



Minutes

Council

22 March 2017

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Baw Baw Shire Council
Council Meeting
22 March 2017
Minutes

Minutes of the Ordinary Meeting of the Baw Baw Shire Council held in the Trafalgar Council Chambers, Trafalgar Business Centre , commencing at 5.30pm on 22 March 2017.

Present

Cr M Power (Chair), Cr D Wallace, Cr D Goss, Cr J O'Donnell, Cr T Jones, Cr P Kostos, Cr M Leaney, Cr K Cook

In Attendance

Mr M Cripps	Director Planning and Economic Development
Mr M Lewis	Acting Director Corporate and Community Services
Mr D Dunstan	Acting Director Community Assets
Mr P Harris	Manager Council Business
Ms K Evans	Governance Advisor

1. OPENING AND RECOGNITION OF TRADITIONAL CUSTODIANS

Cr Power opened the meeting with recognition of the traditional custodians being, I acknowledge the traditional custodians of the land on which we are meeting and pay my respects to their Elders both past and present.

2. READING OF AFFIRMATION AND PRAYER

Cr Power read the Councillors affirmation, being, 'We now pause to reflect upon the solemn responsibilities conferred on us by the Parliament of Victoria through the Local Government Act (1989).

We acknowledge that it is the responsibility of local government to ensure the peace, order and good governance of our Shire.

We are to be responsible and accountable to our community here in Baw Baw Shire through good governance and leadership.

Almighty God,

Give wisdom and understanding to the members of this Baw Baw Shire Council.

In all our deliberations help each of us to listen carefully, perceive the best course of action have courage to pursue it and grace to accomplish it.

Amen

3. APOLOGIES

Mayor J Gauci
Interim Chief Executive Officer Phil Cantillon

4. CIVIC CEREMONIES

No Civic Ceremonies were held.

5. CONFIRMATION OF PREVIOUS MEETING MINUTES

COUNCIL MOTION

Moved: Cr D Goss
Seconded: Cr J O'Donnell

That the minutes of the Ordinary Council Meeting held on 8 March 2017 be confirmed.

CARRIED

6. COUNCILLORS DECLARATIONS OF INTEREST/CONFLICT OF INTEREST

Cr Jones declared a conflict of interest at Agenda Item 10.1 and left the Chamber at 5.34pm and returned at 5.35pm.

7. MEETING CLOSED TO THE PUBLIC: RELEASE OF INFORMATION TO THE PUBLIC

There was no confidential council meeting held.

8. COMMUNITY PARTICIPATION TIME

8.1 Questions on Notice

There were two questions on notice received from Helen Case and Sharon Jordan for Wednesday 22 March 2017 Council Meeting.

The Questions on Notice questions that was submitted by Ms Elizabeth Wishart are also included in these minutes that were taken on notice at Wednesday 8 February 2017 Council Meeting.

Sharon Jordan

Will the Baw Baw Shire be offering a submission for:

- 1. "Protecting Victoria's Environment Biodiversity 2036" Government review.**
- 2. "Review of Flora & Fauna Guarantee Act 1988" Government review.
If not, why not?**

Protecting Victoria's Environment Biodiversity 2036

Submissions on the review of Victoria's Biodiversity Strategy (Protecting Victoria's Environment Biodiversity 2036) were due on the 15 May 2016. Baw Baw Shire did not submit its own independent comments on the review, but did attend an agency workshop on the review and provided direct comments through the workshop.

Review of Flora & Fauna Guarantee Act 1988

Baw Baw Shire intends to submit written comments on the review of the Flora and Fauna Guarantee Act 1988 due on the 28 March 2017.

Helen Case

Would you please advise either the last date that there was a democratic election of Council in the Baw Baw Shire; or when the next democratic election of Baw Baw Council is due?

The last democratic election of Baw Baw Shire Council took place on Wednesday 22 October 2016 as part of 2016 Victorian General Elections. The next general election of the Baw Baw Shire Council is scheduled for October 2020.

Would you please explain why this local government has changed the Property Details that identify my property?

Would you please also explain on what authority local government has overridden the Title Details as published by the Crown and shown on my Certificate of Title on settlement?

Legal descriptions for properties are printed on initial notices distributed in August/September each year however they are not printed on instalment notices as these are merely reminders for payment dates of the instalment program.

Upon checking the property in question, it was identified that a typing error has occurred which meant that although Lot and Plan have been stated correctly the Volume and Folio had a numeric error however folio was correct.

This has now been rectified in Council's system and will print correctly on the next full annual rates notice that will be distributed later this year.

Council did not change title details unfortunately it was obviously human error when details were keyed into our system.

What is the cost to ratepayers of Baw Baw Shire having become a 'member' of Municipal Association of Victoria "MAV"?

2016/2017 Membership - \$31,615.00 (ex GST)

Why does a government entity, albeit local government, need membership of an organisation like MAV?

Generally, the MAV (and similar associations) provide services and activities which: Advocate local government interests; build the capacity of councils; protect and support the viability of councils; promote the role of local government to and with numerous stakeholder groups including councils, the Australian Local Government Association, industry groups, unions, and state and federal government departments.

Direct benefits to councils include such activities as: MAV group procurement; training and events; participation in working groups and committees; and providing input to MAV submissions. Some services provide a clear cost saving to participating councils, such as accessing tailored procurement contracts and suppliers utilising the combined purchasing power of councils to drive down tender and contract costs.

Other member benefits, which are more difficult to attribute a dollar value to include:

- Access to information, networks and specialist advice, such as confidential advice, surveys and research, benchmarking on sector position and member-only briefings
- Participation by staff and councillors on working groups, committees and network that inform and influence the MAVs advocacy and policy work, and also offer insights into the issues facing other councils
- Opportunity to participate in a wide range of free workshops and seminars and low-cost tailored training, events and networking activities for councillors, CEOs and council staff during the year
- Opportunity to inform and influence the MAVs policy, advocacy, strategic directions and support activities through participation in State Council, member meetings, submissions and feedback regularly sought from members
- Affiliated membership with the Australia Local Government Association (ALGA).

MAV achievements on behalf of member Council's in the 2015/2016 financial year were:

New funding

For example:

Advocacy by the MAV helped to increase funding for councils to provide community services such as:

- Secured \$2.2 million as part of the Age-Friendly Declaration for council-led age-friendly projects.
- Restored 50:50 funding ratio between councils and the State Government around maternal and child health services, resulting in \$133 million in State funding.
- \$450,000 in grants for council initiatives that help prevent violence against women and a funded MAV policy position for a further 12 months.

New tools and resources

For example:

The following MAV tools and resources helped councils to provide best practice services to local communities:

- Rate capping resources help councils to explain the impacts of the State Government's policy to community members.
- Managing residential character report assists councils to better manage rural and regional residential development.
- Stand for Council campaign and tools increase community participation in council elections.

New efficiencies

For example:

MAV-led collaboration and innovation help councils to provide more efficient community services.

- Open Council Data Toolkit– Victorian councils now lead local government open data publishing nationally.
- Child Information Data System – Transferred 44 councils and 1.68 million client records to the new system.
- Asset management capability – 75 per cent of Victorian councils attain core competency status through the MAV STEP program.
- Energy efficient street lighting – 80 per cent of Victorian councils have completed installations, significantly reducing emissions and costs.

New partnerships and agreements

MAV representation provides councils with a stronger voice to negotiate on behalf of local communities.

- Review of planning fees – Worked with councils to inform the Regulatory Impact Statement.
- Local Government Act Review Taskforce– Established to guide our input into the Local Government Act Review.

Elizabeth Wishart

1. Why has a restriction of trade been placed on my current roadside permit to only sell berries but not flowers and plants as per my application.

Based on our review of the matter, we are satisfied that the conditions imposed on the previous permit restricting the types of goods allowed for sale were imposed by reference to the level of insurance provided as part of the application. The insurance to cover the street trading was limited to 'roadside berry sales'. It did not extend to the roadside sale of any other product. As such, we are satisfied that, by issuing the permit with restrictions consistent with your insurance policy was permissible and would not be considered to be in breach of Australian Competition & Consumer Commission requirements.

2. Why has my application for a yearly permit for roadside trading under current council regulations\policy been denied?

In assessing an application for a permit Council needs to consider the impact that the proposed activity will have on the proposed location from both a public amenity and public safety perspective. Council Officers have considered that a 12 month permit could impact on a Council asset (ie the road) and create safety issues for users of the road, particularly during the wet periods of the year. Specifically, there is the potential for the roadside to become water logged, wet and muddy and the use of the roadside during this time creates concerns for personal safety of road users and potential damage to the nature strip.

Notwithstanding the above, Council Officers have issued a 12 month permit, having reassessed this aspect of your application and now being satisfied that no such safety or amenity issues arise.

3. Please advise why three previous roadside permits in the same location for flowers and plants been approved and issued.

As indicated above, the insurance policy submitted with the permit application was limited to the 'roadside berry sales'. When considering an application for a permit, Council Officers are required to ensure that any exposure to liability

is adequately limited by insurances held by the applicant. When Council Officers reviewed your insurance policy, it was apparent that it was limited to the sale of “berries” from the road side. As the insurance provided did not cover the sale of plants or flowers, it was determined that permitting the sale of such items exposed Council to liability.

Notwithstanding the above, following amendments to your insurance certificate and upon further discussions with Council Officers, I am now satisfied that the insurance extends to the sale of plants and flowers, even though the certificate provided only refers to “Roadside Berry Sales”.

4. Please provide the current legislation policy or local laws that gives council the authority to place a restriction of trade on my current roadside permit.

Council officers assess permit applications in accordance with the parameters established as per clause 6.2 of the Community Local Law 2016.

In this instance, insurance was determined to be a relevant matter and was a consideration in the application process. The requirement for relevant public liability insurance is also stated on the roadside trading permit application form.

5. What council rates and fees are applicable to a section of nature strip approx area 2.5m by 2.5m?

Roadside trading fees are not based on the space used; instead the fees are based on the length of the permit. These fees and charges are subject to review and placed on public exhibition annually.

8.2 Submissions

There were no submissions.

9. PETITIONS

No petitions were received.

10. OUR COMMUNITY

10.1 RESPONSE TO PETITION - APPLICATION FOR REPORT AND CONSENT UNDER THE BUILDING ACT 1993

Manager Building and Regulatory Services

*Directorate: Planning and Economic
Development*

Ward:

Appendix:

Cr JONES DECLARED A CONFLICT OF INTEREST AND LEFT THE CHAMBER AT 5.34PM.

PURPOSE

For Council to respond to a petition that was tabled at its meeting on 8 February 2017 in relation to a Report and Consent application for 61 Kent Street, Warragul.

The petition with 15 signatures was received from the residents primarily from Kent Street & Clifford Street, Warragul.

The petition states:

“The Warragul residents living in the vicinity of Lot 3, 61 Kent Street Warragul who are listed on this petition DO NOT want the minimum setback from street alignment (regulation 409) to be reduced.

Furthermore, the residents listed on this petition request that all planning and building regulations related to this development should be enforced by the Baw Baw Shire Council and its staff and the development should also be consistent with the character of the area”.

RECOMMENDATION

That Council:

1. Note that the Report and Consent application relating to 61 Kent Street, Warragul was refused; and
2. Write to the lead petitioner to advise of the outcome of the Report and Consent application.

COUNCIL MOTION

Moved: Cr P Kostos
Seconded: Cr M Leaney

CARRIED

Cr JONES RETURNED TO THE CHAMBER AT 5.35PM.

KEY POINTS/ISSUES

- A Report and Consent application was received on 28 November 2016 requesting a reduced front boundary setback (building regulation 409) in

relation to the proposed construction of a two storey dwelling at 61 Kent Street, Warragul.

- The dwelling design presented with the application adopted Kent Street as the front boundary of the allotment. The application requested a setback of 4 metres to the front wall of the building and 2 metres to a verandah in lieu of the minimum required of 9 metres.
- Ministerial Guidelines apply to the processing of Report and Consent applications; they include:
 - Decision guidelines, and
 - Protocols for advertising to adjoining residents.
- The five adjoining residents were notified of the application as per the requirements of the Minister's Guidelines. Three objections were received by Council in response to these notifications.
- A petition was received at Council offices on 6 January 2017, which was tabled at the first Council meeting for the year on 8 February 2017. The petition was signed by 15 residents who objected to the development and the proposed minimum frontage setback.
- The application was considered by Council's Municipal Building Surveyor in context with the Ministerial Decision Guidelines. The application was refused on 30 January 2017 and relevant correspondence was sent to the applicant.
- Letters have been sent to the three objectors to whom the application was formally advertised advising them of the decision to refuse the Report and Consent application.

TRIPLE BOTTOM LINE IMPLICATIONS

COMMUNITY IMPACT

- Baw Baw Shire is required pursuant to Ministerial Guidelines to engage with relevant adjoining landowners when considering Report and Consent applications, represent concerns and communicate information.

ENVIRONMENTAL IMPACT

- Nil impact.

FINANCIAL IMPACT

- Nil impact.

CONSULTATION

- As per the Ministerial Guidelines, the application was advertised to five adjoining residents.

LEGAL/COUNCIL PLAN/POLICY IMPACT

COUNCIL PLAN

This petition response assists with the achievement of the key strategic objective as set out in the Council Plan 2013-2017:

Our Community

Delivering affordable and quality services to the community.

CHARTER OF HUMAN RIGHTS AND RESPONSIBILITIES

This petition and the Report and Consent application have been reviewed under the *Charter of Human Rights and Responsibilities* and is considered compatible.

LEGAL

- The requirements of the *Building Act 1993*, the *Building Regulations 2006* and the relevant Ministerial Guidelines have been considered.

POLICY IMPACTS

- Nil impact.

CONFLICT OF INTEREST DECLARATION

No officer involved in the preparation of this report has a disclosable interest.

11. COUNCIL LEADERSHIP AND MANAGEMENT

11.1 LEASE OF IT EQUIPMENT

*Executive Assistant Corporate and
Community Services*

*Directorate: Corporate and Community
Services*

Ward:

Appendix: 1 attachment

PURPOSE

To seek Councils approval for a Master Lease Agreement with Macquarie Equipment Finance for the purposes of leasing IT equipment.

RECOMMENDATION

That Council:

1. Approves the Macquarie Equipment Finance Master Lease Agreement for a total amount of \$1,500,000 (excluding GST) for the supply of IT equipment; and
2. Delegates the Interim Chief Executive Officer to sign and authorise the contract documents after they have been prepared.

COUNCIL MOTION

Moved: Cr J O'Donnell

Seconded: Cr D Goss

Cr Jones called for a division

For: Councillors Power, Cook, Goss, Leaney and O'Donnell

Against: Councillors Kostos, Jones and Wallace.

CARRIED

KEY POINTS/ISSUES

- The current IT equipment fleet that comprises in the order of 200 desktop PCs and 70 laptops are now outdated and in need of renewal.
- Council leases IT equipment (including servers, desktops, laptops and other devices) with Macquarie Equipment Finance. The lease term is between three (3) to five (5) years depending upon the type of equipment. At the end of the lease term the equipment is obsolete and requires replacement.
- The IT fleet of laptops and desktops is now at the end of their lease with the equipment due for upgrade. It is proposed to seek Council approval for a new Master Lease Agreement to coincide with the upgrade of IT equipment.

- As Council has recently replaced its IT servers, it is proposed to also include this equipment to the enclosed new lease agreement with Macquarie Equipment Finance.
- Both the supply of IT equipment and the supply of lease finance were the subject of a competitive procurement process as follows:
 - IT equipment – Procurement Australia completed a tender process and sought suppliers for IT equipment including servers, desktops and laptops. Council officers then sought quotations from the Procurement Australia panel of suppliers. Thomas Duyrea was selected to supply both IT servers and network equipment.
 - Lease finance – Axiom Leasing Advisors Pty Ltd conducted a tender, on behalf of Council, for financiers able to provide leasing services. Macquarie Equipment Finance successfully tendered for these services and it is now propose to enter into a Master Lease Agreement to fund the acquisition of IT equipment.
- The Macquarie Equipment Finance Master Lease Agreement will be activated following completion and approval of the Schedule 1 – Goods Schedule. Approval is now sought to authorise Goods Schedules to the total dollar value of \$1,500,000. The amount of \$1,500,000 is designed to provide some additional capacity for officers to activate the Master Lease Agreement without the need for further Council approval.
- The total approval of \$1,500,000 is to be deployed as follows:
 - \$230,000 IT Servers acquired October 2016.
 - \$650,000 approx. IT desktop PC's, laptops and other devices now due for replacement.
 - \$620,000 approx. of additional IT equipment that includes printers, network devices and server storage.

TRIPLE BOTTOM LINE IMPLICATIONS

Financial Impact

Council's operating budget includes recurrent expenditure in the order of \$573,000 to fund the lease of IT equipment. This amount is sufficient to fund the acquisition of equipment to the value of \$1,500,000 plus fund pre-existing IT lease arrangements.

Environmental Impact

There is no environmental impact.

Community Impact

Upgrade of IT equipment and device will enable the continuity of business and support interaction and community communication.

CONSULTATION

- External consultation was not required.

LEGAL/COUNCIL PLAN/POLICY IMPACT

COUNCIL PLAN

This Lease of IT Equipment assists with the achievement of the key strategic objective as set out in the Council Plan 2013-2017:

Strategic Objective 2: Council Leadership and Management

2.1 Financial responsibility and responsible management of Council.

CHARTER OF HUMAN RIGHTS AND RESPONSIBILITIES

This Lease of IT Equipment report has been reviewed under the *Charter of Human Rights and Responsibilities* and is considered compatible.

LEGAL

Council is required to comply with the Procurement Policy made in accordance with the requirements of Section 186A of the Local Government Act 1989. Council is required to approve tender recommendations where the contract value is in excess of \$ 250,000 including GST

POLICY IMPACTS

Council has a procurement policy made in accordance with the requirements of Section 186A of the Local Government Act 1989. The tender evaluation was carried out in accordance with this policy.

CONFLICT OF INTEREST DECLARATION

No officer involved in the preparation of this report has a disclosable interest.

12. INFRASTRUCTURE AND COMMUNITY ASSETS

12.1 REQUEST FROM RESIDENTS THAT DO NOT WANT THE TREE REMOVED THAT IS LOCATED AT CIVIC PARK

Acting Manager Urban Operations

Directorate: Community Assets

Ward: ALL

Appendix: 1 attachment

PURPOSE

To respond to the request from Council, Agenda item:

9.2 REQUEST FROM RESIDENTS THAT DO NOT WANT THE TREE REMOVED THAT IS LOCATED AT CIVIC PARK.

To provide a report relating to the Council's decision in relation to this matter.

RECOMMENDATION

That Council notes that the tree in the north east corner of Civic Park Warragul adjacent Lot 1 of 61 Kent Street Warragul has been pruned back to the property line and not removed.

COUNCIL MOTION

Moved: Cr P Kostos
Seconded: Cr M Leaney

CARRIED

KEY ISSUE

- The Warragul residents that are listed on this petition do not want the Argyle apple tree (*Eucalyptus cinerea*) removed that is located in the north east corner of Civic Park. They believe that it is an incorrect and premature decision to remove this tree before the planning approval process has been completed for Lot 1 of 61 Kent Street Warragul.

BACKGROUND

- The developer of Lot 1 of 61 Kent Street, contacted Council requesting a tree located within Civic Park abutting his property, with considerable overhang, be removed or pruned.
- The tree, a *Eucalyptus cinerea*, was inspected by both the Manager Urban Operations and Coordinator Urban Maintenance, along with initial consultation with the residents immediately adjacent to the property. After consideration the developer was advised that the tree would be pruned back to the property line.
- Refer Attachment 1 photographs of the tree before and after pruning works were completed by Council.

TRIPLE BOTTOM LINE IMPLICATIONS

COMMUNITY IMPACT

- Minimal impact only on the local community.

ENVIRONMENTAL IMPACT

- Pruning of the tree has had no evident impact on the environment.

FINANCIAL IMPACT

- The cost of pruning of the tree is included in Council's Urban Maintenance Operational Budget.

CONSULTATION

- During the initial investigations following the request from the Developer, adjacent property owners were door knocked and advised of the options available for the tree located within Civic Park.

LEGAL/COUNCIL PLAN/POLICY IMPACT

COUNCIL PLAN

The pruning of the tree assists with the achievement of the key strategic objective as set out in the Council Plan 2013-2017:

Strategic Objective 1.3 - Enhanced community quality of life.

"Improving the appearance of Baw Baw Shire's streets, public and open spaces and maintaining Baw Baw Shire's streets, public areas and open spaces to improve urban amenity and community enjoyment".

CHARTER OF HUMAN RIGHTS AND RESPONSIBILITIES

The petition has been reviewed under the *Charter of Human Rights and Responsibilities* and is considered compatible.

LEGAL

All compliance issues are covered and the arrangements are in accordance with the Local Government Act, Council Procurement Guidelines and Victorian Local Government Best Practice Guidelines.

POLICY IMPACTS

The initiatives detailed in the Report are consistent with the Baw Baw Shire Council Tree Management Policy.

CONFLICT OF INTEREST DECLARATION

No officer involved in the preparation of this report has a disclosable interest.



Figure 1 Aerial image before tree was pruned



Figure 2 image after tree was pruned

13. GROWTH AND PROSPERITY

13.1 EXPRESSION OF INTEREST RECOMENDATION REPORT - 21753CR WARRAGUL CBD CAR PARK PROPOSAL

Property Management Coordinator

*Directorate: Corporate and Community
Services*

Ward: Central

Appendix: 6 attachments

PURPOSE

For Council to consider the two expression of interest received for the Warragul Business Centre Car Parking Project.

RECOMMENDATION

That Council;

1. Does not proceed any further with the Expression of Interest proposals put forward for the Barkly Street and Williams Square sites and provides a written response to the proponent of this decision; and,
2. Instructs Officers to seek quotes and engage a suitably qualified consultant to prepare an options paper for Council looking at ways of addressing future predicted car parking shortfalls in Warragul. The options may include cash-in-lieu schemes, private/Council partnerships, Council funded models; and,
3. Requests a further report to Council once an options paper has been completed.

COUNCIL MOTION

Moved: Cr D Goss
Seconded: Cr M Leaney

CARRIED

KEY POINTS/ISSUES

- The Warragul Parking Study (August 2015) identifies that there will be a need to provide between 1400 and 1800 additional parking spaces in Warragul Business Centre by 2030.
- In November 2016, expressions of interest (EOI) proposals were sought from interested parties to develop Council owned land in the Warragul Business Centre for the purpose of increasing car parking available to the public. This invitation for expressions of interest invited proposals to provide options to optimise and increase the supply of public and other car parking in Warragul.
- A number of Council-owned sites were identified in the invitation for expressions of interest as potential options for the construction of a

multi-level car park or other development including car parking to assist in the provision of parking into the future. The sites included:

- Williams Street (Williams Square Car Park);
 - Barkly Street (Barkly Street Car Park);
 - Civic Centre (Albert Road and Smith Street);
 - 21-29 Queen Street;
 - 48 Mason Street; and
 - 51A-53A Victoria Street (collectively).
- The invitation for expressions of interest was advertised on Tenderlink and closed on 11 January 2017. Two proposals were received. One proposal was put forward for Williams Street (Williams Square Car Park) and the other for Barkly Street (Barkly Street Car Park).
 - In summary, the Williams Street proposal includes the following:
 - Land affected by the proposal includes Williams Square Public Car Park and car park at 30-32 Williams Street.
 - The proposal is for three levels of car parking, including ground level, with access to Level 1 and Level 2 car parks via a bridge from the Coles car park accessed from 30-36 Palmerston.
 - The proponent proposes that Williams Square public car park and 30-32 Williams Street be sold to the proponent for \$1,000. The proponent would construct the multi-storey car park and would lease car parking spaces back to Council.
 - In summary, the Barkly Street proposal includes the following:
 - Land affected by the proposal includes Barkly Street Public Car Park, Senior Citizens building at 37 Mason Street (Crown Land) and land at the corner of Civic Place and Albert Street (59-61 Albert Street)
 - The proponent proposes two discount department stores on Barkly Street and Mason Street with car parking provided under one of the department stores and construction of a new senior citizens building at 59-61 Albert Street with car parking underneath.
 - The proponent proposes that Barkly Street public car park, 37 Mason Street and 59-61 Albert Street be sold to the proponent for \$1,000. The proponent would construct the discount department stores, senior citizens building and car parks and lease the senior citizens building and car parking spaces back to Council. The anticipated rent payable on the new senior citizens building has not been provided.
 - The proponents were asked to provide further information to demonstrate how the evaluation criteria had been met and presented the proposals to the selection panel.

- The selection panel was unable to score the proposals against the evaluation criteria relating to commercial principles, net community benefit and financial return to Council.
- Alternative options for Council in considering ways of addressing the anticipated shortfall of car parking in the future would be to seek quotes from consultants to prepare an options paper for Council. This options paper could look at the various alternatives available, such as cash-in-lieu schemes, private/Council partnerships and Council funded models.

TRIPLE BOTTOM LINE IMPLICATIONS

COMMUNITY IMPACT

Any future development of car parking in the Warragul Business Centre will be required to maximise the number of car parking spaces available to the public. There are also opportunities for future car parking proposals to incorporate additional commercial space and broaden the retail offering available to residents and visitors.

ENVIRONMENTAL IMPACT

Any future development of car parking in the Warragul Business Centre will be required to incorporate environmentally sustainable design measures, which could include features such as water sensitive urban design, capture of solar power, electric car charging provision/points and bicycle parking facilities.

FINANCIAL IMPACT

- The financial impact of the two expressions of interest proposals is not clear.
- There will be financial implications for the construction of new multi-storey buildings and there are multiple funding options available. Any future options paper prepared for Council should clearly detail what financial options are available to fund the construction of new car parking facilities.

CONSULTATION

Consultation with stakeholders, including community, Warragul businesses and referral authorities, will be a key element in the progression of any future car parking developments to ensure stakeholder support for the project.

LEGAL/COUNCIL PLAN/POLICY IMPACT

COUNCIL PLAN

Provision of additional car parking in the Warragul Business Centre will assist with the achievement of the key strategic objective as set out in the Council Plan 2013-2017: Growth and Prosperity – Planning to meet the needs of the community today and into the future and Infrastructure and Community Assets – Investing in quality and affordable community assets which are balanced against the growing needs of the community.

CHARTER OF HUMAN RIGHTS AND RESPONSIBILITIES

This report has been reviewed under the *Charter of Human Rights and Responsibilities* and is considered compatible.

LEGAL

There are no legal impacts to be considered as part of this report.

POLICY IMPACTS

- Baw Baw Shire has a Procurement Policy made in accordance with requirements of Section 186A of the *Local Government Act 1989*. Expression of Interest proposal evaluation was carried out in accordance with this policy.
- Aspects of the proposed land transaction would not be consistent with Council's property policy or with the Local Government Act 1989.

CONFLICT OF INTEREST DECLARATION

No officer involved in the preparation of this report has a disclosable interest.

14. THE ENVIRONMENT

Nil Reports

15. NOTICES OF MOTION

Nil Reports

16. COMMITTEE AND DELEGATES REPORTS

Nil Reports

17. ASSEMBLY OF COUNCILLORS

17.1 ASSEMBLY OF COUNCILLORS REPORT

Governance Advisor

*Directorate: Corporate and Community
Services*

Ward: All

Appendix: 1 attachment

PURPOSE

To present the written records of Assemblies of Councillors that have occurred.

RECOMMENDATION

That Council receives and notes the Assembly of Councillors records tabled for the period from Friday 3 February 2017 – Friday 17 March 2017.

COUNCIL MOTION

Moved: Cr P Kostos
Seconded: Cr D Wallace

CARRIED

KEY POINTS/ISSUES

The *Local Government Act 1989* requires that the written record of an assembly of councillors be, as soon as practicable, reported at an ordinary meeting of the Council and incorporated into the minutes of that meeting.



Assembly of Councillors Record

This record is required under s.80 of the *Local Government Act 1989*. An Assembly of Councillors is a defined term under s.76AA. This record must be completed at which matters are considered that are intended or likely to be the subject of a Council decision or the exercise of a delegated authority and which is either one of the following: a meeting of an advisory committee where at least one Councillor is present; or a planned or scheduled meeting that includes at least half the Councillors and at least one Council officer.

Meeting details

Date	15 March 2017	Time	10am to 4:44pm
Location	Drouin Civic Centre		
Advisory Committee (if applicable)	Confidential Councillor Briefing		

In attendance

List all attendees present at the meeting including Councillors, Committee Members, Council Officers and others in attendance

Cr Cook	Phil Cantillon	Stephanie Hobson
Cr Wallace	Matthew Cripps	Chelsea Burton
Cr O'Donnell	Jane Oakley	Olivia East
Cr Power (left at 3:17)	David Dunstan	Ainslee Humphrey
Cr Jones	Malcolm Lewis	Katelyn Sharman
Cr Gauci	Peter Harris	Mark Kelly
Cr Leaney	Chrisanya Martin	Max Tweedale
David Barnes	Leanne Khan	Jarrold Carroll
Jane Keddie	Jayne Clunning	Ben Shelton
Shane Paynter	Alison Lisle	Nikhil Aggarwal
Teck Ting	Vishal Gupta	Erin Marslen
Andrew Davidson	Chris Duff	Ian DeBruyne
Samantha Bell	Debbie Blandford	Stacey Clark
Tong Ung	Scott Sibly	

Matters Considered

List all matters considered at the meeting

Youth Futures Workshop Rural Land Use Review Statutory Planning Long Term Infrastructure Plan West Gippsland Draft Floodplain Management Strategy Utopia Animal Pound Pound Construction & Utopia Business Model Lease of IT Equipment EOI Warragul Business Car Parking Industry Sector Development Plan Petition Response Tree Removal at Civic Park Warragul and Drouin Civic Park Master Plans Petition Response Application for Report and Consent Kent Street, Warragul
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Conflict of Interest Disclosures

Have any persons declared a conflict of interest to an item discussed? (Yes/No) **YES** —

If yes, please complete:
Name of person making

Person left the room and

disclosure		remained outside whilst discussion taken place? (Yes/No)
Cr Jones	Item 4.1 Response to Petition – Application for Report and Consent Under the Building Act 1993 Cr Jones left the meeting at 4:35 and returned at 4:37	Yes

18. MAYORAL MINUTE

No Mayoral Minute was received.

19. GENERAL BUSINESS

No General Business motions were received.

Meeting closed at 5.54pm.

Confirmed at this meeting *12 APRIL 2017*

**Cr J Gauci
Mayor**