



CORANGAMITE  
SHIRE

# Minutes

## Council Meeting

**Tuesday 28 January  
2025**

Held in the Killara Centre  
At the Camperdown Community  
Centre  
Commenced at 3:00 pm



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## Order of Business

Minutes of the meeting of the Corangamite Shire Council  
held in the Killara Centre at the Camperdown Community Centre,  
210-212 Manifold Street, Camperdown Victoria 3260  
At 3:00 pm on Tuesday 28 January 2025

The Mayor, Cr Kate Makin declared the Council Meeting open at 3.00pm.

### Present

#### Councillors

K. Makin (Chairperson), J. Beard, N. Cole, G. Conheady, R. Gstrein, L. Hickey, J. Vogels

#### Officers

David Rae, Chief Executive Officer  
Justine Linley, Director Sustainable Development  
Shaun Broadbent, Director Works and Services  
Michelle Stephenson, Acting Director Corporate and Community Services  
Jacqui Thomas, Manager Finance  
John Kelly, Manager Assets Planning  
Lylla Bond, Manager Works  
Matthew Berry, Manager Planning and Building Services  
Kathryn Anderson, Manager Governance and Civic Support

### 1 Prayer

We ask for guidance and blessing on this Council. May the true needs and wellbeing of our communities be our concern. Help us, who serve as leaders, to remember that all our decisions are made in the best interests of the people, culture and the environment of the Corangamite Shire.

Amen.

### 2 Acknowledgment of Country

Corangamite Shire Council acknowledges and pays our respects to the Eastern Maar and Wadawurrung peoples, as the Traditional Owners of the Lands that we work, live and play. We also acknowledge their Elders, past and present, and recognise their ongoing cultural, spiritual and educational practices.



### 3 Apologies

David Harrington, Director Corporate and Community Services

### 4 Declarations of Conflict of Interest

Cr Jo Beard declared a material conflict of interest in Agenda item 9.3, Contract No. 2025019 - Maddens Bridge Rd Culvert Upgrade, and left the meeting before any discussion or vote on the matter.

No further conflicts of interest were declared

### 5 Confirmation of Minutes

#### RECOMMENDATION

That the minutes of the Corangamite Shire Council meeting held on 17 December 2024 be confirmed as correct.

#### COUNCIL RESOLUTION

Moved: Cr Nick Cole  
Seconded: Cr Ruth Gstrein

That the recommendation be adopted.

CARRIED UNANIMOUSLY 7 / 0

### 6 Deputations and Presentations

The Mayor, Cr Kate Makin, invited members of the public who had requested to address Council to make their presentations.

No items were submitted

## 7 Committee Reports

### 7.1 Audit and Risk Committee Independent Member Reappointment

Directorate: Corporate and Community Services  
Author: David Harrington, Director Corporate and Community Services  
Previous Council Reference: Nil  
Attachments: 1. Under Separate Cover - Jim Gifford Reappointment Assessment January 2025 [7.1.1 - 1 page]

#### Declaration

Chief Executive Officer – David Rae

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Author – David Harrington

In providing this advice to Council as the Director Corporate and Community Services, I have no interests to disclose in this report.

#### Summary

This report recommends the reappointment of Mr Jim Gifford, independent member, to Council's Audit and Risk Committee.

#### Introduction

Council's Audit and Risk Committee (the Committee) was established under Division 8 of the *Local Government Act 2020* (the Act) in August 2020. Committee appointments can only be made by Council.

In accordance with the Act and Committee's Charter, the Committee is comprised of five members consisting of two Councillors and three external or independent members. The three independent members are appointed with varying tenure expiration dates to ensure continuity and knowledge retention.

The Committee's Charter allows Council to reappoint existing members, subject to satisfactory performance, without publicly advertising for expressions of interest.

### Issues

Mr Gifford's tenure expires 31 January 2025 at which point he will have completed his first term on the Committee. Members are able to serve for three consecutive terms, or nine years in total.

In accordance with the Committee's Charter, Mr Gifford advised the Chief Executive Officer of his intention to seek reappointment. This provides the opportunity for Council to reappoint Mr Gifford to the committee without undertaking a publicly advertised expression of interest process.

To assist Council in its decision making to reappoint Mr Gifford 'subject to satisfactory performance' the Director Corporate and Community Services coordinated a brief assessment of Mr Gifford's past performance in conjunction with the independent members and Council appointed members. A copy of the assessment is attached under separate cover.

The Committee has conducted a comprehensive review of Mr. Gifford's performance and has reached a strong consensus regarding his contributions. It is the unanimous conclusion of the Committee that Mr. Gifford's performance has been satisfactory, and his reappointment for an additional three-year term is fully supported.

Mr. Gifford possesses the requisite skills, experience, and qualifications to continue serving as an independent member. His expertise in governance, combined with his knowledge and effective application of the *Local Government Act 2020* underscores his suitability for this role.

### Policy and Legislative Context

The appointment of an independent member to Council's Audit and Risk Committee is consistent with the Committee's Charter and in keeping with the commitments in the Council Plan 2021-2025:

Theme One - A Connected Community

Infrastructure and services that deliver population growth and new housing

Theme Two - A Thriving Community

Corangamite's townships are attractive, accessible and appealing to visitors and are presented in a way in which our residents can be proud

Theme Four - Improving Our Environment

Capitalising on opportunities created by new energy, and minimising impacts on key industry sectors, landscape values and natural assets

The *Local Government Act 2020* requires Council's Audit and Risk Committee to consist of a majority of independent members. Mr Gifford's reappointment ensures Council complies with this requirement.

### Internal / External Consultation

Mr Gifford advised the Chief Executive Officer of his decision to seek reappointment. Committee members have been consulted on the assessment of Mr Gifford's past performance.

### Financial and Resource Implications

There are no financial or resource implications as a result of this report. Independent members are entitled to receive a fee for each meeting attended.

### Options

Council must appoint an independent member to the Audit and Risk Committee. Council may choose to reappoint Mr Gifford. Alternatively, Council may direct the Chief Executive Officer to undertake a publicly advertised expression of interest process to appoint a new member.

### Conclusions

The appointment of independent, external members to the Audit and Risk Committee is consistent with the *Local Government Act 2020*, Council's Audit and Risk Committee Charter and 'Audit and Risk Committees - A Good Practice Guide for Local Government'. It is recommended, given satisfactory performance, Council reappoint Mr Jim Gifford for a three-year period expiring 31 January 2028.

## RECOMMENDATION - 7.1

**That Council appoint Mr Jim Gifford as an independent (external) member of the Corangamite Shire Council Audit and Risk Committee for a three-year period expiring 31 January 2028.**

### COUNCIL RESOLUTION

**Moved:** Cr Geraldine Conheady  
**Seconded:** Cr Laurie Hickey

**That the recommendation be adopted.**

**CARRIED UNANIMOUSLY 7 / 0**



## 8 Planning Reports

### 8.1 Skipton Structure Plan Authorisation and Exhibition

|              |  |
|--------------|--|
| Directorate: | Sustainable Development  |
| Author:      | Matthew Berry, Manager Planning and Building Services                              |
| Purpose:     | For Discussion<br>For Decision   |
| Attachments: | 1. Corangamite Planning Scheme Amendment C64 Explanatory Report [8.1.1 - 53 pages] |

#### Declaration

Chief Executive Officer – David Rae

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Author – Matthew Berry

In providing this advice to Council as the Manager Planning and Building Services, I have no interests to disclose in this report.

Co-Author – Kristen Wilkes

In providing this advice to Council as a Strategic Planning Contractor, I have no interests to disclose in this report.

#### Summary

The Skipton Structure Plan was adopted by Council in June 2024. A planning scheme amendment (PSA) has now been prepared to implement policy, zone and planning control changes into the Corangamite Planning Scheme.

This report presents a recommendation to seek authorisation from the Minister for Planning and to proceed with public exhibition of Planning Scheme Amendment C64 in accordance with the *Planning and Environment Act 1987*.

#### Introduction

Developing a Structure Plan for Skipton was essential to position the town for future development opportunities, and to offer clear direction on land use and growth. The Plan focuses on directing and promoting residential opportunities, safeguarding the Mt Emu creek environs, and planning for the growth of commercial, industrial, and tourism opportunities. An updated planning framework will provide both Council and the community with the necessary guidance to achieve sustainable township growth and development opportunities.

Delivery and Council adoption of the Structure Plan provides the basis to undertake a PSA to update strategic direction and local policy, rezone land and apply planning controls which support the future growth and development of the town.

A PSA has been prepared which will implement the land use and development actions and components of the Structure Plan into the Corangamite Planning Scheme. To proceed with the PSA, Council must seek authorisation from the Minister for Planning and undertake public exhibition in accordance with the *Planning and Environment Act 1987*.

Through public exhibition, the PSA process provides an opportunity for Council to review and consider submissions before it either adopts the amendment or refers any unresolved submissions to a Planning Panel.

### Issues

A PSA is required to implement the key recommendations of the Skipton Structure Plan and to give it statutory effect within the Corangamite Planning Scheme.

The Plan sets the following vision for Skipton: “Skipton is a resilient town with a distinct, valued character that supports its community and businesses, by enhancing liveability for residents and visitors alike.”

The Plan seeks to maximise opportunities for employment and housing choice for current and future residents, whilst ensuring the town remains resilient, and the well-being and connection of its residents strengthened.

It aligns with State and regional policies, addressing issues, identifying growth opportunities, and guiding local planning policies, serving as a basis for Council decisions on rezoning and infrastructure development.

The Plan suggests directing residential growth within existing areas, exploring commercial and industrial sector growth, and expanding the settlement boundary away from flood-prone areas. Key themes include housing, enterprise, natural disaster resilience, heritage preservation, and community facilities.

The Skipton Framework Plan (shown in the Explanatory Report attached) identifies the proposed land uses, opportunity sites and required infrastructure upgrades to support the town's future.

An Implementation Plan is provided which outlines statutory and non-statutory actions, to ensure a coordinated effort from public and private sectors.

To introduce the applicable planning scheme components of the Structure Plan into the Corangamite Planning Scheme, PSA C64 has been prepared. To progress the PSA, Council must resolve to seek Ministerial authorisation in accordance with

Section 8A and undertake public exhibition in accordance with Section 19 of the *Planning and Environment Act 1987*.

The PSA documents have been prepared and are provided under separate cover in Attachment 1. Specifically, the amendment:

- Rezones all current General Residential zoned land (GRZ1) within Skipton to Neighbourhood Residential Zone - Schedule 1 (NRZ1)
- Rezones approximately 1ha of land within the existing town from General Residential (GRZ1) to Commercial 1 Zone (C1Z)
- Rezones approximately 14ha of land from Farming Zone (FZ) to Neighbourhood Residential Zone (NRZ1).
- Rezone approximately 0.5ha of land from Rural Activity Zone (RAZ) to Commercial 1 Zone (C1Z).
- Rezones approximately 6ha of land from Farming Zone (FZ) to Commercial 1 Zone (C1Z).
- Rezones approximately 6.3ha of land from Township Zone (TZ) to Industrial 1 Zone (IN1Z).
- Applying the Development Plan Overlay - Schedule 11 (DPO11) to all land which has been rezoned from Farming Zone (FZ) or Rural Activity Zone (RAZ) to NRZ1 or C1Z to ensure growth area development requirements are addressed.

The Framework Plan provided in the PSA documents more clearly depicts these zone changes.

No changes are proposed to the Floodway Overlay and all future growth and development is planned away from flood prone land, including a new commercial precinct, which will allow for future commercial development that will aid in futureproofing the town centre into the future. Over time the town will be directed and grow into new commercial and residential areas, away from high-risk flood zone.

It should be noted that some Zone changes could trigger the application of the State Government's Windfall Gains Tax (WGT). The WGT applies to all land rezoned by the same planning scheme amendment resulting in a value uplift to the land of more than \$100,000.

### **Policy and Legislative Context**

This report is in keeping with the commitments in the Council Plan 2021-2025:

Theme One - A Connected Community

Infrastructure that enables industry and business growth

Theme Two - A Thriving Community

Facilitating and supporting economic development.

Recognising the vital role agriculture plays within the Shire.

Corangamite's townships are attractive, accessible and appealing to visitors and are presented in a way in which our residents can be proud.

Theme Three - A Healthy, Active and Resilient Community

Our community groups and clubs are engaged and supported and facilities are fit for purpose.

Theme Four - Improving Our Environment

Protecting and improving our built and natural environment.

Capitalising on opportunities created by new energy, and minimising impacts on key industry sectors, landscape values and natural assets.

Helping our community plan and respond to climate change.

Theme Five - Community Leadership

We listen to and engage with our community.

**Internal / External Consultation**

The Skipton Structure Plan was prepared in partnership with stakeholders and the community. The project team worked with the Project Working Group (PWG), chaired by Cr Cole, to discuss their experiences, aspirations, and vision for Skipton.

To facilitate the development of the Plan, a two-stage community consultation program was undertaken. The first stage of consultation, undertaken in July/August 2023, was used to identify potential opportunities, constraints, and a vision for the structure plan.

Using a Background Report, a series of consultation methods (face-to-face, drop-in, online) were delivered to engage with community to better understand their aspirations and needs for the future of Skipton. The findings and outcomes of consultation informed preparation of the Plan.

Discussions have also been held with Wadawurrung Traditional Owners around the opportunity to undertake a Cultural Values Assessment within Skipton, which has been included as an action in the Plan.

As part of the PSA, draft Amendment C64 documents will also be placed on a full month public exhibition consistent with Section 20 of the *Planning and Environment Act 1987*. This presents an opportunity for submissions to be received and considered by Council. All submissions must be considered and any unresolved submissions which object, or request changes, to the PSA, must be referred to Planning Panels Victoria for consideration.

Members of the PWG will be contacted separately to provide an update on the project and outline of the PSA, and directly to seek landowner feedback.

### **Financial and Resource Implications**

A current budget exists to undertake the PSA and other implementation actions of the Structure Plan. Delivery of the PSA is being funded through the existing budget allocation.

### **Options**

It is recommended that Council resolve to seek authorisation from the Minister for Planning and undertake public exhibition of PSA C64 in accordance with the *Planning and Environment Act 1987*.

Council may alternatively choose to defer or delay implementation of the Masterplan and not proceed with the PSA.

### **Conclusions**

The Skipton Structure Plan is a significant strategic guiding document for Corangamite, which will provide short to long-term direction for the town's growth, development, and prosperity.

The Structure Plan provides the necessary planning framework and guidance to appropriately guide the growth and development of the land and service provision in the future.

Advancement through the PSA under the *Planning and Environment Act 1987* represents a significant milestone and shift towards statutory implementation in the Corangamite Planning Scheme. Further public exhibition will be undertaken enabling landowners, residents and the broader community to make submissions to Council for further consideration.

### **RECOMMENDATION - 8.1**

**That Council:**

- 1. Seeks authorisation from the Minister for Planning for Planning Scheme Amendment C64 generally in accordance with Attachment 1 under Section 8A of the *Planning and Environment Act 1987*; and**
- 2. After receiving authorisation, proceeds to exhibit Planning Scheme Amendment C64 in accordance with Section 19 of the *Planning and Environment Act 1987*, subject to final ordinance and mapping changes.**



**COUNCIL RESOLUTION**

**Moved:** Cr Nick Cole  
**Seconded:** Cr Ruth Gstrein

**That the recommendation be adopted.**

**CARRIED UNANIMOUSLY 7 / 0**

## 9 Officer's Reports

### 9.1 Fraud and Corruption Control Policy

|              |  |
|--------------|--|
| Directorate: | Corporate and Community Services   |
| Author:      | David Harrington, Director Corporate and Community Services  |
| Attachments: | <ol style="list-style-type: none"><li>1. Fraud and Corruption Control Policy January 2025 [9.1.1 - 7 pages]</li><li>2. Fraud and Corruption Control Policy January 2025 Tracked Changes [9.1.2 - 13 pages]</li></ol> |

#### Declaration

Chief Executive Officer – David Rae

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Author – David Harrington

In providing this advice to Council as the Director Corporate and Community Services, I have no interests to disclose in this report.

#### Summary

The purpose of this report is for Councillors to consider adopting the updated Fraud and Corruption Control (F&CC) Policy. This Policy has been reviewed and updated to align with the latest fraud and corruption control standard AS8001:2021.

#### Introduction

Fraud and corruption present significant risks that can adversely impact Council's ability to deliver efficient and cost-effective projects and services. Beyond financial implications, fraud and corruption can severely damage the Council's reputation and erode community trust. Therefore, it is imperative for councils to establish and maintain robust practices in fraud and corruption identification, prevention, auditing, and training.

The updated F&CC Policy is a critical component of a broader control framework designed to:

- Minimise vulnerabilities through proactive risk management.
- Enhance transparency and trust within the community.
- Comply with current governance standards.

### Issues

To address evolving governance standards and reinforce Council's commitment to effective fraud and corruption management, Corangamite Shire Council engaged an external consultant to assist in developing a comprehensive Fraud and Corruption Control Framework. The framework's primary objectives include:

- Ensuring compliance with AS8001:2021.
- Strengthening mechanisms for prevention, detection, and response to fraud and corruption incidents.

The updated F&CC Policy will form part of a wider control framework that will include:

- Risk Assessment Templates to identify vulnerabilities.
- Procedures and Annual Control Plan for ongoing implementation.
- Public-facing information to enhance community transparency.

As the first phase, the updated F&CC Policy incorporates key changes such as:

- Change in name from Fraud and Corruption Prevention policy to Fraud and Corruption Control policy to reflect guidance under AS8001:2021.
- Clear roles and responsibilities.
- A definitive zero-tolerance statement on fraud and corruption.
- A structured approach to investigating incidents.
- Comprehensive definitions to ensure clarity and consistency.

### Policy and Legislative Context

This report is in keeping with the commitments in the Council Plan 2021-2025:

Theme Five - Community Leadership  
Having strong governance practices

*Section 54 2(c) of the Local Government Act 2020* specifies that the Council Audit & Risk Committee monitor and provide advice on risk management and fraud prevention systems and controls.

### Internal / External Consultation

Corangamite Shire Council collaborated with an external consultant to develop the updated F&CC Policy and its supporting framework.

The Audit & Risk Committee played an important role in shaping the updated policy by providing expert feedback. The Committee recommended the policy for adoption by Council at their December 2024 meeting.

### Financial and Resource Implications

A budget allocation is in place to support the updates to the F&CC framework. No additional financial or resource implications are anticipated at this time.

## Options

Council may choose to:

1. Adopt the Fraud and Corruption Control Policy 2025 as presented.
2. Not adopt the policy.
3. Seek amendments to the proposed policy before adoption.

## Conclusions

The review and update of the Fraud and Corruption Control Policy reflects Council's proactive approach to governance and risk management. Leveraging specialist advice, the Council is aiming to establish a comprehensive framework that integrates prevention management, risk assessment, training, and auditing functions. This framework will position the Council to effectively manage fraud and corruption risks while maintaining the trust and confidence of the community.

## RECOMMENDATION - 9.1

That Council:

1. **Revoke the Fraud and Corruption Prevention Policy March 2021**
2. **Adopt the Fraud and Corruption Control Policy January 2025**

### COUNCIL RESOLUTION

**Moved:** Cr Geraldine Conheady  
**Seconded:** Cr Laurie Hickey

**That the recommendation be adopted.**

**CARRIED UNANIMOUSLY 7 / 0**

## 9.2 Biannual Strategic Risk Report - July 2024

Directorate: Corporate and Community Services

Author: Michele Stephenson, Manager Human Resources and Risk

Previous Council Reference: Nil

Attachments: 1. Under Separate Cover - Strategic Risk Report 14 January 2025 [9.2.1 - 38 pages]

### Declaration

Chief Executive Officer – David Rae

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Author – Michele Stephenson

In providing this advice to Council as the Manager Human Resources and Risk, I have no interests to disclose in this report.

### Summary

This report presents the Council's strategic risk profile effective on 14 January 2025. The Corporate Risk Register (CRR) Strategic Risk Report which is attached under separate cover details each strategic risk, its current and residual risk profile. The report is provided for Council's oversight and is prepared in accordance with the Local Government (Planning and Reporting) Regulations 2020 requirement for '*six-monthly reports of strategic risks to Council's operations, their likelihood and consequences of occurring, and risk minimisation strategies*'.

### Introduction

Council's risk management process conforms to the international standard for risk management - AS/NZ ISO 31000:2018.

The Corangamite Shire Risk Management Framework is designed to provide an integrated approach to managing risk across the Council. The framework comprises the Risk Management Policy, Risk Management Procedure, Risk Register and the Risk Management Annual Plan. The Risk Management Procedure describes how the strategic risk profile is managed through the Corporate Risk Register (CRR). The CRR documents the strategic and operating risks to Council's operations, including their likelihood and consequence of occurring and risk mitigation strategies.



Through the CRR, all risks and the implementation of the associated controls and treatments can be monitored and reported.

The CRR is regularly reviewed, with operational risks identified or adapted to meet changing and emerging circumstances.

The Risk Appetite, described in the Risk Management Policy, is the amount of risk that the Council is willing to accept to achieve its objectives. It is established by assigning each of the risk categories one of the following risk appetites:

**LOW** – Council will not accept a high level of risk in the relevant category. Risk mitigation involves avoiding the risk or implementing robust controls.

**MODERATE** – Council accepts a moderate level of risk and has in place measures to mitigate the risk to an acceptable level of risk.

**HIGH** – Council is willing to accept a high level of risk to achieve objectives with a high risk/reward pay off.

### **The Risk Assessment Process**

The CRR is not static and is an ongoing process of identifying and mitigating new and existing operational risks by 'risk owners'.

For each risk the CRR contains:

- A description of the risk
- The likelihood that the risk may occur
- The impact or consequence if the risk occurs
- Existing controls in place to mitigate the risk
- The Risk Rating (likelihood x consequence)
- Treatment plans to mitigate the risk.

From this analysis the Residual Risk Level is determined.

The following Risk Matrix is used to determine the Risk Rating for a risk.

|   | Consequence / Likelihood | Insignificant | Minor  | Moderate | Major   | Catastrophic |
|---|--------------------------|---------------|--------|----------|---------|--------------|
| Is almost certain to occur in most circumstances (80% plus) | Almost Certain           | Medium        | High   | Extreme  | Extreme | Extreme      |
| Will probably occur (50-80%)                                | Likely                   | Medium        | High   | High     | Extreme | Extreme      |
| Might occur at some time in future (20-50%)                 | Possible                 | Low           | Medium | Medium   | Extreme | Extreme      |
| Could occur but doubtful (5-20%)                            | Unlikely                 | Low           | Low    | Medium   | High    | Extreme      |
| May occur but only in exceptional circumstances (<5%)       | Rare                     | Low           | Low    | Low      | Medium  | High         |

| Level   | Description                        |
|---------|------------------------------------|
| Low     | Manage by routine procedures       |
| Medium  | Specific Management responsibility |
| High    | Needs senior management attention  |
| Extreme | Detailed action plan required      |

### Council's strategic risks and their risk rating

Full details of the likelihood, consequence, controls and treatments for each risk can be found in the Strategic Risk Report (under separate cover), including the current (after controls and before treatments) and residual (after treatments are applied) risk profile. There were two outstanding treatments at the time of this report. These treatments will be addressed once a permanent Regulatory Services Manager is appointed to the role.

The table and heat map below describe Council's strategic risks and their risk profile after controls and additional mitigating treatments have been considered.

| Risk No | Risk Description   | Residual Risk Rating |
|---------|--|----------------------|
| 124     | STRATEGIC RISK - Emergency management planning is ineffective.   | Medium               |
| 123     | STRATEGIC RISK - Council fails to support, protect and advocate for agricultural activity in the region.   | Medium               |
| 122     | STRATEGIC RISK - Council ineffectively manages the health, social and economic impacts on the community from infectious diseases and pandemics affecting humans and/or animals | Medium               |
| 121     | STRATEGIC RISK - Ineffective strategic planning to support future business and population growth and demographic change  | Medium               |
| 104     | STRATEGIC RISK - Council demonstrates poor governance and ethical standards  | Medium               |
| 103     | STRATEGIC RISK - A cyber-attack or unauthorised access compromises the integrity of Information Communication and Technology Systems   | Medium               |
| 56      | STRATEGIC RISK - Failure to maintain a safe and healthy workplace  | Medium               |
| 55      | STRATEGIC RISK - Failure to provide a qualified and competent workforce  | Medium               |
| 54      | STRATEGIC RISK - Council infrastructure is inadequately maintained   | Medium               |
| 53      | STRATEGIC RISK - Ineffective community engagement.   | Medium               |
| 52      | STRATEGIC RISK - Community health and wellbeing services are not safely or competently delivered   | Medium               |
| 51      | STRATEGIC RISK - Ineffective adaptation or response to climate variability, adverse environmental conditions and natural disasters   | Medium               |
| 50      | STRATEGIC RISK - An environmental incident occurs  | Medium               |
| 47      | STRATEGIC RISK - Litigation against Council due to a statutory or policy breach  | Low                  |
| 46      | STRATEGIC RISK - A fraud or corruption event occurs  | Medium               |
| 45      | STRATEGIC RISK - Legislative or regulatory changes   | Medium               |

Table 1: Council Strategic Risks

|                | Insignificant | Minor | Moderate                                 | Major | Catastrophic |
|----------------|---------------|-------|--|-------|--------------|
| Almost Certain |               |       |  |       |              |
| Likely         |               |       |  |       |              |
| Possible       |               | 55    | 45, 50, 52, 53,<br>103, 104, 122,<br>123 |       |              |
| Unlikely       |               |       | 46, 51, 54, 56,<br>121, 124              |       |              |
| Rare           |               |       | 47                                       |       |              |

### Policy and Legislative Context

The Biannual Strategic Risk Report - July 2024 is in keeping with the commitments in the Council Plan 2021-2025:

- Theme Five - Community Leadership
- Having strong governance practices
- Ensuring that we maintain our strong financial position
- We provide a great work environment

The report is provided in accordance with the Local Government (Planning and Reporting) Regulations 2020 and Part 3 of the Council's Risk Management Framework.

### Internal / External Consultation

The Leadership Team and other risk owners continue to manage and monitor risks in consultation with the Executive Leadership Team. After the development of the 2026 – 2029 Council Plan, Councillors and the ELT will identify the strategic risks to the achievement of the new Council Plan's objectives.

### Financial and Resource Implications

There are no direct financial or resource implications as a consequence of this report.

### Conclusions

Corangamite Shire Council objectives are set out in the Council Plan, and the management of risks to the achievement of these objectives is the primary aim of the Risk Management Framework.

In order to manage these risks, it is essential that consistent processes are adopted within the framework. The Corporate Risk Register is a critical element of the Risk Management Framework, and regular reporting to Council and the Audit and Risk

Committee assists in the management and oversight of risk effectively and efficiently across the organisation. This report provides the Council with the strategic risk profile effective on 14 January 2025.

**RECOMMENDATION - 9.2**

**That Council receives the Corporate Strategic Risk Report for the six-month period ended 31 December 2024.**

**COUNCIL RESOLUTION**

**Moved: Cr Jo Beard**  
**Seconded: Cr Laurie Hickey**

**That the recommendation be adopted.**

**CARRIED UNANIMOUSLY 7 / 0**



### 9.3 Contract No. 2025019 - Maddens Bridge Road Culvert Upgrade

Directorate: Works and Services

Author: John Kelly, Manager Assets Planning

Attachments:

1. CONFIDENTIAL - Tender Evaluation Report - Contract No. 2025019 Upgrade to Maddens Bridge Road Culvert [9.3.1 - 4 pages]
2. CONFIDENTIAL - List of Lowest Tender Prices - Contract 2025019 - Maddens Bridge Road Culvert Upgrade [9.3.3 - 1 page]

#### Declaration

Pursuant to sections 3(1) and 66(5) of the *Local Government Act 2020* the Chief Executive Officer has designated this attachment as confidential on the grounds that it contains private commercial information, being information provided by a business, commercial or financial undertaking that—

(i) relates to trade secrets; or

(ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

In particular the attachment contains information regarding pricing and technical details relating to the tender submissions.

Chief Executive Officer – David Rae

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Author – John Kelly

In providing this advice to Council as the Manager Assets Planning, I have no interests to disclose in this report.

#### Summary

This report seeks to award the contract for the upgrade of the existing culvert crossing on Maddens Bridge Road located approximately 3km west of Cobden Warrnambool Road, Glenfyne.

#### Introduction

Maddens Bridge Road at the existing 2 x 1200mm diameter culvert crossing of Curdies River is regularly flooded during rain events resulting in the road being closed to vehicular crossing. The proposed replacement of the existing culverts with

2 x 3.0m wide x 2.4m high concrete culverts and the raising of the road level by 1.25m will make the road less susceptible to flooding.

A public tender was advertised with submissions sought from suitably qualified contractors for the upgrade of the culverts at Maddens Bridge Road.

### Issues

Eleven tenders were received for the upgrade of the culverts in Maddens Bridge Road. Works in the contract include:

- Removal of existing culverts and surrounding material;
- Installation of new culverts and wingwalls;
- Install road pavement and a concrete floodway slab above the culverts.
- Install geotextile and beaching at the inlet and outlet of the culverts.

There were 10 conforming submissions and one non-conforming submission that did not adequately meet the requirements of the scope of works and was not considered further.

A panel of qualified and experienced Council staff evaluated the tender submissions according to the Council's Procurement Policy and specified criteria. Each submission was assessed and scored out of 10 (0 = nil submission, 10 = fully met criteria) based on how well the criteria was met. The scores were then weighted according to the percentage breakdown of the criteria.

For the purpose of evaluation, the five companies that submitted the most competitive quotations in terms of pricing were taken into consideration. Aggregate scores for each of these conforming tender submissions are provided in Table 1 below with the specified weighted criteria.

|                  | Tender Price (exc GST) \$ | Financial Benefit | Experience, Past Performance | Time Management | Quality Assurance | Local Content | Weighted Score out of 30 |
|------------------|---------------------------|-------------------|------------------------------|-----------------|-------------------|---------------|--------------------------|
| Weighting        |                           | 55%               | 20%                          | 10%             | 10%               | 5%            |                          |
| Contractor       |                           | <b>Scores</b>     |                              |                 |                   |               |                          |
| Civelite         | 334,187.72                | 16.4              | 4.8                          | 2.4             | 2.1               | 0             | 25.7                     |
| Contractor No.2  | 386,680.00                | 13.9              | 4.3                          | 2.4             | 2.1               | 0.3           | 23.0                     |
| Contractor No.3  | 469,958.30                | 11.7              | 5.0                          | 2.3             | 2.2               | 0             | 21.2                     |
| Contractor No. 4 | 541,382.00                | 10.4              | 4.2                          | 2.2             | 2.1               | 0.4           | 19.3                     |
| Contractor No. 5 | 545,062.56                | 10.6              | 4.5                          | 2.3             | 2.1               | 0.2           | 19.7                     |

Table 1: Aggregated Tender Submission Assessment

A Technical Evaluation Report which provides further detail on the assessment of tenderers is attached under separate cover.

It is considered that value for money is best achieved from the confirming tender submitted by Civelite at a price of \$367,606.49 (inc GST).

### **Policy and Legislative Context**

The contract for the upgrade of the culverts in Maddens Bridge Road was advertised for public tender, as required under the Council policy, as it is a purchase greater than \$250,000.

This report is also in keeping with the commitments in the Council Plan 2021-2025:

Theme One - A Connected Community

Roads that are fit for purpose

### **Internal / External Consultation**

Tenders for these works were invited through newspaper advertisements in November 2024. Forty-one sets of tender documents were downloaded from the Council website by prospective tenderers and other interested parties.

### **Financial and Resource Implications**

The preferred tenderer's conforming tender price is \$367,606.49 (inc GST). The project is fully funded in the 2024-2025 budget from the Federal Government's Local Roads and Community Infrastructure (LRCI) Program.

The original budget provision for the project was \$330,000 (inc GST). The shortfall between the budget provision and the tender price would be covered from available budget savings identified from other projects in the LRCI program.

The contract is to be awarded on the basis of a two-year defects liability period.

Works are planned to commence in February 2025 and be completed by 30 May 2025 which is the Practical Completion Date for the contract. Civelite has advised that it will deliver the project within the required contract period and has provided a construction program demonstrating this.

### **Options**

Council may choose to either award this contract for the works as recommended, to another contractor or alternatively not to award the contract.

## Conclusions

The contract for the upgrade of the culverts on Maddens Bridge Road at the crossing of Curdies River, Glenfyne has been tendered and evaluated in accordance with Council policy and the evaluation criteria. It is considered that the best overall value for Council is provided from the conforming tender submitted by Civelite Pty Ptd.

## RECOMMENDATION - 9.3

### That Council:

1. **Awards Contract No. 2025019 – Upgrade of Culvert Crossing on Maddens Bridge Road, Glenfyne to Civelite Pty Ltd for the contract sum of \$367,606.49 (inc GST);**
2. **Authorises the Chief Executive Officer to execute Contract 2025019 and any other documents required by or to give effect to the terms of the Contract on behalf of Council; and**
3. **Authorises the Chief Executive Officer to approve contract variations in accordance with available budget savings identified through the LRCI funding program, up to a maximum value of 20% of the original contract price.**

### COUNCIL RESOLUTION

**Moved:** Cr Jamie Vogels  
**Seconded:** Cr Ruth Gstrein

**That the recommendation be adopted.**

**CARRIED UNANIMOUSLY 6 / 0**

Cr Jo Beard declared a material conflict of interest in Agenda Item 9.3 and left the meeting before any discussion or vote on the matter at 3.20pm.

Cr Jo Beard returned to the meeting at 3.24pm.

## 9.4 Contract no. 2025022 - Installation of Shared User Path in Park Lane, Camperdown

Directorate: Works and Services

Author: John Kelly, Manager Assets Planning

Attachments: 1. CONFIDENTIAL - Tender Evaluation Report - Contract No. 2025022 Shared Use Path in Park Lane, Camperdown [9.4.1 - 5 pages]  
2. CONFIDENTIAL - Copy of List of Lowest Tender Prices - Contract 2025022 - Park Lane Shared Path Camperdown [9.4.2 - 1 page]

### Declaration

Pursuant to sections 3(1) and 66(5) of the *Local Government Act 2020* the Chief Executive Officer has designated this attachment as confidential on the grounds that it contains private commercial information, being information provided by a business, commercial or financial undertaking that—

- (i) relates to trade secrets; or
- (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

In particular the attachment contains information regarding pricing and technical details relating to the tender submissions.

Chief Executive Officer – David Rae

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Author – John Kelly

In providing this advice to Council as the Manager Assets Planning, I have no interests to disclose in this report.

### Summary

This report seeks to award the contract for the installation of a shared use path In Park Lane, Camperdown and associated works.

### Introduction

Council is delivering a project to install a 1.6km long x 2.0m concrete shared use path along the northern side of Park Lane from Bowen Street to the Lakes and Craters Caravan Park entrance in Camperdown. The new path will provide a safer alternative for those pedestrians and cyclists that currently travel along the road in Park Lane.



Tenders were sought from suitably qualified contractors for the construction of the path and associated works.

### Issues

Fourteen tenders were received for the construction of the park. Works in the contract include:

- Construction of concrete shared use path
- Construction of underground pipes and outfalls
- Construction of 2 no. asphalt raised platforms
- Reinstatement of unsealed driveways and road verge

All tenders were deemed conforming and the tenderers are experienced contractors.

A panel of qualified and experienced Council staff evaluated the tender submissions according to the Council's Procurement Policy and specified criteria. Each submission was assessed and scored out of 10 (0 = nil submission, 10 = fully met criteria) based on how well the criteria was met. The scores were then weighted according to the percentage breakdown of the criteria.

For the purpose of evaluation, the six companies that submitted the most competitive quotations in terms of pricing were taken into consideration. Aggregate scores for each of these conforming tender submissions are provided in Table 1 below with the specified weighted criteria.

|  | Tender Price<br>(exc GST) | Financial<br>Benefit | Experience,<br>Past<br>Performance | Time<br>Management | Quality<br>Assurance | Local<br>Content | Weighted<br>Score out<br>of 30 |
|--|---------------------------|----------------------|------------------------------------|--------------------|----------------------|------------------|--------------------------------|
| Weighting  |                           | 55%                  | 20%                                | 10%                | 10%                  | 5%               |                                |
| Contractor                                       |                           | <b>Scores</b>        |                                    |                    |                      |                  |                                |
| Brendan<br>Simmonds<br>Concrete<br>Constructions | \$489,791.00              | 16.4                 | 4.9                                | 1.8                | 2.2                  | 1.5              | 26.8                           |
| Contractor<br>No.2                               | \$492,960.00              | 15.8                 | 4.5                                | 2.2                | 2.3                  | 0.4              | 25.2                           |
| Contractor<br>No.3                               | \$540,194.00              | 15.0                 | 4.4                                | 2.1                | 2.2                  | 0.6              | 24.2                           |
| Contractor<br>No. 4                              | \$544,824.00              | 13.8                 | 4.0                                | 1.9                | 2.1                  | 1.5              | 23.3                           |
| Contractor<br>No. 5                              | \$558,136.00              | 14.6                 | 4.4                                | 2.2                | 2.3                  | 0.7              | 24.2                           |
| Contractor<br>No. 6                              | \$570,389.70              | 13.3                 | 4.6                                | 2.3                | 2.2                  | 0.5              | 22.8                           |

**Table 1: Aggregated Tender Submission Assessment**

All contractors communicated their intention to utilise local suppliers and contractors to varying degrees for concrete works. This is scored as Local Content in the ratings criteria.

A Technical Evaluation Report which provides further detail on the assessment of tenderers is attached under separate cover.

It is considered that value for money is best achieved from the confirming tender submitted by Brendan Simmonds Concrete Constructions at a price of \$538,770.10 (inc GST).

### **Policy and Legislative Context**

The contract for the installation of the shared use path in Park Lane was advertised for public tender, as required under the Council policy, as it is a purchase greater than \$250,000.

This report is also in keeping with the commitments in the Council Plan 2021-2025:

Theme One - A Connected Community

Roads that are fit for purpose

Footpaths that provide access to key destinations in our towns

Theme Three - A Healthy, Active and Resilient Community

Improving the health and wellbeing of our residents

### **Internal / External Consultation**

Tenders were invited for these works by way of newspaper advertisements in November 2024. Thirty sets of tender documents were downloaded from the Council website by prospective tenderers and other interested parties.

### **Financial and Resource Implications**

The 2024-2025 budget for the project is \$636,900 (inc GST) which is fully funded from the Transport Accident Commission's Safer Local Roads and Streets Program.

The preferred tenderer's conforming tender price is \$538,770.10 (inc GST).

The contract is to be awarded on the basis of a two-year defects liability period.

Works are planned to commence in February 2025 and be completed by 31 May 2025. Brendan Simmonds Concrete Constructions has provided a construction program demonstrating their ability to deliver the works by this date.

### Options

Council may choose to either award this contract for the works as recommended, to another contractor or alternatively not to award the contract.

### Conclusions

The contract for the installation of a shared use path in Park Lane, Camperdown has been tendered and evaluated in accordance with Council policy and the evaluation criteria. It is considered that the best overall value for Council is provided from the conforming tender submitted by Brendan Simmonds Concrete Constructions.

### RECOMMENDATION - 9.4

#### That Council:

1. Awards Contract No. 2025022– Installation of a Shared Use Path in Park Lane, Camperdown to Brendan Simmonds Concrete Constructions for the contract sum of \$538,770.10 inc GST
2. Authorises the Chief Executive Officer to execute Contract 2025022 and any other documents required by or to give effect to the terms of the Contract on behalf of Council; and
3. Authorises the Chief Executive Officer to approve contract variations within the available budget up to a maximum value of 20% of the original contract price.

#### COUNCIL RESOLUTION

Moved: Cr Ruth Gstrein  
Seconded: Cr Laurie Hickey

That the recommendation be adopted.

CARRIED UNANIMOUSLY 7 / 0

## 9.5 Contract - Morehouses Bridge Rd Retaining Wall

Directorate: Sustainable Development  
Author: Lyall Bond, Manager Environment and Emergency  
Attachments: 1. CONFIDENTIAL - Technical Evaluation Report Contract for Morehouses Bridge Rd Wall Construction (Slip Repair) [9.5.1 - 7 pages]

### Declaration

Pursuant to sections 3(1) and 66(5) of the *Local Government Act 2020* the Chief Executive Officer has designated this attachment as confidential on the grounds that it contains private commercial information, being information provided by a business, commercial or financial undertaking that—

- (i) relates to trade secrets; or
- (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

In particular the attachment contains information regarding pricing and the supply of materials, equipment and labour.

Chief Executive Officer – David Rae

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Author – Lyall Bond

In providing this advice to Council as the Manager Environment and Emergency, I have no interests to disclose in this report.

### Summary

The purpose of this report is for Council to award a Contract for Morehouses Bridge Rd Retaining Wall Construction (Slip Repair), including the supply and installation of a gabion retaining wall and anchor system, as per the design and specification.

### Introduction

In late 2022 a small, localised landslide took place on the eastern road embankment on a section of road along Morehouses Bridge Road, Glenfyne. The failure site is located approximately 930m south of the Morehouses Bridge Road/Cobden-Warrnambool Rd intersection at Glenfyne.

As part of the flood recovery program Council engaged AGR Geosciences (ARG) to undertake a preliminary geotechnical inspection of the failure site.

Detailed geotechnical investigation and testing was undertaken before final design documents were developed. The purpose of the detailed design was to understand the works required and the associated costs. This has allowed Council to apply for flood recovery funding through the Disaster Recovery Funding Arrangements (DRFA) certified estimate process and to also obtain prices from contractors to complete the works.

A three-quote process was undertaken with support from AGR and all funding documents have been submitted to the DRFA and funding is now approved. The submissions provided by contractors to complete the remedial works have now been evaluated, to identify the most appropriate contractor to complete the works.

### Issues

The specification required the supply and installation of a gabion style retaining wall and anchor system, to repair the landslip that was impacting Morehouses Bridge Rd. The request from Council to contractors included all construction documentation and a full complement of geotechnical reports including the design and construction drawings, which also outlined the road pavement reinstatement requirements.

Three submissions were received. An evaluation of all submissions was undertaken by a panel of three Council staff in accordance with Council's Procurement Policy.

All submissions conformed to the gabion wall and anchor requirements however two submissions did not propose to undertake all components of the work.

The submissions were assessed against the following evaluation criteria and weighting.

| Criteria            | Max Score |
|---------------------|-----------|
| Price               | 35%       |
| Meets Specification | 40%       |
| Detail of work      | 20%       |
| Local Content       | 5%        |

Table 1: Evaluation Criteria

The table below provides the final aggregated score for each contractor with the evaluation criteria weighting applied. The Evaluation Report is provided under separate cover.

| Contractor                    | Score out of 100 |
|-------------------------------|------------------|
| Submission 1 Ground Technique | 77.7             |
| Submission 2                  | 34.5             |
| Submission 3                  | 37               |

Table 2: Aggregated assessment scores for Contract Morehouses Bridge Rd Retaining Wall Construction (Slip Repair)

The submission from Ground Technique received the highest overall score in the evaluation. The cost of this submission is \$222,517 (including GST) and included all required items and complied with the specification.

The quotes from the other suppliers (submissions 2 and 3) excluded key items which were required under the design and site restoration requirements.

The submission provided by Ground Technique is within the budget estimate for the project and funding application provided to DRFA. This company has experience in delivering large-scale civil projects. They also demonstrated a good understanding of the project requirements and can deliver the project within Council's required timeframe.

Based on the assessment, the evaluation panel recommends that Council award the Morehouses Bridge Rd Retaining Wall Construction (Slip Repair) contract to Ground Technique.

### Policy and Legislative Context

This report is in keeping with the commitments in the Council Plan 2021-2025:

Theme One - A Connected Community

Roads that are fit for purpose

Infrastructure that enables industry and business growth

Collaborative procurement has been considered in accordance with Council's Procurement Policy and the *Local Government Act 2020*, however collaborative procurement was not considered an option for this contract due to the nature of the site and specific works required.

Assessment of the contractors' submissions have been undertaken in accordance with Council's Procurement Policy.

### Internal / External Consultation

Due to the specialised nature of the work required, three specialist companies were provided with an invitation to quote on the project.

An evaluation panel was established to assess the submissions against the evaluation criteria. All panel members indicated there was no conflict of interest to declare.

### **Financial and Resource Implications**

Council has successfully applied for funding through the DRFA certified estimate process for this project. This funding allows a budget for these works of \$206,300.09 excluding GST, plus a 25% project contingency, therefore providing a maximum budget amount of \$257,875.11 excluding GST.

Due to the nature of landslip repairs, there is the potential for variations to be incurred which may result in this procurement exceeding \$250,000 (tender threshold). If this should happen and to remain compliant with Council's Procurement Policy, this contract is being presented to Council for consideration and award.

### **Options**

Council may choose to award the contract to Ground Technique for \$222,517 (including GST).

Alternatively, Council may decide not to award the works to Ground Technique and return to the market for further prices from contractors to undertake the works. This would potentially delay the project which is dependent on both funding and favorable weather conditions. If Council is successful with DRAFA funding, these works are required to be completed by 30 June 2025.

### **Conclusions**

Council provided three companies with Invitations to Quote on the Morehouses Bridge Rd Retaining Wall Construction (Slip Repair) works.

Three contractors provided quotations of which only one complied with the specification. Based on the evaluation, it is recommended that Council award the works to Ground Technique for \$222,517 including GST.

## **RECOMMENDATION - 9.5**

### **That Council:**

- 1. Award Morehouses Bridge Rd Retaining Wall Construction (Slip Repair) works to Ground Technique for \$222,517 (including GST);**
- 2. Authorises the Chief Executive Officer to execute the Contract and any other documents required by or to give effect to the terms of the Contract on behalf of Council; and**



- 3. Authorises the Chief Executive Officer to approve variations to the contract sum in accordance with the 25% DRFA funding contingency allowance.**

**COUNCIL RESOLUTION**

**Moved: Cr Jamie Vogels**  
**Seconded: Cr Geraldine Conheady**

**That the recommendation be adopted.**

**CARRIED UNANIMOUSLY 7 / 0**

## 9.6 Strategic Planning Consultant Procurement

Directorate: Sustainable Development  
Author: Matthew Berry, Manager Planning and Building Services  
Purpose: For Decision  
Attachments: Nil

### Summary

The purpose of this report is to seek approval for the contract variation and extension of strategic planning and related project management services for a current contractor to a maximum of \$500,000.

### Introduction

The contractor was appointed in April 2022 to assist in Strategic Planning projects via procurement exemption with a further variance in October 2022.

Subsequently, in September 2023 a further contract with a maximum spend of \$440,000 was awarded by Council using a procurement exemption based on project knowledge, intellectual property and project understanding for specific professional services relating to strategic planning projects. These projects included the Cobden Structure Plan, Grow Corangamite: Our Agriculture Future Strategy, Skipton Structure Plan and Camperdown Production Precinct Plan. In September 2024 the list of projects was extended to include project supervision of the Camperdown and Terang Structure Plans.

Expenditure on current strategic planning projects and planning scheme amendments will see the \$440,000 threshold met by late February 2025. Consideration now needs to be given as to whether a variation and extension to the existing \$440,000 contract is considered by Council or a new procurement process undertaken.

### Issues

Council does not currently employ a Strategic Planner. Each strategic planning project contains a budget allocation for professional and project supervision services provided by contractors or contract employees.

Where contracted strategic planning services aren't provided, significant challenges will be created in resourcing to deliver the following projects:

- Skipton Structure Plan planning scheme amendment implementation;
- Grow Corangamite planning scheme amendment implementation;
- Timboon Precinct Structure Plan planning scheme amendment implementation; and

- Camperdown and Terang Structure Plan project.

**Options:**

Two options include:

- Option A: Seek quotes/expressions of interest from the Professional Consultancy Services Panel (2024005); or
- Option B: Vary and extend the existing contract until 30 June 2025 with maximum cumulative expenditure of \$500,000 with no further extension.

*Option A. Professional Consultancy Services Panel.*

This option presents challenges with the timing of current strategic projects with potential service gap and delays in delivery.

*Option B. Vary and Extend current contract.*

This option to extend and vary the existing contract to 30 June 2025 has the advantage that the existing contractor has significant project knowledge of all current strategic planning projects and has provided a high level of service and strong track record in delivery of projects for Council. This option also provides certainty on day to day project management delivery and will see the projects brought to substantial completion by June 2025.

This option of seeking a further procurement exemption to extend the contract does have some weaknesses as this would be the fourth exemption for the same contractor, noting that the Panel of Professional Consultancy Services contract approved in June 2024 now lists a wide range of competent planning firms able to undertake this type of work at competitive rates.

To mitigate risks and for transparency in the work to be undertaken, any variation and extension of the current contract could be based on the following terms:

- A maximum cumulative spend be placed of up to \$500,000 (including GST);
- The contract expire on the 30 June 2025 with no further opportunity for extension;
- That the provision of professional strategic planning and project management service be limited to:
  - Terang and Camperdown Structure Plan project (Stage One);
  - Skipton Structure Plan planning scheme amendment implementation;
  - Grow Corangamite planning scheme amendment implementation;
  - Camperdown Production Precinct planning scheme amendment implementation;
  - Timber Precinct Plan planning scheme amendment implementation;

It is recommended that no new projects be added to this contract with this being the final variation and extension.

### **Policy and Legislative Context**

The report is in keeping with the commitments to the Council Plan 2021-2025:

Theme One – A Connected Community

Infrastructure that enables industry and business growth

Infrastructure and services that deliver population growth and new housing

Theme Two – A Thriving Community

Facilitating and supporting economic development.

More housing and subdivision to cater for population growth.

A local tourism industry that is valued and recognized for its significant role to the Shire.

Corangamite's townships are attractive, accessible and appealing to visitors and are presented in a way in which our residents can be proud.

We retain and we grow our population.

#### *Council's Procurement Policy – December 2021*

Section 2.3.2.1 provides exemptions from public tendering for amounts over \$250,000. The tendering exemption would be under '10. Other specific Council exemptions'.

### **Internal / External Consultation**

Internal consultation has occurred with the Finance Department in preparing this report. Consultation has also occurred with the current contractor confirming ability and capacity to vary and extend the contract to 30 June 2025.

### **Financial and Resource Implications**

The proposed variation provides an overall increase of the contract by \$60,000 from \$440,000 to \$500,000. If procurement was undertaken the funding amount for services may alter depending on current market value.

### **Conclusions**

The provision of professional strategic planning and project management services by Ms Wilkes over the next 5 months to 30 June 2025, will be in the best interests of the community and value to Council to substantially complete a variety of projects consistent with objectives and actions aligned with the Council Plan 2021-2025.

## **RECOMMENDATION - 9.6**

**That Council:**

- 1. Awards a contract extension to Ms Kristen Wilkes in accordance with Council's Procurement Policy, item 2.3.2.1. Exemptions from Tendering subject to the following:**
  - a. A maximum cumulative spend be placed on this contract up to \$500,000 (including GST);**

- b. The contract expire on 30 June 2025;
- c. That Strategic Planning and Project Delivery services be limited to the following projects;
  - i. Terang and Camperdown Structure Plan project (Stage One);
  - ii. Skipton Structure Plan planning scheme amendment implementation;
  - iii. Grow Corangamite: Securing our Agriculture Future planning scheme amendment implementation;
  - iv. Camperdown Production Precinct planning scheme amendment implementation; and
  - v. Timboon Precinct Plan planning scheme amendment implementation;
- 2. Authorises the Chief Executive Officer to execute the Contract and any other documents required by or to give effect to the terms of the Contract on behalf of Council.

**COUNCIL RESOLUTION**

**Moved:** Cr Ruth Gstrein  
**Seconded:** Cr Nick Cole

**That the recommendation be adopted.**

**CARRIED UNANIMOUSLY 7 / 0**

## 9.7 Port Campbell Town Centre Revitalisation Project Update

Directorate: Sustainable Development  
Author: Justine Linley, Director Sustainable Development  
Attachments: 1. CONFIDENTIAL - Port Campbell Project Budget Update  
January 2025 [9.7.1 - 1 page]

### Declaration

Pursuant to sections 3(1) and 66(5) of the *Local Government Act 2020* the Chief Executive Officer has designated this attachment as confidential on the grounds that it contains Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released. In particular the attachment contains information regarding estimates for works packages which could adversely influence competition.

Chief Executive Officer – David Rae

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Author – Justine Linley

In providing this advice to Council as the Director Sustainable Development, I have no interests to disclose in this report.

### Summary

As the Port Campbell Town Centre Revitalisation Project approaches practical completion, a review of the project deliverables, scope and budget have been undertaken. This report provides options for Council's consideration regarding project costings, timeframes for delivery, funding and contractual obligations.

### Introduction

The Port Campbell Town Centre Revitalisation Project addresses the public realm component of Port Campbell and represents an investment in upgrading and improving areas including the streetscape of Lord Street, Tregear Street, Morris Street, the foreshore area along Cairns Street and connectivity to the Headland trail area referred to locally as the surfers' carpark.

The aim of the project is to deliver a world class tourism product while ensuring the streetscape has improved functionality and better meets the needs of locals, especially in peak tourism times. The project seeks to re-position Port Campbell at

the heart of the Shipwreck Coast, while still meeting the needs of the local community.

### Issues

The Project encountered a number of delays in the early stages relating to lack of suitable or available contractors. Many of these delays were outside of Council's control. Consequently, what was originally planned as a 2 to 2 and 1/2 year construction program with a single contractor was shortened to just under 18 months, with multiple contractors requiring more detailed project scoping and direct project management.

The implications of shortened timeframes and inability to secure a single contract meant that in 2024, construction re-commenced in late January through to the end of December 2024 with no breaks for Easter or other peak visitor periods as originally envisaged. In December 2024 this period was extended to enable project completion by end of March 2025. More complex procurement plans were necessary to cover the requirement to separate works into smaller packages, leading to more complex project delivery scheduling with shorter turnaround times for feedback and redesign if and when required.

In summary, the Project is divided into works to be undertaken as part of Contract 2023-017 and other works as follows:

| Item   | Delivery   |
|--|--|
| Major works - Foreshore, Cairns Street and Lord Street | Contract 2023-017 – Civilnow lead contractor<br><br>Foreshore redevelopment, construction of Cairns Street (between Lord Street and Tregea Street), construction of Lord Street (between Morris Street through Cairns to Rocket Shed), installation of seven decks under Norfolk Pines on foreshore, construction of drainage, raingardens, raised planter beds, paving, asphalt, street furniture, lighting, parking bays |
| Integrated Art   | Agreement – Dr Vicki Couzens (auspiced by RMIT) - Includes installation of 7 large tiles, community mosaic, community workshops and interpretive material  |
| Headland/old Great Ocean Road (Surfers Carpark)        | Council managed – external contractors. Surfacing and finishing works to be completed.   |
| Traffic Calming (Cairns/Hennessy/Pitcher Streets)      | Council managed – external contractors<br>To be completed in 2025  |



|  |   |
|--|---|
| Morris Street/Great Ocean Road Roundabout (Eastern Town Entry) | Council managed – external contractors<br>To be completed in 2025 |
| Bus parking Lord Street (Northern Entry)                       | Council managed – external contractors<br>To be completed in 2025 |
| Signage and wayfinding   | Council managed – external contractors<br>To be completed in 2025 |
| Tregea Street Works  | Council managed – external contractors, completed in 2024.        |
| Morris Street Footpath and Tregea Street Footpath              | Council Works Team - Completed in 2022-2023                       |

In order to keep within 10% of budget and meet the intent of the scope of works, it was necessary for Council to re-visit some design elements including materials use and construction methods. As part of Contract 2023-017 negotiations were held with the contractor, Civilnow, to value manage the works program and revise the scope. Council has also been managing the smaller works packages revising the scope where required to minimise overall project expenditure.

Following a Christmas shutdown period works resumed on 6 January 2025. Project and construction teams are working to a project completion date of 31 March 2025. This completion date for the contracted works is set as part of the funding agreement with both State and Federal funding agencies and cannot be extended.

It is acknowledged that a project of this scale and duration has impacts on the businesses and residents of the town. Council and the contractors are working to minimise adverse impacts wherever possible, providing weekly construction updates and maintaining pedestrian access to those premises directly impacted during construction. Council is also undertaking support activities including activations and additional business cleaning.

### Policy and Legislative Context

This report is in keeping with the commitments in the Council Plan 2021-2025:

Theme One - A Connected Community

Roads that are fit for purpose

Footpaths that provide access to key destinations in our towns

Infrastructure that enables industry and business growth

Access to infrastructure that supports a healthy and active lifestyle for our community

Theme Two - A Thriving Community

Facilitating and supporting economic development

Arts and culture that is supported and accessible

A local tourism industry that is valued and recognised for its significant role to the Shire

Corangamite's townships are attractive, accessible and appealing to visitors and are presented in a way in which our residents can be proud

Theme Four - Improving Our Environment

Protecting and improving our built and natural environment

Theme Five - Community Leadership

Council promotes best value and value for money for its ratepayers

### **Internal / External Consultation**

The Project is being undertaken in accordance with Council's Community Engagement Policy 2021 and the Project Charter and Communications and Engagement Plan.

A community and business reference group has been operational throughout the major delivery stages of the project. Communication remains a key priority of the project with information provided regularly to the community via weekly project bulletins and via the Port Campbell Town Centre Project website, the Beacon Newsletter, media, information boards and social media. Business stakeholders are also provided with timely works text messaging and the project team is available for one-on-one meetings.

### **Financial and Resource Implications**

The project is funded jointly by Council, the State Government and Federal Government. Council has two separate funding agreements for this project, namely:

- Australian Government – Building Better Regions Fund - \$5.6 M
- Victorian Government – Regional Infrastructure Fund - \$6 M

With Council contributing the remaining funding for construction and project delivery.

In August 2024 Council considered a report detailing that the project was running marginally over budget due to unforeseen costs beyond the project scope.

The Project has continued to be faced with unforeseen costs including: unmapped asbestos and service infrastructure that has required redesign, additional construction works and program rescheduling; delays in power shut downs requiring contractors to work in a 'live' site impacting on time and requiring further program rescheduling; existing road subsurface being inadequate to reuse requiring additional asphaltting. These infrastructure impacts have resulted in time delays that require additional traffic management and resources.

These unforeseen costs have resulted in additional budget requirements of \$500,000 to ensure full project delivery.

### Options

This report recommends that Council receives this project update and considers a further allocation of \$500,000 to cover unforeseen project costs and enable full project completion. Options before Council to consider:

1. Project scope reduction
2. Deferral of works
3. Increase project budget by \$500,000.

### Conclusions

The Port Campbell Town Centre Revitalisation project is the largest single project the Corangamite Shire has undertaken. The project seeks to strengthen and improve the functionality and amenity of Port Campbell's town centre. The impacts a project of this scale has on the town is acknowledged and Council's support programs aim to reduce this impact. The project has recommenced following the Christmas shutdown and is working to a completion date of 31 March 2025.

### RECOMMENDATION - 9.7

#### That Council:

1. **Receives and notes the January 2025 update for the Port Campbell Town Centre Revitalisation Project.**
2. **Increases the Project budget by \$500,000 to address unforeseen project costs and enable full project completion.**

#### COUNCIL RESOLUTION

**Moved:** Cr Jamie Vogels  
**Seconded:** Cr Geraldine Conheady

**That the recommendation be adopted.**

**CARRIED UNANIMOUSLY 7 / 0**

## 9.8 Facility Design Grant 2024-2025

Directorate: Works and Services  
Author: Lucy Moloney, Acting Sport and Recreation Coordinator  
Attachments: Nil

### Declaration

Chief Executive Officer – David Rae

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Author – Lucy Moloney

In providing this advice to Council as the Acting Sport and Recreation Coordinator, I have no interests to disclose in this report.

### Summary

The purpose of this report is to approve the allocation of funds for Council's Facility Design Grants Program 2024-2025.

### Introduction

Council supports clubs and organisations in renewing or upgrading facilities to be fit for purpose and to meet the needs of users. In recent years, there has been a focus on female participation in sport and increasing access. This has highlighted the need for continued planning, improvement, and enhancement of facilities to reduce the barriers to participation for these community members.

The Council's Facility Design Grants funding enables sporting clubs to fund schematic designs and quantity surveyor costs for redeveloping existing facilities. Additionally, the grants support the creation of new facilities that adhere to universal design principles and relevant facility development guidelines.

Most of the recreation facilities within Corangamite Shire are located on Crown Land and managed by a Department of Energy, Environment and Climate Action (DEECA) delegated Committee of Management. Typically, seeking funding for facility upgrades requires schematic plans and cost estimates to be provided as a part of any application.

In most circumstances, Council is the only eligible applicant to apply for funding through these programs and works closely with the organisation to ensure all

relevant information and documentation is provided to the appropriate standard. The information developed through this funding program, will assist in the above process.

## Issues

### ***Facility Design Grants Program***

The purpose of the program is to provide 'one off' financial assistance to organisations to fund schematic designs and quantity surveyor costs for redevelopment of existing facilities or for new facilities, where communities conduct, organise and participate in sport and recreation.

The facilities will ultimately help to:

- Support health and wellbeing outcomes for our community.
- Meet increasing community expectations on the provision of modern and contemporary facilities.
- Provide improved facilities for participants and officials which meet the principles of universal design and relevant facility development guidelines.
- Improve and enhance the experience of participation.

Funding of up to \$7,500 is available (GST exc.) to eligible applicants. Applications for the grant program closed 13 December 2024.

### ***Eligibility***

To be eligible for funding under this program, applications must be:

- From organisations whose primary facility is located in the Corangamite Shire.
- Providing improved facilities for participants and officials which meet the principles of universal design and facility development guidelines.
- Improving and enhancing the experience of participation in sport and recreation.

### ***Grant Criteria***

Council has developed a set of grant guidelines that considers how grants will be allocated.

The criteria includes:

- Organisations capacity to deliver the project;
- Organisations capacity to fund construction;
- Confirmation of engaged services by a qualified architect, drafts person or quantity surveyor;
- Response to the assessment criteria.
- 

The assessment criteria has been developed so that the relevant information is consistent with requirements for applying to State Government grant programs.

### **Applications**

One grant submission was received requesting a total of \$1,500 excluding GST as shown in the Table below.

| Organisation      | Description  | Funding Request | Panel Comment |
|-------------------|--|-----------------|---------------|
| Timboon Golf Club | Design works to upgrade and expand existing car park at the golf club. | \$1,500         | Eligible      |

### **Assessment**

The application received from Timboon Golf Club seeks to develop engineering designs and plans to expand the existing car park to cater for increased utilisation of the facility and growing use of golf buggies at the site. The applicant has identified that the car park expansion requires detailed engineering to ensure the expansion is undertaken in an appropriate manner. The applicant does not have capacity to fund construction of the project without appropriate grant funding and fundraising.

The application has been independently scored by three Council officers in accordance with the Facility Design Grants assessment criteria, based on the information provided against the relevant criteria.

All successful applications will be required to provide satisfactory acquittal reporting to Council once the project is completed.

### **Policy and Legislative Context**

This report is in keeping with the commitments in the Council Plan 2021-2025:

#### **Theme One - A Connected Community**

Access to infrastructure that supports a healthy and active lifestyle for our community

#### **Theme Three - A Healthy, Active and Resilient Community**

Supporting our communities to move on from COVID

Improving the health and wellbeing of our residents

Access and inclusion is improved

Corangamite residents have access to a range of sport and recreation opportunities

Our community groups and clubs are engaged and supported and facilities are fit for purpose

#### **Recreation and Open Space Strategy 2016-2026:**

- Provide high quality, optimally used, sustainable recreation facilities and open space
- Increase active participation in recreation.

Municipal Public Health and Wellbeing Plan 2021-2025:

- A socially and emotionally well community.
- An active community.

This grants program has been conducted in line with Councils Grants Policy.

### **Internal / External Consultation**

Applications for the grant program were invited via public notices, media releases, social media posts and on Council's website during the application period. Public notices were included in the local newspapers and community newsletters at the commencement of the funding program and again two weeks prior to the closing date. The grant program was further promoted via Councils social media channels.

### **Financial and Resource Implications**

Council has allocated \$30,000 to fund the Facility Design Grants program in the 2024-2025 budget. The program has attracted one application, requesting a total amount of \$1,500 to support designs for future projects. The project evaluation panel has identified that this application is eligible for funding and can be funded within the budget provision.

Considering that budget will still be available following the first round of the Facility Design Grants, a second round of the program is proposed in conjunction with the annual grants program which Council offers in April. This will provide clubs and organisations with an additional opportunity to seek funding from the Facility Design grants program.

### **Options**

Council may choose to allocate funds of \$1,500 to the applicant as per the recommendation and within existing budget, consider adjusting the proposed funding allocation, or not allocate funds at all.

### **Conclusions**

Funding has been allocated in the 2024-2025 Council budget for the purpose of supporting schematic designs and quantity surveyor costs for improving facilities. The program has been developed with reference to Council's and the State Government's existing funding programs and related guidelines. This funding will fast track the development of equitable sport and recreation facilities across the Shire. This will enable organisations with financial capacity and with relevant projects to be shovel ready for future applications to grant programs and will assist Council in realising some efficiency in time and effort at the time of making grant applications in the future.



## RECOMMENDATION - 9.8

That Council allocates Facility Design Grant funds to the following applicant as follows:

| ORGANISATION      | PROJECT  | AMOUNT         |
|-------------------|--|----------------|
| Timboon Golf Club | Design works to upgrade and expand the existing car park at the golf club. | \$1,500        |
| <b>TOTAL</b>      |  | <b>\$1,500</b> |

### COUNCIL RESOLUTION

Moved: Cr Ruth Gstrein  
Seconded: Cr Laurie Hickey

That the recommendation be adopted.

**CARRIED UNANIMOUSLY 7 / 0**

## 9.9 Application of Common Seal of Council

Directorate: Governance and Civic Support  
Author: Kathryn Anderson, Manager Governance and Civic Support  
Attachments: 1. Corangamite Shire Use of Common Seal 2023 2024 [9.9.1 - 5 pages]

### Declaration

Chief Executive Officer – David Rae

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Author – Kathryn Anderson

In providing this advice to Council as the Manager Governance and Civic Support, I have no interests to disclose in this report.

### Summary

This report informs Council of all applications of the Common Seal made by the Chief Executive Officer under delegation. Going forward, this report will be provided to Council in January, providing information on the previous calendar year.

### Introduction

The Corangamite Shire Council is required to keep and maintain a common seal under s 14(b) of the Local Government Act 2020. The Common Seal is used to execute documents of significant importance and is to be used in accordance with local laws. The Common Seal carries legal weight, as the presumptive position at law is any document bearing the seal is prima facie properly sealed and legitimate.

The Common Seal may be used by Council as required and as authorised by Council resolution. Additionally, under Meeting Procedure Local Law No. 3 2016 (Local Law), Council may, by resolution, delegate the use of the Common Seal to the Chief Executive Officer for general classes of activities or transactions. The Chief Executive Officer is required by the Local Law to regularly advise Council of the use of the Common Seal when applied under delegation.

At the Council Meeting on 24 January 2023, Council resolved to authorise the Chief Executive Officer to apply the Common Seal of Council. to general classes of documents. Typical documents sealed under delegation by the Chief Executive Officer include:

- Planning and Environment Act 1987 section 173 agreements.
- Funding/grant agreements.
- Contracts endorsed by a resolution of Council.
- Lease agreements endorsed by a resolution of Council.
- Licence agreements endorsed by a resolution of Council.
- Transfer of land documents for transactions endorsed by a resolution of Council.
- Contracts awarded by the CEO within the CEO's financial delegation.
- The following types of leases from the Leasing Policy:
  - Airstrip Hangar lease renewals, transfers, assignments or subletting.
  - All licence agreements, including renewals, assignments or subletting.
  - Crown Land licence agreements.

The Common Seal was applied by the Chief Executive Officer (CEO) from 1 January 2023 to 31 December 2024 to the documents listed in the attached table.

### **Policy and Legislative Context**

This report is in keeping with the commitments in the Council Plan 2021-2025:

Theme Five - Community Leadership

Having strong governance practices

### **Internal / External Consultation**

Officers requiring documents to be sealed consult the Governance team regarding the necessary requirements.

### **Financial and Resource Implications**

Relevant contracts or agreements sealed under CEO delegation are within the CEO's financial delegation limits.

### **Options**

Council is required to receive the list of documents sealed under CEO delegation in accordance with the Local Law. Council may choose to renew its delegation to the CEO relating to usage of the Common Seal of Council for certain types documents.

### **Conclusions**

Various documents require the use of the Common Seal. The Local Law details the use of the Common Seal and provides for the application of the Common Seal by the Chief Executive Officer under delegation for general classes of activities or transactions. The current classes of activities delegated are fit for purpose.

It is recommended that Council receives the attached list of documents to which the Common Seal was applied under delegation by the Chief Executive Officer from 1 January 2023 to 31 December 2024 and renew the classes of activities and transactions currently delegated to the Chief Executive Officer.

**RECOMMENDATION - 9.9**

**That Council receives the attached list of documents sealed by the Chief Executive Officer under delegation between 1 January 2023 until 31 December 2024.**

**COUNCIL RESOLUTION**

**Moved: Cr Laurie Hickey  
Seconded: Cr Ruth Gstrein**

**That the recommendation be adopted.**

**CARRIED UNANIMOUSLY 7 / 0**

## 10 Other Business

Nil

## 11 Open Forum

The Mayor, Cr Kate Makin, invited members of the public to ask a question or make a statement.

The following item was submitted:

- Peter Younis - Port Campbell - I would like to the opportunity to address the next council meeting regarding one aspect of the Port Campbell streetscape design. I believe that Council has made decisions regarding this project, with the best intentions using the information available at the time. Unfortunately all of us have been unaware of just how unsuitable the design of the platforms under the Norfolk Island Pines is. I have been made aware of some proposed solutions and the limitations on what can happen at this stage of the development. I would like the opportunity to address the Council directly to argue a case that there are in fact a few better solutions than currently proposed and that our Council has the ability to make this happen. This is an opportunity for the current Council to fix an error in design that has the potential to severely affect the whole experience of living in and visiting Port Campbell. The alternative is to be associated, for the life of these viewing decks, with a monumental failure. Please note that there is no intention to pursue an agenda apportioning blame to anyone, either council staff or Councillors. My sole intention is to argue what I believe is a sound case for a suitable solution.
- Sue Younis - Port Campbell - As a member of the Port Campbell Community Business and Reference Group I would like the opportunity to speak for 5 mins at the council meeting. I would like to talk about the design of the deck and balustrade.
- Michelle Rowney - Port Campbell - Regarding the cladding on the decking under the Norfolk Pine trees, what specific community consultation and feedback was undertaken. Please provide dates, names and outcome of consultation.

**COUNCIL RESOLUTION**

**Moved:** Cr Jamie Vogels  
**Seconded:** Cr Jo Beard

**That standing orders be suspended for Confidential Items.**

**CARRIED UNANIMOUSLY 7 / 0**

Standing orders were suspended at 4.20pm.

**COUNCIL RESOLUTION**

**Moved:** Cr Ruth Gstrein  
**Seconded:** Cr Laurie Hickey

**That standing orders be resumed.**

**CARRIED UNANIMOUSLY 7 / 0**

Standing orders were resumed at 4.35pm.

## 12 Confidential Items

### 12.1 Chief Executive Officer Mid Year Progress review for 2024 – 2025

#### RECOMMENDATION

That pursuant to the provisions of Section 66(2)(a) of the *Local Government Act 2020* the meeting be closed to the public to enable consideration of the following reports as they relate to Council business information and personal information.

#### COUNCIL RESOLUTION

**Moved:** Cr Jo Beard  
**Seconded:** Cr Geraldine Conheady

**That the recommendation be adopted.**

**CARRIED UNANIMOUSLY 7 / 0**

The meeting moved into confidential items at 4.35pm.

#### COUNCIL RESOLUTION

**Moved:** Cr Jamie Vogels  
**Seconded:** Cr Ruth Gstrein

**That the meeting move out of confidential items.**

**CARRIED UNANIMOUSLY 7 / 0**

The meeting moved out of confidential items at 4.38pm.



## 13 Close Meeting

Mayor, Kate Makin declared the Council Meeting closed at 4.38pm.

I hereby certify that these minutes have been confirmed and are a true and correct record.

CONFIRMED: \_\_\_\_\_  
Chairperson

DATE: 28 January 2025