



# Minutes

## Special Meeting of Council

Thursday 15 September 2016 at 5:00pm

Queenscliff Town Hall  
50 Learmonth Street, Queenscliff

### **Distribution**

### **Councillors**

Cr. Helene Cameron (Mayor)

Cr. Bob Merriman

Cr. Peter Russell

Cr. Susan Salter

Cr. Sue Wasterval

### **Officers**

Lenny Jenner – Chief Executive Officer

Lynne Stevenson - General Manager Corporate & Community Services

Phil Josipovic - General Manager Planning & Infrastructure

In accordance with the Borough of Queenscliffe Local Law No 1, 2010, the information contained within this Agenda is for the confidential and privileged use of Councillors until at least 48 hours prior to this meeting.

**THIS MATERIAL DOES NOT NECESSARILY REFLECT THE VIEWS OF COUNCIL**



<b>1.</b>	<b>OPENING OF MEETING .....</b>	<b>3</b>
<b>2.</b>	<b>PRESENT &amp; APOLOGIES .....</b>	<b>3</b>
<b>3.</b>	<b>PECUNIARY INTEREST &amp; CONFLICT OF INTEREST DISCLOSURES .....</b>	<b>3</b>
<b>4.</b>	<b>COMMUNITY WELLBEING &amp; AMENITY .....</b>	<b>4</b>
<b>4.1</b>	<b>Queenscliff Sport and Recreation Precinct Upgrade - Draft Concept Plan .....</b>	<b>4</b>
<b>5.</b>	<b>GOVERNANCE AND FINANCE .....</b>	<b>11</b>
<b>5.1</b>	<b>Contract 2016/02 – Electric Line Clearance Program Services.....</b>	<b>11</b>
<b>6.</b>	<b>CONFIDENTIAL ITEM .....</b>	<b>16</b>
<b>6.1</b>	<b>Confidential Matter pursuant to Section 89(2)(a) of the Local Government Act 1989 - CEO Annual Performance Review .....</b>	<b>16</b>
<b>7.</b>	<b>RATIFICATION OF CONFIDENTIAL ITEMS .....</b>	<b>16</b>
<b>8.</b>	<b>CLOSE OF MEETING .....</b>	<b>16</b>

## Appendices

Appendix	Title	Agenda Item	Distribution
Appendix 1	Draft Queenscliff Sport and Recreation Precinct Concept Plan	4.1 Queenscliff Sport and Recreation Precinct Upgrade – Draft Concept Plan	Under separate cover
Appendix 2	CONFIDENTIAL: Tender Evaluation Summary	5.1 Contract 2016/02 – Electric Line Clearance Program Services	Under separate cover - Confidential



**1. OPENING OF MEETING**

The meeting opened at 5:04pm

**2. PRESENT & APOLOGIES**

*Present:*

Cr. Helene Cameron (Mayor)

Cr. Bob Merriman

Cr. Peter Russell

Cr. Sue Wasterval

Lenny Jenner – Chief Executive Officer

Lynne Stevenson - General Manager Corporate & Community Services

Phil Josipovic - General Manager Planning & Infrastructure (5:04pm – 5:35pm)

*Apologies:*

Cr Susan Salter

**3. PECUNIARY INTEREST & CONFLICT OF INTEREST DISCLOSURES**

*Councillors must disclose a conflict of interest in accordance with Section 79 of the Local Government Act 1989.*

Councillors: Nil

Officers: Nil

---



#### **4. COMMUNITY WELLBEING & AMENITY**

##### **4.1 Queenscliff Sport and Recreation Precinct Upgrade - Draft Concept Plan**

<b>File:</b>	<b>QG052.03.2015/06</b>
<b>Report Author:</b>	<b>General Manager Planning &amp; Infrastructure</b>
<b>Strategic Objective:</b>	<b>A healthy, involved and creative community</b>
<b>Portfolio:</b>	<b>Community Wellbeing and Amenity</b>
<b>Portfolio Holder:</b>	<b>Cr Helene Cameron</b>

#### **Purpose**

The purpose of this report is to provide Council with information on the development of the draft Queenscliff Sport and Recreation Precinct Concept Plan and seek Council endorsement of a community consultation plan.

#### **Background**

Consistent with the Council Plan strategies and Council's 2015/16 Implementation Plan priority to complete the Queenscliff Recreation Reserve master plan, Council appointed Hansen Partnership Pty. Ltd. (Consultant) to prepare a Masterplan for each of the three Council-managed caravan parks. This project includes the Queenscliff Recreation Reserve, the Borough's primary sports precinct. The funding of this component is the subject of a State Government election commitment. The funding agreement between the State Government and the Borough of Queenscliffe Council includes a milestone to provide the Council endorsed Masterplan by January 2017.

The Consultant has prepared a draft Concept Plan for the sports precinct which is the focus of this report. A further report will be provided to Council when draft Concept Plans for all three Council managed caravan parks have been completed.

#### **Key Issues**

- Draft Queenscliff Sport and Recreation Precinct Concept Plan
  - Community consultation plan
-



## Discussion

Quotations for the preparation of Masterplans for the three Council managed caravan parks (inclusive of Queenscliff Recreation Reserve sports precinct) were invited on 12 August 2015. The preferred consultant, Hansen Partnership, was appointed in November 2015. A priority of this project was to develop a Masterplan for the Queenscliff Recreation Reserve given this area is Council's major caravan park and is also the municipality's primary sports precinct.

Council identified the Queenscliff Sport and Recreation Precinct Upgrade project as a priority project at the last State Government Election. The Labor State Government made an election commitment to fund the project, estimated at \$3.15 Million. Council was required to formally apply for the funding through the State Government's Community Sports Infrastructure Fund. Council signed the funding agreement in June 2016 and received its initial payment of \$1 Million in July 2016.

The key components of this project are:

1. Completing redevelopment of the Monahan Centre Stage 2 (\$550K)
2. Upgrading the community sport and recreation facilities (\$1,060K)
3. Renewing the utilities infrastructure of the recreation reserve and camping ground (\$1,505K)

As mentioned, the focus of this report is the sports precinct which includes items 1 and 2 above.

In developing the draft Concept Plan, Council officers and Queenscliff Community Sports Club (QCSC) representatives have been regularly meeting to discuss project components in order to inform working drawings. The vast majority of the potential challenges have been fully addressed and accommodated within the draft Concept Plan. While there are still some unresolved matters, Council officers and QCSC representatives continue to work collaboratively to resolve those matters.

**Appendix 1** to this report is the Draft Queenscliff Sport and Recreation Precinct Concept Plan. The key feature of the Plan includes:

### ***Provision of a dedicated sport and recreation precinct zone.***

The plan proposes the creation of a dedicated sports and recreation precinct integrating high quality facilities for Netball, Cricket and Football complimented by parking and a dedicated access and egress via Mercer Street.

### ***Improvements to Netball Facilities***

A priority of this project is to relocate netball facilities from their current venue in King Street to the south west of the Queenscliff Recreation Reserve. The netball facilities include two new courts, lighting, game day facilities (kitchenette, toilets and covered viewing area) and seating.

### ***Improvements to Cricket Facilities***

The draft Concept Plan proposes to move the cricket nets away from the oval boundary to improve safety and usability of the nets and construct new practice nets at the south of the reserve.

---



### ***Improvements to the Monahan Centre facilities***

Stage 1 of the Monahan Centre improvements were completed in 2013 resulting in improved social facilities, change rooms and community meeting space. The improvements to Monahan Centre to be undertaken as part of this project include:

- Construction of a community gymnasium;
- Upgrade of change facilities for gym users;
- Completing fitout of the community gymnasium;
- Minor external improvements (painting);
- Installing solar power to the building.

### ***Provision of exclusive sporting facilities parking***

The draft Concept Plan introduces 97 formal car parks where none previously existed to exclusively service the sporting facilities. The plan proposes the introduction of 33 dedicated oval boundary parks. An additional 64 parks are proposed to be created and exclusively available for participants and spectators who can capitalise on the spectacular vantage point of the Monahan Centre grandstand.

### ***Enhanced separation of the Sporting and camping functions within the reserve***

Importantly, the Concept Plan separates the sporting functions from the camping functions within the reserve. Clear separation of the sports precinct and the caravan park will resolve conflicts caused historically by the differing functional needs of each stakeholder.

Initiatives that aid the separation of functions and avoidance of conflict include:

- Dedicated entrances for each precinct.
- Dedicated parking to service the sporting facilities.
- Elimination of camping within the sports precinct.
- Installation of goal netting to protect campers and caravans during football season.

### ***Improved Oval Lighting***

The Concept Plan identifies the installation of oval lighting with complete playing surface coverage. The existing lights only provide limited coverage to a portion of the southern side of the oval. The existing lighting levels have recently been measured at a level of 15.8 lux by AFL Barwon. New lighting is proposed to meet Australian Standard requirements for amateur level training (50 lux) with provisions to enable future upgrade to club competition and match practice standard (100 lux). The Port of Melbourne has provided information regarding the specifications necessary to meet their requirements.

### ***Perimeter Fencing***

Perimeter fencing proposed by the plan will improve the amenity of the site and importantly, aid in improving game day gate takings for the football and netball club. The fencing will also formalise the all year round camping area and improve patron security.

### ***Oval reshaping***

The plan proposes the reshaping of the oval to provide a symmetrical oval while maintaining the current length and width dimensions and compliance with AFL guidelines. The reshaping of the oval is intended to address the current egg like shape of the oval. A more symmetrical oval has also improved access to camping facilities.

---



### ***Other Benefits***

The project will deliver other sport related benefits that include:

- Replacement of existing playground
- Upgrade of football goal posts and new netting

### ***Community Consultation***

A key component of this project involves seeking community input into the draft Concept Plan as presented. Given the upcoming Local Government elections, there are restrictions on community consultation during the election period. Section 93B (3) (b) of the Local Government Act requires Council's election period policy to limit public consultation and the scheduling of Council events during the election period from 19 September and 22 October 2016 (inclusive).

On 31 August 2016, the Local Government Investigations and Compliance Inspectorate (the Inspectorate) released a report titled **Election Period Policy Review** which reinforced the requirement for Councils to limit public consultation and council events during the election period.

Given the provisions of the Local Government Act as reflected in the Council's Election Period Policy and the recent formal advice from the Inspectorate, it is recommended that the proposed community consultation process takes the following approach:

1. Release of information regarding the Queenscliff Sport and Recreation Precinct on 16 September 2016 inclusive of the following information:
  - a. Draft Concept Plan
  - b. FAQ sheet
  - c. Dates and times for community forums (scheduled for after 22 October 2016)
  - d. Advice to the community explaining that the community consultation will be suspended from 19 September – 22 October 2016;
  - e. Media Statement
2. Conduct of community consultation sessions (to be promoted and undertaken from 24 October 2016);
3. Conduct of Public Submission process and timelines (Council will accept public submissions from 16 September 2016 until 16 November 2016. Council will acknowledge receipt of submissions but these will not be actioned until the resumption of business on 24 October 2016 following the Council election).

As stated, any submissions received during the Election Period will be acknowledged and advice provided that a full review and response to the submission will be provided after the Election Period.

The key tasks and timelines for community consultation and Council to consider the final Concept Plan are shown in the table below.



Action	Anticipated Timeline
Briefing of QCSC and Council on the working draft of the Sport and Recreation Precinct Concept Plan	29 Aug 2016
Formal Council Report on Draft Sport and Recreation Precinct Concept Plan	15 Sept 2016
Council Election Period	19 September – 22 October 2016
Community Consultation Sessions	24 October – 16 November 2016
Public Submission Period	16 September – 16 November 2016
Council Report to formally consider and adopt the final Concept Plan	14 Dec 2016

## Council Plan

The Council Plan and supporting Implementation Plans include reference to the Queenscliff Sport and Recreation Precinct, specifically:

### ***Council Plan 2013 – 2017***

*Seek funding to develop the Queenscliff sport and recreation precinct project (p.28)*

### ***Implementation Plan 2015/16***

*Complete the Queenscliff Recreation Reserve master plan (p09)*

## Financial

The preparation of the draft Concept Plan has been fully funded by Council in its 2015/16 budget. Implementation of the Concept Plan will commence after community consultation has been undertaken and all necessary consents and permits have been obtained. Implementation costs will be funded by the State Government grant of \$3.15 Million as described earlier in this report.

The south west area of the Queenscliff Recreation Reserve to become part of the dedicated sports zone contains 29 usable caravan sites. As at 1 July 2016 there were 10 annual permit vans in place with the remaining 19 sites used as casual sites. The loss of these sites will result in a loss of income to Council in the short term, however these losses are anticipated to be recovered in the future when the caravan park masterplans are implemented through greater throughput and increased visitation as a result of improved facilities. Total predicted financial impact for the 2017/18 budget period is between \$85,000 and \$95,000 assuming that the only works in 2017/18 will be the priority sports facilities related elements as described in this report.





Council will be communicating with all annual permit holders in this area who will be offered the opportunity to relocate to caravan park sites in Golightly Park.

## **Legal**

Section 93B (3) (b) of the Local Government Act requires Council's election period policy to limit public consultation and the scheduling of Council events during the election period from 19 September and 22 October 2016 (inclusive). Consistent with the requirements of the Act, community consultation will be suspended from 19 September – 22 October 2016. Community consultation sessions will be promoted and conducted from 24 October 2016. Public submissions will be received and acknowledged with no action undertaken by officers until 24 October 2016.

## **Social**

The proposed improvements identified in the draft Concept Plan will provide improved facilities for netball, football and cricket participants as well as spectators. It will also provide a clear separation between camping and sporting activities, improving amenity for both campers and sport facility users.

## **Environmental**

Two trees will be required to be removed as a result of the proposed development, one willow myrtle and one Norfolk Island hibiscus. These trees are located in the south west quadrant of the reserve in the area of the proposed car park.

## **Risk Management**

The key risks to implementing the project post community consultation include:

- Sports Lighting – any lighting proposal must be approved by the Melbourne Port Authority to ensure they do not interfere with shipping navigational aids. The lighting design to be developed will include a computer model demonstrating that the proposed lights will not interfere with navigational aids.
- Some elements of the proposed Queenscliff Sport and Recreation Precinct concept plan will require a planning permit that involves a statutory process including public consultation.

## **Officer Direct or Indirect Interest**

*Under Section 80C (1) (2) of the Local Government Act 1989, Council staff and persons engaged under a contract to provide advice or a report to a meeting of the Council or a special committee, and who have a direct or indirect interest in a matter to which the advice or report relates, must*



*disclose the type of interest when providing the advice or report and before the advice or report is consider by the Council or the committee.*

Officers involved in developing the report have no direct or indirect interests.

### **Assessment**

The draft Queenscliff Sport and Recreation Precinct Concept Plan meets the key objectives of the project to provide a clear separation of camping and sporting activities as well as providing improved sports facilities including new oval sports lights, new netball courts and game day facilities, a dedicated car park including 33 oval boundary parks and major improvements to the Monahan Centre.

### **Conclusion**

The draft Queenscliff Sport and Recreation Precinct Concept Plan should be the subject of community consultation, including the sports clubs as key stakeholders, before finalising for Council consideration in December 2016.

#### **Councillors Merriman / Cameron:**

##### **That Council:**

- 1. Note the draft Queenscliff Sport and Recreation Precinct Concept Plan as presented in Appendix 1, and;**
- 2. Endorse the community consultation program as outlined in this report.**
- 3. Request officers to progress any relevant planning permits in a timely manner.**

**Carried unanimously**



## **5. GOVERNANCE AND FINANCE**

### **5.1 Contract 2016/02 – Electric Line Clearance Program Services**

<b>File:</b>	<b>QG052.03.2016/02</b>
<b>Report Author:</b>	<b>Projects and Infrastructure Engineer</b>
<b>Strategic Objective:</b>	<b>A Well Planned and Attractive Place to Live and Visit</b>
<b>Portfolio:</b>	<b>Planning, Heritage, Arts &amp; Culture</b>
<b>Portfolio Holder:</b>	<b>Cr Susan Salter</b>

#### **Purpose**

The purpose of this report is to advise Council of the electric line clearance program tenders received and award Contract 2016/02 – Provision of Electric Line Clearance Program Services.

#### **Background**

The current Electric Line Clearance Program contract has ended and tenders have been received for the purpose of awarding a new contract commencing prior to the 2016 cut. The new contract will include:

- Annual cuts for 2016, 2017, 2018 & 2019 (total of four cuts)
- Inspection Audits prior to each annual cut for 2017 & 2018 (total of two inspection audits)

All works (Tree cutting and Audits) are to be undertaken in accordance with the Borough of Queenscliffe Electric Line Clearance Management Plan and to fulfil Council's commitment to maintain the space between the vegetation and powerlines (clean space) under its control and fulfil its duties as set out in the Electricity Safety (Electric Line Clearance) Regulations 2015 (the Code).

This report discusses the tenders received, costs, evaluation process and recommends the appointment of a contractor that provides the best value offer for Council and the community.

#### **Key Issues**

- Compliance with Council's Procurement Policy and Section 186 of the Local Government Act
  - Achieving best value in the provision of the electric line clearing services
-



- Awarding of Contract 2016/02– 'Provision of Electric Line Clearance Program Service' to the preferred tenderer, Active Tree Services.

## **Discussion**

### ***Public Notification***

Tenders for Contract 2016/02 were called for the provision of Electric Line Clearance Program Service on 10 August 2016. The tender was advertised in 'The Geelong Advertiser', 'The Age' newspaper, through the Tenderlink network and on Council's webpage. Tenders Closed on 31 August 2016. The contract is a fixed lump sum contract.

### ***Contract Period***

The contract term within the tendered specifications is three (3) years

### ***Tenders Received***

At the close of the tender period five tenders were received. A brief summary of each tenderer is included in **Confidential Appendix 2 – Tenderer Summary**.

The tendered rates are presented in **Confidential Appendix 2 – Tendered Schedule of Rates**.

### ***Evaluation Panel***

The evaluation panel comprised:

- Mr Daniel Barker – Roads & Infrastructure Engineer
- Mr Graeme Hiller – Projects & Infrastructure Engineer
- Mr Garry Purton – Foreshore & Caravan Parks Coordinator

### ***Evaluation Process***

The basis of the evaluation process was to assess all submitted tenders for the Contract with a view to identifying the offer which represents the most advantageous and best value for money overall for the community and Council.

The specified 'weighted' attribute scoring method was used for the evaluation of all tenders in accordance with the following criteria:

<b>Criterion</b>	<b>Weighting</b>
- Performance Record	(25%)
- Plant, Equipment and Personnel	(10%)
- Management Skills	(10%)
- Customer Service	(5%)
- Financial Benefit (Price)	(50%)



## **Evaluation**

### Technical Capacity (Non Price attributes) Outcomes (50%)

Taking into consideration the written tender submissions, responses to requests for further information and reference checks where required, the Panel rated each tenderer against the Technical Capacity evaluation criteria. Active Tree Services achieved the highest Technical Capacity ranking score.

### Financial Benefit Outcomes (50%)

The tender prices submitted are in the form of an annual cost for each annual cut and separate cost for each annual inspection audit.

The total of all these costs were then used to calculate the Financial Benefit score. Active Tree Services achieved the highest Financial Benefit score.

The detailed evaluation scoring for each tender is presented in **Confidential Appendix 2 – Contract 2016-02 Evaluation Scores**.

## **Council Plan**

This project aligns with the following Strategic Objectives.

### Objective 4: A Well-Planned and Attractive Place to Live & Visit

- Manage Council infrastructure in accordance with the Borough's asset management plans and annual capital works program.

## **Financial**

The tendered prices were separate lump sum prices for each year and for each inspection audit. To assess the cost of provision of the service with the preferred tenderer, the prices were added together to determine the total lump sum cost over the contract period

The projected costs over the term of the contract are as follows:

### **Active Tree Services**

Total for Annual cuts (x4) = \$239,039

Total for Inspection Audits (x2) = \$6,515

**Total Contract Sum (exclusive of GST) = \$245,554**

In the final year of the contract, an independent audit will be undertaken prior to the 2019 annual cut. This will ensure that all works comply with the legislative requirements prior to the contract coming to an end.



The list of the tendered prices for the term of the contract is presented in **Confidential Appendix 2 – Contract 2016-02 Financial Evaluation**.

Active Tree Services was the lowest cost tender. The cost for annual cut in 2016 and to carry out the 2017 inspection audit is \$66,369. A budget allowance of \$27,000 has been provided in Council's 2016/17 Budget. The budget was set on previous years' costs however the tender amounts all exceeded historic expenditure. The budget shortfall is \$39,370.

Budget savings are anticipated to be identified to fund the above short fall. Any budget savings and reallocation of funds will be presented to Council for consideration as part of the September Quarter Financial Report.

## **Social**

Objectives of the Borough of Queenscliffe Electric Line Clearance Management Plan include

- Protection of areas of important vegetation which may be deemed as such, on the basis of those areas containing botanically, historically or culturally important vegetation or vegetation of outstanding aesthetic or ecological significance, and/or the habitat or rare or endangered species; and
- Community satisfaction with the manner in which the necessary works required are carried out.

The Electric Line Clearance contract requirements ensure that the contractor will work with Council to achieve the Objectives of the Borough of Queenscliffe Electric Line Clearance Management Plan.

## **Environmental**

Active Tree Services operates a certified Management System that incorporates an Environmental Management System. The Electric Line Clearance Program Contract contains a number of clauses relating to environmental controls with the purpose of ensuring the operation of this contract has minimal environmental impact.

## **Risk Management**

As part of the tender process all tenderers were required to supply documentation on their Occupational Health and Safety, Quality, Environmental and Risk Management systems. All tenderers, including Active Tree Services, have in place the required management systems to Australian Standards to manage risks in the delivery of the service.

---



### **Officer Direct or Indirect Interest**

*Under Section 80C (1) (2) of the Local Government Act 1989, Council staff and persons engaged under a contract to provide advice or a report to a meeting of the Council or a special committee, and who have a direct or indirect interest in a matter to which the advice or report relates, must disclose the type of interest when providing the advice or report and before the advice or report is considered by the Council or the committee.*

Officers involved in developing the report have no direct or indirect interests.

### **Assessment**

The Active Tree Services Tender was strong across all evaluation criteria demonstrating an excellent understanding of local issues and presenting a comprehensive methodology for undertaking the contract requirements. The Active Tree Services tender is also the most financially beneficial to Council. The evaluation panel is confident that Active Tree Services can competently undertake all requirements of Contract 2016/02 - Provision of Electric Line Clearance Program Services.

Detailed comments on each of the tenders received is presented in **Confidential Appendix 2 – Contract 2016-02 Tenderer Summary**

### **Conclusion**

Following a rigorous evaluation process it is considered the Electric Line Clearance Program Contract be awarded to Active Tree Services.

### **Councillors Wasterval / Merriman:**

**That Council with respect to the Lump Sum Price tendered and shown in Confidential Appendix 2, for Contract No. 2016/02 – Provision of Electric Line Clearance Program Services:**

- 1. Award the contract to Active Tree Services for a Lump Sum Price of \$245,554 excluding GST for:**
  - a) Annual cuts to comply with Electrical Line Clearance requirements in 2016, 2017, 2018 and 2019 (total of four cuts):**
  - b) Inspection Audits prior to each annual cut for 2017 & 2018 (Total of two inspection audits)**
- 2. Note the \$39,369 budget variation for the Electrical Line Clearance 2016/17 budget to be considered in the September Quarter Financial Report.**
- 3. Sign and seal the contract.**

**Carried unanimously**



**6. CONFIDENTIAL ITEM**

**Time: 5:35pm**

**Councillors Merriman / Wasterval:**

**That Council move 'in camera' and close the meeting to members of the public, to discuss matters pertaining to the following item:**

- 6.1 Confidential Matter pursuant to Section 89(2)(a) of the Local Government Act 1989 - CEO Annual Performance Review**

**Carried unanimously**

**Time: 6:23pm**

**Councillors Russell / Merriman:**

**That Council cease the 'in camera' meeting and reopen the meeting to members of the public.**

**Carried unanimously**

**7. RATIFICATION OF CONFIDENTIAL ITEMS**

**Councillors Merriman / Cameron:**

**That the decisions made in camera be ratified by Council.**

**Carried unanimously**

**8. CLOSE OF MEETING**

The meeting closed at 6:24pm