments to the Committee are made by Council. Cr Rankine was appointed to the Committee on 21 November 2012. Cr Rankine has indicated his willingness to step down from the Committee to allow Cr Crugnale to participate. It is therefore recommended that Cr Crugnale be appointed to the Committee to replace Cr Rankine.

Strategic Basis

The Council Plan includes Effective Governance as a Key Strategic Objective. The establishment and operation of the Human Resources Committee contributes to the achievement of that objective.

Council Plan Principles

- Transparent evidence-based and inclusive decision making.

Finances

There are no financial implications as a result of the recommended changes to the Human Resources Committee Terms of Reference.

Stakeholders

Council, Council staff and the community are all key stakeholders to the governance of the Committee overseeing the performance of the Chief Executive Officer.

Statutory Requirements/Codes/Standards/Policies

The existence of a Human Resources Committee is not legislated, however, is considered good practice to provide documented structure to support the management of the Chief Executive Officer's contract and performance.

Other Options

Council may elect not to adopt the revised Terms of Reference.

Council may also elect not to accept Cr Rankine's withdrawal from the Committee and the appointment of Cr Crugnale to the Committee.

Officer's Conclusion and Recommendation

It is recommended that Council adopt the revised Terms of Reference.

The Human Resources Committee, under delegation, at its meeting held 29 October 2014 resolved to appoint the current external member, Mr Rob Goddard, Chair of the Committee. The committee's view is that an independent chair contributes to the good governance of the committee.

The Committee, at its meeting held 4 March 2015 resolved to present the Minutes of Committee meetings to Council at the earliest opportunity, to ensure the full Council was properly informed of the activities of the Committee and to provide a further formal record of committee meetings.

The Committee agreed to meet quarterly at the meeting held 23 April 2014.

It is also recommended Council accepts the withdrawal of Cr Rankine from the Committee and appoints Cr Crugnale to the Committee.

Recommendation

That Council

- 1. adopts the following amendments to the Human Resources Committee Terms of Reference:**
 - a. That the Chair of the Committee be the independent member.**
 - b. That meetings of the Committee be held quarterly.**
 - c. That Minutes of each Human Resources Committee meeting be presented to Council at the earliest opportunity after each meeting.**
- 2. accepts Cr Rankine's withdrawal from the Human Resources Committee and appoints Cr Crugnale to the Committee.**

Attachments

AT-1 Human Resources Committee Terms of Reference May 2015 | Page

Council Decision

Moved: Cr. Bradley Drew / Seconded: Cr. Neil Rankine

That the recommendation be adopted.

CARRIED

Notices of Motion

F Notices of Motion

Nil.

Committees and Delegates Reports

G Committees and Delegates Reports

Council Decision

Moved: Cr. Clare Le Serve / Seconded: Cr. Phil Wright

That agenda items G.1, G.2, G.3, G.4, G.5, G.6, G.7 and G.8 be considered as a block

CARRIED

Cr Crugnale left the meeting at 6.47pm

Cr Crugnale returned to the meeting at 6.48pm

G.1 Municipal Fire Management Planning Committee

File No:	CM15/43
Department:	Healthy Communities
Council Plan Strategic Objective:	Natural Environment

Our unique natural environment is protected, maintained and enhanced for the enjoyment of all.

Declaration

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

Summary

Attached are the Minutes of the Municipal Fire Management Planning Committee meeting held on Thursday, 12 March 2015.

Items discussed at this meeting included:

- The 2014-2015 Fire Season Update
- Roadside Fire Management Plan Update
- Municipal Fire Management Plan Attachment A-2 Assets at Risk – Structure Fire
- Fire Calendar Update
- General Business
 - Thank you to CFA brigades attending the Emergency Services Expo on Sunday, 8 March 2015
 - Fire Access Roads Subsidy Scheme
 - Impact of changes to road names
 - Victorian Fire Risk Register maps
 - VicRoads' contact number for vegetation issues

Recommendation

That the minutes of the Municipal Fire Management Planning Committee meeting held on 12 March 2015 be received.

Attachments

AT-1 Minutes March Fire Management Planning Committee 6 Pages

G.2 Phillip Island 150th Celebrations Planning Committee

File No: CMI5/37
Department: Healthy Communities
Council Plan Strategic Objective: Healthy Communities

Our community feels connected, safe and strong.

Declaration

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

Summary

Attached are the minutes of the Phillip Island 150th Celebrations Planning Committee meeting held on Thursday, 16 April 2015.

Items discussed at this meeting were:

- Logo Design Competition
- Involvement from Phillip Island Community – organisations/clubs
- Calendar of Events
- Media and Communications Planning

Recommendation

That the minutes of the Phillip Island 150th Celebrations Planning Committee meeting held on 16 April 2015 be received.

Attachments

AT-1 Phillip Island 150th Celebration Meeting Minutes 16 April 3 Pages

G.3 Public Art Reference Committee

File No:	CMI5/324
Department:	Healthy Communities
Council Plan Strategic Objective:	Healthy Communities
	Our community feels connected, safe and strong.

Declaration

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

Summary

The Public Art Reference Committee meets quarterly and as needed.

Attached are the minutes of the Public Art Reference Committee meeting held on Thursday, 12 March 2015.

Items discussed at this meeting were:

- Project for Public Art for 2014 / 2015
- Report on Kilcunda public art project
- Public Art Reference Committee Benchmarking
- Ayr Creek Bridge public art project
- Mural projects and permit processes

Recommendation

That the minutes of the Public Art Reference Committee meeting held on 12 March 2015 be received.

Attachments

AT-I Public Art Reference Committee Minutes March 12 2015 4 Pages

G.4 Community Safety and Events Advisory Committee

File No: CMI5/356
Department: Healthy Communities
Council Plan Strategic Objective: Healthy Communities

Our community feels connected, safe and strong.

Declaration

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

Summary

Attached are the minutes of the Community Safety and Events Advisory Committee meeting held on Monday, 16 March 2015.

Items discussed at this meeting were:

- Events report discussion
- Proposed New Events
- PISRYP Easter Movie
- Emergency Services, Bass Coast Shire Council and Community Representative Reports
- General business

Recommendation

That Council receives the minutes of the Community Safety and Events Advisory Committee meeting held on 16 March 2015.

Attachments

AT-1	Community Safety & Event Advisory Committee Meeting Minutes - 16 March 2015	5 Pages
AT-2	Community Safety & Event Advisory Committee - February Events Report	3 Pages
AT-3	Letter of Appreciation to Jenny Merrick	1 Page
AT-4	CFA Report to Bass Coast	6 Pages
AT-5	Government Ice Action Plan	24 Pages

G.5 Community Road Safety Committee

File No: CMI5/357
Department: Healthy Communities
Council Plan Strategic Objective: Healthy Communities

Our community feels connected, safe and strong.

Declaration

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

Summary

Attached are the Minutes of the Bass Coast Community Road Safety Committee meeting held on Tuesday, 17 March 2015.

Items discussed at this meeting included:

- 2014-2015 Program Reports (Safe Cycling, Motorcyclists and Safe to School)
- VicRoads Update
- Other Committee and Activity Reports
- Review of Bass Coast Community Road Safety Action Plan 2014-2015
- Media for *Talk the Toll Down*
- The Committee's Terms of Reference
- General Business;
 - Calendar of Key Dates for 2014-2015 programs
 - Bike Ed trailer availability
 - Victoria Police committee members are attending drug test training
 - Continuation of L2P funding

Recommendation

That Council receives the Minutes of the Bass Coast Community Road Safety Committee meeting held on 17 March 2015.

Attachments

AT-1 Minutes March Community Road Safety Committee 7 Pages

G.6 Bass Coast War Memorial Custodial Committee of Management

File No: CMI5/366
Department: Healthy Communities
Council Plan Strategic Objective: Healthy Communities

Our community feels connected, safe and strong.

Previous Items: SR9/14 - Bass Coast War Memorial Custodial Committee of Management - Instrument of Delegation - Council - 15 October 2014

Declaration

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

Summary

Attached are the minutes of the Bass Coast War Memorial Custodial Committee of Management meeting held on Monday, 16 March 2015.

Items discussed at the meeting were:

- Round table update from each representative
- Calendar of Events – ANZAC Day 2015
- General business
- 2015 Meeting Schedule

Recommendation

That the minutes of the Bass Coast War Memorial Custodial Committee of Management meeting held on 16 March 2015 be received.

Attachments

AT- I	Bass Coast War Memorial Custodial Committee of Management meeting Minutes	3 Pages
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G.7 Place Names Committee Meeting Minutes

File No: CMI5/348
Department: Governance and Organisation
Development
Council Plan Strategic Objective: Effective Governance

Our leadership will be achieved through good governance, community engagement and excellence in service delivery.

Declaration

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

Summary

Council's Place Names committee met on Tuesday 14 April 2015 and Thursday 16 April 2015. A copy of the meeting minutes are attached for information. See **Attachment 1 and 2.**

At this meeting, the Committee considered the following issues (which are outlined in greater detail in the meeting minutes):

1. Update on naming unnamed road located at 1680 Korumburra, Wonthaggi Road, Lance Creek to Kookaburra Lane;
2. Proposed naming of unnamed road 590 Inverloch Kongwak Road Wattle Bank;
3. Naming of Reserve 1 PS706350 49 Ventnor Road Cowes to "Hilton Chadwick" Reserve;
4. Proposed renaming of part South Dudley Road Wonthaggi;
5. Other business.

Recommendation

That the minutes of the Place Names Committee meeting held on Tuesday 14 April 2015 and Thursday 16 April 2015 be received.

Attachments

AT-1 Minutes - Place Names Committee Meeting 14 April 2015 6 Pages

AT-2 Minutes - Place Names Committee Meeting 16 April 2015 4 Pages

G.8 Bass Coast Shire Council Audit Committee

File No:	CM15/404
Department:	Governance and Organisation Development
Council Plan Strategic Objective:	Effective Governance

Our leadership will be achieved through good governance, community engagement and excellence in service delivery.

Declaration

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

Summary

The minutes of the Bass Coast Shire Council Audit Committee meeting, held on Wednesday, 22 April 2015 are attached for information.

Items discussed at this meeting were:

- Matters Arising from Previous Minutes
 - Audit Scope
 - Internal audits
- Financial Reports
 - Draft budget 2015/16
 - Long Term Financial Plan
 - Rating Strategy
- Internal Controls
 - Evaluation of internal control structure
 - Review with management its evaluation of procedures for financial reporting, including any significant deficiencies or material weaknesses
- Risk Management
 - Risk Management Report
 - Risk Management Framework
- Internal Audits
 - Valuations Review
 - Building Approvals Review
 - Payroll Review
- External Audits
 - Municipal Emergency Management Plan Audit 2014
- Compliance

-
- Centralisation of Instruments of Delegation
 - Non-compliance and legal counsel engagement report
 - Reporting Responsibilities
 - 2014/2015 Major initiatives for Council report – 1 October 2014 – 31 January 2015
 - Status report on action items identified through the audit program
 - Governance Matters
 - Ombudsman report: Council's and complaints – A report on current practice and issues
 - Progress update on the Valuations Service Review
 - Progress update on the Local Laws Service Review
 - General Business
 - Phillip Island Progress Association- progress update
 - Excess annual leave and time-in-lieu balances
 - Communications and Engagement Strategy – progress update
 - Items to be listed on the next agenda
 - Update on recruitment of Independent Members of the Audit Committee

Recommendation

That the minutes of the Bass Coast Shire Council Audit Committee meeting held on Wednesday, 22 April 2015 be received, and the recommendations therein adopted.

Attachments

AT-	CONFIDENTIAL - 2015 04 22 Bass Coast Shire Council Audit	55
I	Committee minutes	Pages

Council Decision

Moved: Cr. Clare Le Serve / Seconded: Cr. Phil Wright

That agenda items G.1, G.2, G.3, G.4, G.5, G.6, G.7 and G.8 be received.

CARRIED

Performance Monitoring Reports

H Performance Monitoring Reports

Council Decision

Moved: Cr. Andrew Phillips / Seconded: Cr. Clare Le Serve

That agenda items H.1, H.2, H.3, H.4 and H.5 be considered as a block.

CARRIED

H.1 Building Statistics for the month of March 2015

File No:	CMI5/334
Department:	Sustainable Development and Growth
Council Plan Strategic Objective:	Sustainable Development & Growth
	Our built environment complements our landscape, lifestyle and climate.

Summary

Attached is the report detailing the Building Statistics for the month of March 2015.

Recommendation

That the March 2015 building statistics be received.

Attachments

AT-I Building Statistics for the month of March 2015 2 Pages

H.2 Planning permits under delegation for the month of March 2015.

File No:	CMI5/335
Department:	Sustainable Development and Growth
Council Plan Strategic Objective:	Sustainable Development & Growth
	Our built environment complements our landscape, lifestyle and climate.

Summary

Attached is the report detailing the Planning permits under delegation for the month of March 2015.

PERMITS REFUSED:

- I40127: Anderson Ward - DPC Refusal (meeting date of 27 March 2015) the removal of a carriageway easement located at Lot 1 PS500709 Lower Powlett Road, South Dudley.
- I40201: Anderson Ward – DPC Refusal (meeting date of 27 March 2015) three lot staged subdivision located at 90 Fuller Road, North Wonthaggi.

PERMITS ISSUED:**Anderson Ward**

- I40188: The subdivision of the land into two (2) lots located at 1 Breeze Court, San Remo.
- I40311: The subdivision of the land into twelve (12) lots and native vegetation removal (Swamp Paperbark) to allow access located at 50 Potters Hill Road, San Remo.
- I40336: The development of a dwelling with garage and swimming pool located at 95 Shetland Heights Road, San Remo.
- I40341: The subdivision of the land into two (2) lots located at 26 Kirrak Street, North Wonthaggi.
- I40373: The use and operation of a Material Recycling facility located at 8 Webb Drive, Wonthaggi.

Churchill Ward

- I40243: Buildings and works to an existing accommodation building located at 73 Beachcomber Avenue, Smiths Beach.
- I40260: The development of a dwelling extension which exceeds 7 metres in height located at 24 The Esplanade, Cape Woolamai.
- I50005: The subdivision of the land into two (2) lots located at 18 Malcalm Avenue, Surf Beach.
- I50054: VicSmart approved – The removal of one (1) tree (Corymbia Gum) Red Flowering Gum due to its size and location for the residential context of the land located at 6 Hollywood Crescent, Smiths Beach.

Hovell Ward

- 140295: The use and construction of a dwelling located at 535 Inverloch-Venus Bay Road, Inverloch.
- 140337: The subdivision of the land into two (2) lots located at Lot 4 PS543600V Desmond Road, Wattle Bank.
- 140372: The boundary realignment to create a footpath and creation of two easements located at 59 Coral Street, Cape Paterson.
- 150018: The development of an awning over a Council verge located at 15 McBride Avenue, Wonthaggi.
- 150037: The development of a dwelling located at 132 Surf Beach Road, Cape Paterson.
- 150060: VicSmart approved – The erection and display of signage located at 209 Graham Street, Wonthaggi.

Leadbeater Ward

- 140323: The development and use of a dwelling located at Lot 2 PS708752 Korumburra-Wonthaggi Road, Lance Creek.
- 150009: The erection of signage for the Bass Coast Community Baptist Church located at 1493 Bass Highway, Grantville.
- 150020: The subdivision of the land into two (2) lots located at Lot 2 TP875379 Kongwak Road, Glen Alvie.
- 150036: The signage for a shop front located at Shop 6, 1524 Bass Highway, Grantville.

McHaffie Ward

- 130281: Buildings and works associated with existing Boarding Kennels located at 140 Back Beach Road, Smiths Beach.
- 140252: The construction of a second dwelling located at 51 Plover Street, Cowes.
- 140343: The construction of a dwelling located at 10 Ibis Court, Cowes.
- 140345: The construction of a double storey detached dwelling located at 8 Ibis Court, Cowes.

Thompson Ward

- 140335: The subdivision of the land into two (2) lots located at 12 Settlement Road, Cowes.
- 150029: The subdivision of the land into two (2) lots located at 7-9 Manna Gum Drive, Cowes.
- 150047: VicSmart approved – The removal of one (1) tree (*Eucalyptus viminalis* ssp (Manna Gum)) located at 19 Morgan Street, Cowes.
- 150064: The extension to a dwelling for a lift well and enclosing verandah located at 13 Warley Avenue, Cowes.
- 150065: The removal of two (2) trees (*Bursaria Spinosa* and *Leptospermum laevigatum*) to allow future development of the site at 41 Bruce Road, Silverleaves.

Townsend Ward

- I30187: The staged subdivision of the land into 22 lots (including creation of a balance superlot in Stage 4B) located at land Lot C PS710365Y Old Ford Road, Inverloch.
- I40286: The construction of a dwelling and access to a Road Zone located at 38 Venus Street, Inverloch.
- I40371: The development of two by two storey townhouses and removal of vegetation (exotic and indigenous species) located at 5 Hopetoun Street, Inverloch.
- I40376: The demolition of an existing dwelling and construction of a new dwelling greater than 7 metres above natural ground level located at 64 Bayview Avenue, Inverloch.

Recommendation

That the planning delegation statistics report for March 2015 be received.

Attachments

There are no attachments for this report.

H.3 Planning statistics for the month of March 2015

File No:	CMI5/336
Department:	Sustainable Development and Growth
Council Plan Strategic Objective:	Sustainable Development & Growth
	Our built environment complements our landscape, lifestyle and climate.

Summary

Attached is the report detailing the Planning statistics for the month of March 2015.

Recommendation

That the March 2015 planning statistics report be received.

Attachments

AT-1 Planning Statistics - March 2015 2 Pages

AT-2 Town Statistics - March 2015 1 Page

H.4 2014 / 2015 Finance, Major Initiatives and Capital Works Quarterly Report

File No:	CM15/399
Department:	Governance and Organisation Development
Council Plan Strategic Objective:	Effective Governance

Our leadership will be achieved through good governance, community engagement and excellence in service delivery.

Declaration

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

Summary

Annually the Council adopts a Budget that identifies the major initiatives and capital works program that it will delivery during that year. The purpose of this report is to provide a quarterly update on our progress. This report also reports on Council's financial position.

Introduction

The Council Plan articulates the Council's vision for the future of Bass Coast and outlines strategies to be used by Council in fulfilling the vision. It is an important tool for measuring the performance of Council and its officers. Council approved the major initiatives and capital works program as part of the 2014/2015 Budget which aligns to the achievement of the Council Plan at the Ordinary Meeting of Council on 20 August 2014.

Strategic Basis

The Council Plan 2013-2017 contains a number of principles and key strategic objectives. The projects outlined in this report all contribute to the achievement of this Plan. The objectives in the Council Plan include:

- Natural Environment
- Sustainable Development and Growth
- Healthy Communities
- Effective Governance
- Economic Development

The relevant principles within the Council Plan, which are to guide all Council decisions and actions include:

- *The social, environmental and economic priorities of the Shire benefit both current and future generations*
- *The intrinsic value of biodiversity and the protection of the natural eco systems will be recognised*
- *Equity in the distribution of resources across the Shire*

- *Transparent evidence-based and inclusive decision making*
- *The provision and use of energy and resources will be promoted in an efficient and sustainable way*

Finances

All of the major initiatives and capital works program indicated in the 104/15 Budget have been funded. Some of these projects have received grant funding. This report also provides the status of our financial position for this quarter.

Stakeholders

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

Statutory Requirements/Codes/Standards/Policies

The major initiatives and capital works are allocated for in the 2014/15 Budget. All of Council's expenditure are approved and spent in accordance with the Local Government Act, and the Procurement Policy.

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

Officer's Comments/Conclusion

Financial Summary

At the time the budget for 2014-2015 was prepared, it was expected that Council would have an operating deficit of \$1.546 million. Council continues to revise estimates for the 2014-2015 activities as more accurate information comes to hand, with the current operating deficit forecast to be \$3.124 million.

Although the operating result indicates an increasing deficit, the critical indicator of service or operational performance is the underlying surplus or deficit. The underlying operating result is a measure of the capacity of a municipality to finance services, pay debt interest and meet the cost of asset use (depreciation). Continuing deficits indicate that the asset base is being eroded and that insufficient resources are being allocated to meeting current service demands.

At the time the budget for 2014-2015 was prepared, it was expected that Council would have an underlying deficit of \$6.901 million. After including the activities carried forward or incomplete from the 2013-2014 financial year, Council has contained the underlying deficit to \$7.025 million.

The containment of service delivery costs for the 2014-2015 year continues to be a priority of Council. It is important for Council and the community to understand that we continue to refine our forecasts and adjust our activities to ensure that Council is in the position to deliver efficiencies in the services provided to Council to provide the resources to grow and develop the Bass Coast community.

We are continuing to monitor the status of Council's financial position with the following aims in mind:

- Containing spending on services, with changes to services being funded from either efficiency gains or reprioritisation.

- Maintaining a viable cash position, ensuring we remain financially sustainable in the long term.
- Achieving underlying operating surpluses;
- Maintaining debt levels within prudential guidelines and utilising debt only for significant new intergenerational assets.
- Maintaining and replacing our assets in accordance with sound asset management practices.

Service Budget

After including activities carried forward from the 2013-2014 financial year and the adjustments considered since the commencement of the 2014-2015 financial year, the service income budget is projected to be at \$63.127 million which is approximately \$503,000 more income than originally budgeted. The service expenditure budget is projected at this stage to be higher than the original budget by \$1.43 million, at \$58.420 million. This will result in a projected change in the service budget surplus of \$4.706 million.

Capital Budget

The capital expenditure includes the projects carried forward from the 2013-2014 financial year and this significantly alters the original budget.

Forecast income for capital works has decreased from \$7.078 million to \$6.493 million, primarily as a result of receiving Local Roads and Bridges grant funding in the prior financial year. Forecast expenditure for capital works has also significantly been impacted by the inclusion of carried forward projects from 2013-2014, with expenditure increasing from \$12.226 million to \$17.796 million.

The net result of these changes is a projected increase in the capital works deficit of \$5.148 million to \$14.403 million.

To date, total expenditure with regard to all capital projects, including carry over projects is at approximately \$6.636 million. While the level of expenditure is not high compared with the progress through the financial year, significant expenditure is forecast to occur during the traditional construction period of December 2014 through June 2015 as the works commenced are then invoiced and paid.

The attached Finance Report provides a detailed summary.

Major Initiatives

Attached to this report is a progress summary of the major initiatives identified in the 2014/15 Budget. The Council identified 23 initiatives, of these initiatives:

- 8 project have been completed
- 15 projects are underway

The projects that have been completed since the last report include:

- ***Adoption of the Long Term Financial Plan***

At the Ordinary Meeting of Council on 15 April 2015, the Council adopted the Long Term Financial Plan. The Plan seeks to efficiently and equitably provide for the future financial needs of the Shire and provide guidance for the annual budget for 2015/16. The Plan was adopted after a consultation process where the key themes of feedback were taken into consideration and incorporated into the Plan.

- ***Adoption of the Rating Strategy***

At the Ordinary Meeting of Council on 15 April 2015, the Council adopted the Rating Strategy. The rating strategy now incorporates a general rate plus farm rate (80%) plus vacant land (150%) plus public housing (150%) and cultural and recreational land (40%). Additionally the land management rebate scheme for rural properties will be retained. A waste service charge is also included. The Rating Strategy was adopted after consultation and feedback presented to the Council.

- ***Adoption of the Risk Management Framework***

The Risk Management Framework was endorsed by the Audit Committee at their meeting on 22 April 2015. The framework includes a Risk Management Policy, Risk Management Plan and a Risk Register.

- ***Review of the Rural Engagement Group***

A review was undertaken of the Rural Engagement Group and Council agreed to continue to support their continuation.

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

Capital Works Program

The 2014/2015 Capital Works Program, was made up of 91 capital works projects or actions that form part of the 2014/2015 Council Budget and was approved at the 20 August 2014 Council Meeting. At that time the approved Capital Works Program was valued at \$12.030 million of the total Capital Budget of \$12.226 million.

Subsequent to the September and December Budget Review processes the number of capital works projects or actions included within the program has increased. The increase in the number of projects is a result of new projects being added to the program and projects being carried over for completion from the 2013/2014 financial year to the current financial year. With the addition of 36 additional carry over projects and 16 new projects, the current Capital Works Program for 2014/2015 financial year has a total of 143 project actions valued at \$17.184 million.

The attached Capital Works Progress Report shows progress of projects/actions up to the 31 March 2015. Within the report, projects marked with an asterisk (*) denote new projects that have been added to the program throughout the financial year. Projects that have had carry-over funds attributed to the project are marked with a hash (#) in the attached report.

A breakdown of the Capital Works Program into capital works areas is shown in the table below.

Capital Works Item Type	No of projects	\$
Buildings	16	1,683,341
Open Space (recreation and foreshore projects)	51	4,363,089
Plant and Equipment	4	2,094,090
Roads, Drainage, Bridges (Civil Projects)	66	6,783,691
Waste	6	2,259,996
Total	143	17,184,207

Council has successfully obtained a number of grants for particular projects, whilst some projects which relied on grant funding to proceed have been unsuccessful. This means that the capital budget associated with the Capital Works Program will change. These amounts will be confirmed through the March budget review process.

The attached report indicates that of the 143 capital works projects or actions:

- 6 projects have not been started
- 24 projects are progressing through the planning and design phase
- 44 projects are underway
- 61 projects are completed
- 8 projects have been deferred

Since the previous Capital Works Progress Report was presented to Council in November reporting on progress up until 30 September, an additional 57 projects have been completed. There are now 61 projects or 43% of the revised program now complete.

Whilst only 61 projects or actions have been completed up until the end of March 2015, an additional 47% of the program was underway with 24 projects in the planning and design phase and 44 projects underway in construction.

Furthermore, the attached report shows that whilst 6 projects or 4% of projects had not yet been started, 125 projects or 87% of projects were at a stage where they are achieving at least 90% of the progress targets for the end of March 2015.

This demonstrates the way in which Council Officers develop and deliver the program. Some projects have not yet been completed because they are scheduled to be completed later in the financial year.

There are currently 12 projects or 8% of the program that are behind schedule, which includes those projects which have not yet started. These projects have been delayed for a number of reasons, which include but are not limited to the following.

- Unsuccessful grant funding applications
- Insufficient budget to deliver the proposed scope of works
- Awaiting approval from other State Government departments in order to proceed
- Awaiting formal agreements with community groups or clubs in order to progress the project
- Rescheduling of the program throughout the year to meet immediate priorities

Some of the projects that have been completed between 1 July 2014 and 31 March 2015 that form part of the current 2013/2014 Capital Works Program are as follows.

- Walpole Street, Corinella Pipe Drain Gross Pollutant Trap - Upgrade - Design and Construction
- Pine Avenue and Churchill Drive Area, Cowes - Road and Drainage Upgrade – Scheme Finalisation
- Sandy Mount Avenue, Inverloch - Traffic Calming Devices - Design and Construction
- Genesta Street, Cowes - Pedestrian Path Between Chapel Street and Church Street - Construction Only
- Smythe Street, Corinella - Pedestrian path and kerb between The Moorings and Balcombe Street - Design and Construction
- Playground - Wyeth McNamara, Inverloch - Renewal - Construction Only
- Playground - Allan Birt Reserve, Cape Paterson - Renewal - Construction Only
- Major Culvert - Outtrim Inverloch Road, Kongwak - Renewal - Design and Construction
- Loch Wonthaggi Road, Ryanston between Baum Road and Grantville Glen Alvie Road - Rehabilitation - Construction Only
- Loch Wonthaggi Road, North Wonthaggi between Bass Highway to Heslop Road - Rehabilitation - Construction Only
- Trew Road, Woolamai between Turnbull-Woolamai Road and Mill Road - Rehabilitation - Construction Only
- Cashin Street, Inverloch between Bass Highway Service Road and Royal Parade - Rehabilitation - Construction Only
- Recreation Reserve, Wonthaggi – Tennis Courts - Upgrade and Extension - Design and construction
- A'Beckett Street, Inverloch Outfall Pipe Drain - Upgrade/Expansion - Construction Only

- Drainage - Thompson Reserve, Inverloch - Renewal - Construction Only
- Newhaven Recreation Reserve, Newhaven - Oval Drainage Upgrade - Design and Construction
- Pedestrian Path - McKenzie Street, Wonthaggi between Watt Street to Bass Coast Specialist School - Construction Only
- Buildings - Bass Coast Childcare Centre, Wonthaggi - Air-conditioning Upgrade - Construction Only

The challenges for officers to achieve the delivery of the 2014/2015 program in the last quarter of the financial year will be to finalise the number of projects currently in the design phase and the construction phase. Projects in the construction phase may be impacted by poor weather during the last three months of the financial year leading into winter. This could significantly impact the progress of projects in the construction phase.

Detailed progress of all Capital Works projects is attached to this report.

Recommendation

That the finance, major initiatives and capital works quarterly progress report be received.

Attachments

- | | | |
|-------------|---|----------|
| AT-1 | Major Initiatives Progress Report - 31 March 2015 | 17 Pages |
| AT-2 | Capital Works Progress Report - 31 March 2015 | 21 Pages |
| AT-3 | Finance Report - 31 March 2015 | 13 Pages |

H.5 Contracts Awarded Report

File No: CMI5/406
Department: Governance and Organisation
 Development
Council Plan Strategic Objective: Effective Governance

Our leadership will be achieved through good governance, community engagement and excellence in service delivery.

Declaration

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

Summary

1 March 31 March 2015

The following contract has been formed under the Chief Executive Officer's Instrument of Delegation since the last report.

Contract No.	Description	Contractor	Contract Sum
15006	Bass Coast Sport and Active Recreation Needs Assessment	Inside Edge Sport and Leisure Planning Pty Ltd	\$60,835.50

Contracts Awarded by Council

No contracts have been accepted or formed by specific resolution of the Council since the last report.

Recommendation

That the Contracts Awarded report be received.

Attachments

AT-1 15006 1 Page

Council Decision

Moved: Cr. Phil Wright / Seconded: Cr. Andrew Phillips

That agenda items H.1, H.2, H.3, H.4 and H.5 be received.

CARRIED

Watching Bass Coast

I Watching Bass Coast

Council Division

Moved: Cr. Clare Le Serve / Seconded: Cr. Jordan Crugnale

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

CARRIED

I.1 CEO's Report - May 2015

File No:

CMI5/202

Department:

**Governance and Organisation
Development**

Council Plan Strategic Objective:

Effective Governance

Our leadership will be achieved through good governance, community engagement and excellence in service delivery.

Declaration

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

Summary

Bass Coast Shire Council is committed to introducing more regular updates on the key projects and initiatives that are implemented. The attached report highlights a number of key projects and their progress.

Strategic Basis

The Council Plan 2013-2017 contains a number of principles and key strategic objectives. The projects outlined in this report all contribute to the achievement of this Plan. The objectives in the Council Plan include:

- Natural Environment
- Sustainable Development and Growth
- Healthy Communities
- Effective Governance
- Economic Development

The relevant principles within the Council Plan, which are to guide all Council decisions and actions include:

- *The social, environmental and economic priorities of the Shire benefit both current and future generations*
- *The intrinsic value of biodiversity and the protection of the natural eco systems will be recognised*

- *Equity in the distribution of resources across the Shire*
- *Transparent evidence-based and inclusive decision making*
- *The provision and use of energy and resources will be promoted in an efficient and sustainable way*

Delivery of the Major Initiatives, delivers key actions, strategies and plans which aid Council to sustain and deliver better services to the community. This assists Council in achieving all five key strategic objectives and associated strategies within the Council Plan

Finances

All of the projects highlighted in this report are funded through the 2014/15 Budget. Some of these projects have received grant funding.

Stakeholders

Council, ratepayers, external funding bodies, residents and visitors are all affected by the delivery of the program

Statutory Requirements/Codes/Standards/Policies

The Major Initiatives are allocated for in the 2014/15 Budget. These projects are developed, approved and spent in accordance with the Local Government Act, and the Procurement Policy.

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

Recommendation

That the CEO's Report for May 2015 be received.

Attachments

AT-I CEO's Report May 2015 2 Pages

1.2 Assembly of Councillors Report

File No:	CMI5/337
Department:	Governance and Organisation Development
Council Plan Strategic Objective:	Effective Governance

Our leadership will be achieved through good governance, community engagement and excellence in service delivery.

Declaration

The reporting officer has no direct or indirect interest in this matter

Summary

Section 80A of the Local Government Act 1989 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

The *Local Government and Planning Legislation Act 2010* was proclaimed on Friday 24 September 2010, making amendments to the *Local Government Act 1989* (the Act).

The amendments included changes to the definition of 'assembly of Councillors' as well as to the requirements of such an assembly.

Section 76AA of the Act now defines an assembly of Councillors as

'a meeting of an advisory committee of the Council, if at least one Councillor is present, or a planned or scheduled meeting of at least half of the Councillors and one member of Council staff which considers matters that are intended or likely to be-

- a) the subject of a decision of the Council; or
- b) subject to the exercise of a function, duty or power of the Council that has been delegated to a person or committee-

but does not include a meeting of the Council, a special committee of the Council, an audit committee established under section 139, a club, association, peak body, political party or other organisation.'

Section 80A requires a written record to be kept of all such assemblies, stating the names of all Councillors and Council staff attending, the matters considered and any conflict of interest disclosures made by a Councillor. These records must be reported, as soon as practicable, at an ordinary meeting of the Council and recorded in the minutes.

Below is a summary of all assembly of Councillors records since the last Ordinary meeting of Council.

Date	Assembly of Councillors	Councillors in attendance
25 March 2015	Policy Workshop and Community Engagement Briefings	All Councillors
1 April 2015	Policy Workshop	Cr Brown, Cr Le Serve, Cr Phillips, Cr Rankine, Cr Crugnale, Cr Wright
1 April 2015	Broadbeach briefing	Cr Brown, Cr Rankine, Cr Phillips, Cr Le Serve, Cr Crugnale, Cr Drew
1 April 2015	Hearing of submissions	All Councillors
8 April 2015	Policy Workshop	Cr Brown, Cr Le Serve, Cr Phillips, Cr Rankine, Cr Crugnale
8 April 2015	Kernot dairy updated proposal	Cr Brown, Cr Rankine, Cr Crugnale, Cr Phillips, Cr Le Serve, Cr Drew
8 April 2015	Kernot dairy proposal VFF	Cr Brown, Cr Drew, Cr Crugnale, Cr Phillips, Cr Le Serve, Cr Rankine
9 April 2015	Kernot community meeting	Cr Brown, Cr Le Serve, Cr Crugnale
15 April 2015	Australian Grand Prix Corporation and Council	Cr Brown, Cr Phillips, Cr Rankine, Cr Le Serve
22 April 2015	Community Engagement Briefings	All Councillors
29 April 2015	Access and Inclusion Advisory Committee	Cr Phillips

Recommendation

That the attached assembly of Councillors records be received.

Attachments

AT-1	2015 03 25 Policy Workshop and Community Engagement Briefing	1 Page
AT-2	2015 04 01 Policy Workshop	1 Page
AT-3	2015 04 01 Broadbeach briefing	1 Page
AT-4	2015 04 01 Hearing of submissions	1 Page
AT-5	2015 04 08 Policy Workshop	1 Page
AT-6	2015 04 08 Kernot dairy updated proposal	1 Page
AT-7	2015 04 08 Kernot dairy proposal VFF	1 Page
AT-8	2015 04 09 Kernot community meeting	1 Page
AT-9	2015 04 15 Australian Grand Prix Corporation and Council	1 Page
AT-10	2015 04 22 Community Engagement Briefings	1 Page
AT-11	2015 04 29 Access and Inclusion Advisory Committee	3 Pages

1.3 Mobile and Data Cost Saving

File No:	CMI5/427
Department:	Governance and Organisation Development
Council Plan Strategic Objective:	Effective Governance

Our leadership will be achieved through good governance, community engagement and excellence in service delivery.

Declaration

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

Summary

The purpose of this report is to provide council with a summary of the progress to date and overall benefits of the Fixed Line, Mobile and Data Review.

Introduction

This review proposed to:

- Go to market for tender and utilize MAV Procurement;
- Conduct an audit of all current fixed lines, mobile devices and plans;
- To identify any potential cost savings;
- Compile a complete and accurate list of all assets and devices.

Where are we now?

In the last 12 months Council has spent on mobile and data services:

- \$100,412.00 under the previous MAV Optus T-PAMS Contract; and
- \$81,165.00 under Telstra Contracts

Due to coverage issues some devices were moved to Telstra. Originally we could only be contracted to one service provider for competitive prices. Therefore, these Telstra services were under a range of different individual contracts.

Where are we going?

The elements involved in this review are:

- Audit all active mobile and data services;
- Audit all active fixed lines (phone extensions);
- New MAV T-PAMS Contracts with Optus and Telstra;
- Transfer all Optus services onto the new unlimited mobile plans where suitable;
- Cancel any unused services.

How do we get there?

Audit the current phone and data plans to gain an understanding of the costs and number of services being used;

Liaise with MAV Procurement and investigate the available MAV T-Pams Contracts being offered with Telstra and Optus. It was determined that joining the MAV Contracts was a cost efficient solution for Council;

Transfer plans across to the new options.

Make the journey

Audit Review:

The IT Team is conducting a review of all fixed line, mobiles and data devices; this includes identifying:

- The types of devices being used;
- Who are using the devices and if they are still required;
- If the service on the right plan for the purpose of use.

This has become more involved than initially anticipated as the IT Asset Registers were not as accurate as originally thought.

MAV Contract:

Council enters into the MAV Procurement process for the new T-PAMS Contract; with services being offered from both Telstra and Optus. So far:

- Council went out to tender via the MAV procurement process and Optus was the only compliant participant. Council has reviewed and now joined the MAV Optus T-PAMS Contract with services transferred across to the new plans;
- Council contacted the Department of economic Development, Jobs, Transport and Resources regarding a specific clause in the Telstra contract restricting services to single service provider. This has now been removed. Council is reviewing the MAV Telstra T-PAMS Contract and Plans.

How did we go?

Council has signed the new MAV Optus T-PAMS contract, 194 services successfully transferred to the new plans and 108 services not being used.

The MAV Telstra T-PAMS Contract and 117 Plans are currently being reviewed.

Cost Savings

There has been a significant reduction in costs, since transferring the Optus phone plans across to the new plans.

The Telstra services have not been transferred over to the new plans as yet; however this is the projected cost saving. This may vary slightly depending on the plans available and whether suitable.

A comparison of costs and projected savings can be seen in the tables below:

OPTUS	<i>Existing Plan</i>	<i>Forecast New plan</i>	<i>Cost Saving</i>
Average \$ Per Month	8,368.00	5,368.00	3,000.00
Average \$ Per Year	100,412.00	64,416.00	36,000.00

TELSTRA	<i>Existing Plan</i>	<i>Forecast New plan</i>	<i>Cost Saving</i>
Average \$ Per Month	6,764.00	4,764.00	2,000.00
Average \$ Per Year	81,168.00	57,168.00	24,000.00

(Please Note: The cost per month for existing plan is an average of the previous 12 months)

Cost and Resource Benefits

Benefits to Council are:

- Total projected cost saving is **\$60,000.00** p.a. across the Optus and Telstra services;
- Improved billing and audit functionality;
- All devices to be updated and managed within the new IT Asset Register.

Recommendation

That the Mobile and Data Cost Saving report be received.

Attachments

There are no attachments for this report.

1.4 Events Update

File No:	CMI5/431
Department:	Sustainable Development and Growth
Council Plan Strategic Objective:	Economic Development

Our economy is supported by diverse, local and innovative businesses and employment.

Declaration

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

Summary

Council supports community and private events which create economic and social benefits for the region and enhance resident, participant and visitor experience.

This support may take the form of planning, promotions, financial or in kind and has the objective of maximising the benefits of events while minimising their negative impact on the community.

Introduction

One of the key recommendations of the 2012 Events Policy was to improve communication with Council. To help implement this recommendation a monthly Watching Bass Coast Report which identifies potential new events or significant changes to existing events is presented to Council. The report lists upcoming events and briefly reports on events completed in the previous month.

Strategic Basis

Bass Coast Shire Council Plan 2013 -2017, Objective 04 Economic Development lists the following strategy in relation to events:

- Promote Bass Coast as an all year unique tourism and events destination

Finances

Council provides a range of funding through its community grant program to events in Bass Coast along with providing support for events through Council Officers time and planning expertise.

Stakeholders

- Council
- Ratepayers & community
- Visitors
- Event organisers
- Event patrons
- Emergency services

Statutory Requirements/Codes/Standards/Policies

Council's Events Policy - adopted June 2012

Other Options

A monthly Watching Bass Coast report to Council was considered the most effective means of providing a regular update to Council about upcoming events.

Officer's Comments/Conclusion**I. Events completed in the previous report period (March/April):****Hills are Alive – Krowera 27-29 March**

This year's annual Hills are Alive music festival on the McLaren farm at Krowera was for the first time a two day event. Wet weather in the lead up and first night of the festival proved to be only a minor hiccup and the weekend drew a capacity 1200 patrons. The organisers were very pleased with how it went operationally and reported it was the best yet. The event is well planned and as it becomes more established refinements in areas such as waste and traffic management continuously improve its operation.

Council assisted with operational planning and provided event and traffic management equipment.

Leongatha Cycle Challenge- Wonthaggi 28-29 March

The annual youth cycling event organised by the Leongatha Cycling Club this year attracted 70 competitors. Conditions were not ideal for the circuit leg at the Wonthaggi Recreation Reserve but improved considerably for the road race sector the following day. The number of competitors was very close to optimum and the organisers were pleased with the outcome.

Council assisted with operational planning and provided event and traffic management equipment.

Southern Gippsland Sustainability Festival 29 March Wonthaggi

The inaugural State Coal Mine hosted combined Bass Coast and South Gippsland Shire Sustainability Festival went extremely well. Held in ideal weather the festival attracted 65 stalls and activities that drew around 1500 people over the course of the day. Feedback from both stallholders and attendees was very positive and the site proved to be a very good venue. Further improvements currently under way will enhance the location for 2017 when Bass Coast next hosts the festival.

Bass Coast and South Gippsland Councils planned, funded and managed the festival.

Easter Fun Festival - Churchill Island 4-5 April

The annual two day Easter Festival at Churchill Island attracted over 2,500 patrons on each day which was an increase on previous few years. Weather conditions were ideal and operationally the weekend went very well. The organisers Phillip Island Nature Park were very happy with the outcome.

Council assisted with promotion of the festival and provided event and traffic management equipment.

Cowes Night Market – 4 April

The final Cowes Night Market for this season attracted an estimated 7,000 – 8,000 people during the course of the evening. Conditions were ideal and operationally it went reasonably smoothly given the numbers. Attendees of the market were surveyed on the night and its results will help inform Council on the way forward for the 2015/16 season.

Council assisted with operational planning of the market and provided event and traffic management equipment and waste management.

Coronet Bay Easter Festival - 5 April

The Annual Easter Festival on the Coronet Bay Foreshore was also very well received with around 1000 people in attendance over the course of the day. All the children's activities were very popular and feedback from stallholders and patrons was very positive. The organisers the Coronet Bay Combined Community Group commented that numbers were fairly similar to last year though there was a sense of there being quite a few new faces amongst the crowd.

Council supports the festival with funding through the community grants program and provides planning support, waste and traffic management, event equipment and officer support on the day. It is recommended that this level of support be maintained for next year's festival.

Cowes Easter Twilight Cinema – 5 April

At the March meeting of the Community Safety and Event Advisory Committee the Phillip Island and San Remo Young Professionals (PISRYP) put forward a proposal to screen two free family friendly movies in Cowes on Easter Saturday Night at the bottom of Thompson Avenue. The committee recommended that the date be shifted to Easter Sunday night because of the potential conflict with the Cowes Night Market on that night. Use of that site was conditional on there being solid support from impacted traders. As a result of feedback from traders in Thompson Avenue and the Esplanade the location for the screening was moved to the Jetty Triangle.

Approximately 140 people attended the screening of the first movie and this number fell away for the later movie. It was a very cold evening and that together with the limited time to promote the night contributed to the low numbers.

Council assisted with the operational planning of the event and provided traffic and event management support on the night.

Anzac Day – 25 April

The 100th Anniversary of the Gallipoli landing drew significantly larger crowds to all the services held across the shire. Planning for the services started very early and most locations had additional activities either before during or after the day. Council maintenance and engineering staff did a fantastic job in the lead up period to ensure that all the cenotaphs and memorial sites were presented at their best for the day. The rain generally held off and all services were very well received and a credit to each of the organising groups.

Wonthaggi

Wonthaggi drew in excess of 1,000 people to the dawn service with a few less for 10.00am commemorative service which attracted around 180 marchers. The gunfire breakfast at the RSL hall was very popular and two up and other activities took place there after the commemorative service.

Cowes

The Phillip Island RSL and other stakeholders began planning for the Centenary over 12 months ago and it was a massive operation. Over 4,000 attended the dawn service and around 1500 of those attended the gunfire breakfast at the temporary kitchen and breakfast hall set up on the foreshore adjacent to the jetty triangle. It is estimated that around 2,000 attended the 11.00 am commemorative service which was followed by entertainment and other activities at the RSL.

Inverloch

The Inverloch RSL and other stakeholders also began planning their Anzac Day activities almost 12 months ago. Nearly 1,000 people attended the dawn service and around 200 gathered for the gun fire breakfast at the RSL hall where a marquee was set up to help accommodate the increased numbers. Around 700 were on hand for the 11.15am commemorative service at the cenotaph. A RAAF fly over took place during the march to the cenotaph for the commemorative service and the planes also flew over Cowes. The cenotaph was covered with poppies hand made by various community groups. Lunch, drinks and entertainment at the RSL followed the commemorative service.

San Remo

Approximately 350 people attended the 11.00am service at the cenotaph on the foreshore. The ceremony included the planting of a Lone Pine with a significant contribution from students from Newhaven College and WW2 veterans. Many of those in attendance went on to the Westernport Hotel for morning tea.

Bass

A lone piper piped across the bridge to the cenotaph to signal the start of the dawn service which attracted over 400 people. More than half of those in attendance made their way to the Bass Hotel for breakfast where two up and other activities took place for the rest of the morning.

Council assisted with the planning and coordinating of all activities. The support included some funding, traffic management, event equipment and officer attendance at services except San Remo.

2. Upcoming Events**Gippsland Arts Festival 1-31 May**

Arts exhibitions, workshops and performances will take place across the Shire as part of this festival which will see similar activities across all the municipalities in Gippsland.

Mother's Day Walk – 10 May Wonthaggi

A local group Women in Super have organised a Mother's Day Walk in Wonthaggi for the past two years to help raise money for Cancer research. This year they have revamped the course by starting and finishing at Apex Park to involve the adjacent markets, Mitchell House and the Men's Shed. The revised course will allow the whole walk to be completed on developed walking paths and increase the involvement of other community groups.

3. New events / Matters of interest to Council:**Family cycling event Wonthaggi**

Some preliminary discussions have taken place with the Gippsland Cycle Club with the view to developing a family friendly cycling event to take in the Wonthaggi Wetlands, Rail Trail and the Desalination Plant cycle paths. Though it is early days it is hoped to have a low key event before the end of the year.

Slide in the Streets Cowes

The promoter of this proposed event addressed the April meeting of the Community Safety and Event Advisory Committee and advised as follows:

- It takes 6hrs to set up with street closed from midnight. Event to start at 10am.
- Around 100,000 litres of water required which is collected at the bottom and can be reused on gardens etc.
- Preferred site is Thompson Ave between Chapel Street and the Esplanade on a Sunday, late December/early January – 7% gradient is ideal. They will see if it can stop before the Esplanade to allow Esplanade to function normally traffic wise.
- Organisers are happy to investigate other streets i.e. Warley Avenue, Bass Avenue or Chapel Street.
- Slide has 3 inflatable lanes, 1.3m wide. 6m wide tarpaulin
- Rides will be in two hour sessions. 600-700 sliders per session. \$30-\$40 per person per session depending on numbers/budget
- 5 hours to pull down. Street would be closed from midnight to midnight.
- Melbourne City Council required a Places of Public Entertainment permit.(P.O.P.E.) for surrounding amenity
- Pre bookings will dictate if it goes ahead though they are confident of numbers.
- No family tickets exist at present and there are age and height restrictions.
- The slide cannot be crossed so the street can only be traversed at top and bottom
- There's a stopping zone at the base. Sliders can always slow down if it's becoming too fast.
- High density foam base, with tarpaulin on top of that. If you come off or miss the slide, you won't be injured.
- Tickets are purchased online or pre sold. Pre selling ensures steady flow of people throughout the day. Limited opportunity to purchase tickets at slide

- They are looking for 2500-3000. 2600 attended the first event in Melbourne with 2700 at the second event.
- Volunteers are essential. Help necessary during the day. "Slide marshals" to help keep the flow going. Would need at least 50 in morning and afternoon shifts.
- Ticket sales would commence in September for January date
- Promotion is mainly by social media and online. Then look at print media – local papers, cafes etc.
- Once set up it weighs around 1000kg with filled water barriers on each side. Engineer assesses it. Different ratings dependant on wind. Wouldn't run it over 35knots
- Event has a postponement policy in the event it is cancelled due to weather
- No safety issues from Melbourne events. Hydration stations set up to help prevent dehydration.
- Would consider making it an annual event dependant on success.
- Local contractor/s could be used to recycle water

The promoter was advised to investigate street and date options. Impacted businesses would need to be contacted and there would need strong support before a permit would be considered.

4. Filming Activities

No filming permits were issued during this reporting period.

Recommendation

That the Events Update report be received.

Attachments

There are no attachments for this report

Council Division

Moved: Cr. Andrew Phillips / Seconded: Cr. Clare Le Serve

That agenda items I.1, I.2, I.3 and I.4 be received.

CARRIED

J Acknowledgements

J.1 Acknowledgements - Cr Jordan Crugnale

Cr Crugnale made the following acknowledgements:

- Inverloch RSL President Jan Millington, organisers and local clubs for ANZAC dawn and commemoration services. Community of Inverloch for knitting an array of poppies which resulted in a stunning and beautiful installation on the town's Cenotaph
- Warrawee President Marjorie Ford and Committee members celebrating their 50th Anniversary with a wonderful afternoon tea and live music performance.
- Wonthaggi Arts Space and Arc Yinnar artists exhibition and Creative Gippsland festival opening.
- Welcome to the new Bishop of Gippsland, The Right Reverend Kay Goldsworthy who opened the Creative Spirit Festival at Cowes. To the parish and community members who are working towards a public art mural on the parish hall.
- Klaus Edel, President of the Inverloch Lions Club for his contribution, positive direction and also work to build better and closer relations with Bass Coast Shire Council.
- Community of Bass Coast for their generosity and efforts to raise funds through activities and donations for the Nepalese community affected by the April Earthquake.

J.2 Acknowledgements - Cr Clare Le Serve

Cr Le Serve made the following acknowledgements:

- The 2015 Mayoral Ball was held on Friday, April 17th at the RACV Club Inverloch. The proceeds were directed to the Bass Coast Community Foundation's efforts to create opportunities for those living in the Bass Coast region. A great partnership role with Council and the Foundation.
- A community rally was held in support of the Bass Valley Children's Centre on 20 April 2015. Local Member for Bass, Mr Brian Paynter MP, attended the JLM rally to express his enthusiasm for the project and support for the community.
- Congratulations to the Friends of the Bass RSL, the Bass community and Council for the preparation of the Cenotaph in time for the Anzac Day Dawn service, which attracted more than 400 people.
- Congratulations to the Woodleigh Red Cross Unit for their great effort in raising \$3,000 for Nepal at their annual dinner.
- Cr Le Serve, Cr Kimberley Brown and Cr Jordan Crugnale's attendance at the Australian Local Government Womens Association celebration of 100 years of women in Local Government. A photo was taken at the Melbourne Town Hall to mark the significant event. Cr Crugnale added that this year is the first year that there is a woman on every Council in Victoria.

J.3 Acknowledgements - Cr Phil Wright

Cr Wright made the following acknowledgements:

- Community workshop held at Smiths Beach for women over 50 to learn skills on engaging with the community.
- The Bass Coast Community Foundation's Mayoral Ball at the RACV Inverloch Resort.
- The beauty of Screw Creek, Inverloch. A well maintained and naturally beautiful area.
- Anzac Day services in Cowes that were well planned and well attended. Was also fantastic to have the Wonthaggi Secondary College involved in the day.
- Victorian Local Governance Association Leadership Dinner with guest speaker Lucinda Nolan, Deputy Police Commissioner who spoke about leadership and management.
- CoastCare coastal managers workshop. Phillip Island is in good hands with so many people passionate about the natural environment.

J.4 Acknowledgements - Cr Neil Rankine

Cr Rankine made the following acknowledgements:

- Launch of the Cape Paterson Neighbourly Program, run by a committee of the Cape Paterson Residents and Ratepayers Association, at the Cape Paterson Community Hall . Guest speakers were Sam Gatto and Brian Paynter MP. The Cape Paterson Neighbourly Program will provide social support for residents to increase a sense of wellbeing in our community.
- Songs of war: the Bass Coast Chorale, the Prom Coast Singers and the South Gippsland Singers joined together on the Anzac Day weekend to perform 'They Went with Songs' by Larry Hills. Gave me a different slant on the ANZAC remembrances. In particular a vision of mothers knitting socks and just hoping that socks knitted by others at home would somehow find their way to their sons in the trenches.
- Australian Cancer Council fundraisers – Cape Paterson's Australia's greatest Morning Tea, where the daughter of one of the organisers, who is a cancer researcher, enthralled more than one hundred participants with the science of finding cures for various cancers; and Mother's Day Walk for breast cancer, where runners and walkers in pink wound up at the Men's Shed and Mitchell House for healthy morning tea.
- Council staff on the community consultation around recent project - Officers from our infrastructure department working with the Cape Paterson community over the last few months to deliver plans and soon a new toilet block for 1st Surf beach carpark, incorporating new wash-down showers and quality change facilities, disability facilities; and planning officers attending the Wattle Bank annual community meeting to help explain how changes reducing the rural living lot size might change the nature of their township, and how they can be involved in future planning.

J.5 Acknowledgements - Cr Bradley Drew

Cr Drew advised of the upcoming 'Reducing the Stigma' Community Awareness Forum to be held at the Newhaven College Auditorium on Sunday, 28 June 2015 in relation to suicide awareness. There will be five guest speakers and the hope is that there will be a permanent support group formed.

J.6 Acknowledgements - Cr Kimberley Brown

Cr Brown made the following acknowledgements:

- MAV State Council meeting, where Council's motion in relation to a definition of charitable purposes was passed by 82%.
- Presentation of the Community Grants
- Gippsland Local Government Network forum
- Regular meeting with Brian Paynter.

K Urgent Business

Council Decision

Moved: Cr. Clare Le Serve / Seconded: Cr. Neil Rankine

That the following item of Urgent Business be accepted.

CARRIED

K.1 Reinforcing Council's position in relation to the Port of Hastings development - Cr Clare Le Serve

Council Decision

Moved: Cr. Clare Le Serve / Seconded: Cr. Phil Wright

That the Mayor

- 1. write to the Special Minister of State and the Minister for Ports reinforcing Council's position in relation to the Port of Hastings.**
- 2. request that the Ministers instruct the soon to be established Infrastructure Victoria to engage with Bass Coast Shire Council on the future of the Port of Hastings, given the importance of Westernport to the Victorian and Australian economy and environment:**
 - Supporting sustainable environmentally sensitive development in Westernport;**
 - Working with key stakeholders including tourism operators and bodies, recreational boating and fishing groups as well as community groups;**
 - Developing a comprehensive submission to Infrastructure Victoria that provides analysis on the costs to the Bass Coast economy, environment and community; and**
 - Developing the submission to Infrastructure Victoria in conjunction with the key Bass Coast stakeholder groups.**

CARRIED

Council Decision

Moved: Cr. Bradley Drew / Seconded: Cr. Jordan Crugnale

That the following item of Urgent Business be accepted.

CARRIED

K.2 *Motion to the Australian Local Government Association National General Assembly regarding cost shifting between all levels of Government - Cr Jordan Crugnale*

Council Decision

Moved: Cr. Jordan Crugnale / Seconded: Cr. Bradley Drew

That Council submit the following motion to the Australian Local Government Association National General Assembly to be held in Canberra from 14th to 17th June 2015:

- 1. That the Australian Local Government Association call on the Federal Government to establish a national reporting framework and regime to capture the shifting of costs between all levels of government.**
- 2. That the national reporting framework and regime include a requirement for an annual report on the shifting of costs between all levels of government to be published.**

CARRIED

Mayoral Announcement Of Next Meeting Of Council

The Mayor advised that the next meeting of Council will be the Ordinary Meeting to be held on Wednesday, 24 June 2015 in the Council Chamber at the Bass Coast Civic Centre, Wonthaggi at 5.00pm.

Meeting adjourned

The meeting was adjourned at 7.40pm

Meeting resumed

The meeting resumed at 7.46pm

Council Decision

Moved: Cr. Jordan Crugnale / Seconded: Cr. Bradley Drew

That the meeting be closed to members of the public pursuant to Section 89 (a) and (d) of the *Local Government Act 1989*, to consider these items as they deal with personnel and contractual matters.

CARRIED

Items Closed to the Public

Excerpt of Section 89 of Local Government Act 1989.

- (2) A Council or special committee may resolve that the meeting be closed to members of the public if the meeting is discussing any of the following:
- (a) Personnel matters;
 - (b) The personal hardship of any resident or ratepayer;
 - (c) Industrial matters;
 - (d) Contractual matters;
 - (e) Proposed developments;
 - (f) Legal advice;
 - (g) Matters affecting the security of Council property;
 - (h) Any other matter which the Council or special committee considers would prejudice the Council or any person;
 - (i) A resolution to close the meeting to members of the public.
- (3) If a Council or special committee resolves to close a meeting to members of the public the reason must be recorded in the minutes of the meeting.

L Items Closed to the Public

L.1 Contractual matter

It is recommended that the meeting be closed to members of the public pursuant to Section 89 (d) of the Local Government Act 1989, to consider this item as it deals with contractual matters.

L.2 Personnel matter

It is recommended that the meeting be closed to members of the public pursuant to Section 89 (a) of the Local Government Act 1989, to consider this item as it deals with personnel matters.

Council Decision

Moved: Cr. Jordan Crugnale / Seconded: Cr. Bradley Drew

That the meeting be reopened to members of the public.

CARRIED

Meeting closed

The meeting closed at 8.08pm