

Minutes

Meeting of Council
Tuesday, 19 January 2021

Held via video conference
(Zoom)

Commenced at 6:01pm

Council:

Cr Libby Stapleton (Mayor)
Cr Gary Allen
Cr Paul Barker
Cr Mike Bodsworth
Cr Kate Gazzard
Cr Rose Hodge
Cr Liz Pattison
Cr Adrian Schonfelder
Cr Heather Wellington

MINUTES FOR THE MEETING OF SURF COAST SHIRE COUNCIL
HELD VIA VIDEO CONFERENCE (ZOOM)
ON TUESDAY 19 JANUARY 2021 AT 6:01PM

PRESENT:

Cr Libby Stapleton (Mayor)
Cr Gary Allen
Cr Paul Barker
Cr Mike Bodsworth
Cr Kate Gazzard
Cr Rose Hodge
Cr Liz Pattison
Cr Adrian Schonfelder
Cr Heather Wellington

In Attendance:

Acting Chief Executive Officer – Anne Howard
Acting General Manager Governance & Infrastructure – John Bertoldi
General Manager Culture & Community – Chris Pike
General Manager Environment & Development – Ransce Salan
Acting Coordinator Governance – Zoe Eastick
Governance Officer – Liberty Nash

OPENING:

Cr Stapleton opened the meeting.

The Surf Coast Shire local government area spans the traditional lands of the Wadawurrung People and the Eastern Maar People. The main Council offices in Torquay are on Wadawurrung Country. Being an online meeting today, we wish acknowledge the Traditional Owners of the lands on which each person is attending and pay respect to Elders past and present. Council also acknowledges other Aboriginal people that may be attending the meeting today.

PLEDGE:

Cr Pattison recited the pledge on behalf of all Councillors.

As Councillors we carry out our responsibilities with diligence and integrity and make fair decisions of lasting value for the wellbeing of our community and environment.

APOLOGIES:

Nil.

CONFIRMATION OF MINUTES:

Council Resolution

MOVED Cr Paul Barker, Seconded Cr Heather Wellington

That Council notes the minutes of the Council Meeting held on 8 December 2020 as a correct record of the meeting.

CARRIED 9:0

LEAVE OF ABSENCE REQUESTS:

Nil.

CONFLICTS OF INTEREST:

No conflicts of interest were declared at this meeting.

The following interests were declared. Neither of these interests are considered to be a conflict of interest as defined under the *Local Government Act 2020*, however, have been declared as interests to ensure transparency and good governance.

1. Cr. Adrian Schonfelder declared an interest in relation to agenda item 6.1. Cr Schonfelder provided the following statement addressing this matter:

"I would like to inform the meeting that I have an interest in item 6.1, relating to maintenance in Winchelsea, as I signed the original petition. However, I have sought advice on this matter and do

not believe I have a conflict of interest within the definitions of the Local Government Act. Additionally I do not hold a predetermined position and am open to the discussion on this matter. I would also mention that items in the recommendation are for noting only and the actions already underway."

2. Acting Chief Executive Officer Anne Howard declared an interest in relation to agenda item 6.7. The Acting Chief Executive Officer provided the following statement addressing this matter:

"I wish to advise Councillors and the community that I will absent myself from the Council meeting during Item 6.7 when Council considers the process for the recruitment of the CEO.

I have sought legal advice about this item and I have been advised that I do not have a Conflict of Interest within the definitions of the Local Government Act 2020.

However, I recognize that as the Acting CEO I do have an interest in this item. This interest may be in common with others, but as the Acting CEO it is appropriate that I excuse myself when this is considered.

I also confirm that I have not participated in any part of the process to date, including the preparation or authorisation of the report in the Agenda.

Before Council considers Item 6.7, the Governance officer will move me out of the meeting and I will ask that Chris Pike, General Manager of Culture and Community turn on his video and be available for Councillors should they need any support from a Senior Officer."

PRESENTATIONS:

Cr. Allen delivered a presentation addressing his recent attendance at an event celebrating 20 years of Lorne Landcare. Cr Allen acknowledged the community appreciation for this volunteer group, paying respect to its founders Michale Callahan and Alain Purnell, and formally recognised the wonderful work of Lorne Landcare.

PUBLIC QUESTION TIME:

No questions received.

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1. PETITIONS & JOINT LETTERS

Nil

2. RESPONSIBLE & PLANNING AUTHORITIES

2.1 Adoption of Amendment C127 - Section 96A Application for the Rezoning and Subdivision of Land at 2995 Princes Highway, Winchelsea

Author's Title: Principal Strategic Planner
Department: Planning and Development
Division: Environment & Development

General Manager: Ransce Salan
File No: F18/1510
Trim No: IC20/1706

Appendix:

1. Zoning Map (D20/142165)
2. Plan of Subdivision (D20/142190)
3. Draft Planning Permit (D20/235488)
4. Instruction Sheet (D20/142158)
5. Explanatory Report (D20/142156)

Officer Conflict of Interest:

In accordance with Local Government Act 2020 – Section 130:

Yes

No

Reason: Nil

Status:

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

Yes

No

Reason: Nil

Purpose

The purpose of this report is to consider the adoption of Amendment C127surf following exhibition. The adoption process represents the final formal step in Council's consideration of the amendment request. The Council must consider all submissions and then decide whether to adopt or abandon the amendment.

Summary

Amendment C127surf was lodged under Section 96A of the *Planning & Environment Act 1987*. Section 96A allows an applicant to apply for both a rezoning and a planning permit to be considered concurrently by the planning authority. The C127 proposal seeks the rezoning of farming land to the Low Density Residential Zone and a planning permit to allow the subdivision of land at 2995 Princes Highway, Winchelsea. The subject land is identified in the Winchelsea Framework Plan and Growing Winchelsea as a location for 'Potential low density residential growth'.

Amendment C127 was lodged with Council in September 2018. The application is supported by background reports addressing matters relevant to traffic management, stormwater management, environmental assessment, cultural heritage and bushfire hazard management.

The amendment was placed on public exhibition in July 2020, and Council received five submissions from statutory authorities and the applicant. All matters raised within submissions have been resolved through minor amendments to the draft planning permit. The proposal complies with the relevant requirements of the Surf Coast Planning Scheme and represents a location for residential growth with strong strategic justification.

Recommendation

That Council as the planning authority:

1. Adopts Amendment C127surf as documented in Appendix 1 and in accordance with section 29 of the *Planning and Environment Act 1987*; then
2. Forwards Amendment C127surf to the Minister for Planning for approval in accordance with section 31 of the *Planning and Environment Act 1987*, subject to the proponent entered into a section 173 agreement with Council for the payment of development contributions.1.

2.1 Adoption of Amendment C127 - Section 96A Application for the Rezoning and Subdivision of Land at 2995 Princes Highway, Winchelsea

Council Resolution

MOVED Cr Heather Wellington, Seconded Cr Adrian Schonfelder

That Council as the planning authority:

1. Adopts Amendment C127surf as documented in Appendix 1 and in accordance with section 29 of the *Planning and Environment Act 1987*; then
2. Forwards Amendment C127surf to the Minister for Planning for approval in accordance with section 31 of the *Planning and Environment Act 1987*, subject to the proponent entered into a section 173 agreement with Council for the payment of development contributions.

CARRIED 9:0

2.1 Adoption of Amendment C127 - Section 96A Application for the Rezoning and Subdivision of Land at 2995 Princes Highway, Winchelsea

Report

Officer Direct or Indirect Interest

No officer involved in the preparation of this report has any conflicts of interest.

Background

Amendment C127 seeks the rezoning of 21 hectares of land from the Farming Zone to the Low Density Residential Zone at 2995 Princes Highway, Winchelsea (See Appendix 1). The amendment also includes an update to the Winchelsea Framework map at Clause 21.09 in the planning scheme to show the area as 'Low Density Residential' rather than 'Potential low density residential growth'.

Pursuant to Section 96A of the *Planning and Environment Act 1987* the amendment also includes an application for the subdivision of land to create 74 lots greater than 2000m² in area (See Appendix 2.). The subdivision also encompasses the south-east corner of the Commercial 2 zoned land at the northern end of the site where approximately 2,500sqm of commercially zoned land will be developed for drainage.

The subject land is identified as Crown Portion Q, Parish of Mirnee (TP293883G). The parcel is bordered by the Princes Highway to the north and has a total area of 24.45 hectares. The site contains a single dwelling with associated outbuildings and agricultural storage buildings. The subject land is contained within two zones, with the larger southern portion (87% of the total site area) located within the Farming Zone, and a 100 metre wide strip of land (13%) fronting the Princes Highway in the Commercial 2 Zone.

The subdivision is consistent with the Development Plan Overlay – Schedule 9 and the Design and Development Overlay – Schedule 17 that cover the Commercial 2 zoned land. The north-west portion of the commercial land is also subject to an Environmental Audit Overlay; however, the subdivision does not encroach on this area.



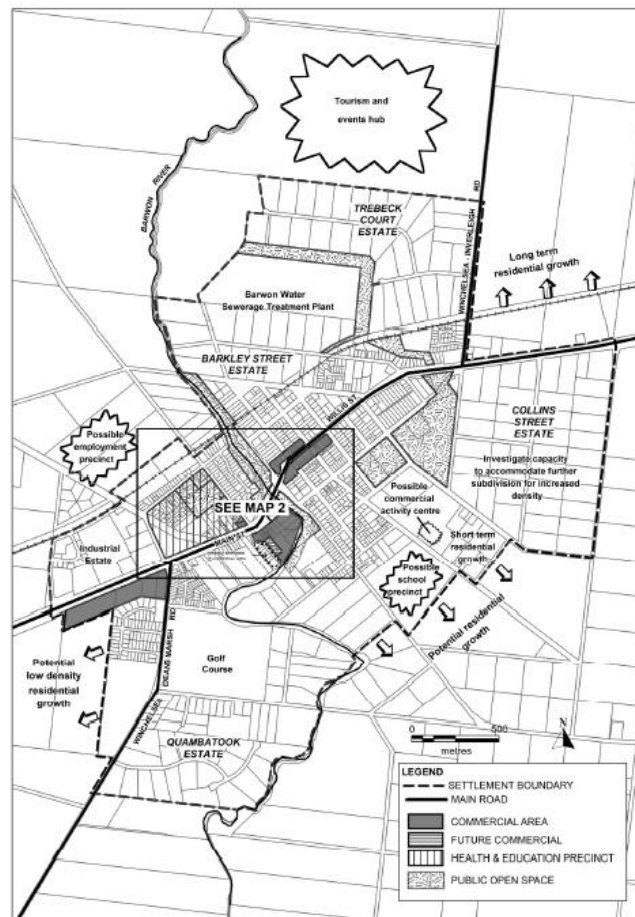
Map 1. Location of site at 2995 Princes Highway, Moriac

2.1 Adoption of Amendment C127 - Section 96A Application for the Rezoning and Subdivision of Land at 2995 Princes Highway, Winchelsea

The subject land has the ability to be serviced by reticulated sewerage infrastructure and the applicant is seeking to create residential lots with an area of 2000 square metres or greater. The proposed plan of subdivision details an internal road network that it is well integrated with the adjoining Green Estate (See appendix 2.). The design avoids unnecessary cul-de-sac street design and allows for future connectivity to the west. The design incorporates a centrally located open space park with a total area of 1 hectare. A number of recreation assets are proposed for the open play space area, including a basketball half court, football goal posts and street furniture. Two other reserves are set aside for stormwater drainage purposes.

The proponents have agreed to enter into a section 173 agreement for development contributions for the development. The section 173 agreement will be registered on title and will require contributions towards infrastructure identified in the Winchelsea Development Contributions Plan updated in 2014. That plan has not been incorporated into the Surf Coast Planning Scheme but has been the basis of contributions for all new estates in Winchelsea. The payments required have been determined based on an indexed levy for Charge Area 7. To ensure that it is executed, the section 173 agreement will be required to be entered into prior to the adopted amendment being sent to the Minister for Planning for approval.

Map 1 to Clause 21.09: Winchelsea Framework Map



Map 2. Winchelsea Framework Plan – Identifies the subject land for ‘Potential low density residential growth’.

2.1 Adoption of Amendment C127 - Section 96A Application for the Rezoning and Subdivision of Land at 2995 Princes Highway, Winchelsea

Discussion

Planning Policy Assessment

Growing Winchelsea Shaping Future Growth 2015

The adopted Growing Winchelsea Strategy contains a 10 year plan identifying the subject land as "Future Residential Larger Lots". The Green Estate to the east is a combination of General Residential 1 zoned land and Low Density Residential to the south. The Green has experienced strong demand and this land will add an additional 73 low density lots to the residential land supply.

Clause 21.09 – Winchelsea Strategy

Clause 21.09 builds upon State and Local Planning Policies that seek to support further residential growth in the township of Winchelsea. The proposed subdivision is considered to be generally consistent with the objectives of Clause 21.09-2 for the following reasons:

- The subdivision contributes to the country village character of Winchelsea by providing shared 'open spaces' and lots allowing adequate room for front gardens with a generous setback from the street.
- The subject land is located outside of the existing defined settlement boundary, however the area is identified as a location for 'Potential low density residential growth'. Given the demand for housing in the Green Estate, this rezoning is considered appropriate. This amendment will alter the settlement boundary to incorporate the subject land, and alter the directions map contained at Clause 21.09 accordingly.
- The Winchelsea Strategy incorporates the objectives of the adopted strategy for Winchelsea *Growing Winchelsea 2015*. The rezoning of this parcel to Low Density Residential Zone is consistent with this strategy.
- The low density nature of the proposed residential subdivision presents a graduated transition zone between the standard density residential neighbourhood of the Greens Estate to the east and the open farming land to the west.

Development Plan Overlay – Schedule 9 (Winchelsea Commercial 2 Zone Area)

The Development Plan Overlay – Schedule 9 (DPO9) applies to the area of the subject site contained within the Commercial 2 Zone and a development plan was prepared and approved in 2017.

There is a small footprint of infrastructure works that extend into the area covered by the DPO9; the location and purpose of these works are generally consistent with the approved plan.

Design and Development Overlay – Schedule 17 (Winchelsea Commercial 2 Zone Area)

The Design and Development Overlay – Schedule 17 applies to the area of the subject site that is contained within the Commercial 2 Zone. The DDO17 introduces a design objective 'to achieve a design, built form and landscaping outcome that enhances the visual quality and amenity of this gateway location'. Specific application requirements for buildings and works address landscape and setbacks, site layout, buildings, fencing and lighting considerations.

As previously noted, the only element of the proposed subdivision design that extends into the area of the subject land currently zoned for commercial use and development purposes, is the northern drainage basin. Through a redesign process the basin has been elongated and shifted south to limit the impact on any future commercial development along the Princes Highway.

Environment Audit Overlay (Clause 45.03)

An Environmental Audit Overlay (EAO) applies to the north-west corner of the subject site that is contained within the Commercial 2 Zone. The EAO seeks to ensure that potentially contaminated land is suitable for a use which could be 'significantly adversely affected by any contamination'. Clause 45.03-1 specifies requirements for sensitive use proposals. Within the EAO provisions a sensitive use is defined as a residential use, child care centre, pre-school or primary school.

The proposal does not trigger the requirement for an environmental audit and there is no evidence to indicate that the area proposed for residential subdivision has been adversely impacted by a previous land use.

2.1 Adoption of Amendment C127 - Section 96A Application for the Rezoning and Subdivision of Land at 2995 Princes Highway, Winchelsea

Planning Permit Assessment

A planning permit is required for subdivision in the Low Density Residential Zone under Clause 32.03-3 of the planning scheme. Each lot must be at least .2 hectare for each lot connected with reticulated sewerage. The subdivision has access to reticulated sewerage and proposes all lots to be 2000m² or greater.

The subdivision plan provides good connectivity to the residential estate to the east and contains a local park at a central location for access by future residents. The stormwater drainage system has been assessed and a drainage reserve created for retardation and treatment of stormwater.

One of the conditions on the draft planning permit requires a section 173 agreement to be entered into with Council and registered on title to ensure provision of a footpath connection to the existing path network in Anderson Street. Pathway connections are considered important in all new estates and the path will provide safe access to the signalised intersection on the highway. A section 173 agreement is required as the works are not on the land subject to the planning permit. In addition, a CFA access road is also required along the western boundary of the property to provide CFA access in an emergency such as a grass fire. This requirement was at the request of the CFA and the proponents have agreed to both requirements in the proposed section 173 agreement.

Assessment post exhibition

Amendment C127 was exhibited between the 30 July and 31 August 2020. Following formal exhibition Council received five (5) submissions. Four submissions were received from statutory authorities and the fifth was lodged by the applicant. A summary of submissions is provided in the table below:

Submission #	Submitter	Summary of issues, recommendations and conditions	Council officer response
1	EPA	The EPA submission lodged with Council on the 24 August 2020 raised issues regarding the following three areas of assessment: <ul style="list-style-type: none"> • Potentially contaminated land; • Separation distances from nearby industrial land; and • The interface with farming land. 	Officers requested the preparation of an Environmental Site Assessment Report, which was subsequently prepared by St Quentin Consulting. The report considered the historical use and development of the subject land and the surrounding land uses. The report found that the site had a very low risk of contamination. A copy of the report was provided to the EPA. Further correspondence was received from the EPA indicating no objection to the rezoning and subdivision proposed by Amendment C127.
2	DELWP	The DELWP submission lodged on 24 August 2020 raised concerns regarding the assessment of the biodiversity values of the site and the adjoining road reserve. DELWP recommended the preparation of a field assessment responding to Section 52.27 of the Surf Coast Planning Scheme and any implications under the Environment Protection and Biodiversity Conservation Act 1999 and Flora and Fauna Guarantee Act 1988.	It was determined that the DELWP review of the proposal did not consider the findings of an Ecological Assessment Report prepared by Okologie Consulting and lodged in support of Amendment C127. A copy of the report was provided to DELWP and a letter formally withdrawing the submission was subsequently lodged with Council.
3	St Quentin Consulting	The applicant's planning consultant team lodged a submission requesting clarification regarding on the following draft planning permit matters: <ul style="list-style-type: none"> • 173 Agreement requirements • Stormwater management conditions • Street naming requirements • CFA access requirements 	A number of minor changes to the draft planning permit were proposed in response to the St Quentin submission. St Quentin consulting acknowledged and accepted the details within Council's response and chose to formally withdraw the submission.
4	Barwon Water	The Barwon Water submission provides strategic guidance regarding water supply and sewerage infrastructure. The submission raises no objection to the rezoning or subdivision elements of the proposal.	Standard sewer conditions are incorporated into the draft planning permit. No further action required.
5	Downer	The Downer submission is lodged on behalf of AusNet	Submission provided to the applicant.

2.1 Adoption of Amendment C127 - Section 96A Application for the Rezoning and Subdivision of Land at 2995 Princes Highway, Winchelsea

	Group	Gas Services. AusNet Gas Services has 'no objection to the proposed planning scheme amendment and to the granting of the planning permit, however, the owner/developer of the land may need to enter into an agreement or request a quote from AusNet Services for provision of gas reticulation to support future develop'.	No further action required.
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All submissions have been resolved through the preparation and assessment of additional supporting documentation and minor amendments to the planning permit. As there are no unresolved submissions, a request to the Minister for Planning to appoint an Independent Panel is not required. The amendment can now proceed to be considered for adoption.

Council Plan

Theme 3 Balancing Growth
Objective 3.3 Strengthen township boundaries and support unique township character
Strategy 3.3.2 Encourage in-fill development and direct growth to designated areas

Reporting and Compliance Statements:

Local Government Act 2020 – LGA 2020

Implications	Applicable to this Report
Governance Principles (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
Policy/Relevant Law (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
Environmental/Sustainability Implications (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
Community Engagement (Consideration of Community Engagement Principles under s.56 LGA 2020)	Yes
Public Transparency (Consideration of Public Transparency Principles under s.58 of LGA 2020)	Yes
Strategies and Plans (Consideration of Strategic Planning Principles under s.89 of LGA 2020)	Yes
Financial Management (Consideration of Financial Management Principles under s.101 of LGA 2020)	Yes
Service Performance (Consideration of Service Performance Principles under s.106 of LGA 2020)	No
Risk Assessment	No
Communication	Yes
Human Rights Charter	No

Governance Principles - Local Government Act 2020 (LGA 2020)

The applicable Victorian Planning Provisions and relevant Acts have been taken into account in considering the proposal.

Policy/Relevant Law

The amendment complies with the relevant requirements of the *Planning and Environment Act 1987*.

Environmental/Sustainability Implications

The amendment is supported by an Environmental Assessment Report that considers setbacks from existing industrial land use located north of the Princes Highway. The report also considers the previous use of the subject land and the potential for contamination. The proposal does not trigger the requirement for an environmental audit and there is no evidence to indicate that the area proposed for residential subdivision has been adversely impacted by a previous land use activity.

2.1 Adoption of Amendment C127 - Section 96A Application for the Rezoning and Subdivision of Land at 2995 Princes Highway, Winchelsea

An Ecological Assessment Report prepared by Okologie consultants considers the potential for impacts on flora and fauna. The land was previously used for pasture and grazing. There are no environmental impediments to development.

Community Engagement

The amendment was exhibited in accordance with the requirements of Section 19 of the Planning and Environment Act 1987. As part of the exhibition of Amendment C127 Council directly notified affected landowners and adjacent owners and occupiers. Signage was erected at multiple locations on the perimeter of the subject land and notices were placed in the Winchelsea Star, Surf Coast Times and the Government Gazette. A video was made available on Council's website explaining key features of the proposal. The video was prepared in response to COVID-19 lockdown restrictions preventing residents and rate payers from attending Council's Civic Centre. The webpage also contained the application and supporting documentation. The application was referred to all relevant authorities and prescribed Ministers under the Planning and Environment Act. As all submissions to the amendment have been resolved, an independent planning panel is not required to hear submissions.

Strategies/Plans

As previously noted, the proposal is consistent with directions contained within the Growing Winchelsea Plan and the Winchelsea Framework Plan.

Financial Management

All costs associated with this privately funded amendment are paid for by the applicant. The payment of fees does not guarantee Council support for the amendment but covers any costs not covered by the statutory fees.

Communication

As previously noted, the amendment was exhibited in accordance with the requirements of Section 19 of the Planning and Environment Act 1987. Details regarding various stages of Council assessment have been provided on Council's website. If approved the amendment will be published in the Government Gazette.

Options

Option 1 – Adopt Amendment C127surf

This option is recommended by officers as the proposal complies with all relevant requirements of the Surf Coast Planning Scheme and is consistent with the strategic directions contained within the Growing Winchelsea Plan.

Option 2 – Abandon Amendment C127

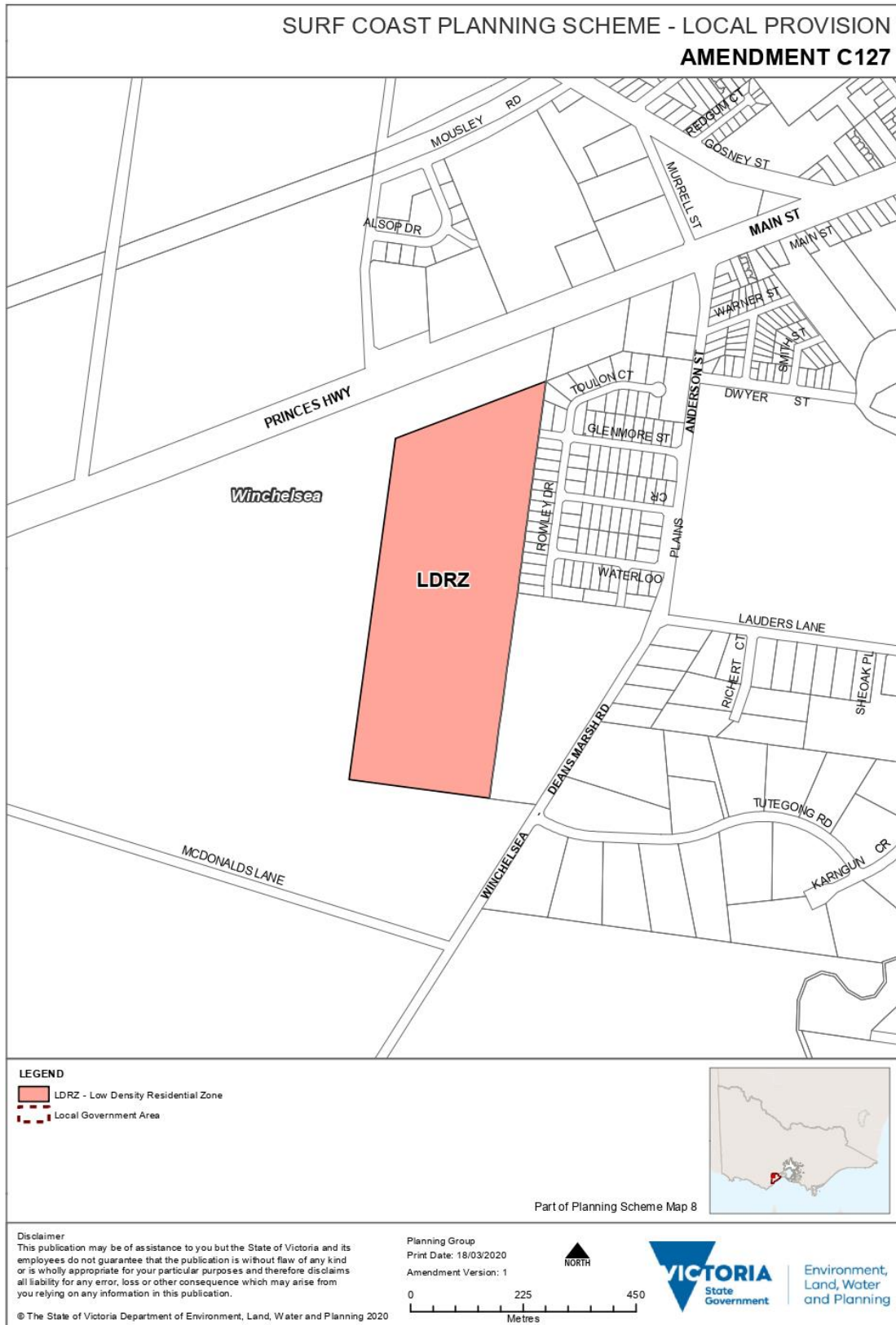
This option is not recommended by officers as the proposal represents a strategically justified rezoning and subdivision request that would provide residential land supply within an identified growth town. There are no outstanding or objecting submissions to the proposal.

Conclusion

The proposed rezoning and subdivision represents an appropriate development outcome for land previously identified in the Growing Winchelsea Shaping Future Growth Plan and the Winchelsea Structure Plan 2021. The layout of the subdivision meets the relevant policies contained within the Surf Coast Planning Scheme and therefore should be supported through the issuing of a conditional planning permit for subdivision. The amendment will allow the development of a sewerred low density residential estate, delivering lots large enough to accommodate substantial homes and outbuildings setback from title boundaries. The low density nature of the proposed residential subdivision presents a graduated transition zone between the higher density residential neighbourhood of the Greens Estate to the east and the open farming land to the west.

2.1 Adoption of Amendment C127 - Section 96A Application for the Rezoning and Subdivision of Land at 2995 Princes Highway, Winchelsea

APPENDIX 1 ZONING MAP



2.1 Adoption of Amendment C127 - Section 96A Application for the Rezoning and Subdivision of Land at 2995 Princes Highway, Winchelsea

APPENDIX 2 PLAN OF SUBDIVISION



ST. QUENTIN
Surveyors - Town Planners - Engineers
51 LITTLE FYANS STREET,
P.O. BOX 919, GEELONG 3220
TELEPHONE (03) 5201 1811 FAX (03) 5229 2909

TIE-IN PLAN FOR
PROPOSED PLAN OF SUBDIVISION
GLENMORE ESTATE
WINCHELSEA

DRAWN DL	CHECK MM	LEVEL DATUM -
DRAWING REF 15377		DRAWING DATE 06/02/2019
VERSION 05	SCALE 1:3000	A3

2.1 Adoption of Amendment C127 - Section 96A Application for the Rezoning and Subdivision of Land at 2995 Princes Highway, Winchelsea

APPENDIX 3 DRAFT PLANNING PERMIT

Planning and Environment Regulations 2015 - Form 9. Section 96J

PLANNING PERMIT

GRANTED UNDER SECTION 96I OF THE
PLANNING AND ENVIRONMENT ACT 1987

Permit No.: PG18/0002

Planning scheme: Surf Coast Planning Scheme

Responsible authority: Surf Coast Planning Scheme

ADDRESS OF THE LAND: 2995 PRINCES HIGHWAY, WINCHELSEA (CROWN PORTION Q, PARISH OF MIRNEE)

THE PERMIT ALLOWS: STAGED SUBDIVISION OF THE LAND IN ACCORDANCE WITH THE ENDORSED DOCUMENTS

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

Plans for approval

1. Before the plan of subdivision is certified under the *Subdivision Act 1988*:

Functional Layout Plan

- a) A functional layout plan to the satisfaction of the responsible authority shall be submitted to, and approved by, the responsible authority. When approved, the plans will be endorsed and then form part of the permit. The plans must be drawn to scale with dimensions and 3 copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:
- i) Layout plan for the roads and streets.
 - ii) Staging of development.
 - iii) Width of each road reserve.
 - iv) Location of carriageways, footpaths, vehicle crossings and Traffic Control Devices.
 - v) Location and offsets of all utility services.
 - vi) The provision of a pathway connection to the existing path network in Anderson Street.

Stormwater Management Plan

- b) Prior to the commencement of any works, a stormwater management plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Stormwater Management Plan will be endorsed and will then form part of the permit. The Stormwater Management Plan must be designed to:
- i) meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater - Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999).

Date issued:

Date permit comes into operation:

(or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)

Signature for the responsible authority:

Permit No.: PG18/0002

Page 1 of 14

2.1 Adoption of Amendment C127 - Section 96A Application for the Rezoning and Subdivision of Land at 2995 Princes Highway, Winchelsea

Planning and Environment Regulations 2015 - Form 9, Section 96J

- ii) ensure that flows downstream of the subdivision site are restricted to pre-development levels unless increased flows are approved by the relevant drainage authority and there are no detrimental downstream impacts.
- iii) contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.
- iv) Integrated with the overall development plan including the street and public open space networks and landscape design.
- v) For all storm events up to and including the 20% Average Exceedence Probability (AEP) standard:
 - Stormwater flows should be contained within the drainage system to the requirements of the relevant authority.
 - Ponding on roads should not occur for longer than 1 hour after the cessation of rainfall.
- vi) For storm events greater than 20% AEP and up to and including 1% AEP standard:
 - Provision must be made for the safe and effective passage of stormwater flows.
 - All new lots should be free from inundation or to a lesser standard of flood protection where agreed by the relevant floodplain management authority.
 - Ensure that streets, footpaths and cycle paths that are subject to flooding meet the safety criteria $da V_{ave} < 0.35 \text{ m}^2/\text{s}$ (where, da = average depth in metres and V_{ave} = average velocity in metres per second).
- vii) The design of the local drainage network should:
 - Ensure stormwater is retarded to a standard required by the responsible drainage authority.
 - Ensure every lot is provided with drainage to a standard acceptable to the relevant drainage authority. Wherever possible, stormwater should be directed to the front of the lot and discharged into the street drainage system or legal point of discharge.
 - Ensure that inlet and outlet structures take into account the effects of obstructions and debris build up. Any surcharge drainage pit should discharge into an overland flow in a safe and predetermined manner.
 - Include water sensitive urban design features to manage stormwater in streets and public open space. Where such features are provided,
- viii) Any flood mitigation works must be designed and constructed in accordance with the requirements of the relevant floodplain management authority.
- ix) Maintenance responsibilities, requirements and costs for the stormwater infrastructure installed;
- x) Any staging of the delivery of stormwater management infrastructure, including temporary infrastructure;
- xi) The temporary treatment or protection of final treatment facilities for stormwater during the construction phase of the development with the final retarding basin construction and landscaping completed prior to the issue of the Statement of Compliance for the final stage of the development;

Date issued:	Date permit comes into operation: (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	Signature for the responsible authority:
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2.1 Adoption of Amendment C127 - Section 96A Application for the Rezoning and Subdivision of Land at 2995 Princes Highway, Winchelsea

Planning and Environment Regulations 2015 - Form 9, Section 96J

- xii) Maintenance of the stormwater treatment facilities for 2 years after the Certificate of Practical Completion is issued for the final stage of the development, excluding hard Civil Works (i.e. concrete works, pipes and structures) that will otherwise have a maintenance period of 3 months.

Section 173 Agreement

- c) The owner must enter into an agreement with the responsible authority made pursuant to section 173 of the *Planning and Environment Act 1987*, and make application to the Registrar of Titles to have the agreement registered on title to the land under section 181 of the Act, which provides for the following:
- i) The provision of a footpath connection to the existing path network in Anderson Street to the satisfaction of the responsible authority.
 - ii) The construction and maintenance of a CFA access road along the western boundary of the subdivision land generally in accordance with details provided on the subdivision plan titled 'CFA Buffer Treatment Glenmore Estate Winchelsea' reference 15377 (survey date 11/1/2019). The precise route through the dwelling site and egress/access to the Princes Highway will be determined following consultation with VicRoads and the CFA.

The owner/operator under this permit must pay the reasonable costs of the preparation, execution and registration of the section 173 agreement.

Prior to Certification of Each Stage

2. Before the plan of subdivision is certified for each stage under the *Subdivision Act 1988*:
- a) Amended plans to the satisfaction of the responsible authority must be submitted to, and approved by, the responsible authority. When approved, the plans will be endorsed and then form part of the permit. The plans must be drawn to scale with dimensions and 3 copies must be provided. The plans must be generally in accordance with the plans prepared by St Quentin, titled 'Proposed Plan of Subdivision, Glenmore Estate Winchelsea', Survey Ref. 15377 (dated 19/12/2019), but modified to show:
 - i) All bearings, distances, levels, street names, lot numbers, lot sizes, reserves and easements (including easements in favour of the responsible authority).
 - ii) Naming of new streets in accordance with Surf Coast Shire Place Naming Policy (SCS-004, 2018) and Place Naming Guidelines (MPP-003, 2018) (themes for Winchelsea – names of pioneering families and local returned servicemen) Lot layout, lot numbers and area.

Date issued:

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Signature for the responsible authority:

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Prior to the Commencement of Works

Detailed Construction Plans

3. Before any works associated with each stage of the subdivision starts, detailed construction plans for that stage to the satisfaction of the responsible authority must be submitted to, and approved by, the Surf Coast Shire Council. When approved, the plans will be endorsed and then form part of the permit. The plans must be drawn to scale with dimensions and 3 copies must be provided. The plans must include:
- Roads and footpaths in accordance with the functional layout plan endorsed under Condition 1a).
 - Footpath connection in Anderson Street to connect to the existing path network.
 - Stormwater drainage including those works identified in the Stormwater Management Plan endorsed under Condition 1b) of the permit.
 - A point of stormwater discharge for each lot.
 - Street Signs.
 - Traffic Management devices in the north-south roads.
 - Fire hydrants in accordance with the requirements of Condition 19.

All works constructed or carried out must be in accordance with those plans.

Construction Management Plan

4. Before the commencement of works for each stage of the subdivision, a construction management plan for that stage of the subdivision must be submitted to, and approved by, the responsible authority. When approved, the plan will be endorsed and then form part of the permit. The plans must be drawn to scale with dimensions and 3 copies must be provided. The plan must address the following matters:
- Measures to minimise the impact of construction vehicles arriving at, queuing, and departing from the land.
 - Measures to accommodate the private vehicles of workers/ tradespersons.
 - Details of the location of all construction equipment and facilities, including delivery points, storerooms, toilets, temporary offices and workers' facilities.
 - Noise attenuation measures to be put in place to protect the amenity of nearby residents during construction having regard to the EPA Guidelines on Construction and Demolition Noise.
 - Measures to minimise the generation and dispersal of dust.
 - Protection of retained native vegetation on the land and adjoining land.
 - Details of a 24 hour hotline for access to a contact person or project manager accountable for the project and compliance with the CMP.
 - Arrangements for waste collection and other services to be provided during construction.
 - Location of stockpiles.
 - Methods of disposal of excess materials.
 - Access to the estate via Glenmore Street will not be permitted.

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- l) Details of the haul route for transport of excess materials removed from the site and delivery of materials to the site.
- m) Inspection of haul route with council representative to audit condition of haul route prior to and post construction with any damage identified to be rectified by the contactor at his expense.

Landscape Master Plan

5. A landscape master plan to the satisfaction of the responsible authority for the estate, including the one hectare open space reserve, shall be submitted to, and approved by, the responsible authority. When approved, the plan will be endorsed and then form part of the permit. The plan must be drawn to scale and 3 copies must be provided. The plan must include:
 - i) Species to be used in all reserves including drainage basins.
 - ii) Proposed pathway locations, park infrastructure locations and a proposed materials palette for all landscape features.

Detailed Landscape Plans

6. Before the commencement of landscape works for each stage detailed landscape plans for that stage to the satisfaction of the responsible authority must be submitted to, and approved by, the responsible authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and 3 copies must be provided. The plans must be generally in accordance with the endorsed Landscape Master Plan endorsed under Condition 1c) and must include, as appropriate:
 - a) A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity and quantities of each plant. Species should be predominantly indigenous (source of stock to be demonstrated).
 - b) Street tree planting for the proposed streets within the stage, including set out and offset from proposed infrastructure. All streets must have trees at a minimum of 1 per lot.
 - c) Where the plan includes the planting of species from the family Myrtaceae, the plan must specify appropriate measures to control the introduction and spread of the disease Myrtle Rust (*Uredo rangelii*), such as quarantining of plants and inspections prior to planting.
 - d) Hessian tree ties only are to be specified for tree planting where staking is required.
 - e) Site works specification and method of preparing, setting out, draining, watering and maintaining the landscaping.
 - f) For all hard landscape elements the use of suitable sustainable materials (i.e. recycled, reusable and recyclable, low embodied energy).
 - g) The location and design details (construction details and specification/fixtures and finishes schedule) of all landscape features including paths, shelters, boardwalks, railings, park furniture, retaining walls, access points and linkages.
 - h) Fencing on boundaries of lots adjoining open space reserve (including drainage reserve) is to be semi permeable.
 - i) For the stage including the drainage reserve:
 - i) Detailed design of the drainage reserve including finished surface levels and cross sections.

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- ii) The proposed drainage reserve is to be landscaped according to best practice Melbourne Water guidelines and integrated into the surrounding streetscape. Vegetative barriers are to be used in preference to any bollard or fencing where access is to be minimised or restricted.
- iii) Canopy trees are to be included within grassed areas adjacent pathways so as to provide shade.
- iv) Maximum slope allowable for planted areas is 1:3. If grassed areas are included they should be confined to the upper edges of the banks and must be a suitable width and gradient for maintenance (minimum 4 metres wide and maximum grade 1:5).
- j) For the stage including the open space reserve, the following infrastructure is the minimum required:
 - i) Pathways connecting to and from the reserve.
 - ii) A gathering area including seating, a picnic table, drink fountain with dog watering bowl, bike rack, and two rubbish bins (to encourage social interaction between residents, a meeting place and destination).
 - iii) A grove of fruit trees near the gathering area to provide shade, seasonal colour and an alternative landscape element to the native vegetation.
 - iv) A mix of two to three activity options unlikely to be included by individual residents such as a rebound wall, a sports goals combination, and or a ball target panel.
 - v) Reasonable sized grassed area for more informal gatherings and free form play opportunities.
 - vi) Boundary planting of indigenous/native trees.
 - vii) Shade trees.
 - viii) Small park sign.

Landscaping Works

7. The Surf Coast Shire Council's Coordinator Open Space Operations is to be contacted prior to commencement of any:
- a) Works associated with the approved landscape plan (for a pre-commencement meeting on site).
 - b) Street tree planting (for confirmation of and approval of set out of the location of the street trees).
 - c) Planting of the first street tree within the streetscape (for inspection of the installation hole).
 - d) Landscape hard works set out including pathway locations.
 - e) Soft landscape works.

A minimum of 48 hours' notice is required prior to all meetings listed above is required.

Prior to the Issue of a Statement of Compliance

Subdivision Construction

8. Before a statement of compliance is issued for each stage under the Subdivision Act 1988 the owner/developer must provide:

Date issued:	Date permit comes into operation: (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	Signature for the responsible authority:
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- a) Roads, including footpaths;
- b) Drainage, including those works required by the Stormwater Management Plan to be constructed as part of this subdivision;
- c) Concrete footpaths;
- d) Street Signs;
- e) Street furniture;
- f) Fire hydrants;
- g) All vehicle crossovers where shown on the endorsed plans to be constructed;
- h) Landscaping;
- i) Asset information in a digital format to include drainage data as per "D-Spec" the Consultant/Developer specifications for the delivery of drainage data to Local Government;
- j) Rectification of any damage to the haul route;
- k) Payment of Council fees and charges for Civil Works handed over to council as part of the works shown below:
 - i) Plan Checking Fee: 0.75% of Civil Works Costs;
 - ii) Supervision Fee: 2.5% of Civil Works Costs;
 - iii) Maintenance Bond (Civil Works): 5% of Civil Works Costs (Refundable);
 - iv) Non-Standard Public Lighting where approved for use (rate per pole set in council budget);

All in accordance with the endorsed plans to the satisfaction of the responsible authority.

Landscape Works

9. Before the issue of a Statement of Compliance for any stage, or by such later date as is approved by the responsible authority in writing, the applicant may seek, to the satisfaction of the responsible authority the issue of the Statement of Compliance but with deferment of completion of all or part of landscape construction works shown on the endorsed plans provided the following requirements have been met:
 - a) an amount equivalent to 150% of the agreed estimated cost of outstanding streetscape / landscape construction and maintenance works will be required by the responsible authority as security deposit.
 - b) a works program is provided setting out the proposed timing of all outstanding landscape construction works.Upon completion of the deferred landscape construction works the applicant must notify the responsible authority to enable its inspection. If the works have been completed to its satisfaction, the responsible authority must refund fully the security deposit.
10. Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:
 - a) a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and
 - b) a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in

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an area where the National Broadband Network will not be provided by optical fibre.

Haul Route

11. Prior to the issue of the Statement of Compliance for the final stage is issued the applicant must rectify any damage to the haul route to the satisfaction of the responsible authority.

Notes

The following requirements apply to vehicle crossings and driveways:

- Vehicle crossings shall be constructed in reinforced concrete or other approved material;
- New vehicle crossings to suit the proposed driveways shall be constructed;
- Redundant vehicle crossings shall be removed and kerb and channel or other approved road edgings reinstated to suit existing works;
- Pathways shall be replaced with a section capable of sustaining traffic loadings where vehicle crossings are constructed or relocated;
- Entrance culverts with endwalls and suitable pavement material must be constructed to suit the proposed driveways to the satisfaction of the responsible authority;
- A "Works Within Road Reserve" permit shall be obtained from the Coordinating Road Authority defined in the Roads Management Act 2004 prior to any works being undertaken in road reserves.

Landscape Maintenance

12. All hard and soft landscape works forming part of the endorsed landscaping plans (including streetscape) must be maintained for a minimum of 24 months, to the satisfaction of the Responsible Authority. A log book is to be kept during the maintenance period of what maintenance work has been done, what materials including toxic materials that have been used. This log book should be available upon request by the Responsible Authority unless otherwise agreed in writing by the Responsible Authority. The maintenance period will commence for a minimum period of 2 years from the agreed date of practical completion by Surf Coast Shire Council's Coordinator Open Space Operations.
13. Prior to handover of the works following completion of the 2 year maintenance period Surf Coast Shire Council's Coordinator Open Space Operations is to be contacted for an inspection 3 months prior to the expected handover date. Defects are to be agreed and documented. Defects are to be rectified and a minimum 48 hours' notice given to the Coordinator Open Space Operations for attendance at the final handover meeting following the 2 year maintenance period.
14. Declared noxious weeds and pest animals are to be controlled across the development site and during the 2 year maintenance period as per the responsibilities of the land owner under Section 20 of the *Catchment and Land Protection Act 1994*, namely that the land owner must take all reasonable steps to: prevent the spread of, and as far as possible, eradicate established pest animals; eradicate regionally prohibited weeds, and prevent the growth and spread of regionally controlled weeds.

Drainage

15. Each lot shown on the endorsed plans must be drained to the satisfaction of the responsible authority.

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Payment in Lieu of Open Space

16. The owner must make a contribution to the Surf Coast Shire Council for public open space as a combination of a percentage of the land intended to be used for residential purposes and a percentage of the site value of such land for a combined total of 10 per cent. Before a statement of compliance is issued for the final stage under the *Subdivision Act 1988* the applicant or owner must pay to the responsible authority, as a financial contribution to open space, a sum equivalent to 10 per cent of the site value of all land in the subdivision to be used for residential purposes, less the proportion of land area which has been provided for the purpose of public open space.

Cultural Heritage

17. Before the commencement of works for the first stage of the subdivision the owner/developer must prepare a detailed historical research and archaeological assessment. The assessment must be submitted to, and approved by, the Surf Coast Shire Council. The assessment must demonstrate that all legislative obligations have been met with regards to historical heritage sites and archaeological material potentially present on the property.

Endorsed Plans

18. The layout and site dimensions of the proposed subdivision as shown on the endorsed plan(s) shall not be altered or modified without the written consent of the Responsible Authority. There are no requirements to alter or modify the endorsed plan if a plan is certified under the provisions of the *Subdivision Act 1988* that is generally in accordance with the endorsed plans.

General Conditions

19. All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.
20. The plan of subdivision submitted for certification under the *Subdivision Act 1988* must be referred to the relevant authority in accordance with Section 8 of that Act.

Referral Authority Conditions

Telecommunication Services

21. The owner of the land must enter into an agreement with:
- a) a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
 - b) a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

Date issued:

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22. Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:
- a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and
 - a suitably qualified person that fibre ready telecommunications facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre."

Conditions required by Country Fire Authority

Hydrants

23. Operable hydrants above or below ground must be provided to the satisfaction of the CFA.
24. The maximum distance between these hydrants and the rear of all building envelopes (or in the absence of the building envelope, the rear of all lots) must be 120m and hydrants must be no more than 200m apart.
25. Hydrants must be identified as specified in 'Identification of Street Hydrants for Firefighting purposes' available under publications on the Country Fire Authority web site (www.cfa.vic.gov.au).

Roads

26. Roads must be constructed to a standard so that they are accessible in all weather conditions and capable of accommodating a vehicle of 15 tonnes for the trafficable road width.
27. The average grade must be no more than 1 in 7 (14.4%) (8.1 degrees) with a maximum of no more than 1 in 5 (20%) (11.3 degrees) for no more than 50m. Dips must have no more than a 1 in 8 (12.5%) (7.1 degrees) entry and exit angle.
28. Roads must have a minimum trafficable width of:
- a) 5.5m if parking is prohibited on one or both sides of the road.
 - b) 7.3m where parking is allowable on both sides of the road.

Roads more than 60m in length from the nearest intersection must have a turning circle with a minimum radius of 8m (including roll-over kerbs if they are provided). T or Y heads of dimensions specified by the CFA may be used as alternatives.

Conditions required by Barwon Water

General

29. The owner shall create easements for Pipelines or Ancillary Purposes and or reserves in favour of Barwon Region Water Corporation on the plan of subdivision in accordance with Barwon Water's Land Development Manual, without cost to Barwon Water, over existing and proposed water and sewerage infrastructure within the land. If further easements or reserves are required following design of water and sewerage infrastructure these must be added to the plan of subdivision prior to seeking Barwon Water's consent to the issue of a statement of compliance for the subdivision.
30. The plan of subdivision must be referred to Barwon Water in accordance with the *Subdivision Act 1988* and any subsequent amendments to the plan provided to Barwon Water.

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Water

31. The payment of New Customer Contributions for water for each additional connection which includes any new lot on a plan of subdivision and/or any apartment, unit or premises within the development that is or can be separately metered for water supply.
32. The provision and installation of individual water services to all lots in the subdivision. Note that tapings and services are not to be located under existing or proposed driveways.
33. Reticulated water mains are required to service the proposed development. This work must be designed by a Barwon Water accredited Consulting Engineer and constructed by a Barwon Water accredited Contractor following the "Developer Works" Process.

Note: The developer is to apply to Barwon Water for details relating to costs and conditions required for the provision of water supply services to the subdivision.

It would be appreciated if all communication between the developer/agent and Barwon Water quote Barwon Water reference number [insert reference number].

Conditions required by Powercor

34. The plan of subdivision submitted for certification under the *Subdivision Act 1988* shall be referred to Powercor Australia Ltd in accordance with Section 8 of that Act.
35. The applicant shall:
 - a) Provide an electricity supply to all lots in the subdivision in accordance with Powercor's requirements and standards, including the extension, augmentation or re-arrangement of any existing electricity supply system, as required by Powercor (A payment to cover the cost of such work will be required). In the event that a supply is not be provided the applicant shall provide a written undertaking to Powercor Australia Limited that prospective purchasers will be so informed.
 - b) Where buildings or other installations exist on the land to be subdivided and are connected to the electricity supply, they shall be brought into compliance with the Service and Installation Rules issued by the Victorian Electricity Supply Industry. You shall arrange compliance through a Registered Electrical Contractor.
 - c) Any buildings must comply with the clearances required by the Electricity Safety (Installations) Regulations.
 - d) Any construction work must comply with Energy Safe Victoria's "No Go Zone" rules.
 - e) Set aside on the plan of subdivision for the use of Powercor Australia Ltd reserves and or easements satisfactory to Powercor Australia Ltd where any electric substation (other than a pole mounted type) is required to service the subdivision. Alternatively, at the discretion of Powercor Australia Ltd, a lease(s) of the site(s) and for easements for associated powerlines, cables and access ways shall be provided. Such a lease shall be for a period of 30 years at a nominal rental with a right to extend the lease for a further 30 years. Powercor Australia Ltd will register such leases on the title by the way of a caveat prior to the registration of the plan of subdivision.
 - f) Provide easements satisfactory to Powercor Australia Ltd, where easements have not been otherwise provided, for all existing Powercor Australia Ltd electric lines on the land and for any new powerlines required to service the lots and adjoining land, save for lines located, or to be located, on public roads set out on the plan. These easements shall show on the plan an easement(s) in favour of "Powercor Australia Ltd" for "Powerline Purposes" pursuant to Section 88 of the *Electricity Industry Act 2000*.

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- g) Obtain for the use of Powercor Australia Limited any other easement external to the subdivision required to service the lots.
- h) Adjust the position of any existing easement(s) for power lines to accord with the position of the line(s) as determined by survey.
- i) Obtain Powercor Australia Ltd's approval for lot boundaries within any area affected by an easement for a powerline and for the construction of any works in such an area.
- j) Provide to Powercor Australia Ltd, a copy of the version of the plan of subdivision submitted for certification, which shows any amendments which have been required.

Note: It is recommended that, at an early date, the applicant commences negotiations with Powercor Australia Ltd for supply of electricity in order that supply arrangements can be worked out in detail, so prescribed information can be issued once all electricity works are completed (the release to the municipality enabling a Statement of Compliance to be issued).

Prospective purchasers of lots in this subdivision should contact Powercor Australia Limited to determine the availability of a supply of electricity. Financial contributions may be required.

Date issued:

Date permit comes into operation:

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Signature for the responsible authority:

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Expiry of Permit

36. This permit will expire if one of the following circumstances applies:

- The plan of subdivision for the first stage is not certified under the *Subdivision Act 1988* within two years of the date of this permit.
- The final stage of the subdivision is not completed within five (5) years after the certification of the plan of subdivision for the first stage under the *Subdivision Act 1988*.

The Responsible Authority may extend the period for commencement of the development if a request is made in writing before the permit expires or within six months afterwards.

The Responsible Authority may extend the period in which the development must be completed if the request for an extension of time is made in writing within twelve months after the permit expires and the development or stage started lawfully before the permit expired.

<i>Date of amendment</i>	<i>Brief description of amendment</i>	<i>Name of responsible authority that approved the amendment</i>

Date issued:

Date permit comes into operation:

(or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)

Signature for the responsible authority:

2.1 Adoption of Amendment C127 - Section 96A Application for the Rezoning and Subdivision of Land at 2995 Princes Highway, Winchelsea

IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

The Responsible Authority has issued a permit. The permit was granted by the Minister under section 96I of the **Planning and Environment Act 1987** on approval of Amendment No. C127 to the Surf Coast Planning Scheme.

WHEN DOES THE PERMIT BEGIN?

The permit operates from a day specified in the permit being a day on or after the day on which the amendment to which the permit applies comes into operation.

WHEN DOES A PERMIT EXPIRE?

1. A permit for the development of land expires if—
 - the development or any stage of it does not start within the time specified in the permit; or
 - the development requires the certification of a plan of subdivision or consolidation under the **Subdivision Act 1988** and the plan is not certified within two years of the issue of a permit, unless the permit contains a different provision; or
 - the development or any stage is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit or in the case of a subdivision or consolidation within 5 years of the certification of the plan of subdivision or consolidation under the **Subdivision Act 1988**.
2. A permit for the use of land expires if—
 - the use does not start within the time specified in the permit, or if no time is specified, within two years after the issue of the permit; or
 - the use is discontinued for a period of two years.
3. A permit for the development and use of land expires if—
 - the development or any stage of it does not start within the time specified in the permit; or
 - the development or any stage of it is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit; or
 - the use does not start within the time specified in the permit, or, if no time is specified, within two years after the completion of the development; or
 - the use is discontinued for a period of two years.
4. If a permit for the use of land or the development and use of land or relating to any of the circumstances mentioned in section 6A(2) of the **Planning and Environment Act 1987**, or to any combination of use, development or any of those circumstances requires the certification of a plan under the **Subdivision Act 1988**, unless the permit contains a different provision—
 - the use or development of any stage is to be taken to have started when the plan is certified; and
 - the permit expires if the plan is not certified within two years of the issue of the permit.
5. The expiry of a permit does not affect the validity of anything done under that permit before the expiry.

WHAT ABOUT REVIEWS?

- In accordance with section 96M of the **Planning and Environment Act 1987**, the applicant may not apply to the Victorian Civil and Administrative Tribunal for a review of any condition in this permit.

2.1 Adoption of Amendment C127 - Section 96A Application for the Rezoning and Subdivision of Land at 2995 Princes Highway, Winchelsea

APPENDIX 4 INSTRUCTION SHEET

Planning and Environment Act 1987

SURF COAST PLANNING SCHEME

AMENDMENT C127

INSTRUCTION SHEET

The planning authority for this amendment is the Surf Coast Shire Council.

The Surf Coast Planning Scheme is amended as follows:

Planning Scheme Maps

The Planning Scheme Maps are amended by a total of 1 attached map sheets.

Zoning Maps

1. Amend Planning Scheme Map No 08ZN in the manner shown on the attached map marked "Surf Coast Planning Scheme, Amendment C127".

Planning Scheme Ordinance

The Planning Scheme Ordinance is amended as follows:

2. In **Local Planning Policy Framework** – replace Map 1 to Clause 21.09 Winchelsea Framework Map in the form of the attached document.

End of document

2.1 Adoption of Amendment C127 - Section 96A Application for the Rezoning and Subdivision of Land at 2995 Princes Highway, Winchelsea

APPENDIX 5 EXPLANATORY REPORT

Planning and Environment Act 1987

SURF COAST PLANNING SCHEME
AMENDMENT C127
PLANNING PERMIT APPLICATION PG 18/0002
EXPLANATORY REPORT

Who is the planning authority?

This Amendment has been prepared by the Surf Coast Shire, which is the planning authority for this amendment.

The Amendment has been made at the request of Glenmore Street Developments Pty Ltd.

Land affected by the Amendment

The Amendment applies to part of the property known as 2995 Princes Highway Winchelsea (Crown Portion Q Parish of Mirnee) as delineated on the map below.



The Amendment is a combined planning permit application and planning scheme amendment under section 96A of the Planning and Environment Act 1987.

The planning permit application applies to part of the property known as 2995 Princes Highway Winchelsea as delineated on the map below.

2.1 Adoption of Amendment C127 - Section 96A Application for the Rezoning and Subdivision of Land at 2995 Princes Highway, Winchelsea



What the amendment does

The Amendment rezones approximately 21.60ha of the Subject Site from Farming Zone (FZ) to Low Density Residential Zone (LRDZ).

The Amendment also amends Map 1 to Clause 21.09 (Winchelsea Framework Map), to include the Subject Site within the defined Settlement Boundary.

The planning permit application seeks approval for the subdivision of the subject land.

The draft planning permit is attached as a separate document to this Explanatory Report.

Strategic assessment of the Amendment

Why is the Amendment required?

The subject land is currently contained within a combination of the Farming Zone (FZ) and the Commercial Zone Schedule 2 (C2Z). That part of the site contained within the Farming Zone (FZ) is strategically identified by the Surf Coast Planning Scheme (Clause 21.09 Winchelsea Strategy) as being suitable for "Potential Low Density Residential Growth".

The Amendment is required to enable strategically identified land to be used and developed in accordance with the strategic intent of the settlement strategy for Winchelsea, in this case to be used and developed for low density residential purposes.

How does the Amendment implement the objectives of planning in Victoria?

The Amendment is considered to implement the objectives of planning in Victoria, in particular by:

- Providing for the orderly subdivision of the land in a manner that is responsive to its particular characteristics, opportunities and constraints;

2.1 Adoption of Amendment C127 - Section 96A Application for the Rezoning and Subdivision of Land at 2995 Princes Highway, Winchelsea

- Securing a pleasant and safe living environment through an appropriate consideration of and response to surrounding neighbourhood character.

How does the Amendment address any environmental, social and economic effects?

The Amendment has considered relevant environmental, social and economic effects in the manner outlined below;

- Applying best practice standards to stormwater management is proposed to ensure no adverse effect on water quality. There is no anticipated impact on air quality.
- Investigations reveal that the subject site is highly modified as a result of previous agricultural use and is dominated by exotic vegetation. What limited native vegetation is present consists of a scattered cover of indigenous grasses and sedges (<1% cover), which has colonised cultivated paddocks and is less than 10 years old. For these reasons, the Amendment is not anticipated to have any adverse environmental impacts;
- Review of cultural and historic values of the site and surrounds do not identify significant values considered to be at risk from the Amendment;
- The Amendment is anticipated to result in positive social and economic effects by facilitating the creation of appropriately sized lots within an established urban area and a targeted urban growth node, thereby assisting to achieve applicable urban consolidation objectives, in addition to contributing both open space opportunities, and developer contributions which both contribute to positive social and economic outcomes.
- The land is of a low agricultural quality and presently used for low intensity grazing. The Amendment is not anticipated to effect the vitality and viability of the broader agricultural activity in the area;
- The capability of the Amendment to facilitate population growth in Winchelsea will have a positive effect on public and private sector investment in the immediate and surrounding areas

The Amendment essentially adds an attractive low density residential opportunity for existing or potential Winchelsea residents, without any undue effect on environmental, cultural or historic values. In doing so, whilst providing significant open space opportunities and developer contributions, it is likely to stimulate local spending and activity, and provide a net community benefit.

Does the Amendment address relevant bushfire risk?

The land is not affected by the Bushfire Management Overlay. The Amendment does not create or expand a settlement in an area at risk from bushfire. The land is however located within a Bushfire Prone Area. The bushfire hazard site assessment prepared in support of the application identified that future subdivision is capable of achieving BAL-12.5 defensible space and construction in accordance with Column A of Table 2 to Clause 52.47-3, and that bushfire risk can be mitigated to an acceptable level. Further liaison with the CFA has resulted in additional fire management measures which further minimise the bushfire risk

Does the Amendment comply with the requirements of any Minister's Direction applicable to the amendment?

The Amendment complies with the following Ministerial Directions:

- Ministerial Direction No 1. Potentially Contaminated Land
- Form and Content of Planning Schemes (Section 7[5] direction)
- Strategic Assessment of Amendments (Direction No. 11)

2.1 Adoption of Amendment C127 - Section 96A Application for the Rezoning and Subdivision of Land at 2995 Princes Highway, Winchelsea

How does the Amendment support or implement the Planning Policy Framework and any adopted State policy?

The Amendment supports and implements:

- Clause 11.01-1 by ensuring the G21 region broadly and the Winchelsea settlement specifically is planned in accordance with the G21 Regional Growth Plan
- Clause 11.02-1S by ensuring the ongoing provision of land and supporting infrastructure to support sustainable urban development
- Clause 13.02-1S by ensuring that the proposed Planning Scheme Amendment properly assesses bushfire risk
- Clause 15.01-1S by facilitating the creation of a future urban environment that is safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.
- Clause 16.01-5S by consolidating new future housing within a targeted growth node where investment in physical and community infrastructure and services has already been made.

How does the Amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?

The Amendment supports and implements:

- Clause 21.02-3 by facilitating urban development within one of the Shires' designated major urban growth centres
- Clause 21.07-2 by restricting lot sizes for rural residential purposes so that land is used more efficiently
- Clause 21.07-2 by directing new rural residential subdivision to a strategically designated area
- Clause 21.09-1 by facilitating future low density residential development within Winchelsea, which has a substantial land area that can accommodate future growth without detracting from the township character or potential rural production, and with access to urban infrastructure and facilities.

How does the amendment support or implement the Municipal Planning Strategy?

Not applicable as the Surf Coast Planning Scheme does not include an MPS at Clause 02.

Does the Amendment make proper use of the Victoria Planning Provisions?

The application of the Low Density Residential Zone (LDRZ) to an area that is strategically identified by the Surf Coast Planning Scheme (Clause 21.09 Winchelsea Strategy) as being suitable for "*Potential Low Density Residential Growth*" is considered to constitute a proper use of the Victoria Planning Provisions.

How does the Amendment address the views of any relevant agency?

The views of relevant agencies will be addressed as part of the exhibition process.

2.1 Adoption of Amendment C127 - Section 96A Application for the Rezoning and Subdivision of Land at 2995 Princes Highway, Winchelsea

Does the Amendment address relevant requirements of the Transport Integration Act 2010?

The amendment is not likely to have a significant impact on the transport system.

Resource and administrative costs

What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?

The Amendment is unlikely to have a significant impact on the resources and administration costs of the responsible authority.

Where you may inspect this amendment

The amendment can be inspected free of charge at the Surf Coast Shire Council website at www.surfcoast.vic.gov.au/C127.

The amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at www.delwp.vic.gov.au/public-inspection.

If you are unable to access the internet to view Amendment documents please make direction contact with the strategic planning team on ph: (03) 5261 0555. Alternative arrangements will be made to ensure that you can view all relevant documents during the exhibition period.

Submissions

Any person who may be affected by the amendment or by the granting of the permit may make a submission to the planning authority. Submissions about the amendment and/or planning permit must be received by 31 August 2020.

A submission must be sent to: Coordinator Strategic Land Use Planning, Surf Coast Shire, PO Box 350, Torquay VIC 3228.

Alternatively you may also lodge a submission online via www.surfcoast.vic.gov.au/C127.

Panel hearing dates

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

- directions hearing: 16 November 2020
- panel hearing: 14 December 2020

2.2 Surf Coast Distinctive Areas and Landscapes Submission

Author's Title: Coordinator Strategic/Land Use
Planning

General Manager: Ransce Salan

Department: Planning & Development

File No: F18/1991

Division: Environment & Development

Trim No: IC21/12

Appendix:

1. Draft DAL submission (D21/5337)
2. History of Spring Creek summary (D21/5343)
3. Comments on Strategies (D21/5353)

Officer Conflict of Interest:

In accordance with Local Government Act 2020 –
Section 130:

Yes

No

Reason: Nil

Status:

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

Yes

No

Reason: Nil

Purpose

The purpose of this report is to consider Council's submission to the State Government's draft Statement of Planning Policy and proposed landscape controls as part of the Surf Coast Distinctive Areas and Landscapes project.

Summary

The Surf Coast Shire was declared a Distinctive Area and Landscape on 19 September 2019. The objective of this State Government project is to ensure long term protection of the declared area's unique coastal environments, cultural heritage, natural resources and townships (being Torquay, Jan Juc, Bellbrae, the Thompson Valley and outlying settlements Mt Duneed and Connewarre). The draft Statement of Planning Policy (SPP) provides a 50 year vision, and objectives and strategies to achieve the vision. The SPP includes a protected settlement boundary for settlements which can only be changed with the consent of two houses of parliament.

The project is consistent with Council's Council Plan objectives of determining more permanent settlement boundaries for Torquay and environmental leadership. Council is not a partner in the Distinctive Areas and Landscapes Project but is described as a Responsible Public Entity which will be requested to endorse the final SPP and have regard to it in all decision-making in the future. The final SPP will be ratified by the Governor in Council following support from Parliament.

Two previous phases of engagement have occurred since the project commenced in April 2019. The third phase is now in progress with the draft SPP and proposed planning controls on exhibition 19 November 2020 to 22 January 2021.

The SPP and planning controls have been reviewed and are generally supported. However, it is considered that the SPP could have a greater emphasis on environmental sustainability, water security, climate change adaptation and reduction of emissions. In addition, as the project scope has been focussed on environmental and landscape protection, the economic and social issues to be considered in strategic planning for the future of the township of Torquay have not been adequately addressed and there is an opportunity to increase that content in the SPP. As a 50 year vision, the SPP needs to consider all aspects of a healthy and prosperous future.

A draft submission on behalf of the Surf Coast Shire has been prepared and is attached at Appendix 1 and 2. Some specific feedback and suggested wording changes to objectives and strategies have been provided at Appendix 3.

Recommendation

That Council makes a submission, as per Appendices 1-3 to the draft Statement of Planning Policy and proposed planning controls for the Surf Coast Distinctive Areas and Landscapes project.

2.2 Surf Coast Distinctive Areas and Landscapes Submission

Council Resolution

MOVED Cr Kate Gazzard, Seconded Cr Liz Pattison

That Council:

1. Adds point 1.3 under the heading *Spring Creek Urban Growth Area* to the submission attached as Appendix 1 that “Although Council accepted in 2014 that the Minister for Planning’s decision was final in rezoning the land to Urban Growth Zone, Council considers that Option 2 for the Spring Creek Urban Growth Area reflects Council’s long held aspirations for the future of the Spring Creek Valley and the views of the majority of people in the community, and endorses this option”; and
2. Makes a submission to the draft Statement of Planning Policy and proposed planning controls for the Surf Coast Distinctive Areas and Landscapes project comprising the Appendices 1 (amended), 2 and 3.

Division

Councillor Pattison called for division, which was voted on as follows:

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Cr Hodge	Cr Wellington	Cr Allen
Mayor Stapleton	Cr Barker	
Cr Bodsworth		
Cr Gazzard		
Cr Schonfelder		
Cr Pattison		

CARRIED 6:2

2.2 Surf Coast Distinctive Areas and Landscapes Submission

Report

Officer Direct or Indirect Interest

No officer involved in the preparation of this report has any conflicts of interest.

Background

The Surf Coast Shire was declared a Distinctive Area and Landscape on 19 September 2019. The objective of the State Government project is to ensure long term protection of the declared area's unique coastal environments, cultural heritage, natural resources and townships (being Torquay, Jan Juc, Bellbrae, the Thompson Valley and outlying settlements Mt Duneed and Connewarre). The draft Statement of Planning Policy (SPP) provides a 50 year vision, and objectives and strategies to achieve the vision. The SPP includes a protected settlement boundary for settlements which can only be changed with the consent of two houses of State parliament. Hence this is a stronger protection than that provided by the current settlement boundaries in the Surf Coast Planning Scheme applied locally.

Council is not a partner in the Distinctive Areas and Landscapes Project but is described as a Responsible Public Entity which will be requested to endorse the final SPP and have regard to it in all decision-making in the future. The final SPP will be endorsed by the Governor in Council following support from Parliament. If Council does not endorse the final SPP, it can be directed to do so by the Minister for Local Government.

The project commenced in April 2019 and has completed two earlier phases of public engagement. The first phase of engagement was to understand the environment, landscape and lifestyle values the community wanted to protect and occurred May – June 2019. The second phase occurred October – November 2019 regarding a draft vision statement and potential policy approaches to inform the draft Statement of Planning Policy. The draft Statement of Planning Policy is now on exhibition until 22 January 2021.

An independent Standing Advisory Committee has been convened to consider all submissions received, hold public hearings and provide a report to the Minister for Planning in mid -2021. All Responsible Entities (including Council) will be requested to endorse the final Statement of Planning Policy, or will be directed to do so, to enable endorsement by the Governor in Council in late 2021. A twelve month extension of time was granted for the project which was originally due for completion in September 2020 and no further extensions are possible.

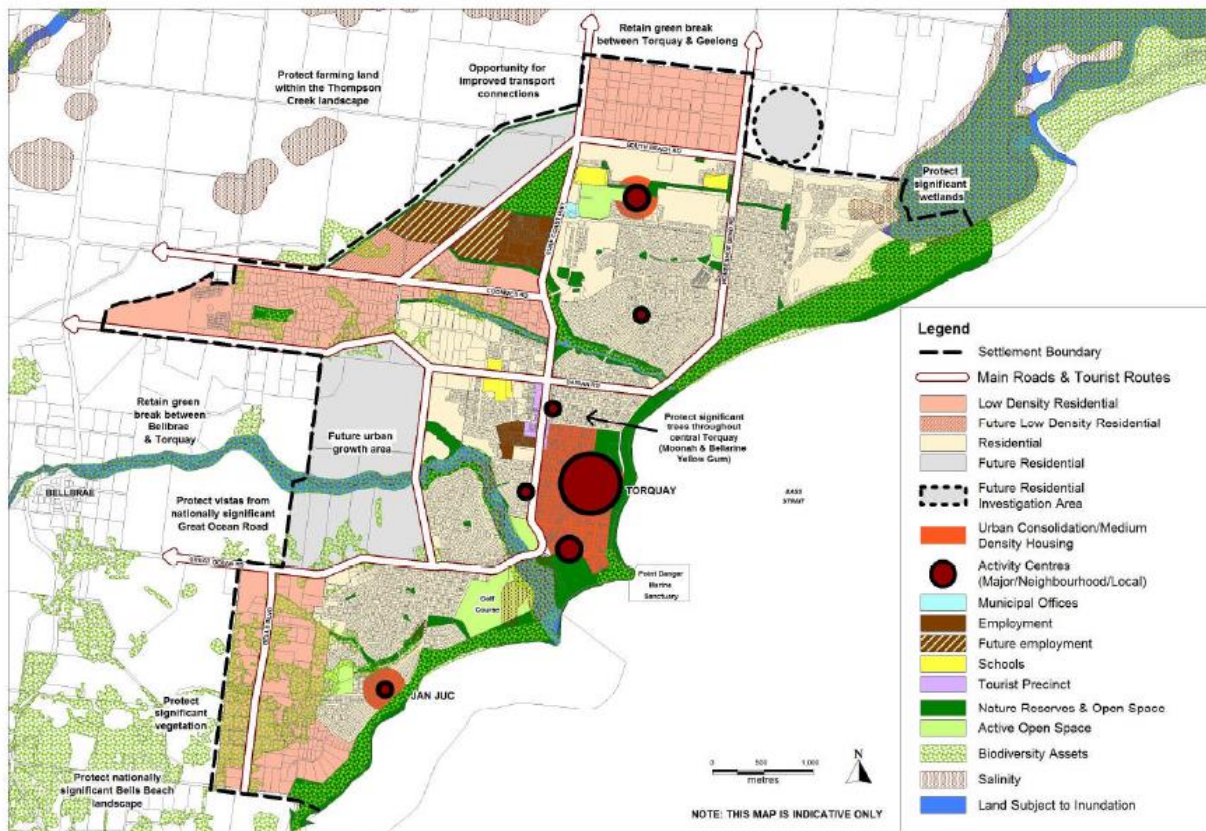
Discussion

Settlement Boundaries

With the exception of options presented re Spring Creek, there are no significant changes proposed to the current settlement boundaries in the planning scheme but they will be more difficult to change as the consent of parliament is required. This is similar to the Urban Growth Boundary in metropolitan Melbourne. However, the North-East Investigation Area is proposed to remain outside the settlement boundary, subject to further investigation for urban development. This is considered to perpetuate the uncertainty regarding the future of that area, and it is recommended that appropriate investigations and a final decision is made on the area prior to finalisation of the SPP. Below is a map of the existing framework for Torquay/Jan Juc in the Surf Coast Planning Scheme:

2.2 Surf Coast Distinctive Areas and Landscapes Submission

Map 1 to Clause 21.08: Torquay-Jan Juc Framework Map



Spring Creek Urban Growth Area and the Torquay Western Boundary

The most controversial and political element of the draft SPP is the Spring Creek Urban Growth Area. The SPP presents only two options for the precinct. Council completed its responsibilities as Planning Authority following the rezoning of the land in 2014. The final decision on the SPP and Planning Scheme Amendment C114 for the Spring Creek Precinct Structure Plan now rest with the State Government, which has provided this unique opportunity for the community to state their opinion after the land was rezoned and remained in the Urban Growth Zone for six years. With the power resting with the State Government it is considered that full accountability and responsibility for the decision should be attributed solely to the State Government. A summary of the history of Spring Creek is provided at Appendix 2.

In relation to the strategic merit of the SPP, the draft submission proposes a more aspirational document with a stronger focus on environmental sustainability and water security. As the SPP is proposed to be a 50 year vision for the declared area, it is considered that this is an opportunity to provide a vision for new development and climate change adaption, including the remaining future urban growth area in Messmate Road. Additional strategies are suggested not only focussed on climate change adaption but also reduction in carbon emissions.

In addition to a stronger focus on environmental sustainability, Council's submission also seeks greater consideration of the social and economic issues that will affect Torquay/Jan Juc over the coming 50 years, including the need for affordable housing and the potential growth or adaption of commercial land in the future.

2.2 Surf Coast Distinctive Areas and Landscapes Submission

A planning review has been undertaken regarding the proposed landscape controls and changes to the residential areas in Torquay/Jan Juc. With a few exceptions, there are no objections to the proposed changes, such as the introduction of the Neighbourhood Residential Zone to old Torquay and Jan Juc. The exception is the area between Gilbert Street and Bell Street which currently has the potential for medium density development that respects neighbourhood character. It is considered that the land between the two activity centres should remain as it is now - General Residential, allowing some medium density development in this highly attractive and centrally located area of Torquay.

The retention of the low density residential areas around Torquay as a transition to the rural areas outside the settlement boundary are supported, with the exception of Briody Drive West, which is subject to a Development Contributions Plan Overlay and proposed for infill development in the Surf Coast Planning Scheme. In addition, there are undeveloped lots in the Addiscott Road with potential for development of a dwelling and a minor wording change is recommended to provide clarification that those rights are retained.

The proposed new significant overlays to apply in areas of State and National Significance are supported, although it is highlighted in the submission that the controls require further work to ensure that the administrative burden on Council is reduced, and the number of planning permits required is minimised.

The above points are explained in more detail in the attached draft submission. Suggestions for wording changes to the objectives and strategies have been provided as an attachment to the submission (Appendix 3 to this report).

Council Plan

Theme 3 Balancing Growth
Objective 3.3 Strengthen township boundaries and support unique township character
Strategy 3.3.1 Work with the community to identify and define desired town footprints and ensure that Township Structure Plans reflect this

Theme 2 Environmental Leadership
Objective 2.2 Improve the re-use of resources
Strategy Nil.

Reporting and Compliance Statements:

Local Government Act 2020 – LGA 2020

Implications	Applicable to this Report
Governance Principles (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
Policy/Relevant Law (Consideration of the Governance Principles under s.9 of LGA 2020)	No
Environmental/Sustainability Implications (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
Community Engagement (Consideration of Community Engagement Principles under s.56 LGA 2020)	No
Public Transparency (Consideration of Public Transparency Principles under s.58 of LGA 2020)	No
Strategies and Plans (Consideration of Strategic Planning Principles under s.89 of LGA 2020)	No
Financial Management (Consideration of Financial Management Principles under s.101 of LGA 2020)	Yes
Service Performance (Consideration of Service Performance Principles under s.106 of LGA 2020)	No
Risk Assessment	No
Communication	No
Human Rights Charter	No

2.2 Surf Coast Distinctive Areas and Landscapes Submission

Governance Principles - Local Government Act 2020 (LGA 2020)

The proposed submission is consistent with the Governance principles particularly (b) giving priority to achieving the best outcomes for the municipal community, including future generations and (c) the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks. These are key themes in Council's submission.

Environmental/Sustainability Implications

The submission recommends greater emphasis on environmental sustainability and the social and economic issues to be addressed in the future of Torquay/Jan Juc. It is considered that the SPP can be improved by additional wording and strategies relating to these matters, not only climate change adaption but also reduction in net carbon emissions.

Community Engagement

Community engagement has been developed and delivered by the Department of Environment, Land, Water and Planning as the manager of this State Government project.

Strategies/Plans

Council is not the author of the draft Statement of Planning Policy.

Financial Management

Financial risk and legal implications have been considered in the position put forward by the Council in the draft submission.

Risk Assessment

There are (no) identified Workplace Health and Safety implications associated with this report.

Communication

All submissions to the SPP will be considered by an independent Standing Advisory Committee established by the Minister for Planning. Panels Victoria is receiving all submissions directly and will convene the directions hearing and committee hearing.

Options

Option 1 – Make a submission generally in accordance with the draft submission attached to this report

This option is recommended by Council as the submission has been prepared with input from relevant Council departments and external advice.

Option 2 – Not make a submission

This option is not recommended by officers as a planning review has identified some areas in the SPP and proposed planning controls that can be improved. It is considered important to have input at this stage to inform the final SPP, which will set a 50 year plan for the area.

Conclusion

The SPP is generally supported but areas for improvement have been identified. The draft submission attached to this report is recommended to be submitted to the Minister for Planning for consideration by the Standing Advisory Committee and the State Government in the preparation of the final SPP.

2.2 Surf Coast Distinctive Areas and Landscapes Submission

APPENDIX 1 DRAFT DAL SUBMISSION



Our Ref: KH: F18/1991: D21/5289
Contact: Karen Hose 52610611

20 January 2021

Richard Wynne MP
Minister for Planning
PO Box 500
East Melbourne VIC 3002

Dear Minister

**DISTINCTIVE AREAS AND LANDSCAPES – SURF COAST
SUBMISSIONS ON BEHALF OF SURF COAST SHIRE COUNCIL**

General Comments

Surf Coast Shire appreciates the opportunity to comment on the Distinctive Areas and Landscapes draft Statement of Planning Policy (SPP). The objectives of this project: to establish permanent town boundaries for Torquay/Jan Juc and protect the natural environment, significant landscapes, heritage and resources of this extraordinary area, are supported.

As a 50 year vision for Torquay, Jan Juc and surrounds it is considered that the SPP needs to be a forward thinking and aspirational document, with a strong focus on strategies that anticipate and protect against the challenges that will be faced over the coming decades. In 2070 it is expected that the effects of climate change – less predictable weather patterns and more extreme conditions, including drier conditions, higher temperatures, flooding, bushfire, sea level rise and storm surges - will be having a major impact on the natural environment including loss of habitat, biodiversity and ecosystems, reduced supply of potable water and reduced environmental flows.

The Surf Coast Shire has worked with Barwon Water on a number of projects recently and we note their recently released statement as part of the new Urban Water Strategy that water demand could outstrip supply by 2029 (Barwon Water website 31/12/20). Therefore, water security, a reduction in water demand and use of alternative water supplies such as stormwater harvesting and recycled water should be highlighted in the SPP and become a stronger focus in the objectives and strategies.

In 2019 Surf Coast Shire declared a climate emergency, and is working towards a higher standard of Environmentally Sustainable Design in new development, aiming to embed One Planet Principles into early planning for growth areas and new subdivisions. Use of renewable energy sources, canopy trees in the public realm, retention of indigenous vegetation, development of Integrated Water Cycle Management Plans and Water Sensitive Urban Design principles are supported for inclusion in the SPP.

Objective 1 of the SPP focusses on reducing emissions and planning for climate change, however, the strategies focus more strongly on adaption. To assist in achieving the State Government's target of net zero emissions by 2050, additional strategies could be added under Objective 1 that focus on emission reduction.

2.2 Surf Coast Distinctive Areas and Landscapes Submission



The focus of the Distinctive Areas and Landscapes project on protection of the environment and landscapes is a worthy goal. However, if the SPP is planning the future of Torquay/Jan Juc for the next 50 years the plan also needs to contemplate the social and economic future of the town in the way that current structure plans are developed. An SPP which has status at a State level and is difficult to change may be problematic if economic and social issues are not accommodated. Some of those issues are outlined as follows:

Regardless of physical boundaries, Torquay's population will continue to grow – residential intensification being a likely outcome. Estimates are that by 2036 an additional 2,900 jobs will need to be created in the Surf Coast – with approximately 80% – 85% of these being in Torquay – to keep pace with population growth and not increase commuter travel. There are likely environmental benefits from residential intensification such as reduction in per capita energy usage, water usage and embodied energy in materials. Jobs provided within the township will have the environmental benefit of reducing car travel and carbon emissions.

The SPP does not consider where these jobs will be sited both in the next 16 years and the further 34 beyond that. It is important to balance this need along with the environmental aspects and ensure adequate commercial and industrial zoned land is catered for in Torquay. Considering this will assist in reducing unintended use conflicts.

The key sectors likely requiring this will be service industries (construction supply chain related, health) and population driven industries (some aspects of retail and the significant home based business cohort).

There are currently approx. 7,000 people (over 50% of Surf Coast's working population) that commute daily to Geelong and Melbourne, mostly from Torquay. This requirement will be significantly exacerbated if provisions are not made to accommodate professional workers locally.

The published documents identify tourism as a key industry, yet the SPP does not provide a platform for making the most of this industry over the next 50 years. This is likely to result in Torquay being incapable of capitalising on visitation (accommodation, retail, hospitality), but still bearing the burden of public infrastructure expectations (parking, beach visits, vehicles).

The DAL has an ambition to protect the 'character of Torquay'. This character is only defined from one aspect – environmental and is silent on many others. For example Torquay is a tourist destination, a place of innovation, a home of surfing, the start and part of the Great Ocean Road, a coastal town within one hours' drive of several million people. Neglecting these character traits places at risk the fundamental character traits that make Torquay the town that it is.

There is an issue with the commercial areas in the SPP framework plan being spatially defined without allowing for expansion. For example, the limited commercial footprint in the Gilbert Street town centre for the next 50 years, which does not allow for expansion, will see intensification of use, loss of eclectic weatherboard houses on larger lots such as those present on The Esplanade, and a likely shifting of the coastal town centre to an area such as Baines Crescent where there is more land available.

Council has commenced a commercial land strategy for Torquay/Jan Juc entitled "*Torquay Jan Juc Retail and Employment Land Strategy*" (the strategy). The planning period for the strategy is 15-20 years. The published background report provides important information about the employment future for the township. The draft strategy will be released in the next few months and it is recommended that the strategy informs the final version of the SPP. The strategy considers industrial and retail land supply and demand and will set future directions for activity centres and employment land in Torquay and Jan Juc. If the final strategy directions cannot be incorporated into the SPP due to timing of the project, then the SPP should be modified to allow for more flexibility in how the commercial centres are described or mapped to allow for future growth and/or change.

2.2 Surf Coast Distinctive Areas and Landscapes Submission



On a social level, consideration should also be given to accommodating affordable or social housing in the declared area to encourage a diverse, healthy and prosperous community. If a protected settlement boundary results in higher market prices for residential property, as seen elsewhere, it will be important to consider affordability issues and the ability for future generations to reside in Torquay/Jan Juc.

Housing affordability is a pronounced and worsening problem in the Torquay/Jan Juc area (as it is in other coastal townships). Those two suburbs are placed 10th and 9th respectively in Regional Victoria's highest median value list for 2020 (Surf Coast suburbs make up six of the top ten) (Source – CoreLogic Best of the Best Report 2020).

The importance of affordable (including social) housing is recognised by the Victorian Public Health and Wellbeing Plan 2019-23 and the recently announced Big Housing Build.

"Liveable communities provide a basis for good health and wellbeing for all age groups and can contribute to reducing health inequalities. A liveable place has been defined as a place that is safe, attractive, socially cohesive/inclusive and environmentally sustainable, with affordable and diverse housing linked to employment, education, public open space, local shops, health and community services, and leisure and cultural opportunities via convenient public transport, walking and cycling infrastructure." (Victorian Public Health and Wellbeing Plan 2019-23)

The absence of local, affordable housing also acts as a drag on economic prosperity as workforce vacancies become harder (and thus more expensive) to fill. This is particularly the case for low to moderate income positions for whom local home ownership or expensive (and very limited) rental properties are already out of reach.

To assist the State Government and the Department of Land, Water and Planning with this opportunity to improve the SPP, the following more specific comments are respectfully submitted with a view to achieving the objectives of the Distinctive Areas and Landscapes Project.

1. Spring Creek Urban Growth Area

- 1.1. The Spring Creek Urban Growth Area has a long and complicated history. To assist the Advisory Committee, a summary of the history is provided at Appendix 1.
- 1.2. The final decision on the western settlement boundary for Torquay and Amendment C114 now rests with the Minister for Planning. On 23 October 2018 Council received a letter from the Department of Environment, Land, Water and Planning on the amendment advising that the Minister's decision on Amendment C114 was being deferred, pending the outcomes of the public consultation process and planning policy development that will be undertaken during 2019 as part of the Victorian Government's commitment to declare the Surf Coast as a "Distinctive Area and Landscape" under the Planning and Environment Act 1987. While Council is not a partner in the Distinctive Areas and Landscapes project, it has encouraged stakeholders and the community to participate by making submissions to the State Government on the draft Statement of Planning Policy, and would request that the Minister gives due consideration to all community feedback received on the draft SPP when making a final determination on this matter.

2. Residential Change Areas

- 2.1. The residential change areas and the intentions for each area have caused some confusion. It is noted that the Background Settlement Paper directions differ from those in the Township Character report by Ethos Urban; for example, in relation to the incremental change area north of Torquay Town Centre and the future zone and overlay provisions to apply. The area includes the site at 86-92 The Esplanade which is currently subject to a planning permit application for a multi-storey residential development. Council supports the direction in the draft Background Settlement Paper which proposes that the area should be rezoned to the Neighbourhood Residential Zone with a limit of two storeys and preferred height of 7.5 metres.

2.2 Surf Coast Distinctive Areas and Landscapes Submission



- 2.2. It is considered that the properties at the entrance to Torquay directly abutting the Surf Coast Highway should not be included in the Substantial Change areas at this time, due to the potential visual impact and highly urbanised character that would result. A visual impact assessment should be commissioned prior to any changes to height controls on the Surf Coast Highway.
- 2.3. The current Surf Coast Planning Scheme policy at clause 22.09 designates the area between Gilbert Street and Bell Street in Torquay as an urban consolidation area. Although the two activity centres are separated geographically, The Esplanade provides a linear connection along the foreshore from Gilbert Street to Bell Street, which also contains accommodation such as the Torquay Caravan Park. Both activity centres contain retail and outdoor dining opportunities along with local service business. The SPP recommends a departure from this approach by restricting urban consolidation to a smaller geographic area around the Gilbert Street activity centre, designated for 'substantial change'.

As the residential land between Bell Street and Gilbert Street is within walking distance of these two activity centres, it is considered that the land should remain in the General Residential Zone with the objectives of the existing DDO20 in the planning scheme retained; including the preferred height limit of 7.5 metres and the need to retain existing neighbourhood character. This will allow moderate growth in density without loss of neighbourhood character in this central and highly attractive location.

3. Messmate Road Growth Area and Ridgelines

- 3.1. It is considered that determination of the exact location of the ridgeline, which will form the protected settlement boundary, is of primary importance. As these can often be the subject of intense debate, it is considered important that the ridgeline, particularly at the location of the Messmate Road Growth Area, should be surveyed prior to finalisation of the settlement boundaries for Torquay.
- 3.2. The current statement that development should "not extend above natural hilltops and ridgelines" requires further clarification. It is unclear from the statement whether it is referring to the spread of development or the height of buildings; the use of the words in combination, "extend above" contribute to the lack of clarity. The reference to vegetation is also problematic, as it could be interpreted as indicating that if you screen visible (protruding) development with vegetation that it then becomes acceptable.
- 3.3. Further to this, if the reference to development not extending above natural hilltops refers to building height or maintaining the same maximum AHD as the hilltop or ridge (this would need to account for infrastructure both ancillary to dwellings and other buildings and standalone infrastructure like light poles), viewing points need to be defined. If the intention is to avoid or minimise visual intrusion on the landscape, the viewing points identified are as important as the finished levels. Therefore, the strategy should be modified to provide absolute clarity about what is to be achieved.
- 3.4. It is noted that the directions for the Messmate Road Growth Area are consistent with Council's current strategies for the area in Clause 21.08 of the Surf Coast Planning Scheme. However, it is considered that a separate description of this area in the SPP with a more directive vision for greenfield growth would add clarity and improve the document. For example, Council and State Government are encouraging Integrated Water Cycle Management Plans for new estates and Council supports the integration of One Planet Principles into the planning for the development plan and subdivision plans for the area.
The need to include buffers within the development area should also be reiterated.

2.2 Surf Coast Distinctive Areas and Landscapes Submission



4. Low Density Residential Areas

- 4.1. It is considered that the SPP needs to have greater clarity regarding the directions for the Low Density Residential Areas in Torquay. Currently these are shown as 'minimal change areas' but the SPP would benefit from a separate section on low density residential areas which describes the future directions for each precinct, as there are significant differences.
- 4.2. The SPP is particularly problematic for the area north of Briody Drive West, which is shown as 'minimal change' in the SPP. The area on the south side of Briody Drive West was rezoned to General Residential in 2011 and all of the land abutting Briody West to the north and south is covered by a Development Contributions Plan Overlay to fund the construction of Briody Drive West. Should the area north of Briody Drive West remain in the Low Density Residential Zone, the development contributions plan will be significantly underfunded. Council has a current development plan amendment application for the area on the south side of Briody Drive West and the uncertainty regarding development contributions complicates the complex arrangements in this area. To add clarity, a description of each low density area in Torquay recognising the differences would be valuable, with Briody Drive designated for infill development.
- 4.3. The low density residential area in Addiscott Road currently has a number of vacant lots with the potential for development with a dwelling. The right to one dwelling on each lot should be maintained and strategy Objective 4, Strategy 2 should be altered accordingly, as the term "infill development" is ambiguous in this context.

5. North East Investigation Area

- 5.1. In the current version of the SPP, the north east investigation area is shown outside the protected settlement boundary but retained as subject to investigation for suitability for urban development. The uncertainty regarding this site in this 50 year plan is not supported, and certainty regarding the future of this area should be confirmed prior to finalisation of the SPP.

6. Green Breaks

- 6.1. Although it is agreed that green breaks should be protected from urban encroachment, it is considered that strategy 3 under Objective 2 is too restrictive in its current form. In 2019 Council adopted the Rural Hinterland Futures Strategy, which was intended to provide guidance on supported uses within the Farming Zone, including the green break between Torquay and Bellbrae. As part of the strategy it was considered important to recognise the existing uses in the Farming Zone and new uses that may be complementary; particularly tourism and agri-tourism. As written at present, Strategy 3 under Objective 2 precludes a number of complementary uses like group accommodation and non-agricultural uses like wineries, irrespective of whether they have responded to the landscape character objectives. Therefore, Council recommends this strategy be modified.

7. Water and Ecologically Sustainable Development

- 7.1. As described in the introduction, it is considered that strategies in relation to water should be expanded with a focus on strategies relating to reduction in water demand, stormwater re-use and recycled water. In light of climate change, water deserves a separate section in the SPP.
- 7.2. The SPP states that "all new development should be ecologically sustainable". "Ecologically sustainable" is not defined. Broad statements such as this in the SPP would benefit from greater articulation and expansion to indicate the meaning of the strategy and where it is to be applied.

Australia's National Strategy for Ecologically Sustainable Development (1992) defines ecologically sustainable development as: 'using, conserving and enhancing the community's resources so that ecological processes, on which life depends, are maintained, and the total quality of life, now and in the future, can be increased.' Or principles of ESD are articulated in the *Environment Protection and Biodiversity Conservation Act 1991 (Cth)* which include precautionary and inter-generational principles.

2.2 Surf Coast Distinctive Areas and Landscapes Submission



- 7.3. The SPP would also benefit from more emphasis on Environmentally Sustainable Development and design, promotion of use of recycled materials, open space planning enabling local food production and retention or planting of indigenous and climate adapted species to mitigate the heat island effect and support other climate change mitigation and adaptation outcomes. The SPP should also include support for environmentally friendly forms of transport such as electric cars, greater connectivity of walking and cycling pathways to promote active transport and supporting infrastructure. Currently the strategies in the draft SPP reflect current State Policy and reinforce the status quo and business as usual. The SPP needs to add greater value in order to be relevant and realise ecologically sustainable development outcomes benefitting the Surf Coast Shire's environment, communities and economy.
- 7.4. Consideration should be given for the State Government to include a strategy for net zero emissions from all new development to assist in achieving the government's target of net zero emissions by 2050.

8. New Significant Landscape Overlays

- 8.1. It is noted that a new Significant Landscape Overlay is proposed for the areas of State Significance. It should be noted that if Option 1 for the Spring Creek Growth Area is adopted, a planning permit will be required for every dwelling in the area. This would place an unacceptable administrative burden on Council. If Option 1 is approved in the final SPP, the proposed controls for this area should be developed to minimise the number of planning permits required while ensuring an appropriate response to the landscape.
- 8.2. The SLO8 has a focus on non-agricultural buildings and buildings in zones other than the Farming Zone (FZ). It writes in the exemptions that currently exist in the FZ so as not to trigger additional permits in that zone. However, if the SLO is seeking to achieve a landscape character outcome over the whole of the area to which it applies, there should be consistency in its application irrespective of land use.
- 8.3. SLO8 permit requirement (dot point 2) that reads, "A permit is not required...the gross floor area of the new building does not exceed 100 m² or the gross floor area of the existing building is not increased by more than 50 m²" is problematic as it does not prevent the 'death by a thousand cuts' scenario. The proportional increase in the size of a building is irrelevant if it results in a building that is larger than anticipated thereby impacting on the landscape character objectives.
- 8.4. SLO8 permit requirement (dot point 4) that reads, "A permit is not required...the building is used for agriculture" has no obvious connection to the SLO8 objectives which focus on the natural landscape and not on maintaining the rural vernacular. It is not clear why the use of the building is relevant.

9. Implementation

- 9.1. As the Distinctive Areas and Landscapes Project is a State Government Project, it is submitted that the implementation of the SPP in full, including zone and overlay changes, should be undertaken by the Department of Environment, Land Water and Planning.

Matters to be addressed in the objectives and strategies have been compiled into a separate document for consideration in Appendix 2. Suggested draft wording has been provided to demonstrate the intent.

Thank you for consideration of this submission. If you have any enquiries concerning this matter, please contact Karen Hose, Strategic Land Use Planning Co-ordinator on 52610611.

Yours faithfully

Ransce Salan

General Manager Environment and Development

2.2 Surf Coast Distinctive Areas and Landscapes Submission

APPENDIX 2 HISTORY OF SPRING CREEK SUMMARY

HISTORY OF THE SPRING CREEK URBAN GROWTH AREA AND PRECINCT STRUCTURE PLAN

HISTORY OF THE GROWTH AREA	
1980 – 2007	The Spring Creek valley west of Duffields Road is identified in the Torquay-Jan Juc Structure Plan 1980 as a future urban growth area. The 1992, 1996 and 2007 structure plans continue to show the potential for urban growth pending future investigation within the Spring Creek corridor.
2008 – 2009	<u>The <i>Spring Creek Urban Growth Framework Plan</i> for the area from Duffields Road to Bellbrae is prepared. Council elects to abandon the plan following strong community opposition to the extent and level of proposed growth. Council resolves to start work on the <i>Sustainable Futures Plan Torquay-Jan Juc 2040</i> as a way of managing growth pressure.</u>
2009 – 2010	The Minister for Planning approves Amendment C37, which implements a number of key strategic studies for Torquay-Jan Juc including the 2007 Torquay Jan Juc Structure Plan; confirming that land 1km west of Duffields Road is within the Torquay-Jan Juc settlement boundary and identified as future urban growth area.
2010 – 2011	<u>Council prepares the <i>Sustainable Futures Plan Torquay-Jan Juc 2040</i>. The plan was adopted by Council without growth in Spring Creek and with the town boundary set at Duffields Road.</u>
2012 – 2014	<u>Council seeks to implement the adopted 2040 plan through Amendment C66, thereby setting the western town boundary at Duffields Road. However, the Minister for Planning's final decision on Amendment C66 includes the area 1km west of Duffields Road within the Torquay-Jan Juc town boundary consistent with the recommendation of the Independent Panel convened to hear submissions to C66.</u>
March 2014	On 20 March 2014 the Minister for Planning rezones the 1km west area to Urban Growth Zone via Planning Scheme Amendment C95, requiring that a precinct structure plan is prepared as a masterplan for the area. The Minister also rezones the Christian College site to Special Use Zone to facilitate development of the school campus.

2.2 Surf Coast Distinctive Areas and Landscapes Submission

HISTORY OF THE SPRING CREEK URBAN GROWTH AREA AND PRECINCT STRUCTURE PLAN

PRECINCT STRUCTURE PLAN	
September - December 2014	In September 2014 Council resolves to adopt a consortium led model for the preparation of the Spring Creek PSP with assistance from the Metropolitan Planning Authority (now the Victorian Planning Authority VPA). In December 2014 the then Minister for Planning authorises the VPA to assist Council in the preparation of the PSP.
January – May 2015	Work commences on preparations for a precinct structure plan and in May 2015, Council enters into signed legal agreements with six landowners to fund the PSP.
June 2015	Council initiates a citizen jury to inform the preparation of the PSP, and convenes a Community Panel which sits over a number of days in July and August 2015. In September 2015 the panel recommendations are presented to Council. The Community Panel later wins a commendation in the LGPro Awards for Excellence in the Community Partnerships category.
November 2015 – January 2016	Council responds to the community panel recommendations and exhibits a draft Framework Plan November 2015 to January 2016 as a precursor to the current PSP. The draft framework plan includes a government primary school site.
January – February 2016	Council prepares a draft precinct structure plan and planning scheme amendment documentation. January 2016 the Christian College applies to be part of the amendment and rezone part of its site at 248 Great Ocean Road to Urban Growth Zone. In February 2016 the Department of Education confirms that a primary school site is not required in the precinct structure plan and the school is removed from the plan.
April 2016 – June 2016	26 April 2016 Council resolves to prepare C114 and seek authorisation to prepare the amendment, then exhibit the amendment for one month. Authorisation is sought and subsequently granted under delegation from the Minister for Planning on 9 May 2016. C114 and the PSP is placed on exhibition between May and June 2016, with 80 submissions received.
June – July 2016	Government School: On 9 June 2016 the Surf Coast Shire Mayor writes to the Minister for Education, the Hon. James Merlino, expressing concern over the advice from the Department of Education that a school is not required in the Spring Creek PSP. The Minister for Education responds on 14 July 2016 advising that, based on current forecasts, there are no immediate plans to provide additional future school provision in Torquay.
August 2016 – November 2016	In August 2016 Council resolves to send submissions on Amendment C114 and the PSP to an independent panel under Part 8 of the Planning and Environment Act 1987. 19 October 2016 the VPA provides a letter of support for the PSP. The panel hearing is held 7-10 November 2016.

2.2 Surf Coast Distinctive Areas and Landscapes Submission

HISTORY OF THE SPRING CREEK URBAN GROWTH AREA AND PRECINCT STRUCTURE PLAN

PRECINCT STRUCTURE PLAN	
January – March 2017	<p>The panel report is received 23 January 2017 and reported to Council in March 2017.</p> <p>At the March 2017 Council meeting, in response to panel recommendations, the Council resolves to undertake further work prior to adoption of Amendment C114. Further work includes: open space planning, a bushfire assessment and exploring increased housing densities around the activity centres.</p>
October 2017	<p>Following the completion of the further work, in October 2017 Council resolves to adopt Amendment C114 subject to further minor revisions and then send to the Minister for Planning for approval. Immediately after the Council meeting the VPA is requested to make the necessary changes to the PSP including maps in accordance with the Council resolution.</p>
March – April 2018	<p>The changes to the PSP are completed by the VPA in March 2018 and the final amendment C114 is sent to the Minister for Planning for formal approval on 13 March 2018. The amendment does not include the Native Vegetation Precinct Plan (NVPP) still to be finalised (to be added later by agreement with DELWP). The Native Vegetation Precinct Plan was being prepared in the new format required by changes to the native vegetation legislation in Victoria in November 2017. DELWP officers had also recommended removing a “practical retention” category in advice to Council received on 13 March 2018. On 20 April 2018 Council lodges the finalised NVPP with the Minister for Planning to form part of the approval of Amendment C114.</p>
May 2018	<p>31 May 2018 Council receives a letter from the Department of Environment, Land Water and Planning (DELWP) recommending that Council should consider revising the Native Vegetation Precinct Plan (NVPP) using the transitional provisions, and return to the format of the NVPP previously exhibited under the 2013 native vegetation regulations. Consultation occurs with DELWP officers who advise that offsets are difficult to obtain for Bellarine Yellow Gums and an offset plan will also be required prior to approval of the NVPP.</p>
July - August 2018	<p>On 30 July 2018 Council submits a revised NVPP for approval as part of Amendment C114. The NVPP is in the previous (exhibited) format under the 2013 regulations. On 2 August 2018 Council forwards a letter from DELWP dated 16 July 2018 giving formal approval to use the transitional provisions for the NVPP.</p>

2.2 Surf Coast Distinctive Areas and Landscapes Submission

HISTORY OF THE SPRING CREEK URBAN GROWTH AREA AND PRECINCT STRUCTURE PLAN

PRECINCT STRUCTURE PLAN

23 October 2018

23 October 2018 Council receives a letter from the Executive Director, Statutory Planning Services, advising that the Minister for Planning considers that the *“amendment is not suitable for approval in its current form and has identified three key matters for attention”*, summarised as follows:

- The issue of a suitably located school site for Torquay Jan Juc needs to be resolved.
- The NVPP to be reworked into the current format required under the native vegetation legislation in Victoria November 2017.
- Further work required to ensure residential densities are comparable to those already being delivered in other areas in the town to help offset additional conservation reserves for Bellarine Yellow Gums.

October - November
2018

Labor Candidate for South Barwon, Darren Cheeseman, and later the Premier Daniel Andrews, publicly comment that the settlement boundary for Torquay should be at Duffields Road and that, if elected, a community consultation process will be held to discuss the boundary of Torquay before making a decision. Liberal candidate for South Barwon, Andrew Katos, publicly comments that a Liberal Government will keep the settlement boundary where it is currently, at 1km west of Duffields Road.

30 April 2019

DELWP advises that the Minister will defer his decision on Amendment C114 pending the outcomes of the public consultation process and planning policy development that will be undertaken during 2019 as part of the Victorian Government's commitment to declare the Surf Coast as a "Distinctive Area and Landscape" (DAL) under the *Planning and Environment Act 1987*.

2.2 Surf Coast Distinctive Areas and Landscapes Submission

APPENDIX 3 COMMENTS ON STRATEGIES

Surf Coast Shire Submission

Draft Statement of Planning Policy: Matters to Capture in Objectives and Strategies:

Objective 1

To support the resilience of the declared area's distinctive attributes by taking sustained measures to ~~mitigate~~ **reduce** greenhouse gas emissions and adapt to the impacts of climate change and natural hazards.

1. *Through bushfire risk-based planning, prioritise the protection of human life over all other considerations.*
2. *Avoid new development or sensitive land uses in areas at high risk of bushfire, coastal and riverine flooding or coastal erosion.*
3. *Utilise Wadawurrung biocultural knowledge and practices to better manage bushfire risk, **natural hazard risk and land management under climate change.***
4. *Ensure that coastal infrastructure is designed to have minimal impact on its existing environmental features including vegetation, natural landforms and waterways.*
5. *Implement water-sensitive design practices for new development to reduce the negative impacts of urban and agricultural stormwater runoff on waterways, wetlands, beaches and the marine environment.*
6. *Improve the energy, water and waste performance of development and infrastructure by implementing environmentally sustainable development practices including the use of renewable energy technology.*
7. *Consider and plan for the cumulative impact of changing land uses and climate on water availability in the region, and support the use of recycled water, **including in the Thompson Valley.***
8. *Consider water security in major new development or use proposals, including the potential for use of recycled water or water re-use on site and reduction of water demand in the proposal.*
9. *Consider Environmental Sustainable Design in the design of all new major developments.*
10. *Ensure all new subdivisions in greenfield growth areas and major infill developments achieve a high standard of sustainable design including solar orientation of lots, recycled materials in road construction, provision for canopy trees in the public realm and energy efficiency.*
11. *Require Integrated Water Cycle Management Plans in all new greenfield growth development in an holistic approach to stormwater and water re-use.*

Objective 2

To conserve and enhance the declared area's significant landscapes.

1. *Provide protection that accords with the level of landscape significance, with the greatest level of protection to be provided for the nationally significant Bells Beach to Point Addis landscape.*
2. *Protect the coastal and hinterland setting of settlements by containing urban growth within settlement boundaries.*
3. *Reserve green breaks between settlements for conservation, agriculture, nature-based tourism, **nature based recreation** and natural resource purposes that prioritise the protection and enhancement of the significant landscape and landscape character setting.*

2.2 Surf Coast Distinctive Areas and Landscapes Submission

4. Prevent any further residential subdivision ~~and infill development~~ at Addiscott Road Estate (existing rights for dwellings on vacant lots should be retained in this strategy).
5. Ensure any developments allowed to be located in green breaks between settlements responds to the surrounding landscape character and maintains the visual dominance of the natural landscape by:
 - a. being sited so that buildings are responsive to the landscape and use established vegetation or new vegetation buffers to screen development when viewed from the public realm
 - b. providing substantial setbacks from road corridors and publicly accessible land
 - c. using building forms, design detailing and materials and colours that immerse buildings within the landscape, so they are not visually dominant.
6. Ensure development and associated infrastructure does not protrude above hilltops and ridge lines, so the natural contours and vegetation remain visible.
7. Manage development and infrastructure to retain the dominance of views to the rural hinterland and/or coast from main road corridors within the landscape.
8. Conserve and increase native vegetation, particularly along waterway corridors and within vegetation reserves, by revegetating land in keeping with the ecological vegetation classes to strengthen landscape character.

Objective 3

To conserve and improve the environment and biodiversity values of the declared area.

1. Plan and implement environmentally and culturally responsible best practices to conserve and improve areas of remnant native vegetation.
2. Utilise Wadawurrung biocultural knowledge and practices in the management of environment and biodiversity values.
3. Minimise the negative impacts of weeds and pest animals on environmental and biodiversity values by undertaking best practice land management.
4. Encourage ecological restoration works to connect areas of high environmental and biodiversity value, including increasing connections between sites by facilitating biolinks.
5. Reinforce the role of waterway corridors (within and between settlements) and coastlines as biolinks for native flora and fauna.
6. Ensure the collection, disposal and storage of waste do not degrade areas of high environmental, ecological and biodiversity value.
- 6.7. Avoid new development in areas of high biodiversity value and site new development in a location that does not impact on significant native vegetation or habitat.

Objective 4

To conserve, strengthen and promote the declared area's Aboriginal cultural heritage values and partner with the Wadawurrung to care for Country.

1. With the Wadawurrung, identify, manage, conserve and enhance Aboriginal cultural heritage — sites, landscapes, waterways (including unnamed waterways), natural resources and significant views.
2. With the Wadawurrung, build awareness and understanding of tangible and intangible Aboriginal cultural heritage knowledge including language, oral traditions and various pre-colonial cultural practices, and draw on it when planning and managing land use and development.
3. With the Wadawurrung, encourage the use of Wadawurrung language and place names throughout the declared area.

2.2 Surf Coast Distinctive Areas and Landscapes Submission

Objective 5

To protect, strengthen and promote the declared area's historic heritage values.

1. *Ensure that significant historic heritage places within the declared area are identified, conserved and managed by using best practice techniques, particularly to enable these places to adapt to climate change impacts and protected from inappropriate alterations, additions or subdivision that adversely affect the heritage values.*
2. *Minimise the visual impacts of buildings and works on heritage places by ensuring the siting and design of development and infrastructure respects the unique historic heritage character of the declared area, the heritage site and surrounds.*
3. *With the community, promote and celebrate the declared area's rich historic heritage values.*
4. *With the Wadawurrung, ensure that Bells Beach and the nationally heritage-listed Great Ocean Road are accessible, well-maintained and sustainably managed.*

Objective 6a

To support a sustainable and responsible visitor economy that protects and promotes the landscape significance, environment and biodiversity values, Aboriginal cultural values and historic heritage values of the area.

1. *With the Wadawurrung, facilitate culturally responsive tourism and related economic development that encourages people to recognise, understand and celebrate Wadawurrung cultural heritage, rights and authority.*
2. *Encourage ecologically sustainable, tourism related uses and infrastructure within the preferred areas for tourism in Torquay–Jan Juc and agritourism in the area surrounding Bellbrae.*
3. *Ensure the sighting-siting and design of development and infrastructure are sympathetic to the landscape significance, environment and biodiversity values, Aboriginal cultural heritage, and historic heritage values of the declared area.*
4. *Support the development of tourism infrastructure that highlights Torquay–Jan Juc's surfing identity and coastal character.*

Objective 6b

To support a strong regional economy, including agriculture and natural resource industries, that is compatible with the landscape significance, environment and biodiversity values, Aboriginal cultural heritage, and historic heritage values of the declared area.

1. *Encourage rural land outside settlements to be used for agricultural, nature-based tourism and natural resource and related purposes that prioritise the landscape significance, environment and biodiversity values, Aboriginal cultural heritage and historic heritage values of the declared area.*
2. *Use best practice measures to ensure the use and development of land for extractive industries and the rehabilitation of excavated areas avoid and minimise impacts on the landscape significance, environment and biodiversity values, Aboriginal cultural heritage values and historic heritage values of the declared area.*
3. *Encourage and support environmentally sustainable, innovative farming practices (such as water reuse and new technologies) to enable farming to adapt and respond to a changing climate and emerging markets.*

2.2 Surf Coast Distinctive Areas and Landscapes Submission

4. ~~Restrict the supply of rural residential land to conserve and protect agricultural practices and other rural land uses on nearby farming land, and conserve the supply of rural land.~~

Objective 7a

To ensure the integrated provision of strategic infrastructure protects and enhances the declared area's distinctive attributes and values, while meeting community needs.

1. *Ensure the provision, maintenance and upgrading of infrastructure conserves and improves the landscape significance, environment and biodiversity values, Aboriginal cultural heritage and historic heritage values of the area.*
2. *In consultation with the Wadawurrung, ensure the provision, maintenance and upgrading of infrastructure protects, conserves and enhances sites of Aboriginal cultural heritage significance.*
3. *Design infrastructure to be sympathetic to the preferred character of townships and landscapes by maintaining view lines from key transport corridors and by providing vegetation that strengthens landscape character.*

Objective 7b

To maintain the role of Torquay–Jan Juc as a sustainable regional service centre that supports the community's social and economic needs and increases their resilience to climate change impacts.

1. *Provide new infrastructure, or upgrade existing, in sequence with development, or up-front of development, to meet the needs of communities, local businesses and tourists.*
2. *Prioritise infrastructure that minimises greenhouse gas emissions and improves resilience to climate change impacts.*
3. *Prioritise sustainable transport modes (such as walking, cycling and public transport and supporting infrastructure such as electric car recharging stations and bicycle parking to encourage their use by the community and visitors).*
4. *Support walking and cycling by providing safe and accessible connections between destinations and linear pathway routes.*
- 3-5. *Provide for the development of well-positioned affordable housing (including social housing) to support a socially inclusive, healthy and prosperous community.*

Objective 8

To plan and manage the sustainable growth of settlements in the declared area consistent with the protection of the area's landscape significance, environment and biodiversity values, Aboriginal cultural heritage and historic heritage values, and consistent with the unique character, role and function of each settlement.

1. *Direct urban development to a hierarchy of settlements, through designating areas for change and clearly defining protected settlement boundaries.*
2. *Implement protected settlement boundaries for Torquay–Jan Juc, Bellbrae, Breamlea and the Armstrong Creek Urban Growth Area, and settlement boundaries for Mount Duneed and Connewarre.*
3. *Facilitate commercial development, community services, visitor accommodation, infrastructure and facilities within Torquay–Jan Juc's activity centres and tourism precincts.*
4. *Direct the majority of residential development to activity centres, areas identified for substantial change or future settlement areas in Torquay–Jan Juc.*

2.2 Surf Coast Distinctive Areas and Landscapes Submission

5. *Ensure development in Torquay–Jan Juc respects the coastal character of the settlement, in line with the 'Coastal character statement for Torquay–Jan Juc'.*
6. *Ensure development in Torquay–Jan Juc maintains view lines from the nationally heritage-listed Great Ocean Road towards Bass Strait.*
7. *Within the protected settlement boundary for Torquay–Jan Juc, provide a generous transition between urban and rural areas to support the relationship with the landscape setting and minimise the visibility of the settlement from surrounding green breaks.*
8. *Ensure development at the Torquay–Jan Juc urban-rural interface does not extend above natural hilltops and ridge lines, with landscaping provided including vegetated areas on the top of hilltops and ridge lines, to minimise the visibility of development.*
- ~~8.9~~ *Ensure development at the Torquay-Jan Juc urban-rural interface does not extend above natural hilltops and ridgelines, with landscaping provided including vegetated areas within the development area.*
- ~~9.10~~ *Minimise the visibility of development within villages and hamlets/localities through landscaping that responds to the landscape character of the areas, particularly at the interface between urban and rural areas.*
- ~~10.11~~ *Prevent any further residential subdivision and infill development in Breamlea.*
- ~~11.12~~ *Ensure developments in all settlement areas achieve best practice, environmentally sustainable design and development for the full life of the development.*

3. OFFICE OF THE CEO

Nil

4. GOVERNANCE & INFRASTRUCTURE

4.1 Contracts Awarded Under Pre-Authorisation

Author's Title: Acting General Manager Governance and Infrastructure **General Manager:** John Bertoldi

Department: Governance and Infrastructure

File No: F20/641

Division: Governance & Infrastructure

Trim No: IC20/1749

Appendix:

Nil

Officer Conflict of Interest:

In accordance with Local Government Act 2020 – Section 130:

Yes

No

Reason: Nil

Status:

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

Yes

No

Reason: Nil

Purpose

The purpose of this report is to inform Council of the contracts awarded by the Chief Executive Officer (CEO) under authorisation provided via resolution at the 28 July 2020 Council Meeting.

Contracts awarded by the CEO in the preceding month that relate to the 28 July 2020 authorisation are listed below:

Contract No.	Contract Description	Successful Contractor	Contract Value
T21-009	Road Renewal Fischer Street – Darian Road to Highlander Street	Keystone Civil	\$632,213.05 (excl. GST)

Recommendation

That Council notes the award of contract for T21-009 Road Renewal Fischer Street – Darian Road to Highlander Street to Keystone Civil for a lump sum value of \$632,213.05 (excl. GST).

Council Resolution

MOVED Cr Liz Pattison, Seconded Cr Rose Hodge

That Council notes the award of contract for T21-009 Road Renewal Fischer Street – Darian Road to Highlander Street to Keystone Civil for a lump sum value of \$632,213.05 (excl. GST).

CARRIED 9:0

4.2 Project Budget Adjustments and Cash Reserve Transfers

Author's Title: Coordinator Management Accounting **General Manager:** John Bertoldi

Department: Finance **File No:** F18/850-3

Division: Governance & Infrastructure **Trim No:** IC21/54

Appendix:

Nil.

Officer Direct or Indirect Conflict of Interest:

In accordance with Local Government Act 1989 – Section 80C:

Yes

No

Reason: Nil

Status:

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

Yes

No

Reason: Nil

Purpose

The purpose of this report is to present the project budget adjustments and cash reserve transfers for Council approval and the project budget adjustments and cash reserve transfers endorsed by the Executive Management Team for Council ratification.

Summary

The project budget adjustments relating to January 2021 are included in this report. All figures in this report are exclusive of GST.

Recommendation

That Council:

1. Ratifies the Project Budget Adjustments outlined in Tables 1 to 3 in this report.
2. Approves the net changes to cash reserves resulting from the project budget adjustments listed in this report:

Funding Sources	Transfers From/ (To) Reserve
Adopted Strategy Implementation Reserve	12,612
Accumulated Unallocated Cash Reserve	30,000
Asset Renewal Reserve	127,991
Open Space Reserve	9,000
Grand Total	179,603

Council Resolution

MOVED Cr Gary Allen, Seconded Cr Kate Gazzard

That Council:

1. Ratifies the Project Budget Adjustments outlined in Tables 1 to 3 in this report.
2. Approves the net changes to cash reserves resulting from the project budget adjustments listed in this report:

Funding Sources	Transfers From/ (To) Reserve
Adopted Strategy Implementation Reserve	12,612
Accumulated Unallocated Cash Reserve	30,000
Asset Renewal Reserve	127,991
Open Space Reserve	9,000
Grand Total	179,603

CARRIED 9:0

4.2 Project Budget Adjustments and Cash Reserve Transfers

Report

Officer Direct or Indirect Interest

No officer involved in the preparation of this report has any conflicts of interest.

Background

In providing a balance between smooth project delivery and ensuring Council involvement in decision making on material scope change or new projects to be created, the Executive Management Team are being presented on a fortnightly basis for its endorsement project budget adjustments of a straight forward nature such as allocating grant funding to a project and corrections; transfers relating to material scope change or new projects not already approved by Council are presented to Council for approval. Transfers endorsed by the Executive Management Team are presented to Council for ratification. This process ensures that Councillors have the decision on major changes and are kept informed of all project budget changes and allows for smoother project delivery. The report also provides transparency for community.

Discussion

The following project adjustments, detailed in Table 1, are required where it has been identified that projects require adjustments to their approved budgets to allow achievement of project scope and objectives; or there is a request to adjust scope of project, they have been endorsed at an Executive Management Team meeting.

Table 1 – For Council Ratification - Projects Requiring Adjustment

Project Name	Funding Source	Basis for Variation	Project Allocation \$
Cape Otway Road Moriac Pathway	Project Savings Account	Minor PM cost not incorporated into closure.	125
Torquay Wayfinding Project	Adopted Strategy Implementation Reserve	Council resolution 23 June 2020 to allocate \$175K from the \$1m Torquay Town Centre fund in the Adopted Strategy Reserve as matching funding to the DJPR grant.	175,000
Community Activation and Social Isolation	Grant Funded	Surf Coast Shire has just received an extension of funding for the Community Activation and Social Isolation from the Department of Health and Human Services This project includes establishment of a community orchard and new shelter at Great Ocean Views Reserve. The project is re-purposing the Lorne Skate Park shelter which was removed following consultation with the local community due to its visual impact within the landscape. The additional funds will allow for new corner posts for the shelter as well as a water connection and drip irrigation system to ensure the orchard will flourish for all to enjoy.	65,000
Great Ocean Views Activation	Open Space Reserve		9,000
Event Funding (Cadel Evans Race Torquay)	Adopted Strategy Implementation Reserve	Recommended that funds be place in the Adopted Strategy Reserve until arrangements of the next event are confirmed.	(162,388)

4.2 Project Budget Adjustments and Cash Reserve Transfers

The following budget transfers, detailed in Table 2, are newly initiated projects endorsed at an Executive Management Team meeting.

Table 2 – For Council Ratification – New Projects

Project Name	Funding Source	Basis for Variation	Project Allocation \$
Managing and Leading Change - Change Our Game Scholarship	Grant Funded	Scholarship with the Department of Jobs, Precincts and Regions to undertake training around managing change and leadership around gender equality	3,050
Roadside Weeds and Pests Program 2020-2021	Grant Funded	Roadside Weeds and Pests Program 2020-2021 grant funding from the Department of Jobs, Precincts and Regions.	26,376
Australia Day 2021	Contribution Funded	Signed funding agreement with National Australia Day Council Limited.	16,780
Bennett Street Kerb Renewal	Asset Renewal Reserve	Project funds were returned to reserve in 2019/20 with intention of initiating the project when ready in 2020/21.	140,000
Early Years School Readiness	Grant Funded	Kindergarten funding from the Department of Education and Training for School Readiness, which aims to help children get the most out of their early learning.	18,500
Lorne 150th Anniversary Naming Recognition Project	Accumulated Unallocated Cash Reserve	Allocation of funds for delivery of a project to recognise the 150th Anniversary of the naming of Lorne.	30,000

The following project closures, detailed in Table 3, have been endorsed at an Executive Management Team meeting.

Table 3 – For Council Ratification – Closed Projects

Project Name	Funding Source	Basis for Variation	Project Allocation \$
Valuations for Insurance Purposes	Project Savings Account	Scope complete and savings can be returned to source. Total project cost \$8500.	(6,500)
Ellimatta Reserve Retaining Wall Renewal	Asset Renewal Reserve	Scope complete and savings can be returned to source. Total project cost \$137,991.	(12,009)

4.2 Project Budget Adjustments and Cash Reserve Transfers

Table 4 – For Council Ratification – CEO Approved Transfers

Project Name	Funding Source	Basis for Variation	Project Allocation \$
Eastern Reserve Cricket Practice Nets Stage 2 - Landscape Rectification Works	Project Savings Account	Budget requested to allow for landscaping rectification works that were not completed as part of PRC20-065 Eastern Reserve Cricket Practice Nets.	3,250

Table 5 – Accumulated Unallocated Cash Reserve Movement

Accumulated Unallocated Cash Reserve	2020-21 \$'000	2021-22 \$'000	2021-22 \$'000	2023-24 \$'000
Opening Balance	2,434	2,481	3,401	4,430
Budgeted Annual Surplus/(Deficit)	78	920	1,029	(177)
Transfer for Projects Funded in Prior Year	234	-	-	-
Net Allocations During Year	(236)	-	-	-
New Allocations Proposed	(30)	-	-	-
Closing Balance *	2,481	3,401	4,430	4,253

Accumulated Unallocated Cash Reserve	2020-21 \$'000
Net Allocations During Year	
Event Funding	(155)
PS Amendment Heritage Study Stage 2C	(20)
Geelong Fast Rail Advocacy	(3)
Anglesea Motor Yacht Club Contribution	(28)
Torquay North Traffic Study	(30)
Net Allocations (From)/To	(236)
New Allocations Proposed	
Lorne 150th Anniversary Naming Recognition	(30)
Total New Net Allocations (From)/To	(30)

*Note includes budgeted annual surplus/(deficit) as per Adopted Budget 2020-21

Council Plan

Theme 5 High Performing Council
Objective 5.1 Ensure Council is financially sustainable and has the capability to deliver strategic objectives
Strategy 5.1.1 Establish long-term financial principles and incorporate into the long-term financial plan

Reporting and Compliance Statements:

Local Government Act 2020 – LGA 2020

Implications	Applicable to this Report
Governance Principles (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
Policy/Relevant Law (Consideration of the Governance Principles under s.9 of LGA 2020)	No
Environmental/Sustainability Implications (Consideration of the Governance Principles under s.9 of LGA 2020)	No

4.2 Project Budget Adjustments and Cash Reserve Transfers

Community Engagement (Consideration of Community Engagement Principles under s.56 LGA 2020)	No
Public Transparency (Consideration of Public Transparency Principles under s.58 of LGA 2020)	Yes
Strategies and Plans (Consideration of Strategic Planning Principles under s.89 of LGA 2020)	No
Financial Management (Consideration of Financial Management Principles under s.101 of LGA 2020)	Yes
Service Performance (Consideration of Service Performance Principles under s.106 of LGA 2020)	Yes
Risk Assessment	No
Communication	No
Human Rights Charter	No

Governance Principles - Local Government Act 2020 (LGA 2020)

This report contributes to financial viability by ensuring Council approves and is well informed about the allocation and movement of project funds to achieve the best outcomes for the municipal community.

Public Transparency

This report contributes to public transparency by ensuring that the allocation and movement of project funds is made available to the community.

Financial Management

This report contributes to financial management principles by recording the allocation and movement of project funds that may impact on the budget, current and future.

Service Performance

This report contributes to service performance for project delivery by considering the allocation and movement of project funds successful project outcomes.

Risk Assessment

There are (no) identified Workplace Health and Safety implications associated with this report.

Options

Option 1 – Not approve transfers as recommended

This option is not recommended by officers as because transfers are necessary to allow ongoing delivery and closure of projects, and have been through a series of governance checks.

Option 2 – Adopt officer recommendation

This option is recommended by officers as the project budgets and cash reserve transfers supports implementations of Council's strategies.

Conclusion

It is recommended that Council approve the Project Budget Adjustments and Cash Reserve Transfers for January 2021.

4.3 Quarterly Financial Statements - December 2020

Author's Title: Coordinator Management Accounting **General Manager:** John Bertoldi
Department: Finance **File No:** F18/850-3
Division: Governance & Infrastructure **Trim No:** IC21/56

Appendix:

Nil.

Officer Direct or Indirect Conflict of Interest:

In accordance with Local Government Act 1989 –
Section 80C:

Yes

No

Reason: Nil

Status:

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

Yes

No

Reason: Nil

Purpose

The purpose of this report is to receive and note the December Quarterly Finance Report for the 2020-21 financial year.

Summary

This Quarterly Finance report includes the Comprehensive Income Statement, Balance Sheet, Statement of Cash Flows, Statement of Changes in Equity and Statement of Capital Works.

This report also includes a summary of legal costs for the December 2020 quarter with comparative information.

Recommendation

That Council notes the quarterly financial report for December 2020.

Council Resolution

MOVED Cr Kate Gazzard, Seconded Cr Adrian Schonfelder

That Council notes the quarterly financial report for December 2020.

CARRIED 9:0

4.3 Quarterly Financial Statements - December 2020

Report

Officer Direct or Indirect Interest

No officer involved in the preparation of this report has any conflicts of interest.

Background

Council reports quarterly on its financial results in accordance with Section 97 of *the Local Government Act 2020*. As soon as practicable after the end of each quarter of the financial year, the Chief Executive Officer must ensure that a quarterly budget report is presented to the Council at a Council meeting which is open to the public. The second quarterly report of a financial year must include a statement by the Chief Executive Officer as to whether a revised budget is, or may be, required.

Discussion

Quarterly financial statements included with the attached report include:

- Comprehensive Income Statement:
 - Comparison of Council's actual versus budget income and revenue for the period 1 July 2020 to 31 December 2020.
- Balance Sheet:
 - Comparison of Council's actual assets and liabilities versus budget as at 31 December 2020.
- Statement of Cash Flows:
 - Statement of cash flows related to Council's actual operations and activities, and reconciliation to Council's total cash holdings versus budget for the period 1 July 2020 to 31 December 2020.
- Statement of Changes in Equity:
 - Council's actual equity position versus budget as at 31 December 2020.
- Statement of Capital Works:
 - Statement of Council's capital works expenditure versus budget for period 1 July 2020 to 31 December 2020.

Council's net surplus is \$37.3 million at the end of December 2020, which is \$2.1 million behind the year to date budget. Refer to variance notes under the Comprehensive Income Statement for information on variances.

4.3 Quarterly Financial Statements - December 2020

COMPREHENSIVE INCOME STATEMENT For the quarter ended 31 December 2020

	Notes	YTD	YTD	Annual	Variances		Variances	
		Actuals	Budget	Budget	Actual v	Actual v	Actual v	Actual v
		\$'000	\$'000	\$'000	YTD Budget	%	Annual Budget	%
Income								
Rates and charges	1	56,648	56,488	56,590	160	0%	58	0%
Statutory fees and fines	2	849	1,129	2,366	(281)	25%	(1,517)	64%
User charges	3	2,278	3,505	7,476	(1,226)	35%	(5,198)	70%
Grants - operating	4	3,657	2,924	7,705	733	25%	(4,048)	53%
Grants - capital	5	5,217	8,329	9,377	(3,112)	37%	(4,160)	44%
Contributions - monetary	6	1,394	1,838	3,989	(445)	24%	(2,596)	65%
Contributions - non-monetary assets	7	2,473	3,199	11,668	(726)	23%	(9,195)	79%
Net gain/(loss) on disposal of property infrastructure, plant and equipment		8	-	-	8	0%	8	0%
Other income		311	305	632	6	2%	(321)	51%
Total Income		72,834	77,717	99,802	(4,883)	6%	(26,968)	27%
Expenses								
Employee costs	8	16,856	15,781	32,654	(1,075)	7%	15,798	48%
Materials and services	9	12,090	14,472	29,385	2,382	16%	17,296	59%
Depreciation		7,766	8,126	16,252	361	4%	8,487	52%
Amortisation - intangible asset		-	-	3,579	-	0%	3,579	100%
Amortisation - right of use asset		290	301	536	11	4%	246	46%
Bad and doubtful debts		25	65	150	40	61%	125	83%
Borrowing costs		204	207	408	3	1%	204	50%
Finance costs leases		9	27	41	18	66%	32	78%
Other expenses		399	1,429	2,840	1,029	72%	2,441	86%
Share of net losses of Geelong Regional Library Corporation		-	-	-	-	0%	-	0%
Total expenses		37,639	40,407	85,846	2,768	7%	48,207	56%
Surplus/(deficit) for the year		35,195	37,310	13,956	(2,115)	6%	21,239	152%
Other Comprehensive Income								
Items that will not be reclassified to surplus or deficit in future periods								
Net asset revaluation increment / (decrement)		-	-	9,058	-	0%	(9,058)	100%
Total Comprehensive Result		35,195	37,310	23,014	(2,115)	6%	12,181	53%

Variance Notes:

- Rates and charges:** Favourable supplementary rates and garbage charge income due to higher number of urban tenements.
- Statutory fees and fines:** Unfavourable local law parking infringements revenue as a result of COVID-19 restrictions, lower planning assessment and subdivision fees.
- User Charges:** Unfavourable waste disposal fees at the Anglesea Transfer Station; State Government is providing free four year old kindergarten (which will be offset by future grants to be received). The Pandemic has also led to reduced income from retail sales, facility hire and sports programs.
- Grants operating:** State Government funding of kindergartens partially offsetting user charges.
- Grants - capital:** Timing of State and Commonwealth Government capital program grants.
- Contributions monetary:** Timing of development and open space contributions.
- Contribution non-monetary:** Timing of granted assets from developers.
- Employees:** Variance due to operating projects, once off staff costs for the Positive Ageing service transition, temporary roles for the business and community support response to COVID-19 and redundancies, partially offset by employee leave provisions, reduced volunteers and vacancies.
- Materials and services:** Variance due to timing of projects and expensed capital works; recurrent operations contributing to variance due to COVID-19 forcing cancellation of community events, closure of community facilities and Visitor Information Centres.

4.3 Quarterly Financial Statements - December 2020

BALANCE SHEET

As at 31 December 2020

Notes	YTD	YTD	Annual	Variances		Variances	
	Actuals	Budget	Budget	Actual v	%	Actual v	%
	\$'000	\$'000	\$'000	YTD Budget		Annual Budget	
				\$'000	%	\$'000	%
Assets							
Current assets							
Cash and cash equivalents	1	623	18,025	7,368	(17,402)	97%	(6,744)
Trade and other receivables		30,423	30,309	4,585	114	0%	25,838
Other financial assets	1	66,420	40,000	40,000	26,420	66%	26,420
Inventories		310	300	306	10	3%	4
Non-current assets classified as held for sale		290	-		290	0%	290
Other assets		143	143	1,010	-	0%	(867)
Total current assets		98,210	88,777	53,268	9,432	11%	44,941
Non-current assets							
Trade and other receivables		36	38	13	(2)	6%	22
Property, infrastructure plant & equipment	2	796,625	807,556	830,548	(10,931)	1%	(33,923)
Investments in associates and joint ventures		538	431	431	106	25%	106
Right of use assets		667	885	1,074	(218)	25%	(407)
Intangible assets	3	33,831	25,049	21,471	8,782	35%	12,360
Total non-current assets		831,696	833,959	853,537	(2,263)	0%	(21,841)
Total assets		929,905	922,736	906,805	7,169	1%	23,101
Liabilities							
Current liabilities							
Trade and other payables		2,263	3,526	3,755	1,263	36%	1,491
Trust funds and deposits	4	9,741	3,820	2,882	(5,921)	155%	(6,859)
Provisions	5	7,399	6,299	6,330	(1,100)	17%	(1,068)
Interest bearing liabilities		1,081	1,076	2,139	(5)	0%	1,059
Lease liabilities		216	317	635	101	32%	418
Total current liabilities		20,700	15,038	15,741	(5,662)	38%	(4,959)
Non-current liabilities							
Provisions	5	11,560	12,202	12,206	642	5%	646
Lease liabilities		446	446	337	-	0%	(109)
Interest bearing liabilities		19,021	19,021	16,787	-	0%	(2,233)
Total non-current liabilities		31,026	31,668	29,330	642	2%	(1,697)
Total liabilities		51,727	46,706	45,071	(5,021)	11%	(6,656)
Net assets		878,179	876,030	861,734	2,149	0%	16,445
Equity							
Accumulated surplus		533,183	528,620	490,483	4,564	1%	42,701
Asset revaluation reserve		316,689	314,344	323,401	2,345	1%	(6,713)
Other reserves		28,307	33,067	47,850	(4,760)	14%	(19,543)
Total equity		878,179	876,030	861,734	2,149	0%	16,445

Variance Notes:

- Cash and cash equivalents:** Offset by favourable variance in Other Financial Assets. Total favourable cash balance driven by higher opening balance.
- Property, infrastructure, plant and equipment:** Opening balance lower than budget due to 2019-20 Asset Revaluations. The timing of capital program expenditure also contributes to the YTD variance.
- Intangible assets:** Variance is due to a higher opening balance compared to budget in relation to the landfill air space assets revaluation at 30 June 2020.
- Trust funds and deposits:** Variance is due to a higher opening balance compared to budget in relation to subdividers deposits.
- Provisions:** Variance due to leave balances and lower actual opening balance compared to budget.

4.3 Quarterly Financial Statements - December 2020

STATEMENT OF CHANGES IN EQUITY As at 31 December 2020

	YTD	YTD	Annual	Variances		Variances	
	Actuals	Budget	Budget	Actual v		Actual v	
	\$'000	\$'000	\$'000	YTD Budget	%	Annual Budget	%
Equity Opening Balance	842,984	838,720	838,720	4,264	1%	4,264	1%
Surplus for the Year	35,195	37,310	13,956	(2,115)	6%	21,239	152%
Net Asset Revaluation	-	-	9,058	-	0%	(9,058)	100%
Total Equity	878,179	876,030	861,734	2,149	0%	16,445	2%

STATEMENT OF CASH FLOWS For the quarter ended 31 December 2020

	Notes	YTD	YTD	Annual	Variances		Variances	
		Actuals	Budget	Budget	Actual v		Actual v	
		\$'000	\$'000	\$'000	YTD Budget	%	Annual Budget	%
Cash flow from operating activities								
Rates and charges	1	31,787	30,801	56,545	987	3%	(24,758)	44%
Statutory fees and fines		849	1,129	2,323	(281)	25%	(1,474)	63%
User charges	2	2,714	4,464	7,554	(1,750)	39%	(4,840)	64%
Grants - operating		4,342	3,027	7,976	1,315	43%	(3,634)	46%
Grants - capital	3	5,193	8,329	9,377	(3,136)	38%	(4,184)	45%
Contributions		1,394	1,838	3,989	(445)	24%	(2,596)	65%
Interest received		551	305	617	246	80%	(66)	11%
Trust funds received/(refunded)		243	-	(938)	243	0%	1,181	126%
Net GST refund/payment		2,837	2,475	5,350	362	15%	(2,514)	47%
Employee costs		(16,575)	(15,536)	(31,866)	(1,038)	7%	15,291	48%
Materials and services	4	(18,737)	(17,645)	(36,123)	(1,091)	6%	17,386	48%
Net cash provided from operating activities		14,597	19,186	24,805	(4,589)	24%	(10,208)	41%
Cash Flows from investing activities								
Proceeds from sale of property, plant & equipment		13	185	498	(172)	93%	(485)	97%
Payments for property, plant, equipment & infrastructure assets	5	(12,744)	(13,076)	(28,059)	332	3%	15,314	55%
Cash Flows from investing activities	6	126	-	-	126	0%	126	0%
Net cash used in investing activities		(12,605)	(12,891)	(27,561)	286	2%	14,955	54%
Cash flows from financing activities								
Finance costs		(204)	(207)	(411)	3	1%	207	50%
Repayment of lease liabilities		(307)	(313)	(627)	6	2%	320	51%
Interest paid - lease liabilities		(9)	(27)	(41)	18	66%	32	78%
Repayment of borrowings		(1,068)	(1,063)	(2,139)	(5)	1%	1,070	50%
Net cash provided from financing activities		(1,589)	(1,610)	(3,218)	22	1%	1,629	51%
Net increase/(decrease) in cash & cash equivalents held		403	4,685	(5,973)	(4,281)	91%	6,376	107%
Cash & cash equivalents at the beginning of the period		220	13,340	13,340	(13,121)	98%	(13,121)	98%
Cash & cash equivalents at the end of the period		623	18,025	7,368	(17,402)	97%	(6,744)	92%
Investments (current and non-current financial assets)		66,420	40,000	40,000	26,420	66%	26,420	66%
Total cash & investments at the end of the period		67,043	58,025	47,368	9,018	16%	19,676	42%

Variance Notes:

- Rates and charges:** garbage charge income favourable due to higher urban tenements compared to budget and supplementary rates.
- User charges:** unfavourable due to lower waste disposal fees, kindergarten fees waived, Visitor Information Centre retail sales, sports program and facility hire fees.
- Grants - Capital:** timing of program.
- Materials and Services:** variance mainly attributable to timing of delivery of operational projects.
- Property, plant, equipment & infrastructure assets:** timing of capital program purchases.
- Cash flow from investing activities:** is a movement of cash between financial assets and cash and cash equivalents.

4.3 Quarterly Financial Statements - December 2020

STATEMENT OF CAPITAL WORKS

As at 31 December 2020

	YTD	YTD	Adopted	Variances		Variances	
	Actuals	Budget	Budget	Actual v	Actual v	Actual v	Actual v
	\$'000	\$'000	Spend	YTD Budget	%	Annual Budget	%
			\$'000	\$'000		\$'000	
Property							
Land	69	-	-	(69)	0%	(69)	0%
Total Land	69	-	-	(69)	0%	(69)	0%
Buildings	6,827	4,336	6,303	(2,491)	57%	(524)	8%
Total Buildings	6,827	4,336	6,303	(2,491)	57%	(524)	
Total Property	6,896	4,336	6,303	(2,559)	57%	(593)	0%
Plant and Equipment							
Plant, Machinery & Equipment	20	893	1,984	873	98%	1,964	99%
Fixtures, Fitting & Furniture	2	164	365	162	99%	363	99%
Computers and Telecommunications	498	833	1,852	335	40%	1,354	73%
Total Plant and Equipment	520	1,890	4,201	1,371	73%	3,681	88%
Infrastructure							
Bridges	266	351	780	85	24%	514	66%
Drainage & Sewerage	33	122	271	89	73%	238	88%
Footpaths & Cycleways	486	539	1,199	53	10%	713	59%
Parks, Open Space & Streetscapes	434	755	1,678	321	42%	1,244	74%
Recreation, Leisure & Communities	1,797	2,069	4,597	271	13%	2,799	61%
Roads	2,300	2,665	8,257	365	14%	5,957	72%
Offstreet Car Parks	6	106	235	99	94%	229	97%
Waste	5	242	538	237	98%	533	99%
Expensed Capital Works	288	1,079	3,396	790	73%	3,108	92%
Total Infrastructure	5,617	7,928	20,950	2,311	29%	15,334	73%
Total Capital Works Expenditure	13,033	14,155	31,454	1,122	8%	18,422	59%
Represented by:							
New Asset Expenditure	7,396	5,444	8,490	(1,952)	36%	1,094	13%
Asset Renewal Expenditure	3,226	4,694	12,654	1,468	31%	9,428	75%
Asset Expansion Expenditure	70	31	68	(40)	129%	(2)	3%
Asset Upgrade Expenditure	2,052	2,907	6,847	855	29%	4,795	70%
Expensed Capital Works	288	1,079	3,396	790	73%	3,108	92%
Landfill Provision Works		-	-	0	0%	0	0%
Total Capital Works	13,033	14,155	31,454	1,122	8%	18,422	59%

Generally project spend variations are timing related.

4.3 Quarterly Financial Statements - December 2020

LEGAL EXPENDITURE

The previous statements represent standard financial statements for the whole of the organisation. Council understands that some specific types of expenditure also warrant closer monitoring and the following table summarising legal expenses has been included to provide improved transparency.

Legal Costs Summary	Full Year 2017-18	Full Year 2018-19	Full Year 2019-20	YTD Jul-Dec 2020-21	Q2 2020-21
HR matters (incl. training)	18,095	2,197	10,307	1,700	-
Governance advice (across organisation)	104,815	160,642	120,332	61,669	17,907
Governance advice (Councillor-related)	109,029	147,406	76,877	8,988	8,757
Planning and Building Services	235,511	293,301	193,149	110,743	60,072
Total	467,450	603,546	400,665	183,100	86,736

Council Plan

Theme 5 High Performing Council
Objective 5.1 Ensure Council is financially sustainable and has the capability to deliver strategic objectives
Strategy 5.1.1 Establish long-term financial principles and incorporate into the long-term financial plan

Reporting and Compliance Statements:

Local Government Act 2020 – LGA 2020

Implications	Applicable to this Report
Governance Principles (Consideration of the Governance Principles under s.9 of LGA 2020)	No
Policy/Relevant Law (Consideration of the Governance Principles under s.9 of LGA 2020)	No
Environmental/Sustainability Implications (Consideration of the Governance Principles under s.9 of LGA 2020)	No
Community Engagement (Consideration of Community Engagement Principles under s.56 LGA 2020)	No
Public Transparency (Consideration of Public Transparency Principles under s.58 of LGA 2020)	Yes
Strategies and Plans (Consideration of Strategic Planning Principles under s.89 of LGA 2020)	No
Financial Management (Consideration of Financial Management Principles under s.101 of LGA 2020)	Yes
Service Performance (Consideration of Service Performance Principles under s.106 of LGA 2020)	No
Risk Assessment	No
Communication	No
Human Rights Charter	No

Governance Principles - Local Government Act 2020 (LGA 2020)

Local Government Act prescribed governance Principles have been taken into account in the preparation of this report, particularly:

- S9(a) Council decisions are to be made and actions taken in accordance with the relevant law, and
- S9(g) the ongoing financial viability of the Council is to be ensured, and
- S9(i) the transparency of Council decisions, actions, and information is to be ensured.

Policy/Relevant Law

This report ensures Council complies with section 97 of the Local Government Act 2020:

4.3 Quarterly Financial Statements - December 2020

1. As soon as practicable after the end of each quarter of the financial year, the Chief Executive Officer must ensure that a quarterly budget report is presented to the Council at a Council meeting which is open to the public.
2. A quarterly budget report must include—
 - a. a comparison of the actual and budgeted results to date; and
 - b. an explanation of any material variations; and
 - c. any other matters prescribed by the regulations.
3. In addition, the second quarterly report of a financial year must include a statement by the Chief Executive Officer as to whether a revised budget is, or may be, required.

Environmental/Sustainability Implications

Not applicable

Community Engagement

Not applicable

Public Transparency

This report contributes to public transparency by ensuring that the quarterly financial statements are made available to the community.

Strategies/Plans

Not applicable

Financial Management

Council reports quarterly on its financial results in accordance with Section 97 of *the Local Government Act 2020*. As soon as practicable after the end of each quarter of the financial year, the Chief Executive Officer must ensure that a quarterly budget report is presented to the Council at a Council meeting which is open to the public. The second quarterly report of a financial year must include a statement by the Chief Executive Officer as to whether a revised budget is, or may be, required.

Service Performance

Not applicable

Risk Assessment

Not applicable

Communication

Not applicable

Human Rights Charter

Not applicable

Options

Option 1 – Notes the quarterly financial report for September 2020.

This option is recommended by officers as Council remains in a sound financial position and the report is presented in accordance with the *Local Government Act 2020*.

Option 2 – Does not note the quarterly financial report for September 2020.

This option is not recommended by officers as the report is presented in accordance with the *Local Government Act 2020*.

Conclusion

As per requirements from the *Local Government Act 2020*, the Chief Executive Officer states that a revised budget is not necessary, Council remains in a sound financial position.

4.4 Contract 13/487 Surf Coast Shire Transfer Stations - Supply of Bins (nominal 30 cub m) and Bulk Haulage of Waste and Recycling

Author's Title: Coordinator Waste Management

General Manager: John Bertoldi

Department: Engineering Services

File No: F18/158-2

Division: Governance & Infrastructure

Trim No: IC21/18

Appendix:

Nil

Officer Conflict of Interest:

Status:

In accordance with Local Government Act 2020 – Section 130:

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

Yes

No

Yes

No

Reason: Nil

Reason: Nil

Purpose

The purpose of this report is to approve the three year extension to Contract 13/487 *Surf Coast Shire Transfer Station – Supply of Bins (nominal 30 cub m) and Bulk Haulage and Recycling*.

Summary

At the meeting on 10 December 2013 Council awarded Contract 13/487 *Surf Coast Shire Transfer Station – Supply of Bins (nominal 30 cub m) and Bulk Haulage and Recycling* to SITA Australia Pty Ltd for the seven year period from 1 February 2014 to 31 January 2021 for a total estimated price of \$1,503,546.00 (Ex GST). The contract also has the option to extend for a further three years. SITA Australia Pty Ltd is now known as SUEZ Recycling & Recovery Pty Ltd due to rebranding of the business in 2015.

During the seven year initial contract rates have been adjusted annually for CPI and fuel. Council has an option to extend the contract by three years continuing with the current annually adjusted rates. The current contractor has performed to officers' satisfaction and the rates provided represent value for money. Increases in the cost to Council largely relate to increases in services with additional resource recovery options and increases in the waste volumes managed at Council's disposal sites.

Recommendation

That Council:

1. Approves the contract extension to Contract 13/487 *Surf Coast Shire Transfer Station – Supply of Bins (nominal 30 cub m) and Bulk Haulage and Recycling* to SUEZ Recycling & Recovery Pty Ltd for a three year period from 1 February 2021 to 31 January 2024 for an estimated sum of \$650,000 (plus GST).
2. Authorises the Manager Engineering Services to act as the Supervisor for the contract, including authorising variations in accordance with the contract conditions.3.

Council Resolution

MOVED Cr Liz Pattison, Seconded Cr Mike Bodsworth

That Council:

1. Approves the contract extension to Contract 13/487 *Surf Coast Shire Transfer Station – Supply of Bins (nominal 30 cub m) and Bulk Haulage and Recycling* to SUEZ Recycling & Recovery Pty Ltd for a three year period from 1 February 2021 to 31 January 2024 for an estimated sum of \$650,000 (plus GST).
2. Authorises the Manager Engineering Services to act as the Supervisor for the contract, including authorising variations in accordance with the contract conditions.

CARRIED 9:0

4.4 Contract 13/487 Surf Coast Shire Transfer Stations - Supply of Bins (nominal 30 cub m) and Bulk Haulage of Waste and Recycling

Report

Officer Direct or Indirect Interest

No officer involved in the preparation of this report has any conflicts of interest.

Background

At the meeting on 10 December 2013 Council awarded Contract 13/487 *Surf Coast Shire Transfer Station – Supply of Bins (nominal 30 cub m) and Bulk Haulage and Recycling* to SITA Australia Pty Ltd for the seven year period from 1 February 2014 to 31 January 2021 for a total estimated price of \$1,503,546.00 (Ex GST). The contract also has the option to extend for a further three years.

In 2015 SITA Australia Pty Ltd was rebranded to SUEZ Recycling & Recovery Pty Ltd.

Discussion

Contract 13/487 includes the supply of bulk bins at Council transfer stations located in Anglesea, Lorne and Winchelsea. It also includes the transport of full bins to the relevant disposal or processing facilities located in Anglesea, Geelong or Melbourne. Since the commencement of the contract in 2014 the volumes and options for resource recovery have increased. Additional resource recovery streams covered under this contract include polystyrene, e-waste and glass.

The contract does not specify rates for the extension period. However, Council may seek to determine reasonable rates for the extension. Council has sought pricing from the contractor for 3 year extension period. The contractor has indicated the current annually adjusted rates would continue to apply for the extension period for an estimated value of \$650,000 (plus GST).

Officers are satisfied that the rates provided for the extension period are reasonable and represent value for money. Officers have discounted the option of running a tender process as there is little likelihood of driving a better value for money outcome. At the time of the tender in 2013 the current contractor was clearly identified as being able to provide the services required by Council with best value.

Officers are seeking Council's authorisation for the Manager Engineering Services to act as the Contract Supervisor for the term of the extension period. This is in keeping with current practices to assign responsibility to senior managers and to create separation between the Supervisor and the officer that oversees the delivery of the contract on a day-to-day basis.

Council Plan

Theme 2 Environmental Leadership
Objective 2.2 Improve the re-use of resources
Strategy 2.2.2 Develop and implement a waste reduction program to increase the life of the landfill

Theme 5 High Performing Council
Objective 5.4 Ensure the community has access to the services they need
Strategy 5.4.1 Review Council-delivered services to ensure they are of high quality and delivering best value

Reporting and Compliance Statements:

Local Government Act 2020 – LGA 2020

Implications	Applicable to this Report
Governance Principles (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes/No
Policy/Relevant Law (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes/No
Environmental/Sustainability Implications (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes/No
Community Engagement (Consideration of Community Engagement Principles under s.56 LGA 2020)	Yes/No

4.4 Contract 13/487 Surf Coast Shire Transfer Stations - Supply of Bins (nominal 30 cub m) and Bulk Haulage of Waste and Recycling

Public Transparency (Consideration of Public Transparency Principles under s.58 of LGA 2020)	Yes/No
Strategies and Plans (Consideration of Strategic Planning Principles under s.89 of LGA 2020)	Yes/No
Financial Management (Consideration of Financial Management Principles under s.101 of LGA 2020)	Yes/No
Service Performance (Consideration of Service Performance Principles under s.106 of LGA 2020)	Yes/No
Risk Assessment	Yes/No
Communication	Yes/No
Human Rights Charter	Yes/No

Governance Principles - Local Government Act 2020 (LGA 2020)

Extension of contract 13/487 will ensure the community continue to have access to waste and resource recovery services they need. SUEZ Recycling & Recovery Pty Ltd have proven to be reliable and flexible to incorporate additional resource recovery services as they are required.

Policy/Relevant Law

The Local Government Act 2020 empowers Council to enter into contracts.

Environmental/Sustainability Implications

Waste management services will be declared an essential service with the new Waste Act. Extension of contract 13/487 will ensure the community continue to have access to waste and resource recovery services they need.

Financial Management

Waste disposal operations budgets are intended to be on a cost neutral basis with income from gate fees offsetting operating expenses. The supply and transport of bulk bins at transfer stations is essential to waste disposal operations and factored into the annual waste budget.

Service Performance

At the time of the tender in 2013 the current contractor was clearly identified as being able to provide the services required by Council with best value. Throughout the contract SUEZ Recycling & Recovery Pty Ltd have proven to be reliable and flexible to incorporate additional resource recovery services as they are required.

Risk Assessment

There are no identified Workplace Health and Safety implications associated with this report. Failure to award the contract extension risks Council being without a provider of bulk bins and transport service, or paying inflated rates outside of contract.

Options

Option 1 – Council authorise the three year contract extension

This option is recommended by officers as the rates for the extension period represent value for money and the current contractor has met all contract requirements to officers' satisfaction.

Option 2 – Council does not authorise the three year contract extension

This option is not recommended by officers as there is little likelihood of driving a better value for money outcome. At the time of the tender in 2013 the current contractor was clearly identified as being able to provide the services required by Council with best value.

Conclusion

The three year tender extension rates from SUEZ Recycling & Recovery Pty Ltd provides best value to Council and officers have assessed these as reasonable considering the increase in waste volumes and resource recovery services. SUEZ Recycling & Recovery Pty Ltd have delivered high quality service and it is recommended that they are awarded the contract extension.

4.5 SCS-016 Investment Policy

Author's Title: Manager Finance

General Manager: John Bertoldi

Department: Finance

File No: F18/742

Division: Governance & Infrastructure

Trim No: IC20/1652

Appendix:

1. SCS-016 Investment Policy - January 2021 (D20/224820)
2. SCS-016 Investment Policy - January 2021 - Markup version for reference (D21/6156)

Officer Conflict of Interest:

In accordance with Local Government Act 2020 –
Section 130:

Yes

No

Status:

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

Yes

No

Reason: Nil

Reason: Nil

Purpose

The purpose of this report is to update the SCS-016 Investment Policy in response to the impact of the COVID-19 impact on investment markets.

Summary

The COVID-19 pandemic and subsequent government response packages have had a major impact on opportunities in the investment markets in which Council operates. Many Australian Deposit-taking Institutions (ADIs) have either substantially reduced deposit rates, or have left the market entirely. Officers have had to adjust investment limits and target interest rates in order to retain viable options and ensure adequate returns on ratepayer funds. It is proposed that these changes be ratified by Council at the 19 January 2021 meeting, and extended until June 2021, whereby market conditions will be reassessed.

Recommendation

That Council:

1. Ratifies the change in maximum investments per Australian Deposit-taking Institution from 30% to 45%.
2. Agrees to the reduction of the target investment rate from 60 to 30 basis points over the Bank Bill Swap Rate.
3. Adopts the updated SCS-016 Investment Policy as attached at Appendix 1.
4. Receives a report to review SCS-016 Investment Policy in June 2021.

Council Resolution

MOVED Cr Liz Pattison, Seconded Cr Kate Gazzard

That Council:

1. Ratifies the change in maximum investments per Australian Deposit-taking Institution from 30% to 45%.
2. Agrees to the reduction of the target investment rate from 60 to 30 basis points over the Bank Bill Swap Rate.
3. Adopts the updated SCS-016 Investment Policy as attached at Appendix 1.
4. Receives a report to review SCS-016 Investment Policy in June 2021.

CARRIED 9:0

4.5 SCS-016 Investment Policy

Report

Officer Direct or Indirect Interest

No officer involved in the preparation of this report has any conflicts of interest.

Background

Council's Investment Policy was last updated in August 2019, with only minor changes, and provides a framework around investment decisions designed to mitigate risk to invested funds. The policy states that:

- Investments must be made within the guidelines set out by the Minister for Local Government,
- Only Australian based institutions may be used (with registered ABN and regional office),
- Investments will have an upper exposure limit of 30% of total funds invested with each institution and their subsidiaries,
- A Target rate of 60 basis points above the Bank Bill Swap Rate (BBSW)
- Investment must be convertible to cash at any time with a maximum of 35 days notice,
- Investments must meet credit rating requirements, and
- The investment must not drop below face value (ie initial investment must be preserved).

Discussion

The COVID-19 pandemic has led Australia to experience its first recession in nearly 30 years. Although some sectors are recovering, the investment markets in which Council operates remain very subdued.

Three major factors are influencing the investment market:

- The impact of the COVID-19 Pandemic on the wider economy,
- Historically low interest rates and inflation, and
- The Reserve Bank of Australia's quantitative easing program.

Particularly noteworthy, the Reserve Bank of Australia's quantitative easing program involves the RBA buying government bonds back from institutional investors at a rate much higher than it did previously. Many of the institutional investors are local banks, and by selling bonds back to the RBA, they increase cash-on-hand and reduce their need to raise funds through the term deposit market.

At the same time, the bank bill swap rate (BBSW), which represents the "cost" of inter-bank transfers, has dropped to unprecedented levels. This indicator is widely used throughout investment markets to set interest rates for deposits, and over the last 3 years, has dropped from roughly 3% to 0.09%. This has seen interest rates on term deposits drop from 3.0-4.0% to 0.2-0.6%. Recent commentary from the RBA has them expecting interest rates to remain at historically low rates for at least the next three years. The reduction in interest rates for deposits, along with the significant reduction in competition in the market, has left Council with no option but to adjust the investment policy.

With the term deposit market subdued, Council has invested greater amounts into "online saver" type bank accounts, in which it was able to attain bonus interest rates that generate a greater return than the term deposit market. However, competitive rates are only offered by a small number of ADI's, so in order to get maximum return on ratepayer funds, the maximum investment threshold has been increased from 30% to 45%. It should be noted that ADI's being utilised are registered Australian Banks backed by the Australian Government's Bank Guarantee scheme.

Council officers continue to monitor the ADI market for investment opportunities. Bonus interest rates are for fixed periods only, and funds will be shifted between investment opportunities to continue to generate the best rate of return for Council. By reducing the target interest rate, and imposing the maximum investment threshold at 45%, Council still maintains a risk-averse approach to its investment activities. In doing this, Council puts itself in the best possible position to achieve its interest revenue target in the 2020-21 Budget.

SCS-016 Investment policy has also been updated to reference the investment provisions in the *Local Government Act 2020*, which remain largely unchanged from the *Local Government Act 1989*.

Council Plan

Theme	5 High Performing Council
Objective	5.1 Ensure Council is financially sustainable and has the capability to deliver strategic objectives
Strategy	Select Strategy

4.5 SCS-016 Investment Policy

Theme	5 High Performing Council
Objective	5.2 Ensure that Council decision-making is balanced and transparent and the community is involved and informed
Strategy	Select Strategy

Reporting and Compliance Statements:

Local Government Act 2020 – LGA 2020

Implications	Applicable to this Report
Financial Management (Consideration of Financial Management Principles under s.101 of LGA 2020)	Yes

Financial Management

The Investment Policy gives consideration to financial management principles under s101 of the Local Government Act 2020, and includes:

- How Council Assets (investments) are managed in accordance to financial policies
- Risk to Council Assets, and
- Any impact on current and future budgets.

Options

Option 1 – Adopt SCS-016 Investment Policy

This option is recommended by officers as it will allow Council to maximise its investment opportunities as markets recover from the Covid-19 pandemic.

Option 2 – Don't adopt SCS-016 Investment Policy

This option is not recommended by officers, as it will mean that Council cannot maximise investment returns, and may have to break current investments and forgo earned interest revenue.

Conclusion

It is recommended that Council adopt SCS-016 Investment Policy and ratify an increase of maximum investments per deposit taking institution from 30% to 45%, and reduction in the target investment rate to 30 basis points over the Bank Bill Swap Rate, with a review to be undertaken in June 2021. This will ensure that Council continues to maximise investment opportunities.

4.5 SCS-016 Investment Policy

APPENDIX 1 SCS-016 INVESTMENT POLICY - JANUARY 2021



We exist to help our community and environment to thrive

COUNCIL POLICY

SCS-016 Investment Policy

TRIM Reference:	D20/224820	Due for Review:	June 2021
Responsible Officer:	Manager Finance		

Purpose

This policy outlines Council's requirements to ensure that all of Council's investments are actively managed within the framework of the Local Government Act, and provide maximum returns for ratepayers with consideration of an acceptable level of risk, taking into account consideration of the reduction in investment market opportunities due to the impact of the Coronavirus pandemic and subsequent recession.

Policy Principles

This policy creates a framework that allows Surf Coast Shire Council to manage its investment portfolio to achieve the financial goals in line with the Council Plan.

Scope

This policy sets out the Surf Coast Shire's policy and risk assessment approach for management of Council's investments, and applies to all funds invested on behalf of Surf Coast Shire Council.

This policy applies to all Councillors, Committee members, employees and contractors of the Surf Coast Shire Council. This Policy includes a temporary increase to maximum investment levels per ADI to allow for continued operation during the Covid-19 Pandemic recovery period.

Definitions

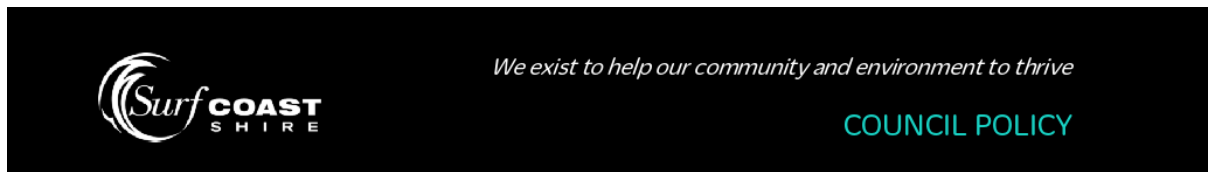
Investments	Include all cash and cash equivalents either restricted or unrestricted, excluding cash on hand. This includes discretionary and non-discretionary cash-backed reserve funds.
Short Term Investment	An investment that has a term to maturity of 12 months or less from the date the investment was made.
Long Term Investment	An investment that has a term to maturity of more than 12 months from the date the investment was made and is restricted to a maximum term.
Target Rate of Return	Investment rate of return is above the 90 day bank bill swap rate plus 30 basis points.
Maximum Term	Term to maturity of an investment is restricted to 5 years or less from the date the investment was made.
Liquidity Risk	Includes the risk that, as a result of our operational liquidity requirements: <ul style="list-style-type: none"> • we will not have sufficient funds to settle financial transactions when due; or • we will be forced to sell investments at a value which is less than face value; or • we may be unable to settle or recover financial assets.
Credit Risk	Includes the risk that a financial institution will not complete its obligations under a financial instrument and cause a financial loss.

Credit ratings (published by Standard & Poors or Moody's Rating Services):

Short Term Ratings

S&P	Moody's	
A-1+	P-1	The obligator's capacity to meet its financial commitment on the obligation is STRONG. Where the capacity to meet a particular obligation is EXTREMELY STRONG that obligation is designated with a plus sign, ie. A1+
A-2	P-2	The obligator's capacity to meet its financial commitment on the obligation is SATISFACTORY, being somewhat more susceptible to the adverse effects of changes in circumstances and economic conditions than those rated A-1.

4.5 SCS-016 Investment Policy



Long Term Ratings

S&P	Moody's	
AAA	Aaa	The obligator's capacity to meet its financial commitment on the obligation is EXTREMELY STRONG.
AA-	Aa3	The obligator's capacity to meet its financial commitment on the obligation is VERY STRONG.

Policy

Council has a responsibility to actively manage its pooled investment portfolio to increase the potential for better returns and at the same time ensure prudent investments with low risk.

Council will comply with the following in regards to investments:

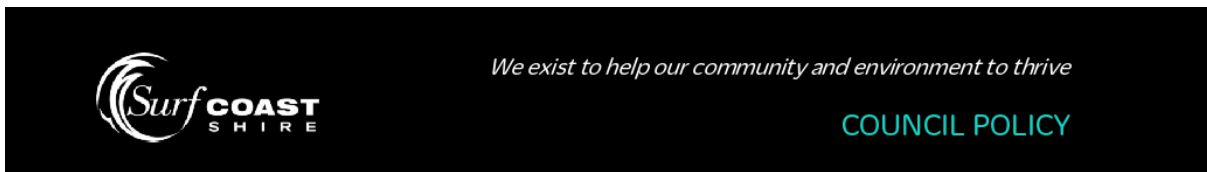
- Local Government Act 2020
S101 – Financial management
(1) The following are financial management principles:
 - (a) revenue, expenses, assets, liabilities, investments and financial transactions must be managed in accordance with a Council'
 - (b) financial policies and strategic plans, including the Revenue and Rating Plan, must seek to provide stability and predictability in the financial impact on the municipal community
- S103 - A Council may invest any money –
 - (a) in Government securities of the Commonwealth; and
 - (b) in securities guaranteed by the Government of Victoria; and
 - (c) with an ADI (authorised deposit-taking institution); and
 - (d) with any financial institution guaranteed by the Government of Victoria; and
 - (e) on deposit with an eligible money market dealer within the meaning of the Corporations Act;
 - (f) in any other manner approved by the Minister, either generally or specifically, to be an authorised manner of investment for the purposes of this section.
- Investment Management Policy and Procedure
- Australian Accounting Standards

Investment Instruments approved by the Minister for the purposes of s13(f) of the previous *Local Government Act 1989* are attached to this document. The minister has not released updated investment instrument guidance since the introduction of the Local Government Act 2020.

Council may elect to invest in any or all options available under the Local Government Act, however, in order to reduce exposure to risk, the investment instrument must also meet the following criteria:

- Investment product must comply with s103 of the Local Government Act 2020
- Investment product must be issued by an Australian owned financial institution or an Australian based financial institution with a registered ABN and a Regional office in Australia
- Council investments will have an upper exposure limit of 45% of total funds invested with each institution and their subsidiaries.
- Investment must be convertible to cash at any time with a maximum of 35 days notice
- Investments shall only remain in the following range of credit ratings published by the following Rating Services at all times:
 - Short Term Ratings between:
 - A-1+ (S&P) or P-1 (Moody's), and
 - A-2 (S&P) or P-2 (Moody's)
 - Long-term ratings between:
 - AAA (S&P) or Aaa (Moody's), and
 - AA- (S&P) or Aa3 (Moody's)

4.5 SCS-016 Investment Policy



- The capital investment must not drop below its face value (ie the initial investment must be preserved).

The criteria above should be applied to new investment opportunities using the Investment Decision Process flowchart attached to this policy.

Environmental Awareness

Council resolved at its 27 January 2015 ordinary meeting to:

"... Explore and take up any opportunities to transfer Council investments consistent with the Investment Policy to financial institutions that do not fund fossil fuel developments".

Council officers will take consideration of the environmental status of Financial Institutions into the decision making process as new investment opportunities arise. If two investment opportunities arise with the same rate of return, preference will be given to the institution that does not fund fossil fuel developments.

Investment Management Responsibilities

The Manager Finance is authorised to manage Council's investment portfolio.
This responsibility includes:

- Maximising return on Council's investment of credit funds,
- Minimising the likelihood of overdraft, and
- Making investment decisions within the parameters of this policy.

Investment decisions relating to new investment opportunities must be referred to the Manager Finance or Chief Executive Officer for approval using the attached Investment Risk Assessment Form and Investment Decision Process. A register of investments shall be kept to identify the institutions where each investment is being held.

The Co-ordinator Financial Accounting is authorised to complete daily cash at call investment transfers at the Bank as an authorised bank account signatory.

Investment objectives

Surf Coast Shire seeks a balanced investment portfolio which aims to deliver enhanced returns whilst providing security, convenience and easy access to funds as cash flow requirements and Council investment decisions change.

This approach recognises the types and levels of cash reserves that Council holds from time to time, opportunities to maximise ratepayer value, the investments that suit Council's planned cash flow requirements and the importance of protecting ratepayer funds.

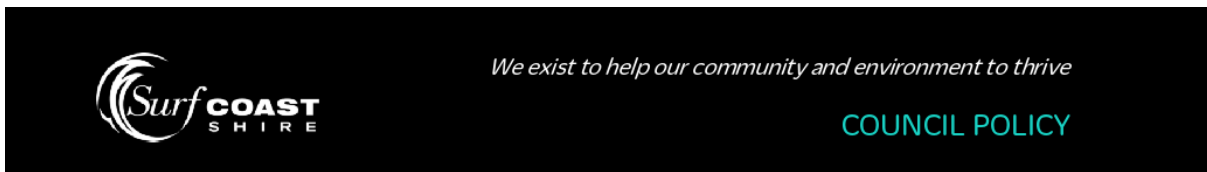
The objectives of this policy, in order of importance, are:

1. Preservation of capital;
2. Ensuring sufficient liquidity is maintained; and
3. Maximising the return on cash balances.

Preservation of capital involves minimising credit risk associated with a financial institution. Credit risk is managed by:

- only investing surplus funds with financial institutions which have a recognised credit rating specified in this Policy;
- only investing with Australian owned financial institutions, or Australian based financial institutions with an ABN and a regional office in Australia where the capital investment amount is guaranteed to be preserved by the financial institution; and

4.5 SCS-016 Investment Policy



- only investing in financial instruments that are convertible to cash with a maximum 35 days notice
- eliminating currency risk by only investing in financial instruments in Australian dollars (AUD).

Minimising liquidity risk involves:

- targeting a minimum average level of cash and cash equivalents to be maintained;
- having readily accessible standby facilities and other funding arrangements in place;
- having a liquidity portfolio structure that requires surplus funds to be invested within various bands of liquid instruments; and
- monitoring budget to actual performance on a regular basis.

Maximising the return on cash balances involves the investment of surplus cash balances after ensuring the preservation of capital and sufficient liquidity for operations.

Investment Management

To meet the objectives above the investment portfolio will be managed by using an institution credit rating framework and a term to maturity framework.

Institution Credit Rating Framework

Investments are limited to a specific range of investments as published by Standard & Poor's (S&P) or Moody's Rating Services and outlined in this policy. Investment credit ratings advised by the investment institution or broker must be independently verified and documented. Credit ratings should be monitored regularly in the financial press to ensure compliance with the Policy requirements. In the event of an adverse report being published in the financial press, the suitability of that institution for Council investments shall be reassessed and documented.

In the event that a broker is used to purchase an investment, Council officers will put in place an agreement with the broker requiring them to only sell investment products that are in compliance with the Policy requirements and disclose any conflicts and commissions.

The level, degree and type of risks that are acceptable for any investment product will be:

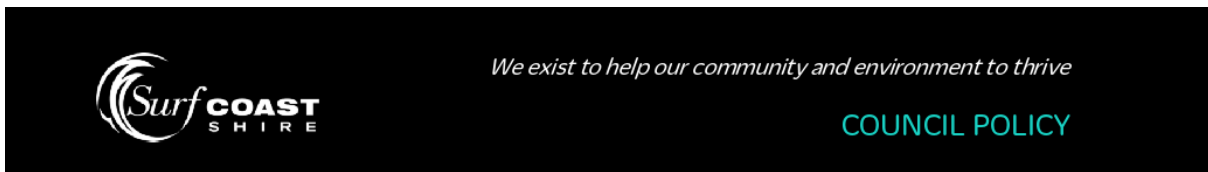
- Convenient liquidity with withdrawals available on a maximum 35 days notice;
- No penalties, other than loss of interest rate for early conversion to cash;
- Have certainty regarding capital preservation with strong credit protection;
- Investment performance consistently above short-term interest rates;

Term to Maturity Framework

The following principles apply to maximise investment opportunities and maintain appropriate liquidity levels:

1. A minimum liquidity buffer level is set for operations (liquidity buffer limits).
2. An amount of surplus cash is set that should trigger an investment.
3. Investment maturity dates are aligned to the liquidity buffer limit.
4. A short term bias is generally applied to allow a level of flexibility if Council priorities change.

4.5 SCS-016 Investment Policy



The following actions are required to ensure that the above principles are applied:

1. At call balances must remain above the minimum of the total cash requirement predicted. Surplus cash above this amount should be considered for investment opportunities. This amount should be increased where any uncertainty exists within the forecast cash balances.
2. Surplus daily cash in excess of long term investments shall be documented by the Co-ordinator Financial Accounting or Manager Finance on the Daily Cash Position summary prior to undertaking the funds transfer. The Daily Cash Position summary shall take account of all expected cash flows for the day.
3. Cash will be recalled daily to meet all cash requirements and minimise the likelihood of overdraft.
4. All written correspondence, including investment confirmation advice, between Surf Coast Shire and appointed investment brokers/institutions must be documented on file and forwarded to the Manager Finance. This will ensure that daily investment transfers conducted are monitored at a senior level.
5. An upper limit for long term investments will be set at the start of each financial year having regard to long term cash reserve requirements.

Risk Assessment

Investment risk can be evaluated and minimised by providing a template for staff authorised to manage investments and conduct risk assessments for all new types of investment.

The Manager Finance is required to conduct a risk assessment of all current and proposed investment opportunities for each different type of investment product to be considered. The Investment Risk Assessment must be documented and signed by the Manager Finance prior to any investment decision being made.

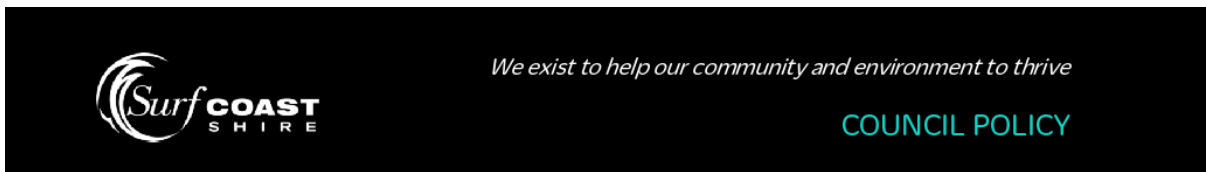
The documented risk assessment will include:

- Type of investment product;
- Term of investment;
- Level and type of risk of investment;
- Any uncertainties on the rate of return;
- Risk Credit Rating;
- Where the funds are to be invested as authorised in the Local Government Act 1989
- If any, the time lag to convert the investment to cash; and
- Penalties associated with breaking the term of the investment.

The Investment Risk Assessment form and Investment Decision Process is attached to this Policy.

At least one staff member with relevant authority (who has not signed off on the Investment Risk Assessment form) should release the funds for investment. If an independent staff member is not available at the time of the investment, the Coordinator Financial Accounting or Financial Accountant will approve the release of funds and obtain evidence of a retrospective independent review of the transaction within two business days of the release of funds.

4.5 SCS-016 Investment Policy



Investment rating downgrades

From time to time investment product credit ratings may be upgraded or downgraded. If an investment product that Council already holds is downgraded below that required in this policy, the Coordinator Financial Accounting will prepare a report to the Manager Finance documenting:

- The affected investment and the circumstances around the downgrade
- The significance of the rating downgrade
- The remaining length of time until investment maturity
- The penalty costs payable as a result of breaking the investment early
- Other movements in credit ratings for comparable institutions.

The Manager Finance will then make a decision as to whether the investment should be redeemed early or not.

Reporting to Council

A report on Investment performance should be submitted to Council on a minimum quarterly basis via the Council's regular finance report. Any breach of this policy should be notified to the CEO within 24 hours of the breach being detected. In addition, the following should be noted:

- A register of investments will be maintained together with an investment file containing all correspondence from financial institutions relating to existing or new investments.
- This register will also track which investments are held with institutions that fund fossil fuel development
- Interest revenue will be recognised in the financial year that it is earned.
- On occasion the upper exposure limit for an individual financial institution (including subsidiaries) may be breached due to the redemption of unrelated investments within the portfolio which cause the overall portfolio value to decrease. This does not constitute a breach of Policy. However, no new investment contracts may be entered into with any financial institutions that would cause that institution to breach or remain above the upper exposure limit.
- Any variations to this policy are to be reported to the Audit Committee within 60 days.

Records

Records shall be retained for at least the period shown below.

Record	Retention/Disposal Responsibility	Retention Period	Location
Investment Risk Assessment Form for each new investment	Finance Department	7 years	Shire Office

Attachments

Investment Decision Process
Investment Risk Assessment Form
Investment Instruments approved by the Minister for Local Government under s143(f) of the Local Government Act

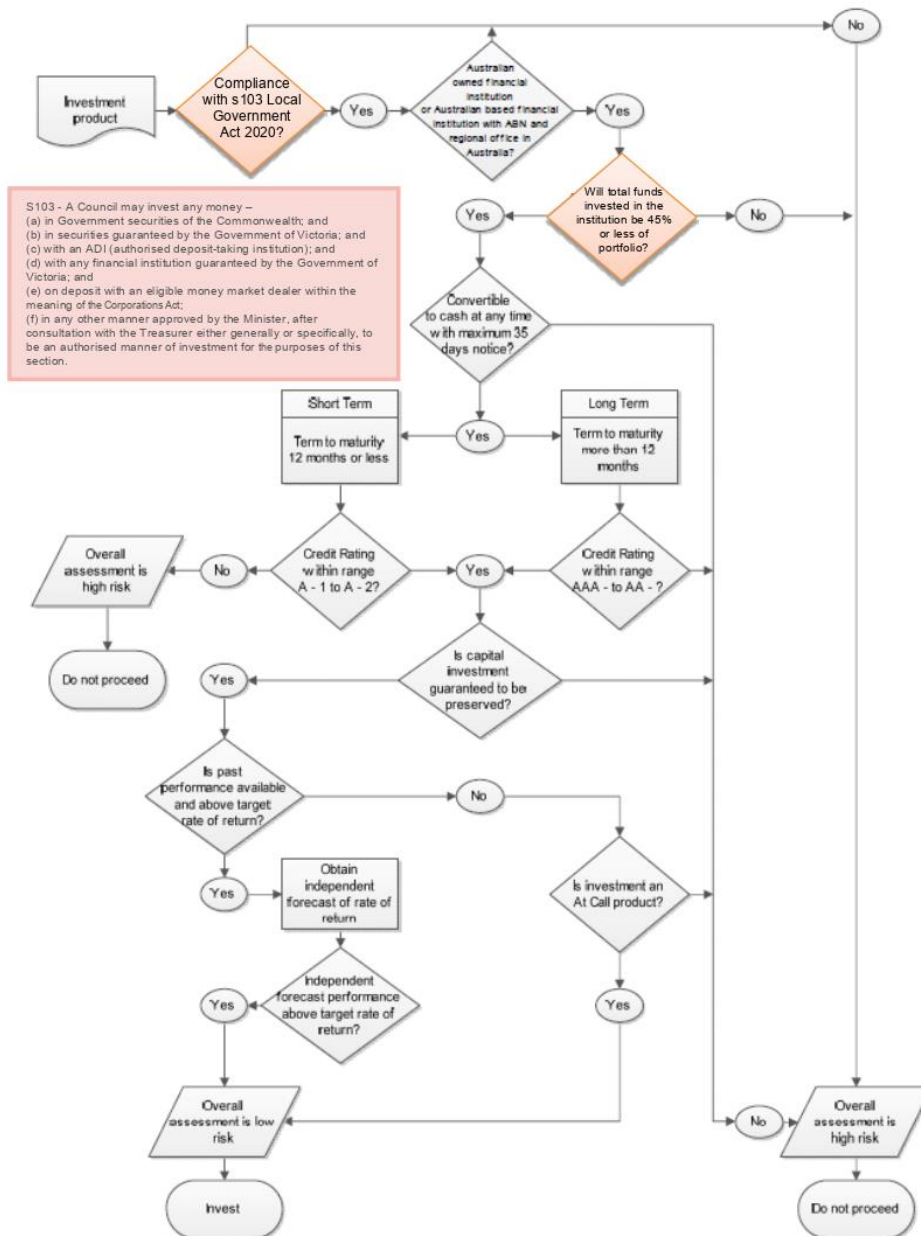
Document History

Version	Document History	Approved by – Date
1	Amended	Council Resolution – 27 Aug 2019

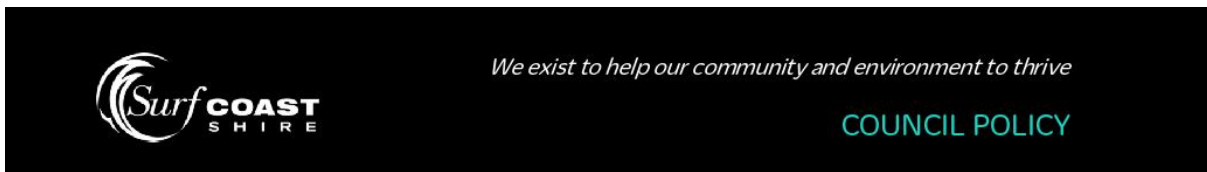
4.5 SCS-016 Investment Policy



Investment Decision Process



4.5 SCS-016 Investment Policy



Department for Victorian Communities

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Circular No. 14/2007

The Chief Executive Officer
All Councils and Regional Library Corporations
(As addressed)

Dear Sir/Madam

AUTHORISED INVESTMENTS – SECTION 143, LOCAL GOVERNMENT ACT 1989

I wish to advise that on 19 July 2007, the Minister for Local Government, the Hon. Richard Wynne MP, following consultation with the Treasurer, the Hon. John Brumby MP, approved a new form of investment as an authorised investment for the purposes of section 143(f) of the *Local Government Act 1989* (the Act). This approval was published in the Government Gazette of 26 July 2007, G30 (copy of approval attached).

The Minister has now approved the direct investment in fixed interest securities of the other Australian States and Territories subject to these securities being issued and guaranteed by a State or Territory Government and which have a credit rating equivalent to a Standard & Poor rating of AA or better as an authorised investment for the purposes of section 143(f) of the Act.

You will note that the power to invest in fixed interest securities of the other Australian State and Territories is not new. In 1998, these investments were similarly approved along with investments in shares in corporations listed on the Australian Stock Exchange (the ASX). However, under the 1998 approval, investments could only be made at arms length through a managed fund and only after a council had:

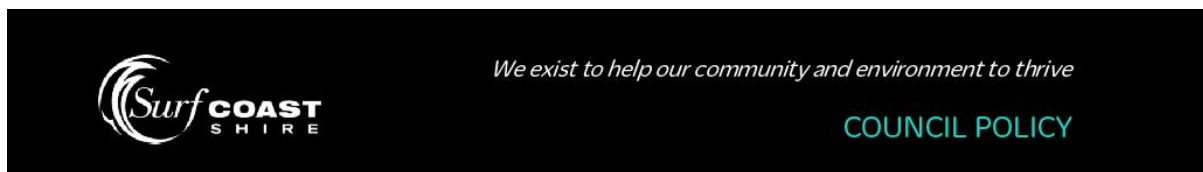
- lodged a report on financial and investment objectives and investment strategies under Section 6 of the Prudential Statement on Investment Powers of Councils dated February 1998; and
- received confirmation from the Department of Treasury and Finance that the council complies with the requirements of the Prudential Statement.

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The new approval has provided the opportunity to remove previously authorised investments, which had, with the passage of time, become redundant.



4.5 SCS-016 Investment Policy



- 2 -

The Minister's approval of 19 July 2007 therefore revokes all previously authorised general investments and restates those that continue to apply, including the new investments.

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Please feel free to contact Paul Rozario, Analyst Governance & Legislation on 9208 3611 or by e-mail at paul.rozario@dvc.vic.gov.au should you have any queries in relation to this matter.

Yours sincerely

A handwritten signature in black ink that reads "Prue Digby".

Prue Digby
Executive Director
Local Government, Employment and Adult Education

25 July 2007

Encl.

4.5 SCS-016 Investment Policy



We exist to help our community and environment to thrive

COUNCIL POLICY

Local Government Act 1989

APPROVAL OF AUTHORISED MANNERS OF INVESTMENTS FOR THE PURPOSES OF SECTION 143(F) OF THE LOCAL GOVERNMENT ACT 1989

I, Richard Wynne MP, Minister for Local Government, pursuant to section 143(f) of the *Local Government Act 1989* (the Act), hereby revoke all investments previously authorised generally to apply to all councils and regional library corporations under this provision.

Pursuant to section 143(f) of the Act, I authorise as approved manners of investment to apply generally to all councils and regional library corporations:

1. *Certificates of Deposit and Bills of Exchange*

- (a) a certificate of deposit, whether negotiable, convertible or otherwise, issued by an authorised deposit taking institution as defined by section 3 of the *Trustee Act 1958*;
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2. *Investments in the Treasury Corporation of Victoria.*

3. *Investment in managed investment schemes*

Investments in managed investment schemes which:

- have a rating of AAm or a rating of AAf from Standard and Poors Australian Ratings;
- are registered under section 601EB of the *Corporations Law 2001* (Commonwealth); and
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4.5 SCS-016 Investment Policy



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Investments must not be made directly but only through trust vehicles managed by the Victorian Funds Management Corporation or a private sector fund manager with specialist expertise in investment.

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Investments in the fixed interest securities of the other Australian States and Territories subject to these securities being:

- issued and guaranteed by a State or Territory Government; and
- which have a credit rating equivalent to a Standard & Poor rating of AA or better.

Dated 19 July 2007

RICHARD WYNNE MP
Minister for Local Government

4.5 SCS-016 Investment Policy

APPENDIX 2 SCS-016 INVESTMENT POLICY - JANUARY 2021 - MARKUP VERSION FOR REFERENCE



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COUNCIL POLICY

SCS-016 Investment Policy

TRIM Reference:	D20/224820	Due for Review:	June 2021
Responsible Officer:	Manager Finance		

Purpose

This policy outlines Council's requirements to ensure that all of Council's investments are actively managed within the framework of the Local Government Act, and provide maximum returns for ratepayers with consideration of an acceptable level of risk, **taking into account consideration of the reduction in investment market opportunities due to the impact of the Coronavirus pandemic and subsequent recession.**

Policy Principles

This policy creates a framework that allows Surf Coast Shire Council to manage its investment portfolio to achieve the financial goals in line with the Council Plan.

Scope

This policy sets out the Surf Coast Shire's policy and risk assessment approach for management of Council's investments, and applies to all funds invested on behalf of Surf Coast Shire Council.

This policy applies to all Councillors, Committee members, employees and contractors of the Surf Coast Shire Council. **This Policy includes a temporary increase to maximum investment levels per ADI to allow for continued operation during the Covid-19 Pandemic recovery period.**

Definitions

Investments	Include all cash and cash equivalents either restricted or unrestricted, excluding cash on hand. This includes discretionary and non-discretionary cash-backed reserve funds.
Short Term Investment	An investment that has a term to maturity of 12 months or less from the date the investment was made.
Long Term Investment	An investment that has a term to maturity of more than 12 months from the date the investment was made and is restricted to a maximum term.
Target Rate of Return	Investment rate of return is above the 90 day bank bill swap rate plus 60 30 basis points.
Maximum Term	Term to maturity of an investment is restricted to 5 years or less from the date the investment was made.
Liquidity Risk	Includes the risk that, as a result of our operational liquidity requirements: <ul style="list-style-type: none"> we will not have sufficient funds to settle financial transactions when due; or we will be forced to sell investments at a value which is less than face value; or we may be unable to settle or recover financial assets.
Credit Risk	Includes the risk that a financial institution will not complete its obligations under a financial instrument and cause a financial loss.

Credit ratings (published by Standard & Poors or Moody's Rating Services):

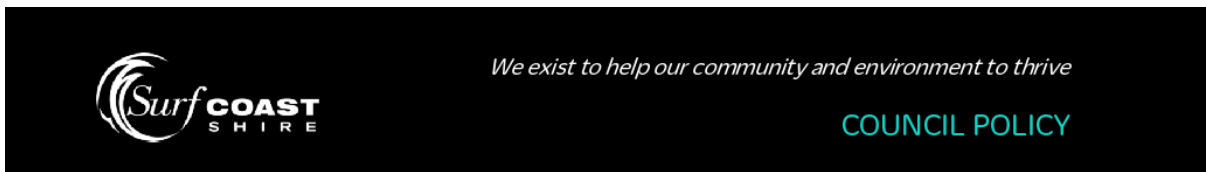
Short Term Ratings

S&P	Moody's	
A-1+	P-1	The obligator's capacity to meet its financial commitment on the obligation is STRONG. Where the capacity to meet a particular obligation is EXTREMELY STRONG that obligation is designated with a plus sign, ie. A1+
A-2	P-2	The obligator's capacity to meet its financial commitment on the obligation is SATISFACTORY, being somewhat more susceptible to the adverse effects of changes in circumstances and economic conditions than those rated A-1.

Long Term Ratings

S&P	Moody's	

4.5 SCS-016 Investment Policy



AAA	Aaa	The obligator's capacity to meet its financial commitment on the obligation is EXTREMELY STRONG.
AA-	Aa3	The obligator's capacity to meet its financial commitment on the obligation is VERY STRONG.

Policy

Council has a responsibility to actively manage its pooled investment portfolio to increase the potential for better returns and at the same time ensure prudent investments with low risk.

Council will comply with the following in regards to investments:

- ~~Local Government Act 1989~~
~~S136—Principles of Sound Financial Management, a Council must—~~
 - ~~(a) Manage financial risks faced by the Council prudently, having regard to economic circumstances;~~
 - ~~— S103 – A Council may invest any money –~~
 - ~~(a) in Government securities of the Commonwealth;~~
 - ~~(b) in securities guaranteed by the Government of Victoria;~~
 - ~~(c) with an authorised deposit-taking institution;~~
 - ~~(d) with any financial institution guaranteed by the Government of Victoria;~~
 - ~~(e) on deposit with an eligible money market dealer within the meaning of the Corporations Act;~~
 - ~~(f) in any other manner approved by the Minister after consultation with the Treasurer either generally or specifically, to be an authorised manner of investment for the purposes of this section.~~
 - Investment Management Policy and Procedure
 - Australian Accounting Standards
- ~~Investment Instruments approved by the Minister for the purposes of s143(f) of the Local Government Act are attached to this document.~~

- Local Government Act 2020
S101 – Financial management
 - (1) The following are financial management principles:
 - (a) revenue, expenses, assets, liabilities, investments and financial transactions must be managed in accordance with a Council'
 - (b) financial policies and strategic plans, including the Revenue and Rating Plan, must seek to provide stability and predictability in the financial impact on the municipal community

- ~~S103 - A Council may invest any money –~~
 - ~~(a) in Government securities of the Commonwealth; and~~
 - ~~(b) in securities guaranteed by the Government of Victoria; and~~
 - ~~(c) with an ADI (authorised deposit-taking institution); and~~
 - ~~(d) with any financial institution guaranteed by the Government of Victoria; and~~
 - ~~(e) on deposit with an eligible money market dealer within the meaning of the Corporations Act;~~
 - ~~(f) in any other manner approved by the Minister, either generally or specifically, to be an authorised manner of investment for the purposes of this section.~~

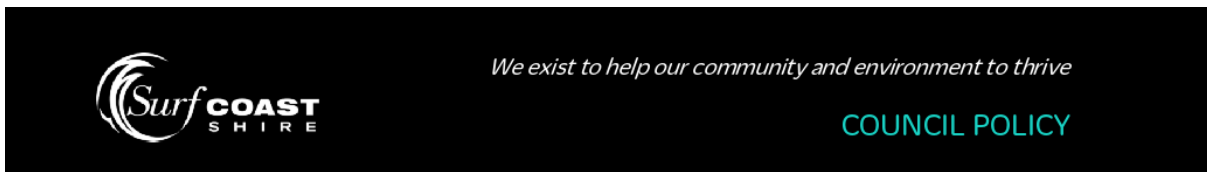
- Investment Management Policy and Procedure
- Australian Accounting Standards

~~Investment Instruments approved by the Minister for the purposes of s13(f) of the previous Local Government Act 1989 are attached to this document. The minister has not released updated investment instrument guidance since the introduction of the Local Government Act 2020.~~

Council may elect to invest in any or all options available under the Local Government Act, however, in order to reduce exposure to risk, the investment instrument must also meet the following criteria:

- Investment product must comply with s443103 of the Local Government Act 19892020

4.5 SCS-016 Investment Policy



- Investment product must be issued by an Australian owned financial institution or an Australian based financial institution with a registered ABN and a Regional office in Australia
- Council investments will have an upper exposure limit of 3045% of total funds invested with each institution and their subsidiaries.
- Investment must be convertible to cash at any time with a maximum of 35 days notice
- Investments shall only remain in the following range of credit ratings published by the following Rating Services at all times:
 - Short Term Ratings between:
 - A-1+ (S&P) or P-1 (Moody's), and
 - A-2 (S&P) or P-2 (Moody's)
 - Long-term ratings between:
 - AAA (S&P) or Aaa (Moody's), and
 - AA- (S&P) or Aa3 (Moody's)
- The capital investment must not drop below its face value (ie the initial investment must be preserved).

The criteria above should be applied to new investment opportunities using the Investment Decision Process flowchart attached to this policy.

Environmental Awareness

Council resolved at its 27 January 2015 ordinary meeting to:

"...Explore and take up any opportunities to transfer Council investments consistent with the Investment Policy to financial institutions that do not fund fossil fuel developments".

Council officers will take consideration of the environmental status of Financial Institutions into the decision making process as new investment opportunities arise. If two investment opportunities arise with the same rate of return, preference will be given to the institution that does not fund fossil fuel developments.

Investment Management Responsibilities

The Manager Finance is authorised to manage Council's investment portfolio. This responsibility includes:

- Maximising return on Council's investment of credit funds,
- Minimising the likelihood of overdraft, and
- Making investment decisions within the parameters of this policy.

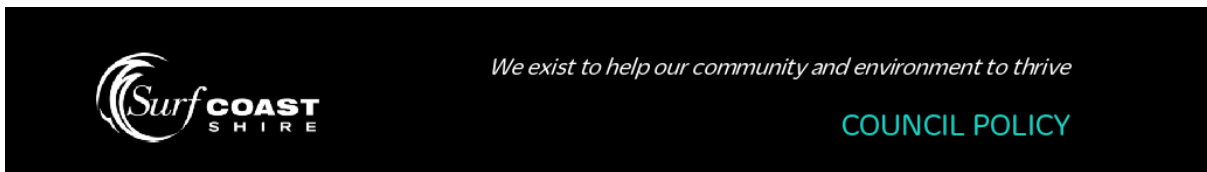
Investment decisions relating to new investment opportunities must be referred to the Manager Finance or Chief Executive Officer for approval using the attached Investment Risk Assessment Form and Investment Decision Process. A register of investments shall be kept to identify the institutions where each investment is being held.

The Co-ordinator Financial Accounting is authorised to complete daily cash at call investment transfers at the Bank as an authorised bank account signatory.

Investment objectives

Surf Coast Shire seeks a balanced investment portfolio which aims to deliver enhanced returns whilst providing security, convenience and easy access to funds as cash flow requirements and Council investment decisions change.

4.5 SCS-016 Investment Policy



This approach recognises the types and levels of cash reserves that Council holds from time to time, opportunities to maximise ratepayer value, the investments that suit Council's planned cash flow requirements and the importance of protecting ratepayer funds.

The objectives of this policy, in order of importance, are:

1. Preservation of capital;
2. Ensuring sufficient liquidity is maintained; and
3. Maximising the return on cash balances.

Preservation of capital involves minimising credit risk associated with a financial institution. Credit risk is managed by:

- only investing surplus funds with financial institutions which have a recognised credit rating specified in this Policy;
- only investing with Australian owned financial institutions, or Australian based financial institutions with an ABN and a regional office in Australia where the capital investment amount is guaranteed to be preserved by the financial institution; and
- only investing in financial instruments that are convertible to cash with a maximum 35 days notice
- eliminating currency risk by only investing in financial instruments in Australian dollars (AUD).

Minimising liquidity risk involves:

- targeting a minimum average level of cash and cash equivalents to be maintained;
- having readily accessible standby facilities and other funding arrangements in place;
- having a liquidity portfolio structure that requires surplus funds to be invested within various bands of liquid instruments; and
- monitoring budget to actual performance on a regular basis.

Maximising the return on cash balances involves the investment of surplus cash balances after ensuring the preservation of capital and sufficient liquidity for operations.

Investment Management

To meet the objectives above the investment portfolio will be managed by using an institution credit rating framework and a term to maturity framework.

Institution Credit Rating Framework

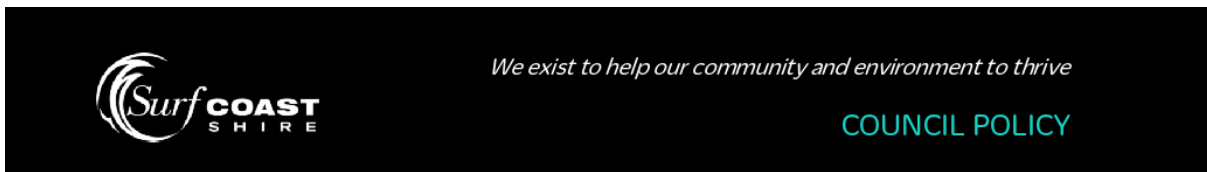
Investments are limited to a specific range of investments as published by Standard & Poor's (S&P) or Moody's Rating Services and outlined in this policy. Investment credit ratings advised by the investment institution or broker must be independently verified and documented. Credit ratings should be monitored regularly in the financial press to ensure compliance with the Policy requirements. In the event of an adverse report being published in the financial press, the suitability of that institution for Council investments shall be reassessed and documented.

In the event that a broker is used to purchase an investment, Council officers will put in place an agreement with the broker requiring them to only sell investment products that are in compliance with the Policy requirements and disclose any conflicts and commissions.

The level, degree and type of risks that are acceptable for any investment product will be:

- Convenient liquidity with withdrawals available on a maximum 35 days notice;

4.5 SCS-016 Investment Policy



- No penalties, other than loss of interest rate for early conversion to cash;
- Have certainty regarding capital preservation with strong credit protection;
- Investment performance consistently above short-term interest rates;

Term to Maturity Framework

The following principles apply to maximise investment opportunities and maintain appropriate liquidity levels:

1. A minimum liquidity buffer level is set for operations (liquidity buffer limits).
2. An amount of surplus cash is set that should trigger an investment.
3. Investment maturity dates are aligned to the liquidity buffer limit.
4. A short term bias is generally applied to allow a level of flexibility if Council priorities change.

The following actions are required to ensure that the above principles are applied:

1. At call balances must remain above the minimum of the total cash requirement predicted. Surplus cash above this amount should be considered for investment opportunities. This amount should be increased where any uncertainty exists within the forecast cash balances.
2. Surplus daily cash in excess of long term investments shall be documented by the Co-ordinator Financial Accounting or Manager Finance on the Daily Cash Position summary prior to undertaking the funds transfer. The Daily Cash Position summary shall take account of all expected cash flows for the day.
3. Cash will be recalled daily to meet all cash requirements and minimise the likelihood of overdraft.
4. All written correspondence, including investment confirmation advice, between Surf Coast Shire and appointed investment brokers/institutions must be documented on file and forwarded to the Manager Finance. This will ensure that daily investment transfers conducted are monitored at a senior level.
5. An upper limit for long term investments will be set at the start of each financial year having regard to long term cash reserve requirements.

Risk Assessment

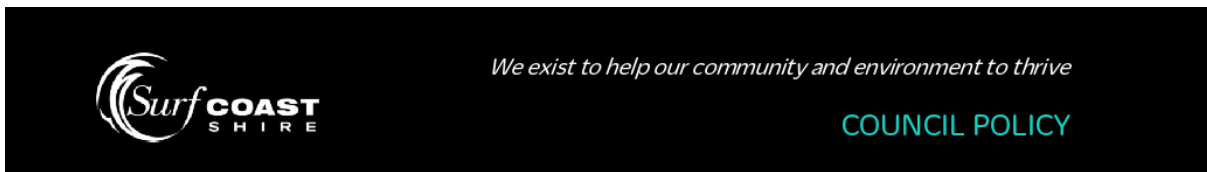
Investment risk can be evaluated and minimised by providing a template for staff authorised to manage investments and conduct risk assessments for all new types of investment.

The Manager Finance is required to conduct a risk assessment of all current and proposed investment opportunities for each different type of investment product to be considered. The Investment Risk Assessment must be documented and signed by the Manager Finance prior to any investment decision being made.

The documented risk assessment will include:

- Type of investment product;
- Term of investment;
- Level and type of risk of investment;
- Any uncertainties on the rate of return;

4.5 SCS-016 Investment Policy



- Risk Credit Rating;
- Where the funds are to be invested as authorised in the Local Government Act 1989
- If any, the time lag to convert the investment to cash; and
- Penalties associated with breaking the term of the investment.

The Investment Risk Assessment form and Investment Decision Process is attached to this Policy.

At least one staff member with relevant authority (who has not signed off on the Investment Risk Assessment form) should release the funds for investment. If an independent staff member is not available at the time of the investment, the Coordinator Financial Accounting of Financial Accountant will approve the release of funds and obtain evidence of a retrospective independent review of the transaction within two business days of the release of funds.

Investment rating downgrades

From time to time investment product credit ratings may be upgraded or downgraded. If an investment product that Council already holds is downgraded below that required in this policy, the Coordinator Financial Accounting will prepare a report to the Manager Finance documenting:

- The affected investment and the circumstances around the downgrade
- The significance of the rating downgrade
- The remaining length of time until investment maturity
- The penalty costs payable as a result of breaking the investment early
- Other movements in credit ratings for comparable institutions.

The Manager Finance will then make a decision as to whether the investment should be redeemed early or not.

Reporting to Council

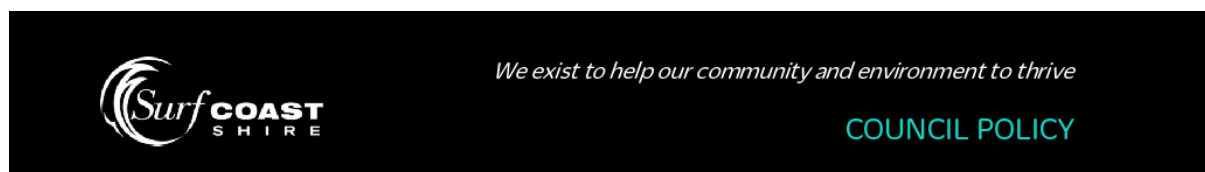
A report on Investment performance should be submitted to Council on a minimum quarterly basis via the Council's regular finance report. Any breach of this policy should be notified to the CEO within 24 hours of the breach being detected. In addition, the following should be noted:

- A register of investments will be maintained together with an investment file containing all correspondence from financial institutions relating to existing or new investments.
- This register will also track which investments are held with institutions that fund fossil fuel development
- Interest revenue will be recognised in the financial year that it is earned.
- On occasion the upper exposure limit for an individual financial institution (including subsidiaries) may be breached due to the redemption of unrelated investments within the portfolio which cause the overall portfolio value to decrease. This does not constitute a breach of Policy. However, no new investment contracts may be entered into with any financial institutions that would cause that institution to breach or remain above the upper exposure limit.
- Any variations to this policy are to be reported to the Audit Committee within 60 days.

Records

Records shall be retained for at least the period shown below.

4.5 SCS-016 Investment Policy



Record	Retention/Disposal Responsibility	Retention Period	Location
Investment Risk Assessment Form for each new investment	Finance Department	7 years	Shire Office

Attachments

Investment Decision Process
Investment Risk Assessment Form
Investment Instruments approved by the Minister for Local Government under s143(f) of the Local Government Act

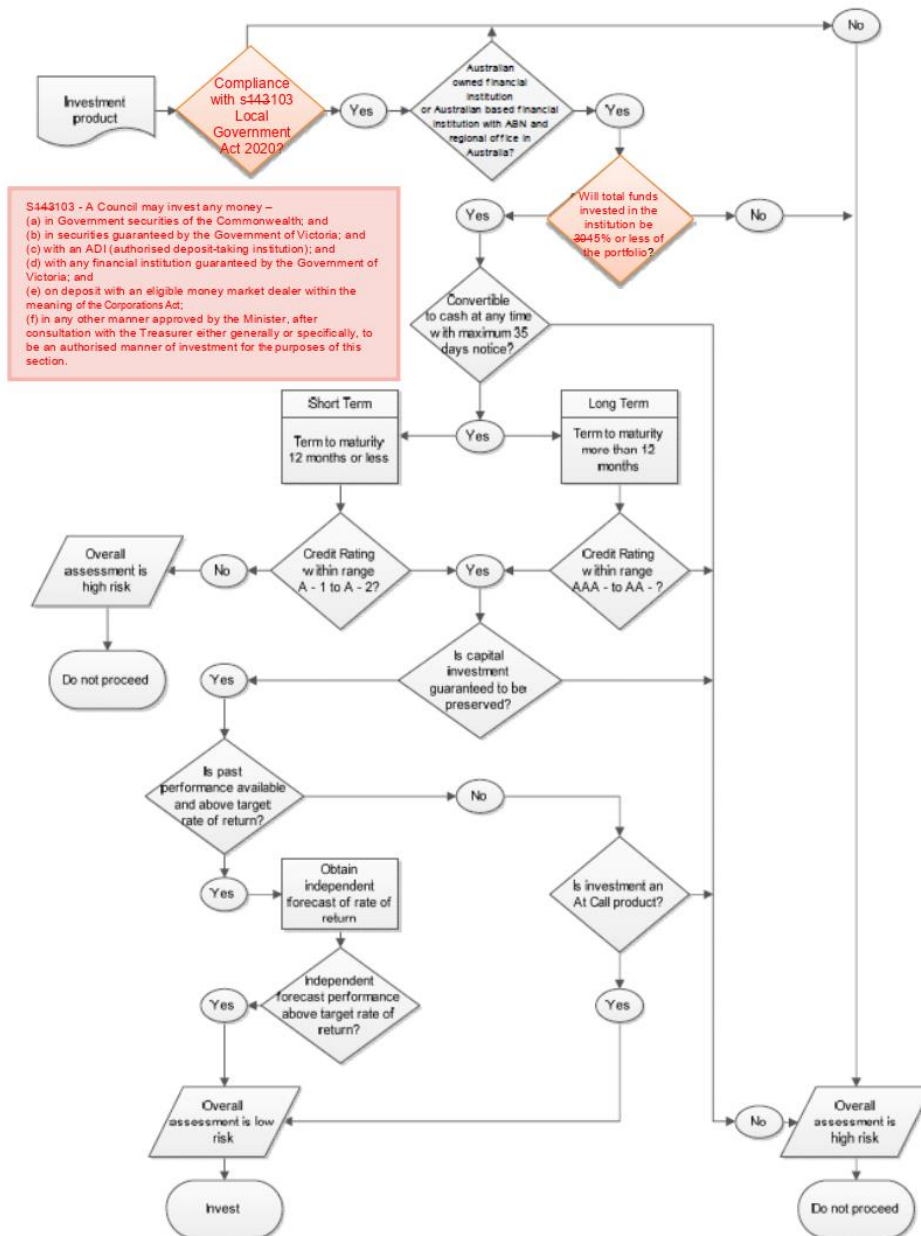
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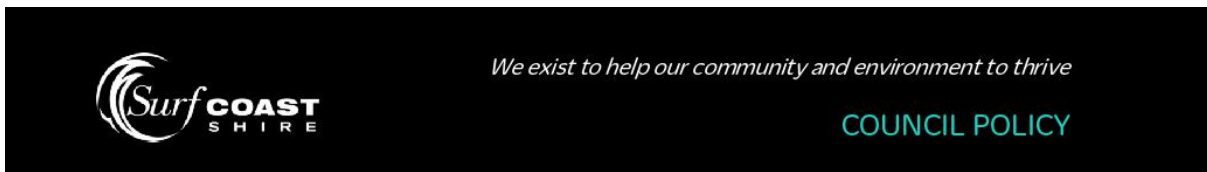
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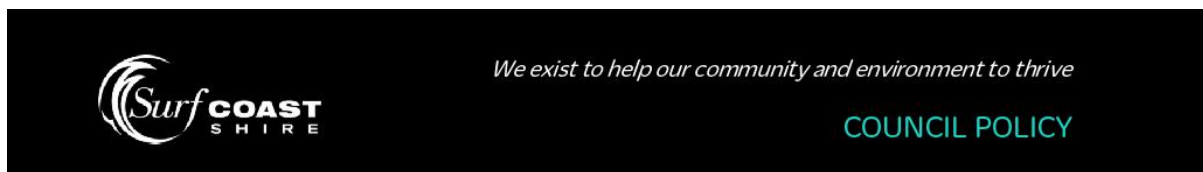
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- which have a credit rating equivalent to a Standard & Poor rating of AA or better.

Dated 19 July 2007

RICHARD WYNNE MP
Minister for Local Government

4.6 Place Naming - Lorne Industrial Estate Road - Lillian Close

Author's Title: Acting General Manager Governance and Infrastructure **General Manager:** Anne Howard

Department: Governance and Infrastructure **File No:** F20/715

Division: Governance & Infrastructure **Trim No:** IC20/1750

Appendix:

1. Map - Place Naming - Lillian Close Lorne (D20/140569)

Officer Conflict of Interest:

In accordance with Local Government Act 2020 – Section 130:

Yes

No

Status:

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

Yes

No

Reason: Nil

Reason: Nil

Purpose

The purpose of this report is to finalise the process to name a Council managed road.

Summary

At its December 2020 meeting, Council resolved to declare its intention to rename a section of Beaurepaire Drive and an unnamed road within the Lorne Industrial Estate to Lillian Close as well as to issues a public notice and invite submissions. This process has now been undertaken and no submissions received.

Recommendation

That Council:

1. Proceeds with the final steps in the process of renaming a section of Beaurepaire Drive and an unnamed road within the Lorne Industrial Estate to Lillian Close by submitting the proposed name to the Office of Geographic Names.
2. Once approved by the Office of Geographic Names, erect signage for the newly named Lillian Close and update Council registers.

Council Resolution

MOVED Cr Gary Allen, Seconded Cr Rose Hodge

That Council:

1. Proceeds with the final steps in the process of renaming a section of Beaurepaire Drive and an unnamed road within the Lorne Industrial Estate to Lillian Close by submitting the proposed name to the Office of Geographic Names.
2. Once approved by the Office of Geographic Names, erect signage for the newly named Lillian Close and update Council registers.

CARRIED 9:0

4.6 Place Naming - Lorne Industrial Estate Road - Lillian Close

Report

Officer Direct or Indirect Interest

No officer involved in the preparation of this report has any conflicts of interest.

Background

Beaurepaire Drive is the current name of a section of road that runs from Erskine Falls Road through the Lorne Industrial Estate and then re-joins Erskine Falls Road. There is currently a short 25m section of unnamed road running north from Beaurepaire Drive finishing at the boundary 1 Ha property 28 Erskine Falls Road.

The 1 Ha property, 28 Erskine Falls Road is being subdivided. A number of these subdivided lots will be gaining access from the eastern most section of Beaurepaire Drive and the unnamed section of road. As the current street numbering on Beaurepaire Drive commences at a point 70m along the roadway there is no opportunity to number the new lots being created to Beaurepaire Drive unless the entire street were to be renumbered. A more practical solution is to rename the southernmost section of Beaurepaire Drive, which has no properties accessing off it, and the section of currently unnamed road. It is recommended that this section of road be named Lillian Close.

The inspiration for the proposed name is Lillian Beaurepaire. Lillian was an Olympic swimmer and diver in the 1920's, 100 metre, 400 metre and high diving. For many years she was Lorne's only life saver.

The pool in Lorne was funded by the Beaurepaire family and was opened in 1967 as the Lillian Beaurepaire Memorial Pool for community use. The pool was renamed the Lorne Sea Baths following the transfer of foreshore management to GORRC. A living relative of Lillian has been contacted with regards to the proposal and has expressed her support and gratitude for the proposed naming.

At Council's December 2020 meeting a report was presented recommending the renaming of roads within the Lorne Industrial Estate. Council resolved to declare its intention to rename a section of Beaurepaire Drive and an unnamed road within the Lorne Industrial Estate to Lillian Close and issued a public notice inviting submissions in response to the resolution.

Discussion

No submissions were received.

The process for renaming of a section of Beaurepaire Drive and an unnamed road within the Lorne Industrial Estate has been followed and Council may proceed with submitting the recommended option of Lillian Close to the Office of Geographic Names as the final approval step in the process.

Council Plan

Theme 1 Community Wellbeing
Objective 1.3 Improve community safety
Strategy Nil

Reporting and Compliance Statements:

Local Government Act 2020 – LGA 2020

Implications	Applicable to this Report
Governance Principles (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
Policy/Relevant Law (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
Environmental/Sustainability Implications (Consideration of the Governance Principles under s.9 of LGA 2020)	No
Community Engagement (Consideration of Community Engagement Principles under s.56 LGA 2020)	Yes
Public Transparency (Consideration of Public Transparency Principles under s.58 of LGA 2020)	Yes

4.6 Place Naming - Lorne Industrial Estate Road - Lillian Close

Strategies and Plans (Consideration of Strategic Planning Principles under s.89 of LGA 2020)	No
Financial Management (Consideration of Financial Management Principles under s.101 of LGA 2020)	Yes
Service Performance (Consideration of Service Performance Principles under s.106 of LGA 2020)	No
Risk Assessment	Yes
Communication	Yes
Human Rights Charter	No

Governance Principles - Local Government Act 2020 (LGA 2020)

Provides a positive outcome for the businesses within the Lorne Industrial Estate as they will be clearly addressed.

Policy/Relevant Law

The proposed name of Lillian Close Road complies with relevant sections of the Geographic Place Names Guidelines developed under the Geographic Place Names Act. The naming proposal also complies with Council's Place Naming policy.

Community Engagement

Where the naming of features or renaming of roads is proposed it is important to consult with the community and provide an opportunity into the changes and names proposed. This has been done through the submission process.

Public Transparency

This report to an open meeting of Council as well as the public notice and calling for submissions are processes that are transparent to the community.

Financial Management

There will be a minor cost for placement of the public notice and installation of signage which can be funded through the operational budget.

Risk Assessment

There are no identified Workplace Health and Safety implications associated with this report.

Communication

Communication will occur through informing properties directly affected by such a change.

Options

Option 1 – Proceed to the next stage of the naming process and Council declare its intention to rename a section of Beaurepaire Drive and an unnamed road within the Lorne Industrial Estate as Lillian Close.

This option is recommended by officers as this will allow the numbering of the new properties within the Lorne Industrial Estate clearly

Option 2 – Retain the existing naming convention

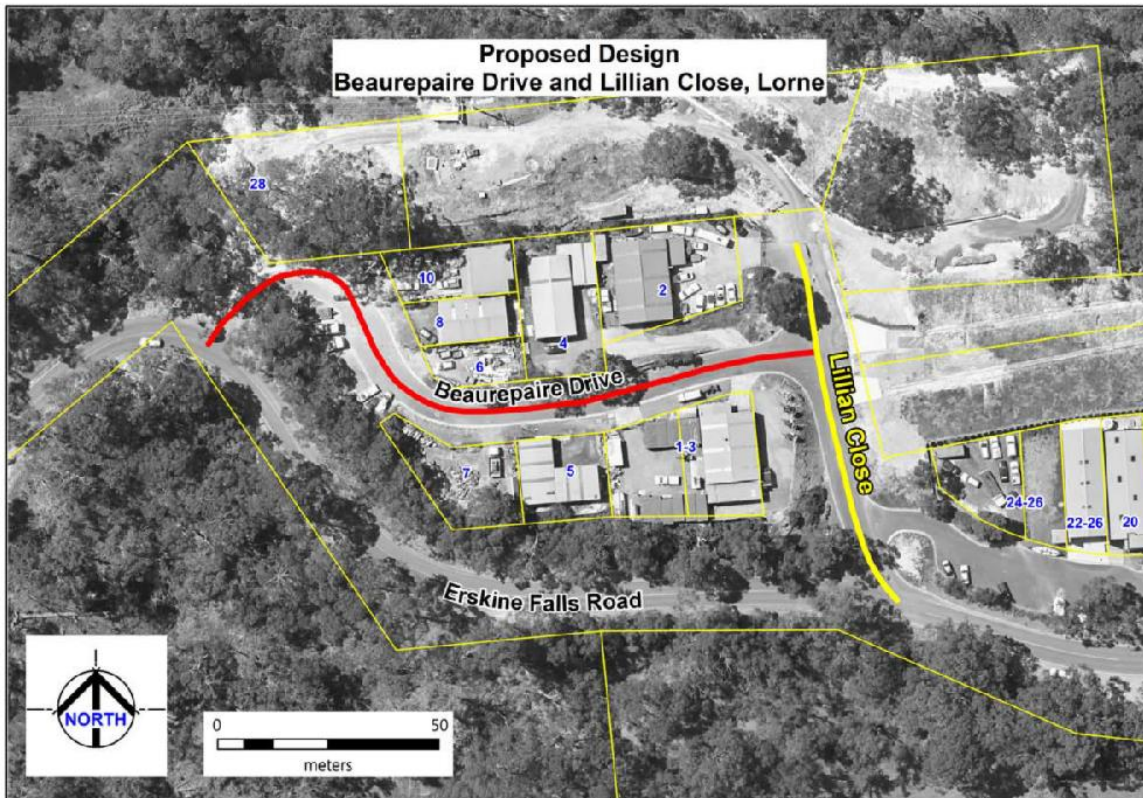
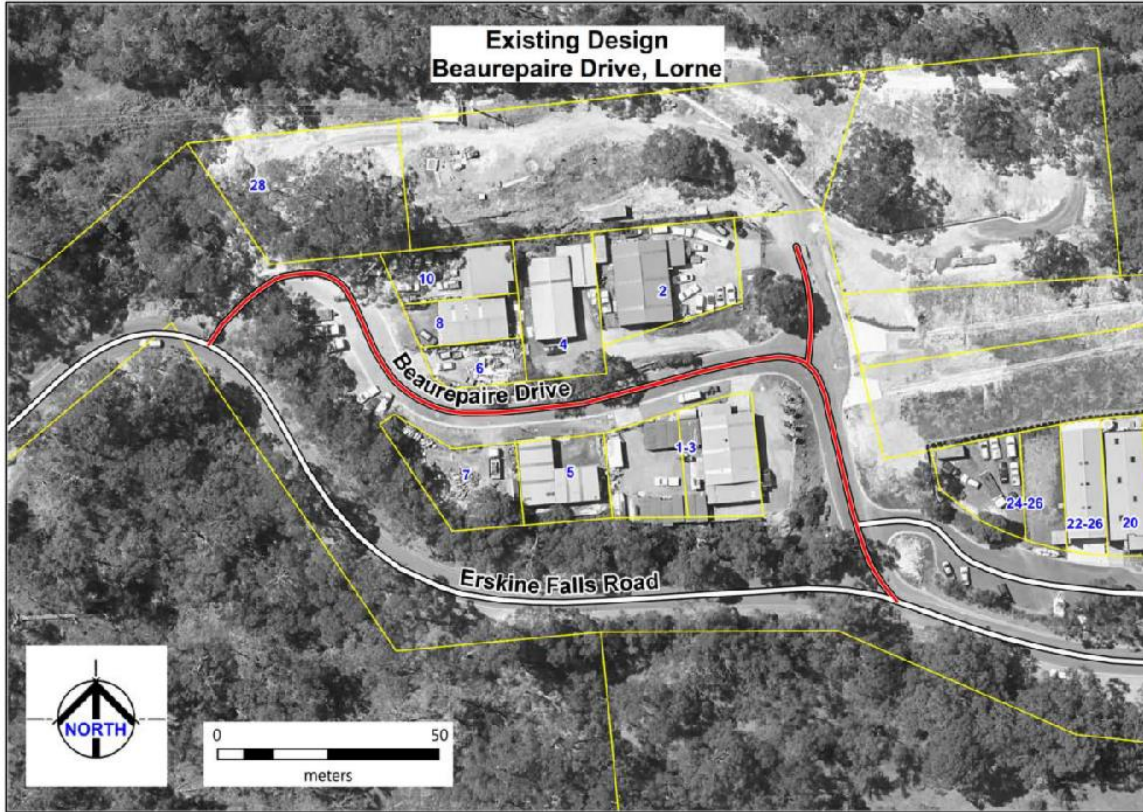
This option is not recommended by officers due to there already being numbers 1 and 2 Beaurepaire Drive within the estate, the new properties within the estate will not be able to be provided street addresses within the existing street numbering sequence.

Conclusion

The request to rename these roads provides the opportunity to enable new lots to have unique street numbers and addresses. The proposed name relates to local significant family and there have been no objection received regarding the proposed name. It is recommended that Council proceed with the naming process.

4.6 Place Naming - Lorne Industrial Estate Road - Lillian Close

APPENDIX 1 MAP - PLACE NAMING - LILLIAN CLOSE LORNE



4.7 Ballanlea Road and Upgrading of Council Roads with Private Funding

Author's Title: Coordinator Special Projects
Department: Engineering Services
Division: Governance & Infrastructure

General Manager: Anne Howard
File No: F17/999-3
Trim No: IC20/1581

Appendix:

1. Ballanlea Road aerial map (D20/240593)

Officer Conflict of Interest:

In accordance with Local Government Act 2020 – Section 130:

Yes

No

Reason: Nil

Status:

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

Yes

No

Reason: Nil

Purpose

The purpose of this report is to seek Council support to the principle of upgrading infrastructure using “private works” funding from benefiting property owners.

Summary

A Barrabool property owner has approached Council seeking to improve access and reduce dust nuisance to his Ballanlea Road home. He is offering to finance the upgrading of the existing 800m long gravel road to a bitumen surface.

The Special Charge Scheme provisions of the *Local Government Act 2020* (the Act) provide for upgrading of infrastructure using funding from benefiting property owners, however this process is onerous and more suited to large scale/complex projects.

Where funding agreement can be negotiated with a small number of owners it is considered simpler for all concerned to enter into a financial arrangement (private works) to enable the works to proceed. Council receives such requests on an infrequent basis, and has not established principles to guide officers' response to these requests. Council's policy SCS-009 does not contemplate this situation and principles established by Council through this report can then inform future reviews of Council's policies.

Recommendation

That Council:

1. Supports the principle of permanently upgrading Council infrastructure utilising a “private works” agreement with benefiting property owners where:
 - a. a full Special Charge Scheme is deemed to be onerous and all impacted residents agree on the proposal;
 - b. there is deemed to be a benefit to Council's road network management in proceeding with the proposal;
 - c. the proposal is supported by the General Manager Governance and Infrastructure
2. Supports proceeding with the Ballanlea Road upgrade process as outlined within this report.
3. Notes that this decision will inform the next review of SCS-009 Special Infrastructure Rate and Charge.

4.7 Ballancelea Road and Upgrading of Council Roads with Private Funding

Council Resolution

MOVED Cr Adrian Schonfelder, Seconded Cr Mike Bodsworth

That Council:

1. Supports the principle of permanently upgrading Council infrastructure utilising a “private works” agreement with benefiting property owners where:
 - a. a full Special Charge Scheme is deemed to be onerous and all impacted residents agree on the proposal;
 - b. there is deemed to be a benefit to Council’s road network management in proceeding with the proposal;
 - c. the proposal is supported by the General Manager Governance and Infrastructure
2. Supports proceeding with the Ballancelea Road upgrade process as outlined within this report, conditional to there being no objection by any residents on the road as well as residents on Polleys Road Barrabool.
3. Notes that this decision will inform the next review of SCS-009 Special Infrastructure Rate and Charge.

CARRIED 9:0

4.7 Ballanlea Road and Upgrading of Council Roads with Private Funding

Report

Officer Direct or Indirect Interest

No officer involved in the preparation of this report has any conflicts of interest.

Background

Council's 2020-21 budget includes an allocation for road safety improvements, including a funding for construction and sealing of the intersection of Ballanlea Road and Polleys Road in Barrabool. Ballanlea Rd is part of Council's 500 km long gravel road network. The road is the principal access for several farming properties located south of Barrabool Road. During consultation works around the proposed road safety project an abutting/adjacent land owner expressed interest in permanently improving the amenity of, and access to, his property by funding construction and sealing of:

- a 255 m length of Ballanlea Rd adjacent to his home
- a 550 m length of Ballanlea Rd to Barrabool Rd

See Appendix for aerial photo.

Discussion

Council's current road management program aims to keep our roads as close as possible to their original condition through regular maintenance and renewal programs. Council Road Network Plan identifies future upgrades of high usage and strategic gravel roads to sealed roads. Ballanlea Road is categorised as a Primary Access Road and is not identified for a future upgrade to a sealed road standard.

For gravel roads their management involves regular maintenance grading and when required re-sheeting the road pavement with new gravel every 10 to 15 years. For sealed roads maintenance primarily includes patching of potholes, failed sections of pavement and edge breaks and resealing the road surface every 15 to 25 years or so subject to extent of deterioration and assessment through regular condition audits. The average cost to maintain an unsealed road is generally higher than the cost to main a sealed road. Resheeting of gravel roads uses non-renewable resources at a faster rate than resealing of sealed roads. The renewal costs for resheeting a gravel road versus resealing a sealed road are similar however resheeting occurs more often. The higher cost difference is in the full reconstruction of a road which in these cases will be absorbed up front by those offering to pay for the upgrade and the road should not require a full reconstruction for another 90 to 100 years.

When seeking to upgrade a gravel section of road, particularly one which is not considered a high priority under Council's Road Network Plan, Council would generally seek to instigate a "Special Charge Scheme" which can be an onerous process requiring a high level of consultation with adjoining impacted residents and contributions required from both Council and the residents seen to be benefitting from the upgrade to the road. On rare occasions, such as with Ballanlea Road, Council may be approached by one or more residents offering to pay Council to upgrade a section of road. Council does not currently have an adopted position on how to proceed with these proposals. It is deemed that the following process would be suitable to assess the merits of approving such requests:

1. Upon request from a land owner undertake initial investigations into feasibility and possible benefit/detriment to Council of proceeding with the proposed works to be approved by General Manager Governance and Infrastructure
2. Provide estimate of proposed works to Council standard to land owner requesting upgrade.
3. If land owner agrees in principle to proposed cost of works undertake appropriate level of consultation with other land owners impacted by the works.
4. If no objection (or objections assessed and discounted) enter a Private Works Agreement with the land owner.
5. Undertake Works and invoice land owner.

In the case of the request to upgrade Ballanlea Road it is felt that there would be a benefit to Council in the sealing of the section of road with a decrease in ongoing maintenance costs and no significant increase in renewal costs. An estimate of works has been provided to the land owner proposing the works however no consultation has been undertaken with other residents surrounding the road at this point in time. If Council supports the proposal as per the recommendation, officers would then consult with the other impacted landowners.

4.7 Ballanlea Road and Upgrading of Council Roads with Private Funding

Council Plan

Theme 3 Balancing Growth
Objective 3.2 Ensure infrastructure is in place to support existing communities and provide for growth
Strategy 3.2.4 Ensure appropriate funding mechanisms are in place to support future growth including developer contributions

Theme 5 High Performing Council
Objective 5.1 Ensure Council is financially sustainable and has the capability to deliver strategic objectives
Strategy 5.1.3 Develop innovative funding partnerships with community, business and government

Theme 3 Balancing Growth
Objective 3.4 Understand and manage the impact of population and visitation growth in neighbouring municipalities and our own shire
Strategy 3.4.4 Explore the impact of increased traffic on the road network including inland transport routes

Reporting and Compliance Statements:

Local Government Act 2020 – LGA 2020

Implications	Applicable to this Report
Governance Principles (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
Policy/Relevant Law (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
Environmental/Sustainability Implications (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
Community Engagement (Consideration of Community Engagement Principles under s.56 LGA 2020)	Yes
Public Transparency (Consideration of Public Transparency Principles under s.58 of LGA 2020)	Yes
Strategies and Plans (Consideration of Strategic Planning Principles under s.89 of LGA 2020)	No
Financial Management (Consideration of Financial Management Principles under s.101 of LGA 2020)	Yes
Service Performance (Consideration of Service Performance Principles under s.106 of LGA 2020)	Yes
Risk Assessment	Yes
Communication	Yes
Human Rights Charter	No

Governance Principles - Local Government Act 2020 (LGA 2020)

Construction and sealing of Ballanlea Road will benefit abutting property owners and Council through improved service standards and reduced frequency of maintenance. Entering into a “private works agreement” instead of a Special Charge Scheme reduces the administrative effort and expense.

Policy/Relevant Law

Council's Special Charge/Rate Scheme Policy supports and reinforces the Act's administrative processes and outlines some of the circumstances in which Council may implement a Scheme.

Environmental/Sustainability Implications

The construction and sealing of a gravel road reduces the use of renewable resources. Gravel roads require pavement resheeting every 10 years or so, bituminous sealed roads require resealing every 25 years or so and the quantity of material is significantly less.

The turbidity of stormwater runoff will be reduced once the road is sealed and the roadside drainage will require less maintenance because no pavement material is washed into the drain.

4.7 Ballanlea Road and Upgrading of Council Roads with Private Funding

Community Engagement

Before proceeding with any permanent change in the management of a road the views of all abutting owners /benefiting residents will be sought to ensure that there is support for the proposed road improvements.

Public Transparency

The purpose of this report is to seek Council support to this proposed method of improving public infrastructure.

Financial Management

Acceptance of the offer of funding from a property owner to construct and seal a road will increase the value of Council's infrastructure assets – at no cost to Council - and will not increase future maintenance liabilities.

Service Performance

The construction and sealing of an existing gravel road will improve the standard of service provided to the road users by improving accessibility and amenity. Road safety will be improved by provision of a stable and consistent surface. Dust nuisance and potential of poor visibility from the existing unsealed sealed surface will be removed.

Risk Assessment

The construction and sealing of the road will reduce the frequency of maintenance required – and as a consequence the amount of time Council staff and equipment is at risk of injury/damage while working on the road.

Communication

Subject to Council's decision, abutting landowners will be contacted in writing to advise of the proposed works to seek feedback or views on the proposal. If support of impacted landowners is evidenced, a written "private works" agreement will be arranged with the property owner financing the works.

Options

Option 1 – Retain gravel road

This option is not recommended by officers as it doesn't improve the service standard of the road and there is no financial, safety or service benefit by retaining the current standard when it can be upgraded at no cost to Council.

Option 2 – Prepare a Special Charge Scheme

This option is not recommended by officers as it requires significant time and resources and increases the cost of providing the service improvement.

Option 3 – Adopt the recommendation.

This is the officers preferred option because construction and sealing of the road will improve the service delivery standard, reduce the frequency of maintenance and demand on non-renewable resources.

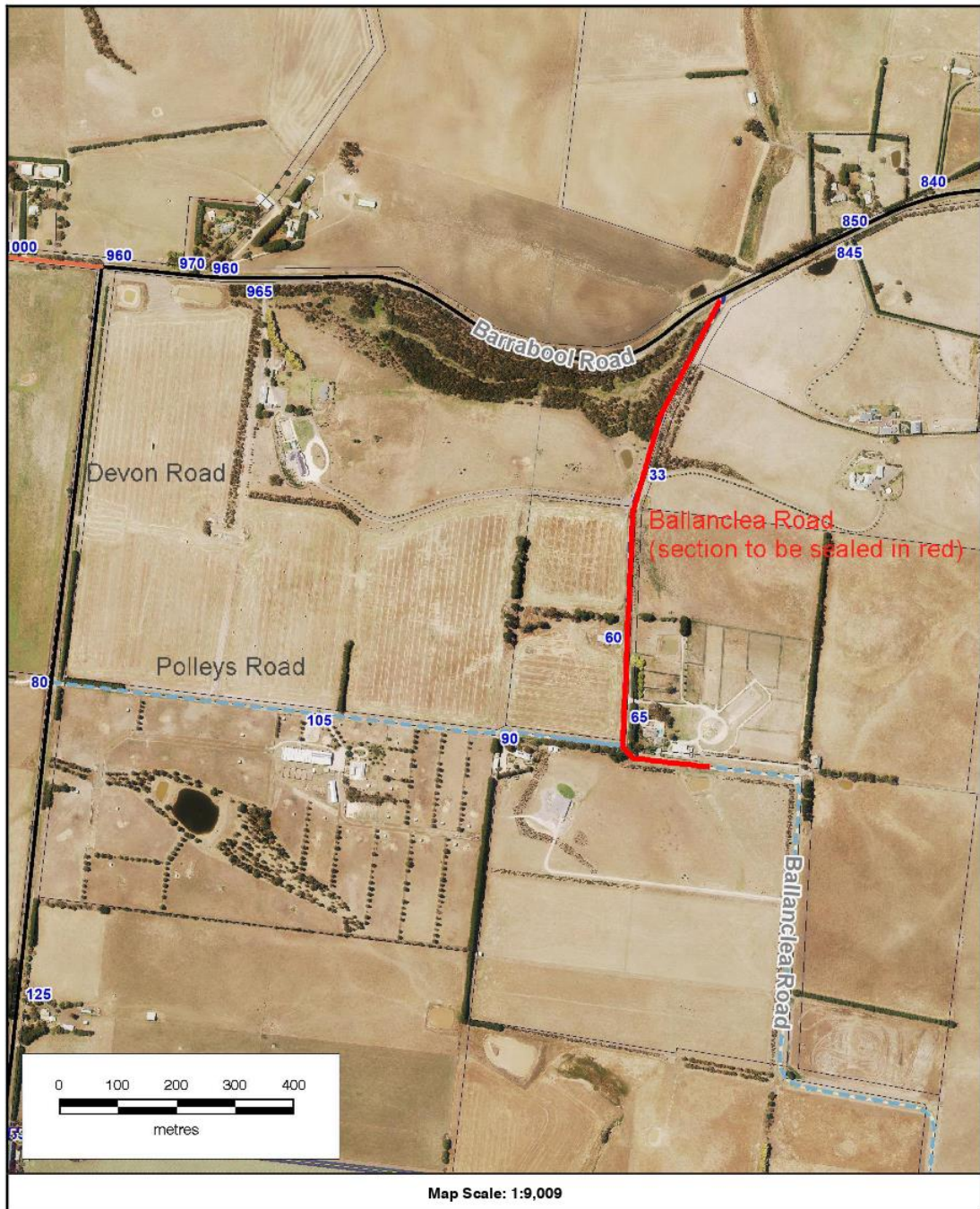
Conclusion

The offer of funding from a property owner to construct and seal a gravel road offers the opportunity to improve the service standards of a section of Council's road network – at no cost to Council.

4.7 Ballanclea Road and Upgrading of Council Roads with Private Funding


APPENDIX 1 BALLANCLEA ROAD AERIAL MAP

Created on Tuesday, 29 December 2020 by WACHER\jbertoldi



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 This map is produced on the Geocentric Datum of Australia (GDA94). GDA94 supersedes the Australian Geospatial Datum 1986 (AGD86). Surf Coast Shire uses the Map Grid of Australia (MGA84) Zone 55 projection.

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4.8 Appointment of Chair of Audit and Risk Committee

Author's Title: Manager Governance & Risk

General Manager: John Bertoldi

Department: Governance & Risk

File No: F18/145-3

Division: Governance & Infrastructure

Trim No: IC21/10

Appendix:

Nil

Officer Conflict of Interest:

In accordance with Local Government Act 2020 –
Section 130:

Yes

No

Status:

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

Yes

No

Reason: Nil

Reason: Nil

Purpose

The purpose of this report is to approve the appointment of a Chair of the Audit and Risk Committee.

Summary

The appointment of the current Chair, Melissa Field, of the Audit and Risk Committee will expire on 31 January 2021 and therefore Council needs to appoint a Chair for the year commencing 1 February 2021.

It is a requirement of section 53(4) of the *Local Government Act 2020* that the Chair of an Audit and Risk Committee must not be a Councillor of Council. There are currently two independent members of the Committee, John Gavens and Debra Campbell, who have each served on the Committee for many years and are eligible to be considered for the Chair.

It is recommended that John Gavens be appointed to that role of Chair of the Committee until the expiry of his appointment on 31 January 2022.

Recommendation

That Council

1. Approves the appointment of John Gavens as Chair of the Audit and Risk Committee for the period 1 February 2021 to 31 January 2022; and
2. Approves that the Chair of the Audit and Risk Committee receive a remuneration of \$800 per Committee meeting.

Council Resolution

MOVED Cr Liz Pattison, Seconded Cr Gary Allen

That Council

1. Approves the appointment of John Gavens as Chair of the Audit and Risk Committee for the period 1 February 2021 to 31 January 2022; and
2. Approves that the Chair of the Audit and Risk Committee receive a remuneration of \$800 per Committee meeting.

CARRIED 9:0

4.8 Appointment of Chair of Audit and Risk Committee

Report

Officer Direct or Indirect Interest

No officer involved in the preparation of this report has any conflicts of interest.

Background

Melissa Field's role as the Chair of the Committee will expire on 31 January 2021. In accordance with Council's Governance Rules, the Chair must be appointed by Council resolution.

It is a requirement of section 53(4) of the *Local Government Act 2020* (the Act) that the Chair of an Audit and Risk Committee must not be a Councillor of Council. There are currently two independent members of the Committee, John Gavens and Debra Campbell, who have each served on the Committee for many years and are eligible to be considered for the Chair.

One or two new independent members will be appointed in the near future to ensure that the Committee is constituted in accordance with the Act.

Discussion

The role of Chair has been discussed with the two independent members who are continuing members for the 2021 year. The two Councillor representatives have also been advised of the proposal that John Gavens be appointed as Chair of the Committee.

It is recommended that John Gavens be appointed to that role until his current term on the Committee expires in February 2022.

It is further recommended that the remuneration for the Chair be increased, in recognition that the introduction of the 2020 Act and new Committee Charter may require some additional work for the Chair. The Chair currently receives \$600 per meeting and it is recommended that this be increased to \$800 per meeting.

Council Plan

Theme 5 High Performing Council

Objective 5.2 Ensure that Council decision-making is balanced and transparent and the community is involved and informed

Strategy Nil

Reporting and Compliance Statements:

Local Government Act 2020 – LGA 2020

Implications	Applicable to this Report
Governance Principles (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
Policy/Relevant Law (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
Environmental/Sustainability Implications (Consideration of the Governance Principles under s.9 of LGA 2020)	No
Community Engagement (Consideration of Community Engagement Principles under s.56 LGA 2020)	No
Public Transparency (Consideration of Public Transparency Principles under s.58 of LGA 2020)	Yes
Strategies and Plans (Consideration of Strategic Planning Principles under s.89 of LGA 2020)	No
Financial Management (Consideration of Financial Management Principles under s.101 of LGA 2020)	No
Service Performance (Consideration of Service Performance Principles under s.106 of LGA 2020)	No
Risk Assessment	No

4.8 Appointment of Chair of Audit and Risk Committee

Communication	No
Human Rights Charter	No

Governance Principles - Local Government Act 2020 (LGA 2020)

The Audit and Risk Committee contributes to the good governance of Council. The Committee provides support to Council through providing a structured, systematic oversight of Council's governance, risk management, internal control practices and financial reporting. This provides Council with confidence in the integrity of these practices.

Policy/Relevant Law

This recommendation is prepared in accordance with Council's Governance Rules and Audit and Risk Committee Charter.

Public Transparency

This report is provided in the open Council meeting to promote transparency in relation to decision-making.

Financial Management

Part of the Committee's role, as set out in section 54(2) of the 2020 Act, is to "monitor Council financial and performance reporting".

Risk Assessment

There are no identified Workplace Health and Safety implications associated with this report.

Human Rights Charter

There are no human rights issues associated with this report.

Options

Option 1 – Approve the recommended Chair for the period outlined.

This option is recommended by officers as it ensures that a Chair is appointed before the expiry of Melissa Field's appointment.

Option 2 – Do not approve the recommended Chair for the period outlined.

This option is not recommended by officers.

Conclusion

By appointing the Chair as outlined in this report, Council is preparing for the Committee to be able to provide important support Council as per the *Local Government Act 2020* and the Committee's Charter.

5. ENVIRONMENT & DEVELOPMENT

5.1 Potential Carbon Offset Site and Partnership with Greenfleet

Author's Title: Environment Officer Biodiversity
Department: Environment & Community Safety
Division: Environment & Development

General Manager: Ransce Salan
File No: F12/1367
Trim No: IC20/1721

Appendix:

Nil

Officer Conflict of Interest:

In accordance with Local Government Act 2020 –
Section 130:

Yes

No

Reason: Nil

Status:

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

Yes

No

Reason: Nil

Purpose

The purpose of this report is to consider the opportunity to enter into a partnership with Greenfleet to create a biodiverse carbon offset planting site on Council land at 185 Waltons Road, Buckley.

Summary

Council owns 20 hectares of land at Buckley adjoining Lake Modewarre. The southern portion of the Council land is home to the Modewarre and District Angling Club rooms and car park, and an old quarry face. The northern portion of the lot, approximately 12 hectares, is not used for any community purpose and is cleared flat land that is slashed annually.

Reforestation of the vacant 12 hectares as a carbon offset planting would demonstrate Council's environmental leadership and commitment to taking action following declaration of the Climate Emergency last year. Greenfleet, an organisation registered with the Australian Charities and Not-for-profits Commission, has been establishing offset plantings since 1997 and is keen to partner with Council at Buckley. The benefits to Council of partnering with Greenfleet to plant out the site include sequestering approximately 800 tonnes of carbon at a low cost and demonstrating Council's commitment to local climate change action, providing opportunities for community involvement, and creating a biodiverse planting that adds to the habitat around Lake Modewarre. The land would also be available for compatible recreational uses once the site is past the establishment phase.

This initiative would require Council to sign a formal Carbon Agreement with Greenfleet committing Council to retaining the trees for a minimum of 50 years. The Carbon Agreement must be registered on title.

Recommendation

That Council:

1. Authorises the Chief Executive Officer to enter into a Carbon Agreement with Greenfleet to establish a carbon offset planting on approximately 12 hectares of land at 185 Waltons Road, Buckley.
2. Allocates \$10,000 from the Accumulated Unallocated Cash Reserve to cover the cost of registering the Carbon Agreement on title.

Council Resolution

MOVED Cr Kate Gazzard, Seconded Cr Adrian Schonfelder

That Council:

1. Authorises the Chief Executive Officer to enter into a Carbon Agreement with Greenfleet to establish a carbon offset planting on approximately 12 hectares of land at 185 Waltons Road, Buckley, subject to consultation with the CFA.
2. Allocates \$10,000 from the Accumulated Unallocated Cash Reserve to cover the cost of registering the Carbon Agreement on title.

CARRIED 9:0

5.1 Potential Carbon Offset Site and Partnership with Greenfleet

Report

Officer Direct or Indirect Interest

No officer involved in the preparation of this report has any conflicts of interest.

Background

Whilst reducing carbon emissions should be a priority for responding to the climate emergency, some emissions are currently difficult or impossible to avoid and residual emissions are inevitable. Offsetting is a way to account for these residual emissions and globally, offsetting is a critical strategy to stabilise and reduce harmful levels of greenhouse gases in our atmosphere. Officers are not aware of any formal greenhouse gas offset programs occurring in the Surf Coast Shire.

A review of Council owned and managed land was undertaken to determine if there were additional opportunities for direct climate change mitigation action by establishing trees and other vegetation that capture and store atmospheric carbon. The cleared and flat vacant portion of Council's freehold reserve at 185 Waltons Road, Buckley, has been identified as the only Council owned land where a larger scale offset planting could be undertaken without complications such as competing community uses and difficulty managing fire prevention works.

The reserve adjoins Lake Modewarre to the south. The southern portion of the Council reserve is home to the Modewarre and District Angling Club and has their clubrooms including toilet facilities, and a large car park. The car park is popular with locals, particularly dog walkers, who park and then walk around the edges of the Crown land lake bed to the south. Water levels in Lake Modewarre have fluctuated over time, but in recent years it has either been dry or has only supported a small area of shallow water for short periods of time. This is unlikely to change as infrastructure enabling the former Geelong Water and Sewage Trust to divert water to the Lake has been decommissioned and climate changes have significantly reduced runoff into the lake.

The northern 12 Ha of the Council reserve is cleared and flat and is not used for any community purpose (other than a water tank which supplies water to the clubrooms). It is slashed annually to remove long grass ahead of the fire season.

Revegetation costs would be substantial - a minimum of approximately \$12,000/ha, to prepare, plant and maintain plantings for the first 3 to 4 years. In looking at ways to reduce the costs, staff approached Greenfleet, a registered charity and not-for-profits organisation that has been successfully establishing offset plantings since 1997 when it was set up by the Victorian Government to offset vehicle emissions. Greenfleet inspected the site and has completed preliminary estimates of carbon sequestration using CSIRO's FullCAM model. While a marginal proposition for Greenfleet due to the low rainfall and the relatively small area, Greenfleet is keen to partner with Council on this site as it believes it can achieve other benefits which will make it worthwhile for both organisations. More detailed financial considerations are provided in the Financial Management section of this report.

Discussion

The northern portion of the Council reserve at 185 Waltons Road, Buckley, is not used for any community purpose and has not been identified for use as part of any Council strategies. The vacant land is cleared and flat and slashed annually for fire prevention. The upfront costs for Council to revegetate the site directly are prohibitive and Council is not accredited to assess and register formal carbon offset sites.

Greenfleet is a recognised Offsets Entity able to register sites under the Carbon Farming Initiative, is a registered charity and not-for-profits organisation, is one of the few organisations that undertakes biodiverse offset plantings as opposed to monoculture forestry plantations and it is technically robust, using the CSIRO's FullCAM model to calculate biomass accumulation.

Greenfleet staff have inspected the Waltons Road site. Despite the lower rainfall and relatively small size of the project which makes it marginal for them from a carbon sequestration perspective (preliminary estimates are that 800 tonnes of carbon will be sequestered), there are potential benefits to both organisations to develop this as an offset site.

5.1 Potential Carbon Offset Site and Partnership with Greenfleet

Greenfleet only establishes offset plantings on sites where they have a legal agreement, known as a Carbon Agreement, with the relevant land owner/manager. The agreement is similar to a covenant and is registered on title and requires the land owner to retain the trees, normally for a minimum of 100 years – Greenfleet has advised it would consider reducing this timeframe to 50 years for a local government partner. Responsibilities under the agreement are summarised in Table 1.

Table 1. Responsibilities relating to the Carbon Agreement

Council	Greenfleet
Sign a Carbon Agreement – term 100 years (may be reduced to 50 for local government)	Prepares the Carbon agreement and formal carbon sequestration calculations
Meet the costs of registering the Agreement on title	For the term of the Agreement, owns the Forestry, Soil Carbon and Carbon Sequestration rights
Maintain public liability insurance	Does all of the work and meets all of the costs relating to preparing the site and the planting (approx. 9000 trees)
Pest animal control prior to planting	Provides options for community and/or staff involvement in the actual planting
Maintain fences and firebreaks	Greenfleet revegetation team and contractors monitor and maintain the site during the establishment phase and do replacements if required
General maintenance past establishment phase eg continue routine pest plant and animal control, keep livestock out	Post establishment phase, Greenfleet works with the land owner to establish and ongoing maintenance routine eg fire break slashing, pest control
Don't clear the trees	In the event of a fire, in the early years Greenfleet will replant the site. In later years, the site would regenerate after fire like a natural bushland area
Fallen timber to be retained onsite (unless impacting access/safety)	Ongoing monitoring of survival, environmental outcomes, carbon sequestration
After 100 (or 50) years, become the owner of the trees, carbon sequestration rights	

Greenfleet raises the funds to undertaken carbon offset plantings through individual or business contributions. Individuals or organisations can pay to offset their emissions in a variety of ways eg they can make a yearly payment, a monthly payment, a one off gift, offset flights, offset vehicle emissions, offset the emissions from the staging of an event etc. If Council partnered with Greenfleet on this site, Council would work with Greenfleet to come up with a range of voluntary contribution schedules that might appeal to shire ratepayers and residents. For example, Greenfleet could calculate the contribution required to offset the average household of four within the shire, the average annual emissions of someone driving from Winchelsea to work in Geelong five days a week or the average annual emissions from running a gas heater for five months of the year. Greenfleet could also make recommendations about the contributions required to offset events staged within the shire. Council would then encourage residents and visitors to consider offsetting through Greenfleet via various forums. For example, the Council website could provide information and links and there will be circumstances where it might be appropriate to include information on making a voluntary contribution in other Council material such as Groundswell or alongside quarterly rates notices.

One of the main benefits of any partnership with Greenfleet would be the opportunity for interested people to join in the planting works. Recent surveys have found that around 75% of Australians are concerned with climate change and that climate change concerns are impacting mental health, particularly amongst younger people. By joining in the planting works, people will be able to make a direct contribution to climate change mitigation rather than feeling overwhelmed and that there is nothing they can do personally. We are also hopeful the project will inspire other land owners to enter into similar partnerships, particularly land owners in the higher rainfall parts of the Otways where sequestration rates are potentially much higher.

The project would be a positive step towards implementing Council's Climate Emergency Response and is a clear acknowledgement of the community concerns that led to Council's declaration of a Climate Emergency.

After the initial establishment phase of 4 to 5 years (depending on growth rates), the public can use the site for compatible activities such as dog walking.

5.1 Potential Carbon Offset Site and Partnership with Greenfleet

Council Plan

Theme 1 Community Wellbeing
Objective 1.1 Support people to participate in and contribute to community life
Strategy 1.1.1 Develop and implement a program to support communities of place and interest, and to provide opportunities for them to identify and achieve their community aspirations

Theme 5 High Performing Council
Objective 5.2 Ensure that Council decision-making is balanced and transparent and the community is involved and informed
Strategy 5.1.4 Build on relationships with agencies and key stakeholders for the benefit of the community

Reporting and Compliance Statements:

Local Government Act 2020 – LGA 2020

Implications	Applicable to this Report
Governance Principles (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
Policy/Relevant Law (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
Environmental/Sustainability Implications (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
Community Engagement (Consideration of Community Engagement Principles under s.56 LGA 2020)	Yes
Public Transparency (Consideration of Public Transparency Principles under s.58 of LGA 2020)	Yes
Strategies and Plans (Consideration of Strategic Planning Principles under s.89 of LGA 2020)	No
Financial Management (Consideration of Financial Management Principles under s.101 of LGA 2020)	Yes
Service Performance (Consideration of Service Performance Principles under s.106 of LGA 2020)	No
Risk Assessment	Yes
Communication	No
Human Rights Charter	No

Governance Principles - Local Government Act 2020 (LGA 2020)

The proposed offset planting and partnership with Greenfleet meets the LGA 2020 governance principles as it aims to mitigate climate change, benefit the entire community including future generations and it will have multiple social and environmental benefits.

Policy/Relevant Law

Council's *Climate Emergency Response: Short Term Corporate Action Plan*, lists as an action 'Explore opportunities for offsetting emissions on land within the shire.' In developing the Greenfleet partnership concept, Council owned and managed land was reviewed to determine if there were sites suitable for mitigation activities such as reforestation. The land at Buckley is the only Council site where a larger scale offset planting can be completed without detracting from other Council responsibilities.

Environmental/Sustainability Implications

The proposed offset planting is based on sustainability principles. The planting will sequester carbon and contribute to climate change mitigation efforts. As a biodiverse offset planting, habitat will be improved and expanded. Locals will be able to participate in the offset plantings or contribute financially, providing social benefits.

5.1 Potential Carbon Offset Site and Partnership with Greenfleet

Community Engagement

No community engagement has been undertaken in the preparation of this report. Community support for climate change action was demonstrated in 2019 during the climate emergency declaration process and in recent community surveys.

Strategies/Plans

The Surf Coast Shire *Open Space Strategy 2016-2025* demand and gap assessment for the Deans Marsh-Moriac precinct, which includes Lake Modewarre, found there was an oversupply of outdoor open space in the precinct (due to the large outdoor sporting facilities at Mount Moriac Recreation Reserve, Lake Modewarre Reserve and Connewarre Recreation Reserve). The community consultation in preparation of the strategy did not document any proposed recreational uses of the vacant portion of the Council reserve at Lake Modewarre.

Financial Management

The total Council freehold of 20.01 Ha has a site value of \$405,000 with the proposed 12 Ha carbon offset planting site having a pro-rata value of \$243,000. This valuation does not take into account limitations listed below and so may be an overestimate of the land value. The land is zoned Public Park and Recreation Zone (PPRZ). The potential to subdivide the land with a view to retaining the southern portion with the recreational facilities and offering the northern portion for private sale has been investigated, with the following matters being raised:

- it is not desirable to have land that is zoned PPRZ in private ownership - it would be inconsistent with the relevant planning guidelines
- if it became private property, it would be more logical to rezone to Farming Zone and would need to follow standard rezoning process – possible Panel required if objections received. Costs of rezoning would depend on whether or not a Panel was required. Ministerial approval of any rezoning would be required
- a lot of 12 Ha is well below the lot size required for a viable farm lot making it difficult to substantiate the merits of a dwelling on such a lot size
- with the western boundary adjoining Waltons Road, the northern boundary adjoining Vic Track land and the southern boundary adjoining Crown land managed by DELWP, if the land was to be consolidated with an adjoining lot it could only be offered to the holding to the east.
- local policy seeks to minimise fragmentation of farm land and to avoid dwellings in rural areas below the minimum lot size as they tend to be associated with problems for legitimate farming enterprises such as complaints about hours of operation, smells, dust etc.
- public open space provisions under the Subdivision Act may apply which limit what Council can do with the land or any sale proceeds.

If Council entered into an agreement with Greenfleet to turn the site into a carbon offset planting, there would be the following costs:

- approximately \$10,000 to register the carbon offset agreement on title
- annual slashing of a perimeter firebreak between the fence and the planting (cost of 2020 slashing of the entire site was under \$1,000 so annual slash of perimeter firebreak likely to be <\$500)
- pest plant and animal control – with a recently renewed perimeter rabbit proof fence and an established offset planting, pest plant and animal control costs will be minimal

Greenfleet would meet all other establishment costs and replacement costs if there was damage to the planting in its early years of establishment. The details of this will be set out in the Agreement.

Risk Assessment

There are (no) identified Workplace Health and Safety implications associated with this report.

Communication

If the proposed carbon offset planting proceeded, there would be broad communications aimed at informing our community of the project, and how others can get involved in taking direct climate action in this way.

5.1 Potential Carbon Offset Site and Partnership with Greenfleet

Options

Option 1 – Support authorising the Chief Executive Officer to enter into a Carbon Agreement with Greenfleet to enable the establishment of a biodiverse carbon offset planting at 185 Waltons Road, Buckley, and authorise an allocation of \$10,000 to register the Carbon Agreement on title.

This option is recommended by officers as it demonstrates Council's commitment to climate change mitigation action, is a cost effective proposal and will improve the condition of the land over the longer term.

Option 2 – Leave the unused 12 hectares of Council land at 185 Waltons Road, Buckley, in its current state

This option is not recommended by officers as it would be a missed opportunity to take action to sequester carbon locally and enable community participation in direct local action to address climate change.

Conclusion

Offsetting carbon emissions is a critical strategy to stabilise and reduce harmful levels of greenhouse gases in our atmosphere. Officers are not aware of any formal greenhouse gas offset programs occurring in the Surf Coast Shire.

The proposed partnership with Greenfleet and subsequent establishment of a carbon offset planting on the unused portion of Council freehold at 185 Waltons Road, Buckley, is a cost effective opportunity to demonstrate Council's commitment to tackling climate change. It also provides an opportunity to show a biodiverse carbon offset program that may encourage other land holders to establish something similar on their land. The land is currently not providing any significant social, environmental or economic benefits. Due to the specific constraints on the land, alternative uses are very limited.

Officers are therefore recommending that Council enters into an agreement with Greenfleet to establish the carbon offset planting.

6. CULTURE & COMMUNITY

6.1 Petition Response - State of Winchelsea after Maintenance Change

Cr. Adrian Schonfelder declared an interest in relation to agenda item 6.1. Cr Schonfelder provided the following statement addressing this matter:

"I would like to inform the meeting that I have an interest in item 6.1, relating to maintenance in Winchelsea, as I signed the original petition. However, I have sought advice on this matter and do not believe I have a conflict of interest within the definitions of the Local Government Act. Additionally I do not hold a predetermined position and am open to the discussion on this matter. I would also mention that items in the recommendation are for noting only and the actions already underway."

Author's Title: Manager Facilities & Open Space Operations

General Manager: Chris Pike

Department: Facilities & Open Space Operations

File No: F18/67-2

Division: Culture & Community

Trim No: IC20/1719

Appendix:

Nil

Officer Conflict of Interest:

In accordance with Local Government Act 2020 – Section 130:

Yes

No

Status:

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

Yes

No

Reason: Nil

Reason: Nil

Purpose

The purpose of this report is to respond to a petition received by Council at the 8 December Council Meeting requesting that Council:

1. Reinstate our local gardening and mowing team.
2. Tell us what standards apply to the maintenance of our lawns and gardens (including how frequently they are supposed to be attended to) and how their appearance is monitored.
3. Maintain our town at a good standard all the time, so we don't have to complain constantly.

Summary

A petition was received at the 8 December 2020 Council Meeting. The petition requested that Council reinstate the local gardening and mowing team, explain how standards are applied, the frequency of the program, how these works are monitored to ensure a good standard all the time so the public does not have to complain constantly.

Open Space Operations maintenance is generally a high performing service and at the commencement of spring in 2020 a trial for the way open space maintenance is delivered was implemented to provide a consistent approach across the shire as it was identified that some parks/open space locations within townships were receiving higher levels of service and others were not being serviced as required. This trial will help in identifying continuous improvements and service efficiencies, as well as addressing lone worker safety risks.

The service standard throughout the spring period is for grass within primary and secondary open spaces (i.e. the most commonly used and seen such as the Barwon River reserve identified in the petition) to be mown on a three weekly schedule and for primary and secondary gardens and other open space assets to be maintained on a four weekly schedule. Tertiary level spaces and assets may not be serviced in every cycle.

The trial coincided with a challenging period due to the La Nina weather pattern (increased rainfall) that had impacts on the ability to deliver high quality open space maintenance throughout the shire as machinery was unable to access excessively wet areas such as the public area next to the Barwon River.

6.1 Petition Response - State of Winchelsea after Maintenance Change

Compounding the problem, COVID-19 caused significant time delays for repairs and programmed maintenance to machinery (due to delay in parts availability). This has also had a major impact in completing works according to the schedule and has contributed unexpected delays causing excessive growth.

There are a number of measures in place to monitor the quality of work the service delivers including proactive inspections and also reactive inspections following customer requests. Throughout the spring period from 1 September through to the 30 November there were 762 Customer Requests/Enquiries for this service area and 60 of those were related to long grass and maintenance. Also during this period there were 12 Customer Complaints registered relating to long grass/maintenance. The Coordinator Open Space Operations monitors the trends from both the customer requests/enquiries and the complaints to assist with highlighting any arising issues.

The Open Space Operations team will continue with the new service model and will undertake a review at the end of the 12 month period for a full service review scheduled in the next two years.

Recommendation

That Council:

1. Notes the Open Space Operations Unit record of maintaining public open spaces to a high quality in accordance with well-established service practices.
2. Notes that the La Nina weather pattern resulted in significantly higher than average growth rate across the Shire in September and October 2020 causing difficulty accessing sodden open spaces to cut grass at the required frequency.
3. Notes that the Open Space Operations Unit's inability to mow longer grass at the required frequency was compounded by COVID-related supply issues for machinery parts.
4. Notes that dryer conditions and improvements in parts supply chains from November onwards enabled the Open Space Operations Unit to return open spaces throughout the shire to their normal high quality state.
5. Notes the Open Space Operations Unit will continue with the trial of dedicated Shire-wide mowing and parks maintenance crews and assess its impact after a full twelve month cycle.
6. Notes that a full review of the Open Space Operations service, in accordance with Council's Business Improvement Program, is due to be undertaken within the next two financial years.
7. Advises the first-named petitioner of this resolution and thanks them for bringing this matter to Council's attention.

Council Resolution

MOVED Cr Heather Wellington, Seconded Cr Adrian Schonfelder

That Council:

1. Notes the Open Space Operations Unit record of maintaining public open spaces to a high quality in accordance with well-established service practices.
2. Notes that the La Nina weather pattern resulted in significantly higher than average growth rate across the Shire in September and October 2020 causing difficulty accessing sodden open spaces to cut grass at the required frequency.
3. Notes that the Open Space Operations Unit's inability to mow longer grass at the required frequency was compounded by COVID-related supply issues for machinery parts.
4. Notes that dryer conditions and improvements in parts supply chains from November onwards enabled the Open Space Operations Unit to return open spaces throughout the shire to their normal high quality state.
5. Notes the Open Space Operations Unit will continue with the trial of dedicated Shire-wide mowing and parks maintenance crews and assess its impact after a full twelve month cycle and reports back to Council with data assessing the impact within the next 12 months.
6. Notes that a full review of the Open Space Operations service, in accordance with Council's Business Improvement Program, is due to be undertaken within the next two financial years.
7. Advises the first-named petitioner of this resolution and thanks them for bringing this matter to Council's attention.

CARRIED 9:0

6.1 Petition Response - State of Winchelsea after Maintenance Change

Report

Officer Direct or Indirect Interest

No officer involved in the preparation of this report has any conflicts of interest.

Background

The Open Space Operations unit is made up of 25 staff including three trainees. This service operates annually on a \$4.2million operational budget managing and maintaining over 100 separate open space reserves including:

- Parks and Reserves
- Playgrounds
- Skate Parks and Bike Parks
- Sporting Reserves
- Nature Reserves
- Streetscapes, shopping precincts and building surrounds
- Trees
- Fire Prevention Works / Grass Slashing

Current service standards have been in place since 2004. Every year the Open Space Operations Team take on more areas due to development growth.

At the commencement of spring this year, the Open Space Operations unit changed the way they delivered maintenance service to ensure a consistent approach across the shire. Previously there were four crews based on geographical locations where staff would undertake both mowing and parks maintenance for that location.

The previous geographical based teams were:

- Torquay Crew – two person crew maintaining Torquay township
- Winchelsea Crew – one person crew maintaining Winchelsea, Deans Marsh and rural townships
- Coast Crew – two person crew maintaining Anglesea through to Lorne
- Inland Crew – two person crew maintaining Jan Juc, Moriac, Freshwater Creek and Connewarre

It was identified that some parks/open space within these geographical locations were receiving higher levels of service and others were not be serviced as required. Another risk was if there was staff away this would impact the maintenance levels delivered to the geographical locations.

A 12 month trial of a more efficient way to undertake open space maintenance was developed in which there would be a dedicated mowing crew who would operate on a three weekly cycle and a parks maintenance crew who would operate on a four weekly cycle and they would go around the whole shire to ensure a consistent approach through the spring growth period.

This initiative aims to deliver the following benefits:

- Provide a consistent approach to open space maintenance across the shire
- Minimise the risk of over servicing areas and underservicing areas
- Minimise the risk of geographical areas being impacted by staff absenteeism
- Improved operational efficiency to assist with managing growth
- Removes lone worker safety risks associated with single person crews.

Discussion

The spring period has provided a number of challenges that has impacted the level of maintenance across the shire and the appearance of park and open spaces.

Customer Requests/Enquiries:

The Facilities and Open Space Operations department received 6,800 CRMs (customer requests/enquiries) in 2019-20 with an on-time response rate of 99.77%. Please note that actions taken can range from providing information (e.g. date of next mow) to providing a reactive response if there is a public risk (e.g. dangerous tree). The typical response time for enquiries is less than two working days.

6.1 Petition Response - State of Winchelsea after Maintenance Change

During this 13 week spring period (September through to November), the Open Space Operations unit received 762 Customer Requests/Enquiries (CRMs) and 60 were related to long grass in parks and open space. Of those 60 grass related CRMs, 13 were for the Winchelsea Township. Over 500 CRMs were related to tree and grass slashing in the Local Roads – Roadside Maintenance category across the shire.

The CRMs related to the service are set out in two categories:

- Parks & Reserves
 - Parks & Reserves
 - Streetscapes
 - Playgrounds
 - Skate Parks/Bike Parks
 - Vegetation
 - Trees
 - Sports fields/Irrigation
 - Vandalism
- Local Roads – Roadside Maintenance
 - Vegetation Encroachment
 - Trees
 - Grass Slashing

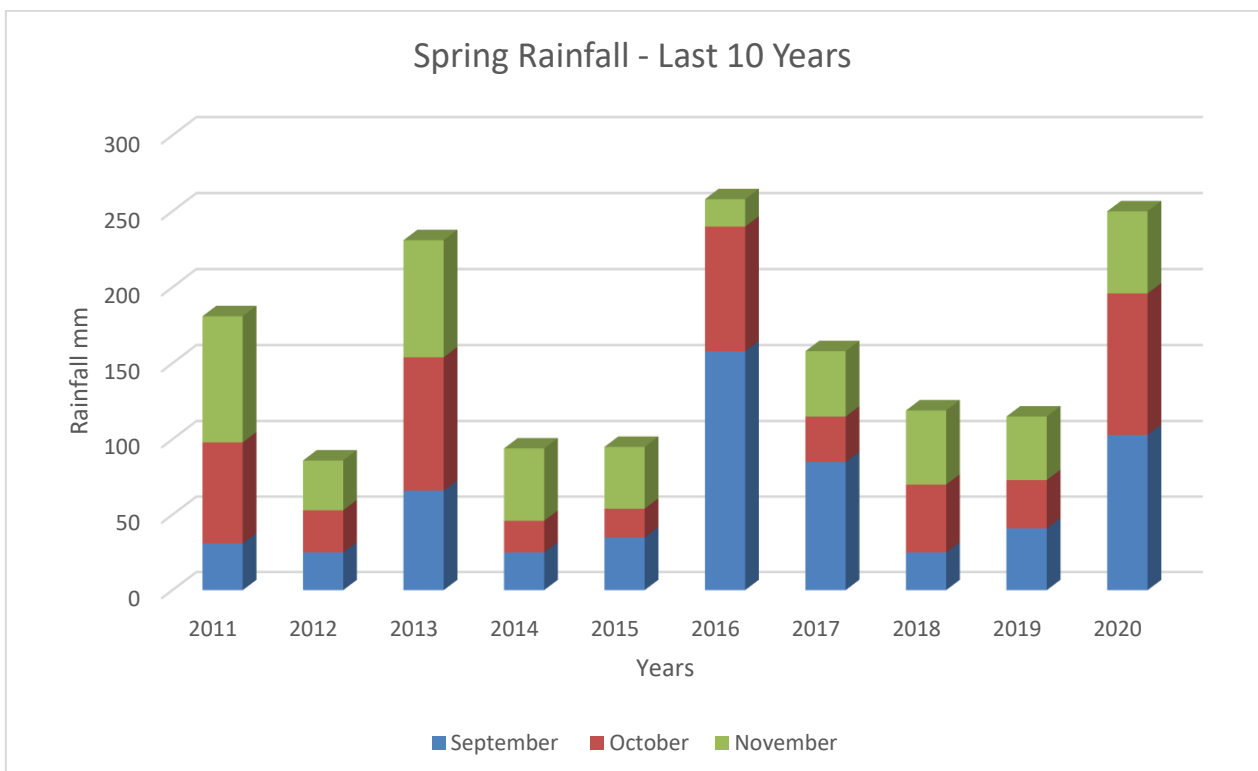
The Open Space Operations unit received 19 Complaints during this period:

- 8 related to long grass and maintenance levels in the Winchelsea Township,
- 7 related to trees across the shire
- 2 related to maintenance levels in Lorne
- 2 related to maintenance in Torquay

Four compliments were recorded during this period and one of those received was in November and related to the improved maintenance levels in Napthine Reserve, Winchelsea.

Challenges:

Throughout the 2020 spring period we have experienced higher rainfall due to the La Nina weather pattern.



6.1 Petition Response - State of Winchelsea after Maintenance Change

With the increased rainfall (over double what we had in the two previous years), this has contributed to ideal growing conditions as well as areas across the shire being inundated with water and not allowing for machinery access. Areas of open space along the Barwon River have been inundated with water during this period and only began to dry out as the rainfall eased in November. The Winchelsea RV Friendly Parking area was closed in August 2020 and remained closed in October 2020 when restrictions began to ease due to flooding and boggy conditions. The site was reopened in November 2020.

COVID-19 has had impacts causing time delays for repairs and programmed maintenance to machinery. Historically if machinery/equipment broke down (which is more regular during busy periods at this time of the year due to grass growth), repairs/maintenance would be undertaken quickly, but with delays in parts due to the logistics and transport delays related to COVID-19, the service has been experiencing longer timeframes of up to a week or more before the mowers are ready to use. This has had a major impact in completing works according to the schedule and has contributed unexpected delays causing excessive grass growth.

Current Standard of Service:

Council's Open Space Operations Unit - Spring Time Schedule is:

- Mow parks and open space across the shire on a three weekly schedule and
- Undertake garden bed maintenance on a four weekly schedule.

Through each three or four week cycle, the most prominent open space areas (classified as P1 and P2 areas) are typically mown/maintained every time they are serviced while less prominent areas (classified as P3) may be left to the next cycle.

The mowing program and garden bed maintenance schedules change throughout the seasons when growth slows. This allows for other open space maintenance works such as furniture maintenance, tree planting program, garden bed mulching program, path erosion works, nature reserve fire prevention works, playground inspections and proactive maintenance works as well as mowing of grass and garden bed maintenance.

During spring this year, the service increased staff hours to ensure that the schedule could be completed albeit access to some areas was restricted due to wet ground conditions. Throughout November rainfall was more consistent with previous years allowing both growth to slow and areas that were previously inundated with water to dry out and be maintained to their usual high standards.

Monitoring the Standard of Service:

- Open Space Operations Team Leaders are regularly inspecting works based on the schedule to highlight any areas where the program is not being completed within the timeframe and the quality of work.
- A monthly proactive inspection program of open space is undertaken by the Open Space Arboricultural Supervisor to identify any risk to the public and quality of maintenance works undertaken. Any horticultural or tree defects identified are assigned to the appropriate crew or contractor to complete these works.
- Trends, including customer request/enquiries and complaints, are monitored by the Open Space Operations Coordinator.
- Open Space Operations maintenance staff are qualified gardeners and have the knowledge and experience to be able to deliver these works in accordance with the standard of service.

Community Satisfaction Survey:

The Victorian Community Satisfaction Survey (CSS) creates a vital interface between the council and their community. Held annually, the CSS asks the opinions of local people about the place they live, work and play and provides confidence for councils in their efforts and abilities.

Now in its twenty-first year, this survey provides insight into the community's views on:

- councils' overall performance with benchmarking against State-wide and council group results
- community consultation and engagement
- advocacy and lobbying on behalf of the community
- customer service, local infrastructure, facilities and
- overall council direction.

6.1 Petition Response - State of Winchelsea after Maintenance Change

When coupled with previous data, the survey provides a reliable historical source of the community's views since 1998. A selection of results from the last nine years shows that councils in Victoria continue to provide services that meet the public's expectations.

Appearance of public areas and Recreational facilities are two of the three top scoring areas of performance above both Large Rural and State-wide results for all Victorian councils.

There has been a steady increase in the customer satisfaction survey results over the past over the past five years in Winchelsea and overall performance is favourable versus benchmarks.

The appearance of public areas performance



2020 public areas performance (index scores)

	2019	2018	2017	2016	2015	2014	2013	2012
18-34	81▲	81	84	75	77	77	75	n/a
Non-resident ratepayer	79	79	78	75	n/a	n/a	78	n/a
Anglesea	76	75	75	72	74	77	73	n/a
Lorne	76	77	76	69	72	82	69	n/a
Winchelsea	76	73	72	68	64	72	71	n/a
Men	75	75	76	70	73	74	75	n/a
Surf Coast	75	75	76	73	73	76	75	n/a
Women	75	75	76	77	73	78	74	n/a
50-64	75	72	72	72	72	76	72	n/a
35-49	75	74	75	73	68	77	77	n/a
Torquay	74	75	78	77	78	77	76	n/a
Residents	74	74	75	73	n/a	n/a	73	n/a
65+	72	73	72	73	74	74	73	n/a
State-wide	72▼	72	71	71	71	72	72	71
Large Rural	71▼	70	69	69	69	69	n/a	n/a

Opportunities Moving Forward:

- Short Term (next 12 months) - Continue to monitor/review the trial for a full 12 month period to determine the operating model moving forward.
- Medium Term (12– 24 months) - Undertake a service review of the Open Space Operations unit through the Business Improvement program.

Council Plan

Theme 5 High Performing Council

Objective 3.3 Strengthen township boundaries and support unique township character

Strategy 5.4.1 Review Council-delivered services to ensure they are of high quality and delivering best value

Reporting and Compliance Statements:

Local Government Act 2020 – LGA 2020

Implications	Applicable to this Report
Governance Principles (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
Policy/Relevant Law (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
Environmental/Sustainability Implications (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes

6.1 Petition Response - State of Winchelsea after Maintenance Change

Community Engagement (Consideration of Community Engagement Principles under s.56 LGA 2020)	Yes
Public Transparency (Consideration of Public Transparency Principles under s.58 of LGA 2020)	No
Strategies and Plans (Consideration of Strategic Planning Principles under s.89 of LGA 2020)	No
Financial Management (Consideration of Financial Management Principles under s.101 of LGA 2020)	Yes
Service Performance (Consideration of Service Performance Principles under s.106 of LGA 2020)	Yes
Risk Assessment	Yes
Communication	Yes
Human Rights Charter	No

Governance Principles - Local Government Act 2020 (LGA 2020)

This report recommendations gives priority to delivering best outcomes for the municipal community. The review of the maintenance schedule will provide continuous improvement in open space for the community. The financial viability has been considered in the review of the maintenance schedule.

Policy/Relevant Law

Proactive and reactive tree related works are undertaken in accordance with the Tree Risk Management Plan and the Road Management Plan.

Environmental/Sustainability Implications

The Open Space Operation maintenance service will be impacted more with higher rainfall events due to climate change and this will need to be considered in planning and reacting to these changes.

Community Engagement

Community engagement has been limited as there is no change to the service level rather a change to the way we deliver it across the whole shire, however Growing Winchelsea was provided an update on 7 October 2020 regarding the change to the way we delivery the maintenance program.

Financial Management

One of the outcomes of this trial is to provide service efficiencies to the way open space maintenance is delivered and to allow for growth without impacting Council's long term financial plan.

Service Performance

The recommendations of this report seek to maximise the level of service of open space throughout the whole shire and to ensure equality by preventing over servicing or underservicing depending on location and expectation.

Risk Assessment

There are Workplace Health and Safety implications associated with this report. A move away from single-person crews (as has previously been the case in the Winchelsea area) to multi-person crews helps to manage lone-worker safety risks.

Communication

Council's resolution will be communicated by a report to Council at the end of the 12 month trial with outcome of trial and recommendations/opportunities for ongoing improvement to open space maintenance.

6.1 Petition Response - State of Winchelsea after Maintenance Change

Options

Option 1 – Support the 12 month trial for Open Space Maintenance Program as recommended and notes

The Open Space Operation Unit will continue current standards for open space maintenance. This has been a challenging spring period with La Nina weather pattern and the findings of this trial will determine the operating model moving forward.

Option 2 – Do not support the 12 month trial for Open Space Maintenance Program as recommended

This option is not recommended by officers as a 12 month trial will identify findings and determine the operating model moving forward.

Conclusion

The Open Space Operations service will continue to deliver what is typically thought of as a high quality service. The 12 month trial will be assessed for effectiveness and efficiency. Council also contacts other land managers (e.g. Regional Roads Victoria) to pass on staff observations and community feedback about their open spaces and road reserves.

6.2 People, Place, Future - Community Vision and Council Plan development

Author's Title: Coordinator Community Health and Development **General Manager:** Chris Pike

Department: Community Health and Development **File No:** F19/824

Division: Culture & Community **Trim No:** IC20/1722

Appendix:

1. Engagement Roadmap (D21/6699)
2. IAP2 Level of Influence Commitments (D21/6689)

Officer Conflict of Interest:

In accordance with Local Government Act 2020 – Section 130:

Yes

No

Reason: Nil

Status:

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

Yes

No

Reason: Nil

Purpose

The purpose of this report is to ensure that Council is adequately prepared to commence the community and stakeholder engagement program to develop key strategic plans in accordance with the *Local Government Act 2020* including the Community Vision, Council Plan, Municipal Health and Wellbeing Plan, Financial Plan and Asset Plan.

Summary

This report outlines the engagement program that will inform the development of a suite of integrated strategic plans required to be delivered under the *Local Government Act 2020*. The report describes the engagement 'roadmap', detailing the timeframe, aims, activities and outputs of different phases of engagement including a wider, participatory phase and a deliberative phase which will take the form of a deliberative panel.

The deliberative panel will be designed, recruited and facilitated in line with state guidance and Council's Community Engagement Policy. The latter commits Council to providing the deliberative group a clear statement of the task before them and the scope of their contribution. The report asks Councillors to consider the level of influence that will be acceded to the deliberative panel in informing the development of the Community Vision, Council Plan, Municipal Health and Wellbeing Plan, Financial Plan and Asset Plan.

The report also describes the re-scoping that the engagement program has undergone since the project's inception. The report asks Councillors to consider an additional budget allocation of \$65,500 to ensure the project has sufficient resources to engage the services required to design, recruit and facilitate deliberative engagement for all of the strategies required under the *Local Government Act 2020*.

Recommendation

That Council:

1. Endorses the People Place Future Strategic Planning Project Engagement Roadmap as attached at Appendix 1.
2. Notes that the design of the project ensures compliance with the Local Government Act 2020 and Council's Community Engagement Policy, and positions Council to successfully partner with the community to co-develop a Community Vision and key strategic plans for the next 4-10 years.
3. Commences the participatory engagement phase to seek wide community and stakeholder input to inform a Community Vision and Council's key strategic plans.
4. Commences the process to recruit a randomly sampled, representative group of community members to form a deliberative panel to consider the findings of the participatory engagement phase and provide recommendations for Council on a Community Vision and Council's key strategic plans.
5. Makes commitments to the community regarding the level of influence the deliberative panel will have on a Community Vision and Council's key strategic plans as per Appendix 2.
6. Allocates an additional \$65,500 to the People Place Future Strategic Planning Project from the Accumulated Unallocated Cash Reserve to ensure the project can be successfully delivered.

6.2 People, Place, Future - Community Vision and Council Plan development

Council Resolution

MOVED Cr Liz Pattison, Seconded Cr Mike Bodsworth

That Council:

1. Endorses the People Place Future Strategic Planning Project Engagement Roadmap as attached at Appendix 1.
2. Notes that the design of the project ensures compliance with the Local Government Act 2020 and Council's Community Engagement Policy, and positions Council to successfully partner with the community to co-develop a Community Vision and key strategic plans for the next 4-10 years.
3. Commences the participatory engagement phase to seek wide community and stakeholder input to inform a Community Vision and Council's key strategic plans.
4. Commences the process to recruit a randomly sampled, representative group of community members to form a deliberative panel to consider the findings of the participatory engagement phase and provide recommendations for Council on a Community Vision and Council's key strategic plans.
5. Makes commitments to the community regarding the level of influence the deliberative panel will have on a Community Vision and Council's key strategic plans as per Appendix 2.
6. Allocates an additional \$65,500 to the People Place Future Strategic Planning Project from the Accumulated Unallocated Cash Reserve to ensure the project can be successfully delivered.

CARRIED 9:0

6.2 People, Place, Future - Community Vision and Council Plan development

Report

Officer Direct or Indirect Interest

No officer involved in the preparation of this report has any conflicts of interest.

Background

A recent review of the *Local Government Act 2020* (the Act) increased the process and output requirements for local governments in developing their foremost strategic document, the Council Plan.

Under the Act, local governments are now required to assist their municipal community to develop a ten-year community vision. The Community Vision establishes a consensus aspirational view of a desired future and community values that extends beyond the traditional jurisdiction of a Council into areas that might be considered the responsibility and function of other levels of government, civil society, non-government organisations, the private sector, institutions or other entities.

Additionally, the Act requires local governments to develop a suite of integrated strategic documents, including a four-year Council Plan and ten-year financial and asset plans. Under the *Public Health and Wellbeing Act 2008* (s27), local government may incorporate their Municipal Public Health and Wellbeing Plan in their Council Plan.

Under the Act, the Community Vision and integrated strategic documents must be underpinned by deliberative engagement. Deliberative engagement is different from standard community engagement. Unlike standard community engagement which might see a council or organisation use an opt-in mechanism to collect a small amount of information about a tightly defined issue, deliberative engagement utilises an independent facilitator to bring together a representative group. The group, often deliberative panel or 'citizen's jury' have a pre-agreed level of influence over decision-makers and, over a number of deliberative sessions, are given access to a high level of information and time to weigh up options and come to a consensus. Unlike standard engagement which interprets and summarises input, a deliberative panel writes their own recommendations report and presents it to decision-makers.

Council's Community Engagement Policy (SCS-017) complies with the requirements of the Act and accordingly makes a commitment to undertake deliberative engagement to inform the development of the Community Vision, Council Plan, Financial Plan and Asset Plan. The Community Engagement Policy requires Council to:

- provide a clear remit to the deliberative group
- ensure participants have access to neutral, balanced information from a range of different sources,
- allow in-depth conversation and understanding of the issues involved
- ensure the process is representative
- allow the time needed to deliberate on complex information, and weigh up options and ideas
- give the deliberative group a high level of influence over outcomes or decisions.

A communications and engagement plan has been developed identifying the aims, inputs, stakeholders, methods and outputs of two phases of engagement for the development of the Community Vision, Council Plan, Municipal Health and Wellbeing Plan, Financial Plan and Asset Plan.

Council has contracted Mosaic Lab, a consultancy that specialises in designing and facilitating deliberative engagement, to deliver the deliberative engagement phase. Mosaic Lab has conducted 11 long-form and 14 short-form deliberative panels including the City of Melbourne's Ten Year Financial Plan, DELWP and Local Government Victoria's Democracy in Geelong, and Barwon Water's Our Water Our Future Community Panel. Mosaic Lab has written a guidebook on deliberative engagement for Victorian councils that has been endorsed by Local Government Victoria.

Discussion

The Project Roadmap

Appendix 1 outlines the project roadmap identifying five main phases:

- Building the mandate
- Activation
- Wider engagement
- Analysis and deliberative panel phase
- Reporting, feedback and plan development

6.2 People, Place, Future - Community Vision and Council Plan development

Participatory Phase of Engagement

The first, 'participatory' phase of engagement will commence on 20 January and run until 28 February 2021.

This participatory engagement invites the wider community to complete a survey or discussion template to letting Council know what they care about (Community Vision) and what they want Council to pay attention to (community priorities for the Council Plan, Municipal Health and Wellbeing Plan, Financial Plan and Asset Plan). The participatory phase include targeted engagement methods to be able to hear from 'hard to engage' groups and, in recognition of the different types of connection that a whole range of people have with the Shire, proposes the following remit for engagement:

"From our traditional owners to our newest arrival, and from our youngest resident to our furthest-travelled visitor, we value the Surf Coast Shire as a special place.

To ensure that Surf Coast Shire is a great place to live, work and play for everyone, we need to make choices about where we focus our efforts. What is our future vision for our community, and how do we balance our differing interests and needs over the next four years?"

Deliberative Phase of Engagement

The deliberative phase of engagement will see 35 randomly sampled residents come together for three full days and three evenings to consider a range of inputs, including the results of the first phase of engagement, written research and data, lived experience and technical expert testimony. Commencing in March, and facilitated by Mosaic Lab, the deliberative group will explore dilemmas, negotiate trade-offs and arrive at a consensus. Without direction from Councillors, Council officers or Mosaic Lab, the panel produce a recommendations report which it will present to Councillors in May. The recommendation report will inform the development of the Community Vision, Council Plan, Municipal Health and Wellbeing Plan, Financial Plan and Asset Plan to the extent agreed to by the Council (refer to Appendix 2).

Deliberative Panel Recruitment

An independent agency, the Sortition Foundation, will facilitate the recruitment of the deliberative panel. Sortition Foundation is internationally recognised for its selection and stratification services and have recruited deliberative panels for the UK Climate Assembly, Scotland's Climate Assembly and Scotland's National Digital Ethics People's Panel. The Sortition Foundation will apply criteria to the random selection process to ensure that the panel is demographically (age, gender, socio-economic) and geographically representative of our community. This independent selection process means that Councillors, Council officers and Mosaic Lab do not know the membership of the panel until it meets for the first time.

Community engagement level of influence.

IAP2 is an internationally recognised organisation that provides principles and standards of practice for public participation. The [Short Guide on Deliberative Engagement for Victorian Councils](#) draws on IAP2's spectrum of engagement to help councils set the level of influence the community recommendations will have.

Council's Community Engagement Policy requires that ahead of undertaking a deliberative engagement process it must determine the level of influence that it accedes to the deliberative panel in making recommendations on the Community Vision, Council Plan (including the Municipal Health and Wellbeing Plan), Financial Plan and Asset Plan. Appendix 2 sets out Council's promised levels of influence for the various documents.

The IAP2 engagement spectrum begins at 'Inform' and proceeds to 'Consult', then 'Involve', 'Collaborate' and finally graduates to 'Empower'. Levels of engagement below 'Involve' make no public commitment to 'take on board' the input provided and are therefore not considered 'deliberative' forms of engagement. 'Involve' incorporates deliberative elements and makes a commitment to work with community to ensure that identified concerns and aspirations are incorporated to some extent by decision-makers in the development of strategic plans. The participation goal of 'Collaborate' is to partner with the public in each aspect of the decision and commits decision-makers to genuinely considering every recommendation, and identifying and communicating why a recommendation cannot be incorporated. The participation goal of 'Empower' is to place final decision making in the hands of the community, committing decision-makers to the wholesale adoption of community recommendations.

6.2 People, Place, Future - Community Vision and Council Plan development

Councillors must nominate which level of influence the deliberative panel will have regarding the development of the Community Vision, Council Plan, Municipal Health and Wellbeing Plan, Financial Plan and Asset Plan.

Council Plan

Theme 1 Community Wellbeing

Objective 1.1 Support people to participate in and contribute to community life

Strategy 1.1.1 Develop and implement a program to support communities of place and interest, and to provide opportunities for them to identify and achieve their community aspirations

Theme 5 High Performing Council

Objective 5.2 Ensure that Council decision-making is balanced and transparent and the community is involved and informed

Strategy 5.2.2 Evolve our community engagement approach to inform strategic Council direction and decision-making

Theme 5 High Performing Council

Objective 5.1 Ensure Council is financially sustainable and has the capability to deliver strategic objectives

Strategy 5.1.1 Establish long-term financial principles and incorporate into the long-term financial plan

Reporting and Compliance Statements:

Local Government Act 2020 – LGA 2020

Implications	Applicable to this Report
Governance Principles (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
Policy/Relevant Law (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
Environmental/Sustainability Implications (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
Community Engagement (Consideration of Community Engagement Principles under s.56 LGA 2020)	Yes
Public Transparency (Consideration of Public Transparency Principles under s.58 of LGA 2020)	Yes
Strategies and Plans (Consideration of Strategic Planning Principles under s.89 of LGA 2020)	Yes
Financial Management (Consideration of Financial Management Principles under s.101 of LGA 2020)	Yes
Service Performance (Consideration of Service Performance Principles under s.106 of LGA 2020)	Yes
Risk Assessment	Yes
Communication	Yes
Human Rights Charter	Yes

Governance Principles - Local Government Act 2020 (LGA 2020)

The engagement program to inform the development of the Community Vision, Council Plan, Municipal Health and Wellbeing Plan, Financial Plan and Asset Plan:

- is underpinned by principles of social justice, including intragenerational and intergenerational equity and considers the cumulative impact of decision-making
- seeks to include community stakeholders (residents, businesses, diverse non-government organisations and all levels of government) to improve the environmental, social and economic wellbeing of our communities
- makes a commitment to align Council supports to work with residents, businesses, diverse non-government organisations and all levels of government to contribute to the achievement of the Community Vision

6.2 People, Place, Future - Community Vision and Council Plan development

- makes a commitment to monitoring and evaluating to ensure innovation and continuous improvement
- makes a commitment to partner with residents, community groups, businesses, non-government organisations and all levels of government to achieve shared outcomes for our communities.
- will support ongoing financial viability through more effective resource allocation, better utilising community expertise and resources.
- Will consider regional, state and national plans and policies into strategic planning and decision making
- makes a commitment to seek out diverse perspectives to inform planning and decision-making and to be principled and equitable in its planning and allocation of resources to support communities' access to infrastructure, open space, facilities, programs and services and networks..
- Will contribute to the transparency of Council decisions, actions and information

Policy/Relevant Law

In addition to the Local Government Act 202, the development of the Community Vision, Council Plan, Municipal Health and Wellbeing Plan, Financial Plan and Asset Plan also takes into account the following relevant laws.

The Public Health and Wellbeing Act 2008 (the Act) mandates that local governments have a responsibility to protect, improve and promote public health and wellbeing within their municipalities. Under the Act all local government authorities in Victoria are required to a develop Municipal Public Health and Wellbeing Plan (MPHWP) within 12 months of each general election of the council. Council has elected to incorporate their Municipal Public Health and Wellbeing Plan into the Council Plan in recognition that so many of Council's strategic and statutory roles contribute to creating the conditions for positive health and wellbeing.

Under the Climate Change Act 2017, local governments must use a decision-making framework that systematically considers the impact of climate change on the determinants of health (natural, built, social and economic). The Climate Change Act requires that MPHWP's have regard to climate change. This state government guide identifies ways that Victorian local governments can tackle climate change and its impacts on health.

Recommendation 94 of the Royal Commission into Family Violence, requires local governments to report on the measures they propose to take to reduce family violence and respond to the needs of victims in preparing their MPHWP's. Under the Gender equality Act (2020), Victorian local governments must measure, report on, plan for and progress gender equality in their organisations and communities.

The Planning and Environment Act (1987) establishes a framework for planning the use, development and protection of land in Victoria. Within 18 months of a general election, each shire or municipality must produce a Municipal Planning Strategy (previously a Municipal Strategic Statement) which provides a succinct expression of the overarching strategic planning policy directions and is consistent with the objectives and commitments of the Council Plan.

Environmental/Sustainability Implications

The requirements of the Climate Change Act 2017 (see above) and the commitments made by Council as part of its climate emergency declaration (2019) will inform the development of the Community Vision, Council Plan, Municipal Health and Wellbeing Plan, Financial Plan and Asset Plan.

Community Engagement

Council's Community Engagement Policy, giving effect to the community engagement principles applicable to Council required by Section 56 of the Act, will guide the engagement program, in the first instance by clearly defining the objectives and scope to develop the Community Vision, Council Plan, Municipal Health and Wellbeing Plan, Financial Plan and Asset Plan. Council commits to participants of both phases of the planned engagement program that they

- Will have access to objective, relevant and timely information to inform their participation
- Will be representative of the persons and groups affected by the matter that is the subject of the community engagement
- Are entitled to reasonable support to enable meaningful and informed engagement and
- Will be informed of the ways in which the community engagement process will influence Council decision making.

6.2 People, Place, Future - Community Vision and Council Plan development

Public Transparency

The engagement program to inform the development of the Community Vision, Council Plan, Municipal Health and Wellbeing Plan, Financial Plan and Asset Plan will support transparency in decision-making, actions and information as described above under LGA 2020 s.9 (i) above.

Strategies/Plans

In line with s.89 of the LGA 2020, the engagement program to inform the development of the Community Vision, Council Plan, Municipal Health and Wellbeing Plan, Financial Plan and Asset Plan supports an integrated approach to planning, monitoring and performance reporting. Through the deliberative panel, the engagement program makes a commitment to involve and collaborate with community in the design and implementation, monitoring and evaluation of these key strategic documents.

Financial Management

The process and output requirements of the Local Government Act in developing the Community Vision, Council Plan, Municipal Health and Wellbeing Plan, Financial Plan and Asset Plan are new. Initial scoping didn't not allocate sufficient resources to engage the services required to design, recruit and facilitate deliberative engagement. To adequately resource the deliberative engagement phase of the engagement program an increase budget allocation of \$65,500 is required. This enables the following elements of the program to be delivered:

- More than twice the time allocation for planning and facilitation of deliberative panel engagement – additional \$43,000
- Honorarium payments to panel members (\$100 per day) – \$15,750
- Independent panel recruitment – \$6,000
- Independent subject matter experts (to advise panel) – \$9,000
- Traditional owner engagement – \$3,000

These costs are slightly offset by reductions in costs for dedicated project roles and communications.

The addition of the required amount would bring to the total project budget to \$242,500. This is a significant undertaking of Council.

The existing budget allocation of \$177,000 allows for:

- Dedicated project roles – project coordinator, project manager, community engagement adviser.
- Facilitation of Councillor workshops – project planning and strategic plan development
- Deliberative engagement planning and delivery (to a lesser extent than now required).

Service Performance

Consistent with service performance principles described under LGA 2020 s.106, the engagement program to inform the development of the Community Vision, Council Plan, Municipal Health and Wellbeing Plan, Financial Plan and Asset Plan makes a commitment to understand the communities' needs and strengths to inform planning and decision-making.

Risk Assessment

The engagement program to inform the development of the Community Vision, Council Plan, Municipal Health and Wellbeing Plan, Financial Plan and Asset Plan reduces the risk of not meeting the process and outputs requirements under the Local Government Act 2020.

The transparency and good governance embedded in the process to design these key strategic documents will contribute to a high level of awareness and support for Council's strategic and resource commitments, as well as greater participation in their implementation.

The following Workplace Health and Safety implications are associated with this report:

- COVID-safe approaches are being designed into the engagement phases and will limit the amount of in-person contact.
- The development of Council's key strategic plans will ultimately underpin Council's objectives and investment in health and safety related areas of Council's work such as asset renewal, service budgets, corporate capacity and capability (including Workplace Health and Safety itself).

6.2 People, Place, Future - Community Vision and Council Plan development

Communication

Opportunities to participate in the engagement program informing the development of the Community Vision, Council Plan, Municipal Health and Wellbeing Plan, Financial Plan and Asset Plan will be communicated through established networks and connections with residents, community groups, businesses, peak bodies, as well as Council's website and social media platforms and those of local media.

Human Rights Charter

The independently verified methodology of the two phases of engagement will ensure that no human rights are negatively impacted by the engagement program to inform the development of the Community Vision, Council Plan, Municipal Health and Wellbeing Plan, Financial Plan and Asset Plan.

Options

Option 1 – Resource and commence the engagement phases of the People Place Future Strategic Planning Project with commitments to levels of community influence as recommended

This option is recommended by officers to meet legislated requirements and Council's own policy commitments. It will provide the greatest chance of delivering an engaging and productive consultation process with strong levels of community acceptance due to its robust methodology. It provides Council with a high level of considered community advice on its key strategic dilemmas and will position Council to develop a comprehensive and integrated suite of planning documents.

Option 2 – Resource and commence the engagement phases of the People Place Future Strategic Planning Project with different commitments to levels of community influence to those recommended

This option is not recommended by officers as it will either:

- Overpromise the levels of influence Council is willing and able to provide to the community panel, or
- Run the risk of enabling limited and tokenistic levels of engagement inconsistent with the Community Engagement Policy and the requirements of the Local Government Act 2020.

Both of these scenarios threaten Council's reputation as it establishes its strategic platform for the coming term and beyond.

Option 3 – Maintain current resource allocations and reduce the scope of the People Place Future Strategic Planning Project

This option is not recommended by officers as it will significantly compromise the deliberative engagement phase of the project in the following ways:

Fails to acknowledge and compensate panel members for their time (possible disincentive to participate and/or remain involved)

Lack of time to fully consider wide community input, data, expertise in developing a Community Vision and providing recommendations to Council on its key strategic dilemmas to inform four strategic planning documents.

This option would also result in a delay to the project as the scope is adjusted to work within existing budget. Additional costs would be incurred in the rescoping process further eroding the budget.

Option 4 – Do not undertake the People Place Future Strategic Planning Project

This option is not recommended by officers as it would be contrary to the requirement of the Local Government Act 2020 to develop a suite of integrated strategic plans via deliberative engagement within a specified timeframe.

Conclusion

The People Place Future Strategic Planning Project is a considerable undertaking for Council. It meets new requirements established in the Local Government Act 2020 relating to strategic plan development and deliberative engagement.

This report proposes a methodology, timeframe and budget that seeks to deliver the best possible quality outputs in the form of well-informed and considered strategic plans. It also seeks the equally important outcomes of community co-ownership of the plans and a greater public appreciation of the challenges facing the shire and respect for Council's efforts to address them.

6.2 People, Place, Future - Community Vision and Council Plan development

APPENDIX 1 ENGAGEMENT ROADMAP



ROADMAP DRAFT

PHASE 1 OCT 2020 - JAN 2021	PHASE 2 JAN - FEB 2021	PHASE 3 JAN - FEB 2021	PHASE 4 MAR - MAY 2021	PHASE 5 JUN - SEPT 2021
<p>BUILDING THE MANDATE</p> <p>KEY TASKS</p> <ul style="list-style-type: none"> • Codesign planning workshops • Councilor workshops x 2 • Seek decision from Council <p>DATA IN</p> <ul style="list-style-type: none"> • Input from Councilor and Exec: Workshops Dec 2020 • IAP2 spectrum - difference between collaborate and empowerment <p>DATA OUT</p> <ul style="list-style-type: none"> • Strategic Engagement Plan • PESTLE analysis, Strategic dilemmas list • Decision from Council on level of engagement <p>WHO</p> <ul style="list-style-type: none"> • Council Staff • Councilors 	<p>ACTIVATION</p> <p>KEY TASKS</p> <ul style="list-style-type: none"> • Online Library Portal Developed • Communications re-Project, Roadmap and EOI Process <p>DATA IN</p> <ul style="list-style-type: none"> • Historical quantitative data, future estimates and trends, qualitative data, relevant strategies and policy <p>DATA OUT</p> <ul style="list-style-type: none"> • Key Messages and FAQs • Media materials • Panel Invitations <p>WHO</p>	<p>WIDER ENGAGEMENT</p> <p>KEY TASKS</p> <ul style="list-style-type: none"> • Broad community survey • Open Houses • Targeted community briefings, with community groups/stakeholders <p>DATA IN</p> <ul style="list-style-type: none"> • Background information and discussion materials • Previous Council Plan • Key dilemma fact sheets <p>DATA OUT</p> <ul style="list-style-type: none"> • Wider engagement feedback in various forms <p>WHO</p> <ul style="list-style-type: none"> • Tradition owners, advisory committees, younger people, community groups & broader community (permanent and non-permanent residents) 	<p>ANALYSIS AND DELIBERATIVE PANEL PHASE</p> <p>KEY TASKS</p> <ul style="list-style-type: none"> • Analysis of all wider engagement • Community Panel on Community Vision & Council Plan • Online discussion portal for deliberative panel <p>DATA IN</p> <ul style="list-style-type: none"> • Wider engagement report • Background Paper for the Panel • Historical trends and data <p>DATA OUT</p> <ul style="list-style-type: none"> • Panel Report • Process Report <p>WHO</p> <ul style="list-style-type: none"> • Panel Participants 	<p>REPORTING AND FEEDBACK</p> <p>KEY TASKS</p> <ul style="list-style-type: none"> • Councilor sensemaking workshops • Panel Process report • Community Vision adopted at Council • Council Plan drafted and adopted at Council • Final presentation back to community (inc. Panel Participants) <p>DATA IN</p> <ul style="list-style-type: none"> • Panel Report <p>DATA OUT</p> <ul style="list-style-type: none"> • Process Report (inc. Panel report) • Final Council Plan and Community Vision <p>WHO</p> <ul style="list-style-type: none"> • Councilors • Panel Participants • Council Staff • Broader Community

6.2 People, Place, Future - Community Vision and Council Plan development

APPENDIX 2 IAP2 LEVEL OF INFLUENCE COMMITMENTS

Appendix 2. 'IAP2 levels of influence' options for informing the development of the Community Vision, Council Plan, Municipal Health and Wellbeing Plan, Financial Plan and Asset Plan.

Community Vision

The Community Vision establishes a consensus aspirational view of a desired future and community values that extends beyond the traditional jurisdiction of a Council into areas that might be considered the responsibility and function of other levels of government, civil society, non-government organisations, the private sector, institutions or other entities.

It will also consider the role and potential contribution of resources or in-kind effort of these other stakeholders, as well as Council.

The Community Vision should be co-owned by community and Council.

Level of influence:

Collaborate

Public Participation Goal:

To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution

Promise to the Public

We will:

- Listen to what people say
- Document and record all inputs
- Demonstrate that we have understood your concerns and priorities
- Report back on what we have heard
- Base the Community Vision on community recommendations to the greatest extent possible
- Identify where we can't incorporate a recommendation and clearly explain why

Council Plan including the Municipal Public Health and Wellbeing Plan

The Council Plan is the primary document to reflect the strategic agenda of the Council and it outlines clear strategic objectives, strategies, major initiatives, measures of success and identifies the inputs, ie the range of strategic and statutory roles and resources required to support its delivery.

The Council Plan is developed in the context of the Community Vision.

Under the Victorian Public Health and Wellbeing Act 2008 local governments may receive an exemption from producing a Municipal Public Health and Wellbeing Plan (MPHWP) if public health and wellbeing matters are adequately included in the Council Plan or Strategic Plan.

Level of influence:

Collaborate

Public Participation Goal:

To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution

Promise to the Public

We will:

- Listen to what people say
- Document and record all inputs
- Report back on what we have heard
- Work to understand your concerns and priorities
- Genuinely consider every community recommendation for inclusion in the Council Plan
- Work with you to weigh up options based on feasibility and good governance
- Identify where we can't incorporate a recommendation and clearly explain why
- Provide transparent, annual progress updates during implementation

6.2 People, Place, Future - Community Vision and Council Plan development

Financial Plan

The Financial Plan provides a long-term view of the resources that are expected to be available to Council and the proposed use of those resources over a ten-year period. The Financial Plan should cover all aspects of the Council's role including services/operations and capital investment/assets, identifying high-level assumptions and the evidence-based principles underpinning the Plan.

The relationship between the Financial Plan, the Council Plan, the Asset Plan and all other strategies and plans such as the ten-year forecasts, income statement, cash flow statement, balance sheet, statement of changes of equity, capital works statement and statement of human resources should be transparent and identified.

Level of influence:

Involve

Public Participation Goal:

To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.

Promise to the Public

We will:

- Listen to what people say
- Record inputs
- Report back on summarised input
- Capture concerns and priorities
- Genuinely consider every community recommendation
- Weigh up the inclusion of community recommendations based on feasibility and good governance
- Identify where the community recommendations and other inputs have influenced the Financial Plan thinking
- Summarise and communicate recommendations not incorporated
- Provide progress updates during implementation

Asset Plan

The Asset Plan sets out a ten-year view, in both strategic and in financial terms, of how Council proposes to manage the full portfolio of assets that it owns and controls including all aspects of asset management including maintenance, renewal, acquisition, expansion, disposal or decommissioning of all classes of community assets. The Asset Plan outlines the technical processes through which the age, condition and fitness-for-purpose of assets is considered against adopted performance standards.

Level of influence:

Involve

Public Participation Goal:

To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.

Promise to the Public

We will:

- Listen to what people say
- Record inputs
- Report back on summarised input
- Capture concerns and priorities
- Genuinely consider every community recommendation
- Weigh up inclusion of community recommendations based on feasibility and good governance
- Identify where the community recommendations and other inputs have influenced the Asset Plan thinking
- Summarise and communicate recommendations not incorporated
- Provide progress updates during implementation

6.3 Wurdi Baierr Stadium Fees and Charges

Author's Title: Manager Facilities & Open Space Operations

General Manager: Chris Pike

Department: Facilities & Open Space Operations

File No: F20/207

Division: Culture & Community

Trim No: IC20/1716

Appendix:

1. Wurdi Baierr Stadium Revised Fees & Charges 2020-21 (D21/6193)

Officer Conflict of Interest:

In accordance with Local Government Act 2020 – Section 130:

Yes

No

Status:

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

Yes

No

Reason: Nil

Reason: Nil

Purpose

The purpose of this report is to propose a revised structure of fees and charges for Wurdi Baierr Stadium, to improve clarity and align with operating hours following the completion of a Joint Use Agreement with the Department of Education and Training.

Summary

Wurdi Baierr Stadium has its 'soft' opening on 18 January, commencing with fitness classes and gradually building to more intensive use for basketball, badminton, futsal, volleyball and the school when term commences. An official opening date is still being established in consultation with the state and federal governments and is anticipated to be in February or March.

At the time Council approved the 2020-21 Budget, the Joint Use Agreement between Surf Coast Shire and Department of Education and Training and the Planning Permit for Wurdi Baierr Stadium had not been finalised. The hours of operation were based off the existing Surf Coast Sport and Recreation Centre structure.

The change in operating hours will need to be reflected in the fees and charges for the current financial year. In addition, this will provide an opportunity to improve the structure of the charges and will include the fee for 'Individual Hire – Half Court' that was incorrectly omitted in the 2020-21 Budget document.

As part of the annual budget process Council undertakes public consultation on all aspects of the budget including fees and charges. Consultation has not been undertaken in developing the revised fee schedule as it is not proposed to change the hourly rates. A reduction in the overall block booking charges is reflected in accordance with the percentage of reduced bookable hours (e.g. a block booking that was previously six hours has now been reduced to four hours but at the same hourly rate). Otherwise the changes reflect an improved, easier to understand fee structure for customers and staff and would not be expected to cause concerns.

Recommendation

That Council adopts the revised schedule of fees and charges for Wurdi Baierr Stadium for the remainder of 2020-21 as attached at Appendix 1.

Council Resolution

MOVED Cr Rose Hodge, Seconded Cr Kate Gazzard

That Council adopts the revised schedule of fees and charges for Wurdi Baierr Stadium for the remainder of 2020-21 as attached at Appendix 1.

CARRIED 9:0

6.3 Wurdi Baierr Stadium Fees and Charges

Report

Officer Direct or Indirect Interest

No officer involved in the preparation of this report has any conflicts of interest.

Background

Council adopted the 2020-21 Annual Budget at its June 2020 meeting.

During the preparation of the budget for Council, the Planning Permit operating hours had not been issued.

This report proposes to correct the hours of operation and re-instate a single use fee.

Discussion

The proposed update to the fees and charges are in line with the budgeted revenues in the adopted 2020-21 budget.

Council Plan

Theme 5 High Performing Council

Objective 5.1 Ensure Council is financially sustainable and has the capability to deliver strategic objectives

Strategy 5.1.1 Establish long-term financial principles and incorporate into the long-term financial plan

Reporting and Compliance Statements:

Local Government Act 2020 – LGA 2020

<i>Implications</i>	<i>Applicable to this Report</i>
<i>Governance Principles</i> (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
<i>Policy/Relevant Law</i> (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
<i>Environmental/Sustainability Implications</i> (Consideration of the Governance Principles under s.9 of LGA 2020)	No
<i>Community Engagement</i> (Consideration of Community Engagement Principles under s.56 LGA 2020)	No
<i>Public Transparency</i> (Consideration of Public Transparency Principles under s.58 of LGA 2020)	No
<i>Strategies and Plans</i> (Consideration of Strategic Planning Principles under s.89 of LGA 2020)	No
<i>Financial Management</i> (Consideration of Financial Management Principles under s.101 of LGA 2020)	Yes
<i>Service Performance</i> (Consideration of Service Performance Principles under s.106 of LGA 2020)	Yes
Risk Assessment	Yes
Communication	No
Human Rights Charter	No

Governance Principles - Local Government Act 2020 (LGA 2020)

This reports recommendations give priority to delivering the best outcomes for the municipal community.

Policy/Relevant Law

Council sets fees and charges via the budget and further resolutions are required to deviate from the published rates.

Community Engagement

Community consultation has not been undertaken as the hourly rates have not changed represent an improved structure of the fees and charges and to include the omission of the fee for 'Individual Hire – Half Court'.

Financial Management

This will not impact Councils long term financial plan.

6.3 Wurdi Baierr Stadium Fees and Charges

Service Performance

This will enable the Wurdi Baierr Stadium to align with similar venues and facilities.

Risk Assessment

There are no identified Workplace Health and Safety implications associated with this report.

Options

Option 1 – Not approve the update to the fees and charges as recommended

This option is not recommended by officers as there would be a discrepancy with other similar fees and charges.

Option 2 – Adopt officer recommendation

This option is recommended by officers as the proposal is in line with councillors' direction on fees and charges during the budget preparation process.

Conclusion

It is recommended that Council approve the changes to the fees and charges listed.

6.3 Wurdi Baierr Stadium Fees and Charges

APPENDIX 1 WURDI BAIERR STADIUM REVISED FEES & CHARGES 2020-21

Description (as per 20/21 Adopted Budget)	Description (Updated)	Unit	20/21 Approved Budget	20/21 Updated Fee
Sport - Casual Hire/Per Court Rate - Day Time				
Sport - Court Hire				
Full Court				
Commercial Groups (per court rate)	Commercial Group	Hour	\$ 65.50	\$ 65.50
Registered Team (per court rate)	Registered Team	Hour	\$ 40.00	\$ 40.00
Community Group Non-for-Profit (per court rate)	Community Group (Non-for-Profit)	Hour	\$ 40.00	\$ 40.00
Half Court				
Commercial 1/2 Court Rate	Commercial Group	Hour	\$ 48.50	\$ 48.50
Team 1/2 Court Rate	Registered Team	Hour	\$ 26.00	\$ 26.00
	Community Group (Non-for-Profit)	Hour		\$ 26.00
	Individual Hire 1/2 Court	Booking		\$ 5.90
Badminton Court				
Badminton Single Court Hire	Badminton Single Court Hire	Hour	\$ 13.50	\$ 13.50
Functions Social & Commercial				
Function/Event - Court Hire				
Social & Commercial Group				
Fri/Sat/Sun (6pm - 12am max Hire)	Friday (6pm - 11pm) - 5 Hours	Block	\$ 667.00	\$ 556.00
	Saturday & Sunday (6pm - 10pm) - 4 Hours	Block	\$ 667.00	\$ 445.00
1/2 Hall Only (6pm - 12am max Hire)	Removed	Block	\$ 464.00	
Fri/Sat/Sun (6pm - 12am)	Monday - Friday (8am - 11pm)	Hour	\$ 119.00	\$ 119.00
	Saturday & Sunday (8am - 10pm)	Hour	\$ 119.00	\$ 119.00
Community Group Rate (not-for-profit)				
Fri/Sat/Sun (6pm - 12am)	Friday (6pm - 11pm) - 5 Hours	Block	\$ 442.00	\$ 370.00
	Saturday & Sunday (6pm - 10pm) - 4 Hours	Block	\$ 442.00	\$ 295.00
	Monday - Friday (8am - 11pm)	Hour		\$ 80.00
	Saturday & Sunday (8am - 10pm)	Hour		\$ 80.00
Bonds				
Functions - No Alcohol	Bonds - No Alcohol	Booking	\$ 360.50	\$ 360.50
Functions - With Alcohol	Bonds - With Alcohol	Booking	\$ 719.00	\$ 719.00
	Cleaning Fee	Booking		\$ 204.00
Multi Purpose Room				
Multi Purpose Room - Hire				
Social & Commercial Group - Room Hire				
	Monday - Friday (8am - 11pm)	Hour		\$ 36.00
	Saturday & Sunday (8am - 10pm)	Hour		\$ 55.00
	Kitchen Hire (attached to Multi Purpose Room)	Hour		\$ 19.00
Community Group - Room Hire				
Full Room - Community Group Hire (non-for-profit)	Monday - Friday (8am - 11pm)	Hour		\$ 26.00
Full Room - Community Group Hire (non-for-profit)	Saturday & Sunday (8am - 10pm)	Hour		\$ 26.00
Community Group - Half Room Hire				
Half Room - Community Group Hire (non-for-profit)	Monday - Friday (8am - 11pm)	Hour		\$ 13.00
Half Room - Community Group Hire (non-for-profit)	Saturday & Sunday (8am - 10pm)	Hour		\$ 13.00
Multi Purpose Room				
Function/Event - Multi Purpose Room Hire				
Social & Commercial Group				
Functions Social & Commercial Functions	Saturday & Sunday (6pm - 10pm) - 4 Hours	Block	\$ 290.00	\$ 195.00
Sat/Sun (6pm - 12am max Hire)	Saturday & Sunday (6pm - 10pm)	Hour	\$ 55.00	\$ 55.00
Sat/Sun (6pm - 12am Hourly Rate)	Mon/Fri (8am - 11pm Hourly Rate)	Hour	\$ 36.00	\$ 36.00
Mon/Fri (9am - 9pm Hourly Rate)	Community Group			
Community Group - Room Hire				
Full Room - Community Group Hire (non-for-profit)	Monday - Friday (8am - 11pm)	Hour	\$ 26.00	\$ 26.00
Full Room - Community Group Hire (non-for-profit)	Saturday & Sunday (8am - 10pm)	Hour	\$ 26.00	\$ 26.00
Community Group - Half Room Hire				
Half Room - Community Group Hire (non-for-profit)	Monday - Friday (8am - 11pm)	Hour	\$ 13.00	\$ 13.00
Half Room - Community Group Hire (non-for-profit)	Saturday & Sunday (8am - 10pm)	Hour	\$ 13.00	\$ 13.00
Kitchen Hire (attached to Multi Purpose Room)	Kitchen Hire (attached to Multi Purpose Room)	Hour	\$ 19.00	\$ 19.00
Bonds				
Functions - No Alcohol	Bonds - No Alcohol	Booking	\$ 360.50	\$ 360.50
Functions - With Alcohol	Bonds - With Alcohol	Booking	\$ 719.00	\$ 719.00
	Cleaning Fee	Booking		\$ 204.00

6.4 2020-21 Local Roads and Community Infrastructure Program - Phase 2

Author's Title: Recreation Planning Coordinator **General Manager:** Chris Pike
Department: Recreation & Open Space Planning **File No:** F20/698
Division: Culture & Community **Trim No:** IC20/1733

Appendix:

1. 2020-21 Local Roads and Community Infrastructure Program (Phase 2) - Project Nominations (D21/5251)

Officer Conflict of Interest:

In accordance with Local Government Act 2020 – Section 130:

Yes

No

Reason: Nil

Status:

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

Yes

No

Reason: Nil

Purpose

The purpose of this report is to approve project nominations to be submitted for Phase 2 of the Australian Government 2020-21 Local Roads and Community Infrastructure Program.

Summary

The Local Roads and Community Infrastructure (LRCI) Program Phase 1 was announced by the Australian Government on 22 May 2020 and Phase 2 announced on 14 December 2020. The program supports local councils to deliver priority local road and community infrastructure projects, supporting jobs and the resilience of local economies and communities. The funding aims to stimulate growth and employment in local communities following the impacts of COVID-19.

Surf Coast Shire's Phase 2 funding allocation through the LRCI program is \$1,581,159 with projects required to be completed by 31 December 2021.

Council can choose which projects to nominate for funding (similar to the Roads to Recovery Program), the Department will assess nominated projects against the eligibility requirements in the Program Guidelines and projects will be approved as long as all eligibility requirements are met. Projects are not required to include a co-contribution but where Council can leverage such contributions, it will stretch the available funding further to deliver more projects.

Council can submit Project Nomination forms (Works Schedules) with a signed Grant Agreement, or at any time afterwards. Work Schedules must be submitted by 30 July 2021, however the sooner project nominations are submitted, the sooner the Department can assess and approve projects and work can commence in order to meet the 31 December 2021 delivery deadline.

A list of recommended project nominations is provided as per Appendix 1. A sequence of below the line project nominations is also included in this list. Pending the availability of sufficient unexpended contingency funds, these projects will be submitted to the LRCI Program later in the year in order of priority for approval.

Recommendation

That Council:

1. Submits project nominations to the 2020-21 Local Roads and Community Infrastructure Program Phase 2 as per Appendix 1, being the following projects:
 - a. CPP28 Great Ocean Views Reserve Activation Stage 2
 - b. CPP40 Spring Valley Park Informal Ball Games
 - c. CPP25 Torquay Football Club Interchange Boxes
 - d. CPP14 Mt Moriac Reserve Oval 1 Goal Net
 - e. CPP23 Connewarre Riding Club Dressage Arenas Stage 2
 - f. Camp Rd Anglesea Traffic Management Improvements
 - g. Lorne School Traffic Management Improvements Stage 2
 - h. Pearl Street and Gilbert Street Torquay Intersection Improvements
 - i. CPP56 Moriac Lions Park Upgrade
 - j. Mt Moriac Reserve Oval 1 Drainage and Irrigation Upgrade

6.4 2020-21 Local Roads and Community Infrastructure Program - Phase 2

- k. Eastern Reserve Winchelsea Drainage and Irrigation Upgrade
- l. Bingley Parade Anglesea Traffic Management Improvements
2. Submits further project nominations in the following sequence should there be sufficient unexpended 2020-21 Local Roads and Community Infrastructure Program funds from projects listed in point 1:
 - a. CPP13 Deep Creek Multi-Use Tennis Area.
 - b. CPP34 Winchelsea HMK Kindergarten Playground Upgrade
 - c. CPP26 Nautical Rise Edible Garden Stage 2
3. Authorises the Chief Executive Officer to execute the 2020-21 Local Roads and Community Infrastructure Program Phase 2 Grant Agreement.
4. Notes that all projects must be completed by 31 December 2021.

Council Resolution

MOVED Cr Paul Barker, Seconded Cr Adrian Schonfelder

That Council:

1. Submits project nominations to the 2020-21 Local Roads and Community Infrastructure Program Phase 2 as per Appendix 1, being the following projects:
 - a. CPP28 Great Ocean Views Reserve Activation Stage 2
 - b. CPP40 Spring Valley Park Informal Ball Games
 - c. CPP25 Torquay Football Club Interchange Boxes
 - d. CPP14 Mt Moriac Reserve Oval 1 Goal Net
 - e. CPP23 Connewarre Riding Club Dressage Arenas Stage 2
 - f. Camp Rd Anglesea Traffic Management Improvements
 - g. Lorne School Traffic Management Improvements Stage 2
 - h. Pearl Street and Gilbert Street Torquay Intersection Improvements
 - i. CPP56 Moriac Lions Park Upgrade
 - j. Mt Moriac Reserve Oval 1 Drainage and Irrigation Upgrade
 - k. Eastern Reserve Winchelsea Drainage and Irrigation Upgrade
 - l. Bingley Parade Anglesea Traffic Management Improvements
2. Submits further project nominations in the following sequence should there be sufficient unexpended 2020-21 Local Roads and Community Infrastructure Program funds from projects listed in point 1:
 - a. CPP13 Deep Creek Multi-Use Tennis Area.
 - b. CPP34 Winchelsea HMK Kindergarten Playground Upgrade
 - c. CPP26 Nautical Rise Edible Garden Stage 2
3. Authorises the Chief Executive Officer to execute the 2020-21 Local Roads and Community Infrastructure Program Phase 2 Grant Agreement.
4. Notes that all projects must be completed by 31 December 2021.

CARRIED 9:0

6.4 2020-21 Local Roads and Community Infrastructure Program - Phase 2

Report

Officer Direct or Indirect Interest

No officer involved in the preparation of this report has any conflicts of interest.

Background

On 22 May 2020 the Australian Government announced a new \$500 million Local Roads and Community Infrastructure (LRCI) Program through the Department of Infrastructure, Transport, Regional Development and Communications (the Department). On 14 December 2020 the Department announced Phase 2 of the LRCI program. The program aims to support local councils to deliver priority local road and community infrastructure projects across Australia, supporting jobs and the resilience of local economies to help communities bounce back from the COVID-19 pandemic.

Funding allocations for the LRCI Program have been calculated in a similar way to how the Roads to Recovery Program and the road component of the Financial Assistance Grants works. This formula takes into consideration road length and population and is based on recommendations of Local Government Grants Commissions.

All local councils in Australia have been identified as 'eligible funding recipients' as the intention is to fund local communities directly. By providing funding to the level of Government closest to communities, the Australian Government can ensure that the economic boost is felt throughout every community across Australia. Further, by allowing councils to select projects to be undertaken (within a specified framework), local governments will be able to deliver projects in line with priorities at the local level.

Eligible projects include:

- Local road projects that involve the construction or maintenance of roads managed by local governments.
- Community infrastructure projects that involve the construction, maintenance and/or improvements to council-owned or managed assets (including natural assets) that are generally accessible to the public.

Surf Coast Shire's Phase 1 funding allocation through the program was \$1,051,060 and the Phase 2 funding allocation is \$1,581,159. The LRCI Program Phase 2 will run from 14 December 2020 with projects required to be physically completed by 31 December 2021.

Discussion

Councils can choose which projects to nominate for funding under the LRCI Program, according to priorities for the local community. Similar to the Roads to Recovery Program, the Department will assess nominated projects against the eligibility requirements in the Program Guidelines and projects will be approved as long as all eligibility requirements are met.

Councils can submit Project Nomination forms with their signed Grant Agreement, or at any time afterwards. While there is no deadline for submitting Project Nomination forms, the sooner project nominations are submitted, the sooner the Department can assess and approve projects to be completed by 31 December 2021.

The Program Guidelines provide a number of ineligible projects and expenditure examples that will not be funded, including:

- subsidy of general ongoing administration (i.e electricity, phone and rent)
- event openings associated with Eligible Projects
- transport or road rehabilitation planning studies
- community/public art
- road building plant or other capital equipment (e.g. graders)
- training
- public liability insurance
- stand-alone design and preliminary works
- the covering of retrospective costs.

6.4 2020-21 Local Roads and Community Infrastructure Program - Phase 2

Recommended Project Nominations

Officers have undertaken an assessment and prioritisation process to identify suitable project nominations for the 2020-21 LRCI Program Phase 2 as per Appendix 1. Factors taken into consideration include:

- Alignment to the funding guidelines
- Project can be physically completed by 31 December 2021
- Project can be brought forward from post 2020-21 work plans
- Delivery of economic and social benefits to the local community in accordance with funding guidelines
- Creates local short term employment opportunities
- Spread of projects across the shire
- Community contributions (noting COVID-19 has reduced fundraising capacity) or asset renewal can be leveraged
- Public access and use is improved
- Level of recent investment at the project location
- Funding strategy for each project and ability to secure funding from other programs.

A summary of each of the recommended project nominations is as follows:

CPP28 Great Ocean Views Reserve Activation Stage 2

The total project cost is \$36,000 including project management and contingency. Works include constructing a basketball pad, extending the fruit orchard and landscaping. Following the development of this park in 1997 and completion of Stage 1 works including an orchard, shelter and playground renewal, the local community is eager to continue rejuvenating the park to encourage greater use and social connection.

CPP40 Spring Valley Park - Informal Ball Games

The total project cost is \$42,000 including project management and contingency. Works include provision of an informal ball games or 'kickabout' area along the picturesque and highly popular Spring Creek Linear Reserve (was a component of the 2012 Master Plan).

CPP25 Torquay Football Club – Interchange Boxes

The total project cost is \$60,000 including project management and contingency. Works include an upgrade of player and umpire interchange infrastructure to meet AFL facility development guidelines for regional level facility.

CPP14 Mt Moriac Reserve - Oval 1 Goal Net

The total project cost is \$30,000 including project management and contingency. Works include installing barrier netting behind football goal posts at Mt Moriac Reserve to address safety concerns and improve training and game day functionality.

CPP23 Connewarre Riding Club - Dressage Arenas Stage 2

The total project cost is \$60,000 including project management and contingency. Following on from a successful Stage 1 project (competition dressage arena with all-weather sand surface), Stage 2 includes developing an additional dressage arena and completes the riding club's dressage plan, responding to club membership expansion.

Camp Road, Anglesea - Traffic Management Improvements

The total project cost is \$230,000 including project management and contingency. This includes a \$140,000 contribution already committed in Council's 2020/21 budget toward the project and the scope of this project will be increased and works include footpath and traffic improvements that will increase road user, primary student and local resident safety between the Anglesea Primary School and town centre.

Lorne School - Traffic Management Improvements Stage 2

The total project cost is \$345,000 including project management and contingency. This project includes traffic management improvements, drainage and footpath improvements around the Lorne P-12 College that will ensure greater pedestrian safety.

Pearl St and Gilbert St, Torquay Intersection Improvements

The total project cost is \$253,000 including project management and contingency. Works include infrastructure improvements that will alter intersection priorities and enhance student and pedestrian safety.

6.4 2020-21 Local Roads and Community Infrastructure Program - Phase 2

Mt Moriac Reserve Oval 1 Drainage and Irrigation Upgrade

The total project cost is \$250,000 including project management and contingency. This includes a \$55,241 contribution from Council's Asset Renewal program. Works include design and construction of a new drainage and irrigation system for the Mt Moriac Oval 1. Irrigation/drainage projects are typically difficult to secure funding for.

Eastern Reserve Oval Drainage and Irrigation Upgrade

The total project cost is \$250,000 including project management and contingency. Works include design and construction of a new drainage and irrigation system for the Eastern Reserve oval. Irrigation/drainage projects are typically difficult to secure funding for.

CPP56 Moriac Lions Park Upgrade

The total project cost is \$160,400 including project management and contingency. Works include infrastructure and landscape upgrades within Moriac Lions Park that will attract greater participation and increase community pride given its prominent location.

Bingley Parade Anglesea Traffic Management Improvements

The total project cost is \$60,000 including project management and contingency. Works include traffic management improvements that will result in reduced speed levels and greater safety of all road users and local residents.

Below the Line - Recommended Project Nominations

Each project above includes an allowance for contingency funds fully drawn from the grant program. Officers anticipate that some of these contingency funds will not be required for the nominated projects as the projects progress through the year. A reserve list of projects is provided in Appendix 1 in priority order for nomination to the grant program as and when unspent funds become available. In addition to the factors listed earlier, the priority order has also taken account of the speed with which the projects can be delivered.

CPP13 Deep Creek Multi-Use Tennis Area

The total project cost is \$15,000 including project management and contingency. Works include multi-court line-marking and installation of basketball rings.

CPP36 Winchelsea HMK Kindergarten Playground Upgrade

The total project cost is \$91,000 including project management and contingency. Works include an upgrade to the existing playground infrastructure that will greatly benefit the kindergarten students and local community.

CPP24 Nautical Rise Edible Garden Stage 2

The total project cost is \$36,000 including project management and contingency. Works include additional landscaping and garden establishment for an indigenous edible garden that was implemented as part of Stage 1 works.

Council Plan

Theme	1 Community Wellbeing
Objective	1.1 Support people to participate in and contribute to community life
Strategy	1.1.1 Develop and implement a program to support communities of place and interest, and to provide opportunities for them to identify and achieve their community aspirations
Theme	4 Vibrant Economy
Objective	4.1 Support the creation and retention of jobs in existing and new businesses to meet the needs of a growing community
Strategy	Nil
Theme	3 Balancing Growth
Objective	3.2 Ensure infrastructure is in place to support existing communities and provide for growth
Strategy	3.2.6 Advocate for supporting infrastructure

6.4 2020-21 Local Roads and Community Infrastructure Program - Phase 2

Reporting and Compliance Statements:

Local Government Act 2020 – LGA 2020

Implications	Applicable to this Report
Governance Principles (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
Policy/Relevant Law (Consideration of the Governance Principles under s.9 of LGA 2020)	No
Environmental/Sustainability Implications (Consideration of the Governance Principles under s.9 of LGA 2020)	No
Community Engagement (Consideration of Community Engagement Principles under s.56 LGA 2020)	Yes
Public Transparency (Consideration of Public Transparency Principles under s.58 of LGA 2020)	Yes
Strategies and Plans (Consideration of Strategic Planning Principles under s.89 of LGA 2020)	No
Financial Management (Consideration of Financial Management Principles under s.101 of LGA 2020)	Yes
Service Performance (Consideration of Service Performance Principles under s.106 of LGA 2020)	No
Risk Assessment	Yes
Communication	Yes
Human Rights Charter	No

Governance Principles - Local Government Act 2020 (LGA 2020)

Six of the recommended projects to be prioritised have been investigated through Council's Community Project Development Process and have previously been received by Council and recommended to be considered for funding in future project prioritisation and budget processes or as grant opportunities arise.

Each of the recommended projects will effectively be brought forward from post 2020-21 work plans, a key component of the Program Guidelines and will contribute directly to stimulating the local economy and increasing employment opportunities.

Community Engagement

Significant community consultation was involved in the investigation phase of each of the Community Project Proposals (CPP) already presented to Council through its community project development process. A communications and engagement plan based on the IAP2 spectrum of engagement will be developed for the all road and community infrastructure projects in line with Council's 'SCS-025 Capital Works Community Engagement Policy'.

Public Transparency

This Council report seeks to provide maximum transparency regarding the recommended projects to be prioritised under the LRCI Program and highlight the projects that were close but fell below the line when prioritising projects. The proposed project list is subject to Council affirmation at an open Council Meeting.

Financial Management

Co-contributions are not required under the LRCI Program. Council will project manage the delivery of each project and each project nomination includes a project management and contingency allowance. A sequence of below the line project nominations is included in Appendix 1. Pending the availability of sufficient unexpended contingency funds, these projects in order of priority will be submitted to the LRCI Program for approval.

This effectively allows for additional below the line projects to be prioritised and recommended for inclusion in the LRCI Program.

The Camp Rd Traffic Management Improvements in Anglesea already has funds allocated in the 2020-21 Council Budget, however the scope of the project will be increased to greater improve road user, primary

6.4 2020-21 Local Roads and Community Infrastructure Program - Phase 2

student and local resident safety. The Mt Moriac Reserve Oval 1 Drainage and Irrigation Upgrade has \$55,241 already allocated from Councils Asset Renewal program.

Risk Assessment

The recommended projects are considered the highest priority projects that meet the funding guidelines. Any new project ideas from community groups will be referred to Council's Community Project Development Officer to be processed.

There are identified Workplace Health and Safety implications associated with this report. Updating Council assets that require renewal or replacement is a priority to ensure a safe working environments for Council officers and contractors and to ensure public safety.

Communication

Community groups aligned to recommended projects will be updated on the recommendations of this report.

Options

Option 1 – Submit project nominations to the 2020-21 Local Roads and Community Infrastructure Program Phase 2 as per Appendix 1.

This option is recommended by officers as it is our most appropriate project list that meets the funding guidelines and provides great community benefit for a wide range of projects across the Surf Coast .

Option 2 – Submit different project nominations to the 2020-21 Local Roads and Community Infrastructure Program Phase 2 to those identified in Appendix 1.

This option is not recommended by officers as other projects would not be considered a priority above the eligible projects already identified in this report.

Option 3 – Do not submit any project nominations to the 2020-21 Local Roads and Community Infrastructure Program Phase 2.

This option is not recommended by officers as it will mean these projects do not progress in 2020-21. The LRCI Program is unique in that it requires no financial contribution from Council and enables delivery of projects that might not otherwise proceed.

Conclusion

The Local Roads and Community Infrastructure Program supports local councils to deliver priority local road and community infrastructure projects, supporting jobs and the resilience of local economies. The funding aims to stimulate growth and create jobs in local communities following the impacts of COVID-19.

Council has been allocated an additional \$1,581,159 and the LRCI Program is unique in that it requires no financial co-contribution from Council. Officers have undertaken an assessment and prioritisation process considering the eligibility requirements as per the funding guidelines and have recommended project nominations as per Appendix 1.

A sequence of below the line project nominations is included in Appendix 1. Pending the availability of sufficient unexpended contingency funds, these projects in order of priority will be submitted to the LRCI Program for approval.

6.4 2020-21 Local Roads and Community Infrastructure Program - Phase 2

**APPENDIX 1 2020-21 LOCAL ROADS AND COMMUNITY INFRASTRUCTURE PROGRAM (PHASE 2)
- PROJECT NOMINATIONS**



Appendix 1 – LRCIP Phase 2 – Project Nominations

Project	Category	Ward	Cost	Council Contribution	LRCI
CPP28 Great Ocean Views Reserve Activation Stage 2	Community	Torquay	\$36,000	\$0	\$36,000
CPP40 Spring Valley Park Informal Ball Games Area	Community	Torquay	\$42,000	\$0	\$42,000
CPP25 Torquay Football Club Interchange Boxes	Community	Torquay	\$60,000	\$0	\$60,000
CPP14 Mt Moriac Reserve Oval 1 Goal Net	Community	Winchelsea	\$30,000	\$0	\$30,000
CPP23 Connewarre Riding Club Dressage Arenas Stage 2	Community	Winchelsea	\$60,000	\$0	\$60,000
Camp Rd Anglesea Traffic Management Improvements	Roads	Anglesea	\$230,000	\$140,000 (Budget Allocation 2020-21)	\$90,000
Lorne School Traffic Management Improvements Stage 2	Roads	Lorne	\$345,000	\$0	\$345,000
Pearl Street/ Gilbert Street Intersection Improvement	Roads	Torquay	\$253,000	\$0	\$253,000
Mt Moriac Reserve Oval 1 Drainage & Irrigation Upgrade	Community	Winchelsea	\$250,000	\$55,241 (Asset Renewal 2020-21)	\$194,759
Eastern Reserve Winchelsea Drainage & Irrigation Upgrade	Community	Winchelsea	\$250,000	\$0	\$250,000
CPP56 Moriac Lions Park Upgrade	Community	Winchelsea	\$160,400	\$0	\$160,400
Bingley Pde Anglesea Traffic Management Improvements	Roads	Anglesea	\$60,000		\$60,000
TOTAL			\$1,776,400	\$195,241	\$1,581,159
PROJECTS IN RESERVE (further project nominations below shall be delivered in the following sequence should sufficient unexpended 2020-21 Local Roads and Community Infrastructure Program Phase 2 funds be available from projects listed above as per Council report January 2021)					
CPP13 Deep Creek Multi-use Tennis Area	Community	Torquay	\$9,600	\$0	
CPP36 Winchelsea HMK Kindergarten Playground Upgrade	Community	Winchelsea	\$91,000	\$0	
CPP24 Nautical Rise Reserve Indigenous Edible Garden Stage 2	Community	Torquay	\$60,000	\$0	

6.5 COVID-19 Recovery Grants

Author's Title: Manager Community Strengthening

Department: Community Strengthening

Division: Culture & Community

Appendix:

Nil

Officer Conflict of Interest:

In accordance with Local Government Act 2020 –
Section 130:

Yes

No

Reason: Nil

General Manager: Chris Pike

File No: F20/425

Trim No: IC21/1

Status:

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

Yes

No

Reason: Nil

Purpose

The purpose of this report is to receive an update on funding allocations from the COVID-19 Recovery Assistance Program, principally COVID-19 Recovery Assistance Grants.

Summary

Council's COVID-19 Recovery Assistance funding program opened on 25 June 2020 after COVID-19 Recovery Assistance Guidelines (the Guidelines) were adopted in May 2020. This program is designed to assist business and community recovery from the COVID-19 pandemic throughout the 2020-21 financial year.

This is the fourth opportunity for Council to receive an update on the status of funding provided under COVID-19 Recovery Assistance Grants and the second for the incoming Council. Since the beginning of the program fifty applications have been submitted - Twenty-five have been funded.

Council established a Rapid Response category for applications up to \$5,000 that can be approved by an officer assessment panel. This involves assessing applications against funding criteria in the Guidelines. An allocation of \$50,000 for Rapid Response grants was adopted in June 2020 with a further \$50,000 allocation adopted in September to enable assessments to be undertaken during the caretaker period, there is a total of \$23,341.05 remaining in this budget.

The 24 November 2020 Council Meeting was the last opportunity for Council to consider grant funding initiatives. Since then a number of applications have been assessed.

Five applications for up to \$5,000 in the Rapid Response category were assessed and two applications above \$5,000. One Rapid Response grants was approved. Four application above \$5,000 did not meet the minimum assessment score and not recommended for funding. Two applications (YMCA Skate to Recovery and Re-engage, Re-connect, Wellness on the Surf Coast) above \$5,000 are recommended for funding as they exceeded the minimum assessment score.

The total amount funded under COVID-19 Recovery Assistance Grants since the 24 November Council meeting is \$5,000.

In addition \$55,000 was allocated at the 8 December Council Meeting to support the Torquay/Jan Juc COVID-19 Recovery Shuttle Bus initiative. Of the funding to date 36% have economic outcomes, with 63% community focussed outcomes.

By end December 2020 \$556,659 had been allocated to support COVID-19 recovery initiatives. This report recommends the funding of two grant applications to the value of \$67,485 bringing the total to value of COVID-19 Assistance funding to \$619,143.95 with a balance of \$380,856.05 remaining from the \$1,000,000 allocation.

6.5 COVID-19 Recovery Grants

Recommendation

That Council:

1. Allocates \$47,699 from the COVID-19 Support Allocation to the YMCA Skate to Recovery program.
2. Allocates \$14,786 from the COVID-19 Support Allocation to the Re-engage, Re-connect, Wellness on the Surf Coast program
3. Notes officers have determined the following Rapid Response application to be successful since the 24 November 2020 report : B- alternative waste audit for businesses program - \$5000
4. Notes all successful and unsuccessful grant applicants receive feedback regarding their application.
5. Notes that, including allocations recommended in this report, the total amount allocated from the \$1million COVID-19 Support Allocation is \$619,143.95.

Council Resolution

MOVED Cr Kate Gazzard, Seconded Cr Mike Bodsworth

That Council:

1. Allocates \$47,699 from the COVID-19 Support Allocation to the YMCA Skate to Recovery program.
2. Allocates \$14,786 from the COVID-19 Support Allocation to the Re-engage, Re-connect, Wellness on the Surf Coast program
3. Notes officers have determined the following Rapid Response application to be successful since the 24 November 2020 report : B- alternative waste audit for businesses program - \$5000
4. Notes all successful and unsuccessful grant applicants receive feedback regarding their application.
5. Notes that, including allocations recommended in this report, the total amount allocated from the \$1million COVID-19 Support Allocation is \$619,143.95.

CARRIED 9:0

6.5 COVID-19 Recovery Grants

Report

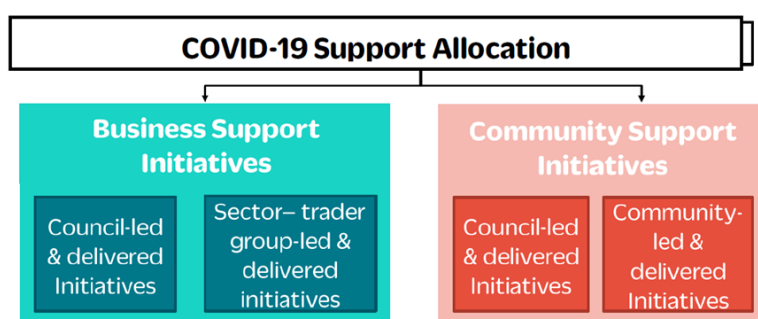
Officer Direct or Indirect Interest

No officer involved in the preparation of this report has any conflicts of interest.

Background

The 24 November 2020 Council meeting was the most recent opportunity for Council to be informed of previous successful applications and to consider recent funding initiatives from the COVID-19 Recovery Assistance program. A number of applications have been assessed prior to the end of 2020 and this report provides an update on the entire program:

Council has allocated \$1 million to the COVID-19 Support Allocation in the 2020-21 budget which funds this program. Council adopted funding guidelines at the May council meeting and these guidelines are the basis for assessing grants. The adopted guidelines identify two focus areas for the COVID-19 Recovery Assistance Program:



Since the commencement of the COVID Recovery Assistance Grants Program staff have received 50 applications and have assessed and awarded funding to 25 projects. These applicants enter into an agreement with council identifying their proposed outcomes and to date officers have received 5 acquittals. The program was designed to address current and ongoing needs of our community and /or businesses and since COVID impacts people at different ways and different times many of the projects will not be completed until the middle year 2021.

Table 1 below summarises Council's expenditure to date from the COVID-19 Recovery Assistance Program, excluding amounts contained in Tables 2 and 3 allocated subsequent to the 24 November Council meeting.

Table 1: Previous Projects Approved For Funding

Date	Description	Amount
June 23 Council meeting	Allocation to five trader groups Contribution to Great Ocean Road Regional Tourism marketing initiatives	\$100,000 \$75,000
August 25 Council Meeting	1. Otway Wine Cooperative for the Marketing and Online Sales project.	\$20,000
September 15 Council Meeting	1. Torquay Community House for the Let's Go Outside project. 2. Financial Support For Users of Council Facilities 3. PORTAL online arts community	\$20,000 \$120,000 \$30,000
Rapid Response Grants	1. Deans Marsh Primary School Farm Gate Art Project 2. Ellie Cheesman Films – 'Cooked' documentary 3. Torquay Food Aid - meeting increased demand 4. Anglesea Community Network - Anglesea Leaders Forum 5. ANGAIR - Digital Wildflower and Nature Show 6. Sharing the Love Lorne 7. The 5C's Mental Health 8. Return to Patrol – Anglesea Surf Life Saving Club 9. Shop Local Campaign Anglesea	\$5,000 \$5,000 \$5,000 \$1,800 \$4,960 \$5,000 \$5,000 \$4,727 \$5,000

6.5 COVID-19 Recovery Grants

	10. Billabong place making 11. Men's Shed Singers 12. Surf Coast Online music festival 13. Help feed me surf coast – Torquay Lions 14. Month mental health program 15. COVID safe marquee registration 16. COVID safe event signage kits 17. B-Alternative Waste Audit Program (December 2020)	\$4,500 \$3,729 \$5,000 \$4,999 \$5,000 \$2,487 \$4,456 \$5,000
November 24 Council Meeting	1. Winchelsea Primary School Sensory Garden 2. Feed Me Surf Coast	\$50,000 \$10,000
December 8 Council Meeting	Torquay/Jan Juc COVID-19 Recovery Shuttle Bus Initiative	\$55,000
	TOTAL	\$556,659

Discussion

COVID –Recovery Grant Assessments – January 2021

The key elements of the assessment process is outlined in Council's Guidelines. The key elements of organised funding rounds are:

- Opportunities will be widely promoted through Council's communication channels, networks and local media.
- Applications will be made via Council's online grant system.
- Officers will be available to provide information to prospective applicants.
- Applications will be assessed against the funding criteria within these guidelines.
- A panel of Council officers will assess each application against the criteria.
- Officers will make recommendations on each application to the Council.
- The Council will determine the allocation of funds to applicants.
- Communication about funding decisions will be to applicants directly and the wider community.

This process has been applied throughout this assessment period.

The assessment panel comprises four Council officers with relevant experience from the Economic Support Team and the Community Support Team.

Proposals were evaluated independently by individual panel members against the adopted key criteria. An average of the individual scores was calculated to identify a final score as a percentage out of 100.

The assessment panel has established that 60% is the minimum score for an application to be considered successful. This demonstrates strong alignment with the assessment criteria and ensures projects are well scoped and deliverable.

The following tables contain a description of:

- Applications above \$5,000 for recommendation to Council for funding approval (Table 2.1 and 2.2)
- Applications up to \$5,000 approved by officers for funding since November 24 Council meeting under the Rapid Response category for noting (Table 2.3)
- Unsuccessful applications for this assessment period (Table 2.4)

Table 2.1 – Applications Recommended for Funding above \$5000

Application recommended for funding that exceed the minimum assessment score			
Applicant	YMCA Skate to Recovery Youth program		
Category	Community		
Total Amount Requested	\$47,698.98	Total Project cost	\$55,258.98
Total Funding	\$47,698.98		

6.5 COVID-19 Recovery Grants

Recommended			
Title / Description	Surf Coast Skate to Recovery Project (SCSRP)3 communities - Winchelsea, Lorne & Torquay, Coach /training – Scholarship via EOI - 8 young people qualified & employed, 1200 students engaged skills training and social engagement, 800 Golden tickets Skatepark sessions – 100 hours of coaching, and 4 Events		
Summary of panel assessment against guidelines	<p>Surf Coast youth has been disproportionately affected by COVID-19.</p> <p>Surf Coast has a large culture of young skaters with no structured support mechanism to assist with social connection as part of COVID recovery.</p> <p>The YMCA seeks to run a 12 month skill & support program to address this need.</p> <p>Provide support services & mentors outside of organised sports for a youth cohort that sits outside traditional organised sport.</p> <p>Creates a sense of belonging & community via skate park facilities to assist in COVID recovery.</p> <p>Provide mental health support via a 12 month structured skills and support program for skaters.</p> <p>Engaging youth in meaningful, fair and inclusive recovery.</p> <p>8 Free scholarship level 1 training certificate for youth to begin their own businesses.</p>		
Evaluation of outcomes	Proposed Outcomes	Outcome Indicator	Method of data collection
	8 Trainees	Trained in Level 1 Skate Coaching, First Aid, Mental Health First Aid	Over lifetime of project 8 trainees qualified
	4 Skate Park League Events	Community events delivered	Number of participants Participant survey
	8 All Aboard School clinic days	School clinics delivered	8 sessions delivered across a variety of school and number of participants
	100 Skate club sessions	Hour sessions delivered 800 Golden Tickets	(Free)Golden Tickets activated

Table 2.2 Application Recommended for Funding above \$5000

Application recommended for funding that exceed the minimum assessment score			
Applicant	Re-engage, Re-connect, Wellness on the Surf Coast		
Category	Business		
Total Amount Requested	\$14,786	Total Project cost	\$17,286
Total Funding Recommended	\$14,786		
Title / Description	The re-engage, re-connect, boost and kick start Surf Coast tourism post summer		
Summary of panel assessment against guidelines	<p>Tourism, events and wellness industry disproportionately affected by COVID-19.</p> <p>17 local businesses collaborating to promote Surf Coast as a wellness</p>		

6.5 COVID-19 Recovery Grants

	<p>destination.</p> <p>The re-engage, re-connect and boost Surf Coast tourism post summer.</p> <p>Collaborate with Great Ocean Road Regional Tourism board on a tour activation campaign.</p> <p>Raise profile of Surf coast as a tourist destination for health, wellbeing and eco-tourism.</p> <p>Create a series of 4 day comprehensive tour packages to including health, wellbeing, fitness, adventure, arts and culture lifestyle, providence, flora and fauna.</p> <p>Partnering with GORRT, BATA, Qdos, GORATS, GOR Gin, Karma Bar, Twilight Glamping, HAH, Live Wire, Lux Spa, Great Ocean Road Resort, Go Ride a Wave, Hutchinson bus lines and others.</p> <p>Create a collaborative product, identify key partners, a completed marketing plan then go out to market.</p>		
Evaluation of outcomes	Proposed Outcomes	Outcome Indicator	Method of data collection
	Online booking system	Online booking system and marketing with Great Ocean Road Regional Tourism	Over lifetime of project
	4 Special Interest tours with 25-40 participants	4 Special Interest tours with 25-40 participants	Number of participants
	28 x 4-day tours	28 x 4-day tours	Number of tours booked and participants
	Surf Coast Wellness and outdoor active branding	Branding and PR of local businesses	Number of businesses involved and volunteer numbers

Table 2.3: December applications approved for funding up to \$5,000 – Rapid Response grants.

Rapid Response applications (up to \$5,000) approved that exceeded the minimum assessment score				
Applicant	Title / description	Category	Summary assessment against guidelines	Total Amount Requested
B-Alternative (Auspiced by Surf Coast Energy Group)	Waste audit and strategic waste plan for 10 businesses	Business	<ul style="list-style-type: none"> • 10 business waste audits • Reduced landfill • Increase in resource recovery • Active education and community engagement 	\$5,000

6.5 COVID-19 Recovery Grants

Table 2.4 Recent Unsuccessful applications:

Application not funded (up to \$5,000) or recommended for funding (above \$5,000) as they do not meet the minimum assessment score				
Applicant	Title / description	Category	Summary assessment against guidelines	Total Amount Requested
Surf Coast Womens Boardriders	Surf Coast Womens Boardriders Club	Community	<ul style="list-style-type: none"> • Did not align closely enough to the funding guidelines to secure funding • Application better suited to Small Grants/or Events program 	\$9,266.00
Anglesea Surf Lifesaving Club	Rip Swim	Community	<ul style="list-style-type: none"> • Did not align closely enough to the funding guidelines to secure funding • Application targeted too few participants • Project has commenced 	\$4,999.00
Anglesea Community house	Outdoor active	Community	<ul style="list-style-type: none"> • Did not align closely enough to the funding guidelines to secure funding • Did not demonstrate clearly how participants would be engaged • Application targeted too few participants 	\$4,300.00
Anglesea Art House	Creative Kids	Community	<ul style="list-style-type: none"> • Did not align closely enough to the funding guidelines to secure funding • Weak application with missing responses 	\$4,700.00

Combining the funding allocated prior to this report being considered (\$547,658.55) and the funding included in this report recommendation (\$67,485.00) totals \$619,143.95. This means \$380,856.05 remains available.

Council Plan

Theme 1 Community Wellbeing

Objective 1.4 Provide support for people in need

Strategy 1.1.1 Develop and implement a program to support communities of place and interest, and to provide opportunities for them to identify and achieve their community aspirations

Theme 4 Vibrant Economy

Objective 4.1 Support the creation and retention of jobs in existing and new businesses to meet the needs of a growing community

Strategy 4.1.1 Support and build capability of businesses and business / tourism groups

Theme 5 High Performing Council

Objective 5.2 Ensure that Council decision-making is balanced and transparent and the community is involved and informed

Strategy 1.1.1 Develop and implement a program to support communities of place and interest, and to provide opportunities for them to identify and achieve their community aspirations

6.5 COVID-19 Recovery Grants

Reporting and Compliance Statements:

Local Government Act 2020 – LGA 2020

Implications	Applicable to this Report
Governance Principles (Consideration of the Governance Principles under s.9 of LGA 2020)	No
Policy/Relevant Law (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
Environmental/Sustainability Implications (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
Community Engagement (Consideration of Community Engagement Principles under s.56 LGA 2020)	Yes
Public Transparency (Consideration of Public Transparency Principles under s.58 of LGA 2020)	Yes
Strategies and Plans (Consideration of Strategic Planning Principles under s.89 of LGA 2020)	Yes
Financial Management (Consideration of Financial Management Principles under s.101 of LGA 2020)	Yes
Service Performance (Consideration of Service Performance Principles under s.106 of LGA 2020)	Yes
Risk Assessment	Yes
Communication	Yes
Human Rights Charter	No

Policy/Relevant Law

The Surf Coast COVID-19 Recovery Assistance Guidelines consider Council's recovery obligations in the Victorian Emergency Management Act 2013. There are 46 responsibilities and actions required of Victorian Councils in current emergency management legislation (such as The Emergency Management Act 1986 and the Country Fire Authority Act 1958), regulations, policy (such as the Emergency Management Manual Victoria) and plans (such as the State Emergency Response Plan and State Emergency Relief and Recovery Plan).

The Department of Environment Land Water and Planning (DELWP) describe a council's role in economic recovery as 'Return economic and business activities (including food and agriculture) to a healthy state and develop new business and employment opportunities' DELWP describe a council's role in social recovery as 'The longer term provision of assistance and access to services that allows individuals, families and communities to achieve an effective level of functioning after an emergency event.' The COVID-19 Recovery Assistance Program helps Council fulfil this role.

Environmental/Sustainability Implications

There are no adverse environmental implications in considering this report. Successful applicants will be asked to adhere to Council's environmental policies in the delivery of funded initiatives. Environmental sustainability is a question in the grant application that influences the overall score of the application.

Business support is one of the focus areas of the program. The guidelines provide advice and assessment criteria that are designed to deliver economic sustainability in sectors impacted by COVID-19.

Community Engagement

Council's Guidelines were informed by engaging with the place based Community Support Groups, Economic Support Team, five Trader Groups, sector specific business groups and individual businesses in Surf Coast Shire.

Advertising for the COVID-19 Recovery Assistance Program has been undertaken in local newspapers, social media, Mayors Column, Council website and direct emails.

In addition, engagement continues to take place with trader groups, community groups and business sectors to discuss potential recovery projects.

6.5 COVID-19 Recovery Grants

Over 240 direct conversations have taken place between officers and prospective applicants since the grants opened. Council officers conducted an online grant writing workshop in August attended by 30 prospective applicants. The program has been communicated on Council's website.

Public Transparency

Council's Guidelines and previous funding allocations have been resolved by Council through a public process.

Submissions to the Surf Coast COVID-19 Recovery Assistance Program are assessed by officers via a process outlined in Council's adopted guidelines. Recommendations come to Council for decisions on applications above \$5,000. Each funding recipient will be required to acquit their project and identify the measurable benefits it produced.

Projects assessed and approved as Rapid Response grants are reported to Council via monthly reports.

Strategies/Plans

Trader Associations, businesses, industry sectors, community groups and associations were engaged in the development of the Guidelines.

As part of the evaluation criteria applicants are requested to identify how their project aligns with Council strategies and plans.

Financial Management

The \$1million COVID-19 Support Allocation is identified in Council's Budget 2020-21. It is the source of funding for all recommendations within this report.

Combining the funding allocated prior to this report being considered (\$551,658.95) and the funding included in this report recommendation (\$67,485.00) totals \$619,143.95, resulting in \$380,856.05 remaining available.

Service Performance

Council's guidelines and application process require each applicant to identify measurable outcomes for each initiative. The Guidelines also identify key business support assessment criteria and community support assessment criteria to guide applicants and ensure initiatives remain focussed on COVID-19 recovery.

Projects will be reported on in order to keep track of benefits achieved as a result of the COVID-19 Support Allocation.

Funding agreements are finalised with successful applicants that identify:

- the purpose of funding (project)
- quantum of funding, and
- the measurable benefits

Risk Assessment

The program is competitive and there is a risk of dissatisfaction with business and community groups when initiatives are deemed unsuccessful.

The Guidelines and application process mitigate risks associated with a large funding allocation by providing a funding framework, principles, objectives and assessment criteria. The Guidelines outline the assessment process which provides clarity and includes officer assessment resulting in advice to Council to enable well considered funding decisions.

The Guidelines identify that applicants must speak to an officer prior to commencing their application to provide additional guidance to applicants and reduce the chance of ineligible or irrelevant applications being submitted.

Officers assess and score submissions and are able to approve funding up to \$5,000. Officers provide recommendations to Council for initiatives above \$5,000.

6.5 COVID-19 Recovery Grants

The assessment panel has determined 60% is the minimum score for an application to be considered successful. This demonstrates strong alignment with the assessment criteria and ensures projects are well scoped and deliverable.

Feedback is provided to those organisations with unsuccessful applications. So far, the overwhelming majority of feedback has been well received. There are no identified Workplace Health and Safety implications associated with this report.

Communication

Successful applicants will be notified confirming the amount of funding awarded and the requirement to enter into a funding agreement.

Unsuccessful applicants are contacted via phone and email advising their submission did not receive funding. Feedback is provided to all applicants.

All successful and unsuccessful applications will be contained in Council minutes on the Council's website, including the amounts funded.

Funded groups and initiatives may be featured in Council communication channels and via local media as there is interest in local COVID-19 recovery efforts.

Options

Option 1 – Allocate \$47,698.98 to the YMCA's Skate to Recovery Youth Program , allocate \$14,786 to the Re-Engage, Re-connect Wellness on the Surf Coast Program and note the funding of the one Rapid Response grant valued at \$5000 listed on Table 2.3 of this report.

This option is recommended by officers as funding recommendations are based on assessment of applications against the funding criteria contained in Council's adopted Guidelines. The supported projects have been identified as exceeding the requirements of the guidelines and assist with business and community recovery. Officers have approved Rapid Response grants by assessing against funding criteria contained in the guidelines which is consistent with the 23 June Council resolution.

Option 2 – Approve alternative funding amounts for applications funded from the COVID-19 Support Allocation;

This option is not recommended by officers as a detailed assessment of applications has been undertaken by officers against the funding criteria contained in the Guidelines following the approved process. The Guidelines provide officers the ability to award Rapid Response grants and note these in a report to Council. Awarding different allocations to Rapid Response projects would not be following the process nor assessing applications against the funding criteria in the Guidelines.

Option 3 – Do not approve any funding from the COVID-19 Support Allocation

This option is not recommended by officers as the COVID-19 Recovery Assistance Grants Program is a key component of Council's efforts towards responding in a timely manner to the COVID-19 pandemic, for which there is \$1 million allocated in the 2020-21 budget. Officers have conducted a detailed assessment of submissions against the Guidelines, which have been approved by Council. The supported projects have been identified as exceeding the minimum assessment score and this enables Council to assist with business and community recovery initiatives.

Conclusion

Council has created financial capacity to assist with business and community recovery. This report recommends funding a community-led recovery projects to the value of \$67,485. The combined total of previously approved allocations and the recommendations in this report is \$619,143.95 resulting in \$380,856.05 available from the \$1,000,000 allocated in 202-21 budget.

6.6 CEO Employment Matters - Independent Chair

Chris Pike, General Manager Culture & Community, made a statement correcting an error in the 'Options' section of the report. This clarification noted that 'option 1' should refer to a 2 year term, being 1 year served and 1 year to come. 'Option 2' should refer to a 3 year term, being 1 year served and 2 years to come. Option 3 is correct as stated.

Author's Title: Manager People & Culture

General Manager: Chris Pike

Department: People & Culture

File No: F18/115-3

Division: Culture & Community

Trim No: IC20/1745

Appendix:

1. CEO Employment Matters Committee Terms of Reference (D18/154141)

Officer Conflict of Interest:

In accordance with Local Government Act 2020 –
Section 130:

Yes

No

Status:

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

Yes

No

Reason: Nil

Reason: Nil

Purpose

The purpose of this report is to consider the reappointment of Anne-Marie Leslie as the Chair of the CEO Employment Matters Committee for a further term of two years.

Summary

Council established the CEO Employment Matters Committee in 2014 and in January 2019 appointed Anne-Marie Leslie to the position of independent Chair for an initial term of one year.

Officers mistakenly recorded the term of the Chair as two years in the corporate key dates register and thus failed to present a report to Council prior to the expiry of the one year term in January 2020. This error was identified a year later.

Ms Leslie has performed the role to the satisfaction of the CEO Employment Matters Committee in the intervening period in accordance with her contract and has expressed a willingness to continue for a further year.

Council is about to commence a recruitment process for a new CEO. The position of independent chairperson should be resolved prior to this process commencing.

A two year term from the date of expiry of the initial one year term would encompass the past 12 months served and the 12 months ahead. The meeting fee is proposed to remain unchanged.

Recommendation

That Council reappoints Anne-Marie Leslie as Chair of the CEO Employment Matters Committee for a term of two years effective from 23 January 2020, being one year served and one year to come, with an unchanged fee of \$600 per Committee meeting attended.

Council Resolution

MOVED Cr Adrian Schonfelder, Seconded Cr Liz Pattison

That Council reappoints Anne-Marie Leslie as Chair of the CEO Employment Matters Committee for a term of two years effective from 23 January 2020, being one year served and one year to come, with an unchanged fee of \$600 per Committee meeting attended.

CARRIED 9:0

6.6 CEO Employment Matters - Independent Chair

Report

Officer Direct or Indirect Interest

No officer involved in the preparation of this report has any conflicts of interest.

Background

The CEO Employment Matters Committee is an Advisory Committee established by Council under the *Local Government Act 1989*. It meets at least four times a year, with authority to convene additional meetings as circumstances require. The CEO Employment Matters Committee has authority to advise and make recommendations to Council regarding:

- a) Contractual matters relating to the CEO or the person appointed to act as the Chief Executive Officer, including, but not limited to, the following:
 - o The appointment of the CEO;
 - o Remuneration and conditions of appointment of the CEO;
 - o Extension (i.e. reappointment) of the CEO.
- b) To conduct the performance reviews of the CEO, and make any recommendations to Council as a result of the review.
- c) To perform any other prescribed functions or responsibilities stipulated under the *Local Government Act 1989* or Regulations.

Note: The sections of the *Local Government Act 1989* relating to the CEO are not repealed until 1 July 2021 at which point the CEO Employment Matters Committee's Terms of Reference will need to be considered by Council to ensure alignment with the *Local Government Act 2020*.

Council appointed Anne-Marie Leslie to the position of independent chairperson in January 2019. This appointment followed a recruitment process undertaken by the CEO Employment Matters Committee. As part of this process, a sub-committee consisting of three members of the CEO Employment Matters Committee was established for the purpose of shortlisting and interviewing applicants and proposing a preferred candidate to the CEO Employment Matters Committee.

Advertisements placed in the Surf Coast Times, Geelong Advertiser and on Council's website and Seek.com.au resulted in 25 expressions of interest. The sub-committee interviewed five candidates including Mark Howes, the former chairperson. The sub-committee identified Anne-Marie Leslie as the preferred candidate.

Discussion

Officers mistakenly recorded the term of the Chair as two years in the corporate key dates register and thus failed to present a report to Council prior to the expiry of the one year term in January 2020. This mistake was picked up a year later. Ms Leslie has performed the role to the satisfaction of the CEO Employment Matters Committee in the intervening period in accordance with her contract.

Council will soon commence a recruitment process for a CEO, following the resignation of Keith Baillie in July 2020. The Terms of reference of the CEO Employment Matters Committee state that the CEO Employment Matters Committee should undertake the recruitment process adopted for the CEO including making recommendations on appointment, remuneration and other conditions of employments. Should Council determine to contract a recruitment agency, the CEO Employment Matters Committee may oversee the appointment of that agency and subsequent steps in the recruitment process.

Based on the CEO Employment Matters Committee Terms of reference, to progress the matters relating to appointment of the CEO, the role of Independent Chair of the CEO Employment Matters Committee must be resolved.

Reappointment of Anne-Marie Leslie will provide continuity for the process of recruiting and on boarding of the CEO. Anne-Marie Leslie's background and experience with senior executive recruitment will assist in supporting the CEO Employment Matters Committee through this process. Anne-Marie Leslie is a Senior Human Resources Executive with extensive experience in executive recruitment, remuneration, performance management and development. She holds a Masters in Human Resources and is both a fellow of the Australian Human Resources Industry and a graduate of the Australian Institute of Company Directors. Anne-Marie is a board member of Colac Area Health and the Deakin University Human Research Ethics

6.6 CEO Employment Matters - Independent Chair

Committee. She has a broad range of experience having worked in both executive and non-executive board roles, advisory committees and sponsor roles.

Anne-Marie Leslie has indicated her willingness to support the newly elected Council through the process to recruit the new CEO and to further support Council to on board and establish success factors for the new CEO including performance objectives and KPIs. Consideration of a further extension or recruitment of a new chair could be commenced following recruitment and on boarding of the new CEO.

Council Plan

Theme 5 High Performing Council

Objective 5.2 Ensure that Council decision-making is balanced and transparent and the community is involved and informed

Reporting and Compliance Statements:

Local Government Act 2020 – LGA 2020

Implications	Applicable to this Report
Governance Principles (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
Policy/Relevant Law (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
Environmental/Sustainability Implications (Consideration of the Governance Principles under s.9 of LGA 2020)	No
Community Engagement (Consideration of Community Engagement Principles under s.56 LGA 2020)	No
Public Transparency (Consideration of Public Transparency Principles under s.58 of LGA 2020)	Yes
Strategies and Plans (Consideration of Strategic Planning Principles under s.89 of LGA 2020)	No
Financial Management (Consideration of Financial Management Principles under s.101 of LGA 2020)	Yes
Service Performance (Consideration of Service Performance Principles under s.106 of LGA 2020)	No
Risk Assessment	Yes
Communication	Yes
Human Rights Charter	No

Governance Principles - Local Government Act 2020 (LGA 2020)

The CEO Employment Matters Committee supports Council in an advisory capacity, providing advice and guidance on contractual, remuneration and employment matters relating to the Chief Executive Officer.

Policy/Relevant Law

This appointment is consistent with the terms of reference of the CEO Employment Matters Committee.

Public Transparency

The CEO Employment Matters Committee has no decision-making power. It monitors and reviews specified activities and practices relating to CEO employment, as outlined in the terms of reference, to provide assurance and/or recommendations to Council.

The CEO Employment Matters Committee terms of reference is made available to community members upon request and is included as an attachment to this report.

Financial Management

As per the terms of reference the role of independent chairperson will receive a standard fee of \$600 payable for each meeting attended.

6.6 CEO Employment Matters - Independent Chair

Risk Assessment

There are no identified Workplace Health and Safety implications associated with this report.

There are no direct risk issues that relate to the appointment of the chairperson. The terms of reference provide guidance with regard to conflict of interest and processes exist to deal with such issues where they arise.

Communication

Council's Manager People and Culture will prepare a contract of appointment for Anne-Marie Leslie and liaise directly with her.

Options

Option 1 – Reappoint Anne-Marie Leslie as independent Chair for a further term of one year

This option is recommended by officers as:

- This option will provide continuity for the recruitment of the CEO in accordance within the Local Government Act.
- Consideration of a further extension or recruitment of a new chair could be commenced following recruitment and on boarding of the new CEO.

Option 2 – Reappoint Anne-Marie Leslie as independent Chair for a further term of two years

This option is not recommended by officers as:

- Anne-Marie Leslie has expressed interest in a further term of one year to enable her to support Council to recruit and on board the new CEO.
- This option will does not provide for consideration of a further extension or recruitment of a new chair following recruitment and on boarding of the new CEO.

Option 3 – Do not reappoint Anne-Marie Leslie and start the process to recruit a new chair

This option is not recommended by officers as:

- This option will require an external recruitment process to be undertaken.
- Recruitment may take up to three months (pending Council resolution).
- The incumbent may require some time to gain familiarity with Council processes which may delay the process of recruiting the new CEO.

Conclusion

This report recommends the reappointment of Anne-Marie Leslie as independent chairperson of the CEO Employment Matters Committee.

6.6 CEO Employment Matters - Independent Chair

APPENDIX 1 CEO EMPLOYMENT MATTERS COMMITTEE TERMS OF REFERENCE



**CEO Employment Matters Committee
Terms of Reference
October 2018**

1 Purpose

The CEO Employment Matters Committee is an Advisory Committee appointed, as defined in s3 of the Local Government Act 1989 to assist Council in fulfilling its responsibilities relating to CEO employment matters.

2 Authority

- (1) The CEO Employment Matters committee has the responsibility for providing advice and making recommendations to the Surf Coast Shire Council on:
 - (a) Contractual matters relating to the CEO or the person appointed to act as the Chief Executive Officer including, but not limited to, the following:
 - The appointment of the CEO
 - Remuneration and conditions of appointment of the CEO
 - Extension (i.e. reappointment) of the CEO
 - (b) To conduct performance reviews of the CEO, and make any recommendations to Council as a result of the review.
 - (c) To perform any other prescribed functions or responsibilities stipulated under the *Local Government Act 1989* or Regulations.

3 Composition

- (1) The CEO Employment Matters committee consists of one independent Chairperson and all Councillors.
- (2) A quorum of six members including the Chair will be necessary to transact business of the committee.
- (3) The independent chairperson appointed by Council will be a neutral person with appropriate experience.
- (4) Persons other than Councillors cannot be appointed to the Committee.

4 Chairperson

- (1) The independent chairperson is to be appointed for a minimum term of twelve months with an option to review annually or for a term as otherwise agreed by Council resolution.
- (2) The independent chairperson cannot be a Councillor or member of Council staff.

6.7 Recruitment of Chief Executive Officer

- (3) The role of the chairperson will be to:
- Liaise with Committee members to set meeting agendas
 - Chair Committee meetings
 - Keep minutes of Committee meetings including key deliberations and advice for Council
 - Encourage all Committee members to participate in Committee activities
 - Determine consensus amongst Committee members in the development of the Committee's advice and recommendations to Council
 - Develop formal reports to Council containing the the Committee's advice and recommendations
- (4) The chairperson may seek support from the Manager People & Culture in fulfilling this role. See Officer Support section below.

5 Meeting Procedures

- (1) The CEO Employment Matters Committee will meet at least four times a year, with authority to convene additional meetings, as circumstances require.
- (2) Committee members are required to send agenda items to the Chairperson at least 10 business days prior to the meeting, to Surf Coast Shire staff who will prepare the agenda in consultation with the Chairperson.
- (3) Meeting agendas will be prepared by the Chairperson and provided at least seventy-two hours in advance to members, along with appropriate briefing materials.
- (4) Minutes will be prepared and distributed to the CEO Employment Matters committee within three working days of the meeting.
- (5) Urgent Business
Business must not be admitted as urgent business unless:
- It relates to or arises out of a matter which has arisen since distribution of the agenda; and
 - It cannot safely or conveniently be deferred until the next Committee meeting; or
 - The Committee resolves to admit an item considered to be urgent business.
- (6) Declaration of Conflicts of Interest
If a member of the Committee believes they have a conflict of interest in a matter before the Committee, then that member must declare their interest and not partake in any discussion or decision on the matter. The declaration will be recorded in the minutes of the meeting. A person may have a conflict of interest if they have a personal or private interest that might compromise their ability to act in the public interest.
- (7) A record of attendance and matters discussed at an Assembly of Councillors should be retained and added to the Council agenda for noting.
- (8) All members of the Committee who are eligible to vote shall have one vote. The Chairperson shall have a casting vote to resolve a deadlock.

6.7 Recruitment of Chief Executive Officer

6 Responsibilities

- (1) The CEO Employment Matters Committee has the following functions and responsibilities:

Recruitment and Contract commencement

(a) The Committee should undertake the recruitment process adopted for the CEO. The Committee must make recommendations to Council on contractual matters of the CEO. This includes making recommendations on:

- Appointment
- Remuneration and other conditions of employment

(b) Should Council determine to contract a recruitment agency the Committee may oversee the appointment of that agency and subsequent steps in the recruitment process.

Annual Review

(a) The Committee must conduct a performance review of the CEO and make recommendations to Council on matters including whether:

- The CEO meets the performance criteria in the contract
- Implement incremental remuneration increases
- Vary performance criteria, remuneration, or other terms of conditions of the contract.

Contract Expiry

(a) As part of a performance review of the CEO, the Committee must make recommendations on whether:

- To reappoint the CEO (6 months leading up to expiration of the CEO's contract of employment)
- Exercise an option to renew the contract
- Early termination of the contract where warranted
- To terminate in accordance with the contract.

Dispute Resolution Procedure

(a) The CEO's employment contract should include a dispute resolution procedure, to deal with disputes arising out of the contract.

7 Fees

- (1) Council will pay a fee to the independent Chairperson under section 94AA (6) of the *Local Government Act 1989*. The amount of the fee should have regard to the specific roles and responsibilities the chairperson will undertake.

(2) The Chairperson Fee:

- (a) Will be paid to the Chairperson of the CEO Employment Matters Committee immediately following the scheduled committee meetings.
- (b) An agreed additional fee will be paid to the independent chairperson for every meeting attended that exceeds the required four (4) meetings in any one year.

Note: The year to year date is based on the anniversary engagement date of the independent chairperson.

6.7 Recruitment of Chief Executive Officer

8 Change to Terms of Reference

- (1) These terms of reference shall be reviewed every three years and only amended or varied by resolution of the Council.

9 Officer Support

(1) To facilitate the operation of the CEO Employment Matters Committee, the Manager People and Culture will provide support as follows:

- a) Arrange an induction program for new Committee members focusing on, but not limited to, the roles and responsibilities of the Committee and its relationship with Council and the relevant area of interest.
- b) Assist the Chairperson in the preparation of meeting agendas, taking of minutes, circulation of all committee papers, provision of advice to Council via formal reports and other activities identified by that person.
- c) Provision of a suitable venue for Committee meetings.
- d) Advice in respect of matters before the CEO Employment Matters Committee.

9 Consideration of advice by Council

- (1) Council will give due consideration to the advice and recommendations of the Committee.

6.7 Recruitment of Chief Executive Officer

Acting Chief Executive Officer Anne Howard left the meeting at 8:11pm whilst this item was considered and returned to the meeting at the commencement of the next item.

Author's Title: Manager People & Culture

General Manager: Chris Pike

Department: People & Culture

File No: F18/115-3

Division: Culture & Community

Trim No: IC20/1746

Appendix:

Nil.

Officer Conflict of Interest:

Status:

In accordance with Local Government Act 2020 –
Section 130:

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

Yes

No

Yes

No

Reason: Nil

Reason: Nil

Purpose

The purpose of this report is to appoint a recruitment agency to commence recruitment and selection activities for the position of Chief Executive Officer.

Summary

Keith Baillie resigned as Chief Executive Officer in July 2020. Anne Howard was appointed as Acting Chief Executive Officer effective from 1 August 2020 for a period of one year or until a Chief Executive Officer is appointed, whichever is sooner.

The CEO Employment Matters Committee (the Committee) received quotations from six recruitment agencies. Two recruitment agencies provided further information to the Committee. The Committee has selected Davidsons as the preferred recruitment agency.

The *Local Government Act 1989* (the Act) outlines specific steps that must be taken for the recruitment of a Chief Executive Officer including advertising in a state-wide newspaper and considering all applications that meet the requirements set out in the advertisement. Davidsons have experience in local government recruitment and are familiar with the requirements of the Act.

Recommendation

That Council:

1. Appoints Davidsons as the recruitment agency to work with the CEO Employment Matters Committee on the recruitment and selection of the Chief Executive Officer.
2. Notes that the CEO Employment Matters Committee will shortly commence recruitment activities to identify prospective candidates for the role of Chief Executive Officer in accordance with the *Local Government Act 1989*.
3. Receives a report at a future Council meeting recommending the appointment of a preferred candidate to the position of Chief Executive Officer.

Council Resolution

MOVED Cr Kate Gazzard, Seconded Cr Rose Hodge

That Council:

1. Appoints Davidsons as the recruitment agency to work with the CEO Employment Matters Committee on the recruitment and selection of the Chief Executive Officer.
2. Notes that the CEO Employment Matters Committee will shortly commence recruitment activities to identify prospective candidates for the role of Chief Executive Officer in accordance with the *Local Government Act 1989*.
3. Receives a report at a future Council meeting recommending the appointment of a preferred candidate to the position of Chief Executive Officer.

CARRIED 9:0

6.7 Recruitment of Chief Executive Officer

Report

Officer Direct or Indirect Interest

No officer involved in the preparation of this report has any conflicts of interest.

Background

Keith Baillie resigned as Chief Executive Officer in July 2020. Anne Howard was appointed to the position of Acting Chief Executive Officer effective from 1 August 2020 until a new Chief Executive Officer is appointed or 31 July 2021, whichever is sooner.

The CEO Employment Matters Committee undertook a Request for Quote (RFQ) process to identify a preferred recruitment agency to support the Committee in recruitment and selection of a Chief Executive Officer.

The *Local Government Act 1989* continues to apply to CEO employment matters until the relevant sections are repealed on 1 July 2021.

Discussion

Recruitment Agency

The CEO Employment Matters Committee is an Advisory Committee to Council. The CEO Employment Matters Committee has advised and makes recommendations to Council regarding:

- a) Contractual matters relating to the CEO or the person appointed to act as the Chief Executive Officer, including, but not limited to, the following:
 - o The appointment of the CEO;
 - o Remuneration and conditions of appointment of the CEO;
 - o Extension (i.e. reappointment) of the CEO.
- b) To conduct the performance reviews of the CEO, and make any recommendations to Council as a result of the review.
- c) To perform any other prescribed functions or responsibilities stipulated under the *Local Government Act 1989* or Regulations.

The terms of reference of the CEO Employment Matters Committee state that should Council determine to contract a recruitment agency, the CEO Employment Matters Committee may oversee the appointment of that agency and subsequent steps in the recruitment process.

The CEO Employment Matters Committee initiated an RFQ process to obtain quotations from recruitment agencies to assist Council in recruiting a new Chief Executive Officer. The Committee identified recruitment agencies to be invited to submit quotations.

Criteria for selection of a recruitment agency were established as:

- Financial investment
- Relevant experience in building a talent pool
- Ability to represent Council effectively in dealing with candidates
- Completeness and thoroughness of process

6.7 Recruitment of Chief Executive Officer

Quotations were invited from six recruitment agencies selected because of their recent experience in the local government recruitment market and understanding of the unique requirements when recruiting a Chief Executive Officer. All six recruiters submitted quotations providing specific information relating to their approach, their understanding of Council's need and their ability to build a talent pool relative to the role.

Follow up interviews were completed with all six agencies to obtain further information to assist the Committee in making a recommendation. The independent chair of the CEO Employment Matters Committee, Anne-Marie Leslie and Leanne Perryman, Council's Manager People and Culture completed the interviews.

The CEO Employment Matters Committee met with two agencies on 22 December 2020 and subsequently agreed that Davidsons was the preferred agency to work with Council.

Davidsons has a broad range of experience with executive appointments in the public sector including a number of CEO placements in local government. Recent senior appointments within the region include the G21 CEO. The lead consultant has extensive local government recruitment experience and demonstrated understanding of Council's need by identifying long-term financial sustainability and challenges with Planning as amongst the challenges the new CEO will face. Davidsons' ability to build a strong candidate pool includes targeted appointments, exploring existing networks and searching their national database both within local government and outside the sector. They apply psychometric tools to assist in selection and undertake adverse media checks as part of their due diligence.

Recruitment Process

Section 94 of the *Local Government Act 1989* includes provisions for the employment of a Chief Executive Officer as follows:

94 The Chief Executive Officer

- (1) A Council must appoint a natural person to be its Chief Executive Officer.
- (1A) The Council must make a permanent appointment to the position of Chief Executive Officer as soon as is reasonably practicable after a vacancy in the position occurs.
- (2) The Chief Executive Officer is a member of Council staff.
- (3) A Council may only appoint a person to be its Chief Executive Officer after it has invited applications for the position in a notice in a newspaper circulating generally throughout Victoria and has considered all applications received by it that comply with the conditions specified in the notice.

Following the appointment of a recruitment agency, Council will instruct the CEO Employment Matters Committee to commence the recruitment process in accordance with the Act. This will include amongst other activities, working with the recruitment agency to develop position descriptions and job advertisements to be placed in The Age newspaper.

Council Plan

Theme 5 High Performing Council

Objective 5.2 Ensure that Council decision-making is balanced and transparent and the community is involved and informed

Reporting and Compliance Statements:

Local Government Act 2020 – LGA 2020

Implications	Applicable to this Report
Governance Principles (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
Policy/Relevant Law (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
Environmental/Sustainability Implications (Consideration of the Governance Principles under s.9 of LGA 2020)	No

6.7 Recruitment of Chief Executive Officer

Community Engagement (Consideration of Community Engagement Principles under s.56 LGA 2020)	No
Public Transparency (Consideration of Public Transparency Principles under s.58 of LGA 2020)	Yes
Strategies and Plans (Consideration of Strategic Planning Principles under s.89 of LGA 2020)	No
Financial Management (Consideration of Financial Management Principles under s.101 of LGA 2020)	Yes
Service Performance (Consideration of Service Performance Principles under s.106 of LGA 2020)	Yes
Risk Assessment	Yes
Communication	Yes
Human Rights Charter	No

Governance Principles - Local Government Act 2020 (LGA 2020)

The CEO Employment Matters Committee supports Council in an advisory capacity, providing advice and guidance on contractual, remuneration and employment matters relating to the Chief Executive Officer.

Policy/Relevant Law

The appointment of a recruitment agency is consistent with the Terms of reference of the CEO Employment Matters Committee. Commencement of recruitment activities is in accordance with the *Local Government Act 1989*.

Public Transparency

The vacancy of Chief Executive Officer will be advertised in a statewide newspaper and on Council's website.

Financial Management

The cost of recruitment of a Chief Executive Officer is provided for in the employee benefits budget for the Office of the Chief Executive Officer.

Financial investment was considered as one of the criteria in selecting a preferred recruitment agency.

Service Performance

Council's procurement policy was applied to the request for quotation process used to select a preferred recruitment agency.

Risk Assessment

There are no identified Workplace Health and Safety implications associated with this report.

Communication

Council's Manager People and Culture will liaise directly with Davidson's for the purpose of procuring their services.

6.7 Recruitment of Chief Executive Officer

Options

Option 1 – Appoint Davidsons to commence CEO recruitment activities

This option is recommended by officers as it reflects the recommendation of the CEO Employment Matters Committee. Commencing recruitment activities is likely to ensure a CEO is appointed prior to the expiry of Anne Howard's contract as Acting Chief Executive Officer.

Option 2 – Appoint another recruitment agency to commence CEO recruitment activities

This option is not recommended by officers as it does not reflect the recommendation of the CEO Employment Matters Committee.

Option 3 – Do not appoint any of the recruitment agencies that responded to the RFQ and undertake a further RFQ process

This option is not recommended by officers as it does not reflect the recommendation of the CEO Employment Matters Committee. Commencing an RFQ process would jeopardise the likelihood of recruiting a CEO prior to the expiry of Anne Howard's contract as Acting Chief Executive Officer.

Conclusion

Following a robust procurement process, Council is in a position to appoint a recruitment agency to commence recruitment of a new Chief Executive Officer in accordance with the *Local Government Act 1989*.

7. REPORTS FOR NOTING

Nil

8. URGENT BUSINESS

Nil

9. PROCEDURAL BUSINESS

9.1 Conflict of Interest Records

Author's Title: Governance Officer

General Manager: John Bertoldi

Department: Governance & Risk

File No: F18/225-2

Division: Governance & Infrastructure

Trim No: IC20/1714

Appendix:

1. Conflict of Interest Record - Meetings Conducted Under the Auspices of Council - Council Plan Workshop - 8 December 2020 (D20/231548)
2. Conflict of Interest Record - Meetings Conducted Under the Auspices of Council - Councillor Briefings #2 - 8 December 2020 (D20/236288)
3. Conflict of Interest Record - Meetings Conducted Under the Auspices of Council - Councillor Briefings #3 - 8 December 2020 (D20/236317)
4. Conflict of Interest Record - Meetings Conducted Under the Auspices of Council - Responsible and Planning Authority Briefing - 8 December 2020 (D20/236326)
5. Conflict of Interest Record - Meetings Conducted Under the Auspices of Council - Council Plan Workshop - 15 December 2020 (D20/236379)
6. Conflict of Interest Record - Meetings Conducted Under the Auspices of Council - DAL Workshop - 15 December 2020 (D20/236224)
7. Conflict of Interest Record - Meetings Conducted under the auspices of Council - CEO Employment Matters Committee Meeting - 22 December 2020 (D20/237968)
8. Conflict of Interest Record - Meetings Conducted Under the Auspices of Council - Site Visit - 11 January 2021 (D21/6327)
9. Conflict of Interest Record - Meetings Conducted Under the Auspices of Council - Councillor Briefings - 12 January 2021 (D21/6155)

Officer Conflict of Interest:

In accordance with Local Government Act 2020 – Section 130:

Yes

No

Reason: Nil

Status:

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

Yes

No

Reason: Nil

Purpose

The purpose of this report is to receive and note any conflict of interest records received since the previous Council meeting.

Summary

The *Local Government Act 2020* (the Act) outlines requirements for Councillors to declare and manage conflicts of interests. By disclosing conflicts of interests and following the prescribed procedures, Councillors engage in practices that promote the integrity and transparency of decision-making.

The attached conflict of interest records are prepared in accordance with the Act and Council's Governance Rules. The Act outlines that the procedure for disclosing conflicts must be included within the Governance Rules and Chapter 3 of these rules prescribes that a record of any meeting held under the auspices of Council must be kept and presented to the next possible Council meeting.

Meetings held under the auspices of Council may include (but are not limited to) Councillor briefings or forums, advisory committee meetings, public consultations and site meetings (including meetings the Council arranges jointly with other organisations).

These records replace the previous requirements for 'Assemblies of Councillors' under the *Local Government Act 1989*.

9.1 Conflict of Interest Records

Recommendation

That Council receives and notes the conflict of interest records for the following meetings:

- Council Plan Workshop – 8 December 2020
- Councillor Briefings (AM) – 8 December 2020
- Councillor Briefings (PM) – 8 December 2020
- Responsible & Planning Authority Briefing – 8 December 2020
- Council Plan Workshop – 15 December 2020
- Distinctive Area Landscapes Workshop – 15 December 2020
- CEO Employment Matters Committee Meeting – 22 December 2020
- Councillor Site Visit – 11 January 2021
- Councillor Briefings – 12 January 2021

Council Resolution

MOVED Cr Paul Barker, Seconded Cr Mike Bodsworth

That Council receives and notes the conflict of interest records for the following meetings:

- Council Plan Workshop – 8 December 2020
- Councillor Briefings (AM) – 8 December 2020
- Councillor Briefings (PM) – 8 December 2020
- Responsible & Planning Authority Briefing – 8 December 2020
- Council Plan Workshop – 15 December 2020
- Distinctive Area Landscapes Workshop – 15 December 2020
- CEO Employment Matters Committee Meeting – 22 December 2020
- Councillor Site Visit – 11 January 2021
- Councillor Briefings – 12 January 2021

CARRIED 9:0

9.1 Conflict of Interest Records

APPENDIX 1 CONFLICT OF INTEREST RECORD - MEETINGS CONDUCTED UNDER THE AUSPICES OF COUNCIL - COUNCIL PLAN WORKSHOP - 8 DECEMBER 2020



Conflict of Interest Record Meetings conducted under the auspices of Council

Section 131 of the Local Government Act 2020 and Chapter 3 of Council's Governance Rules

Description of Meeting: Council Plan Workshop
Responsible Officer: Chief Executive Officer
Date: 8/12/2020
In Attendance: Yes (✓) No (X)

Councillors		Officers	
Cr. Gary Allen	✓	Acting Chief Executive Officer – Anne Howard	✓
Cr. Paul Barker	✓	Acting General Manager Governance & Infrastructure – John Bertoldi	✓
Cr. Mike Bodsworth	✓	General Manager Environment & Development - Ransce Salan	✓
Cr. Kate Gazzard	X	General Manager Culture & Community - Chris Pike	✓
Cr. Rose Hodge	✓	Manager Governance & Risk - Wendy Hope	✓
Cr. Liz Pattison	✓	Manager Community Strengthening – Jill Moody	✓
Cr. Adrian Schonfelder	✓	Coordinator Communications & Community Engagement - Darryn Chiller	✓
Cr. Libby Stapleton	✓	Social Planning & Recover Advisor – Alicia Hooper	✓
Cr. Heather Wellington	X	Community Engagement Facilitator - Rochelle Harding	✓

MEETING COMMENCED	9:30am	MEETING CONCLUDED	12:30pm
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Matters considered at the meeting
1. Council Plan Workshop (hosted by external presenters from MosaicLab)

Councillor Conflict of Interest Disclosures		
Councillor	Left Meeting (Y/N)	Classification and nature of interest(s) disclosed

Responsible Officer Signature:	Print Name: Anne Howard
To be completed on conclusion of session and provided to Governance Officer.	

Governance Rules, Chapter 3, Clause 3

- 3.1. At a meeting under the auspices of Council that is not a meeting of the Council or delegated committee, the Chief Executive Officer must ensure that a written record is kept of—
- a) the names of all Councillors and members of Council staff attending;
 - b) the matters considered;
 - c) any conflict of interest disclosures made by a Councillor attending under subclause 3.3;
 - d) whether a Councillor who has disclosed a conflict of interest as required by subclause 3.3 leaves the meeting.

- 3.2. The Chief Executive Officer must ensure that the written record of a meeting held under this clause is, as soon as practicable—
- a) reported at a meeting of the Council; and
 - b) incorporated in the minutes of that Council meeting.

Auspices of the Council

Any meeting that is organised, sponsored or otherwise facilitated by the council should be treated as an 'auspiced' meeting. Council auspiced meetings may include, but are not limited to:

- regular councillor briefings or forums,
- other briefing meetings,
- committees other than a delegated or community asset committee (such as advisory committees),
- public consultations, and
- site meetings (incl. meetings the council arranges jointly with other organisations).

9.1 Conflict of Interest Records

**APPENDIX 2 CONFLICT OF INTEREST RECORD - MEETINGS CONDUCTED UNDER THE
AUSPICES OF COUNCIL - COUNCILLOR BRIEFINGS #2 - 8 DECEMBER 2020**



Conflict of Interest Record Meetings conducted under the auspices of Council

Section 131 of the Local Government Act 2020 and Chapter 3 of Council's Governance Rules

Description of Meeting: Councillor Briefings
Responsible Officer: Chief Executive Officer
Date: 8 December 2020
In Attendance: Yes (✓) No (X)

Councillors		Officers	
Cr. Gary Allen	✓	Acting Chief Executive Officer – Anne Howard	✓
Cr. Paul Barker	✓	Acting General Manager Governance & Infrastructure – John Bertoldi	✓
Cr. Mike Bodsworth	✓	General Manager Environment & Development - Ransce Salan	✓
Cr. Kate Gazzard	✓	General Manager Culture & Community - Chris Pike	✓
Cr. Rose Hodge	✓	Governance Officer – Liberty Nash	✓
Cr. Liz Pattison	✓	Manager Finance – John Brockway	✓
Cr. Adrian Schonfelder	✓	Manager Recreation & Open Space Planning – Shaan Briggs	✓
Cr. Libby Stapleton	✓	Coordinator Management Accounting – Gabby Spiller	✓
Cr. Heather Wellington	x	Coordinator Social Infrastructure & Open Space Planning – Kristin Davies	✓
		Recreation Development Officer – Paul Elshaug	✓

MEETING COMMENCED	1:06pm	MEETING CONCLUDED	2:57pm
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Matters considered at the meeting
1. Budget Briefing #1 & Long Term Financial Plan Update
2. Torquay Aquatic & Health Centre Update

Councillor Conflict of Interest Disclosures		
Councillor	Left Meeting (Y/N)	Classification and nature of interest(s) disclosed

Responsible Officer Signature:	Print Name: Anne Howard
To be completed on conclusion of session and provided to Governance Officer.	

Governance Rules, Chapter 3, Clause 3

3.1. At a meeting under the auspices of Council that is not a meeting of the Council or delegated committee, the Chief Executive Officer must ensure that a written record is kept of—

- a) the names of all Councillors and members of Council staff attending;
- b) the matters considered;
- c) any conflict of interest disclosures made by a Councillor attending under subclause 3.3;
- d) whether a Councillor who has disclosed a conflict of interest as required by subclause 3.3 leaves the meeting.

3.2. The Chief Executive Officer must ensure that the written record of a meeting held under this clause is, as soon as practicable—

- a) reported at a meeting of the Council; and
- b) incorporated in the minutes of that Council meeting.

Auspices of the Council

Any meeting that is organised, sponsored or otherwise facilitated by the council should be treated as an 'auspiced' meeting. Council auspiced meetings may include, but are not limited to:

- regular councillor briefings or forums,
- other briefing meetings,
- committees other than a delegated or community asset committee (such as advisory committees),
- public consultations, and
- site meetings (incl. include meetings the council arranges jointly with other organisations).

9.1 Conflict of Interest Records

**APPENDIX 3 CONFLICT OF INTEREST RECORD - MEETINGS CONDUCTED UNDER THE
AUSPICES OF COUNCIL - COUNCILLOR BRIEFINGS #3 - 8 DECEMBER 2020**



Conflict of Interest Record Meetings conducted under the auspices of Council

Section 131 of the Local Government Act 2020 and Chapter 3 of Council's Governance Rules

Description of Meeting: Councillor Briefings
Responsible Officer: Chief Executive Officer
Date: 8 December 2020
In Attendance: Yes (✓) No (X)

Councillors		Officers	
Cr. Gary Allen	✓	Acting Chief Executive Officer – Anne Howard	✓
Cr. Paul Barker	✓	Acting General Manager Governance & Infrastructure – John Bertoldi	✓
Cr. Mike Bodsworth	✓	General Manager Environment & Development - Ransce Salan	✓
Cr. Kate Gazzard	✓	General Manager Culture & Community - Chris Pike	✓
Cr. Rose Hodge	✓	Governance Officer – Liberty Nash	✓
Cr. Liz Pattison	✓	Manager Digital Transformation – Stevan Muskett	✓
Cr. Adrian Schonfelder	✓	Manager Engineering Services – Ian Stewart	✓
Cr. Libby Stapleton	✓	Manager Program Management Office – Rowena Frost	✓
Cr. Heather Wellington	x	Coordinator Workplace Health & Safety – Sam Liston	✓

MEETING COMMENCED	3:08pm	MEETING CONCLUDED	4:48pm
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Matters considered at the meeting
1. Workplace Health & Safety Induction
2. Digital Transformation Program Update
3. Quarterly Update – Road Management
4. Monthly Program Status Update – October 2020
5. Environment & Development Monthly Report – August – October 2020
6. Agenda Review – 8 December 2020 Council Meeting

Councillor Conflict of Interest Disclosures		
Councillor	Left Meeting (Y/N)	Classification and nature of interest(s) disclosed
Responsible Officer Signature: Print Name: Anne Howard		
To be completed on conclusion of session and provided to Governance Officer.		

Governance Rules, Chapter 3, Clause 3

3.1. At a meeting under the auspices of Council that is not a meeting of the Council or delegated committee, the Chief Executive Officer must ensure that a written record is kept of—

- a) the names of all Councillors and members of Council staff attending;
- b) the matters considered;
- c) any conflict of interest disclosures made by a Councillor attending under subclause 3.3;
- d) whether a Councillor who has disclosed a conflict of interest as required by subclause 3.3 leaves the meeting.

3.2. The Chief Executive Officer must ensure that the written record of a meeting held under this clause is, as soon as practicable—

- a) reported at a meeting of the Council; and
- b) incorporated in the minutes of that Council meeting.

Auspices of the Council

Any meeting that is organised, sponsored or otherwise facilitated by the council should be treated as an 'auspiced' meeting. Council auspiced meetings may include, but are not limited to:

- regular councillor briefings or forums,
- other briefing meetings,
- committees other than a delegated or community asset committee (such as advisory committees),
- public consultations, and
- site meetings (incl. include meetings the council arranges jointly with other organisations).

9.1 Conflict of Interest Records

**APPENDIX 4 CONFLICT OF INTEREST RECORD - MEETINGS CONDUCTED UNDER THE
AUSPICES OF COUNCIL - RESPONSIBLE AND PLANNING AUTHORITY
BRIEFING - 8 DECEMBER 2020**



Conflict of Interest Record Meetings conducted under the auspices of Council

Section 131 of the Local Government Act 2020 and Chapter 3 of Council's Governance Rules

Description of Meeting: Responsible & Planning Authority Briefing
Responsible Officer: Chief Executive Officer
Date: 8 December 2020
In Attendance: Yes (✓) No (X)

Councillors		Officers	
Cr. Gary Allen	✓	Acting Chief Executive Officer – Anne Howard	✓
Cr. Paul Barker	✓	Acting General Manager Governance & Infrastructure – John Bertoldi	✓
Cr. Mike Bodsworth	✓	General Manager Environment & Development - Ransce Salan	✓
Cr. Kate Gazzard	✓	General Manager Culture & Community - Chris Pike	✓
Cr. Rose Hodge	✓	Governance Officer – Liberty Nash	✓
Cr. Liz Pattison	✓	Manager Planning & Development – Bill Cathcart	✓
Cr. Adrian Schonfelder	✓	Coordinator Statutory Planning – David Simon	✓
Cr. Libby Stapleton	✓	Principal Statutory Planner – Bianca Wilkin	✓
Cr. Heather Wellington	X		

MEETING COMMENCED	2:52pm	MEETING CONCLUDED	3:07pm
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Matters considered at the meeting
1. Planning Permit Application 20/0283 – Construction of Three Storey Residential Apartment Building, Removal of Vegetation and Construction of Fences – 86-92 the Esplanade Torquay

Councillor Conflict of Interest Disclosures		
Councillor	Left Meeting (Y/N)	Classification and nature of interest(s) disclosed

Responsible Officer Signature:	Print Name: Anne Howard
To be completed on conclusion of session and provided to Governance Officer.	

Governance Rules, Chapter 3, Clause 3

- 3.1. At a meeting under the auspices of Council that is not a meeting of the Council or delegated committee, the Chief Executive Officer must ensure that a written record is kept of—
- a) the names of all Councillors and members of Council staff attending;
 - b) the matters considered;
 - c) any conflict of interest disclosures made by a Councillor attending under subclause 3.3;
 - d) whether a Councillor who has disclosed a conflict of interest as required by subclause 3.3 leaves the meeting.

- 3.2. The Chief Executive Officer must ensure that the written record of a meeting held under this clause is, as soon as practicable—
- a) reported at a meeting of the Council; and
 - b) incorporated in the minutes of that Council meeting.

Auspices of the Council

Any meeting that is organised, sponsored or otherwise facilitated by the council should be treated as an 'auspiced' meeting. Council auspiced meetings may include, but are not limited to:

- regular councillor briefings or forums,
- other briefing meetings,
- committees other than a delegated or community asset committee (such as advisory committees),
- public consultations, and
- site meetings (incl. include meetings the council arranges jointly with other organisations).

9.1 Conflict of Interest Records

**APPENDIX 5 CONFLICT OF INTEREST RECORD - MEETINGS CONDUCTED UNDER THE
AUSPICES OF COUNCIL - COUNCIL PLAN WORKSHOP - 15 DECEMBER 2020**



Conflict of Interest Record Meetings conducted under the auspices of Council

Section 131 of the Local Government Act 2020 and Chapter 3 of Council's Governance Rules

Description of Meeting: Councillor Workshop for Council Plan
Responsible Officer: Chief Executive Officer
Date: 15 December 2020
In Attendance: Yes (✓) No (X)

Councillors		Officers	
Cr. Gary Allen	✓	Acting Chief Executive Officer – Anne Howard	✓
Cr. Paul Barker	✓	Acting General Manager Governance & Infrastructure – John Bertoldi	✓
Cr. Mike Bodsworth	✓	General Manager Environment & Development - Ransce Salan	✓
Cr. Kate Gazzard	✓	General Manager Culture & Community - Chris Pike	✓
Cr. Rose Hodge	✓	Manager Governance & Risk – Wendy Hope	✓
Cr. Liz Pattison	✓	Manager Community Strengthening – Jill Moodie	✓
Cr. Adrian Schonfelder	✓	Coordinator Communications & Community Engagement – Darryn Chiller	✓
Cr. Libby Stapleton	✓	Social Planning & Recovery Advisor – Alicia Hooper	✓
Cr. Heather Wellington	X	Community Engagement Facilitator	✓

MEETING COMMENCED	9:30am	MEETING CONCLUDED	12:30pm
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Matters considered at the meeting
1. Council Plan Workshop (hosted by external presenters from MosaicLab)

Councillor Conflict of Interest Disclosures		
Councillor	Left Meeting (Y/N)	Classification and nature of interest(s) disclosed

Responsible Officer Signature: **Print Name:** Anne Howard

To be completed on conclusion of session and provided to Governance Officer.

Governance Rules, Chapter 3, Clause 3

- 3.1. At a meeting under the auspices of Council that is not a meeting of the Council or delegated committee, the Chief Executive Officer must ensure that a written record is kept of—
- a) the names of all Councillors and members of Council staff attending;
 - b) the matters considered;
 - c) any conflict of interest disclosures made by a Councillor attending under subclause 3.3;
 - d) whether a Councillor who has disclosed a conflict of interest as required by subclause 3.3 leaves the meeting.
- 3.2. The Chief Executive Officer must ensure that the written record of a meeting held under this clause is, as soon as practicable—
- a) reported at a meeting of the Council; and
 - b) incorporated in the minutes of that Council meeting.

Auspices of the Council

- Any meeting that is organised, sponsored or otherwise facilitated by the council should be treated as an 'auspiced' meeting. Council auspiced meetings may include, but are not limited to:
- regular councillor briefings or forums,
 - other briefing meetings,
 - committees other than a delegated or community asset committee (such as advisory committees),
 - public consultations, and
 - site meetings (incl. include meetings the council arranges jointly with other organisations).

9.1 Conflict of Interest Records

**APPENDIX 6 CONFLICT OF INTEREST RECORD - MEETINGS CONDUCTED UNDER THE
AUSPICES OF COUNCIL - DAL WORKSHOP - 15 DECEMBER 2020**



Conflict of Interest Record Meetings conducted under the auspices of Council

Section 131 of the Local Government Act 2020 and Chapter 3 of Council's Governance Rules

Description of Meeting: Distinctive Area Landscapes (DAL) Workshop
Responsible Officer: Chief Executive Officer
Date: 15/12/2020
In Attendance: Yes (✓) No (X)

Councillors		Officers	
Cr. Gary Allen	✓	Acting Chief Executive Officer – Anne Howard	✓
Cr. Paul Barker	✓	Acting General Manager Governance & Infrastructure – John Bertoldi	✓
Cr. Mike Bodsworth	✓	General Manager Environment & Development - Ransce Salan	✓
Cr. Kate Gazzard	x	General Manager Culture & Community - Chris Pike	✓
Cr. Rose Hodge	✓	Manager Environment & Community Safety - Rowan Mackenzie	✓
Cr. Liz Pattison	✓	Manager Community Strengthening - Jill Moodie	✓
Cr. Adrian Schonfelder	✓	Manager Economic Development – Matt Taylor	✓
Cr. Libby Stapleton	✓	Coordinator Planning Compliance - Andrew Hewitt	✓
Cr. Heather Wellington	x	Coordinator Statutory Planning - David Simon	✓
		Coordinator Strategic Land Use Planning - Karen Hose	✓
		Principal Strategic Planner - Michelle Warren	✓

MEETING COMMENCED	1:40pm	MEETING CONCLUDED	3:40pm
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Matters considered at the meeting
1. Distinctive Area Landscapes (facilitated by external presenter)

Councillor Conflict of Interest Disclosures		
Councillor	Left Meeting (Y/N)	Classification and nature of interest(s) disclosed

Responsible Officer Signature:	Print Name: Anne Howard
To be completed on conclusion of session and provided to Governance Officer.	

Governance Rules, Chapter 3, Clause 3

3.1. At a meeting under the auspices of Council that is not a meeting of the Council or delegated committee, the Chief Executive Officer must ensure that a written record is kept of—

- a) the names of all Councillors and members of Council staff attending;
- b) the matters considered;
- c) any conflict of interest disclosures made by a Councillor attending under subclause 3.3;
- d) whether a Councillor who has disclosed a conflict of interest as required by subclause 3.3 leaves the meeting.

3.2. The Chief Executive Officer must ensure that the written record of a meeting held under this clause is, as soon as practicable—

- a) reported at a meeting of the Council; and
- b) incorporated in the minutes of that Council meeting.

Auspices of the Council

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9.1 Conflict of Interest Records

**APPENDIX 7 CONFLICT OF INTEREST RECORD - MEETINGS CONDUCTED UNDER THE
AUSPICES OF COUNCIL - CEO EMPLOYMENT MATTERS COMMITTEE MEETING
- 22 DECEMBER 2020**



Conflict of Interest Record Meetings conducted under the auspices of Council

Section 131 of the Local Government Act 2020 and Chapter 3 of Council's Governance Rules

Description of Meeting: CEO Employment Matters Committee
Responsible Officer: Manager People & Culture
Date: 22 December 2020
In Attendance: Yes (✓) No (X)

Councillors		Officers	
Cr. Gary Allen	✓	Manager People & Culture – Leanne Perryman	✓
Cr. Paul Barker	✓		
Cr. Mike Bodsworth	✓		
Cr. Kate Gazzard	✓		
Cr. Rose Hodge	✓		
Cr. Liz Pattison	✓		
Cr. Adrian Schonfelder	✓		
Cr. Libby Stapleton	✓		
Cr. Heather Wellington	✓		

MEETING COMMENCED	9.39am	MEETING CONCLUDED	11.07am
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Matters considered at the meeting
1. Timeline Review
2. Draft CEO Success Profile/Position Description
3. Recruitment agencies
4. Presentations
5. Preferred recruitment agency
6. Other Business / Next Meeting agenda

Councillor Conflict of Interest Disclosures		
Councillor	Left Meeting (Y/N)	Classification and nature of interest(s) disclosed
Responsible Officer Signature: Print Name: Leanne Perryman		
To be completed on conclusion of session and provided to Governance Officer.		

Governance Rules, Chapter 3, Clause 3

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 - b) the matters considered;
 - c) any conflict of interest disclosures made by a Councillor attending under subclause 3.3;
 - d) whether a Councillor who has disclosed a conflict of interest as required by subclause 3.3 leaves the meeting.

- 3.2. The Chief Executive Officer must ensure that the written record of a meeting held under this clause is, as soon as practicable—

- a) reported at a meeting of the Council; and
- b) incorporated in the minutes of that Council meeting.

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9.1 Conflict of Interest Records

**APPENDIX 8 CONFLICT OF INTEREST RECORD - MEETINGS CONDUCTED UNDER THE
AUSPICES OF COUNCIL - SITE VISIT - 11 JANUARY 2021**



Conflict of Interest Record Meetings conducted under the auspices of Council

Section 131 of the Local Government Act 2020 and Chapter 3 of Council's Governance Rules

Description of Meeting: Site Visit to Murnong Farms, adjacent property owned by Geoff and Isabelle Oliver, and the Town of Inverleigh
Responsible Officer: Manager Planning and Development
Date: 11 January 2021
In Attendance: Yes (✓) No (X)

Councillors		Officers	
Cr. Gary Allen	✓	Bill Cathcart Manager Planning and Development	✓
Cr. Paul Barker	✓	Donna Groves Community Liaison Officer	✓
Cr. Mike Bodsworth	✓		
Cr. Kate Gazzard	✓		
Cr. Rose Hodge	X		
Cr. Liz Pattison	X		
Cr. Adrian Schonfelder	✓		
Cr. Libby Stapleton	✓		
Cr. Heather Wellington	X		

MEETING COMMENCED	10:00am	MEETING CONCLUDED	2:00pm
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Matters considered at the meeting
1. Understanding of the site and surrounding area in regard to a proposal for Planning Permit 19/0110 - Use and development for Intensive Animal Production (Sheep Production and Dairy) - 1440 Inverleigh-Winchelsea Road Inverleigh

Councillor Conflict of Interest Disclosures		
Councillor	Left Meeting (Y/N)	Classification and nature of interest(s) disclosed
Responsible Officer Signature:		Print Name: Bill Cathcart
To be completed on conclusion of session and provided to Governance Officer.		

Governance Rules, Chapter 3, Clause 3

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- a) the names of all Councillors and members of Council staff attending;
- b) the matters considered;
- c) any conflict of interest disclosures made by a Councillor attending under subclause 3.3;
- d) whether a Councillor who has disclosed a conflict of interest as required by subclause 3.3 leaves the meeting.

3.2. The Chief Executive Officer must ensure that the written record of a meeting held under this clause is, as soon as practicable—

- a) reported at a meeting of the Council; and
- b) incorporated in the minutes of that Council meeting.

Auspices of the Council

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9.1 Conflict of Interest Records

**APPENDIX 9 CONFLICT OF INTEREST RECORD - MEETINGS CONDUCTED UNDER THE
AUSPICES OF COUNCIL - COUNCILLOR BRIEFINGS - 12 JANUARY 2021**



Conflict of Interest Record Meetings conducted under the auspices of Council

Section 131 of the Local Government Act 2020 and Chapter 3 of Council's Governance Rules

Description of Meeting: Councillor Briefings
Responsible Officer: Chief Executive Officer
Date: 12 January 2021
In Attendance: Yes (✓) No (X)

Councillors		Officers	
Cr. Gary Allen	✓	Acting Chief Executive Officer – Anne Howard	✓
Cr. Paul Barker	✓	Acting General Manager Governance & Infrastructure – John Bertoldi	✓
Cr. Mike Bodsworth	✓	General Manager Environment & Development - Ransce Salan	✓
Cr. Kate Gazzard	✓	General Manager Culture & Community - Chris Pike	✓
Cr. Rose Hodge	✓	Governance Officer – Liberty Nash	✓
Cr. Liz Pattison	✓	Manager Engineering Services – Ian Stewart	✓
Cr. Adrian Schonfelder	✓	Manager Recreation & Open Space Planning – Shaan Briggs	✓
Cr. Libby Stapleton	✓	Manager Environment & Community Safety – Rowan Mackenzie	✓
Cr. Heather Wellington	✓	Manager Planning & Development – Bill Cathcart	✓
		Coordinator Environment – Kate Smallwood	✓
		Coordinator Communications & Community Engagement – Darryn Chiller	✓
		Coordinator Statutory Planning – David Simon	✓
		Coordinator Strategic Land Use & Planning – Karen Hose	✓
		Coordinator Planning Compliance – Andrew Hewitt	✓
		Coordinator Environmental Sustainability – Sally Sneddon	✓
		Community Engagement Facilitator – Rochelle Harding	✓
		Social Planning & Recovery Advisor – Alicia Hooper	✓
		Senior Project Design Engineer – Aoife Corcoran	✓
		Principal Statutory Planner – Ben Schmied	✓
		Economic Development Advisor – Scott Jardine	✓
		Principal Strategic Planner – Michelle Warren	✓
		Recreation Development Officer – Paul Elshaug	✓

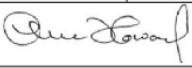
MEETING COMMENCED	11:00am	MEETING CONCLUDED	4:32pm
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Matters considered at the meeting
1. COVID-19 Update
2. Towards Environmental Leadership Quarterly Update
3. Potential Carbon Offset Site & Partnership with Greenfleet
4. People Place Future Strategic Planning Project
5. Local Roads Community Infrastructure – Phase 2 Allocation & Projects
6. Surf Coast Aquatic & Health Centre Update
7. Planning Permit 19/0110 – Use and development for Intensive Animal Production (Sheep Production & Dairy) – 1440 Inverleigh-Winchelsea Road Inverleigh
8. COVID-19 Recovery Assistance Program Update
9. Upgrade of Gravel Roads – Ballanlea Road
10. Adoption of Amendment C127 – Section 26A application for the rezoning and subdivision of land at 2995 Princes Highway, Winchelsea

9.1 Conflict of Interest Records



11. Petition Response – State of Winchelsea After Maintenance Change
12. Distinct Area Landscapes (DAL) Submission
13. Planning Compliance Matter - 1
14. Planning Compliance Matter - 2
15. Audit & Risk Committee Matters

Councillor Conflict of Interest Disclosures		
Councillor	Left Meeting (Y/N)	Classification and nature of interest(s) disclosed
Responsible Officer Signature:  Print Name: Anne Howard		
To be completed on conclusion of session and provided to Governance Officer.		

Governance Rules, Chapter 3, Clause 3

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10. NOTICE OF MOTIONS

Nil

11. CLOSED SECTION

The meeting adjourned at 8:14pm and resumed at 8:19pm.

Council Resolution

MOVED Cr Gary Allen, Seconded Cr Adrian Schonfelder

That Council, pursuant to section 66(1) and 66(2)(a) of the *Local Government Act 2020*, close the meeting to members of the public at 8:19pm to resolve on matters pertaining to items that deal with information that is confidential in accordance with section 3(1) of the Act, as follows:

- 11.1 Award of Contract T21-008 Road Line Marking Services** - confidential in accordance with section 3(1)(a), pertaining to Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.

CARRIED 9:0

Close: There being no further items of business the meeting closed at 8:24pm.

The below extract is provided from the Council resolution for item 11.1 in the confidential minutes and is now made public as resolved.

Council Resolution

MOVED Cr Kate Gazzard, Seconded Cr Adrian Schonfelder

That Council:

1. Awards contract T21-008 Road Line Marking Services to Southern Highway Services Pty Ltd for the tendered scheduled of rates for an initial contract term of three (3) years with a possible extension of a two (2) further 12 month periods, for a maximum contract term of five (5) years at an approximate total cost of total cost of \$750,000 (ex-GST).

CARRIED 9:0