
























BASS COAST

Ordinary Council Meeting Agenda

Shaping a better Bass Coast

Wednesday, 20 May 2020

Commencing at 11.00am

Note: This Ordinary Meeting of Council will be held virtually. Open to the public via livestream.

Vision, Mission and Values



Vision

Bass Coast will be known as a region that supports a sustainable and healthy community, and values and protects its natural assets.

Mission

We will engage with and advocate for our community to ensure equity and balance between liveability and environmental protection and be accountable for our financial management in realising the community's vision.

Values

Customer Focus

We will continue to develop effective relationships with customers

Continuous Improvement

We are committed to improving our processes and service delivery

Pride

We take pride in and promote our achievements, our staff and our organisation

Integrity

We act and make decisions that are fair, honest, open and accountable

Respect

We treat people with dignity and respect

Commitment

We value and recognise contributions towards achieving the Bass Coast Vision. We listen, understand, consult and respond to our community and staff. We provide accurate, timely and relevant information.

Notice of Meeting

Notice is hereby given that the next **Ordinary Meeting** of the Bass Coast Shire Council will be held virtually 20 May 2020 at **11.00am**

Date of Notice - 15 May 2020
Ali Wastie
CEO

Agenda

Livestreaming

In accordance with the Bass Coast Shire Council Meeting Livestreaming Policy 2020 adopted 15 April 2020 this Meeting will be livestreamed and the video and audio recording of the Meeting will be made publicly available for viewing on Council's webpage.

Mobile Telephone Reminder

Please turn off all mobile telephones or in the case of an emergency, please advise the Chair and switch to silent mode.

Statement of Acknowledgement

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

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

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

Councillor Statement

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

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

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

Council Plan Themes

Advocacy
Representing the community

Nil Reports.

Economic Development
Expanding, attracting and retaining business and investment

Nil Reports.

Environment
Maintain and protect the natural environment

H.1 Response to two Petitions - Potential Fire Risk due to management of Reserve between Woodland Heath and Bass Highway, Inverloch, and Fire Reduction Request, page 26

Governance
We are responsive, open, transparent and financially sustainable

H.5 Section 86 Special Committees of Council, Appointment and Delegation amendments, page 49

H.6 2019/2020 Major Initiatives, Finance and Capital Works Third Quarter Report, page 52

H.7 Award of Tender No 20005 - Design Services for Cowes Cultural & Community Centre, page 61

H.8 COVID-19 Financial Hardship Policy, page 67

H.9 Increase in Council's Interim Loan Facility, page 74

H.10 Council Fees and Charges 2020/21, page 77

Health and Wellbeing
We are a healthy and active community

H.2 Construction of Netball Courts and Pavillion at Inverloch Recreation Reserve, page 34

H.4 Community Grants 2020 Round 1 Funding Recommendations, page 44

Liveability

Enjoying the place we live

H.3 Bass Coast Community Leadership Recovery Group, page 38

Our Character

Celebrating the uniqueness of our townships

Nil Reports

A Present and Apologies 7

B Declarations of Interest 8

C Confirmation of Minutes 9

C.1 Special Meeting held on 15 April 2020 9
C.2 Ordinary Meeting held on 15 April 2020 9

D Public Question Time 10

E Petitions, Joint Letters, Deputations and Correspondence 12

E.1 Request to Join the call for a Federal Royal Commission into gambling Harm 12

F Notices of Motion 16

F.1 218/20 Affordable Housing, Cr Les Larke 16
F.2 219/20 Holden Proving Ground, Cr Clare Le Serve 20

G Mayor and Councillor Reports 24

H Reports Requiring Council Decision 26

H.1 Response to two Petitions - Potential Fire Risk due to management of Reserve between Woodland Heath and Bass Highway, Inverloch, and Fire Reduction Request 26
H.2 Construction of Netball Courts and Pavillion at Inverloch Recreation Reserve 34
H.3 Bass Coast Community Leadership Recovery Group 38
H.4 Community Grants 2020 Round 1 Funding Recommendations 44
H.5 Section 86 Special Committees of Council, Appointment and Delegation amendments 49
H.6 2019/2020 Major Initiatives, Finance and Capital Works Third Quarter Report 52
H.7 Award of Tender No 20005 - Design Services for Cowes Cultural & Community Centre 61
H.8 COVID-19 Financial Hardship Policy 67
H.9 Increase in Council's Interim Loan Facility 74
H.10 Council Fees and Charges 2020/21 77

I Statutory Reports 81

I.1 Assembly of Councillors 81
I.2 Planning and Building Statistics - March 2020 83
I.3 Contracts Awarded Register 87
I.4 Councillor Expenses for the Current Council Term - 4 November 2016 - 31 March 2020 88

J Urgent Business 90

A Present and Apologies

B Declarations of Interest

C Confirmation of Minutes

C.1 Special Meeting held on 15 April 2020

Recommendation

That the minutes of the Special Meeting dealing with:

- **Wonthaggi Cemetery Trust business and San Remo Cemetery Trust business**

held on 15 April 2020 be confirmed

C.2 Ordinary Meeting held on 15 April 2020

Recommendation

That the minutes of the Ordinary Meeting held on 15 April 2020 be confirmed.

D Public Question Time

The virtual forum will not provide the opportunity for submitters to ask their questions directly. Questions must be submitted in writing prior to the Meeting and questions and responses will be published in the minutes.

Please note:
Questions relating to an item in the agenda will be provided with the following response

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

Bass Coast Shire Council Meeting Procedure Local Law 2018

DIVISION 8 - Public Question Time

60. Question Time

60.1 There shall be a public question time at every Ordinary meeting to enable members of the public to submit questions to Council.

60.2 Questions submitted to Council must be in writing, state the name and address of the person submitting the question and generally be in a form approved or permitted by Council.

60.3 Subject to clause 60.8, any question submitted to the Council will be answered at the relevant Council meeting if the question has been submitted no less than 24 hours before the commencement of the Ordinary meeting.

60.4 Any question submitted less than 24 hours before the Ordinary meeting will be answered at that Ordinary meeting if possible and, if no answer can be given, then a written answer will be given to the person asking the question as soon as practicable after the Ordinary meeting.

60.5 No person may submit more than two questions at any Ordinary meeting unless permitted by the Chairperson, in his or her absolute discretion.

60.6 The Chairperson or Officer nominated by the Chairperson may read a question to those present.

60.7 A question may be disallowed by the Chairperson if it:

60.7.1 relates to a matter outside the duties, functions and powers of Council;

60.7.2 is defamatory, indecent, abusive, offensive, irrelevant, trivial or objectionable in language or substance;

60.7.3 deals with a subject matter already answered;

60.7.4 is aimed at embarrassing a Councillor or an Officer; or

60.7.5 relates to a personnel matter; or

60.7.6 relates to a matter that Council may consider in a meeting closed to the public under section 89(2) of the Act.

60.8 All questions and answers must be as brief as possible, and no discussion is allowed other than for the purposes of clarification.

60.9 The Chairperson may nominate a Councillor or Officer to respond to a question.

60.10 A Councillor or Officer nominated by the Chairperson under clause 60.9 may require a question to be put on notice until the next Ordinary meeting, at which time the question must be answered, or elect to submit a written answer to the person asking the question.

60.11 A Councillor or Officer may advise Council that it is his or her opinion that the reply to a question should be given in a meeting closed to the public under section 89(2) of the Act. The Councillor or Officer must state briefly the reason why the reply should be so given and Council must then resolve that the reply to such question must:

60.11.1 be so given, in which case the question will be deferred until Council resolves to close the Council meeting to the public; or

60.11.2 not be so given, in which case the answer will be given immediately.

E Petitions, Joint Letters, Deputations and Correspondence

E.1 Request to Join the call for a Federal Royal Commission into gambling Harm

In March 2020 the Mayor of Frankston City Council Sandra Mayer, and Rev. Tim Costello from the Alliance for Gambling Reform wrote to Council requesting Bass Coast Shire Council join them in calling for a Federal Royal Commission into Gambling and for the Federal government to embrace national harm minimisation policies [ATT 1].

The letter provided a template Notice of Motion for Council to consider which read as follows:

That Council:

1. *Affirms the Australian Local Government association commitment to support the city of Yarra Notice of Motion in calling on the Federal Government to:*
    a. *Establish a Royal Commission into the gambling industry and the $24 billion in annual gambling losses nationally, the highest in the world in per capita terms.*
    b. *Embrace national harm minimisation polies to reduce gambling harm in Australia such as;*
        i. *Following the lead of the UK Labour Party in supporting a ban on credit card usage with Australian licensed online gambling companies;*
        ii. *Introducing further restrictions on gambling advertising, emulating the approach taken with the tobacco industry;*
        iii. *Establishing a national obmudsman scheme to process consumer complaints and resolve customer disputes with online gambling companies;*
        iv. *Introducing a ban on federally registered political parties from owning gambling licenses issued by Australian governments, including for the operation of poker machine venues*
    c. *Calls on the Federal Government, through support of the Australian Local Government Association, to investigate the gambling industry's influence on the democratic process, including political donations and third party campaigning;*
    d. *Resolves to not accept any corporate sponsorship for council based activities from gambling/gaming entities, without exception.*

Officer Comments

At the 19 August 2015 Ordinary Council Meeting, Council resolved to become a founding member of the Alliance for Gambling Reform. This alliance is a national collaboration of organisations with a shared concern about the harmful and unjust impacts of Gambling in Australia.

Further, at the 18 November 2015 Ordinary Council Meeting, Council resolved to adopt the Electronic Gaming Machine Policy 2015 [AT-2]. The key strategic objectives of the policy relevant to this request are:

- Set out Council's role and Statutory responsibilities in relation to Electronic Gambling Machines (EGMs)
- Focus effort on limiting or reducing the number or density of EGMs in areas of socio-economic disadvantage
- Focus effort on reducing the prevalence of gambling related harm in the community.

Given the request is consistent with the overall policy intent of Council's adopted Electronic Gaming Machine Policy (2015) it is recommended that Council support this request.

Recommendation

That Council:

1. **Affirms the Australian Local Government association commitment to support the city of Yarra Notice of Motion in calling on the Federal Government to:**
   a. **Establish a Royal Commission into the gambling industry and the $24 billion in annual gambling losses nationally, the highest in the world in per capita terms.**
   b. **Embrace national harm minimisation polies to reduce gambling harm in Australia such as;**
      i. **Following the lead of the UK Labour Party in supporting a ban on credit card usage with Australian licensed online gambling companies;**
      ii. **Introducing further restrictions on gambling advertising, emulating the approach taken with the tobacco industry;**
      iii. **Establishing a national obmudsman scheme to process consumer complaints and resolve customer disputes with online gambling companies;**
      iv. **Introducing a ban on federally registered political parties from owning gambling licenses issued by Australian governments, including for the operation of poker machine venues**
2. **Calls on the Federal Government, through support of the Australian Local Government Association, to investigate the gambling industry's influence on the democratic process, including political donations and third party campaigning;**
3. **Resolves to not accept any corporate sponsorship for council based activities from gambling/gaming entities, without exception.**
4. **Write to the Mayor of Frankston City Council advising them of council's decision.**

Attachments

AT-1	Letter re Join the Call for Federal Government Royal Commission Reform	4 Pages
AT-2	Electronic Gaming Machine Policy	14 Pages

Notices of Motion

F Notices of Motion

F.1 218/20 Affordable Housing, Cr Les Larke

I, Cr Les Larke, hereby give notice that I intend to move a motion at the Ordinary Meeting on 20 May 2020, which reads as follows:

AFFORDABLE HOUSING

Motion

That:

1. **Council affirms its commitment to the delivery of affordable housing (including provision of emergency and social housing)**
2. **In light of Council's commitment to the delivery of affordable housing, Council undertake modelling on a range of affordable housing options for the Site situate Lot 1, 380 Back Beach Road Cowes Phillip Island (the Site)**
3. **The modelling report/s will include but not limited to:**
   a. **Options to deliver affordable housing on the Site while maintaining a high level of Council control, including through the maintenance of freehold ownership by Council and/ or long term leasing arrangements;**
   b. **Options for engaging private contractors to develop the Site that do not require the majority of land at the Site to be transferred to a private developer;**
   c. **Examination of successful models for the delivery of affordable housing which have been implemented in other Council areas; and**
   d. **Any modelling previously commissioned by Council regarding affordable housing.**
4. **The modelling report/s will also include examination of financing options including but not limited to:**
   a. **Debt financing;**
   b. **Design and construction contractual arrangements whereby Council commissions a developer to develop the Site, but maintains ownership, control and/or some form of ongoing, long term revenue stream from the Site;**
   c. **Mixed residential models whereby a percentage of resident housing is developed and initially rented at a market rate, but converted over time to low income, social and/or community housing;**
   d. **Advice on possible financial benefits and risks for Council from retaining ownership of land and/or dwellings on the Site; and**

e. **The availability of grants and tax incentives for development undertaken by Council or a community housing provider, to deliver affordable housing on the Site;**

(noting that a number of these options are not mutually exclusive).

5. **Consistent with Council policies and plans, and legislative requirements:**
   a. **the modelling report/s will identify potential community housing providers that Council could partner with to develop affordable housing at the Site;**
   b. **Council will develop and implement strategies to encourage community housing providers to either participate in the EOI process, or otherwise partner with Council outside the EOI process, to deliver affordable housing at the Site; and**
   c. **in order to prepare the modelling report/s Council staff and interested Councillors will consult with relevant stakeholders including successful community housing providers, developers that have a proven track record for delivering affordable housing and expert bodies.**
6. **Funding for these activities is to be included in Council's 2020/2021 Budget in concert with its Property Strategy review and where possible, costs minimized by use of publicly available information about the operation of successful affordable housing projects in other local government areas.**
7. **Consistent with Council's resolution of 11 December 2019, affordable housing is to be included as part of the full community consultation which will be undertaken about the options being considered for the Site.**

The Site

Bass Coast Shire Council has purchased land on Back Beach Road in Phillip Island for the new Phillip Island Transfer Station and Council Depot.

Progressing the Phillip Island Transfer Station, which includes funding for the acquisition of a suitable site and detailed design, is a major initiative of Council.

The 45 hectare site is located at Lot 1, 380 Back Beach Road and was purchased for $1.6 million.

As the Transfer Station and Depot only requires around 4.5 hectares, the size of the site means that the Transfer Station can be situated to minimise impact on neighbouring properties.

Uses for the remainder of the site (40.5 hectares) will be determined in consultation with the community.

Bass Coast Shire Mayor, Cr Brett Tessari, said the land was purchased from the open market and was presented to Council for consideration alongside a number of other options to deliver the Transfer Station and Council Depot project.

"The report was considered in the closed part of the agenda as it was dealing with contractual matters. Once the purchase was completed, the decision could then be made public," Mr Tessari said.

Council allocated $1.8 million in the 2019/20 budget to purchase a site and to complete the detailed design for the Transfer Station and Depot project. The total cost of the Project, to be delivered over the next two to three years, is estimated at $9 million.

The purchase of the site will require the allocation of additional funding to deliver the Transfer Station and Depot project, or an allocation of savings from other project costs.

The purchase of the land was formalised on the completion of due diligence including soil and geo-technical reports.

Detailed design of the Transfer Station and Depot will need to occur and then planning permit approval will be sought before construction can begin.

Officers Comments

Council has a key advocacy priority for Homelessness and Emergency Housing. The ask of the State government is to assist council to undertake important strategic work to ensure the provision of the right type of housing occurs in the right locations in our municipality. The Advocacy priority requests $30,000 for initial land assessment, and $100,000 for a Bass Coast Affordable and Emergency Housing Feasibility Study. The objectives of the Housing Feasibility Study would be to:

- Identify suitable land across the Shire for the provision of emergency and social housing
- Use data and metrics specific to Bass Coast to identify the needs of the community today and into the future
- Consider and recommend types of housing and program support which aligns with Bass Coast's needs
- Consider and recommend a developer contribution framework for social and emergency housing

Council purchased a 45-hectare site located at Lot 1, 380 Back Beach Road for $1.6 million in December 2019. The purpose of the purchase is to facilitate the development of a Transfer Station and Depot. This development will utilise approximately requires 4.5 hectares of the total site and the land size will enable the Transfer Station to be situated to minimise impact on neighbouring properties.

Council has not resolved on direction or uses for the remainder of the site (40.5 hectares) but through media and communications has assured the community that the future use will be determined in consultation with the community. The land is located in a farm zone and outside any established township boundaries. An amendment to the Bass Coast Planning Scheme would be required to rezone the land for residential use.

……..
Cr Les Larke, Bunurong Ward
Dated: **20 May 2020**

Attachments

There are no attachments for this report

F.2 219/20 Holden Proving Ground, Cr Clare Le Serve

I, Cr Clare Le Serve hereby give notice that I intend to move a motion at the Ordinary Meeting on 20 May 2020, which reads as follows:

HOLDEN PROVING GROUND

Motion

That Council:

1. **Write to the State Government requesting they purchase the Holden Proving Ground Site at Lang Lang, which is currently owned by General Motors, for the preservation and recognition of the site's environmental, cultural and coastal habitat values;**
2. **Write to the Minister for Planning to recommending the significance of site be recognised and protected within the Statement of Planning Policy currently being prepared as part of the Distinctive Areas and Landscapes project.**
3. **Work in partnership with relevant stakeholders toward preservation of the site, including current and/or future owners of the site, Parks Victoria, Bass Coast Landcare and the Community.**

Councillor Comments

The Lang Lang Holden Proving Ground is more than 2000 acres of mostly preserved habitat. In a region which was once densely forested, but now has just remnant pockets, the Proving Ground site is a unique parcel of West Gippsland coastal forest. It has been identified for its habitat value by a number of studies conducted on the site (with the support of GM Holden).

Given the loss of habitat in the West Gippsland region generally, and the vast losses of wildlife and habitat along the length (and inland) of the east coast, the 2000 acres of coastal forest covering this Land Lang site makes it too valuable to the local and broader environment. It is also too important to the threatened species (flora and fauna) of the Western Port region to remain unprotected.

Officers Comments

General Motors Holden's Lang Lang Proving Grounds (PG) is an 877-hectare (2167 acre) site over six parcels located at 44 Rayner Hoff Drive.

Starting in 1957 Lang Lang PG was built in stages and was modelled on the facilities and layout developed by General Motors (GM) at its proving grounds at Milford Michigan, Phoenix Arizona and Manitou Springs Colorado. GM wanted a site where a private road system could be surveyed to duplicate virtually any type of surface or gradient in Australia, a site with a set of constants with which they could measure Holden performance against actual road conditions, climate and rigid requirements of Australia.

In August 2018, the site underwent a $7.2 million track upgrade with resurfacing of 4.7km circular track completed plus $8.7 million on upgraded state-of-the-art vehicle emissions lab.

On 17 February 2020, GM announced that it would wind down sales, design and engineering operations in Australia and New Zealand and retire the Holden brand by 2021.

Officers from Council and Regional Development Victoria (RDV) have met with the site manager to understand the operations, opportunities for investment and potential impacts on employment in Bass Coast.

Environment

The site has approximately 800 hectares of very high quality remnant vegetation and it's also home to hundreds of indigenous plant and wildlife species. Over the last decade Bass Coast Landcare Network has partnered with GM Holden and undertaken environmental restoration works outside, and more recently inside the PG at Lang Lang. This has included extensive flora and fauna surveys, with the results guiding the development of a bushland management plan. The surveys and searches on the threatened species database revealed a number of threatened flora and fauna species that are and / or have recently been present within the PG.

Community members have expressed concern that as the site is in private ownership and likely to be sold that there is an urgent need for protection of this important and rare remnant of natural bush in Bass Coast.

Council is being urged to do whatever possible to ensure the protection of this unique parcel of West Gippsland coastal forest identified for its habitat value by a number of studies conducted on the site (with the support of GM Holden).

Another potential concern from the community is that sand mining or other extractive industry might be approved for the site.

Planning

The current planning controls applying to the site are:

- Clause 35.07 – Farming Zone; and
- Clause 44.06 – Bushfire Management Overlay

The site is not affected by any environmental overlays, other than the Bushfire Management Overlay. In saying that, *Clause 52.17 – Native Vegetation*, is a relevant consideration for any development that proposes native vegetation removal.

Distinctive Area and Landscapes consideration

The site is included within the Bass Coast declared area. For the declaration to have weight, a Statement of Planning Policy (SPP) needs to be prepared. As yet, the SPP has not be prepared. It is likely that the SPP will be a high-level document adding weight to our existing planning policy, including those policies related to biodiversity protection and native vegetation removal – it is unlikely the SPP will have any site-specific policy.

……..
Cr Clare Le Serve, Western Port Ward
Dated: **20 May 2020**

Attachments

There are no attachments for this report

Mayor and Councillor Reports

G Mayor and Councillor Reports

Reports Requiring Council Decision

H Reports Requiring Council Decision

H.1 Response to two Petitions - Potential Fire Risk due to management of Reserve between Woodland Heath and Bass Highway, Inverloch, and Fire Reduction Request

File No:	**CM20/78**
Division:	**Resilient Communities**
Council Plan Strategic Objective:	**Environment**
	Maintain and protect the natural environment

Declaration

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

Summary

The purpose of this report is to provide a response to the following two petitions received by Council in relation to fire prevention.

A petition was received by Council at the 19 February 2020 Ordinary Meeting of Council, regarding *potential fire risk due to management of reserve between Woodland Heath and Bass Highway, Inverloch.*

Council resolved at the 19 February 2020 Ordinary Meeting of Council:

1. *That the petition, Potential fire risk due to management of reserve between Woodland Heath and Bass Hwy Inverloch be received and lie on the table until a future Ordinary meeting of Council.*
2. *That the head petitioner be advised of Council's decision.*

A petition was received by Council at the 18 March 2020 Ordinary Meeting of Council titled *'Petition – Fire Reduction Request, concerning fire management in the area near Baxters Drive in Wonthaggi'*.

This report recommends thanking the Head Petitioners and informing them of the following:

That Council:

1. Continues to review and develop an annual Coast and Bushland Fire Prevention Plan for the Woodland Heath Reserve in consultation with the Country Fire Authority and Municipal Fire Management Planning Committee.
2. Review the Coast and Bushland Fire Prevention Plan for the Woodland Heath Reserve using the following: key principles:
   - A practical approach to fire prevention works and on-going maintenance.
   - Reducing the potential for, and the impact of a bushfire on property and humans.
   - The environmental value and passive recreation of the reserve.

3. Continues to deliver fire prevention works as identified in the Coast and Bushland Fire Prevention Plan for the Woodland Heath Reserve.
4. Continues to addresses fire management activities on land managed by others by:
    - Facilitating an integrated approach to fire management works through the Municipal Fire Management Planning Committee;
    - Providing technical advice through the statutory planning process; and
    - Fulfilling compliance responsibilities under the Local Law and CFA Act 1958.

Background

At the 19 February 2020 Ordinary Meeting of Council a petition containing 56 signatures was presented to Council (refer AT-1). The petition read:

We the undersigned implore council to actively manage the reserve between Woodland Heath Drive and Bass Highway. In the 10 + yrs since council took over the management of this reserve there has been little done to preserve the original nature of the reserve that was a pleasant place for the many people who walk through for recreation with and without their dogs. Now with over 20 dead trees and around 10 years of overgrown bracken (over 5 foot high), accumulated fuel from careless lopping of path trees (just left beside the path) it is a dangerous place especially with the fuel load extreme and posing a threat to the houses that council has approved surrounding this reserve. The residents around and users just do not feel safe.

The current state of this reserve besides being a disgrace in Parks & Reserves Management is a danger to the many school children who travel to and from the bus. Residents have had to mow the area around the fence lines just to enable safe passage of these children and create firebreaks to serve as asset protection.

This petition will also be copied to the Local CFA, Fire Service Commissioner and state MP for Bass as our many previous appeals have disappointingly gone unheeded.

Council resolved at the 19 February 2020 Ordinary Meeting of Council:

1. That the petition, Potential fire risk due to management of reserve between Woodland Heath and Bass Hwy Inverloch be received and lie on the table until a future Ordinary meeting of Council.
2. That the head petitioner be advised of Council's decision.

This report responds to the first part of that resolution.

At the 18 March 2020 Ordinary Meeting of Council a petition containing 44 signatures was presented to Council (refer AT-2). The petition read:

The following petitioners draw the attention of the Council to the serious concern regarding the lack of hazard reduction carried out in the bush reserve next to our estate on Baxters Drive, in Wonthaggi, Victoria. We have been given numerous letters over the past 6 years indicating that 'forest fuel' reduction burns would take place but none of these have eventuated. There are areas where the debris is at chest height and it is unacceptable that this has not been dealt with appropriately by Bass Coast Shire Council in conjunction with Parks Victoria.

Therefore, the following petitioners hereby request that the council to contact residents in the area with a clear indication of what is being implemented to reduce the risk of us losing our homes or worse, our lives, due to preventable bushfire.

Strategic Basis

Council Plan Objective:

Environment – *Maintain and protect the natural environment*

Major Initiative / Initiative

Not a major initiative

Strategies / Policies

Bass Coast Shire Council Natural Environment Strategy 2016-2026

Facilitate appreciation of our unique natural environment through sustainable public access.

Action 2.1.3 Develop and implement fire management plans in Council's bushland reserves, as required, and review annually with the Country Fire Authority.

Statutory Requirements/Codes/Standards/Policies

Country Fire Authority Act 1958

Section 14; Control of the prevention and suppression of fires.

Discussion

<u>Woodland Heath Reserve</u>

Woodland Heath Reserve (the reserve) is approximately one hectare of bushland reserve located in Inverloch, south of Bass Highway (refer to Image 1). The western boundary abuts an industrial area, with the east and south boundaries abutting residential housing. The reserve is owned and managed by Council.

The reservation was established as a residential developer contribution in the early-mid 2000's. Prior to development, the area was grazed on a semi-regular basis.

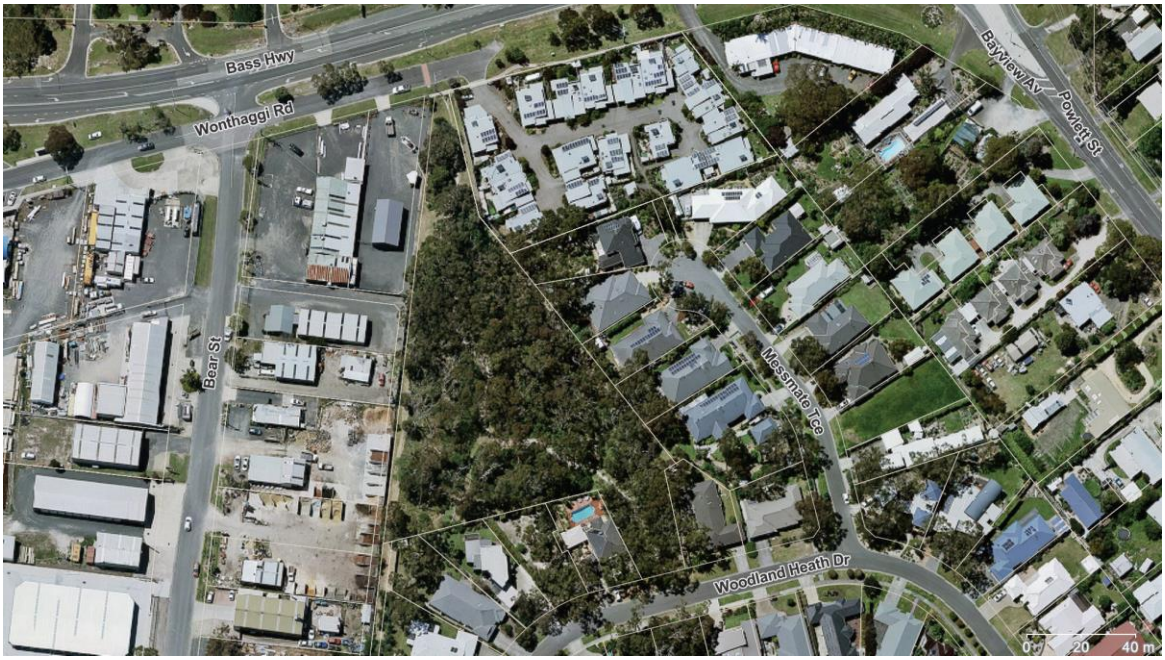


Image 1: Woodland Heath Reserve, Inverloch

The reserve now features healthy natural plant communities including Damp Sands Herb-rich Woodland (refer to Image 2).

This vegetation provides important habitat for native animals and is one few remaining areas of high quality inland natural vegetation in Inverloch



Image 2: Indigenous bushland and central track and slashed fuel break, Woodland Heath Reserve.

In addition the reserve is also valued for passive recreation use.

In 2009 Fire Prevention Planning commenced, which has been incorporated into the annual Coast and Bushland Fire Prevention Plan. This is developed by Council Officers with input from the Country Fire Authority (CFA). The development of the plan includes site inspections and reviewing the plan in conjunction with the local CFA Brigades. The Coast and Bushland Fire Prevention Plan is recognised in the Municipal Fire Management Plan which is developed and endorsed by the Municipal Fire Management Planning Committee of which CFA, Parks Victoria, Phillip Island Nature Parks, Victoria Police, Regional Roads Victoria and Bass Coast Shire Council are key members.

The fire prevention works include slashing of fuel breaks and internal tracks (refer Image 3). These fuel breaks reduce the risk of fire and allows access with fire fighting vehicles. The works have cost $27,800 to date.

Additional works undertaken in the reserve to reduce the risk to residential assets mostly involved removing environmental weeds in particular woody weeds.



Image 3: Fuel break on eastern boundary of Woodland Heath Reserve.

Council officers and the CFA met in early 2020 to review and assess the fire prevention works undertaken to date. As well as recognising the need to manage risk from fire events the review considered the environmental value of the reserve.

It was concluded that Council should continue with on-going maintenance of the site in particular the internal tracks, boundary, and removal of bracken. In addition, Bracken management is be incorporated into future fire management planning beyond 2020.

Baxter Drive

The bushland located near Baxters Drive, in Wonthaggi (refer Image 4) consist of both public and private land. The land to the north of Baxters Drive is public land that is managed by Parks Victoria. The land to the west of Baxter Drive is under private ownership.

As part of their role to manage the fire risk in the public land, Parks Victoria have planned to undertake a controlled burn. As part of this process, Parks Victoria sent letters to landholders notifying that this may occur. The activity has not yet been undertaken.

The land to the west of Baxters Drive is privately owned. Fire prevention work on private land needs to consider risk to the community and native vegetation conservation values. Private landowners have a responsibility to ensure they take necessary steps in reducing the risk of bushfire on their property and to reduce the risk of injury or damage to other persons or property. Council has a role to protect native vegetation and to work with the land owner to reduce the risk of fire on the land.



Image 4: Bushland located near Baxters Drive, Wonthaggi.

Finances

Funding for on-ground fire management works in the Woodland Heath Reserve is allocated annually in Council's operational budget. The total value of this work in the ten years from 2009/10 to 2019/20 equates to $27,800.

Council staff also commit time to development of the annual Fire Prevention Plan and coordination of associated on-ground works.

Stakeholders

The following have been identified as stakeholders with regard to fire management in the Woodland Heath Reserve:

- Nearby private landholders (residential and commercial)
- Nearby private land occupiers and visitors (residential and commercial)
- Reserve users
- South Gippsland Conservation Society

The following have been identified as stakeholders with regard to fire management in the bushland near Baxters Drive, Wonthaggi:

- Parks Victoria
- Private landholder
- Nearby private landholders
- Nearby private land occupiers and visitors
- Reserve users
- South Gippsland Conservation Society
- Friends of Wonthaggi Heathlands

Other Options

Council could increase fire management works in the Woodland Heath Reserve. Options include increasing the width of fuel breaks and removing additional indigenous vegetation and fuel from other parts of the reserve. This would impact the biodiversity in an important conservation reserve and impact on passive recreation experiences. This option may also require additional permits, including those associated with vegetation removal and budget to implement.

Conclusion

Woodland Heath Reserve

The Woodland Heath Reserve is valued for its natural conservation and recreation. Bass Coast Shire Council develops an annual Fire Prevention Plan, in conjunction with the Country Fire Authority, which is recognised in the Municipal Fire Management Plan endorsed by the Municipal Fire Management Planning Committee. Council staff oversee an on-ground fire prevention works program prior to each fire season. In the past ten years Council has spent $27,800 on fire prevention works.

It is considered the fire prevention works conducted in the Woodland Heath Reserve is a practicable approach to mitigate the impact of bushfire affecting assets and humans, whilst balancing the conservation and recreation value of the reserve.

Baxter Drive

Although not the land manager, Council has a role in the fire management of bushland located near Baxters Drive, in Wonthaggi. The private land to the west of Baxter Drive has significant native vegetation on the site. It is proposed that Council's Municipal Fire Prevention Officer will work with Council's Planning Department and the owners of the land, to develop a works program aimed at minimising the danger of the spread of fires on and from the private property taking in to consideration the native vegetation.

Through the Municipal Fire Management Planning Committee, Council will discuss current and planned fire prevention activities with Parks Victoria in relation to the land they manage. This along with an assessment and identification of works on the private land will facilitate an integrated approach to fire prevention works that are identified on the private land, Council managed land (roadsides) and Parks Victoria managed land.

Recommendation

That Council:

1. **Thank the head petitioners and advise them of this decision.**
2. **Continues to review and develop an annual Coast and Bushland Fire Prevention Plan for the Woodland Heath Reserve in consultation with the Country Fire Authority and Municipal Fire Management Planning Committee.**
3. **Review the Coast and Bushland Fire Prevention Plan for the Woodland Heath Reserve using the following: key principles:**

- **A practical approach to fire prevention works and on-going maintenance.**
- **Reducing the potential for, and the impact of a bushfire on property and humans.**
- **The environmental value and passive recreation of the reserve.**

4. **Continues to deliver fire prevention works as identified in the Coast and Bushland Fire Prevention Plan for the Woodland Heath Reserve.**
5. **Continues to support fire management activities on land managed by other agencies and authorities, including Baxter Drive by:**
   - **Facilitating an integrated approach to fire management works through the Municipal Fire Management Planning Committee**
   - **Providing technical advice through the statutory planning process**
   - **Fulfilling compliance responsibilities under the Local Law and CFA Act 1958.**

Attachments

AT-1	***CONFIDENTIAL*** - Petition Potential fire risk due to management of reserve between Woodland Heath and Bass Hwy Inverloch	6 Pages
AT-2	***CONFIDENTIAL*** - Petition Fire Reduction Request	2 Pages

H.2 Construction of Netball Courts and Pavillion at Inverloch Recreation Reserve

File No:	**CM20/234**
Division:	**Resilient Communities**
Council Plan Strategic Objective:	**Health and Wellbeing**
	We are a healthy and active community

Declaration

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

Summary

The purpose of this report is to seek a budget variation to the contracts awarded for construction works associated for the Inverloch Netball Court Redevelopment and Change Pavilion projects at the Inverloch Recreation Reserve.

These contract variations relate to unanticipated additional costs that fall within the scope of each contract. Under the Bass Coast Shire Council Procurement Delegations Framework, section 2.3 Contract Variations Delegation (Table 5), the required additional funds (GST exclusive)will cause the project to be outside the adopted budget allocation, therefore, requiring a Council decision.

The overall budget to construct both projects was $940,000 and was funded through $500,000 from Sport and Recreation Victoria, $400,000 from Council's Resort and Recreation Fund for Inverloch and a $40,000 contribution from the Inverloch Kongwak Football Netball Club.

It is acknowledged that the Inverloch Kongwak Football Netball Club also contributed funding for the detailed designs of the Netball Courts and Pavilion at an approximate value of $35,000 in 2018/19 financial year.

The issues relate to the overall budget allocation for both projects due to unforeseen costs incurred during construction.

The total allocated budget for the Netball Court Redevelopment was $440,000 (GST exclusive). The total allocated budget for the Change Pavilion Project was $500,000 (GST exclusive).

This report recommends increasing the funding for the project to a value of $110,000 (exclusive of GST) which will result in a re-forecasted budget of $1,050,000 (exclusive of GST) to ensure that these projects can be delivered for all stakeholders involved.

Strategic Basis

Council Plan Objective:

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

Major Initiative / Initiative

This is not a major initiative. This project is currently allocated within the Capital Works program for this financial year 2019/20.

Statutory Requirements/Codes/Standards/Policies

Bass Coast Shire Council's Procurement Policy

Discussion

The two associated contracts associated with this project were awarded at the October 2019 Ordinary Council Meeting. The Netball Court Redevelopment contract was awarded to R & C Asphalt Pty Ltd. The Change Pavilion project was awarded to TS Constructions Pty Ltd.

The Inverloch Netball Court Redevelopment and Change Pavilion projects are included in the 2019/20 Capital Works Program and consists of:

Netball Court Redevelopment - redeveloping the existing court area to two compliant netball courts, training lighting shelters, connecting pathways and other ancillary infrastructure.

Change Pavilion – Netball Victoria compliant home and away change rooms, umpires room, first aid room, accessible toilet and meeting room.

During the construction of this project, a number of variations were identified due to a range of design related and construction issues including:

Latent conditions. It was identified a larger area of unsuitable ground conditions (subgrade) under the existing netball courts which was not anticipated. Specialist geotechnical advice was sort during the earthwork phase. This in turn identified a number of additional works such as removal and disposal of unsuitable material and replacement with crushed rock, extending the new retaining wall, underground stormwater drainage for the site to protect the subgrade and to improve stormwater runoff flows from the new netball courts and pavilion.

Power supply upgrade and additional electrical works for the site. It was identified that the power supply to the Inverloch Recreation Reserve needed further improvements to power supply, new conduits and electrical pillar cabinet to meet power supply demand of the new facility without impacting of the existing football club and field lighting. Generally these additional costs were attributed to power authority requirements (Ausnet) to upgrade the transformer in Reilly Street and further electrical upgrades within the Inverloch Recreation Reserve.

Modifications to new coaches box and shed for the health and safety and protection of players and users of the facility.

Additional **perimeter fencing and gates, bollard protection works** including additional **asphalt works** to enhance the accessibility and security to the site.

These design and construction issues presented a number of challenges for Council officers to resolve by working very closely with the contractors to achieve the best outcome and long term serviceability of the new netball courts and pavilion for all users of the Inverloch Recreation Reserve. Unfortunately these additional works are not able to be delivered within the existing budget allocated and required an additional $110,000 (exclusive of GST) to complete the project.

The majority of the contract works for the pavilion and netball courts are nearing completion, It is recommended that savings achieved on the upgrade component of the Wonthaggi Tennis Court and Multi-Purpose Training Space project be used to complete this project.

Finances

Costs associated with the variations, which has been priced by the contractors and the completion of the overall project is the order of $110,000 (exclusive of GST). This price allows for all costs associated by the contractor, additional internal project management and contingencies and specialist advice.

The overall budget to construct both components was $940,000 and was funded through $500,000 from Sport and Recreation Victoria, $400,000 from Council's Resort and Recreation Fund for Inverloch and $40,000 from the Inverloch Kongwak Football Netball Club.

At contract award, the total allocated budget for the Netball Court Redevelopment was $440,000 (GST exclusive). The Change Pavilion project was budgeted for $500,000 (GST exclusive).

The requested increase of funds to reforecast the overall project budget to $1,050,000 (exclusive of GST) will ensure that these projects will be completed within the scope.

It is recommended that the additional funds to complete the Inverloch Netball Court Redevelopment and Change Pavilion projects be funded through savings obtained from the upgrade component of the Wonthaggi Tennis Court and Multi-Purpose Training Space project, which is nearing completion. This project was funded in the Capital Works Program 2019/20 and has an overall budget of $1,757,904. This project has the capacity to support the requested variation of $110,000 for the Inverloch Netball Court Redevelopment and Change Pavilion project.

Any funds remaining at the completion of the Inverloch Netball Court Redevelopment and Change Pavilion and the Wonthaggi Tennis Court and Multi-Purpose and Training Space projects, will be returned to Council via savings.

Stakeholders

The stakeholders for this project include, but not limited to:

- Bass Coast Shire Council
- Sport and Recreation Victoria
- Inverloch Kongwak Football Netball Club
- Inverloch recreation Reserve Committee of Management
- Residents, rate payers and visitors
- Players, spectators, volunteers

Other Options

Within the funding agreement for Sport and Recreation Victoria, Council must complete the project and no additional external funding is available to fund these unforeseen works.

Council could not approve the variation. This would result in the works not being completed.

Conclusion

It is concluded that the unforeseen issues with the Inverloch Netball Court Redevelopment and Change Pavilion Projects have resulted in unexpected additional costs to complete these projects.

Additional funding of $110,000 (exclusive of GST) is required to fund the unforeseen costs associated with the design and amenity issues, latent conditions, drainage, fencing and accessibility.

The extent of contract variation requires a decision from Council in accordance with Bass Coast Shire Council's Procurement Policy.

This cost variation includes but not limited to contractor pricing, additional internal project management and specialist advice.

The requested increase to the funding allocated to these projects will ensure that the project will be completed within the scope. It is recommended that the additional funds be funded through savings obtained from the upgrade component of the Wonthaggi Tennis Court and Multi-Purpose Training Space Project, another project within the 2019/20 capital work program.

Any funds remaining at the completion of the Inverloch Netball Court Redevelopment and Change Pavilion and the Wonthaggi Tennis Court and Multi-Purpose Training Space projects, will be returned to Council via savings.

Recommendation

That Council allocates additional funds of $110,000 (in the 2019/2020 financial year) to the Inverloch netball court redevelopment and change pavilion project, offset by anticipated savings from the Wonthaggi tennis court and multi-purpose training space project.

Attachments

There are no attachments for this report

H.3 Bass Coast Community Leadership Recovery Group

File No:	**CM20/252**
Division:	**Resilient Communities**
Council Plan Strategic Objective:	**Liveability**
	Enjoying the place we live

Declaration

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

Summary

The purpose of this report is for Council to:

- Endorse the Bass Coast Community Leadership Recovery Group Members List (AT-1).
- Endorse the Bass Coast Community Leadership Recovery Group Terms of Reference (AT-2) and the Bass Coast Community Leadership Recovery Group Sub Groups Terms of Reference (AT-3).
- Endorse the Business and Community Resilience Grants Program - Business Support Guidelines (AT-4) and the Business and Community Resilience Grants Program – Community Groups and Not For Profit Organisations Guidelines (AT-5).
- Authorise Bass Coast Shire Council CEO, following the recommendations of the Bass Coast Community Leadership Recovery Group, to allocate funding to successful Business and Community Resilience Grants Program applicants

Background

At the April 2020 Ordinary Council Meeting, Council endorsed the following recommendations:

That Council:

1. Endorses the suite of measures and activities Council will implement in response to the impact of the COVID-19 pandemic on the community:
    a. Implement the following support measures for local businesses for the remainder of 2019/20 financial year:
        - Reimbursement of six months of the 2019/20 Street Trading Permit fees
        - Lease payment relief for caravan park and business operators in Council-owned facilities
        - Waiving business signage and liquor licensing permit fees
        - Provision of Council's Wonthaggi office 'Building 4' to Bass Coast Health on a peppercorn six month lease from 16 April 2020.
2. Discontinues or defers the following projects from the 2019/20 budget:
    a. Rating Strategy review

b. Car Ferry
c. Bass Coast Entry Signage
d. Road Management Plan actions
e. Street Lighting audit
f. Cancellation of Council held events
g. Newhaven Skate Park
h. Southern Gippsland Food Cluster
i. Fleet purchases

3. Re-allocates the savings from the discontinued or deferred projects to the proposed Business and Community Resilience Grant Program that will be overseen by the Bass Coast Community Leadership Recovery Group with administrative support provided by Council officers; and
4. Delegate the authority to approve grant recommendations from the Bass Coast Community Leadership Recovery Group to the CEO, only in the event that Council cannot form a quorum for Council Meetings to determine the Grant recipients.

Following the April 2020 Ordinary Council Meeting, Council officers commenced the establishment of the Bass Coast Community Leadership Recovery Group (BCCLRG) and the development of the Business and Community Resilience Grants Program Guidelines.

Nominations for the BCCLRG were considered based on diversity of interest and geographical spread across the Shire.

Nomination were put forward by Councillors and Council officers and placed within four key interest areas - Environment; Local Economy; Arts and Culture; Community Wellbeing.

Bass Coast Mayor, Cr Brett Tessari emailed each nominated person requesting their involvement in the Group and received a very positive response, with 28 community members accepting the invitation to be involved. The Bass Coast Community Leadership Recovery Group Members List is attached.

In summary:

By Ward:

- Bunurong Ward – 10 representatives
- Island Ward – 11 representatives
- Westernport Ward – 7 representatives

By Sub Group:

- Arts and Culture – 6 representatives
- Community Wellbeing – 10 representatives
- Environment – 5 representatives
- Local Economy – 7 representatives

With exception of the Mayor, Councillors were asked their preference of which Sub Group they would like to be involved in, two Councillors were assigned per Sub Group.

Each member will attend two meetings per week, hosted online by Bass Coast Shire Council.

Sub Group Meeting – Four Sub Group Meetings will be held concurrently each Monday afternoon to discuss and summarise key issues and opportunities during COVID-19. The Sub Group Chair will be a Councillor nominated for the Group. Council will provide officer support to take notes and develop a post-meeting summary.

BCCLRG Meeting – All members of the four Sub Groups will attend a broader BCCLRG Meeting held Thursday afternoons to share COVID-19 updates and present summaries from Sub Group meetings from the preceding Monday. The Mayor will be the Chair for the BCCLRG and Council will provide officer support to take notes and develop a post-meeting summary.

Terms of Reference documents have been developed for the Bass Coast Leadership Recovery Group and Bass Coast Community Leadership Recovery Sub Groups and are attached at AT-2 and AT-3.

Following the BCCLRG commencement, Council officers consulted with the Group to finalise the Business and Community Resilience Grants Program – Business Support Guidelines and the Business and Community Resilience Grants Program – Community Groups and Not For Profit Organisations Guidelines. Both Guidelines are attached at AT-4 and AT-5.

Strategic Basis

Council Plan Objective:

Advocacy - *Representing the community*

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

Environment – *Maintain and protect the natural environment*

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

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

Liveability – *Enjoying the place we live*

Our Character – *Celebrating the uniqueness of our townships*

Major Initiative / Initiative

Although, the Bass Coast Community Leadership Recovery Group and Business and Community Resilience Grants Program are not Major Initiatives or Initiatives, responding to the impacts of the COVID-19 pandemic is recognised as a significant priority for Council.

Strategies / Policies

- Bass Coast Municipal Emergency Management Plan

- The Municipal Emergency Management Plan has a pre-existing Municipal Influenza Pandemic Plan and Relief and Recovery Sub Plan which have set the framework for the development of the Response and Recovery Plan
- Bass Coast Economic Development Strategy 2018-21
- Phillip Island and San Remo Visitor Economy Strategy 2035 – Growing Tourism
- Bass Coast Communications and Engagement Strategy 2018 – Revised Version

Statutory Requirements/Codes/Standards/Policies

- Local Government Act 2020
- Public Health and Wellbeing Act 2008

Discussion

The rapid escalation of COVID-19 and measures to contain its spread have led to widespread disruption and hardship to businesses and the community overall. Whilst there are numerous Federal and State government support measures in place, due to its close connection with the local community, Council is well placed to introduce additional measures targeted specifically to support local businesses and community.

The implementation of a diverse, community driven Leadership and Recovery Group will provide Council with a direct link to the community to better understand the impacts of COVID-19 across Bass Coast.

The Group consists of all Councillors and members from all Council Wards across many interest areas.

Feedback from within the BCCLRG highlighted the need to progress the Business and Community Resilience Grants Program Guidelines as a priority and in line with the April Ordinary Council Meeting resolution, and for successful grants to be processed efficiently and transparently.

The Guideline outlines the process for assessing grants and the estimated timeline.

The process is proposed as follows:

- Grants open – Grants close
- Application grouped into areas reflecting sub groups: Arts and Culture, Community Wellbeing, Environment, Local Economy
- Council officers complete initial assessment for eligibility and scored against criteria
- Summary of each initial application assessment presented to sub groups at Monday Meeting
- Sub Groups discuss each application (second assessment) and complete recommendations
- Sub group recommendations presented to BCCLRG Thursday Meeting
- Final recommendations completed across broader BCCLRG
- Council CEO delegated to issue funding to successful applicants

Finances

To support the Business and Community Resilience Grants Program a number of projects and initiatives have been cancelled or deferred from 2019/20 as per the April Ordinary Council Meeting.

Council officer support has been dedicated for the administration of the BCCLRG, Sub Groups and the Business and Community Resilience Grants Program.

Stakeholders

- Councillors
- Bass Coast community
- Members of the Bass Coast Community Leadership Recovery Group

Other Options

Council may choose not to:

- Support the membership of the Bass Coast Community Leadership Recovery Group.
- Support the Terms of Reference for the Bass Coast Community Leadership Recovery Group and Sub Groups and request further information.
- Support the Business and Community Resilience Grants Program Guidelines and request further information.
- Authorise the CEO to approve successful Business and Community Resilience Grant applications and approve at an Ordinary Council Meeting.

Conclusion

The establishment of the Bass Coast Community Leadership recovery Group and the development of the Business and Community Resilience Grants Program Guidelines has been in direct response to the actions from the April Ordinary Council Meeting and current challenges faced with COVID-19.

By endorsing the establishment of the Group, Grant Program Guidelines and providing CEO delegation to approve successful applications, Council will be progressively responding to the community through this difficult time.

Recommendation

That Council:

1. **Endorse the membership of the Bass Coast Community Leadership Recovery Group as outlined in the Community Leadership Recovery Group Members List (AT-1).**
2. **Endorse the Terms of Reference for the Bass Coast Community Leadership Recovery Group (AT-2) and Bass Coast Community Leadership Recovery Group Sub Groups (AT-3).**

3. **Endorse the Business and Community Resilience Grants Program- Business Support Guidelines (AT-4) and Business and Community Resilience Grants Program – Community Groups and Not For Profit Organisations Guidelines (AT-5).**
4. **Authorise Bass Coast Shire Council CEO, following the recommendations of the Bass Coast Community Leadership Recovery Group, to allocate funding to successful Business and Community Resilience Grants Program applicants.**

Attachments

AT-1	Members list for Community Leadership Recovery Group	1 Page
AT-2	Bass Coast Community Leadership Recovery Group Terms of Reference	2 Pages
AT-3	Subgroups Terms of Reference for Community Leadership Recovery Group	2 Pages
AT-4	Business and Community Resilience Grant Program - Business Support Guidelines	8 Pages
AT-5	Business and Community Resilience Grants Program Guidelines - Community Groups and Not For Profit Organisations	9 Pages

H.4 Community Grants 2020 Round 1 Funding Recommendations

File No:	**CM19/904**
Division:	**Resilient Communities**
Council Plan Strategic Objective:	**Health and Wellbeing**
	We are a healthy and active community

Declaration

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

Council Officers involved in the assessment process were asked to declare conflicts of interest prior to assessing the applications. One officer declared a conflict of interest, so was removed from discussion of that assessment.

Summary

This report seeks Council endorsement of funding recommendations for Community Grants 2020 Round 1. All categories were offered in the round, being:

- General Community Grant
- Festivals, Celebrations and Events Grant
- Minor Capital Works Grant

An assessment panel has made recommendations based on the funding criteria adopted by Council at its Ordinary Meeting on 21 October 2015.

A total of 66 applications were submitted requesting $254,125.22 in grant funding. A total of $127,000 across 43 projects has been recommended for allocation as per Council's allocated budget.

Background

Community Grants 2020 Round 1 opened on Saturday, 9 August 2019 and closed at midnight on Friday, 6 March 2020.

Community Grant Guidelines (AT-1) were available for prospective applicants on Council's website. Information sessions were held at Newhaven on 15 January 2020, and Wonthaggi on 28 January 2020, and were well attended with 18 people from various groups attending. Four informal pop-up Community Grant information sessions were also held at Cowes Library, Wonthaggi Library, Bass Valley Community Centre and Grantville Transaction Centre over January and February. Throughout the application period, advice was provided by phone, email and one on one meetings to prospective applicants.

Applications have been reviewed and funding recommendations made by an assessment panel of Council Officers.

Strategic Basis

Council Plan Objective:

Liveability – *Enjoying the place we live*

Major Initiative / Initiative

Strategies / Policies

This report is consistent with the Community Grants Program Policy (March 2018).

Statutory Requirements/Codes/Standards/Policies

Not applicable

Discussion

Annual allocations of community grants are $254,000 across the 2019/20 financial year, with $127,000 available for Community Grants 2020 Round 1. Grant applications have a funding threshold of up to $5,000 with one application per round being recommended for funding from $5,000 up to $10,000.

Assessment Process

As a result of COVID-19 social distancing regulations, both assessment meetings, consisting of Council Officers were done via Microsoft Teams to determine eligibility and consider all applications. Information regarding all applications was forwarded to each assessor prior to each meeting.

Members of the assessment panel were assigned individual applications to assess. They were also encouraged to contact the applicants to determine the viability of the project given the potential impacts of COVID-19 for the applicant's capacity to undertake the project. These discussions highlighted some projects that were no longer viable and were subsequently withdrawn or declined due to social distancing measures. The assessment panel then reviewed all remaining applications as a group and made their final assessment recommendations.

Assessment recommendations were made in accordance with the Community Grant Guidelines 2019 and ranked against the Community Grants Assessment Criteria (AT-2).

Subject to the resolution of Council, all groups who were not recommended for funding in this round will be contacted and provided feedback. Where relevant, applicants will be encouraged to apply in another round.

Funding recommendations providing a breakdown by electoral ward is attached (AT-3).

In summary, of the 66 applications received:

- Two were withdrawn at the request of the applicant after the application had been submitted.
- Three were ineligible for the following reasons:
  - One applicant had already purchased the requested item
  - Two applicants failed to provide key information required to assess the application – quotes

- 18 applications were declined:
  - Two applications require further information and discussions
  - Two applications scored very low
  - Five applications were for workshops and/or exhibitions to be conducted within current social distancing restrictions, so have been encouraged to apply to a future round
  - Nine were from groups who lodged two applications. These applicants were encouraged to prioritise multiple applications to ensure an equitable spread of funding, and will be encouraged to apply to a future round
- 17 applications are recommended for full funding.
- 26 applications are recommended for part funding. Where part funding is recommended it has been determined that the project is still viable for the group to deliver with a reduced grant amount.
- 10 applications were for major project funding. All applicants indicated their project could be delivered if funded $5,000 and not successful for the major project category.

Projects recommended, cover a diverse range of activities including sport and recreation, arts, cultural and heritage groups, youth activities, the environment, and projects of benefit to the broader community. Support for organisations to purchase equipment or make capital improvements to facilities remains an essential role for Community Grants. The following table shows the grant categories and recommended financial allocations.

Community Grants 2020 Round 1 Grant Category	**Funding to Applications**			**Funding requested**	**Recommended Funding**
	Full	**Part**	**Declined**		
General Community Grant: • Equipment • Other Project	7 4	15 4	7 5	**$89,534.02** **$47,864.00**	**$58,626.00** **$20,979.00**
Festivals, Celebrations and Events	1	3	3	**$19,925.00**	**$6,250.00**
Minor Capital Works	4	4	8	**$96,802.20**	**$31,145.00**
Major Project	1		*(9)	***($80,790.00)**	**$10,000.00**
Total	**17**	**26**	**23**	**$254,125.22**	**$127,000.00**

**Note that these numbers have been included in the numbers above*

Recommended funding amounts are considered within the context of the 30/70 funding ratio set out in the Community Grant Guidelines. This requires a 30% contribution from the applicant in cash, in-kind or a combination of both, and contribution of 70% by Council. In applying this ratio, assessors take into account the capacity of an applicant to make an in-kind or financial contribution to the project.

With each round of Community Grant assessment, the evaluation process includes feedback from applicants regarding the application process. Feedback has been very positive as groups are becoming more familiar the Community Grants program and with SmartyGrants software.

A 2019/20 financial year Community Grants Summary Report is attached (AT-4).

Finances

The total funding pool for the 2019/20 Community Grants Program is $254,000.00 with $127,000.00 allocated to this round.

A total of $127,000 has been recommended for funding in this round. This will fully expend the funding pool for 2019/20. Allocations for both full and part funding of applications in this round have been made in accordance with the Community Grant Guidelines.

Stakeholders

- Councillors
- Community Organisations
- Residents and visitors to Bass Coast

Other Options

Council could:

- Request changes to the Assessment Panel's recommendations for grant funding; or
- Resolve not to endorse the Assessment Panel's recommendation report and defer the $127,000 grant funding to the next round.

Conclusion

The Community Grants Program continues to be well received by the community with 66 applications being submitted.

The applications represent a wide range of activities and highlights the importance of the Community Grants Program in supporting the Bass Coast community to enhance services and facilities.

The applications have been assessed in accordance with the Community Grants Assessment Criteria and it is recommended that Council endorse the allocation of $127,000 outlined in attachment three (AT-3).

Recommendation

That Council:

1. **Endorses the Community Grants 2020 Round 1 Funding Recommendations; and**
2. **Approves the public release of the Community Grants 2020 Round 1 Funding Recommendations after endorsement.**

Attachments

AT-1	Community Grants Guidelines	13 Pages
AT-2	Community Grants Assessment Scoring Guide	1 Page
AT-3	***CONFIDENTIAL*** - Community Grants 2020 Round 1 Funding Recommendations	4 Pages
AT-4	Community Grants 2019/20 Summary Report	1 Page

H.5 Section 86 Special Committees of Council, Appointment and Delegation amendments

File No:	**CM20/225**
Division:	**Business Transformation**
Council Plan Strategic Objective:	**Governance**
	We are responsive, open, transparent and financially sustainable

Declaration

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

Summary

Council has number of Section 86 Committees in place that appoint members of the community to assist with management of facilities such as community halls and reserves across the municipality. The purpose of this report is to acknowledge committee members through their appointments and resignations.

Background

Council has 15 Special Committees of Management established by Council under Section 86 of the *Local Government Act 1989 (the Act)* to directly manage Council facilities such as halls and reserves on behalf of Council. The following provides a summary of those committees that have amendments to their current members.

Coronet Bay Hall and Reserve Committee of Management

The Coronet Bay Hall and Reserve Committee of Management consists of 9 active members.

The reserve, also referred to as Fred Gration Reserve is a community hub, consisting of a playground, basketball court, BMX track, large reserve, gardens, foreshore and a hall that is utilised by many community groups. The latest addition to the reserve is the Community Gardens of which community members are now reaping the rewards.

The Committee of Management have a number of user groups who supply regular user group reports to committee meetings which allows open communication and updates in each user group space.

Council recently graded an area for the BMX and the Garden Communities to park. This was received well and provides the two groups with a stable area to park closer to their activities on the reserve. Council have also given approval for the Committee of Management to install football goal posts on the lower reserve. The Committee are currently in consultation with their user groups and wider community to gain ideas for future development of the reserve, these will then be considered in a future master plan for the reserve.

A new nomination submitted by the Committee of Management raises the committee members total to 10.

Strategic Basis

Council Plan Objective:

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

Strategies / Policies

The Committees of Management are appointed under Section 86 of the Local Government Act 1989.

Statutory Requirements/Codes/Standards/Policies

- The Local Government Act 1989 where Council Special Committee is referenced including but not limited to Section 86, 87, 89, 90, 91, 92, 93.
- Any other Acts or Legislation that reference a Council Special Committee.
- Amendments to the Local Government Act 1989 or any other Acts or Legislation that reference a Council Special Committee may trigger a review and re adoption of the Instrument of Delegation.

Discussion

New Committee members

The Special Committees operate under an Instrument of Delegation. The Instrument of Delegation outlines the powers, duties and function of Committees of Management and Committee members.

Committee members are appointed and removed through Council resolution.

The following changes to appointments are recommended to Council for adoption:

Special committee	Appointments
Coronet Bay Hall and Reserve	Appointment of Anna Dagys

Finances

The Special Committees are funded through the Governance and Property services operating budget. No additional budget is required.

Major Initiative / Initiative

This is not a major initiative or an initiative in the budget.

Stakeholders

Council, the Special Committees, ratepayers, residents, visitors and facility users.

Other Options

Council may seek further information or choose not to appoint additional members to the Committees of Management.

Conclusion

Special Committees are established to perform delegated duties and functions on behalf of Council. New appointments to Committees of Management are a welcomed occurrence.

Recommendation

That Council approves the new appointment listed to Special Committees of Council under Section 86 of the *Local Government Act 1989* and provides delegation in accordance with the Bass Coast Shire Council Instrument of Delegation Special Committees adopted 20 March 2019.

Special committee	New Appointments
Coronet Bay Hall and Reserves Committee of Management	**Appointment of Anna Dagys**

Attachments

AT-1	Bass Coast Shire Council Instrument of Delegation Special Committees	3 Pages
AT-2	***CONFIDENTIAL*** - Coronet Bay Reserve CoM Nomination Form Anna Dagys	2 Pages

H.6 2019/2020 Major Initiatives, Finance and Capital Works Third Quarter Report

File No:	**CM20/224**
Division:	**Finance**
Council Plan Strategic Objective:	**Governance**
	We are responsive, open, transparent and financially sustainable

Declaration

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

Summary

The purpose of this report is to provide a progress report on the third quarter's performance for our Major Initiatives and Initiatives, adopted Capital Works Program and operating finances.

Background

The Council Plan articulates Council's Vision for the future of Bass Coast and outlines strategies to be used by Council in fulfilling the Vision. It is an important tool for measuring the performance of Council and its Officers. The 2019/20 Budget funds the objectives within the Council Plan and this year identified 16 Major Initiatives and 15 Initiatives. These Major Initiatives and Initiatives and the Capital Works Program will be reported on quarterly throughout the year.

Council also adopted the Capital Works Program within the 2019/20 Budget. This program will be reported on quarterly. Council's financial performance will also be regularly reported.

Strategic Basis

Council Plan Objective:

Advocacy - *Representing the community*

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

Environment – *Maintain and protect the natural environment*

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

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

Liveability – *Enjoying the place we live*

Our Character – *Celebrating the uniqueness of our townships*

Finances

This report indicates that Council's 2019/20 forecast surplus is favourable to budget by $3.8 million and adjusted underlying surplus is $1.6 million favourable to budget.

This forecast full year surplus is largely attributable to the receipt of $1.8 million in unbudgeted funding from the Fixing Country Roads program and projected salary expense savings of $1.8 million. These salary savings have been found through a continued focus on innovation and the implementation of sustainable efficiencies across the organisation. These efficiencies have been achieved through leveraging technology and exploring new ways of working.

Bass Coast Shire issued a COVID-19 response and recovery package issued on 15 April. This package provided an additional $0.7 million in grant funding for the community and provided financial relief for footpath trading, liquor licencing and rental payments. These impacts can be seen through a reduction in user fees and an increase in other expenditure. These provisions have been funded through organisational savings found in reduced or amended service provisions and deferral or cancellation of projects as a result of the COVID-19 restrictions.

Our cash position, as shown in our funding statement is forecast to have a surplus of $1.2 million at the end of the financial year. The main drivers of this variance are the $1.8 million in employee expenditure savings, coupled with favourable supplementary rates revenue of $0.4 million and a favourable impact of net carryovers of $0.3 million. These favourable variances are partly offset by a $1.5 million transfer to reserve to help fund COVID19 community relief in the 2020/21 financial year.

Projects identified for carryover to 2020/21 include Pioneer Bay Special Charge Scheme, Cowes PICAL Building and PBN Surf Parade Veronica St Inverloch. Net impact of carryovers for 2019/20 is low, with the $9.6 million of carried over projects from 2018/19, being largely offset by projects of $9.3 million identified as carry overs to the 2020/21 financial year.

Forecast capital project expenditure during 2019/20 of $23 million is $1.8 million higher than budget. This increase is largely due to the $1.8m million in additional funding that will be received for Fixing Country Roads.

Council's VAGO financial indicators are expected to mostly remain within the low risk area ensuring Council's long term financial positon remains consistent with the aspirations of the Strategic Resource Plan and Long Term Financial Plan.

Stakeholders

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

Statutory Requirements/Codes/Standards/Policies

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

The Major Initiatives and Capital Works are allocated for in the 2019/20 Budget. All of Council's expenditure are approved and spent in accordance with the Act and the Procurement Policy.

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

Major Initiatives and Initiatives

Attached to this report is a progress summary of the Major Initiatives and Initiatives identified in the 2019/20 Budget. Council identified 31 of these initiatives, their progress status includes:

- Two initiative have been completed
- 26 initiatives are underway and on track
- One initiative has been delayed
- One initiative has been deferred
- One initiative has been discontinued

Advocacy

Initiative	Status
Continue to implement the Advocacy Strategy	On Track
Seek Victoria Government funding to progress the car ferry business case - Major Initiative	Deferred

Economic Development

Initiative	Status
Implement relevant Year 2-5 actions in the Phillip Island and San Remo Visitor Economy Strategy 2035 Growing Tourism - Major Initiative	On Track
Implement year four actions from Council's Economic Development Strategy 2016-2021	On Track

Environment

Initiative	Status
Continue the planning for Phillip Island Resource Recovery Centre and Depot Development - Major Initiative	On Track
Implement high priority projects from waste infrastructure gap analysis	On Track
Facilitate the Rhyll Jetty activity area precinct plan - Major Initiative	On Track
Take action against foreshore encroachment and vegetation removal	On Track
Implement Council's Biodiversity Biolinks Plan - Major Initiative	On Track

Governance

Initiative	Status
Continue implementation of the One Council Solution	On Track
Continue work on business transformation within the organisation - Major Initiative	On Track
Implement changes to the Local Government Act, if adopted - Major Initiative	On Track
Review Council's Rating Strategy - Major Initiative	Discontinued

Health and Wellbeing

Initiative	Status
Implement year two of Active Bass Coast	On Track
Commence review and redevelopment of the Disability Action Plan (2020-2024) - Major Initiative	On Track
Implement decisions to cease provision of Aged and Disability Services - Major Initiative	Completed
Implement year three of the Municipal Public Health and Wellbeing Plan 2017-2021	On Track
Continue the development of the Reconciliation Action Plan	On Track

Liveability

Initiative	Status
Continue project implementation and operational management planning of the Highball Stadium in partnership with the Wonthaggi Secondary College - Major Initiative	Completed
Development and implementation of Project Management Framework	On Track
Implement the Domestic Animal Management Plan year three/four actions.	On Track
Implement the Wonthaggi North East Precinct Structure Plan - Major Initiative	On Track
Implement year one of the Arts and Culture Plan 2019-2029	On Track
Commence the development of a master plan for Smiths Beach	On Track
Participate in the Distinctive Areas and Landscapes Project in partnership with the State Government - Major Initiative	On Track
Implement an improved service delivery model for Development Services - Major Initiative	On Track
Commence the review of the Drainage Services Asset Management Plan.	On Track

Continue the Heritage Gaps project	On Track
Commence development of a master plan for Wonthaggi Secondary campus	Delayed

Our Character

Initiative	Status
Commence review and redevelopment of Youth Action Plan (2020-2024) - Major Initiative	On Track
Commence review and redevelopment of Municipal Early Years Plan (2020-2024) - Major Initiative	On Track

At the 15 April 2020 Council Meeting, Council resolved to defer or discontinue a range of projects in order to support the Bass Coast COVID-19 business and community response and recovery package. Two Major Initiatives were included in the projects to be deferred and/or discontinued. This resolution will be reflected in future progress reports.

2019/2020 Capital Works Program (CWP) – Quarter 3 Review (1 December – 31 March)

In June 2019 Council approved its 2019/2020 budget inclusive of the Capital Works Program (the CWP). At this time the CWP comprised 74 projects with a total value of $21.16 million.

In addition to the projects identified within the 2019/2020 CWP, 43 projects from the 2018/2019 financial year required budget carryover. These carryovers resulted in the net addition of $12.94 million and 37 projects to the CWP.

The Quarter 3 reforecast has identified a number of proposed adjustments to the CWP to include new projects, redistribute program budgets, recognise additional grant income and reflect final project expenditure.

Details regarding specific adjustments and associated explanatory comments may be seen within the attached Capital Works Program Report (AT-1). A Summary of proposed Quarter 3 adjustments to the CWP is provided within Table 1 below:

Table 1: Quarter 3 proposed CWP adjustments

Element	Net Impact on No. of Projects	Net impact on CWP Value ($)
Omitted Projects	0	0
Reclassified Projects (opex to capex)	3	0
New projects	6	0
TOTAL	**9**	**0**

Adjustment to existing projects

There were three adjustments to individual project budgets identified through the Quarter 3 forecast to fund the six new projects.

New projects

Six new projects have been included within the CWP during Quarter 3. Funding for these projects were through savings from other projects in the CWP. These projects are:

- Warrawee Senior Citizens Club Air Conditioning Replacement
- Beveridge Close Drainage Reserve Bollard Replacement
- Buildings Renewal Roof Guttering Wonthaggi Museum
- Corinella Community Centre DDA Compliant Carpark
- The Hub Inverloch Footpath Renewal
- Cashin Street and Royal Parade are Inverloch Footpath Renewal

Additional Council Budget Allocation

Council did not provide any additional budget allocation during Quarter 3.

However, it should be noted that Council has experienced unbudgeted expenditure for the acquisition of a site ($811,681) in Quarter 3 in addition to emergency works at Grantville-Glen Alvie Road ($194,302) and the Cape Paterson stairs ($42,550) which occurred in Quarter 2.

Increase in Grants

Council did not receive or secure any additional grants during Quarter 3. Council has received additional unbudgeted income of $2,520,768 year to date.

Carry over to the 2020/21

Identification of twenty six (26) projects multi-year, deferred and carry over projects listed within the CWP are presented in the attached Capital Works Program Report (AT-1).

A summary of the revised number and associated value of projects identified within the CWP is provided below:

Table 2: Quarter 2 adjusted CWP

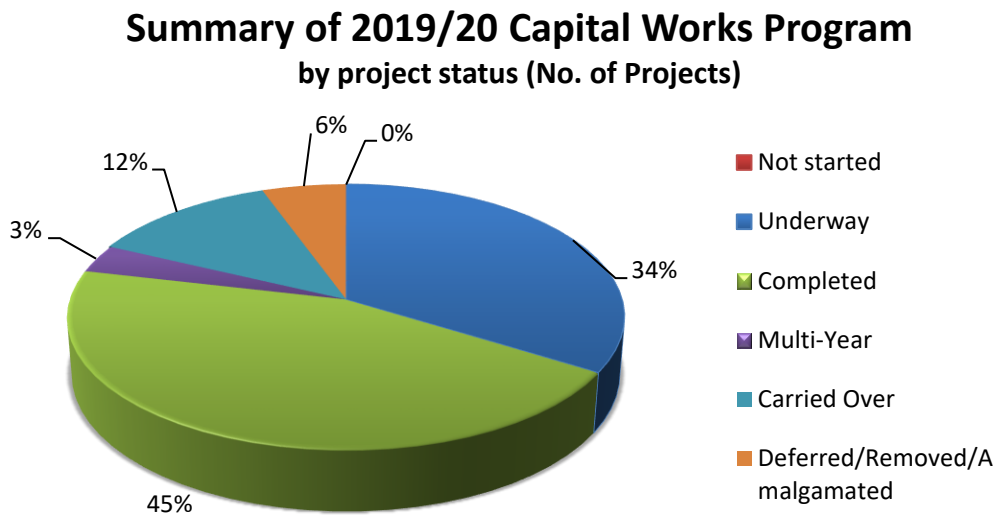
Element	No. of Projects	Value ($ Million)
Approved within 2019/20 budget including carry overs	111	34.10
Quarter 1 adjustments	24	2.41
Quarter 2 adjustments	1	0.08
Quarter 3 adjustments	9	0.08
TOTAL	**145**	**$36.67**

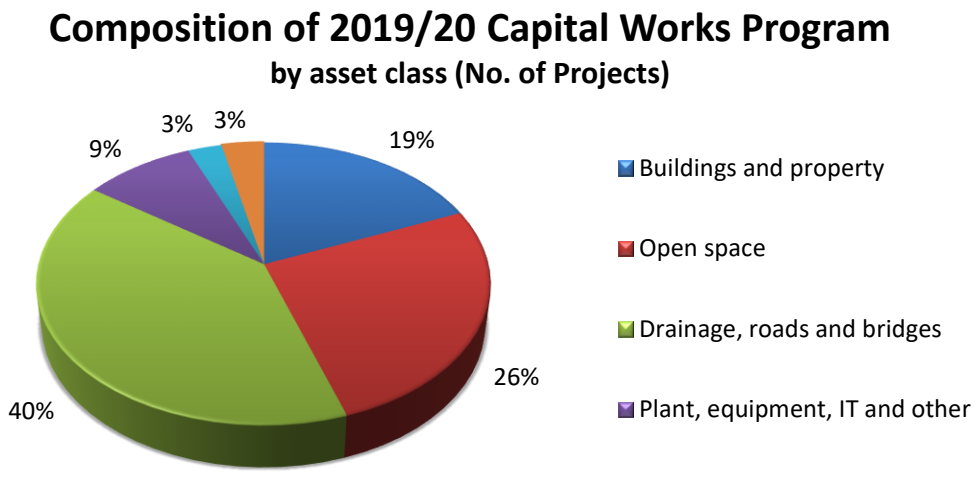
A breakdown of the adjusted CWP by asset class (based on total value of projects) is provided below:

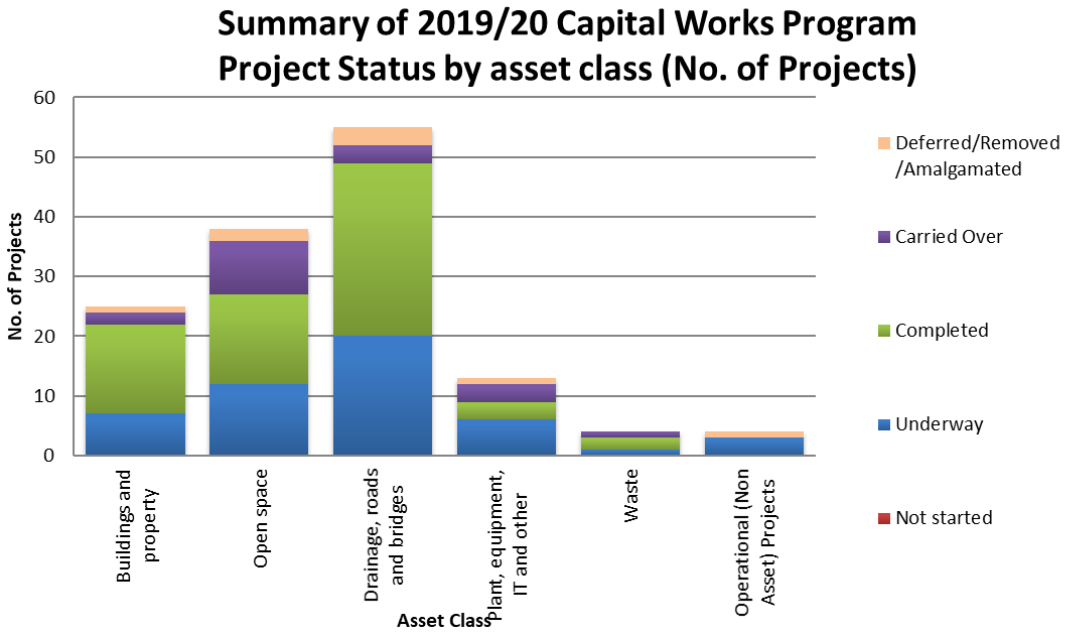
Progress of the CWP

Delivery of the CWP is tracking slightly behind with the adopted schedule. Overall project completion currently sits at 71% of total projects with 75% of the financial year elapsed. Details regarding the delivery status of each project contained within the CWP are provided within AT-1. Of the 145 active projects currently listed within the CWP:

- 65 have been completed (45%)
- 49 are currently in progress (34%)
- 5 are multi-year projects (3%)
- 18 are being carried over (12%)
- 8 have been removed/amalgamated or deferred (6%)







As at 31 March 2020, actual expenditure against projects identified within the CWP was $14.08 million. This represents 38% financial completion of the CWP against the proposed forecast budget. In addition to the observed expenditure to date, numerous financial commitments have been made with respect to projects underway. Attachment AT-1 details the projects completed to date, some noteworthy works which have been completed during Quarter 3 period include:

Buildings and Property

- Wonthaggi United Soccer Club Detailed Design
- Wonthaggi Croquet Club Pavilion Detailed Design
- Wonthaggi Angling and Tennis Club Pavilion Detailed Design

Open Space

- Bass Coast Rail Trail Signage & Seating Detailed Design
- Inverloch Recreation Reserve Netball Courts Upgrade
- Open Space Renewal Pier Rd Sea Wall

Roads, Drainage and Bridges

- Rural Pavement - Loch Wonthaggi Rd, West Creek from end Stage
- Blackspot Cowes Rhyll Road
- Storm Water Group - Pymble Ave Inverloch - Design Construct

Plant & Equipment, IT and Other

- Placeholder 2019-20 LTFP Computers and telecommunications

Waste

- Grantville Cell 7 Construction

Recommendation

That Council:

1. **Receives the Finance, Major Initiatives and Capital Works Progress Report for the quarter ended 31 March 2020.**
2. **Authorises adjustment of Capital Works Program project forecasts in accordance with the figures listed within attachment AT-1.**
3. **Notes the deferral and discontinuance of two of the major initiatives detailed in the report.**

Attachments

AT-1	Capital Works Report Quarter 3	3 Pages
AT-2	Quarterly Financial Report 31 March 2020	18 Pages
AT-3	Council Plan Progress Report - Quarter ending March 2020	14 Pages

H.7 Award of Tender No 20005 - Design Services for Cowes Cultural & Community Centre

File No:	**CM20/237**
Division:	**Finance**
Council Plan Strategic Objective:	**Governance**
	We are responsive, open, transparent and financially sustainable

Declaration

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

Summary

This report to Council presents the outcome of the tender evaluation for Tender No. 20005 – Design Services for Cowes Cultural & Community Centre.

A panel, consisting of Council officers was formed for the purpose of tender evaluation.

The objective of the Panel was to assess the submissions against the selection criteria and identify a preferred tenderer for the purpose of assisting the Council in reaching a tender award decision.

The Panel concludes that the tender submitted by Jackson Clements Burrows Pty Ltd will satisfy the requirements of the service and will provide Council with best value for money.

This report recommends Council to accept the tender submission and award Contract No. 20005 to Jackson Clements Burrows Pty Ltd.

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

Background and Context

The Cowes Cultural and Community Centre (CCCC) has been the subject of proposed development since an original Master Plan of the wider Cowes area was conducted in 2005.

Since 2005, the CCCC has undergone significant community engagement and consultation that focused on how a new facility could best meet the requirements for a growing community.

The growing and changing population of Phillip Island together with an increasing expectation for recreation and cultural experiences, demands attention to the community facilities available in Cowes. There is strong community support for a dynamic interactive CCCC to serve the community for decades to come. Further, it is envisaged that the new CCCC will be the source of civic and community pride.

The vision for the Project is that the CCCC will be a dynamic and interactive space that brings together the cultural and social aspirations of the community that will draw in visitors to showcase the history and culture of the region while providing a facility which encourages a range of community activities and events.

The current community facilities are ageing and below industry standard for a major focal point of the region. The current facility design, configuration, size and condition does not cater to the growing needs for community assets on Phillip Island.

A substantial amount of background work has already been completed as evidenced by the consultation and design phases through 2017 and 2018.

The successful design team will review, interpret and bring to fruition the preliminary concept work and design philosophies completed in previous phases of the CCCC project. The design team will ensure the principles and attributes of the preliminary design work (as outlined herein) are achieved and enhanced and deliver upon the objectives of a new dynamic and interactive community facility.

Strategic Basis

Council Plan Objective:

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

Statutory Requirements/Codes/Standards/Policies

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

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

Tender Process

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

Tenders closed at 2pm on Tuesday 18 February 2020 and Council received eighteen (18) conforming tender submissions.

Evaluation Process

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

Table 1. – Evaluation Selection Criteria	
Criterion	**Weighting**
Mandatory	
Insurance and Registration	Pass/Fail
Weighted	
Price	25%
Previous Related Experience & Referees	30%
Methodology & Approach	15%
Program of Works	15%
Capacity – Staff Resources, Sub-contractors, Suppliers	5%
Innovation and Continuous Improvement	5%
Benefit to Bass Coast Shire Economy	5%

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

Each tenderer passed the mandatory selection criteria.

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

The Panel assessed the technical worth of each tender against the specification requirements and the selection criteria, identified issues for further review, clarified issues with tenderers and sought additional information.

Interviews were conducted to seek clarification and to assist the panel in its understanding and assessment of the three highest scoring tenders. Extensive reference checks were carried out with the highest scoring tenderer's referees.

The final weighted scores are set out in Table 2.

Table 2. – Final Weighting Scores				
No.	Name	* Price Score % (Excluding GST)	# Non-Price Score /75	Total Score %
1	Tender A	$1,348,360	69 /75	83%
2	Tender B	$888,132	57 /75	77%
3	Tender C	$998,790	59 /75	77%
4	Tender D	$1,359,965	61 /75	74%
5	Tender E	$1,248,069	60 /75	74%
6	Tender F	$767,145	50 /75	73%
7	Tender G	$1,263,670	58 /75	72%
8	Tender H	$905,570	51 /75	71%
9	Tender I	$1,117,250	54 /75	70%
10	Tender J	$1,664,210	67 /75	67%
11	Tender K	$849,050	46 /75	67%
12	Tender L	$720,900	42 /75	67%
13	Tender M	$1,481,542	64 /75	64%
14	Tender N	$986,692	46 /75	64%
15	Tender O	$1,275,920	35 /75	49%
16	Tender P	$1,494,345	47 /75	47%
17	Tender Q	$1,700,800	46 /75	46%
18	Tender R	$1,360,000	22 /75	35%

* The higher the price score – lower the tendered price.

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

Jackson Clement Burrows Pty Ltd were scored the highest among all tenderers. Although they were not the lowest cost tender, they scored the highest overall score including the highest capability ranking and submitted a price within the project budget.

Jackson Clement Burrows Pty Ltd demonstrated strong previous performance for similar projects and scale, confirmed agreement to the construction budget, agreement to the tight project schedule, provided comprehensive hourly allocation to the project, assembled a high-quality sub-consultant team, demonstrated comprehensive understanding of environmentally sustainable design methods, proved to deliver a sound project methodology and community consultation approach, provided the only indigenous representation within the project team and submitted the highest quality tender submission and performed best during the interview process.

In accordance with the selection criteria the Evaluation Panel concluded Jackson Clements Burrows Pty Ltd the best value to Council.

Contract Management

Council's Manager Major Projects will act as Contract Superintendent for the contract. Authorisations of variations will be in accordance with the Procurement Delegations Frameworks adopted by Council on 16 May 2018.

Contract Commencement: 1 June 2020

Anticipated Contract Completion: 31 March 2022

Finances

This project is a multi-year project commencing in the 2019/20 capital program.

Council has allocated $19 million to the design and delivery of the CCCC.

The total value of this contract is $1,348,360 (GST exclusive).

The budget available for the contract is $1.4 million (GST exclusive), which includes contingency and project management fees and is within this project budget.

Stakeholders

The identified facility user groups that will be consulted for this tender include:

- Bass Coast Shire Council
- Cowes Community Committee
- Phillip Island & District Genealogy Society
- Phillip Island & District Historical Society
- Phillip Island Arts & Culture Committee
- Phillip Island Community & Learning Centre
- Phillip Island Community Art & Craft Gallery
- Phillip Island Tourism & Business Association
- West Gippsland Regional Library Corporation
- Residents, ratepayers, visitors and the general community

Other Options

1. Award the contract to Tenderer B who provided a lower priced tender based on the comparison of the submitted pricing schedule. However, as Jackson Clements Burrows Pty Ltd scored the highest in the evaluation process such a decision may not be consistent with the advertised evaluation criteria.
2. Not award a contract at this time and re-tender for the Design Services for CCCC. It is unclear though that Council would receive any benefit in doing this and it would significantly delay the progress of the project.

Conclusion

The Tender Evaluation Panel Report is attached.

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

- Best demonstrated previous performance for similar projects and scale;
- Best agreement to construction budget;
- Best agreement to project schedule and comprehensive hourly allocation;
- Best assembled consultant team;
- Best demonstrated understanding of relevant environmentally sustainable design;
- Best project methodology and community consultation approach;
- Only indigenous representation within team; and
- Best overall tender submissions and interview performance.

Recommendation

That Council:

1. **Accept the tender from Jackson Clements Burrows Pty Ltd and award Contract No. 20005 Design Services for Cowes Cultural & Community Centre for the contract sum of $1,348,360 plus GST of $134,836, for a contract term of 21 months;**
2. **Authorise the Chief Executive Officer to execute Contract 20005 between Council and from Jackson Clements Burrows Pty Ltd Architects.**

Attachments

AT-1 ***CONFIDENTIAL*** - Tender Evaluation Panel Report 17 Pages

H.8 COVID-19 Financial Hardship Policy

File No:	**CM20/243**
Division:	**Finance**
Council Plan Strategic Objective:	**Governance**
	We are responsive, open, transparent and financially sustainable

Declaration

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

Summary

Council officers in conjunction with Council have developed a COVID-19 Financial Hardship Policy that will apply up to 30 June 2021.

The proposed COVID-19 Financial Hardship Policy will provide financial assistance to impacted businesses, including those who are leasing their premises and residential ratepayers. The policy provides for the deferral of rates instalments interest free on application up to 30 June 2021.

The proposed policy has been informed by comprehensive benchmarking across the sector and has a relatively more generous interest free period of a full financial year than the six months that other Councils are applying. Ratepayers will be able to apply for extended payment plans at the end of the deferral period to assist them in paying back arrears rates.

Background

The current COVID-19 Pandemic has resulted in an unprecedented shut down of a significant proportion of the economy, particularly in the tourism and hospitality sectors that are relatively more significant in Bass Coast. This has and will lead to significant increases in unemployment and underemployment in the Shire with adverse impacts on household income.

As municipal rates are one of the largest bills that households will be receiving over the next six months, Council has developed an enhanced Financial Hardship Policy that will help impacted ratepayers cope with the financial impact of the Pandemic.

Strategic Basis

Council Plan Objective:

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

Strategies / Policies

Council adopted a revised Rates Financial Hardship Policy in March 2020. This policy provides for rates support in the form of deferrals at a 5% interest rate to persons experiencing financial hardship as well as pensioners. It also provides for payment plans that will enable ratepayers to repay arrears rates over an extended period.

Statutory Requirements/Codes/Standards/Policies

There are a number of restrictions or requirements that Councils need to satisfy under the *Local Government Act 1989* before granting rate waivers or rate deferrals. These are:

Under Section 171 of the *Local Government Act 1989*, "*The Council may waive the whole or part of any rate or charge or interest in relation to –*

(a) An eligible recipient under subsection (4), or

(b) Any other class of persons determined by the Council for the purpose of waiving rates or charges on the grounds of financial hardship"

A waiver of rates other than rates of eligible recipients under the State Concessions Act 2004, can therefore only be given to classes of persons based on financial hardship and not to ratepayers generally.

Under Section 170 of the *Local Government Act 1989*, "*A Council may defer in whole or in part the payment by a person of any rate or charge which is due and payable for a specified period and subject to any conditions determined by the Council if it considers that an application by that person shows that the payment would cause hardship to the person.*"

Deferral of rates cannot therefore be practically used to achieve the Councillors' objective, as the section requires a ratepayer to apply to Council and Council to consider that payment of rates would cause hardship to that ratepayer.

Victorian Councils are bound by a rate cap that is set in line with projected inflation at the beginning of each calendar year. Requests for rate rises in excess of the rate cap need to be informed by community consultation and provided to the Essential Services Commission for assessment.

Discussion

Council adopted a Financial Hardship Policy at its Meeting on 18 March 2020. The policy adopted enhanced the current hardship policy through the provision of arrangements for indefinite rate deferral at an interest rate of 5% per annum. This was targeted at helping pensioners who could be considered 'asset rich' in terms of their principal place of residence to defer their rates indefinitely.

Unemployment is expected to double due to new COVID-19 financial crisis with some commentators referring to official unemployment rates of 15% and over six million Australians being out of work. The sheer scale of this requires Councils as one of the three tiers of Government to make a contribution to the recovery and support effort. This is being led by the fiscal approach of the Commonwealth and State Governments to provide a range of targeted stimulus and support measures. These have been complemented by appropriate monetary policies from the RBA including reductions in the official interest rate to 0.25% and quantitative easing measures that will result in additional liquidity of circa $200 billion being pumped into the economy.

Commonwealth support for individuals is summarised in Table 1 below.

Table 1 – Commonwealth Coronavirus Support to Individuals	
Support Package	**Nature of Support**
Job Keeper	Impacted businesses and not-for–profits can access wage supplements of $1,500 per fortnight on behalf of employees. Payments to commence 1 May 2020.
Individuals – Job Seeker	New and existing recipients of Youth Allowance, Parenting Payments, JobSeeker, Austudy, Farm Household Allowance and Special Benefits may be eligible for extra fortnightly payments of $550 over the next six months.
Households	Two $750 payments (one in April with a second in July) for recipients of Age Pension, Family Tax Benefit, Youth Allowance, Newstart, Austudy, Disability Support, Parenting and Carer payments.
Early Superannuation	Eligible individuals can access $10,000 of their superannuation before 1 July and a further $10,000 between 1 July and 24 September.

Commonwealth measures to support businesses during the COVID-19 crisis are summarised in Table 2 below.

Table 2 – Commonwealth Coronavirus Support to Businesses	
Commonwealth Support Measure	**Nature of Support**
Job Keeper	Impacted businesses and not-for–profits can access wage supplements of $1,500 per fortnight on behalf of employees.
Cash flow support for small and medium businesses	Temporary cash flow support between $20,000 and $100,000 for eligible small and medium sized businesses and not-for-profits that employ staff to help with their cash flow.
Temporary relief for financially stressed businesses	Temporary increases in the threshold at which creditors can issue a statutory demand on a company, initiate bankruptcy proceedings and temporary relief for directors from any personal liability for insolvent trading.
Increasing the instant asset write off	Increasing the instant asset write off from $30,000 to $150,000 and expanding access to include businesses with turnover of less than $500 million (previously $50 million).
Backing business investment	Accelerated depreciation allowance of 50% for businesses with turnovers of less than $500 million.

Supporting apprentices and trainees	Wage subsidies of 50% of an apprentice or trainee's wage during the nine months ending 30 September 2020
Support for severely affected regions and sectors	Funding of $1 billion to provide additional assistance to help businesses identify alternative export markets or supply chains. Targeted measures will also be developed to promote tourism. A $715 million support package has also been provided to the airline industry.
Income support for sole traders	Eligibility for the JobKeeper payment subject to certain qualifying criteria including a reduction of 30% in turnover.

Measures taken by the Victorian State Government to support businesses during the COVID-19 crisis are summarised on Table 3 below.

Table 3 – Victorian Coronavirus Support to Business	
Victorian Government Measure	**Nature of Support**
Economic Survival and Jobs Package	$500 million Business Support Fund to assist small to medium sized businesses impacted by COVID-19.
Commercial Tenancies Relief Scheme	A commercial tenancies relief scheme to alleviate the financial hardship faced by tenants and landlords as a result of COVID-19. This includes discounts on land tax for landlords and financial support for residential tenants (up to $2,000) to enable them to meet their rental commitments.
Working for Victoria Fund	A $500 million fund to enable people who have lost their jobs due to COVID-19 to find new work opportunities.

Table 4 below summarises the measures that have been incorporated into the BCSC COVID-19 Financial Hardship Policy which complement the support that is being provided by other tiers of government. The use of deferrals rather than waivers or write offs is consistent with the practice of the banks (who still charge interest), utilities, and health insurers in dealing with financial support requests during this crisis. Initial benchmarking with other Councils confirms that rate deferrals as well as the use of payment plans to enable ratepayers to better manage their obligations is the preferred coronavirus support measure in the sector.

Table 4 – Proposed BCSC Financial Hardship Policy Measures	
Rate Relief Measure	**Qualifying criteria**
Interest free deferral of 19/20 May rates instalment and 20/21 September rates instalment to 30 June 2021. Should economic conditions warrant it consideration will be given to subsequent rate instalments that fall due in November 2020, February 2021 and May 2021.	Principal place of residence Loss of employment, self or partner Significant business impairment, revenue loss of at least 30%
Interest free deferral of 19/20 May rates instalment and 20/21 September rates instalment to 30 June 2021. Should economic conditions warrant it consideration will be given to subsequent rate instalments that fall due in November 2020, February 2021 and May 2021.	Business premises owned by ratepayer Significant business impairment, revenue loss of at least 30% Qualification for other government support (payroll tax reduction, withholding tax adjustment, Job Keeper allowance)
Interest free deferral to landlord of 19/20 May rates instalment and 20/21 September rates instalment to 30 June 2021. This deferral is conditional on the landlord passing the benefit through to the lessee (the business or effective ratepayer). Should economic conditions warrant it consideration will be given to subsequent rate instalments that fall due in November 2020, February 2021 and May 2021.	Business premises leased by effective ratepayer Significant business impairment, revenue loss of at least 30% Qualification for other government support (payroll tax reduction, withholding tax adjustment, Job Keeper allowance)
Interest free deferral of 19/20 May rates instalment and 20/21 September rates instalment to 30 June 2021	For persons experiencing severe financial hardship including all Government pensioners.

Councillors will note that officers are not recommending rate waivers or a freeze on the annual 2% rate increase. Officers are also not recommending the provision of Council support to landlords who own investment properties (apart from where they are being used for business purposes as outlined in Table 4). The rationale for these measures being excluded from the proposed financial hardship policy are set out in Table 5 below.

Table 5 – Rate Relief Measures Excluded	
Rate Relief Measure	**Reasons for Not Being Recommended**
Interest free deferral of rates payable by owners of investment properties.	Landlords will be receiving substantial land tax relief from the State Government. Tenants will receive assistance of up to $2,000 from the State Government to enable them to meet their rental commitments.
Freeze on 2% rate increase (20/21 cost $973K)	Significant cost impact of $960K in 20/21 and ongoing structural impact on the LTFP of over $10 million in the next 10 years due to the erosion of the rate base. A freeze on a rate increase will provide all ratepayers with modest relief ($30 for an average residential ratepayer). This will be at the expense of targeted support that will provide meaningful relief for the vulnerable and severely impacted businesses.
Rate waivers (Nil to $250K)	Affordability – e.g. up to 10% waiver on an instalment will cost $800K per instalment. Inequity and where do you draw the line. Open to abuse. Waivers could be considered where extreme hardship can be demonstrated, provided this is capped per ratepayer and restricted to an overall budget allocation.

Officers have also carried out benchmarking with other Victorian Councils on measures that they are taking to help ratepayers in the wake of this crisis. Initial indications are that Councils are generally providing the following support to impacted ratepayers:

- Deferrals on rate instalments for periods of 6 to 15 months
- No interest on rate deferrals
- Providing payment plans to help ratepayers manage their rate commitments.

A comprehensive survey across all Councils has identified that 76% of Councils are proposing rate increases in line with the rate cap. The remaining Councils have indicated that they will be freezing rates or passing on lower than rate cap increases.

Finances

The proposal to provide for interest free deferrals of Council rate instalments is expected to have an adverse impact of $140,000 on Council's revenue. This includes a projected halving of penalty rates interest to $100,000 and a reduction of $40,000 in Council's interest revenue. These projections are based on a 10% take up by ratepayers of the deferment option for the next five rate instalments.

There will also be a significant impact on Council's liquidity with an approximate peak reduction of $4 million in Council cash by June 2021. Council will be bolstering its cash reserves with additional short-term increases to its loan facilities.

Other Options

No Change to Existing Financial Hardship Policy

Council could apply its current financial hardship policy to impacted ratepayers and businesses. This will result in these ratepayers incurring a 5% interest rate on their rate deferrals and will not provide them with meaningful financial support especially when they have to repay a larger rates debt.

Freezing Council Rate Increases

Council could elect to maintain rates at their existing levels through 2020/21.

This will have significant cost impact of $960K in 20/21 and in the context of the current rate cap environment have an ongoing structural impact on the LTFP of over $10 million in the next 10 years due to the erosion of the rate base. Benchmarking with other Victorian Councils has confirmed that three quarters of municipalities are proceeding with a rate increase that is in line with the 2% cap.

A freeze on a rate increase will provide all ratepayers with modest relief ($30 for an average residential ratepayer). This will be at the expense of targeted support that will provide meaningful relief for the vulnerable and severely impacted businesses.

Conclusion

The development of an enhanced COVID-19 Financial Hardship Policy is linked to the recently adopted Bass Coast Business and Community Response and Recovery Package that Council adopted on 15 April 2020. It is also naturally very relevant in the context of the Budget 2020/21 which will be revised and on which Council will receive further Policy workshop briefings as the settings are adjusted to reflect the current environment. These changes will include further targeted measures in the form of fee waivers or reduced fees as well as rental reductions or waivers. Consideration will also be given to an across the board freeze on other fees and charges.

Recommendation

That Council endorse the COVID-19 Financial Hardship Policy.

Attachments

AT-1 Pandemic - Financial Hardship Policy DRAFT 2020 3 Pages

H.9 Increase in Council's Interim Loan Facility

File No:	**CM20/247**
Division:	**Finance**
Council Plan Strategic Objective:	**Governance**
	We are responsive, open, transparent and financially sustainable

Declaration

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

Summary

The purpose of this report is to obtain Council approval to increase the interim loan facility that it has with the Commonwealth Bank of Australia (CBA) by $3.57 million.

Council's 2019/20 budget provided for new borrowings of $3.57 million which are linked to a number of capital projects that are still incomplete and are likely to carry over into 2020/21. Officers recommend the drawdown of an increased interim loan facility to bolster Council's cash reserves which may contract as a result of an expanded financial hardship policy that includes interest free deferrals of rates to help ratepayers impacted by the COVID-19 pandemic.

The CBA has indicated that notwithstanding the fact that the borrowings have been included in Council's budget a separate Council resolution is required pursuant to them increasing the interim loan facility by $3.57 million.

Background

Council currently has an interim loan facility of $8.166 million with the CBA. This facility was established two years ago and was required due to limited sector participation in the MAV Local Government Funding Vehicle (LGFV) which is a co-operative local government bond. The facility which acts like a line of credit would be repaid from the issue of a future capital raising by the LGFV. At this stage there has been no indication from the MAV that there is sufficient sector and/or market interest for another bond issue by the LGFV.

Council can access an increase of $3.57 million (in line with budget) on this facility from the CBA. While the capital works that these borrowings are funding are not complete, it is an opportune time for Council to raise funds given the record low interest rate environment and the need for it to bolster its balance sheet to support the deferral of rates revenue receipts.

Strategic Basis

Council Plan Objective:

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

Strategies / Policies

Council has included in its Long Term Financial Plan principles that are in place to responsibly guide the use of borrowings, with a focus on borrowing only for new intergenerational projects. The proposed increase in the loan facility is tied to the delivery of a number of major projects including the PBN Surf Parade and the Phillip Island Transfer Station. Raising funds ahead of project delivery is warranted in the current environment as Council can access very low interest rates and bolster its cash holdings.

Statutory Requirements/Codes/Standards/Policies

Section 186(1) of the Local Government Act 1989 stipulates that 'before a Council enters into a contract for the purchase of goods or services, to the value of $150,000 it must give public notice of the purpose of the contract and invite tenders from any person wishing to undertake the contract.'

The total annual interest costs of this loan facility will be in the order of $50,000. This is well below the $150,000 threshold in the Act. In addition as the interim loan facility with the CBA is for the purpose of extending bridging finance until the next issue of a municipal bond using the LGFV, this does not require a public tender process and nor would it breach best value procurement principles.

Discussion

Council has an opportunity to borrow an additional $3.57 million in line with its budget to forward fund capital projects budgeted in 2019/20 which are now expected to be deferred to 2020/21. By borrowing funds now Council will be accessing floating interest rates of 1.3% per annum and will be bolstering its cash holdings. Council will as a result of the COVID-19 pandemic be broadening its financial hardship policy to provide rate deferrals to ratepayers experiencing financial hardship as a result of the pandemic.

Council currently has an interim funding facility with the CBA that is linked to the Local Government Funding Vehicle. This facility which is flexible and can be repaid at any time lends itself to short term working capital and cash management which is particularly important when cash flows could come under pressure due to the pandemic.

The CBA require pursuant to increasing the facility, as recommended, authority in the form of a Council resolution.

Finances

Council's interest costs are expected to increase by $50,000 in 2020/21. While this would normally be offset by additional interest revenue, Council may have significantly lower internal cash flow as a result of rate deferrals on a large scale to impacted ratepayers. Council's budget and forward financial plan will be amended to account for additional interest if required.

Other Options

Defer raising additional borrowings until 2020/21.

This may require it to enter into a less efficient or flexible loan facility. It could also depending on the level of rate deferrals experience cash flow pressure as it juggles the competing demands of delivering a large portfolio of capital projects coupled with tightening cash flows linked to the pandemic. While it could notionally save $50,000, interest costs will be offset by additional interest revenue.

Conclusion

Council budgeted to raise new borrowings of $3.57 million in 2019/20. This was deferred due to delays in completing the projects that were notionally funded from the new loan.

Current circumstances being the very low interest rate environment, the flexibility of expanding the interim loan facility and the need to bolster cash funds due to the COVID-19 pandemic support the recommendation to borrow $3.57 million as part of an expanded interim facility now.

Recommendation

That Council:

1. **Authorise an increase of $3.57 million in the interim loan facility with the Commonwealth Bank of Australia from $8.17 million to $11.74 million.**
2. **Authorise the Chief Executive Officer to execute the loan facility agreement with the Commonwealth Bank of Australia on behalf of Bass Coast Shire Council.**

Attachments

There are no attachments for this report.

H.10 Council Fees and Charges 2020/21

File No:	**CM20/255**
Division:	**Finance**
Council Plan Strategic Objective:	**Governance**
	We are responsive, open, transparent and financially sustainable

Declaration

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

Summary

Council resolved to defer consideration of its fees and charges review at its 18 March 2020 meeting to a future Council meeting.

That Council:

1. Defers consideration of Council Fees and Charges 2020/21to a future Ordinary Meeting of Council.
2. And requests the CEO to consider ways that Council can manage its fees and charges to assist the community and businesses in getting through the current COVID-19 crises.

After consideration and review of Council's fees and charges, no increases are proposed for 2020-21.

In addition, the following fee and charges will be waived

- Footpath trading fees
- Business signage fees
- Liquor license fees

This price freeze on fees and charges is in line with the State Governments announcement on 23 April 2020, which acknowledged they are to maintain the 2019-20 statutory fee unit prices through to the 2020-21 financial year.

Strategic Basis

Council Plan Objective:

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

Strategies / Policies

Council's Pricing Policy sets out Council's objectives and principles for determining the price of services and provides a framework for the annual review of prices for Council services.

Statutory Requirements/Codes/Standards/Policies

Council is subject to the provisions of the National Competition Policy. Under the Competition Principles agreement, Council is obliged to apply competitive neutrality principles to all significant business activities undertaken by Council.

Goods and Services Tax may apply to the price of some services. Council will identify which services will attract GST having regard to determinations made by the Federal Treasurer from time to time.

Discussion

Council has a pricing policy which sets out the principles and framework for how prices for Council services are determined, reviewed and administered. This policy aligns with the Council Plan principles concerning transparent evidence-based and inclusive decision making.

Council has limited revenue sources available to pay for growing demand for the provision of services. The main sources of revenue include rates and charges, government grants and user fees and charges. Council is experiencing growing pressure on rates and charges revenue sources and it is appropriate that is should recoup some or all of the cost of providing some services by direct user fees and charges where appropriate.

Initial reviews of the fees and charges schedule were conducted during February 2020 with an average 4% price increase recommended. This price increase was in line with Council's forward financial plan and current pricing policies.

In response to the COVID19 pandemic, Council have identified an opportunity to provide relief to the community through a 0% price increase in fees and charges, in the hope this will assist as we start to move from response into recovery.

In addition, the following fee and charges will be waived

- Footpath trading fees
- Business signage fees
- Liquor license fees

Finances

Council fees and charges make up approximately 8 per cent of Council's income. Council needs to review fees that it charges for a range of services every year to maintain the balance between user pay funding and ratepayer funding of its services.

Stakeholders

The principal stakeholders are the users of the various services provided by Council, where a fee is applicable.

Other Options

Council may as an alternative defer the adoption of the Fees and Charges for 2020-21 and although no requirement exists, include this within the annual budget. This delay will impact on the provision of notice to the users of Council services and provide less certainty for the development of the annual budget

Conclusion

Council, having considered the service fees and charges to be applicable for the 2020-21 financial year, are in a position to provide certainty over fees and provide notice to the users of council's services on the changes to service fees and charges.

The attached Council Fees and Charges Register 2020/21 has been prepared for the purposes of being adopted by the council.

Recommendation

That Council adopt the proposed Council Fees and Charges Register for 2020/21.

Attachments

AT-1 Fees and Charges Register 2020-2021 10 Pages

Statutory Reports

1 Statutory Reports

1.1 Assembly of Councillors

File No: **CM20/83**
Division: **Business Transformation**
Council Plan Strategic Objective: **Governance**

We are responsive, open, transparent and financially sustainable

Declaration

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

Summary

Section 80A of the *Local Government Act 1989* (the Act) requires all assembly of Councillors records to be reported on at the next practicable ordinary meeting of Council and to be recorded in the minutes of that meeting. This report intends to fulfil the requirements of the legislation.

Introduction

Section 3 of the Act defines an Assembly of Councillors as

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

a. the subject of a decision of the Council; or

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

but does not include a meeting of the Council, a special committee of the Council*, an audit committee established under section139, a club, association, peak body, political party or other organisation.'*

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

Council Plan Objective:

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

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

Recommendation

That the attached Assembly of Councillors Records be received.

Attachments

AT-1	Policy Workshop Assembly of Councillors 25 March 2020	1 Page
AT-2	Policy Workshop Assembly of Councilors 8 April 2020	1 Page
AT-3	Councillor CEO Meeting Assembly of Councillors 29 April 2020	2 Pages
AT-4	Policy Workshop Assembly of Councilors 22 April 2020	3 Pages
AT-5	Policy Workshop Assembly of Councilors 29 April 2020	3 Pages

I.2 Planning and Building Statistics - March 2020

File No:	**CM20/194**
Division:	**Place Making**
Council Plan Strategic Objective:	**Our Character**
	Celebrating the uniqueness of our townships

PERMITS REFUSED:

Nil.

PERMITS ISSUED:

Island Ward

180225: Use and development of a shop and dwellings on land in the Mixed Use Zone affected by the Land Subject to Inundation Overlay, and a reduction in carparking requirements located at 11 Beach Road, Rhyll.

180280: Subdivision of the land into four lots in GRZ1, BMO1 and DDO1 located at 364 Church Street, Cowes.

180346: Subdivision of the land into two lots in TZ, LSIO & DDO1 located at 126 Silverleaves Avenue, Silverleaves.

190160: Subdivide the land into two lots at 213 Church Street, Cowes.

190258: Subdivision of land (boundary realignment) and creation of new access to Road Zone Category 1 at 870 Ventnor Road, Ventnor.

190307: Development of land for a dwelling and removal of vegetation in a DDO1, VPO2 and BMO located at 5 Harris Road, Ventnor.

190320: Development of land for thirteen (13) industrial buildings to be used for contractor depots located at 7 & 9 & 17 & 19 Shorland Way, Cowes.

190323: Subdivision of land into two lots located at 7 Justice Road, Cowes.

190355: Alterations and additions to a dwelling under 300sqm in GRZI located at 6/83 Chapel Street, Cowes.

200025: Display of Business identification sign located at 14 Warley Avenue, Cowes.

Western Port Ward

190123: Multi lot industrial subdivision in accordance with the endorsed plans located at 32-34 Boys Home Road, Newhaven.

190208: The re-subdivision of land into 3 lots (boundary realignment) and use of land for timber production located at McKay Road, and 1345 Grantville-Glen Alvie Road and 15 McKay Road, Kernot.

190246: Boundary realignment and buildings and works in SLO1 located at 175 Watson Road, Glen Forbes.

190270: Alterations and additions to an existing dwelling located at 86 Almurta-Glen Forbes Road, Almurta.

190289: Development of land for a storage outbuilding, and the extension of four storage buildings in association with Westernport Water Depot located at 2-16 Boys Home Road, Newhaven.

190308: Development of the land for a dwelling located at 8 French Island Close, Corinella.

190314: Removal of vegetation located at Lot S2 PS749264 Korumburra-Wonthaggi Road, Kongwak.

190325: Development of the land for a dwelling in HO30 located at 22 Gaudi Boulevard, Corinella.

190335: Subdivision of land (boundary realignment) located at 45-53 Cuthbert Street, Corinella.

190361: Use of the land for Domestic Animal Husbandry in a Rural Living Zone located at 20 Pennell Court, Wattle Bank.

190413: Development of land for a dwelling in BMO located at 1 Bunya Drive, Cape Woolamai.

200051: Building and works for shed in BMO and RO located at 49 June Street, Adams Estate.

Bunurong Ward

180044: Development of land for two dwellings and the subdivision of the land into two lots in a General Residential Zone Schedule 1 located at 3 Hopetoun Street, Inverloch.

180445: Subdivision of the land into three lots in the LDRZ located at 142 Wentworth Road, Wonthaggi.

190244: Subdivision of land into 2 lots located at 26 Powlett Street, Inverloch.

190273: Additions to existing child-care centre and reductions in the number of car parking spaces required for a child-care centre located at 9 and 11-13 Williams Street, Inverloch.

190316: Alterations and additions to existing dwelling located at 51 Venus Street, Inverloch.

190338: Subdivision of land into 2 lots located at 29 Peverill Crescent, Wonthaggi.

190366: Construction of a first floor addition to the existing dwelling located at 21 Venus Street, Inverloch.

190387: Additions and alteration to dwelling in ESO4 located at 12 Carl Street, South Dudley.

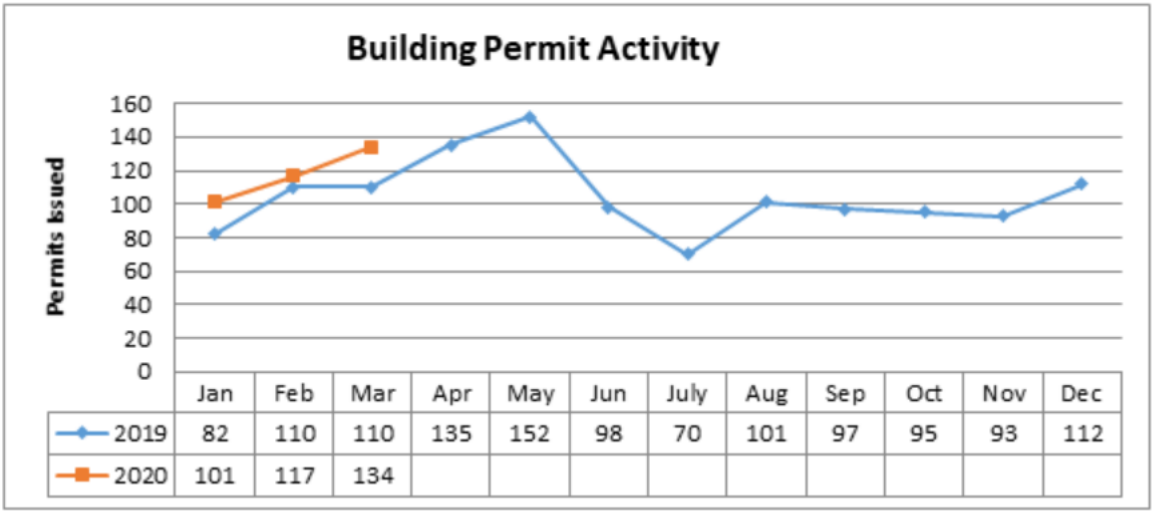
190388: Subdivision of land into two lots and creation of access to a road in a Road Zone Category 1 located at 5 Hunter Street, Wonthaggi.

200048: Demolition of dwelling in Heritage Overlay for 112 Reed Crescent, Wonthaggi.

200081: Subdivide land into three lots each containing an existing building located at 91 McKenzie Street, Wonthaggi.

PLANNING AND BUILDING ACTIVITY REPORT FOR MARCH 2020

Statutory Planning	This month (March)	Last month	Year to date (financial year)
% of applications determined within statutory timeframe	57	54	64
Average Gross Days (Responsible Authority determination)	185	157	152
(new) Average Gross Days to final outcome	197	205	166
Number of live applications	206	203	-
Number of applications received for the month	44	31	369
Number of Responsible Authority outcomes	48	27	379
Municipal Building Services & Enforcement	**This month (March)**	**Last month**	**Year to date (financial year)**
Essential Safety Measure inspections	0	0	2
Swimming Pool & Spa safety barrier inspections	2	5	21
Report and Consent applications	24	23	164
Siting consents issued for temporary structures	0	2	11
Complaints received requiring investigation	2	2	40
New building enforcement cases	0	1	18
Number of open building enforcement cases	44	45	n/a
Building permits issued by Council	0	0	0



Planning Enforcement	This month (March)	Last month	Year to date (financial year)
Complaints received requiring investigation	4	**7**	66
New planning enforcement cases	6	**4**	23
Open enforcement cases	140	135	-
Pre commencement meetings	3	1	13
Official warnings issued	1	0	2
Number of planning infringement notices issued	1	0	6
Total infringements received ($)	$0	$0	$7841.6

Recommendation

That Council:

1. **Receives and notes the Planning Permits issued under delegation report for March 2020.**
2. **Receives and notes the Planning and Building Activity Report for March 2020.**

Attachments

There are no attachments for this report.

I.3 Contracts Awarded Register

File No: **CM20/231**
Division: **Finance**
Council Plan Strategic Objective: **Governance**

We are responsive, open, transparent and financially sustainable

Declaration

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

Summary

Contracts Awarded

For the period from 1 March 2020 to 31 March 2020, the following contact was awarded under the Chief Executive Officer's Instrument of Delegation.

Contract No.	Description	Contractor	Contract Sum Including GST
20003	Climate Change Action Plan 2020 – 2030 Development	HIP v. HYPE Sustainability	$163,811

Contracts Extended

For the period from 1 March 2020 to 31 March 2020, no contracts were extended under the Procurement Delegation Framework.

Recommendation

That Council receive this report.

Attachments

AT-1 Contract Register 20003 2 Pages

I.4 Councillor Expenses for the Current Council Term - 4 November 2016 - 31 March 2020

File No:	**CM20/241**
Division:	**Finance**
Council Plan Strategic Objective:	**Governance**
	We are responsive, open, transparent and financially sustainable

Declaration

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

Summary

The Local Government Act 1989 provides for the Mayor and Councillors to be paid an allowance and be provided with appropriate tools and support to enable them to properly fulfill their roles as Councillors.

Background

The Mayor and Councillors Expense Register includes:

- Mayor and Councillor allowances
- Conferences and professional development expenses
- Information technology and telecommunication expenses
- Travel expenses
- Car mileage travel claims submitted by Councillors
- Vehicle expenses

Strategic Basis

The Provision of Resources to Councillors Policy prescribes the range of resources that must be provided to the Mayor and Councillors to enable them to effectively carry out their role.

Council Plan Objective:

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

Statutory Requirements/Codes/Standards/Policies

The statutory requirements and standards relevant to the provision of resources to Councillors include:

- Sections 74 and 75 of the Local Government Act 1989.
- The Provisions of Resources to Councillors Policy.

Finances

Attachment 1 sets out details of Councillor Expenditure for the current term.

Stakeholders

Stakeholders include the ratepayers of the municipality and Council.

Recommendation

That Council receive the report on Councillor Expenditure for the current Council term to 31 March 2020.

Attachments

AT-1 Councillor Expenses Report 4 Nov 2016 to 31 Mar 2020 1 Page

J Urgent Business

Mayoral Announcement Of Next Meeting Of Council

Council is monitoring and implementing the COVID-19 pandemic response and restrictions set out by the State and Federal Governments.

Council will be pausing Community Connection Sessions for the coming months.

The next Ordinary Council Meeting will be held virtually 17 June 2020 commencing at 11.00am.

It will be open to the public via livestream.