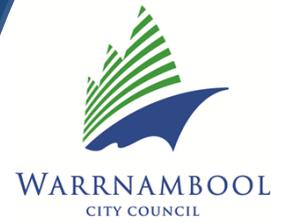


MINUTES

SPECIAL MEETING

WARRNAMBOOL CITY COUNCIL

5:45 PM - MONDAY 17 DECEMBER 2018



VENUE:

Reception Room

25 Liebig Street

Warrnambool

COUNCILLORS

Cr. Tony Herbert (Mayor)

Cr. Robert Anderson

Cr. Sue Cassidy

Cr. Kylie Gaston

Cr. Peter Hulin

Cr. Michael Neoh

Cr. David Owen

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Bruce Anson
CHIEF EXECUTIVE

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MINUTES OF THE SPECIAL MEETING OF THE WARRNAMBOOL CITY COUNCIL HELD IN THE RECEPTION ROOM, WARRNAMBOOL CIVIC CENTRE, 25 LIEBIG STREET, WARRNAMBOOL ON MONDAY 17 DECEMBER 2018 COMMENCING AT 5:45 PM

PRESENT: Cr. Tony Herbert, Mayor/Chairman
Cr. Robert Anderson
Cr. Sue Cassidy
Cr. Kylie Gaston
Cr. Peter Hulin
Cr. Michael Neoh
Cr. David Owen

IN ATTENDANCE: Mr Bruce Anson, Chief Executive
Mr Scott Cavanagh, Director City Infrastructure
Ms. Vikki King, Director Community Development

1. OPENING PRAYER & ORIGINAL CUSTODIANS STATEMENT

Almighty God
Grant to this Council
Wisdom, understanding and Sincerity of purpose
For the Good Governance of this City
Amen.

ORIGINAL CUSTODIANS STATEMENT

I wish to acknowledge the traditional owners of the land on which we stand and pay my respects to their Elders past and present.

2. APOLOGIES

Nil.

3. DECLARATION BY COUNCILLORS AND OFFICERS OF ANY CONFLICT OF INTEREST IN ANY ITEM ON THE AGENDA

Pursuant to Sections 77, 78 and 79 of the Local Government Act 1989 (as amended) direct and indirect conflict of interest must be declared prior to debate on specific items within the agenda; or in writing to the Chief Executive Officer before the meeting. Declaration of indirect interests must also include the classification of the interest (in circumstances where a Councillor has made a Declaration in writing, the classification of the interest must still be declared at the meeting), i.e.

- (a) direct financial interest
- (b) indirect interest by close association
- (c) indirect interest that is an indirect financial interest
- (d) indirect interest because of conflicting duties
- (e) indirect interest because of receipt of an applicable gift
- (f) indirect interest as a consequence of becoming an interested party
- (g) indirect interest as a result of impact on residential amenity
- (h) conflicting personal interest

A Councillor who has declared a conflict of interest, must leave the meeting and remain outside the room while the matter is being considered, or any vote is taken. Councillors are also encouraged to declare circumstances where there may be a perceived conflict of interest.

- Cr. T. Herbert Item No.4.2 - Contract 2018047 - Receipt & Processing of recycled products - Indirect Interest
- Cr. T. Herbert - Item 4.3 - Contract 2019002 - Kerbside waste & recyclables collection – Indirect Interest

4. REPORTS

4.1. EASTERN ENTRANCE STATEMENT

PURPOSE:

To provide Council with a summary of the community consultation outcomes for the Eastern Entrance Statement.

EXECUTIVE SUMMARY

- As part of its 2018/2019 budget Council has provided funding for the installation of an entry statement on the eastern approach to Warrnambool.
- A design and construct procurement process has been undertaken and 4 design options have been developed which are titled Recognisable, Contemporary, Abstract, Emblematic. These options are illustrated in Attachments 1 - 8.
- The four options were advertised for public consultation through Council's social media and the Warrnambool Standard between 12 November 2018 and 23 November 2018.
- The consultation process sought community feedback and response to each of the signage options. The consultation process was not conducted as a vote.
- The community response strongly favoured the 'Recognisable' design option. Attachment 9 provides a copy of consultation received through Council's have your say web portal.
- The consultation suggested that the inclusion of Council's vision statement may overpower the sign and its removal is subsequently being recommended.
- The consultation also identified a strong desire for the inclusion of indigenous culture as part of the entry statement.

MOVED: Cr. Peter Hulin

SECONDED: Cr. David Owen

That Council:

- (i) **Note the community consultation received in relation to the entry signage.**
- (ii) **Endorse the 'Recognisable' signage design as the installation for the eastern entry statement.**
- (iii) **Support the removal of Council's vision statement from the eastern entry statement.**
- (iv) **Agree to continue discussions with local indigenous representatives and reaffirm its commitment for the inclusion of indigenous acknowledgement as part of the eastern entry statement, as part of the initial installation or at a later time.**

CARRIED - 7:0

BACKGROUND

As part of its 2018-2019 budget Council allocated funding to "develop civic pride and story through the development of town entrance statements.

Design options were developed with the intention of delivering the following objectives:

1. Instilling civic pride within the community
2. Creating a sense of arrival
3. Reaffirming Warrnambool as a visitor destination; and
4. Reaffirming Warrnambool's coastal location and reinforcing Council's vision for Warrnambool to be a "Cosmopolitan City by the Sea".

ISSUES

The community consultation process, as well as clearly indicating a strong community connection with the 'Recognisable' sign, also identified other aspects for Council's consideration.

Council Vision

The consultation process highlighted that the use of Council's vision statement on the entry sign may overpower the sign and its removal is subsequently being recommended. There were also several responses which highlighted that some sections of the community don't see a strong alignment with the vision.

Legibility

The legibility of entry signage was also raised as an issue for the consideration of Council. It is important that signage offers a balance between the quantity of graphic artwork, and rationalisation of the amount of information so that it is not difficult, confusing or hard to comprehend.

In general information on a sign must be simple, without extraneous detail, and offer instant 'bits' of information. An assessment of the four signage options suggests that options rank in the following order from easiest to comprehend to most complex: *Emblematic, Contemporary, Recognisable, Abstract*.

Although the Contemporary sign was considered to be the second easiest to read there was also some concern about the reflective nature of the materials.

It is also important to note that one of the purposes of the entry statement is to provide some repeated interaction so that elements or aspects can be interpreted over multiple trips past the entrance location.

Indigenous Content

The inclusion of Indigenous Cultural elements within the new Eastern Entrance was raised through the consultative process and had been identified by Council previously.

The project team have met with DPC's Aboriginal Liaison Broker and are working through him to have indigenous acknowledgement developed. The acknowledgement could include input into the signage graphic artwork, landscaping elements or a separate design component.

FINANCIAL IMPACT

Capital costs for the installation of the Eastern Entrance Statement are provided in the 2018/19 Capital Works Program.

LEGISLATION/POLICY/COUNCIL PLAN CONTEXT

The vision for Warrnambool to be a Cosmopolitan City by the Sea was adopted by Council during the development of the *2017-2021 Council Plan* and the commitment in the Council Plan was to "develop civic pride and story through development of town entrances".

TIMING

This project is funded as part of the 2018/2019 budget and should be completed prior to the end of the financial year.

COMMUNITY IMPACT/CONSULTATION

Council placed each of the four options out to the community between 12 November 2018 and 23 November 2018 and sought comment in relation to each of the entrance statement options.

Attachment 9 provides a full summary of the responses received through the have your say portal.

LEGAL RISK/IMPACT

Project related risks have been considered as part of the project development process.

OFFICERS' DECLARATION OF INTEREST

No conflict of interests have been declared by officers in relation to this report.

CONCLUSION

Having now received community feedback Council is now in a position to select an entry statement option for the eastern entry into Warrnambool.

ATTACHMENTS

1. 31502-1 Warrnambool CC Eastern Gateway Signage 15 detail **[4.1.1]**
2. 31502-1 Warrnambool CC Eastern Gateway Signage 15 SEPERATED VIEW **[4.1.2]**
3. 31502-1 Warrnambool CC Eastern Gateway Signage 16 detail **[4.1.3]**
4. 31502-1 Warrnambool CC Eastern Gateway Signage 16 **[4.1.4]**
5. 31502-1 Warrnambool CC Eastern Gateway Signage 17 detail **[4.1.5]**
6. 31502-1 Warrnambool CC Eastern Gateway Signage 17 **[4.1.6]**
7. 31502-1 Warrnambool CC Eastern Gateway Signage 18 **[4.1.7]**
8. 31502-1 Warrnambool CC Eastern Gateway Signage 18 render **[4.1.8]**
9. Have Your Say Community Responses to Consultation Survey **[4.1.9]**

Cr. Herbert declared an interest in the next two items, vacated the Chair and left the meeting at 6.55pm.

Cr. Neoh nominated Cr Cassidy as Acting Chair and as there were no other nominations, Cr. Cassidy took the Chair.

4.2. AWARD OF CONTRACT 2018047 - RECEIPT AND PROCESSING OF RECYCLED PRODUCTS

PURPOSE:

For Council to award preferred tenderer status to SKM Industries Pty Ltd for Tender No. 2018047.

EXECUTIVE SUMMARY

- Council has sought tenders for the provision of a schedule of rates contract for the Receipt and Processing of Recycled Products.
- 5 tender submissions including 2 non-conforming tenders were received and considered by the Tender Evaluation Panel.
- Following a detailed evaluation of the tender submissions it is recommended that SKM Industries Pty Ltd be awarded 'Preferred Tenderer' status.

MOVED: Cr. Michael Neoh

SECONDED: Cr. Robert Anderson

That Council:

- 1. Award 'preferred tenderer' status to SKM Industries Pty Ltd in relation to Tender No. 2018047 Receipt and Processing of Recycled Products.***
- 2. Authorise the Director of City Infrastructure to negotiate terms and conditions in relation to the tender offer.***

CARRIED – 6:0

BACKGROUND

Council has sought tenders for the provisions of recycling processing services through a 2-stage procurement process.

Council initially advertised an Expression of Interest (EOI) process to shortlist prospective tenderers. There were 4 respondents to the EOI process and all of whom were invited to submit a tender.

ISSUES

5 tender submissions including 2 non-conforming tenders were received and considered by the Tender Evaluation Panel.

CURRENT STATUS

The existing contract is due to expire on 30 June 2019. The commencement date of this contract is 1st July 2019 or earlier by agreement.

FINANCIAL IMPACT

The costs of this contract are covered in the waste management program.

LEGISLATION / POLICY / COUNCIL PLAN CONTEXT

1 Sustain and enhance the natural environment

- 1.2 Commit to being a carbon neutral organisation by 2040.
- 1.5 Review options for managing waste.

TIMING

Council needs to have a recycling processing contract in place prior to the 30 June 2019.

COMMUNITY IMPACT / CONSULTATION

There is no requirement for community consultation through a tender process.

LEGAL RISK / IMPACT

The risks associated with the contract are reputational, financial and operational.

OFFICERS' DECLARATION OF INTEREST

No officer involved in this tender evaluation has declared any conflict of interest.

CONCLUSION

A comprehensive evaluation process has been undertaken against the assessment criteria.

Council is now in a position to award preferred tenderer status in relation to tender 2018047.

ATTACHMENTS

Nil

4.3. AWARD OF CONTRACT 2019002 - KERBSIDE WASTE AND RECYCLABLES COLLECTION

PURPOSE:

For Council to award Tender No 2019002 – Kerbside Waste and Recyclables Collection

EXECUTIVE SUMMARY

- Council awarded preferred tenderer status to Wheelie Waste by Council resolution on 5th November 2018 in relation to Tender No. 2019002.
- Since Council's award of preferred tenderer status the evaluation panel has raised a series of matters with Wheelie Waste Pty Ltd and conducted a further tender interview on Wednesday 21st November 2018.
- The panel believe that Council is not currently in a position to include a glass collection as part of the tender award, however it can seek to retain this as a contract option.
- The current contract is due to expire on 30th June 2019. The proposed new contract term is 7 years with 1 x 2 year extension or a 2 x 1 year extensions.
- Council is now in a position to award Tender No. 2019002 Kerbside Waste and Recyclables Collection to Wheelie Waste Pty Ltd.

MOVED: Cr. David Owen

SECONDED: Cr. Peter Hulin

That Council:

1. ***Accept the tender submission from Wheelie Waste for Tender No. 2019002 Kerbside Waste and Recyclables Collection, for the tendered schedule of rates.***
2. ***Authorise the Director of City Infrastructure to finalise the terms, conditions and content of the contract and;***
3. ***Authorise the CEO to sign and seal the contract documents.***

CARRIED - 6:0

BACKGROUND

The current kerbside waste and recycling collection contract expires on 30th June 2019.

A tender process has been undertaken for a new contract and preferred tenderer status was awarded to Wheelie Waste by Council resolution on 5th November 2018 in relation to Tender No. 2019002.

ISSUES

As part of the tender process Wheelie Waste Pty Ltd provided Council with an option for a separate glass collection. Council has been able to negotiate an extended timeframe under which this option could be accepted, and the cost of the service, should it be accepted at a later time, is included in the tendered schedule of rates.

CURRENT STATUS

Council is now able to award this tender.

FINANCIAL IMPACT

The costs associated with the collection of kerbside waste and recycle bins is included in the waste management program.

LEGISLATION / POLICY / COUNCIL PLAN CONTEXT

1 Sustain and enhance the natural environment

- 1.2 Commit to being a carbon neutral organisation by 2040.
- 1.5 Review options for managing waste.

TIMING

The current contract is due to expire on 30th June 2019. The proposed new contract term is 7 years with 1 x 2 years extension or a 2 x 1 year extensions.

COMMUNITY IMPACT / CONSULTATION

There is no requirement for community consultation through a Public Tender Process.

LEGAL RISK / IMPACT

The risks associated with the contract are reputational, financial and operational. A probity adviser oversaw the tender process and confirmed the process was in accordance with best practice procurement and Council's Procurement Policy. Legal and specialist advice was sought throughout the preparation of the tender documents.

OFFICERS' DECLARATION OF INTEREST

No conflicts of interest were declared by officers involved in the preparation and evaluation of this tender.

CONCLUSION

Council is now in a position to consider and award Tender No. 2019002 for Kerbside Waste and Recyclables collection.

ATTACHMENTS

Nil

Cr. Herbert returned to the meeting at 6.08pm and resumed the Chair.

4.4. AWARD OF CONTRACT 2019007 - STRUCTURAL CONSERVATION WORKS - WOLLASTON HERITAGE BRIDGE

PURPOSE:

For Council to award Tender 2019007 – Structural Conservation Works – Wollaston Heritage Bridge

EXECUTIVE SUMMARY

- Council has sought tenders for conservation works for the structural stabilisation of the Wollaston Heritage Bridge.
- Seven tender submissions were received and considered by the Tender Assessment Panel.
- Following a detailed evaluation of the tender submissions, it is considered that this tender should be awarded to L & H Van Kempen.

MOVED: Cr. Peter Hulin
SECONDED: Cr. Robert Anderson

That Council:

1. **Accept the tender submission from L & H Van Kempen for Contract No. 2019007 for a lump sum of \$283,093.00 excluding GST (\$311,402.30 GST Inclusive) along with the accompanying schedule of rates, subject to final contract terms and conditions being negotiated to the satisfaction of the Director City Infrastructure, and**
2. **Delegate the authority to execute, vary and administer the contract to the CEO.**

CARRIED 7:0

BACKGROUND

Warrnambool City Council invited tenders from appropriately skilled and experienced contractors to carry out the next stage of conservation works on the historic Wollaston Bridge in Warrnambool.

ISSUES

The tender panel was conscious of the need to appoint contractors who have had previous experience restoring timber structures of high heritage value in a respectful and compliant manner.

The restoration works will require the temporary closure of the bridge to pedestrians and this result in the need to establish pedestrian access over the nearby road bridge. This will see traffic on the road bridge restricted to one lane for a number of months.

FINANCIAL IMPACT

The works has been budgeted in Council's bridge renewal program and are supported by a Heritage Victoria Grant of \$195,000.

LEGISLATION / POLICY / COUNCIL PLAN CONTEXT

5 Practice good governance through openness and accountability

5.2 Annual Budget

5.8 Ensure financial sustainability through effective use of Councils resources and assets and prudent management of risk.

TIMING

Commencement of the Contract will occur upon issuance of the Letter of Award scheduled for 18 December 2018 following Council's acceptance of the tender.

COMMUNITY IMPACT / CONSULTATION

There is no requirement for community consultation through a Council procurement process.

LEGAL RISK / IMPACT

The risks associated with the contract are reputational, financial and operational.

OFFICERS' DECLARATION OF INTEREST

No conflict of interest has been declared by officers in relation to this tender assessment.

CONCLUSION

Council can now consider the panel's recommendation in relation to Contract 2019007 – Structural Conservation Works – Wollaston Heritage Bridge.

ATTACHMENTS

Nil

5. CLOSE OF MEETING

The meeting closed at 6.13pm.

CHAIRMAN