

**MINUTES of the Council Meeting of the Horsham Rural City Council held online and livestreamed at [www.hrcc.vic.gov.au](http://www.hrcc.vic.gov.au) at 5.30pm on 21 September 2020.**

### **PRESENT**

Cr Mark Radford, Mayor, Cr Pam Clarke, Cr David Grimble, Cr Alethea Gulvin, Cr Josh Koenig, Cr Les Power, Cr John Robinson.

### **ALSO IN ATTENDANCE**

Sunil Bhalla, Chief Executive Officer; Graeme Harrison, Director Corporate Services; John Martin, Director Infrastructure; Kevin O'Brien, Director Communities and Place; Fiona Kelly, Executive Assistant to CEO and Councillors; Diana McDonald, Co-ordinator Governance.

## **1. PRAYER**

Almighty God, we pledge ourselves to work in harmony for, the social, cultural and economic well-being of our Rural City. Help us to be wise in our deliberations and fair in our actions, so that prosperity and happiness shall be the lot of our people. AMEN

## **2. ACKNOWLEDGEMENT OF COUNTRY STATEMENT**

The Horsham Rural City Council acknowledges the five Traditional Owner groups of this land; the Wotjobaluk, Wergaia, Jupagulk, Jaadwa and Jadawadjali people. We recognise the important and ongoing place that all Indigenous people hold in our community.

We pay our respects to the Elders, both past and present, and commit to working together in the spirit of mutual understanding and respect for the benefit of the broader community and future generations.

## **3. OPENING AND WELCOME**

Chairman, Cr Mark Radford formally welcomed those in attendance to the meeting. The Mayor advised that the meeting will be recorded to maintain an audio archive, which will be available on the Horsham Rural City Council website as soon as possible.

The Mayor also advised that Councillors participating in the meeting by electronic means will be taken to be present and part of the quorum for the meeting, provided that they can hear proceedings, they can see and be seen by other members in attendance and they are able to speak and be heard by those in attendance. The Mayor asked Councillors individually to confirm that they could see and hear other members in attendance and be able to speak. Confirmed by all Councillors.

**4. APOLOGIES**

Nil

**5. LEAVE OF ABSENCE REQUESTS**

Nil

**6. CONFIRMATION OF MINUTES**

**Recommendation**

That the minutes emanating from the Council Meeting of the Horsham Rural City Council held online and livestreamed at 5.30pm on 24 August 2020 be adopted.

**Council Resolution**

**MOVED Cr Pam Clarke, Seconded Cr Josh Koenig**

That the minutes emanating from the Council Meeting of the Horsham Rural City Council held online and livestreamed at 5.30pm on 24 August 2020 be adopted.

**CARRIED**

**7. CONFLICTS OF INTEREST**

Nil

**8. PUBLIC QUESTION TIME**

**SUSPEND STANDING ORDERS**

**MOVED Cr Les Power , Seconded Cr Alethea Gulvin**

That the Council meeting be suspended for public question time.

CARRIED

*The Council meeting was suspended at 5.34pm for Public Question Time.*

**RESUME STANDING ORDERS**

**MOVED Cr Les Power, Seconded Cr Josh Koenig**

That the Council meeting resume.

CARRIED

*The Council meeting resumed at 5.37pm.*

## 9. OFFICERS REPORTS

### 9.1 RESCHEDULING OF STATUTORY & NOVEMBER COUNCIL MEETINGS

<b>Author's Name:</b>	Diana McDonald	<b>Director:</b>	Graeme Harrison
<b>Author's Title:</b>	Co-ordinator Governance	<b>Directorate:</b>	Corporate Services
<b>Department:</b>	Governance and Information	<b>File Number:</b>	F19/A10/000001

#### Officer Conflict of Interest

Officer disclosure in accordance with *Local Government Act 2020* – Section 130:

Yes  No

**Reason:** Nil

#### Status

Defined as confidential information in accordance with *Local Government Act 2020* – Section 3(1):

Yes  No

**Reason:** Nil

#### Appendix

Nil

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#### Purpose

To reschedule Councils Statutory and November Council Meetings following the Council Elections.

#### Summary

- Rescheduling Council's Statutory Meeting to 19 November 2020 is required due to the poll declaration results by the Victorian Election Commissions being declared 13 November or later.
- The following scheduled November Council Meeting is then required to be rescheduled to 30 November 2020.

#### Recommendation

That Council reschedule the Statutory Council Meeting to 19 November 2020 and the following Council Meeting to 30 November 2020.

#### Council Resolution

##### **MOVED Cr Alethea Gulvin, Seconded Cr Pam Clarke**

That Council reschedule the Statutory Council Meeting to 19 November 2020 and the following Council Meeting to 30 November 2020.

CARRIED

**REPORT****Background**

In accordance with the requirements under the *Local Government Act 2020* and Victorian Electoral Commission (VEC) electoral processes, Council's Statutory Meeting must be in place following the Council Elections and the poll declaration by the VEC. Currently Council's Statutory Meeting is scheduled for 12 November 2020 and the November Council Meeting is scheduled for 23 November 2020.

**Discussion**

There is an expected delay to the announcement of 2020 Election results which requires Council to reschedule the Statutory and November Council Meetings.

It is proposed to reschedule the Statutory Council Meeting to 19 November 2020 and the following Council Meeting to 30 November 2020 to allow the declaration of electoral results from Victorian Electoral Commission to be received.

**Options to Consider**

To reschedule Councils Statutory and November Council Meetings

**Sustainability Implications**

Nil.

**Community Engagement**

Not applicable.

**Innovation and Continuous Improvement**

Not applicable.

**Collaboration**

Not applicable.

**Financial Implications**

Additional resources required will be Council Officers time.

**Regional, State and National Plans and Policies**

Not applicable.

**Council Plans, Strategies and Policies**

2020-2024 Council Plan

Goal 4 – Governance and Business Excellence

**Risk Implications**

Due to the potential delay in the VEC poll declaration it is necessary to reschedule both of these meetings and a risk if not planned appropriately for.

**Conclusion**

Rescheduling of the Statutory and November Council meetings takes into account the expected delay in announcement of the election results by the Victorian Electoral Commission.

## 9.2 ELECTION PERIOD POLICY 2020

<b>Author's Name:</b>	Diana McDonald	<b>Director:</b>	Graeme Harrison
<b>Author's Title:</b>	Co-ordinator Governance	<b>Directorate:</b>	Corporate Services
<b>Department:</b>	Governance and Information	<b>File Number:</b>	F19/A10/000001

### Officer Conflict of Interest

Officer disclosure in accordance with *Local Government Act 2020* – Section 130:

Yes  No

Reason: Nil

### Status

Defined as confidential information in accordance with *Local Government Act 2020* – Section 3(1):

Yes  No

Reason: Nil

### Appendix

(Draft) Council Election Period Policy 2020 – Track Changes (**Appendix “9.1A”**)

(Draft) Council Election Period Policy 2020 – Clean Copy (**Appendix “9.1B”**)

### Purpose

To adopt the revised Council Election Period Policy 2020.

### Summary

- Council adopted its Election Period Policy 28 October 2019 in accordance with the LGA 1989.
- Council's must adopt a replacement Election Period Policy that complies with section 69 of the LGA 2020.
- The previous Election Period Policy substantially remains in place, with the only substantive change being to replace “major decisions” and “significant decisions” with “prohibited decisions”.
- The financial limits remain unchanged.

### Recommendation

That Council adopt the revised Council Election Period Policy 2020.

### Council Resolution

#### Moved Cr John Robinson, Seconded Cr David Grimble

That Council adopt the Council Election Period Policy 2020 and include in Section 7 - Definitions, the definition of prohibited decision or prohibited action is a decision or action whenever made by the current Council that binds the incoming Council and limits its freedom of action.

CARRIED

**REPORT****Background**

Councils must comply with special arrangements in the lead up to elections, known as the Election Period (or previously described as the Caretaker Period). Council adopted the current Election Period policy on 28 October 2019 in accordance with the requirements at the time of the LGA 1989 and included this adopted policy as a component of its Governance Rules adopted by Council 24 August 2020. Subsequent to this, it was noted that the references to the LGA 1989 should have been updated to the LGA 2020.

In accordance with the requirements under the LGA 2020 section 69 Council must adopt a replacement Election Period Policy. The Election Period has special arrangements in place for the 32 days prior to a council election.

For 2020 October elections, the Election Period commences at 12 mid-day on Tuesday, 22 September 2020 and concludes on 6pm Saturday, 24 October 2020.

**Discussion**

Section 69 of the LGA 2020 sets out the requirements for an Election Period Policy in the new Act. The changes are:

- To correct the references from the LGA 1989 to replace them with the relevant references in the LGA 2020.
- Change the terminology from “major decisions” and “significant decisions” to “prohibited decisions”.
- Reworded sections 4.1 & 4.2 to reflect the changed terminology

Note that these changes also remove the reference to entrepreneurial ventures which was discussed at the 24 August Council meeting.

The financial limits for the prohibition of decision making remain unchanged at \$266,850 (for purchase of goods or services) or \$200,000 (for carrying out of works).

It is unnecessary to re-visit Council’s Governance Rules which were adopted by Council on 24 August 2020, as the existing Election Period policy can be administratively replaced by the new adopted Election Period policy.

**Options to Consider**

That Council adopts the Council Election Period Policy 2020.

**Sustainability Implications**

Nil

**Consultation / Community Engagement**

The draft policy has been distributed to the Executive Management Team (EMT) for review and the draft was distributed to Councillors for feedback at the Councillor briefing held on 7 September 2020.

**Innovation and Continuous Improvement**

The draft Council Election Period Policy 2020 is in-line with Council’s continuous improvement and the requirement to have this reviewed policy in place for the 2020 Council Elections.

**Collaboration**

Not applicable.

**Financial Implications**

Financial implications noted in the Council Election Period Policy relating to the decisions to enter into Contracts that are valued at more than \$266,850 (for purchase of goods or services) or \$200,000 (for carrying out of works). The amount of \$266,850 refers to 1% of Council's revenue from rates levied for 2018/19.

**Regional, State and National Plans and Policies**

Not applicable.

**Council Plans, Strategies and Policies**

2020-2024 Council Plan

Goal 4 – Governance and Business Excellence

**Risk Implications**

Not applicable.

**Conclusion**

The requirement for a replacement policy has caused confusion in the sector. Accordingly, Local Government Victoria (LGV) has adopted a relaxed position regarding those Councils that have not met the 1 September 2020 deadline. The position will be different for those Councils that do not adopt their policies before the commencement of the election period.



### 9.3 DEVELOPMENT AND SUBDIVISION AT 9 HOMERS COURT, HORSHAM

<b>Author's Name:</b>	Nicholas Carey	<b>Director:</b>	Kevin O'Brien
<b>Author's Title:</b>	Acting Co-ordinator Statutory Planning & Building Services	<b>Directorate:</b>	Communities and Place
<b>Department:</b>	Investment Attraction & Growth	<b>File Number:</b>	F24/A04/000001

#### Officer Conflict of Interest

Officer disclosure in accordance with *Local Government Act 2020* – Section 130:

Yes  No

**Reason:** Nil

#### Status

Defined as confidential information in accordance with *Local Government Act 2020* – Section 3(1):

Yes  No

**Reason:** Nil

#### Appendix

Delegate report (**Appendix "9.3A"**)

Development plans (**Appendix "9.3B"**)

Amended site plan (**Appendix "9.3C"**)

#### Purpose

To determine Planning Permit application PA2000013 to develop three dwellings and subdivision (3 lot subdivision) at 9 Homers Court, Horsham.

#### Summary

- The proposal is to construct three two bedroom dwellings and subdivision. Each dwelling is single storey.
- Following notification of the proposal, two objections have been received.
- The proposal is considered an inappropriate form of development on the site and is contrary to the relevant controls, objectives and policies of the planning scheme.

#### Recommendation

That Council:

1. Note the petition received in relation to 9 Homers Court, Horsham listed as Agenda Item 12.1 Petitions & Joint Letters.
2. As the responsible authority having caused notice of Planning Application No. PA2000013 to be given under Section 52 of the *Planning and Environment Act 1987* and having considered all the matters required under Section 60 of the *Planning and Environment Act 1987* decide to issue a Notice of Decision to Refuse to Grant a Permit in respect of the land known and described as Lot 15 on Plan of Subdivision 519072G, 9 Homers Court, Horsham, to construct 3 two bedroom dwellings and subdivision for the reasons contained in the Delegate Report.

#### Council Resolution

**MOVED Cr Josh Koenig, Seconded Cr Pam Clarke**

That Council note Planning Application No. PA 2000013 has been withdrawn by the applicant.

CARRIED

## REPORT

### Background

The subject site is located at 9 Homers Court, Horsham and is more particularly described as Lot 15 on Plan of Subdivision 519072G.

The land is 961m<sup>2</sup> in area and is vacant, there is currently a sealed crossover serving the property from Homers Court and the court is a sealed road. There is no notable vegetation or features of the site.

The subject site is located within an existing residential precinct. Surrounding the subject land are residential allotments primarily comprising single dwelling on large lots

Figure one below details the pattern of residential development.



*Figure 1: Aerial illustrating surrounding residential character*

The land is located approximately 1km north of the Horsham CBD.

Two (2) submissions were received as a result of the public notice, objecting to the proposal.

The objections related to the following:

- Inconsistencies in the planning report and poor communication with Horsham Rural City Council planning staff
- A far too high density proposal for the lot
- A departure from the single house family environment of the court
- An unacceptable increase in traffic and strain on parking, access to waste collection and unsightly parking of vehicles on the street
- A lack of garden areas and dramatic increase of concrete and hard surfaces
- Increased noise caused by at a very minimum of 6 extra people
- A lack of properly usable private space for each unit for entertaining and children to play without spilling onto the road
- A severe drop in property value due to a complete departure of a quiet court environment
- Concern regarding the manoeuvrability of garbage trucks due to vehicles parking on the street
- Two units would be acceptable

The comments regarding property values being affected by the proposal is not a planning matter and is disregarded.

#### Discussion

A detailed assessment of the proposal against the Horsham Planning Scheme provisions is contained in the attached delegate report.

The subject land is located in the General Residential Zone where the purpose of the Zone is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To encourage development that respects the neighbourhood character of the area.*
- *To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.*
- *To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.*

It is apparent from the purpose of the Zone that a diversity of housing types is encouraged in locations offering good access to services and transport. The decision as to whether any particular development is appropriate requires further consideration based on an assessment against the relevant provisions of the planning scheme. For more than one dwelling on a lot, this requires an assessment against Clause 55.

The proposal as submitted is not considered an appropriate planning outcome for the reasons detailed in the delegate report. It is considered that the proposal is contrary to the existing neighbourhood character of the area in that the proposal introduces a development not character of development in the neighbourhood and in particular Homers Court.

In determining the extent of a neighbourhood, VCAT Senior Member Russell Byard in *Millard v Mildura RCC [2014] VCAT 135 (25 February 2014)*, it was determined at paragraph 36 as being:

*'Sometimes the neighbourhood is taken to mean only two or three properties on either side and opposite. For this purpose I propose to consider an area that includes the properties that can be seen from in front of the review site (bearing in mind it has two frontages) and the area in the relevant streets from which the review site or a reasonable development upon it will be able to be seen.'*

Although the planning scheme does support further residential infill development, the character of the proposal, street setback and solar access to Dwellings 2 and 3 do not comply with the Scheme. In particular, the private open space for dwellings 2 and 3 will have reduced solar access due to being located on the southern side of the dwellings. Furthermore, standard B29 seeks to ensure that where a wall is located on the northern side, the open space should be of adequate width to allow for solar access.

Each dwelling is setback 3.0m from the southern boundary. The setback to the southern boundary should be 4.845m to comply with this standard. There is a significant shortfall in the dimension of the private open space resulting in inadequate solar access being available.

The land is capable of residential infill development but as the proposal does not comply with the standards relating to character and solar access, it is considered the development is an overdevelopment of the site and a permit should not be granted.

### **Options to Consider**

Option 1 – Resolve to refuse the application on the ground that it does not comply with the planning scheme provisions and will result in an unacceptable impact on the amenity of the neighbourhood. This option is recommended by officers.

Refusing the application may result in the applicant lodging an application for review of Council's decision with VCAT.

Option 2 – Resolve to Issue a Notice of Decision to Grant a Planning Permit. This option is not recommended by officers as it is considered that the proposal is not consistent with the relevant controls, objectives and policies of the planning scheme.

Issuing a Notice of Decision to Grant a Planning Permit may result in the objectors seeking a review of Council's decision with VCAT.

Option 3 - Defer a decision on the application. This option is not recommended by officers as it is considered that all required information is available to form a position on the application.

Deferring a decision may result in the applicant lodging an application under S79 of the *Planning and Environment Act 1987* with VCAT for failure to decide. Should the applicant take this action then an application for reimbursement of the application fee to VCAT may be made.

**Sustainability Implications**

Nil

**Community Engagement**

As required under Sec 52 of the Planning and Environment Act 1987 notice of the application was given to adjoining owners/occupiers.

Two objections have been received. Objectors have been contacted to discuss their objection.

**Innovation and Continuous Improvement**

Not applicable.

**Collaboration**

Not applicable.

**Financial Implications**

Defending the responsible authority's decision in VCAT should an application for review of the responsible authority's decision be made.

**Regional, State and National Plans and Policies**

Victorian Policy Planning Framework

**Council Plans, Strategies and Policies**

2020-2024 Council Plan

Goal 2 – Sustaining the Economy

2.2 Cultivate opportunities for the municipality to prosper and pursue possibilities for new development.

**Risk Implications**

Challenge of decision in VCAT.

**Conclusion**

The proposed development for three dwellings on a lot and subdivision, when considered against the relevant provisions of the Planning Policy Framework, Local Planning Policy Framework, zoning controls and the decision guidelines at Clause 65 of the Horsham Planning Scheme, is considered an inappropriate form of development on the site and is contrary to the relevant controls, objectives and policies of the planning scheme.

Accordingly, it is recommended that a Notice of Decision to Refuse to Grant a Permit be issued for the reasons contained in the attached delegate report.

## 9.4 CONCEPT PLAN FOR THE RIVERFRONT ACTIVATION PRECINCT- STAGE 1 OF THE CITY TO RIVER MASTER PLAN

<b>Author's Name:</b>	Carolynne Hamdorf and Sue Newall	<b>Director:</b>	Kevin O'Brien
<b>Author's Title:</b>	Manager Arts, Culture and Recreation, Project Manager Riverfront Activation Project	<b>Directorate:</b>	Communities and Place
<b>Department:</b>	Arts, Culture and Recreation	<b>File Number:</b>	F15/067/000017

### Officer Conflict of Interest

Officer disclosure in accordance with *Local Government Act 2020* – Section 130:

Yes  No

**Reason:** Nil

### Status

Defined as confidential information in accordance with *Local Government Act 2020* – Section 3(1):

Yes  No

**Reason:** Nil

### Appendix

Final Riverfront Activation- Engagement Report (**Appendix "9.4A"**)

Wimmera Riverfront Concept Design (**Appendix "9.4B"**)

Phase 1 Budget Cost Estimate (**Appendix "9.4C"**)

Horsham Riverfront Phase 1 Cost Plan (**Appendix "9.4D"**)

### Purpose

To receive and note the recommendations from the Community Reference Group (CRG) and endorse the Concept Plan for the Riverfront Precinct- Stage 1 of the City to River Master Plan.

### Summary

The report includes:

- Outcomes of the comprehensive community engagement process undertaken to seek feedback on the Concept Plan,
- Determination, prioritisation and costs of the scope of works for the first phase of the riverfront precinct development, and
- A request for a commitment to continue to seek further funding opportunities to achieve all the components shown in the Concept Plan, as tested with the community and supported by the CRG.

**Recommendation**

That Council:

1. Receive and note the recommendation from the Community Reference Group - *'The CRG have seen and discussed the plans and draft budget and move to put it before the Council on 21 September, based on priorities of the community engagement'*.
2. Note the outcomes and community sentiment captured in the Community Engagement Report attached as **Appendix "9.4A"**.
3. Endorse the Concept Plan presented for Stage 1 Riverfront Activation attached as **Appendix "9.4B"**.
4. Endorse the prioritisation and costs of the scope of works for the first phase of the Riverfront precinct development, as proposed by the Community Reference Group attached as **Appendix "9.4C"**.
5. Continue to seek opportunities to achieve all of the components of the Concept Plan, as presented to the community and supported by the Community Reference Group.

**Council Resolution**

**MOVED Cr Mark Radford, Seconded Cr Pam Clarke**

That Council:

1. Receive and note the recommendation from the Community Reference Group - *'The CRG have seen and discussed the plans and draft budget and move to put it before the Council on 21 September, based on priorities of the community engagement'*.
2. Note the outcomes and community sentiment captured in the Community Engagement Report attached as **Appendix "9.4A"**.
3. Endorse the Concept Plan presented for Stage 1 Riverfront Activation attached as **Appendix "9.4B"**.
4. Endorse the prioritisation and costs of the scope of works for the first phase of the Riverfront precinct development, as proposed by the Community Reference Group attached as **Appendix "9.4C"**.
5. Continue to seek opportunities to achieve all of the components of the Concept Plan, as presented to the community and supported by the Community Reference Group.

**Amendment**

**MOVED Cr Grimble, Seconded Cr Robinson**

That the Council Resolution on this matter be debated individually by splitting the motion into 5 sections.

**MOVED Cr Alethea Gulvin, Seconded Cr Pam Clarke**

That the Council meeting be suspended.

CARRIED

*The Council meeting was suspended at 6.12pm.*

**MOVED Cr Alethea Gulvin, Seconded Cr Les Power**

That the Council meeting resume.

CARRIED

*The Council meeting resumed at 6.21pm.*

**MOVED Cr David Grimble, Seconded Cr John Robinson**

That the Chair's ruling be dissented from.

**MOVED Cr Mark Radford, Seconded Cr Les Power**

That Cr Pam Clarke be nominated as temporary chair.

CARRIED

Cr Pam Clarke as temporary Chair invited Cr David Grimble to state the reasons for his dissent.

Cr David Grimble went on to explain his motion of dissent. His request is to allow each of the 5 points in the Council resolution to be debated individually.

Cr Clarke PUT the motion "That the Chair's ruling be dissented from".

LOST

**Cr Grimble called for division of Council****For the Motion:**

Cr David Grimble

Cr John Robinson

**Against the Motion:**

Cr Pam Clarke

Cr Les Power

Cr Josh Koenig

Cr Alethea Gulvin

Cr Radford abstained from voting.

Whilst Council resolved at the 28 September 2020 meeting that Cr Radford voted against the motion on 21 September 2020, the resolution is inaccurate because Cr Radford was observed, and recorded, as having abstained from voting in relation to the subject item at the 21 September 2020 meeting.

Cr Radford, Mayor resumed the Chair and the meeting proceeded.

**MOVED Cr Alethea Gulvin, seconded Cr Josh Koenig**

That Standing Orders be suspended.

CARRIED

*The Council meeting was suspended at 6.32pm*

**MOVED Cr Les Power, Seconded Cr Josh Koenig**

That the Council meeting resume.

CARRIED

*The Council meeting resumed at 6.34pm*



**MOVED Cr Mark Radford, Seconded Cr John Robinson**

That an extension of 3 minutes speaking time be allowed for Cr Grimble.

CARRIED

The Mayor PUT the Council Resolution to the vote as individual items.

1. Receive and note the recommendation from the Community Reference Group - *'The CRG have seen and discussed the plans and draft budget and move to put it before the Council on 21 September, based on priorities of the community engagement'*.

CARRIED
2. Note the outcomes and community sentiment captured in the Community Engagement Report attached as **Appendix "9.4A"**.

CARRIED
3. Endorse the Concept Plan presented for Stage 1 Riverfront Activation attached as **Appendix "9.4B"**.

CARRIED
4. Endorse the prioritisation and costs of the scope of works for the first phase of the Riverfront precinct development, as proposed by the Community Reference Group attached as **Appendix "9.4C"**.

CARRIED
5. Continue to seek opportunities to achieve all of the components of the Concept Plan, as presented to the community and supported by the Community Reference Group.

CARRIED

## REPORT

### Background

The Riverfront Activation Project is the first stage of the City to River Masterplan, a long term 20 year plan which aims to enhance and activate the Wimmera River Precinct and its' link to the Central Activity District of Horsham. The City to River project has been divided into sub-precincts to allow projects to proceed in a staged and prioritised manner.

The Masterplan was developed in 2019, being drawn from a large number of current Council strategies and plans along with community input and engagement conducted throughout that year. The Master Plan was approved by the Council in November 2019, with amendments to the Plan. Council endorsed the development of detailed concept and schematic designs for the Riverfront, including identifying the site for a café and a water play area.

This approval allowed Council staff to progress the next stage of the riverfront project which also includes a commitment of both Federal and State Government funding. This report outlines the engagement undertaken to develop, advance and test ideas generated from the master plan to more detailed concept plans, including technical advice, assessments and community input into the plan. The Concept Plan has been tested with the CRG, key stakeholders and the public.

The community consultation process aimed to seek input and feedback from stakeholders and the community and was designed and managed by the CRG. In summary, the engagement ran from March to August 2020, drawing on and honouring the input provided to the City to River Master Plan public consultations undertaken throughout 2019. Transparency and accountability have guided the process with the CRG actively involved throughout, the following engagement has taken place during this time:

- Discussions with technical experts and groups in or located adjacent to the project
- One-on-one discussions with 32 community groups
- On-line webinars – 1500+ views
- Social Media – 18 Facebook posts and 5200 engagements
- The Draft Concept Plan (maps and information) for the Riverfront Activation project were viewed over 900 times online
- Double page spread in print media and weekly notices updates
- Two radio interviews
- 6 small group on-line information sessions
- Display of designs at the Angling Clubrooms and at 43 Firebrace Street
- 70 formal feedback submission received. Resulting in four out of every 5 responses (81%) believing the riverfront will be more inviting after the plans are implemented -showing overwhelming support for the draft riverfront designs.

Key themes that emerged during this engagement were:

- Retain the natural amenity
- Improve connectivity and places to socially connect
- Promote broader community access and use
- Provide opportunities to tell our local indigenous stories

Chaired independently, the CRG resolved and moved the following motion at its meeting on Tuesday 8 September 2020:

*'The CRG have seen and discussed the plans and draft budget and move to put it before the Council on 21 September. Based on priorities of the community engagement'*. This motion was unanimously approved.

### Discussion

The Concept Design and costings represents feedback gathered from stakeholders, which was documented, analysed and shared with both the CRG and Landscape Architects. The agreed plan reflects the desires, functionality and potential activation of this part of the riverfront.

The Concept Plan (refer to **Appendix "9.4B"**) indicates the proposed Stage 1 (phase 1) works based on feedback gathered from the Public Engagement process. The Landscape Architects have indicated on the plan's legend those elements / items included in Stage 1 works and their relative costs as per Budget Estimate for Stage 1 Priority Works (refer to **Appendix "9.4C"** and **Appendix "9.4D"**).

The Plan includes the site for a café/ restaurant site, located on the corner of the Caravan Park and southern end of Firebrace St. DELWP, Wimmera CMA and Council's planning department have been involved in discussions regarding this preferred location. Negotiations have commenced with the Caravan Park leasee on redrawing the boundary of the Crown Land lease to accommodate a commercial café/ restaurant.

The Budget Estimate of Stage 1 Priority Works (phase 1) also align with current approved funding that has been secured through the Federal Governance and Regional Development Victoria.

The Cost Plan is based on the QS delivered Cost Plan (May 2020), and includes those elements identified as a higher priority to provide a consistent and comprehensive upgrade and development of the Stage 1 Precinct. This scope has been ratified by the CRG and aligns with information shared with Funding Agencies in May 2020. A summary page is provided indicating major items and associated costs, including overheads, contingencies etc. Further detail on the breakdown of each item or area is also included.

Overlay information is provided on the Concept Plan indicating Cost Plan items / locations for expenditure.

### Options to Consider

The progression of the City to River project has evolved with the development of Concept Plans for Stage 1. This report provides Council with a clear set of costs and works that have been resolved and considered by key stakeholder, technical advisors, land managers and the community.

Council is now in an informed position to decide how it chooses to proceed with the proposed developments for Stage 1- Riverfront Activation Project. The proposed plan and costings have been endorsed by all these parties and the public, couched within a process, lead and managed by community representation through the CRG.

### Sustainability Implications

The proposed works along the river bank pose a number of challenges from a flooding perspective and the Wimmera CMA have been consulted regarding each piece of infrastructure proposed. As part of the overall strategies for this Plan, we are seeking to improve and integrate water sensitive design measures to align with a Water Sensitive Cities approach with the following objectives:

*Healthy - making the best of our local environment*

1. To support year-round passive and active recreation
2. To protect and enhance local waterways
3. To support urban biodiversity

*Prosperous - making changes to improve our city*

1. To improve the amenity of the urban environment
2. To create stronger connections between communities and nature
3. To improve the functionality of urban places
4. To drive increased tourism and visitation

*Resilient - making sure we are ready for challenges*

1. To make use of alternative water supplies locally to prepare for drought
2. To reduce the impacts of flooding
3. To provide pleasant and cooling environments during hot weather

A Cultural Heritage Management Plan has been undertaken with the document provided to council officers at the end of August 2020. This cultural heritage and history of the region will be interlinked with the development of the Riverfront and emphasised through design and artwork elements.

The Horsham Riverfront and recreational open spaces within the City to River Masterplan area will be a major attraction designed to create interest and attract visitation to the region and equally for use and enjoyment of Horsham residents.

**Community Engagement**

Please refer to the Final Community Engagement Report (**Appendix "9.4A"**)

**Innovation and Continuous Improvement**

The approach undertaken to develop the Stage 1 Riverfront Activation Project will be replicated for the Stage 2 City Oval Sawyer Park Precinct Plan. Feedback from Stage 1 has been favourable about the work of the CRG and the process undertaken. A formal feedback survey will be undertaken with members of the CRG to ascertain any improvements in the approach and process to continue to evolve how Council undertakes precinct planning in public spaces in a transparent and inclusive way.

**Collaboration**

The process of developing up the Concept Plan, costs and prioritization for Council to consider has been a collaborative approach between Council staff, the CRG, the Contracted Landscape Architect (Tract), stakeholders and the community. It is recognised that any one plan will not satisfy all needs and interests of the whole community, however if the majority are served well and are generally satisfied and the feedback provided improves the process, approach and plan, the CRG view this as a way forward to advance plans to the next stage.

**Financial Implications**

The overall estimated cost for the Stage 1 Concept Plan developed for the Riverfront Activation area as illustrated on the accompanying plan is \$8,898,200. The scope for Stage 1 has been developed in consultation with the Community Reference Group and informed by the response from the Public Engagement process. The Community Reference Group endorsed these priority projects at their meeting on 8 September 2020. The cost for phase 1 of stage 1 is \$2,882,500.

These works align with the description of proposed works advised in advice to funding authorities in May 2020 and provide a significant upgrade to recreational and open space facilities along the 1.1kms of Riverfront, in line with the intentions of the City to River Masterplan.

The funding available for Stage 1 of the City to River Riverfront Activation is \$3 million as outlined in the table below.

Income / Funding Source	Project Code	Budget (ex GST)
Federal Government Funding	Election Commitment	\$1,650,000
State Government Funding	RIF	\$500,000
Other – Contribution / Work in Kind	Council	\$850,000
<b>TOTAL BUDGET</b>		<b>\$3,000,000</b>

### Regional, State and National Plans and Policies

The layout of the riverfront development and specifically, the Water Play facility satisfy Sports and Recreation aspirations and guidelines for universally accessible recreation facilities.

The design of pathways and circulation, grading to suit step free access and provision of adjacent parking, is included to ensure access for all users, regardless of mobility, age or ability. Where steps are included, adjacent graded walkways are proposed.

The Shared Pathway is widened to 3 metres through the project site to allow for higher levels of traffic and increased safety with pedestrians, joggers and cyclists using the path at various times.

### Council Plans, Strategies and Policies

2020-2024 Council Plan

**Goal 1 – Community and Cultural Development:** Develop Horsham and the municipality as a diverse, inclusive and vibrant community

Four-Year Outcomes:

- 1.1 Contribute to building a vibrant, diverse and resilient community
- 1.2 Develop a safe, active and healthy community, encouraging participation
- 1.3 Contribute to cultural activities that enhance our community
- 1.4 Develop the municipality as a desirable place to live, work and enjoy for people of all ages and abilities

Four-Year Priorities:

- 1.2.09 Activate the Wimmera River Precinct for the community and visitors (including lights and greater presentation)
- 1.2.10 Plan and progressively construct shared cycling and walking track paths along the Wimmera River – from Riverside Bridge to Horsham Weir – both sides, including improvements to lighting and other facilities
- 1.2.12 Encourage the development of a riverside café

**Goal 2 – Sustaining the Economy:** Lead in sustainable growth and economic development

Four-Year Outcomes:

- 2.2 Cultivate opportunities for the municipality to prosper and pursue possibilities for new development
- 2.4 Increase visitors to the municipality
- 2.5 Promote Horsham as a regional city

**Goal 4 – Governance and Business Excellence:** Excel in communication, consultation, governance, leadership and responsible use of resources

Four-Year Outcomes:

4.1 Continuously improve communication and engagement with the community through effective consultation

The City to River Riverfront Precinct project links to the following Council Plans and Strategies:

- 2019 City to River Master Plan
- Health and Wellbeing Plan 2017–2021
- Horsham Municipal Strategic Statement
- Tourism Master Plan 2016 – 2020, 2018 review
- Horsham Economic Development Strategy 2017–2021
- Horsham Municipal Bicycle and Shared Path Plan 2012–2016

### **Risk Implications**

The Concept Plan needs to be endorsed by Council so as to proceed with funding agreement requirements (Federal and State). If not endorsed this could put this funding in jeopardy.

Damage to Council's reputation by not recognising the extensive process undertaken to develop the plan, the costs involved and the work of the CRG.

### **Conclusion**

The undertaking by the CRG to work through a complex piece of planning and engagement has been remarkable. The process has been capably led by the Chair and the CRG team. The level of engagement, feedback and iteration through the process has set a positive benchmark for how Council can undertake proactive and positive planning and engagement, even in the midst of a major global crisis.

## 9.5 CONTRACT 21-006 SUPPLY AND DELIVERY OF REPLACEMENT SIDE LOADER GARBAGE TRUCK

<b>Author's Name:</b>	Krishna Shrestha, Warren Kennedy	<b>Director:</b>	John Martin
<b>Author's Title:</b>	Manager Strategic Asset Management and Co-ordinator Fleet	<b>Directorate:</b>	Infrastructure
<b>Department:</b>	Infrastructure	<b>File Number:</b>	F13/A01/000003

### Officer Direct or indirect Conflict of Interest

Officer disclosure in accordance with *Local Government Act 2020* – Section 130:

Yes  No

**Reason:** Nil

### Status

Defined as confidential information in accordance with *Local Government Act 2020* – Section 3(1):

Yes  No

**Reason:** Nil

### Appendix

Nil (refer to confidential report on this subject)

### Purpose

To award Contract 20-006 for the replacement of an 18m<sup>3</sup> capacity Inter Mac Garbage Truck.

### Summary

- One of Council's garbage trucks, plant number 1390 was purchased in May 2005 and is due for replacement. The truck has done 448,000 km or 15,500 hrs over the 15 years period.
- Based on an assessment of fuel efficiency, maintenance costs, trade-in value and potential future major maintenance, it has been scheduled for replacement in the 2020-21 financial year. Generally, the optimum replacement frequency of well utilised Garbage truck is 8-10 years.
- The tender was advertised through the normal processes, with six companies providing responses.
- The tender evaluation recommended replacement with an Isuzu FVD165-300/Superior Pak.
- The replacement cost is to be funded from the plant reserve within the 2020-21 plant budget allocation.

### Recommendation

That Council accept the tender of Westar Truck Centre for supply and delivery of an Isuzu FVD165-300/Superior Pak at a total cost of \$318,614.79 ex GST inclusive of trade-in.

### Council Resolution

#### MOVED Cr David Grimble, Seconded Cr Josh Koenig

That Council accept the tender of Westar Truck Centre for supply and delivery of an Isuzu FVD165-300/Superior Pak at a total cost of \$318,614.79 ex GST inclusive of trade-in.

CARRIED

**REPORT****Background**

Council is currently operating four garbage trucks for routine garbage collection. One of the smaller size, 18 cubic metre, garbage trucks which was purchased in 2005 is past its useful life. This truck has travelled 448,000 km during 15,500 hours of operation. Therefore, replacement of this truck was scheduled in the 2020-21 plant replacement program. Delaying replacement of this plant could result in major parts failures and increased routine maintenance cost and reduced fuel efficiency and potential garbage collection service issues.

The tender process occurred according to Council's normal process including advertising on the Council website, in the Wimmera Mail-Times, Weekly Advertiser and The Age newspapers.

**Discussion**

A detailed tender evaluation is provided in the appendix to the confidential report on this subject. Key aspects of the report include:

- Six companies submitted tenders for 14 different products
- Council staff made site visits to assess shortlisted products as part of the tender evaluation process.
- The evaluation of tenders was based on the criteria presented in the tender specification.
- Tenders were assessed on the basis of best value to Council, and conformance with required specifications rather than the cheapest price alone.

Tender returns were received from the following six companies;

- Westar Truck Centre
- Johnsons Truck and Coach
- Ballarat Isuzu
- Patterson Cheney
- Bucher Municipal
- Whitehorse Truck Centre

The tender of Westar Truck Centre for an Isuzu FVD165-300/Superior Pak has been assessed as the best value to Council due to its conformance with the tender specification, acceptance by user group, feedback from users of similar products and various mechanical parameters. This tender was the cheapest tender.

**Options to Consider**

The tender evaluation process considered 14 options presented in the tender submissions.

**Sustainability Implications**

Replacement of the garbage truck will incorporate a Euro 6 compliant diesel engine which has reduced emissions to the environment.

**Community Engagement**

Nil



**Innovation and Continuous Improvement**

Nil

**Collaboration**

Members of the tender evaluation panel visited various suppliers in the evaluation process. The relevant staff from operation teams were consulted prior to issuing the tender specification to the market. The relevant team leader was also consulted during the evaluation process.

**Financial Implications**

The recommended tender is priced at \$318,614.79, which is within the available 2020-21 plant replacement budget for this item of \$320,000.

**Regional, State and National Plans and Policies**

Nil

**Links To Council Plans, Strategies, Policies**

2020-2024 Council Plan:

- 3.3 Maintain asset management systems that will assist planning asset maintenance and capital renewal
- 3.4 Deliver works to develop and maintain Council's physical assets for long term sustainability, amenity and safety

This garbage truck is required to be replaced to maintain Council's fleet to provide an uninterrupted waste collection service to the community.

**Risk Implications**

All tenderers included risk assessments related to the use of garbage truck as part of the information submitted with their tenders.

**Conclusion**

The tender evaluation process has assessed that the preferred replacement garbage truck is an Isuzu FVD165-300/Superior Pak tendered by Westar Truck Centre.

## 9.6 CONTRACT 21-010 SUPPLY AND DELIVERY OF REPLACEMENT TIPPER TRUCK AND TRAILER

<b>Author's Name:</b>	Krishna Shrestha, Warren Kennedy	<b>Director:</b>	John Martin
<b>Author's Title:</b>	Manager Strategic Asset Management and Co-ordinator Fleet	<b>Directorate:</b>	Infrastructure
<b>Department:</b>	Infrastructure	<b>File Number:</b>	F13/A01/000003

### Officer Direct or indirect Conflict of Interest

Officer disclosure in accordance with *Local Government Act 2020* – Section 130:

Yes  No

**Reason:** Nil

### Status

Defined as confidential information in accordance with *Local Government Act 2020* – Section 3(1):

Yes  No

**Reason:** Nil

### Appendix

Nil (refer to confidential report on this subject)

### Purpose

To award Contract 20-010 for the replacement of a Mack Tipper Truck.

### Summary

- Council's tri-axle tipper truck, plant number 1314 was purchased in 2011 and is due for replacement. The truck has done 545,700 km or 11,000 hrs over the 9 years period.
- Based on assessment of fuel efficiency, maintenance cost, trade-in value and potential future major maintenance, it has been scheduled for replacement in the 2020-21 financial year.
- The tender was advertised through the normal processes, with ten companies providing responses.
- The tender evaluation recommended replacement of the plant 1314 with a DAF CF530/AA Diesel body and trailer.
- The replacement cost is to be funded from the plant reserve within the 2020-21 plant budget allocation.

### Recommendation

That Council accept the tender of Barry Maney Group for supply and delivery of a DAF CF530/AA Diesel body and trailer at a total cost of \$258,698.55 ex GST inclusive of trade-in.

### Council Resolution

#### MOVED Cr Alethea Gulvin, Seconded Cr Pam Clarke

That Council accept the tender of Barry Maney Group for supply and delivery of a DAF CF530/AA Diesel body and trailer at a total cost of \$258,698.55 ex GST inclusive of trade-in.

CARRIED

## REPORT

### Background

Council's tri-axle tipper truck, plant number 1314 was purchased in 2011 and is due for replacement, and was included in the 2020-21 plant replacement program. Over nine years it has been utilised for 11,000 machine hours and travelled 545,700 km. Delaying replacement of this plant could result major part failure besides increased routine maintenance cost and reduced fuel efficiency.

The tender process occurred according to Council's normal process including advertising on the Council website, in the Wimmera Mail-Times, Weekly Advertiser and The Age newspapers.

### Discussion

A detailed tender evaluation is provided in the appendix to the confidential report on this subject. Key aspects of the report include:

- Ten companies submitted tenders for 34 different products
- Council staff made site visits to assess shortlisted products as part of the tender evaluation process.
- The evaluation of tenders was based on the criteria presented in the tender specification.
- Tenders were assessed on the basis of best value to Council, and conformance with required specifications rather than the cheapest price alone.

Tender returns were received from the following ten companies;

- Barry Maney
- Johnsons Truck and Coach
- Sloan Built Trailers
- CMV truck and Bus Mack
- Ballarat Isuzu
- Whitehorse Truck Centre
- The Truck Specialist
- OGR Roberts Mt Gambier
- Bendigo Truck Centre
- Scania Australia

The tender of Barry Maney for a DAF CF530/AA Diesel Body and Trailer has been assessed as the best value to Council due to its conformance with the tender specification, acceptance by the user group, feedback from users of similar products, resale value and various mechanical parameters. This tender was not the cheapest tender; one cheaper tender being under the required specifications and ranked lower in the overall assessment.

### Options to Consider

The tender evaluation process considered 34 options presented in the tender submissions, including alternative suppliers for the body build.

### Sustainability Implications

Replacement of the garbage truck will incorporate a Euro 6 compliant diesel engine which has reduced emissions to the environment.

**Community Engagement**

Nil

**Innovation and Continuous Improvement**

Some minor upgrades are incorporated in this proposal, including electrically operated tarps on the truck body and trailer.

**Collaboration**

Members of the tender evaluation panel visited various suppliers in the evaluation process. The relevant staff from operation teams were consulted prior to issuing the tender specification to the market. The relevant team leader was also consulted during the evaluation process.

**Financial Implications**

The recommended tender is priced at \$246,498.55, which is within the available 2020-21 plant replacement budget for this item, being \$280,000. Some options are proposed to be included to bring the total proposed purchase price to \$258,698.55.

**Regional, State and National Plans and Policies**

Nil

**Links To Council Plans, Strategies, Policies**

2020-2024 Council Plan

3.4 Deliver works to develop and maintain Council's physical assets for long term sustainability, amenity and safety

This Tipper Truck is required to deliver Council's road reconstruction program.

**Risk Implications**

All tenderers included risk assessments related to the use of the tipping truck as part of the information submitted with their tenders.

**Conclusion**

The tender evaluation process has assessed that the preferred replacement tipper truck and trailer is DAF CF530/AA Diesel Body and Trailer tendered by Barry Maney Group.

**9.7 DOOEN LANDFILL CELL 3 – CONSTRUCTION TENDER**

<b>Author's Name:</b>	Jared Hammond	<b>Director:</b>	John Martin
<b>Author's Title:</b>	Co-ordinator Waste and Sustainability	<b>Directorate:</b>	Infrastructure
<b>Department:</b>	Infrastructure	<b>File Number:</b>	F13/A01/000003

**Officer Conflict of Interest**

Officer disclosure in accordance with *Local Government Act 2020* – Section 130:

Yes  No

**Reason:** Nil

**Status**

Defined as confidential information in accordance with *Local Government Act 2020* – Section 3(1):

Yes  No

**Reason:** Nil

**Appendices**

Nil (refer to confidential report on this subject)

**Purpose**

To award the contract for construction of Cell 3A at the Dooen Landfill.

**Summary**

- The currently active putrescible cell at Dooen Landfill is approaching full capacity, and the construction of the next landfill cell is critical to continuity of service.
- Tenders for the construction of Dooen Landfill Cell 3A have been received, and the evaluation panel has made a recommendation for a preferred contractor.

**Recommendation**

That Council:

1. Award Contract 21-012 – Construction of Dooen Landfill Cell 3 to Shamrock Civil Engineering Pty Ltd.
2. Delegate authority to the Chief Executive to finalise post tender negotiations and details of the contract sum up to a value of \$2,450,000.

**Council Resolution****MOVED Cr David Grimble, Seconded Cr Les Power**

That Council award Contract 21-012 – Construction of Dooen Landfill Cell 3 to Shamrock Civil Engineering Pty Ltd for the contract sum of \$2,419,780.50.

CARRIED

**REPORT****Background**

Dooen Landfill is a disposal site for residual waste originating from Horsham Rural City Council, as well as Hindmarsh Shire Council, Yarriambiack Shire Council and West Wimmera Shire Council. The long term average of residual waste disposed of at the site is approximately 20,000 tonnes per annum.

Waste at the Dooen Landfill site must only be disposed of into engineered landfill "cells". These cells must be constructed in accordance with best practice guidelines, as developed by the Environment Protection Authority (EPA). A key stipulation of these guidelines is that the expected life of a cell must not exceed two years of capacity.

The most recent cell at Dooen Landfill (Cell 2) was approved by the EPA as having been constructed to best practice standards, and officially commissioned in May 2018.

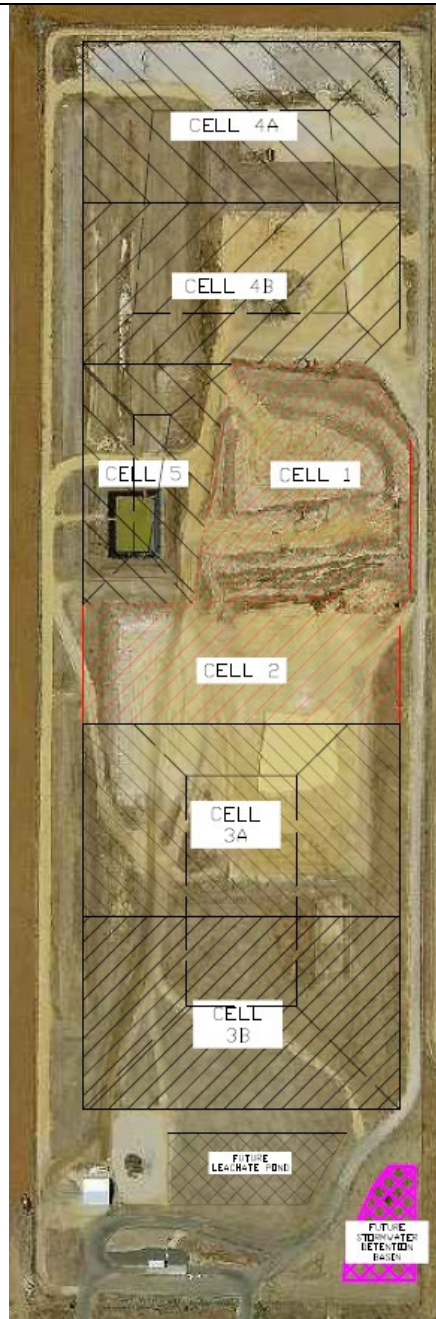
However, the process of commissioning a new cell from concept development through construction and then on to EPA approval takes approximately two years, on average. For this reason, design work on Dooen Landfill Cell 3 commenced in July 2018.

As a result, the currently active putrescible waste cell at Dooen Landfill (being Cell 2) is now approaching full capacity, and hence there is a need for construction of the next cell.

The contract to construct Cell 3A involves the following key items:

- Excavation to base profile
- Preparation / compaction of subgrade layer
- Compacted clay liner preparation for bunds
- Geosynthetic clay liner (GCL) supply and installation
- HDPE geomembrane supply and installation
- Cushion geotextile supply and installation
- Supply and installation of leachate pipework, sumps and fittings
- Supply and placement of drainage layer
- Supply and installation of separation geotextile
- Construction of surface water management infrastructure
- Construction of Leachate Pond 2

The location of Cell 3A is shown approximately in the diagram below, with Cell 2 to the north being the currently active cell.



### Discussion

Tender invitations for the construction of Cell 3 were advertised from 14 August 2020 and closed on 4 September, 2020.

Details of tenders are included in the confidential tender evaluation report. In summary, at the close of tenders seven offers were received as follows.

- EDCORP Project Solutions, Melbourne VIC
- EnviroPacific Services Limited, Notting Hill VIC
- Keystone Civil, South Geelong VIC
- Millers Civil Contractors, Horsham VIC
- Northern Constructions Group, Echuca VIC
- Shamrock Civil Engineering, Notting Hill VIC
- Winslow Constructors, Campbellfield VIC

The tender evaluation panel determined that six of the seven received tenders were conforming. The panel then evaluated them in line with the criteria nominated in the tender documents, being:

- Capability/capacity
- Compliance
- Price
- Risk management
- Local content

The panel concluded:

- That all the contractors who submitted conforming tenders would be able to complete the works to the required standards
- The highest scoring tender of Shamrock Civil Engineering would provide the best value for money.

### **Options to Consider**

An alternative approach would be to consider disposing to landfills at other locations in nearby parts of Victoria. An evaluation of alternative landfill options in 2015 concluded that continuing to operate Dooen Landfill was the most economically viable option at that time.

### **Sustainability Implications**

Dooen Landfill is an EPA licensed landfill, constructed and operated in accordance with EPA best practice standards to avoid contamination of the environment, including groundwater and air.

### **Community Engagement**

Community engagement has not been undertaken for this project, principally due to the operation of and development of the site being subject to an existing landfill licence, works approval and associated planning permit.

Activities beyond those listed in the landfill licence, works approval or planning permit would require further consultation, but as Council intends to operate within these pre-defined constraints, further consultation is not considered necessary for this project.

### **Innovation and Continuous Improvement**

The design, construction and operation of landfills in Victoria is highly regulated, and therefore there is little room for innovation or continuous improvement.

However, the Technical Specification and Construction Quality Assurance Plan for the construction of Dooen Landfill Cell 3 have been:

- Developed in accordance, and comply with all current landfill best practice guidelines
- Independently audited by a Design Verification Auditor (an EPA appointed Environmental Auditor)

### **Collaboration**

Minimal opportunities for collaboration on this project exist. However, to achieve a common goal throughout the development of this project there has been collaboration between the following Council departments or external entities:



- Strategic Asset Management (HRCC)
- Waste Operations (HRCC)
- GHD (Design Consultant)
- EHS Support (Environmental Auditor - Design Verification Auditor)
- Environment Protection Authority Victoria

**Financial Implications**

The estimated cost of construction for Cell 3 was anticipated to be \$2.4 million. This amount has been budgeted for expenditure in the 2021 financial year, as informed by the long term capital works program for Dooen Landfill.

All tenders as-received are within this budget amount.

However, late in the tender process a significant quantity error was noted by Council staff and referred to the designer for rectification. This error was discovered at such a late stage in the open tender period that tenderers could not have reasonably adjusted their submissions within the time remaining. The tender was closed on schedule, and tenders were evaluated based on the submissions as-received, but with the intention of entering post-tender negotiations with the preferred contractor once evaluated.

A review was conducted of tenders comparing the as-submitted pricing with those resulting from the amended quantities, and no material change in tender evaluation ranking would have occurred due to the change in quantities.

With the amended quantities to be reconciled in post-tender negotiations, the awarded contract sum is anticipated to be \$2,419,800.

The quantity error discovered related to the apportionment of construction works to occur on Cell 3A as compared to Cell 3B. Works that had previously been defined as forming part of future Cell 3B works, are actually required to be constructed in conjunction with Cell 3A.

The variation in quantities is such that the relevant increase in expenditure for Cell 3A, will result in a commensurate reduction of expenditure required for the construction of Cell 3B in the near future. Therefore, the sum of \$2,419,800 should still be considered as acceptable despite exceeding the budgeted amount for this project.

**Regional, State and National Plans and Policies**

Construction of the landfill cell is in accordance with Victorian regulations as described above. The new Victorian Government recycling policy aims to reduce the quantity of material disposed to landfills, but they will continue to be required for the time being.

**Council Plans, Strategies and Policies****2020-2024 Council Plan**

- 3.2 Ensure projected financial and physical programs reflect infrastructure needs
- 5.1 Promote sustainability by encouraging sound environmental practice

**Risk Implications**

Any delays in the commissioning of Cell 3A are considered to be high risk. Failure to ensure that the program remains on track may lead to a temporary closure of Dooen Landfill, with significant financial impacts on Horsham Rural City Council, surrounding municipalities and local waste businesses.

Risks during the construction of Cell 3 will be managed through a comprehensive set of controls, hold points and tools. These are framed up in a number of components of the construction documentation, such as the Construction Quality Assurance Plan and the Technical Specification.

An example of these risk management measures, is the requirement for an independent Construction Verification Auditor (appointed under Section 53 of the *Environment Protection Act 1970*) to approve all as-constructed works on site.

Additionally, there are a range of other controls and measures in place to manage risk, such as:

- Independent full time site construction supervision
- Independent geotechnical testing
- Product manufacturer quality assurance testing
- Independent product quality assurance testing

**Conclusion**

A strong tender response has given Council a competitive outcome for the construction of a new cell at Dooen Landfill.

## 9.8 ZERO CARBON PLAN AND CLIMATE CHANGE PLEDGE

<b>Author's Name:</b>	Jared Hammond	<b>Director:</b>	John Martin
<b>Author's Title:</b>	Co-ordinator Waste and Sustainability	<b>Directorate:</b>	Infrastructure
<b>Department:</b>	Infrastructure	<b>File Number:</b>	F17/A11/000001

### Officer Conflict of Interest

Officer disclosure in accordance with *Local Government Act 2020* – Section 130:

Yes  No

**Reason:** Nil

### Status

Defined as confidential information in accordance with *Local Government Act 2020* – Section 3(1):

Yes  No

**Reason:** Nil

### Appendices

Zero Net Emissions Action Plan (**Appendix "9.8A"**)

Greenhouse Gas Emissions Inventory (**Appendix "9.8B"**)

### Purpose

To adopt the Zero Net Emissions Action Plan.

### Summary

The 2020-2024 cites Council's ongoing commitment to reduce its carbon footprint and lead through example with energy efficiency initiatives. This Zero Net Emissions Action Plan is being prepared to achieve this goal.

Ironbark Sustainability was appointed to develop a plan related to Council's greenhouse emissions, to:

- Establish a target that it would commit to, and
- Establish a pathway to achieve that target.

This was achieved by first establishing a baseline carbon footprint, by way of a greenhouse gas emissions inventory. This inventory captured emissions from a multitude of sources, such as those from electricity, gas and transport.

This baseline carbon emissions footprint was then reviewed against a "science derived target"; a target that represents a scaled proportion of world emissions, as relevant to Horsham Rural City Council. From this, the required reduction in emissions was established.

With further review of Council emission sources, opportunities for reduction of carbon emissions were identified and business cases for each significant opportunity were developed.

**Recommendation**

That Council:

1. Commit to a "*Science derived emissions target*" as its target for greenhouse emissions, and to reduce carbon emissions by 3.5% (221 tonnes of carbon dioxide equivalent) per year until 2050 representing a total reduction of 100% over that time
2. Adopt the Zero Net Emissions Action Plan to achieve that target.

**Council Resolution**

**MOVED Cr Pam Clarke, Seconded Cr Josh Koenig**

That Council:

1. Commit to a "*Science derived emissions target*" as its target for greenhouse emissions, and to reduce carbon emissions by 3.5% (221 tonnes of carbon dioxide equivalent) per year until 2050 representing a total reduction of 100% over that time
2. Adopt the Zero Net Emissions Action Plan to achieve that target.

LOST

**Cr Mark Radford called for a division of Council****For the Motion:**

Cr Les Power

Cr Pam Clarke

Cr Josh Koenig

**Against the Motion:**

Cr David Grimble

Cr John Robinson

Cr Alethea Gulvin

Cr Mark Radford

**MOVED Cr David Grimble, Seconded Cr Alethea Gulvin**

That the incoming Council be briefed on the Zero Carbon Plan and related documents.

CARRIED

## REPORT

### Background

The Council Plan identifies a commitment to continually reduce its carbon footprint, but without a defined approach for doing so.

Whilst Council has committed to various sustainability initiatives in recent times, such as the Local Government Energy Saver Program and various solar installations, these projects have been delivered in the absence of long term objectives or context. The Zero Net Emissions Action Plan aims to give context to these project types, and ensure that they are delivered in accordance with long term Council goals.

### Discussion

Development of the Zero Net Emissions Plan identified the following objectives that Council might aim to achieve:

- Demonstrate leadership to the community in emissions reductions and climate change management
- Pursue opportunities that are evidence-based and potentially innovative or unique to Horsham
- Implement projects that demonstrate cost-savings and good value to Council
- Follow the emissions reduction hierarchy
- Participate in collaborative efforts for emissions reduction initiatives with regional council groups, State Government and other key stakeholders where strategic alignment, efficiency or an opportunity to play a leadership role is demonstrated

These objectives are to be achieved by way of three key items:

- Establishment of a baseline Greenhouse Gas Emissions Inventory
- Commitment to a target for the reduction in emissions
- Implementation of an emissions reduction action plan

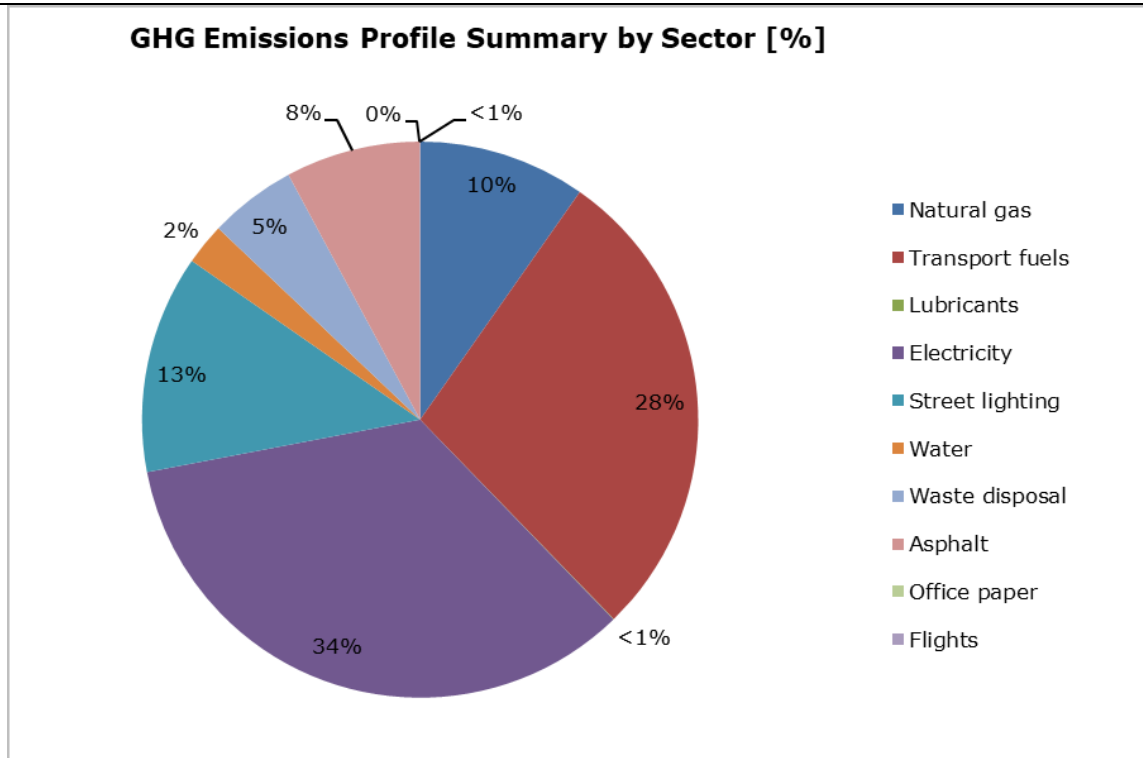
### Greenhouse Gas Emissions Inventory:

The majority of Council's measured emissions come from electricity consumption (34%), which includes Council's own corporate electricity consumption, as well as consumption by community and commercial organisations utilising Council-owned assets.

The second most significant emissions source is Council operated transport fuels, which account for 28% of total emissions. This figure covers emissions from diesel, petrol, and LPG consumed by Council's fleet of vehicles and plant, with 20% of the total emissions profile generated by diesel fleet vehicles.

Electricity consumption from public street lighting is the third most significant emissions source and makes up 13% of emissions.

This is followed by natural gas from buildings (10%) and emissions from road making materials (8%). Emissions from Council's own waste disposal (5%) and water (2%) are relatively minor, while the contribution of emissions from all other sources is negligible.



Note that emissions from the Dooen Landfill site have been excluded from the inventory total and the figure above. Emissions from landfill will instead be addressed in a separate waste strategy, as a reduction in these requires community-wide action, i.e. not just Council itself. If they were to be included, emissions from landfill would account for 14,411 tCO<sub>2</sub>-e, or 70% of the inventory.

#### Science derived emissions target:

Based on HRCC's corporate inventory for the year 2018-19, a science-derived target (SDT) has been developed which maps an emissions reduction trajectory to zero emissions by 2050. The target has been calculated in alignment with Australia's national carbon budget and is supported by international climate science.

At the United Nations Framework Convention for Climate Change (UNFCCC) Paris Conference in 2015, the Australian Government signed an international agreement between 195 countries to keep any temperature rise "well below 2°C", and to drive efforts to keep warming below 1.5°C higher than pre-industrial levels. This Paris Agreement, entered into force on 4 November 2016, explicitly recognises and engages local and subnational governments and their critical role in supporting the transformation, including setting goals and strategies aligned with the science.

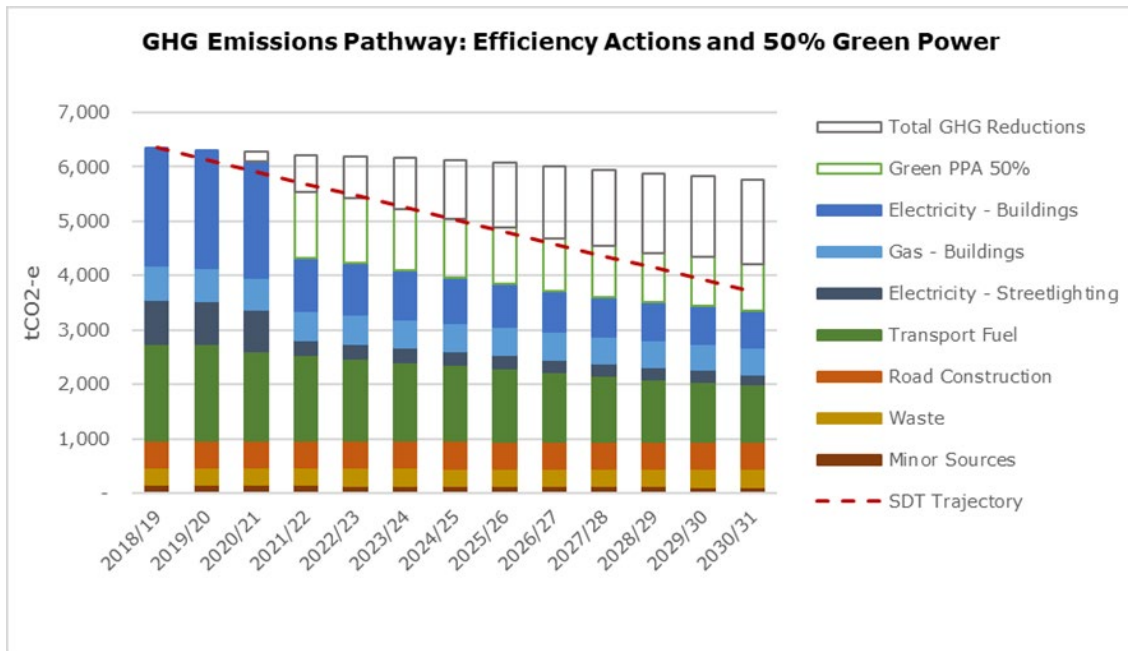
In becoming a signatory to the Paris Agreement, Australia has a limited, established carbon budget within which to operate in order to meet its commitment to remaining within 2°C of warming on pre-industrial levels. The development of a science-derived target for a council or organisation enables us to understand the scale of action that is required to stay within this budget.

An emissions reduction target for an organisation, entity or community is considered "science-derived" or "science-based" when it is aligned with the broader emissions reduction required to keep global temperature increase below 2°C compared to preindustrial temperatures, as described in the Fifth Assessment Report of the Intergovernmental Panel on Climate Change (IPCC).

The targets to be adopted in the Action Plan are reflective of all of the above.

### Action Plan:

The Zero Net Emissions Action Plan outlines emissions reduction actions to be implemented over the period to 2030-31. These actions will enable HRCC to meet the interim target of 42% reductions against the 2018-19 baseline by 2030-31 and set Council on a trajectory to achieve zero net emissions by 2050 if not sooner.



A cost benefit analysis has been carried out to explore the opportunity presented by different emissions reduction actions across Council's operations. The analysis calculated the estimated capital costs, cost savings and emissions savings for each action, as well as assessing each action based on the objectives of the plan as outlined above.

The actions identified in this plan and associated business cases are summarised as follows:

Action Area	Impact (t CO <sub>2</sub> e/year)	Cost	NPV Savings over Lifetime	Net
Energy efficiency for buildings and facilities	753	\$909,000	\$2,768,000	\$1,859,000
Low emissions vehicle fleet	531	\$3,203,000	\$1,907,000	-\$1,296,000
Solar for buildings and facilities	298	\$390,000	\$467,000	\$77,000
Energy efficiency for public lighting	213	\$860,000	\$458,000	-\$402,000
<b>TOTAL</b>	<b>1795</b>	<b>\$5,362,000</b>	<b>\$5,600,000</b>	<b>\$238,000</b>

Detailed project planning will be required to scope individual projects within this action plan. This scoping will build upon the preliminary information included in **Appendix "9.8B"** to the Zero Net Emissions Plan.

#### Beyond 2031:

To continue the trajectory towards zero emissions beyond the dates in the current iteration of the action plan, further periodic revisions of the action plan will need to occur, and it is suggested by the plan that this review occurs every five years.

It is likely that at some point, a detailed investigation into the purchase of carbon offsets will be required. This is due to the probability that Council will not ever be able to completely remove all contributing elements to carbon emissions, and thus necessitating the purchase of "carbon offsets" to balance these residual emissions.

Carbon offsets fall at the bottom of the emissions reduction hierarchy and have not been incorporated into Council's GHG reduction pathway for the life-cycle of this Plan. This is because Council is able to remain within the science-derived target trajectory through energy efficiency actions and purchased renewables. At such a time where Council pursues a zero net emissions target or a carbon neutral target, which will be required by 2040 according to the science-derived target, it is likely that carbon offset purchases will be required to cover all remaining emissions.

When offsetting carbon emissions there are a number of options available. The most obvious and common way to offset emissions is to purchase offsets through a certified provider. These offsets vary greatly in price and in quality, but there are a number of reputable providers. This is the only way to offset emissions that is allowed under Climate Active, the Australian Government's carbon neutrality certification program.

Council may choose to purchase ACCUs, international Verified Carbon Offsets (VCUs) or a combination of both. At the time of preparing this report, the latest spot price published by the Clean Energy Regulator for ACCUs was \$16.40/tCO<sub>2</sub>e.

Many councils have a preference for purchasing Australian offsets due to perceived superior quality and because there is greater knowledge of the regulation surrounding the production of these offsets. However, VCUs can typically be purchased at a much cheaper rate than ACCUs and are also subject to regulation and approval. The price for international offsets can vary greatly, but at the time of preparing this report, Australian councils had secured offsets for prices varying from \$2/tCO<sub>2</sub>e - \$3.50/tCO<sub>2</sub>e.

Offsets should be considered the final option for emissions abatement, following energy conservation, energy efficiency, onsite renewables and purchased renewables, in line with the emissions reduction hierarchy.

#### **Options to Consider**

Council is not compelled to commit to a reduction at this time, nor the implementation of the Zero Net Emissions Action Plan.

Council could also potentially commit to a more significant carbon reduction target that exceeds that noted above. Whilst this would yield further positive environmental benefit, doing so would come at a higher financial cost.



Subsequent Councils will have the opportunity to review the targets as part of the proposed five-year reviews of the Action Plan.

**Sustainability Implications**

The Zero Net Emissions Plan is a direct response to Council's commitment to sound environmental practice, as per the Council Plan 2020-2024.

**Community Engagement**

Community engagement has not been undertaken at this stage, principally due to the focus on corporate emissions for the first iteration of the Zero Carbon Action Plan.

The option to pursue a higher target could be explored during preparation of the Community Plan in the new Council term.

This report was presented for discussion at the Councillor briefing session on 7 September 2020.

**Innovation and Continuous Improvement**

Prior to commencement of the Greenhouse Gas Inventory component of this project, Council did not have robust data collection platforms in place to capture greenhouse emissions data from all relevant sources. Throughout the development of the Greenhouse Gas Inventory, a tool to assist in reporting greenhouse gas emissions (and the results of reduction actions) was been developed.

It is anticipated that in the first few years of capturing data to report our greenhouse gas emissions, further improvements will be made to internal data collection and management systems to streamline this process.

As improvements are made to the data collection aspect of reporting greenhouse gas emissions, improvements can and will be made that will also assist in the ongoing management of our greenhouse gas impact.

Additionally, the planned period of revision for the Zero Net Emissions Action Plan allows for new techniques to be investigated and potentially implemented, with the aim being to continually advance our carbon reduction approach.

**Collaboration**

Development of the Zero Net Emissions Action Plan required consultation and collaboration with many internal departments of Council.

Information collected to establish the baseline greenhouse gas emissions inventory sought information from the following Council units:

- Waste and Sustainability
- Waste Operations
- Asset Management
- Fleet
- Buildings and Facilities
- Finance
- Operations
- People and Culture

**Financial Implications**

The actions identified in the plan are intended to deliver a return on investment, which in effect enables the investments to be self-funded. Seed funding for these investments is sourced from Council's sustainability reserve.

Some components of the action plan, e.g. low emissions vehicles, are not by themselves self-funding, however other factors require Council to pursue this approach. For example, it is likely that the production of internal combustion / diesel engines will be significantly reducing by around 2030, with some countries already announcing a ban on these by that year. With a large vehicle fleet, a gradual investment in electric vehicles will enable a phased-in investment approach which will limit the impact of a requirement for a spike in capital expenditure in a particular year.

Should Council alternatively choose to completely reduce emissions to zero solely by way of purchasing offsets, based on current pricing for (ACCU) offsets and the current Horsham Rural City Council emissions profiles, this would represent a cost to Council of \$104,140 per annum ongoing.

**Regional, State and National Plans and Policies****National:**

The Intergovernmental Panel on Climate Change (IPCC), the leading authority on current climate change scientific knowledge, has developed long-term emission scenarios which show a range of potential emissions trajectories and impacts based on highly detailed and rigorous modelling. These scenarios indicate the maximum total emissions allowable to limit the increase in global average temperatures to 2°C, which is considered the threshold for avoiding dangerous climate change.

This budget has then been scaled to Australia by the Australian Government's Climate Change Authority (CCA).

The 2018-19 GHG inventory presented in Section 3.2 is used to connect the activities of HRCC to the national carbon budget developed by the CCA through apportioning the national budget.

**State:**

The Victorian State Government's *Climate Change Act 2017* sets a strong, clear pathway for Victoria by legislating a target of net zero emissions by 2050 and provides a clear signal to all sectors of the Victorian economy for sustained and significant actions to reduce emissions.

The Act also contains provisions for Councils to submit a voluntary Council Pledge to recognise the substantial efforts of local governments towards this shared objective.

The Act specifies that a Council Pledge must describe Council actions over the 2021-2025 period, that are reasonably expected to reduce emissions caused or otherwise influenced by Council, and where possible include reasonable estimates resulting emissions reductions.

Commitment to the emissions reduction target and adoption of the Zero Net Emissions Action Plan as proposed by this report will enable such a pledge to be considered by Council at a later date.

## Council Plans, Strategies and Policies

### 2020-2024 Council Plan

Look to reduce Council's carbon footprint and lead through example with energy efficiency initiatives

- 3.4 - Deliver works to develop and maintain Council's physical assets for long term sustainability, amenity and safety
- 5.1 - Promote sustainability by encouraging sound environmental practice
  - 5.1.01 - Investigate opportunities for the use of renewable energy for Council facilities including solar panels where feasible on Council buildings and facilities
  - 5.1.02 - Review Council's Environment Sustainability Strategy and lead the community in environmentally sustainable practices to improve management of our natural environment
  - 5.1.03 - Develop a Climate Change Response Strategy for Council operations.
  - 5.1.05 - Establish a sustainability reserve for the ongoing funding of sustainability related projects

Further, the *Local Government Act 2020* includes the following in section 9:

*9 (2) The following are the overarching governance principles—*

*...*

*(b) priority is to be given to achieving the best outcomes for the municipal community, including future generation;*

*(c) the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted; ..."*

## Risk Implications

The following key risks have been identified:

- that further scoping will show less benefit than predicted, requiring further work or investment to offset carbon emissions
- that Council will experience diminishing returns as projects with high returns on investment are implemented.

These risks are to be mitigated by periodic revisions of the action plan every five years, and detailed investigations into the option of purchasing Carbon Offsets.

## Conclusion

The Zero Net Emissions Action Plan presents a means for Council to reduce its carbon footprint to zero by 2050.

## 9.9 CONCRETING SERVICE CONTRACT 20-020 – PANEL OF CONTRACTORS

<b>Author's Name:</b>	Mazen Aldaghstani	<b>Director:</b>	John Martin
<b>Author's Title:</b>	Manager Engineering Services	<b>Directorate:</b>	Infrastructure
<b>Department:</b>	Engineering Services	<b>File Number:</b>	F13/A01/000003

### Officer Conflict of Interest

Officer disclosure in accordance with *Local Government Act 2020* – Section 130:

Yes  No

Reason: Nil

### Status

Defined as confidential information in accordance with *Local Government Act 2020* – Section 3(1):

Yes  No

Reason: Nil

### Appendix

Nil (refer to confidential report on this subject)

### Purpose

To award a concreting service contract to a panel of contractors for the maintenance and renewal works needed for Council infrastructure assets e.g. footpath, kerb and channel and roadworks.

### Summary

- Council has an ongoing need for concreting works for a range of community assets.
- Previously, Council has sought quotes for individual concreting works on a job-by-job basis.
- Preparing a concreting services contract leads to efficiency in the delivery of these services and ensures probity in the procurement process.
- Public tenders were sought for this contract through Council's normal procurement processes.
- Three responses were received, and a panel of preferred tenderers has been identified/recommended to be accepted as a provision of the required concreting services.

### Recommendation

That Council accept the tenders submitted by AWS Services Victoria, Jeni Associate Pty Ltd, and MF and JL Willmore Contractors, as a panel of contractors for the Concreting Services Contract.

### Council Resolution

#### MOVED Cr Pam Clarke, Seconded Cr Alethea Gulvin

That Council accept the tenders submitted by AWS Services Victoria, Jeni Associate Pty Ltd, and MF and JL Willmore Contractors, as a panel of contractors for the Concreting Services Contract.

CARRIED

**REPORT****Background**

Council uses contractors to supplement in-house staffing for a range of concrete works, including for footpath replacement, kerb and channel repair/replacement, and a range of road and drainage works.

Up to now, Council has undertaken separate quotation processes for each job. In some cases, this has meant that over a period of a year, some contractors have had repeat contracts with accumulated values that exceed thresholds in Council's procurement policy. For this reason, and to obtain best value, a contract has been proposed with a panel of service providers.

Typical expenditure on maintenance and renewal concreting works is around \$250,000 per year. However, this year, with the commitment to repair the footpath defects backlog, the likely expenditure is estimated to be around \$450,000.

**Discussion**

A detailed tender evaluation report is provided in the appendix to the confidential report on this subject. Key aspects include:

- Council received three bids for the reconstruction/rectification of Council infrastructure assets
- the evaluation of tenders was based on the criteria as presented in the tender documents

The panel members evaluated the tender returns on the basis of unit prices provided for undertaking a variety of tasks related to civil and construction activities.

AWS Services Victoria was able to demonstrate the best value tender application, followed by Jeni associates, then Willmore.

The aim of this process is to form a panel of qualified and approved contractors to enable identifying, selecting and engaging those contractors on the following basis for each parcel of work:

- unit prices provided for particular activities
- the availability and the current workload of each contractor
- size of projects/ activities.

Accordingly, all tenderers are assessed as being suitable to be on the panel.

**Options to Consider**

Not awarding a contract would mean that works would only be done in-house, limiting the extent of work that could be done each year.

**Sustainability Implications**

Nil

**Community Engagement**

The key communication aspect with these projects will be the interaction between the appointed contractors, Council's project supervisor and the adjacent landowners. Council has standard arrangements in place for this communication.

This report was presented for discussion at the Councillor briefing session on 7 September 2020.

**Innovation and Continuous Improvement**

The appointment of a panel of contractors should lead to cost efficiencies.

**Collaboration**

Not applicable.

**Financial Implications**

The budget for works under this contract is provided in individual project budgets. Estimated expenditure is about \$450,000 for the 2020-21 financial year, and around \$250,000 in subsequent years.

**Regional, State and National Plans and Policies**

Not applicable.

**Council Plans, Strategies and Policies**

2020-2024 Council Plan

3.4 Deliver works to develop and maintain Council's physical assets for long term sustainability, amenity and safety

**Risk Implications**

Standard construction risks will apply. Supervision of works will be conducted by Council officers to manage these risks.

Council officers will be asking the successful contractors to provide their work methodology and progressively update their OH&S plan to address Covid-19 requirements and identify their risk control measures.

**Conclusion**

Awarding the concreting service contract to a panel of contractors will provide more efficient services and ensure procurement probity.

## 9.10 COUGHLIN PARK BOWLING GREENS CONTRACT

<b>Author's Name:</b>	Dianna Blake	<b>Director:</b>	John Martin
<b>Author's Title:</b>	Acting Coordinator Project Office	<b>Directorate:</b>	Infrastructure
<b>Department:</b>	Engineering Services	<b>File Number:</b>	F04/A06/000001

### Officer Conflict of Interest

Officer disclosure in accordance with *Local Government Act 2020* – Section 130:

Yes  No

Reason: Nil

### Status

Defined as confidential information in accordance with *Local Government Act 2020* – Section 3(1):

Yes  No

Reason: Nil

### Appendix

Coughlin Park Precinct Design (**Appendix "9.10A"**)

Club commitment for any cost over-run (**Appendix "9.10B"**)

Coughlin Park Bowling Green Evaluation Report (Refer to confidential report)

### Purpose

To award a contract for the installation of new synthetic bowling greens at Coughlin Park Bowls Club, Horsham.

### Summary

- This is a collaborative project between Council and the Coughlin Park Bowls Club to enhance the sustainability of one of Horsham's largest bowling clubs, and to increase accessibility and participation in the sport of lawn bowls.
- Coughlin Park Bowls Club is the only remaining bowls club in Horsham without synthetic playing surfaces.
- Coughlin Park Bowls Club is providing a cash commitment of \$104,900 to support the project and \$13,100 in-kind contribution, and will benefit from increased participation and programming, as well as enhanced financial sustainability.
- A funding application for \$250,000 through the Community Sports Infrastructure Fund was successful.
- Council's financial contribution is \$10,000 funded through the Community Grants program, along with significant in-kind support in terms of project management, procurement management, technical support and grants reporting (\$18,900 in-kind contribution from Council).
- Council supports the sustainability of one of Horsham's key lawn bowling assets and also supports the environmental benefits of the project in terms of reduced water consumption and zero ongoing chemical usage.

### Recommendation

That Council award the contract for installation of new synthetic bowling greens at Coughlin Park Bowls Club to Berry Bowling Systems for \$350,701 ex GST.

### Council Resolution

#### **MOVED Cr Josh Koenig, Seconded Cr Pam Clarke**

That Council award the contract for installation of new synthetic bowling greens at Coughlin Park Bowls Club to Berry Bowling Systems for \$350,701 ex GST.

CARRIED

## REPORT

### Background

The installation of two new synthetic greens at Coughlin Park Bowls Club will benefit the bowling club as well as other sporting clubs, schools and the general community that use the facility. This installation will:

- Address limitations created by the maintenance requirements of a grass surface
  - The installation of synthetic surfaces will immediately enable the doubling of opportunity for participation in the sport with activity expanding into the months of April - September.
  - It is estimated that participation hours will more than double (almost triple) following the installation of synthetic surfaces.
  - The bowling greens will be available for 12 months of the year and the club will extend formal scheduling of competitions from 6 to 10 months. Synthetic surfaces also require regular maintenance but are available for a higher level of usage than grassed surfaces. Maintenance responsibilities are less specialised and restrictive and are more able to be shared amongst members of the club.
- Increase female participation
- Increase collaboration with schools
- Increase access to the sport and provide new participation opportunities
- Increase opportunities for active recreation
- Enable the club to host finals and major matches
- Incorporate environmental sustainability measures to improve amenity of the sport
  - Average annual savings include: \$6,000 for the purchase of chemicals for greens maintenance, \$7,000 for maintenance and repair of greens machinery and \$4,000 for payment of a greens keeper and turf specialist advice. A further saving of \$2,500 is expected because of the reduced quantity of water required for the synthetic surface.

### Discussion

A detailed tender evaluation report is provided in the appendix to the confidential report on this subject. This evaluation has been conducted in accordance with Council's procurement policy, and recommends award of the contract for the works to Berry Bowling Systems.

### Options to Consider

- Award contract as per recommendation
- or
- Do not award the tender

### Sustainability Implications

Standard construction management practices will minimise environmental risks.

The chemicals currently used in the green keeping process for the existing turf greens will no longer be required in maintenance of the synthetic greens, resulting in 100% elimination of this chemical usage.

Water usage required will drop by around 4,000,000 litres per year.

### Community Engagement

This project has been developed in consultation and collaboration with all the user groups and key stakeholders, including many at regional and state level:



- Coughlin Park Bowls Club
- Coughlin Park Committee of Management
- Bowls Australia
- Wimmera Bowls Division
- Wimmera Regional Sports Assembly
- Horsham Golf Bowls Club
- St Michaels Tennis Club
- Emma Kealy MP
- Anne Webster MP
- St Brigid's College
- Sport and Recreation Victoria
- Horsham City Bowling Club
- Horsham Saints Football Club
- Sunnyside Sporting Club

All stakeholders were in favour of the proposal to replace two grass bowling greens with a synthetic surface, and documented the opportunities that this would bring to their respective organisations and participants.

A preliminary version of this report was presented to the Councillor briefing meeting on 7 September 2020.

### **Innovation and Continuous Improvement**

Not applicable

### **Collaboration**

Refer funding in the following section.

### **Financial Implications**

Council received a grant of \$250,000 through Sports and Recreation Victoria for the design and construction of two synthetic bowling greens. The Coughlin Park Bowls Club has committed a cash contribution of \$104,900 and an in-kind contribution of \$13,100. Council budgeted for a \$10,000 cash contribution to the project through its Community Grants program, together with significant in-kind support in terms of project management, procurement management, technical support and grants reporting.

• Grant from SRV:	\$250,000	
• Club cash contribution:	\$104,900	
• Club in-kind contribution	\$ 13,100	
• HRCC cash contribution:	\$ 10,000	Total \$378,000
• HRCC in-kind contribution	\$ 18,900	@5% of Total for Project Management Technical & Grant Preparation

The total funding for the project is therefore \$396,900.

Funding beyond the contract amount is required for the installation of the accessible permanent concrete ramp to one green, which is not part of the scope of the contracted works.

Council has received a letter from the Club committing to the timelines of payment for their cash contribution, and accepting responsibility for any cost overruns (refer Attachment B). Council has received financial statements from the Club showing their ability to meet the payments to support the works to be contracted.

**Regional, State and National Plans and Policies**

The 2017 Regional Investment Plan recognises the value of water saving projects such as this as follows (p4):

*Water savings are committed to the sustainable management of the region's river systems, enabling the conservation of environmental values and securing the future viability of the whole catchment.*

**Council Plans, Strategies and Policies**

The project is strategically supported by key Council planning documents, particularly in relation to supporting a healthy and active community:

- Council Plan 2020-2024
  - Goal 1.2 Develop a safe, active and healthy community, encouraging participation
    - P 19 “on an ongoing basis Council will support sporting and community organisations to develop and upgrade community sport and recreation facilities through relevant funding programs in accordance with the Sport and Recreation Plan and other Council Plans”
  - Goal 5.1 Promote sustainability by encouraging sound environmental practice
- Council Health & Wellbeing Plan 2017-2021
  - Action 3 – Support and promote active living programs and ensure diversity in offerings to cater for all needs and groups
  - 3.7 – Developing and maintaining facilities and open spaces (e.g. sporting grounds, parks and gardens) which support social connection and physical activity opportunities for individuals and community groups.

**Risk Implications**

Standard construction risks apply. Supervision of works will be conducted by Council officers to manage these risks.

**Conclusion**

The tender process yielded a suitable tender for the design and construction of synthetic greens at Coughlin Park Bowls Club, which can be delivered within the available budget.

## 9.11 AWARD OF PROVISION OF TYRES, BATTERIES AND ASSOCIATED SERVICE CONTRACT

<b>Author's Name:</b>	Krishna Shrestha, Warren Kennedy	<b>Director:</b>	John Martin
<b>Author's Title:</b>	Manager Strategic Asset Management and Co-ordinator Fleet	<b>Directorate:</b>	Infrastructure
<b>Department:</b>	Strategic Asset Management	<b>File Number:</b>	F13/A01/000003

### Officer Conflict of Interest

Officer disclosure in accordance with *Local Government Act 2020* – Section 130:

Yes  No

**Reason:** Nil

### Status

Defined as confidential information in accordance with *Local Government Act 2020* – Section 3(1):

Yes  No

**Reason:** Nil

### Appendix

Nil (refer to confidential report on this subject)

### Purpose

To award the contract for the provision of tyres, batteries and associated services.

### Summary

- Council procures tyres and associated services with an annual value of approximately \$200,000.
- Contracting with a panel of preferred suppliers gains better pricing and availability of items to suit Council's needs.
- Public tenders for such a contract were sought and evaluated through Council's normal procurement processes.
- A good response was received to the tender with significant local content.
- Four local suppliers have been identified as preferred suppliers, with an order of preference.

### Recommendation

That Council award contract 20-018 provision of tyres, batteries and associated services to the following four companies at the rates nominated in their tender submissions:

- Tyreright
- Beurepaires/Goodyear
- Horsham Tyre and Battery
- Tyrepower

**Council Resolution**

**MOVED Cr Pam Clarke, Seconded Cr Alethea Gulvin**

That Council award contract 20-018 provision of tyres, batteries and associated services to the following four companies at the rates nominated in their tender submissions:

- Tyreright
- Beaurepaires/Goodyear
- Horsham Tyre and Battery
- Tyrepower

CARRIED

**REPORT****Background**

Council requires tyres and associated services annually to run its fleet which is an integral part of Council's operations. Council purchases about \$200,000 per annum on these items.

Currently, council is getting quotes for each tyre related purchase, which is slow and inefficient. Moreover, the cumulative amount of procurement reaches beyond the quotation threshold. Thus, Council went to market to form a panel of suppliers for tyres and associated services.

Access to a panel of suppliers gives Council the ability to compare prices and quality of the product and service offered from various suppliers.

**Discussion**

The details of the tender evaluation process are included in the appendix to the confidential report on this subject.

Tenders were advertised through the normal process, including via Council's website (tender portal) and the Wimmera Mail-Times. A total of five tenders were received, of which one did not conform to the specification requirements.

Suppliers were evaluated on a range of parameters, including availability of plant items and price. The price evaluations were conducted by developing a spreadsheet comparing the price of the ten most used items of plant. It should be noted that no supplier tendered on being able to provide tyres for all items of plant sought by Council.

The four nominated companies, listed below, were found to have the combination of range of products and services, availability and pricing to best suit Council's needs:

- Tyreright
- Beaufort/Goodyear
- Horsham Tyre and Battery
- Tyrepower

**Options to Consider**

Alternative contracting or quotation arrangements would be difficult to deliver within the requirements of Council's procurement policy.

**Sustainability Implications**

Nil

**Community Engagement**

No community consultation occurred on this tender. Regular communication with contracted suppliers will occur to ensure the timely availability of tyres and associated services.

This report was presented for discussion at the Councillor briefing session on 7 September 2020.

**Innovation and Continuous Improvement**

A panel supply contract will lead to more efficient purchasing.

**Collaboration**

Nil

**Financial Implications**

Plant items that need renewal or maintenance of tyres are costed to the plant maintenance cost centre against the particular plant item number. There is no single budget line for tyre replacement.

The typical annual spend on tyres and associated services is approximately \$200,000.

**Regional, State and National Plans and Policies**

Nil

**Council Plans, Strategies and Policies**

2020-2024 Council Plan

3.4 Deliver works to develop and maintain Council's physical assets for long term sustainability, amenity and safety.

The tyre tender contract will facilitate this outcome.

**Risk Implications**

The significant fluctuation of market price for raw materials of tyres may impact on the pricing schedule.

**Conclusion**

A panel of supplier of tyres and associated services will provide the opportunity to select items from multiple suppliers to get the right and cheapest product for a particular fleet item. This enhances Council's level of compliance with procurement policy whilst producing efficiency due to reduction in administrative cost in obtaining quotation for similar services.

**10. COUNCILLOR REPORTS AND ACKNOWLEDGEMENTS**

The Councillor Reports and Acknowledgements have been postponed to the 28 September 2020 Council meeting.

**11. URGENT BUSINESS**

Nil



## 12. PETITIONS AND JOINT LETTERS

### 12.1 HOMERS COURT PETITION

<b>Author's Name:</b>	Kevin O'Brien	<b>Director:</b>	Kevin O'Brien
<b>Author's Title:</b>	Director Communities & Place	<b>Directorate:</b>	Communities & Place
<b>Department:</b>	Investment Attraction & Growth	<b>File Number:</b>	F24/A04/000001

#### Officer Conflict of Interest

Officer disclosure in accordance with *Local Government Act 2020* – Section 130:

Yes  No

**Reason:** Nil

#### Status

Defined as confidential information in accordance with *Local Government Act 2020* – Section 3(1):

Yes  No

**Reason:** Nil

#### Appendix

Homers Court Petition (**Appendix "12.1A"**)

#### Purpose

To present a petition in relation to Planning Permit Application PA2000013 - Development and Subdivision at 9 Homers Court, Horsham.

#### Summary

- A petition has been received from approximately 19 petitioners concerning Planning Application PA2000013 (9 Homers Court).
- Council's Local Law No 1 outlines the process in which petitions are to be handled.
- A planning application made in relation to 9 Homer Court is listed on tonight's agenda.

#### Recommendation

That Council note that the petition in relation to 9 Homers Court, Horsham has been considered under Item 9.3 of the Agenda: Development and Subdivision at 9 Homers Court, Horsham.

#### Council Resolution

**MOVED Cr David Grimble, Seconded Cr Mark Radford**

That Council deal with the petition.

CARRIED

**MOVED Cr David Grimble, Seconded Cr Mark Radford**

That Council advise the petitioners that Planning Application No.PA2000013 (9 Homers Court, Horsham) has been withdrawn by the applicant.

CARRIED

**REPORT****Background**

A petition in relation to Planning Permit Application PA2000013 (9 Homers Court) has been signed by 19 residents and been received by Council. Local Law No 1 outlines the following process for handling of petitions: F.2.1 A petition or joint letter presented to the Council will be tabled without discussion and received at the next appropriate Ordinary Council Meeting, unless the Council agrees by resolution to deal with it earlier. Petitions or joint letters will be forwarded to the appropriate Director for action as required, including presentation back to Council at the next appropriate meeting.

**Discussion**

The petition relates to Planning Application PA2000013 (9 Homers Court, Horsham) listed as Item 9.3 on the Agenda. It is recommended that the petition is considered as part of Council's decision making in relation to this planning application.

**Options to Consider**

Not applicable

**Sustainability Implications**

Not applicable

**Community Engagement**

The petition was received as a result of the of the planning permit application being advertised.

**Innovation and Continuous Improvement**

Not Applicable

**Collaboration**

Not Applicable

**Financial Implications**

Not Applicable

**Regional, State and National Plans and Policies**

Not Applicable

**Council Plans, Strategies and Policies**

Nil

**Risk Implications**

Not Applicable

**Conclusion**

It is deemed appropriate that the petition received is considered as part of Council's decision making in relation to Planning Application PA2000013 (9 Homers Court), as listed in Item 9.3 of tonight's Council Agenda.

### **13. PROCEDURAL BUSINESS**

#### **13.1 ASSEMBLY OF COUNCILLORS – RECORD OF MEETINGS**

Council Briefing Meeting held on Monday 7 September 2020 at 5.04pm via Zoom (Video Conferencing)  
Council Briefing Meeting held on Monday 14 September 2020 at 5.05pm via Zoom (Video Conferencing)

Refer to **Appendix “13.1A”**

#### **13.2 SEALING OF DOCUMENTS**

Lease of Real Estate - Town Hall Café, 73 Pynsent Street, Horsham

#### **13.3 INWARD CORRESPONDENCE**

Ian Mickel, Shire President, Shire of Esperance

Refer to **Appendix “13.3A”**

#### **13.4 COUNCIL COMMITTEE MINUTES**

Nil

##### **Recommendation**

That Council receive and note agenda items:

- 13.1 Assembly of Councillors – Record of Meetings
- 13.2 Sealing of Documents
- 13.3 Inward Correspondence
- 13.4 Council Committee Minutes.

##### **Council Resolution**

##### **MOVED Cr Alethea Gulvin, Seconded Cr Pam Clarke**

That Council receive and note agenda items:

- 13.1 Assembly of Councillors – Record of Meetings
- 13.2 Sealing of Documents
- 13.3 Inward Correspondence
- 13.4 Council Committee Minutes.

CARRIED

**14. NOTICE OF MOTION**

Nil

**15. CONFIDENTIAL MATTERS**

**Council Resolution**

**MOVED Cr Alethea Gulvin, Seconded Cr Les Power**

That the meeting close to the public to consider Confidential Matters.

CARRIED

*The time being 7.57pm, the meeting closed to the public.*

**CLOSE**

After dealing with Confidential Matters, the meeting closed at 8.07pm



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The Mayor, Cr Mark Radford  
Chairperson