



# Agenda

Ordinary Meeting of Council  
Tuesday, 25 August 2015

To be held in the  
Council Chambers  
1 Merrijig Drive, Torquay

Commencing at 6.00pm

**Council:**

Cr Margot Smith (Mayor)  
Cr David Bell  
Cr Libby Coker  
Cr Eve Fisher  
Cr Clive Goldsworthy  
Cr Rose Hodge  
Cr Carol McGregor  
Cr Brian McKiterick  
Cr Heather Wellington

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AGENDA FOR THE ORDINARY MEETING OF SURF COAST SHIRE COUNCIL  
TO BE HELD IN THE COUNCIL CHAMBERS, 1 MERRIJIG DRIVE, TORQUAY  
ON TUESDAY 25 AUGUST 2015 COMMENCING AT 6.00PM

**PRESENT:**

**OPENING:**

Council acknowledge the traditional owners of the land where we meet today and pay respect to their elders past and present and Council acknowledges the citizens of the Surf Coast Shire.

**PLEDGE:**

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:**

**CONFIRMATION OF MINUTES:**

**Recommendation**

That Council note the minutes of the Ordinary Meeting of Council held on 28 July 2015 as correct record of the meetings.

**LEAVE OF ABSENCE REQUESTS:**

**CONFLICTS OF INTEREST:**

**Note to Councillors and Officers**

***Declaration of Interest***

*Councillors and Officers please note that in accordance with Section 77A of the Local Government Act 1989, there is an obligation to declare a conflict of interest in a matter before Council.*

*A conflict of interest can be a direct or indirect interest in a matter.*

*A person has a direct interest if:*

*There is a reasonable likelihood that the benefits, obligations, opportunities or circumstances of the person would be directly altered if the matter is decided in a particular way.*

*A person has an indirect interest if the person has:*

- 1. A close association whereby a "family member" of the person has a direct or indirect interest or a "relative" or member of a person's household has a direct interest in a matter;*
- 2. An indirect financial interest in the matter;*
- 3. A conflicting duty;*
- 4. Received an "applicable" gift;*
- 5. Become an interested party in the matter by initiating civil proceedings or becoming a party to civil proceedings in relation to the matter; or*
- 6. A residential amenity affect.*

***Disclosure of Interest***

*A Councillor or Officer must make full disclosure of a conflict of interest by advising the class and nature of the interest immediately before the matter is considered at the meeting. While the matter is being considered or any vote taken, the Councillor or Officer with the conflict of interest must leave the room and notify the Chairperson that he or she is doing so.*

**PRESENTATIONS:**

**PUBLIC QUESTION TIME:**

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## 1. OFFICE OF THE CEO

### 1.1 Monthly Finance Report - Project Variances

**Author's Title:** Manager Finance

**General Manager:** Keith Baillie

**Department:** Finance

**File No:** F15/973

**Division:** Office of the CEO

**Trim No:** IC15/154

**Appendix:**

1. Project Variations List Jul 2015 (D15/72103)

**Officer Direct or Indirect Conflict of Interest:**

**Status:**

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

Information classified confidential under Section 77  
of the Local Government Act:

Yes

No

Yes

No

**Reason:** Nil

**Reason:** Nil

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### **Purpose**

For Council to authorise the July 2015 project budget transfers report.

### **Summary**

Council considers recommended project budget transfers on a monthly basis. This is usually undertaken as part of the Monthly Finance Report however, the Monthly Finance Report is not prepared for the month of July due to the preparation of year-end financial statements. Considering the July project budget transfers at the August Council meeting will assist the accuracy of project budgets for the year ended 30 June 2016.

### **Recommendation**

That Council approve the project budget adjustments as listed in Appendix 1.

## 1.1 Monthly Finance Report - Project Variances

### **Report**

#### ***Background***

Council considers project budget transfers each month, typically as part of the Monthly Finance Report. The Monthly Finance Report is not prepared for the month ended July 31 due to operational constraints around the preparation of statutory accounts for the previous financial year. The purpose of this report is for Council to consider the July 2015 project budget transfers in the absence of the Monthly Finance Report.

#### ***Discussion***

The recommended project budget transfers are shown as Appendix 1.

#### ***Financial Implications***

The Chief Executive Officer approves project budget transfers less than \$5,000. Higher project budget transfers are recommended for Councils consideration. Both categories are shown in Appendix 1.

#### ***Council Plan***

Theme 2 Governance  
Objective 2.3 Long term financial viability  
Strategy 2.4.1 Communicate decisions clearly and in a timely manner.

Theme Select Theme text  
Objective Select Objective text  
Strategy Select Strategy text

Theme Select Theme text  
Objective Select Objective text  
Strategy Select Strategy text

#### ***Policy/Legal Implications***

Not applicable.

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

Not applicable.

#### ***Risk Assessment***

Not applicable.

#### ***Social Considerations***

Not applicable.

#### ***Community Engagement***

Not applicable.

#### ***Environmental Implications***

Not applicable.

#### ***Communication***

Not applicable.

#### ***Conclusion***

Monthly consideration of project budget transfers is part of Council's regular governance processes for project budgets.

## 1.2 2016 General Revaluation

**Author's Title:** Finance Manager

**CEO:** Keith Baillie

**Department:** Finance

**File No:** F14/516

**Division:** Office of the CEO

**Trim No:** IC15/103

**Appendix:**

Nil

**Officer Direct or Indirect Conflict of Interest:**

**Status:**

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

Information classified confidential under Section 77  
of the Local Government Act:

Yes

No

Yes

No

**Reason:** Nil

**Reason:** Nil

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### Purpose

To authorise the general revaluation of the municipality for the next two years.

### Summary

The Valuation of Land Act 1960 outlines Council's obligations in regard to the conduct of general valuations of property within the Local Government Area, with particular reference to Part 2 – Valuations for Local Government Act 1989. Council must cause a general valuation of rateable land within the municipal district to be made as at 1 January 2016 and return the valuation to Council before 30 June 2016.

A valuation authority proposing to make a general valuation must also give not less than one month's notice of the decision to cause the valuation to be made to the Valuer-General and every other rating authority interested in the valuation of land in the municipal district.

This report recommends that Council resolve to cause a general revaluation to be made of all rateable properties within the Surf Coast Shire to be made as at 1 January 2016, and returned to Council before 30 June 2016.

### Recommendation

That Council:

1. Cause a general revaluation of all rateable land within the Surf Coast Shire to be made as at 1 January 2016 and returned to Council before the 30 June 2016, in accordance with Section 11 of the Valuation of Land Act 1960.
2. Communicate with the community during the course of the revaluation process.

## 1.2 2016 General Revaluation

### **Report**

#### ***Background***

The Valuation of Land Act 1960 outlines Council's obligations in regard to the conduct of general valuations of property within the Local Government Area, with particular reference to Part 2 – Valuations for Local Government Act 1989. Council must cause a general valuation of rateable land within the municipal district to be made as at 1 January 2016 and return the valuation to Council before 30 June 2016.

Council awarded the tender for the provision of valuation services for four years at its meeting held on 19 September 2012. The current contract will expire on 30 September 2016.

In conjunction with the extension of the contract, it is now considered appropriate for Council to resolve to cause a general revaluation to be made of all rateable properties in the municipality, for the two remaining years of the valuation contract per the Valuation of Land Act 1960, being made as at 1 January in every even year (i.e. 2016).

#### ***Discussion***

Section 11 explains that "A valuation authority must, for the purposes of the Local Government Act 1989, cause a general valuation of rateable land within the relevant municipal district to be made as at 1 January in every even calendar year and returned to—

(a) the valuation authority; and

(b) if the valuation authority is not the rating authority, the rating authority—  
before 30 June in that year."

Section 6(1) explains "A valuation authority proposing to make a general valuation must give not less than one month's notice of the decision to cause the valuation to be made to—

(a) every other rating authority interested in the valuation of land in the relevant municipal district; and

(b) in the case of a council general valuation or a collection agency general valuation, the valuer-general."

A Council resolution to cause a general revaluation to be made of all rateable properties within the Surf Coast Shire as at 1 January 2016 is required in order to proceed with the 2016 revaluation.

The extended valuation contract specifications include a series of time lines to be achieved during the revaluation process, with the Valuation Return date remaining as 31 March, which is within the Valuation of Land Act requirement of "30 June in that year".

Following the resolution of Council to cause a valuation, the applicable notification will be forwarded to the Valuer-General's Office, the State Revenue Office, neighbouring shires and other statutory authorities.

#### ***Financial Implications***

The costs of the 2016 general revaluation will be applied to the 2015/16 financial year and is budgeted accordingly.

#### ***Council Plan***

Theme 2 Governance

Objective 2.3 Long term financial viability

#### ***Policy/Legal Implications***

A Council resolution to cause a general valuation of rateable land in the municipal district is a requirement under the Valuation of Land Act 1960 as outlined in the discussion.

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

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

#### ***Risk Assessment***

Not applicable.

#### ***Social Considerations***

Not applicable.

## **1.2 2016 General Revaluation**

### ***Community Engagement***

Not applicable.

### ***Environmental Implications***

Not applicable.

### ***Communication***

Ratepayers will be informed of the 2016 general revaluation process prior to the issue of the 2016/17 Rate Notices through Council's Groundswell newsletter and other relevant media.

### ***Conclusion***

That Council cause a general revaluation of all rateable land within the Surf Coast Shire to be made as at 1 January 2016 and returned to Council before the 30 June 2016, in accordance with Section 11 of the Valuation of Land Act, 1960.





### **1.3 Essential Services Commission - Rate Capping Draft Report - Council Submission**

#### **Report**

##### ***Background***

The Victorian Government provided a commitment that if elected it would implement a rate capping framework for local government in Victoria.

In January 2015 the Minister for Finance and the Minister for Local Government requested the ESC to consider and report on the development of a state-wide capping and variation framework for council rates. The ESC is required to complete the review by October 2015 for implementation in 2016-17.

The ESC issued a consultation paper in April 2015. Council provided a submission to this consultation paper, and received and noted the submission at the 26 May 2015 Council meeting.

The ESC subsequently released a Draft Report – Local Government Rates Capping & Variation Framework Review on 31 July 2015. Council has the opportunity to provide a submission to the Draft Report, which is due by 28 August 2015.

##### ***Discussion***

Rate capping is a vitally important issue facing Victorian local government. It is appropriate for Council to actively participate in rate capping policy development process to seek the best outcome for Council and the community. Participation also affirms Council's reputation for constructive engagement with government.

##### ***Financial Implications***

Council faces a potentially significant reduction in rate revenue and additional costs through the administration of the proposed rate capping system. This impacts Council's ability to fund services and facilities as needed by the community.

##### ***Council Plan***

Theme 2 Governance  
Objective 2.3 Long term financial viability  
Strategy 2.3.2 Annual update of strategic resource plan

##### ***Policy/Legal Implications***

None

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

None

##### ***Risk Assessment***

None

##### ***Social Considerations***

None

##### ***Community Engagement***

None

##### ***Environmental Implications***

None

##### ***Communication***

None

##### ***Conclusion***

That Council endorse its submission to the Essential Services Commission Draft Report – Local Government Rates Capping & Variation Framework Review, provided as Appendix 1.

## 2. GOVERNANCE & INFRASTRUCTURE

### 2.1 Council Plan 2013 - 2017 Final progress report 30 June 2015

**Author's Title:** Coordinator Corporate Planning

**General Manager:** Sunil Bhalla

**Department:** Governance & Risk

**File No:** F12/1213

**Division:** Governance & Infrastructure

**Trim No:** IC15/34

**Appendix:**

1. Council Plan 2013 - 2017 - Final Progress Report for 2014 - 2015 (D15/66845)

**Officer Direct or Indirect Conflict of Interest:**

**Status:**

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

Information classified confidential under Section 77 of the Local Government Act:

Yes

No

Yes

No

**Reason:** Nil

**Reason:** Nil

**Purpose**

To receive and note the final progress report on delivery of the Council Plan 2013 – 2017 strategies and measures for 2014 - 2015.

**Summary**

This report marks the completion of the second and final year's reporting against the Council Plan 2013 – 2017 adopted by Council in June 2013. In June 2015 Council adopted an amended Council Plan 2013 – 2017 following a mid-term review. This amended plan will be used as the basis of reporting for the remainder of Council's elected term.

During 2014 - 2015 performance against Council Plan strategies and measures was reported to Council quarterly. A summary of the highlights and challenges will be incorporated into the Annual Report for 2014 – 2015.

For the strategies and measures contained in the Council Plan 2013 – 2017 the end of year results at 30 June 2015 are as follows:

Status	Strategies		Measures	
	No.	%	No.	%
Work in progress	38	42	25	33
Met or exceeded	50	56	38	51
Not met	1	1	8	11
No action planned 2013 – 14	1	1	4	5
<b>Total</b>	<b>90</b>	<b>100</b>	<b>75</b>	<b>100</b>

**Recommendation**

That Council receive and note the Council Plan 2013 – 2017 final progress report for strategies and measures for the 2014 – 2015 year attached as Appendix 1

## 2.1 Council Plan 2013 - 2017 Final progress report 30 June 2015

### Report

#### Background

This is the final quarterly progress report to Council against the Council Plan 2013 – 2017 strategies and measures for the 2014 – 2015 financial year. This report also marks the final report against the Council Plan 2013 – 2017 adopted in June 2015.

This information is provided to Council to enable progressive performance monitoring against delivery of the Council Plan 2013 – 2017.

Annual performance against Council Plan strategies, measures and targets is required to be reported in the Annual Report each year in accordance with the Local Government (Planning and Reporting) Regulations 2014.

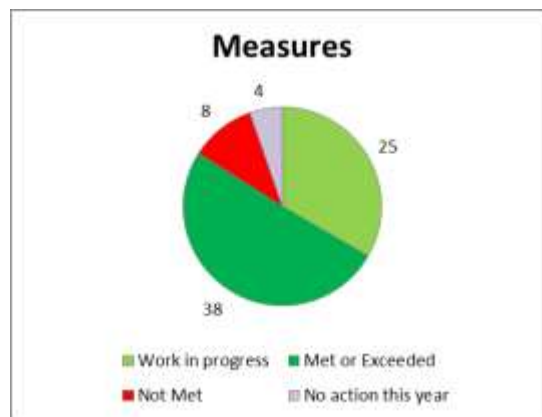
#### Discussion

The end of year performance results for 2014 – 2015 are summarised in the attached report.

This report has been formatted to include:

1. An executive summary – including corporate dashboard.
2. Strategies – including detail on performance status and comments.
3. Measures – including detail on performance status and comments.

Overall performance for 2014 – 2015 is as follows:



Status indicator	Work in progress	Met or exceeded	Not met	No action planned 2014 -15	Total
<b>Strategies</b>	38	50	1	1	<b>90</b>
<b>Measures</b>	25	38	8	4	<b>75</b>

Note: - Duplicate measure 1.4.1 removed from above - table & graphs adjusted accordingly.

## 2.1 Council Plan 2013 - 2017 Final progress report 30 June 2015

Actions and targets for strategies and measures identified as “not met” are as follows:

### Comments where actions for strategies identified as “not met”

No.	Strategy	Action	Comment
1.	2.4.9 Define and publish policies for quality and equity.	2.4.9.1 Review at least ten Council Policies	Six policies reviewed and adopted by Council.

### Comments where targets for measures identified as “not met”

No.	Measure	Target	Comment
1.	2.2.3 Number of completed service reviews.	Target = 12; Time frame = annually; Reported = annually	4 services have been reviewed using the current review process with results presented to Council in December 2014. A revised approach to service reviews is being considered which is aimed at delivering enhanced financial efficiencies.
2.	2.2.4.1 Customer service charter measures: Respond to all emails and letters within 10 business days of receipt.	Target = < 10 days; Time frame = annually, Reported = quarterly	Current systems are unable to provide data to report performance against this measure. Matter being addressed in 2015 – 2016.
3.	2.4.1 Number of media releases.	Target = 150; Time frame = annually; Reported = quarterly	Total for 2014 – 2015 = 118
4.	3.2.4 Number of residents on waiting lists for services – Positive Ageing.	Target = 0; Time frame = annually; Reported = quarterly	Council holds waiting lists for all council run services and sources some data on waiting lists for other services within the shire. Aged care services Home Care services have no current waiting list. Commonwealth Home care packages have approx. 25 people on the waiting list. Early Years Kindergarten has a waiting list for 3 year old children; all 4 year old children have been allocated a place. Family day care and occasional care services have waiting lists for under 3 year old children primarily. We are aware of waiting lists for long day care however have not been able to source data on numbers of children waiting as these are all private services.
5.	3.3.2 Percentage of registered food premises inspected annually.	Target = 95%; Time frame = annually; Reported = annually	82% completed. 297 out of 362 registered premises inspected (including fixed, temporary and mobile food premises). This target is likely to be achieved in future because Council has allocated additional resources to this area.
6.	4.2.2 Percentage of facility maintenance requests completed on time.	Target = > 90%; Time frame = Annually; Reported = annually	Currently achieving 88%. Measures being implemented to improve performance.

## 2.1 Council Plan 2013 - 2017 Final progress report 30 June 2015

No.	Measure	Target	Comment
7.	5.3.3 Number of enquiries to Visitor Information Centres.	Target = 309,126; Time frame = annually; Reported = quarterly	Enquiries for 2014 -2015 totalled 300,439. This is despite Lorne Visitor Centre undergoing major renovation over a number of months for the Heritage Museum and Torquay undergoing renovations in June.
8.	5.3.6 Number of Tourism members.	Target = 5% increase pa from 2013 base of 396; Time frame = annually; Reported = annually	Actively working with GORRT to secure new membership. GORRT advise the new structure is not based on a membership model but rather subscriptions. Most current list to June 2015 shows 396 businesses engaged

### Comments where actions for strategies identified as “No action planned 2014 - 2015”

No.	Strategy	Action	Comment
1.	1.2.1 Explore opportunities for carbon farming with the carbon offset scheme throughout the Shire	No action	No action proposed until new State and Commonwealth policies released.

### Comments where targets for measures identified as “No action planned 2014 - 2015”

No.	Measure	Target	Comment
1.	1.1.3 Number of high priority actions implemented from the revised Environmental Management Strategy.	Target = 4; Time frame = annually; Reported = annually	Priority action is to complete high level strategic land use planning map integrated with economic development and planning and development
2.	1.2.6 Number of viable carbon farming and carbon offset opportunities identified for Council	Target = 2; Time frame = by 30 June 2017; Reported = annually	No action proposed until new State and Commonwealth policies released
3.	1.2.7 Research conducted and business case prepared on carbon farming opportunities for Surf Coast Shire.	Target = Business case prepared by March 2014; Time frame = annually; Reported = annually	Target not achieved but no action proposed until new State and Commonwealth policies released
4.	5.2.2 Type of new clean industry	Target = alignment with	Subject to staff resources being available

## 2.1 Council Plan 2013 - 2017 Final progress report 30 June 2015

No.	Measure	Target	Comment
	development annually.	state targets in various industry sectors; Time lines = by 30 June 2017; Reported annually	

### **Financial Implications**

There are no additional costs associated with reporting the performance.

### **Council Plan**

Theme 2 Governance

Objective 2.4 Transparency in decision making and access to information

Strategy 2.4.3 Ensure decision-making is as transparent as possible.

### **Policy/Legal Implications**

This report complies with the Local Government Act 1989 and Local Government (Planning and Reporting) Regulations 2014.

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

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

### **Risk Assessment**

Lack of monitoring and performance reporting could result in lack of progress against Council Plan strategies and priorities leading to an inability to report against identified measures and an inability of Council to respond with confidence to the public or other stakeholders in service delivery.

### **Social Considerations**

Ensuring performance against strategies, measures and targets is understood enables management and Council to respond to public questions in an informed manner.

### **Community Engagement**

Considerable community engagement was undertaken in the development of the Council Plan 2013 – 2017. Council's progress is delivering the strategies and reporting its performance against the measures will be presented to a public Council meeting quarterly and reported in the Surf Coast Shire Annual Report each year.

### **Environmental Implications**

There are no specific environmental implications associated with this report. Reports are made available to the public and other stakeholders electronically via the Surf Coast Shire website.

### **Communication**

This report will be incorporated into Council minutes and made available to the public and other stakeholders via the Surf Coast Shire website [www.surfcoast.vic.gov.au](http://www.surfcoast.vic.gov.au).

### **Conclusion**

This report provides information on Council's performance in delivering against the 2013 - 2017 Council Plan strategies and measures endorsed by Council in June 2013 and will provide a transparent reporting mechanism to the community in relation to Council's performance.

## 2.2 Petition Requesting Support to Seal the Section of Hopkins Street Aireys Inlet, from the Great Ocean Road to Hartley Street

**Author's Title:** Manager Engineering Services

**General Manager:** Sunil Bhalla

**Department:** Engineering Services

**File No:** F15/1060

**Division:** Governance & Infrastructure

**Trim No:** IC15/28

### Appendix:

1. Plan of Hopkins Street Aireys Inlet benefitting properties (D15/65733)

### Officer Direct or Indirect Conflict of Interest:

### Status:

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

Information classified confidential under Section 77  
of the Local Government Act:

Yes

No

Yes

No

**Reason:** Nil

**Reason:** Nil

### Purpose

To consider a petition requesting Council support to seal the section of Hopkins Street, Aireys Inlet from the Great Ocean Road to Hartley Street.

### Summary

At its July 2015 meeting, Council received and noted a petition signed by eleven (11) Hopkins Street residents "seeking support to seal the section of Hopkins Street from the Great Ocean Road to Hartley Street." Council referred the petition to the General Manager Governance & Infrastructure for consideration and requested that a report on the petition be presented to the August 2015 meeting. The petition was accompanied by letters expressing concern about the condition of the gravel pavement and the impact of traffic on the residents. The petition also requested that Council should consider installing some "effective and appropriate speed reduction measures".

Construction and sealing of the street would provide improved access and/or amenity benefits to about 36 properties located in Hopkins Street and Wright Street. A preliminary assessment of Hopkins Street suggests that the road construction works would cost in the order of \$91,000, and in accordance with Council's Special Charge Scheme Policy, Council would need to fund \$41,500 to reflect the wider community benefits.

If further consideration of the petition is proposed, then consultation with affected owners will be an essential element in assessing the scope of works and support for the project and associated funding model.

### Recommendation

That Council:

1. Commence investigations into the possible construction and sealing of Hopkins Street Aireys Inlet, from the Great Ocean Road to Hartley Street, including the preparation of a Special Charge Scheme to assist with the funding of the works.
2. Consult with all affected owners regarding the scope of the works and how best to apportion the Special Charge Scheme costs.
3. Advise the petitioners of the Council resolution.



## **2.2 Petition Requesting Support to Seal the Section of Hopkins Street Aireys Inlet, from the Great Ocean Road to Hartley Street**

### **Report**

#### ***Background***

A petition from 11 Hopkins Street property owners seeking advice and support to seal the section of Hopkins Street, Aireys Inlet from the Great Ocean Road to Hartley Street was tabled at the July 2015 Council meeting. Council resolved that a report regarding the matter be prepared for further consideration.

#### ***Discussion***

The 270m long gravel pavement of Hopkins Street, east of the Great Ocean Road, provides primary access for more than 35 homes and is a secondary access to more homes. A November 2011 traffic survey indicates a daily traffic volume of 111 vehicles with a peak at 9:00am. The 85<sup>th</sup> percentile speed (speed at or below which 85% of the traffic is observed to travel) of 42 is well below the 50 km per hour speed limit. Volumes during holiday periods are expected to be significantly higher.

This section of Hopkins Street is within Precinct 1, a section of Aireys Inlet that was the subject of an intensive 2007 Citizens Jury that considered whether if, and what, road and drainage improvements were necessary. The Jury concluded that some drainage improvements were warranted but that the gravel pavements should be retained. The drainage in the area was subsequently improved through a Special Charge Scheme

Construction and sealing of the street would provide improved access and/or amenity benefits to about 36 properties located on Hopkins Street and Wright Street. The street also provides secondary access for over 90 additional properties in Berthon Street, Amaroo Crescent, Beatles Court, Nancy Street and Eagle Rock Parade.

A preliminary assessment of Hopkins Street suggests that the road construction works would cost in the order of \$90,000. In accordance with Council's Special Charge Scheme Policy, Council would need to fund \$41,500 to reflect the wider community benefits.

The 11 petitioners represent 30% of the possible 42 benefiting properties. The petition also included a response from one property owner who was undecided, and one property owner who was against the sealing of Hopkins Street. Consultation with all of the affected owners would be an essential element in assessing the scope of the works and the level of support to assisting in funding street improvements. Prior to the recent construction of Pearse Road, Aireys Inlet, Council prepared and circulated an information brochure followed by an onsite information day and a similar approach is suggested.

Letters accompanying the petition also refer to some traffic safety issues, and an allowance for the construction of some traffic management measures has been included in the costing for the project.

#### ***Financial Implications***

Construction of Hopkins Street is not currently listed on Council's Capital Works Program.

The Local Government Act and Council's Special Charge Scheme Policy provides guidance in relation to sharing of infrastructure improvement costs between Council and "benefiting" owners.

Preliminary estimates based upon construction and sealing the full length of this section of Aireys Street indicates a project cost of \$91,000 and that Council would need to allocate approximately \$41,500, with a Special Charge Scheme contributing in the order of \$51,000.

#### ***Council Plan/Policy/Legal Implications***

The provision of improved infrastructure such as roads is consistent with Council's Plan and its objective to provide physical assets that are responsive to community needs.

If construction of the street is to be considered some funding from benefiting property owners would be sought through a Special Charge Scheme - in accordance with Council Policy. At this stage there isn't enough evidence to indicate that there is sufficient support for a Special Charge.

## **2.2 Petition Requesting Support to Seal the Section of Hopkins Street Aireys Inlet, from the Great Ocean Road to Hartley Street**

As Council's Special Charge Scheme Policy indicates, the final outcome "will depend to a large degree on the priority placed upon the work, the level of community support" and available funding.

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

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

### ***Risk Assessment***

Project development and preparation of a Special Charge Scheme involves allocation of significant Council resources – the cost of which is recouped only if the Scheme proceeds.

### ***Social Considerations***

The construction and sealing of gravel roads in Aireys Inlet has been contentious because some owners value the informality of the unsealed surface over the benefits of reduced dust and improved access gained by sealing the pavement.

In 2007, the subject section of Hopkins Street was part of the Precinct 1 Citizens Jury - a very intensive community deliberative process which considered if and what road and drainage improvements were necessary. The Jury concluded that some road drainage improvements were necessary but that the streets should remain unsealed.

### ***Community Engagement***

The subject section of Hopkins Street was part of the Precinct involved in an intensive Citizen Jury consultation in 2007 which recommended that the streets remain unsealed. Some minor drainage improvements were subsequently undertaken. The consultation for the recently completed Pearse Road construction provides a successful model. This involved the preparation and distribution of a detailed Information Brochure followed by an onsite Information day to gain insight into the views of the affected property owners.

### ***Environmental Implications***

Sealing of a gravel road pavement would reduce the silt runoff during rainfall and also reduce the dust nuisance in the drier months. Provided that construction can be contained within the existing road pavement and table drains there would be no impact upon the existing vegetation.

### ***Communication***

The principal proponent will be notified of Council resolution by letter, with copies for distribution to petitioners.

### ***Conclusion***

Construction and sealing of Hopkins Street, Aireys Inlet would provide improved access and/or amenity benefits to about 42 properties located on Hopkins Street and Wright Street. Detailed engineering investigations and extensive community consultation will be necessary before determining the extent of any works and how they might be funded.

### 2.3 Winchelsea Open Space Naming

**Author's Title:** Manager Engineering Services

**General Manager:** Sunil Bhalla

**Department:** Engineering Services

**File No:** F15/497

**Division:** Governance & Infrastructure

**Trim No:** IC15/5

**Appendix:**

1. Hearing of Submission Minutes 12 May 2015 Extract (D15/60833)
2. Proposed Naming of Councils Open Space (D14/71997)
3. Winchelsea Historical Society submission 16 June 2015 (D15/56521)

**Officer Direct or Indirect Conflict of Interest:**

**Status:**

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

Information classified confidential under Section 77  
of the Local Government Act:

Yes

No

Yes

No

**Reason:** Nil

**Reason:** Nil

#### **Purpose**

To formally name nine reserves/parks and one cricket ground within the Winchelsea township.

#### **Summary**

Following the consideration of the four submissions made regarding the naming proposal of ten reserves/parks and one cricket ground within the Winchelsea township, it is now proposed to adopt nine reserves/parks names and one cricket ground name and to lodge these with the Office of Geographic Naming.

#### **Recommendation**

That Council name the nine reserves/parks and one cricket ground within the Winchelsea township and lodge with Place Naming Victoria to register them as follows (refer Appendix 2):

1. Naphine Reserve
2. Barwon River Reserve
3. Mathison Reserve
4. Guye Reserve
5. Lions Park
6. CWA Park
7. Platypus Reserve
8. Hesse Street Reserve
9. Winchelsea Cricket Ground
10. Bennett Reserve

## 2.3 Winchelsea Open Space Naming

### Report

#### **Background**

Council's Place Naming Committee has identified ten reserves in the township of Winchelsea that have either locally known names or no names, and consider they should be formally registered with Place Naming Victoria. This then ensures that they are registered with all relevant emergency services and authorities and the names cannot be used elsewhere in the district.

#### **Discussion**

At its meeting on 12 May 2015 Council received and noted four submissions received on the naming proposal and listened to one submitter (appendix 3). Following this submission further consultation was made to the Winchelsea Historical Society (refer appendix 1) as they made the initial naming proposal and the following summarises the status of each name:

Advertised name	Mathison submission	Winchelsea Historic Society response	Recommendation
A - Napthine Reserve	No objection	No objection	Napthine Reserve
B - Barwon River Reserve	Combine B, F & G and name Albert Jacka Reserve	Albert Jacka is no longer appropriate as the memorial is now to be located near the main shopping centre	Barwon River Reserve
C - Mathison Reserve	Suggest "Wito-wurrong Walk"	Prefer to keep Mathison in recognition of many contributions made by members of this historic family name. Suggest we use indigenous names in other areas.	Mathison Reserve
D - Guye Reserve	No objection	No objection	Guye Reserve
E - Lions Park	Suggest Stirling Park	Adamant it be kept as Lions Park as it is an important part of history. Suggest Stirling be used in naming the future reserve that will run along the river bank in this vicinity	Lions Park
F - Albert Jacka Park & CWA Park	Combine B, F & G and name Albert Jacka Reserve	They consider the CWA has made a significant contribution to the social development of Winchelsea and should be recognised	CWA Park
G - Platypus Reserve	Combine B, F & G and name Albert Jacka Reserve	They still consider Platypus is a relevant name	Platypus Reserve
H - Hesse Street Reserve	No objection	No objection	Hesse Street Reserve
I - Winchelsea Cricket Ground	No objection	No objection	Winchelsea Cricket Ground
J - R H Bennett Reserve	Bennett Reserve	Agree	Bennett Reserve

#### **Financial Implications**

There will be a cost for providing signage at each location which can be covered within existing operating budgets.

## **2.3 Winchelsea Open Space Naming**

### ***Council Plan***

Theme 2 Governance  
Objective 2.5 Enhanced community engagement  
Strategy 2.5.5 Committed community interface by all Councillors across the Shire.

### ***Policy/Legal Implications***

Council has a Place Naming Policy SCS-004 and the proposed naming follows the agreed process for reserve naming. The names will need to be registered with the Office of Geographic Naming in accordance with the Geographic Place Names Act 1998 once the proposed names are formally resolved.

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

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

### ***Risk Assessment***

Following formal naming of the reserves, Council will advise emergency services and associated authorities. This will assist in locating these areas in an emergency situation.

### ***Social Considerations***

Members of the Winchelsea community have offered differing opinions about the names proposed by Council of some reserves. Naming the reserves as proposed acknowledges the local history and the contribution residents have made to the town.

### ***Community Engagement***

Public Notices were placed in local paper inviting the community to make submissions under Section 223 of the Local Government Act 1989. Council received 4 submissions which have been considered.

### ***Environmental Implications***

Not applicable.

### ***Communication***

As indicated under the heading of Community Engagement.

### ***Conclusion***

Following consideration of submissions it is proposed to adopt names for nine reserves/parks and one cricket ground.

## 2.4 Recording of Council Meetings

**Author's Title:** Manager Governance & Risk

**General Manager:** Sunil Bhalla

**Department:** Governance & Risk

**File No:** F15/401

**Division:** Governance & Infrastructure

**Trim No:** IC15/105

**Appendix:**

Nil

**Officer Direct or Indirect Conflict of Interest:**

**Status:**

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

Information classified confidential under Section 77  
of the Local Government Act:

Yes

No

Yes

No

**Reason:** Nil

**Reason:** Nil

### Purpose

To agree on a process for recording Ordinary Council meeting proceedings.

### Summary

The Municipal Association of Victoria (the MAV) is encouraging Councils to maintain a publicly accessible audio archive of Council meetings to improve accessibility, transparency and engagement with Council's decision-making processes. They have produced guidelines to point out the main considerations which are included in the 'Discussion' section of this report.

Council has purchased recording equipment in order to be able to audio-record Council meetings and therefore this facility is immediately available. Council may wish to consider enhancing this by approving video streaming of Ordinary Council meetings in the future.

Recording of minutes would improve accuracy of minute taking, particularly in relation to correctly noting questions and answers.

Local Law No 2. Council Meeting Procedures would need to be reviewed and amended as it currently states that 'no recording of Council meetings will take place without specific approval by resolution of the meeting'. Until such time as the Local Law is amended, Council would need to continue to resolve to record proceedings at the start of each Council meeting.

### Recommendation

That Council:

1. Declare its intention to undertake audio-recording of future Ordinary Council meeting proceedings.
2. Note that in the first instance the recordings would be used for internal purposes only.
3. Review Local Law No 2 of 2011 Council Meeting Procedures and Common Seal to include the provision for Council to carry out audio and visual recording of Council meeting proceedings.
4. Note that officers will investigate video-streaming of Council meeting proceedings at some point in the future.

## **2.4 Recording of Council Meetings**

### **Report**

#### ***Background***

Council currently does not record its Ordinary Council meetings and Local Law No.2 states that 'No video or audio recordings of proceedings of Council meetings shall be permitted without specific approval by resolution of the meeting'.

The MAV has produced guidance notes with key considerations and encourages Councils to maintain a publicly accessible audio archive of Council meetings, 'in order to provide a fuller public record of proceedings that can be made available in addition to formal written minutes'.

As a first step towards this objective, audio recording equipment has been purchased and installed to facilitate the recording of Council meetings, and is now ready to use.

#### ***Discussion***

Benefits to recording Council meetings include greater accuracy in minute taking, improved accessibility to residents, improved transparency in the decision making processes of Council, greater opportunities to engage with more members of the community and the ability to maintain more detailed historical records than formal minutes alone offer.

Council's Local Law No. 2 Meeting Procedures would need to be amended to include the recording of Council meetings as being normal practice. Until such time as this occurs Council would need to resolve to record the meeting proceedings at the start of each meeting.

Council will need to ensure that members of the public are aware that the meeting is being recorded and advise those who do not wish for their voices to be recorded to contact a Council officer to inform them of this. As the public would normally only speak to read out their questions to Council, it is suggested that the process to cater for this would be to post signs informing the public that the meeting is being recorded and anyone not wishing to have their voice on the recording to speak to a Council officer who will arrange for the question to be read out on their behalf.

In the first instance the recordings would be used for internal purposes only. The recordings would be captured in the electronic database and maintained as permanent records, in the same way as Council minutes.

Officers will investigate video-streaming of Council meeting proceedings at some point in the future.

#### ***Financial Implications***

As the equipment has already been purchased through operational budgets there are no immediate financial implications in relation to this proposal. If, however, Council considers video-streaming at a future date, this would incur additional costs.

#### ***Council Plan***

Theme        2 Governance  
Objective    2.4 Transparency in decision making and access to information  
Strategy     2.4.3 Ensure decision-making is as transparent as possible.

#### ***Policy/Legal Implications***

Any legal implications have been addressed under the 'Risk Assessment' section of this report.

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

Officers involved in the preparation of this report do not have any conflicts of interest.

## **2.4 Recording of Council Meetings**

### ***Risk Assessment***

Issues raised by the MAV that have been considered by officers include:

- Council meetings are held in a public forum and occasionally some things that are said could be regarded as offensive, defamatory or contrary to law. When such statements occur during a meeting that is not recorded, the potential for damage is confined to the audience in attendance whereas when a recording of a meeting is available or published, the audience is potentially wider, increasing the likelihood and/or severity of potential liability. Insurance is held by Council and provides cover where a Councillor or Council officer is acting under their delegated duties in the course of their official role and acting 'with reasonable care'. It is recommended that in the first instance the recording would be for internal use only.
- Infringement of copyright can occur where a person uses or reads out copyright material without the consent of the owner. This information would need to be removed from the recording.
- Breaches of the Information Privacy Principles contained in the Privacy and Data Protection Act 2014 can occur where Councillors or officers are found to have used or disclosed personal, health or sensitive information during a meeting which has then been made public. Council's Privacy and Data Protection Policy covers such issues.
- Publishing or reading out of offensive material is also identified as a potential risk, which if done with the intention to cause harm is not covered under Council's insurance.
- The potential to breach legislation relating to racial discrimination or vilification.
- Confidential or privileged Council information should not be disclosed to the public and this would include the In-Camera section of Council meetings. This section of the recording would not be available to the public, even under a Freedom of Information request.
- The MAV recommends that Councils consider the removal from the recording of any statements which may be perceived as a conflict of interest that could, for example, have an impact on third parties, before being made available to the public.

### ***Social Considerations***

There are no social implications associated with this report.

### ***Community Engagement***

Community engagement was not necessary to complete this report, although a review of the Local Law will include an opportunity for public submissions once the draft has been published.

### ***Environmental Implications***

There are no environmental implications associated with this report.

### ***Communication***

The community would be informed through signage at the meetings and Council's website.

### ***Conclusion***

Recording of Council meetings provides Council with an opportunity to improve the accuracy of minute taking and achieve greater transparency in decision making whilst being strongly supported by the MAV.



## 2.5 Appointment of Acting Mayor

**Author's Title:** Coordinator Governance & Procurement

**General Manager:** Sunil Bhalla

**Department:** Governance & Risk

**File No:** F15/400

**Division:** Governance & Infrastructure

**Trim No:** IC15/112

**Appendix:**

Nil

**Officer Direct or Indirect Conflict of Interest:**

**Status:**

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

Information classified confidential under Section 77 of the Local Government Act:

Yes

No

Yes

No

**Reason:** Nil

**Reason:** Nil

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### Purpose

To appoint an Acting Mayor for the period 12 September 2015 to 4 October 2015 (inclusive).

### Summary

The Mayor, Cr Margot Smith, is away on leave from Saturday 12 September until Sunday 4 October 2015 and, pursuant to Sections 71, 73(3), 73(4) and 74A(1A) of the Local Government Act 1989 and Council's Local Law No. 2 of 2011 – Council Meeting Procedures & Common Seal, this report sets out the process for electing and appointing an Acting Mayor.

### Recommendation

That Council appoint Cr. \_\_\_\_\_ to the role of Acting Mayor for the period 12 September to 4 October 2015 (inclusive).

## 2.5 Appointment of Acting Mayor

### **Report**

#### ***Background***

Section 73(3) of the *Local Government Act 1989* (the Act) provides for the appointment of an acting Mayor where the Mayor is absent. The appointment of an Acting Mayor is not a permanent appointment and an Acting Mayor must be appointed each time there is a vacancy in the office of Mayor, or the Mayor is absent, incapable of acting, or refusing to act.

#### ***Discussion***

The Mayor, Cr Margot Smith, is away on leave from Saturday 12 September until Sunday 4 October 2015 and pursuant to Sections 71, 73(3) and (4) of the *Local Government Act 1989* and Council's Local Law No. 2 of 2011 – Council Meeting Procedures & Common Seal, Council is obliged to appoint an Acting Mayor during the Mayor's absence from Office.

Section 8.8.6 of Council's Local Law No.2 of 2011, Council Meeting Procedures & Common Seal, mandates that the process for election of the Mayor will apply to the election of the Acting Mayor and also, at Section 8.4, that the meeting to elect the Mayor (and therefore Acting Mayor) shall be held in accordance with the *Local Government Act 1989*.

Council's Local Law No.2 2011 requires the Chief Executive Officer to be responsible for the counting of the votes for the election of the Acting Mayor which shall be carried out by a show of hands. The Councillor who receives the majority of votes must be declared elected.

For the purposes of sub-clause 8.8, the following will apply:

8.8.1 Nominations must be moved and seconded:

8.8.2 Where only one nomination is received, that Councillor must be declared elected; or

8.8.3 Where two nominations are received, the Councillor with an absolute majority of votes cast must be declared elected; or

8.8.4 Where there are more than two nominations received, the Councillor who receives an absolute majority at the first round of votes cast must be declared elected, or if no candidate receives an absolute majority of votes, the candidate with the least number of votes must be eliminated as a candidate and a further ballot conducted between the remaining candidates. If there are several candidates, this procedure must be repeated until a candidate receives an absolute majority of votes and that candidate shall be declared elected.

8.8.5 If for the purpose of eliminating the candidate with the least number of votes, two or more candidates have the same least number of votes, the candidate to be eliminated shall be determined by simple majority vote. If there is an equality of votes with respect to the candidate to be eliminated, the candidate to be eliminated shall then be determined by lot conducted by the Chief Executive officer in presence of the meeting.

#### ***Financial Implications***

There are no financial implications associated with this report as, according to Section 74A (1A) of the *Local Government Act*, payment of the Mayoral allowance to an Acting Mayor instead of their Councillor allowance is only applicable when the appointment is for a continuous period exceeding 50 days.

#### ***Council Plan***

Not Applicable.

#### ***Policy/Legal Implications***

Not Applicable.

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

Officers involved in the development of this report do not have any conflicts of interest.

#### ***Risk Assessment***

Not Applicable.

#### ***Social Considerations***

Not Applicable.

## **2.5 Appointment of Acting Mayor**

### ***Community Engagement***

Not Applicable.

### ***Environmental Implications***

Not Applicable.

### ***Communication***

Not Applicable.

### ***Conclusion***

The Mayor, Cr Margot Smith, is away on leave from Saturday 12 September until Sunday 4 October 2015. It is recommended that Council appoint an Acting Mayor for the period of the Mayor's leave.

### 3. ENVIRONMENT & DEVELOPMENT

#### 3.1 Expressions of Interest/Appointment of the new Bells Beach Committee

**Author's Title:** Manager Environment & Community Safety      **General Manager:** Kate Sullivan

**Department:** Planning & Environment      **File No:** F15/185

**Division:** Environment & Development      **Trim No:** IC15/36

**Appendix:**

1. Terms of Reference (D15/65525)

**Officer Direct or Indirect Conflict of Interest:**

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

Yes

No

**Reason:** Nil

**Status:**

Information classified confidential under Section 77 of the Local Government Act:

Yes

No

**Reason:** Nil

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#### **Purpose**

To formally disband the Bells Beach Community Advisory Committee that has been in recess since mid-2013 and note the commencement of a process to establish the new Bells Beach Committee.

#### **Summary**

Since Council was appointed as the Committee of Management for the Bells Beach Surfing Recreation Reserve (the reserve) in 1971, a community group has formally advised Council on management. The most recent advisory committee, known as the Bells Beach Community Advisory Committee, was placed in recess in mid-2013 and the Bells Beach Task Force was formed to assist with developing a new vision and coastal management plan for the reserve. The coastal management plan is nearing completion and the final Task Force meeting is scheduled for 31 August 2015.

Development of the new coastal management plan has included community engagement on governance of the reserve and the role of the community. Through this engagement the community has expressed the desire for an ongoing role in management of the reserve.

A new advisory committee is proposed, to be known as the Bells Beach Committee (BBC). Terms of Reference for the operation of the BBC have been developed following the release of a draft for public comment in April/May of this year and with further community input and discussions and feedback from the Task Force.

With the coastal management plan intended to be finalised and submitted for Council consideration in October 2015, there are benefits to starting the process of appointing the new committee:

- With the appointment process now underway, the recommended members of the new committee can be considered at the October Council meeting along with the final coastal management plan.
- Reserve users that have been highly engaged in the development of the coastal management plan will be able to apply for a position on the committee to continue their involvement.
- Implementation of key recommendations of the coastal management will be able to commence as soon as the final coastal management plan is endorsed by Council (eg works on the former helicopter landing area prior to the 2016 Rip Curl Pro).

#### **Recommendation**

That Council:

1. Formally disband the Bells Beach Community Advisory Committee and thank all members for their contribution to the management of the Reserve;
2. Note the commencement of an Expression of Interest process for the Independent Chair and five Independent Representatives to the proposed Bells Beach Committee is underway; and
3. Note the Terms of Reference (Appendix 1) to be used for the Expression of Interest process for the proposed Bells Beach Committee.

### 3.1 Expressions of Interest/Appointment of the new Bells Beach Committee

#### **Report**

##### ***Background***

Since 1971 there has been a community committee that has met regularly to advise on management of the Bells Beach Surfing Recreation Reserve (the reserve). Community consultation and advice from the Bells Beach Task Force is to continue this type of involvement in the ongoing management of the site.

The most recent advisory committee, known as the Bells Beach Community Advisory Committee (BBCAC), was placed in recess in mid-2013 after the functioning of the Committee started to falter related to disagreements around bus licencing and a new toilet block proposed in the 2010 Coastal Management Plan. A community Bells Beach Task Force was appointed to assist with the development of a new vision and coastal management plan for the reserve. The Task Force had only a limited term of appointment and a defined Terms of Reference. The BBCAC has not been formally disbanded.

A Terms of Reference for a new Bells committee was released for public comment as part of the draft Bells Beach Surfing Recreation Reserve Coastal Management and Implementation Plans. The document was out for public comment between 9 April and 31 May 2015. A number of submissions on the draft plans made comments on the composition of the proposed committee and the terms of reference. These submissions were considered by the Task Force at its 2 July 2015 meeting and a final Terms of Reference for the proposed BBC including comments from the Taskforce is included as Attachment 1.

The BBC will be made up of the following:

- One Independent Chair (publically advertised)
- Two Surf Coast Shire Councillors
- One Wathaurung Aboriginal Corporation (Registered Aboriginal Party) representative –subject to staff availability)
- One Surfing Victoria representative
- Five independent community representatives (publically advertised) with knowledge and experience in any of the areas of environment, aboriginal heritage and surfing

It is proposed that Council endorses the Independent Chair and five Independent Representatives to the proposed Bells Beach Committee at its September 2015 meeting before considering the final Bells Beach coastal management plan and implementation plan at its October 2015 meeting.

##### ***Discussion***

Various committee formats, reporting arrangements and appointment mechanisms were considered over the past 18 months. Some community members considered that the status of an advisory committee to Council didn't hold as much weight as other options such as a Section 86 Committee under the Local Government Act or a community committee of management under the Crown Land (Reserves) Act. Advisory committees are formally established by Council under the Local Government Act, and are a good mechanism for ensuring ongoing community involvement in the management of the Reserve.

These alternatives were considered but were not found to be practicable for this reserve particular given income from the reserve is always less than expenditure meaning that it is not possible for a community committee to take sole management responsibility, the environmental, historic and cultural values of the site complicate management, and the site is high risk and high importance to the Shire making direct management more desirable. For these reasons, it is considered appropriate to remain with an advisory committee for the reserve. This structure has generally worked well since 1971 apart from a short time after the approval of the 2010 Coastal Management Plan.

The position of a skilled and independent Chair has been critical to the success of the Bells Beach Task Force and it is therefore proposed to continue this arrangement for BAC. This position will be publically advertised and given the importance of this position it is proposed the successful applicant be paid an honorarium for their work in chairing the Committee.

### **3.1 Expressions of Interest/Appointment of the new Bells Beach Committee**

It is intended that the five Independent Community Representatives will be regular reserve users that have a sound knowledge of the site and collectively will hold key skills and experience to assist with implementation of the new Coastal Management and Implementation Plans. The Terms of Reference are written to clearly define the objectives, role and reporting functions of the BBC.

The Final Coastal Management and Implementation Plans will be considered by Council at its October 2015 meeting. It would be beneficial to take the opportunity to have the new BBC ready to start implementation of the final plans once they have been endorsed. Implementation of actions outlined in the plans can commence immediately, including key proposals such as upgrading of the former helicopter landing site viewing area using Rip Curl funds that were provided to Council a few years ago.

#### ***Financial Implications***

The BBC will meet a minimum of four times each year, with Council officer support. In addition to the honorarium paid to the Independent Chair, it is expected that the running and supporting of the BBC will be approximately \$5,000 annually.

#### ***Council Plan***

Theme 1 Environment  
Objective 2.5 Enhanced community engagement  
Strategy 2.5.4 Build strong relationships with community interest groups.

Theme 1 Environment  
Objective 3.4 Building leadership and skills within the community  
Strategy 2.5.4 Build strong relationships with community interest groups.

#### ***Policy/Legal Implications***

This proposal complies with Coastal Management Act requirements.

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

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

#### ***Risk Assessment***

Risks to Council have been considered as part of the development of the new coastal management plan. It is considered that Council can best manage risks related to public safety, funds management, event management and infrastructure if it is directly responsible for management of the reserve, with an advisory committee providing regular input into management decisions and works implementation.

If the former BBCAC is not officially disbanded, then there are risks to the operations of the proposed new committee.

#### ***Social Considerations***

There are strong community connections to this significant reserve and a strong desire by the community to have ongoing input into management decisions and actions. The proposed BBC reflects the concerns and interests of the community.

#### ***Community Engagement***

Three public workshops, an online forum through OurSay and public exhibition of the draft terms of reference between 9 April and 31 May 2015 have ensured a high level of community engagement in discussions on governance of the reserve. In addition The Bells Beach Task Force, with a majority of community representatives, has also regularly provided input into the development of the final Terms of Reference.

#### ***Environmental Implications***

The final coastal management plan will make environmental management a priority at the Reserve, supporting stakeholders who have clearly expressed they want Bells to largely stay as it is – a wild, natural place. The proposed advisory committee will play an important role in ensuring environmental objectives are met.

### **3.1 Expressions of Interest/Appointment of the new Bells Beach Committee**

#### **Communication**

There has been a high level of community engagement in the development of the new plans for the reserve and it is important that the community continues to advise and monitor the implementation of the plans. With five positions set aside for independent representatives that are regular reserve users, this will ensure implementation of the plans continues to stay in touch with the needs of the community.

#### **Conclusion**

The new vision for the Bells Beach Surfing Recreation Reserve is: *"To respect and protect the natural environment, indigenous heritage and surfing culture of Bells Beach"*. Ongoing community involvement in the management of the reserve, including through the establishment of a BAC, will help ensure the new vision for the reserve is implemented.

Appointment of the committee in September 2015 before Council consideration of the final Coastal Management and Implementation Plans in October 2015 will assist with timely implementation of key elements of the plans.

### 3.2 Approval of Development Plan - 460 Grossmans Road Bellbrae

**Author's Title:** Statutory Planner

**General Manager:** Kate Sullivan

**Department:** Planning & Development

**File No:** 14/0413

**Division:** Environment & Development

**Trim No:** IC15/24

**Appendix:**

1. Assessment - Officer's Report (D15/60547)
2. 14/0413 - Application Amendment - Amended Development Plan (D15/66924)

**Officer Direct or Indirect Conflict of Interest:**

**Status:**

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

Information classified confidential under Section 77  
of the Local Government Act:

Yes

No

Yes

No

**Reason:** Nil

**Reason:** Nil

#### **Purpose**

To approve the Development Plan under Schedule 11 of the Development Plan Overlay related to the property at 460 Grossmans Road Bellbrae.

#### **Summary**

The application seeks approval of a Development Plan for Bellbrae that will provide the foundation for the subdivision and development of the land at 460 Grossmans Road Bellbrae for residential purposes.

Council placed the development plan on public exhibition between 3 February and 6 March 2015 and invited submissions in accordance with Section 223 of the Local Government Act. One submission was received from a nearby property owner but this submission did not address matters pertinent to the development plan and seven submissions were made by referral authorities.

The Development Plan is considered to respond to the overlay requirements and is considered appropriate subject to further modifications on the plan to respond to key issues as detailed in the recommendations.

#### **Recommendation**

That Council having considered the submissions and referral response received in respect of the Development Plan for 460 Grossmans Road Bellbrae:

1. Approve the Development Plan pursuant to Clause 43.04 of the Surf Coast Planning Scheme, subject to the plans and supporting documentation submitted with application 14/0413 being amended to the satisfaction of the responsible authority to:
  - a) Identify the retention of the native vegetation patch and standing scattered trees in the southwest of the Development Plan area.
  - b) Relocate the pathway and associated reserve connecting east to the adjoining land at 330 Grossmans Road (Kithbrooke Park) so that it aligns with the location for the pathway shown on the endorsed plan under Planning Permit 06/0204 as endorsed on 13 April 2015 for that land, being approximately 38 metres north of the current location.
  - c) Identify the location of a future zone substation on land adjoining the eastern boundary of the development plan and include landscape buffer planting along this boundary consistent with the northern landscape strip
  - d) Ensure that all documents are consistent with the amended Overall Development Plan for 460 Grossmans Road prepared by St Quentin Consulting, Survey Ref 10854, Version 2.
2. Require that any permit granted for the subdivision of land at 460 Grossmans Road in accordance with the approved Development Plan include a condition of permit that requires an agreement under Section 173 of the *Planning and Environment Act 1987* that provides requirements for the future development of buildings on the lots created including for, but not necessarily limited to, siting, height, fencing, landscaping and external colours. These requirements are to include building envelopes generally in accordance with those provided in the Development Plan but with side boundary setbacks for those lots on the boundary of the development plan area increased to 5.0 metres and maximum building heights that do not exceed 7.5 metres. Other requirements should encourage:



### **3.2 Approval of Development Plan - 460 Grossmans Road Bellbrae**

- a) open or no fencing within street setbacks and to the northern boundary of the subdivision;
- b) landscaping of street setbacks with indigenous plant species;
- c) external building materials and colours which have low reflectivity and blend with the natural landscape, particularly use of green, brown and grey tones.

## 3.2 Approval of Development Plan - 460 Grossmans Road Bellbrae

### **Report**

#### ***Background***

The land is part of an area that was rezoned in 2014 under Amendment C84 from Farming to Low Density Residential as well as applying Schedule 11 to the Development Plan Overlay (DPO11).

A Development Plan stage has been prepared and is submitted for approval under DPO11. The DPO prevents a permit being granted for almost any use, development or subdivision before a Development Plan has been approved. Once a Development Plan has been approved any use, development or subdivision must be generally in accordance with the approved plan.

Key features of the submitted Development Plan are:

- A single vehicle access point from Grossmans Road
- A modified grid based internal road layout
- Lots ranging in area between 2500m<sup>2</sup> and 6306m<sup>2</sup>
- A central open space reserve
- Pedestrian links to Dillwynia Lane and Kithbrooke Park
- Stormwater retarding basin and treatment wetland on eastern boundary.

#### ***Discussion***

Refer to attached Assessment - Officer Report.

#### ***Financial Implications***

The creation of new public roads, stormwater infrastructure and public open space will result in new asset management responsibility costs for Council, which are offset by the subdivision and development of land increasing the rate base.

Pursuant to an agreement under Section 173 of the *Planning & Environment Act 1987* the land owner is required to make development infrastructure contributions to Council of about \$1600 per lot at the time of subdivision and community infrastructure contributions of \$900 per lot at the time of constructing a dwelling. In addition the agreement requires a specific infrastructure contribution of \$80,000 value towards the upgrade of the Anglesea Road – Grossmans Road intersection. This is to be in the form of land, transferred to VicRoads, and a financial contribution to Council for the balance. The contribution to Council is to be paid in stages at the release of each stage of subdivision. In accordance with the terms of the agreement the improvement works must commence within 7 years of the date of the agreement (by 28 November 2020) or else all monies must be returned to the owner. These contributions support Council (and VicRoads) in delivering infrastructure to meet the requirements of a growing population.

There are no direct financial impacts to Council for the processing of the application which occurs via operational budgets.

#### ***Council Plan***

Theme 5 Development and Growth  
Objective 5.4 Transparent and responsive land use and strategic planning  
Strategy 5.4.2 Utilise structure plans and planning processes to encourage a diversity of housing stock across the Shire.

Theme 5 Development and Growth  
Objective 5.4 Transparent and responsive land use and strategic planning  
Strategy 5.4.6 Maintain a clear rural-landscape separation between settlements to protect landscapes and environmental qualities.

#### ***Policy/Legal Implications***

The development plan has been assessed against relevant provisions of the Surf Coast Planning Scheme.

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

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

### 3.2 Approval of Development Plan - 460 Grossmans Road Bellbrae

#### **Risk Assessment**

The merits of the proposal will be considered against the relevant provisions of the Surf Coast Planning Scheme and *Planning & Environment Act 1987*.

#### **Social Considerations**

Approval of the development plan will increase the supply of low density residential lots within Torquay which are a form of residential development which is in demand and it contributes to the diversity of choice within the township and the Shire.

#### **Community Engagement**

The *Planning & Environment Act 1987* and Surf Coast Planning Scheme do not include legislated requirements to undertake public notice of applications for the approval of development plans. However it is Council policy to undertake an exhibition process and invite submissions to inform Council's decision.

There is no legal obligation on Council to consider submissions received and submitters do not have any rights under the Act to apply for a review of Council's decision to approve a development plan.

One submission was received from a nearby land owner; however the basis of this submission was that the whole of the land should have been rezoned. The submission stated that they had no objection to the development plan nor were there any comments on the details of the plan. The extent of rezoning was resolved by Amendment C84 and cannot be reconsidered under this process.

Seven submissions were also received from referral authorities. The submissions can be summarised as follows:

#### *Barwon Water*

- Water can be supplied to the area but will require a new water main along Grossmans Road from Ghazeepore Road.
- Reticulated recycled water is available and is encouraged to be provided but a booster pump station would be required on the developers land.

#### *Corangamite Catchment Management Authority*

- No record of flooding
- No objection

#### *Country Fire Authority*

- No objection

#### *Department of Environment, Land, Water and Planning*

- Future permit application will need to include information about native vegetation within Grossmans Road potentially impacted by road widening for intersection works.

#### *Powercor Submission 1*

- Offered standard planning permit conditions relating to power supply.

#### *Powercor Submission 2*

- Land adjacent to development plan site has been purchased by Powercor for the future provision of an outdoor zone substation.
- Substation will consist of large items of equipment.
- Development plan does not identify the future substation.
- Requests that development plan identifies and responds to the substation site.
- Requests that Section 173 agreement include a requirement to bring to the attention of future purchases the existence of the future substation site.

\*Powercor's issues will be addressed through a condition on the approval of the development plan.

### **3.2 Approval of Development Plan - 460 Grossmans Road Bellbrae**

*Public Transport Victoria*

- No objection

*VicRoads*

- No objections
- Section 173 agreement in place for intersection improvements at Anglesea Road and Grossmans Road intersection with developer contributions.

***Environmental Implications***

The site contains limited areas of native vegetation, including a small patch of Grassy Woodland. It is appropriate that native vegetation, other than dead and unsafe trees, be retained within the subdivision.

***Communication***

Council's determination will be communicated to all submitters, including referral authorities, by mail.

***Conclusion***

Based on the processing and inputs it is considered in principle support for the development plan can be given subject to changes as detailed in the recommendation.

### 3.3 Event Grant Program Funding Recommendations - May 2015 Round

**Author's Title:** Manager Economic Development & Tourism      **General Manager:** Kate Sullivan

**Department:** Planning & Environment      **File No:** F15/834

**Division:** Environment & Development      **Trim No:** IC15/29

**Appendix:**

1. Summary table of Major Events recommended for funding (D15/64672)
2. Summary table of Community Events recommended for funding (D15/64673)
3. Event Grant Program Guidelines (D15/71990)

**Officer Direct or Indirect Conflict of Interest:**

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

Yes

No

**Reason:** Nil

**Status:**

Information classified confidential under Section 77 of the Local Government Act:

Yes

No

**Reason:** Nil

#### Purpose

To award funding for the May 2015 round of Major and Community Event Grants.

#### Summary

The Event Grants Program is designed to support a range of events in Surf Coast Shire. The Major category has a focus of supporting events in the off peak season which extends from post Easter to mid-December (there is some flexibility on this if it can be displayed the weekend in peak time is a quiet weekend). Community events can be supported at any time of year.

In the current round (which closed on 19 June 2015) a funding pool of \$77,000 funding was available within the 2015 / 2016 budget. This amount is after the pre allocation of events funding was made last round. The total amount in 2015/ 2016 budget for the Event Grant Program is \$98,000. In this round the combined programs received 26 submissions seeking over \$142,000, resulting in a competitive evaluation process.

Under the Community event category \$21,500 is recommended for allocation towards 15 events while 9 events under the Major events category are recommended to receive \$54,500. The total amount recommended for funding under both grant categories in this report is \$76,000. The remainder of funds is required for advertising of the program (including the upcoming September round).

Evaluation panels were formed to determine successful applicants for both categories. A collaborative decision of all panel members was then reached. Councillors were also involved in the process to discuss successful event applicants.

Due to the competitive nature of the program not all events were supported to their amount requested.

There are a number of alterations required for the Guidelines to ensure equitable outcomes are achieved under the program in the future.

#### Recommendation

That Council:

1. Endorse the changes made to the Event Grants Program Guidelines contained in Appendix 3.
2. Approve the recommended funding amounts contained in Appendix 1 for the Major Events category of the Event Grants Program to the value of \$54,500 from the 2015/ 2016 budget.
3. Approve the recommended list of Community Events in Appendix 2 to the value of \$21,500 from the 2015/ 2016 budget.
4. Advise all unsuccessful and successful grant applicants in writing.

### 3.3 Event Grant Program Funding Recommendations - May 2015 Round

#### Report

##### **Background**

The Event Grants Program exists to support a range of events in Surf Coast Shire. A total funding pool of \$98,000 in 2015/ 2016 is available. After pre allocations from the last funding round the available amount is \$77,000.

The current round opened on 28 May 2015, closing on 19 June 2015.

In the lead up to the current funding round a grants information session was held which was attended by over 60 people. The purpose of the session was to educate and inform people on the key items to place in submissions to maximise their effectiveness.

Program Guidelines outline the Event Grants Program for individuals, groups and organisations seeking funding from Council for an event within the Shire. Funding is available for:

- established and new events
- one-off and repetitive events
- not-for-profit and commercial events.

The Event Grants Program is currently held twice a year with funding rounds considered at the March and August Council Meetings. From next year it will transition to a single round which will be released in September.

Grants are available to not-for-profit and for-profit event organisers and there is strong encouragement for events that are held in the off-peak season from Post Easter to 15 December.

Within this evaluation report of the Event Grants Program, funding is considered under one of the following categories:

- Major Events – highly recognised events that contribute a strong economic return and builds on local participation and community life. Applicants in this category can seek funding from \$5,000 - \$10,000.
- Community Events – smaller scale events that support participation and celebration of local communities that attract mainly a local audience. Applicants under this category could seek funding from up to \$5,000.

Event applications under the Signature events category do not form part of this report and will be dealt with separately.

Grant submissions received were assessed by the following assessment criteria generally listed below.

ASSESSMENT CATEGORY	CATEGORY DESCRIPTION	WEIGHTING	
		Major	Community
<b>Economic Development</b>	Describe how the project stimulates visitation/tourism, involves local businesses and increases economic development opportunities for Surf Coast Shire residents & the extent of marketing and promotion opportunities.	40%	10%
<b>Social</b>	Community benefits provided by the event – short and long term.	20%	35%
<b>Cultural</b>	The events contribution towards the development of arts & culture, networks, programs and/or projects.	20%	35%
<b>Environmental Sustainability</b>	Does the event plan for and contribute to positive environmental sustainable outcomes.	20%	20%

##### **Discussion**

##### Submissions

Submissions for this funding round closed on the 19<sup>th</sup> of June. All submissions received were considered by the evaluation panel for individual assessment.

### 3.3 Event Grant Program Funding Recommendations - May 2015 Round

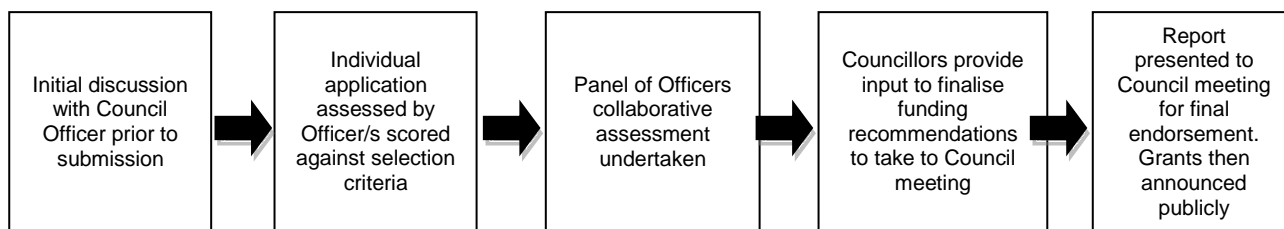
A total of 9 submissions were received for the Major Event category and included applications for events to be held in Torquay, Anglesea and Lorne Wards as well as an event with a shire wide focus. The nature of submissions received under Major event grants included, sports (running, cycling, paddle boarding, mixed outdoor) arts and culture, music, and produce events. The total value of funding requested was \$74,300, well oversubscribing the program and reflecting the competitive nature of the assessment process.

A total of 17 submissions seeking \$67,965 were initially received for the Community Events stream and included Lorne, Torquay, Winchelsea and Anglesea Wards. Submissions received under the Community event program quadrupled in number (up from four in the previous round). Historically, there has only been \$10,000 available for events in the Community category.

Some events submitted under the Major category by event organisers were moved to the Community category given their timing (Anglesea Music Festival). The Eat Local Month submission was moved from the Community category to the Major category given its business support focus. These are discussed in more detail in the latter section of this report.

#### Evaluation Process

The process in evaluating submissions is indicated in the flow charts below.



In evaluating submissions the evaluation panel consisted of three members of staff with relevant experience for each category. Submissions were rated individually against the key criteria and a score provided based on the weighting.

A collaborative meeting was then held to discuss individual scores and come to a consensus on successful grants. Councillors then provided input into the process and the funding recommendations finalised for consideration at a Council Meeting.

It should be noted that in assessing the funding submissions, not all event applications received a recommendation for the full amount requested. This is due to the program being oversubscribed by a ratio of 2:1.

The following events are therefore recommended for funding at the below amounts as a result of the evaluation process:

Major Events	Funding Stream	Recommended Funding Amount	Council Budget
Lighthouse Literary Festival	Major	\$5,000	2015/ 2016
Adventurethon (New)	Major	\$8,000	2015/ 2016
Drink Arts Food Torquay	Major	\$6,500	2015/ 2016
Australian Mountain Bike Orienteering Championships	Major	\$5,000	2015/ 2016
Outlaw Great Ocean Paddle	Major	\$1,000	2015/ 2016
Great Ocean & Otway Classic	Major	\$8,000	2015/ 2016
Aireys Inlet Open Mic Festival	Major	\$8,000	2015/ 2016
Eat Local Month	Major	\$8,000	2015/ 2016
Hook & Vine	Major	\$5,000*	2015/ 2016
<b>Major Events</b>	<b>2015/ 2016 Total</b>	<b>\$54,500</b>	
*Must move to a post Easter period to receive funding			

### 3.3 Event Grant Program Funding Recommendations - May 2015 Round

Community Events	Funding Stream	Recommended Funding Amount	Council Budget
Anglesea Music Festival	Community	\$5,000	2015/ 2016
Love Winter in Aireys	Community	\$3,000	2015/ 2016
Anglesea Lions Club Carols	Community	\$1,000	2015/2016
2015 Victorian Surf Lifesaving Championships	Community	\$1,000	2015/ 2016
Carols on the Lorne	Community	\$1,000	2015/ 2016
Winchelsea Community Carols	Community	\$1,000	2015/ 2016
Hunt & Gather Regional Fare	Community	\$1,000	2015/ 2016
Winchelsea River Fair	Community	\$500	2015/ 2016
Hells Bells – Torquay Boardriders Club	Community	\$1,500	2015/2016
Surf Coast Toy Library – 20 <sup>th</sup> Anniversary	Community	\$1,000	2015/ 2016
Danger 1000 Ocean Swim	Community	\$2,000	2015/ 2016
Project Restyle Market	Community	\$500	2015/ 2016
Bells Surf Film Festival	Community	\$1,000	2015/ 2016
Legends of Swing Dance Weekend	Community	\$1,000	2015/ 2016
Festival of Colours	Community	\$1,000	2105/ 2016
<b>Total Community Events Funding</b>		<b>\$21,500</b>	

Major events and recommended funding amounts are contained in Attachment 1. Community events and their recommended funding amounts are contained in Attachment 2.

#### Category Changes

The Anglesea Music Festival submitted an application under the Major events category. This event was moved to the community event category due to the timing of the event for a peak weekend in peak season. While the event is not technically a community focussed event, the current Guidelines enabled this type of event to apply.

Eat Local Month applied for funding under the Community events category. Given the strong business connection and the ability to generate a distinct brand outcome for Surf Coast Shire for food it was moved to the Major event category. Under the Community category the maximum able to be applied for is \$5,000. The recommendation is to fund this event \$8,000 given its shire wide context and the seed funding needed to maximise the outcomes delivered for Surf Coast Shire.

#### Non Funded Submissions

Two grants are not recommended for receive any funding, being:

Anglesea One Act Play. This event is not eligible as it is being held in August prior to grant funding being announced. The event will be eligible to apply for the September round of the program.

Torquay Theatre Troupe. This application could not demonstrate an identified need (it is already sold out and sustainable). The application also had a focus on the need for a new theatre space which is not relevant to this program.

#### Proposed Guideline Changes

The following changes are recommended to the Guidelines.

*Removal of Tourism Board:* On 23<sup>rd</sup> June 2015 Council resolved to cease the Tourism Board on 30<sup>th</sup> June 2015. This requires the involvement of Board members in the evaluation of Major events to be removed.

*Reduction of Major event funding to range from \$0 – 10,000:* Lowering this amount makes it possible to fund smaller amount to Major events. Some major events were applying for funding under Community to access smaller amounts.



### 3.3 Event Grant Program Funding Recommendations - May 2015 Round

*Strengthening of community focus for Community events:* The alteration of the Community events stream to accept events held at any time of year enabled some major events to apply for funding (up to \$5,000) at peak times of the year. This ability goes against the intention of the funding. The suggestion is to strengthen the community category guidelines to ensure events in this category are a celebration of local community.

*Religious Events:* Removal of 'religious' component from point three in Section 9 of the guidelines.

Updated Guidelines are attached (Attachment 3) for approval.

#### **Financial Implications**

Council has budgeted \$98,000 for the Event Grants Program in the 2015/ 2016 financial year. An amount of \$77,000 is available for allocation this funding round once pre allocated amounts from the previous round is taken into consideration.

Of the 77,000 available, \$54,500 has been recommended to Major event grants with \$21,500 allocated to Community event grants, a total of \$76,000. Typically only \$10,000 is available for Community events, however, an additional \$10,500 was allocated due to the heavy subscription.

The recommended amounts are in many cases below the requested amount due to the amount of requests.

Signature events will be considered under a separate process and are not dealt with in this report.

#### **Council Plan**

Theme 5 Development and Growth  
Objective 5.3 Develop and grow sustainable year round tourism  
Strategy 5.3.7 Encourage a range of events to support year round tourism

Theme 5 Development and Growth  
Objective 5.3 Develop and grow sustainable year round tourism  
Strategy 5.3.4 Maximise the benefits of all events for community and business.

#### **Policy/Legal Implications**

Not applicable.

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

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

#### **Risk Assessment**

Each event will be required to prepare its own Event Management Plan which will also identify risks and mitigating actions. Staff in the events unit will work with event holders to ensure all required permits are in place. Events being held on land not under the control of Council are required to display evidence of permits being in place.

All applicants are required to provide evidence of adequate public liability and Certificates of Currency as part of the criteria for funding.

Part of the assessment also included the 'fit' with Council's principles to ensure all events supported did not conflict with key values.

#### **Social Considerations**

Social considerations have been considered as part of the assessment process which carried a 20% weighting for Major and 35% for the Minor/ Community. Applicants were asked to identify the social benefits of the event as part of their application.

### **3.3 Event Grant Program Funding Recommendations - May 2015 Round**

#### ***Community Engagement***

The following community engagement was carried out:

- Discussion with events staff at VMEC to advise of funding program in May 2015.
- Information with application form and guidelines placed on Council's website from 28 May 2015.
- Email sent to database of current event holders, Tourism Victoria to alert stakeholders to the program 28<sup>th</sup> of May 2015.
- Email sent to Torquay, Anglesea, Aireys Inlet, Lorne and Winchelsea Trader groups advising of program on May 2015
- Information on program contained in the Tourism newsletter.
- Adverts in the Surf Coast Times to promote the funding round
- Grants workshop held on 14<sup>th</sup> May 2015.

#### ***Environmental Implications***

The Event Grants Program seeks to fund events in the off peak season from post Easter to mid-December to encourage a reduction in the intensity of events taking place over the summer period.

Environmental sustainability of events contained a 20% weighting in the evaluation criteria.

#### ***Communication***

Successful applicants will be sent a letter confirming the amount of funding awarded. Unsuccessful applicants will be sent a letter advising their submission did not receive funding.

A media release will be issued containing details of successful events.

#### ***Conclusion***

The Event Grants Program was opened on the 28<sup>th</sup> May 2015 with submissions closing on the 19<sup>th</sup> June, 2015. A total of 26 submissions were received and assessed with 9 submissions recommended to receive funding under the Major Events stream and 15 under the Community stream.

Recommended funding for events under the major category totals \$54,500 and recommended funding under the Community stream totals \$21,500.

Some changes are recommended to be made to the Guidelines based on the ceasing of the Tourism Board (previously involved in Major event assessments) and other identified improvements.

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#### 4. CULTURE & COMMUNITY

##### 4.1 Community Buildings Study 2014-15

**Author's Title:** Social Planner

**General Manager:** Chris Pike

**Department:** Leisure & Wellbeing

**File No:** F14/1369

**Division:** Culture & Community

**Trim No:** IC15/3

**Appendix:**

1. Community Buildings Study Report 2014-15 (D15/71679)

**Officer Direct or Indirect Conflict of Interest:**

**Status:**

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

Information classified confidential under Section 77  
of the Local Government Act:

Yes

No

Yes

No

**Reason:** Nil

**Reason:** Nil

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**Purpose**

To receive the Community Buildings Study 2014-15 report and adopt its recommendations.

**Summary**

A study including use audits has been completed to better understand the use and management of Council's owned and/or managed community buildings. The study's report has documented the "state of play" around how the buildings are being used, who is using them, occupancy rates and how they are managed. The report presents the key findings around the themes of use and access, management and costs and benefits.

Providing accessible community buildings is an effective contribution Council can make to achieving connected communities, supporting service provision and facilitating participation, but there are also opportunities for improvement.

In light of the study and analysis undertaken, five recommendations have been made in the report. The recommendations are broadly based on developing integrated policy and procedures around community buildings, undertaking further research, further developing the multi-shared use concept and strategically utilising the use audit evidence base.

**Recommendation**

That Council:

1. Receive and note the Community Buildings Study 2014-15 Report.
2. Adopt the five recommendations contained in the Community Buildings Study 2014-15 Report.
3. Note a progress report will be provided in 12 months' time.

## 4.1 Community Buildings Study 2014-15

### Report

#### **Background**

The Community Buildings Study received \$30,000 as a new initiative in the 2014-15 budget and was scoped and developed in 2014-15, including two briefings to Council in September 2014 and April 2015. The study of Council owned and/or managed community buildings including use audits has now been completed. The study has documented the “state of play” around how community buildings are being used, who is using them, occupancy rates and how they are managed. The study provides an insight into whether community buildings are being well used and managed. The findings have assisted in identifying broad opportunities for future use of community buildings and ideas for further work and strategic approaches. A cross divisional Project Reference Group supported the study’s progress.

#### **Discussion**

##### Objectives

A key strategic driver for the work was objectives in the Council Plan 2013-17 and Health and Wellbeing Plan 2013-17 and the longer term aims of the study include:

- improving the use and management of Council community buildings
- growing the ability of the community buildings stock to adapt to future demographic change, community needs and expectations and outcomes of Council’s strategic and service planning i.e. flexible infrastructure.
- identifying community development opportunities/increasing community connectedness
- making more informed decisions about community buildings.

##### Data gathering activities

Use audits were undertaken and an average month of activity in 2014 recorded. This included engagement with Section 86 Committees of Management and Lease/Licence holders. Other relevant internal information relating to community buildings was collated from across the organisation including asset management, lease and licences and finance.

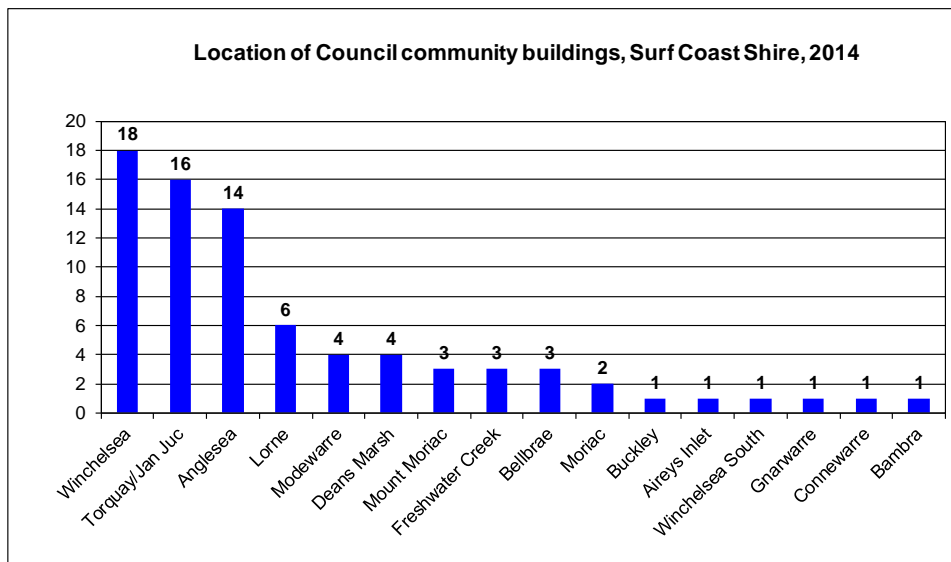
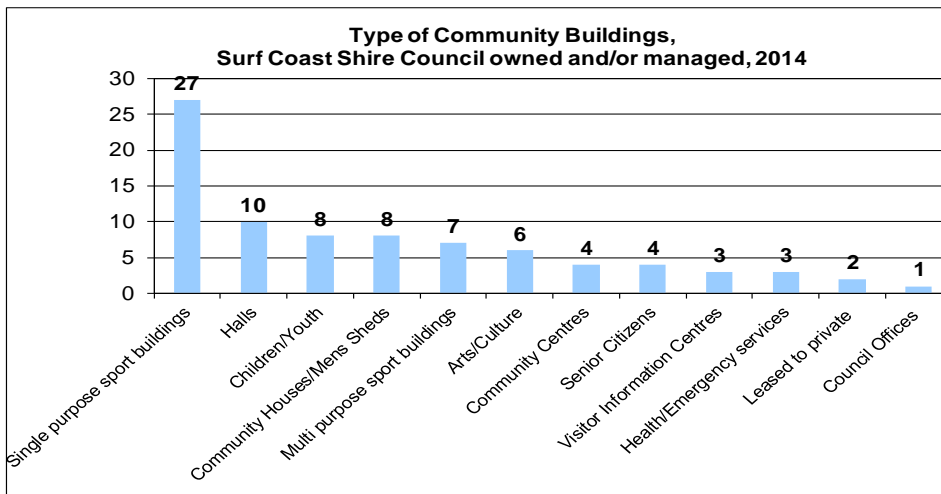
##### Key findings

The key findings of the Study included:

###### *What and where*

- There are 79 Council community buildings including community centres, Senior Citizens centres, Community Houses, Men’s Sheds, halls, buildings for arts and culture, multi-purpose sports pavilions, sporting clubrooms, emergency services, kindergartens and Maternal Child Health. See attachment 1.
- Council community buildings serve an important role in community connection around service provision and facilitating community participation.
- Patterns of provision reflect both historical commitments (e.g. tradition of local government provision of sport buildings) and legacies (e.g. Winchelsea former shire offices) and results of more recent strategic planning.
- 12 buildings house Council services such as children services, tourism services, sport and recreation services.
- A trend to multi-purpose/shared use for sport buildings is demonstrated in various ways with multi-purpose sport pavilions and community hub development
- The number of buildings is not in proportion with the size of populations with Winchelsea (18) having a similar number of buildings to Torquay/Jan Juc (16).

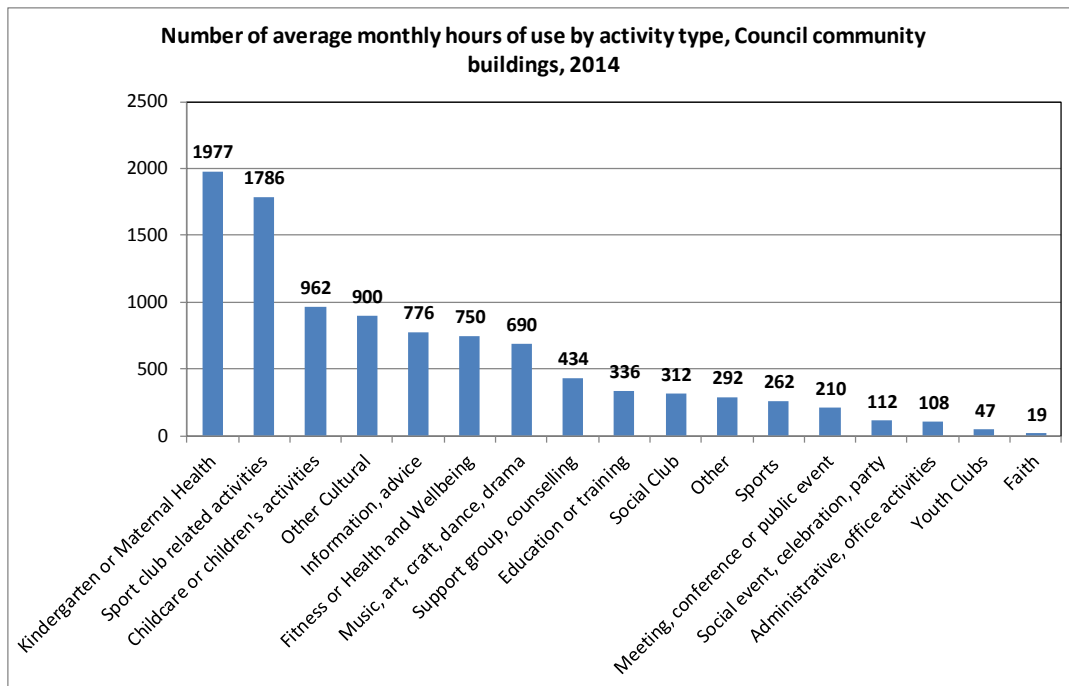
#### 4.1 Community Buildings Study 2014-15



#### Use and access

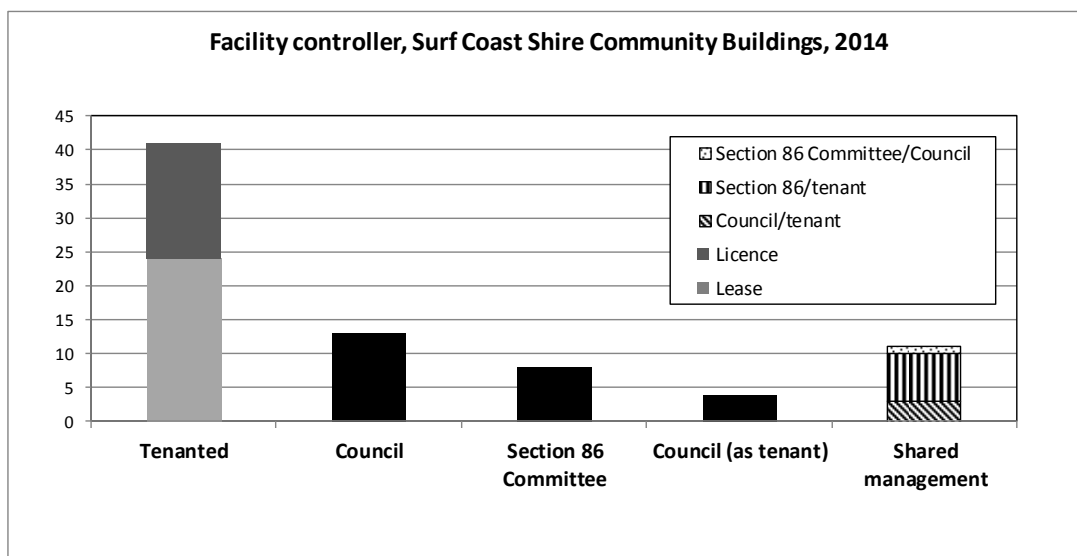
- In a typical month in 2014 there was nearly 10,000 hours of use and 83,000 attendances, representing 400 different activities/user groups.
- Children related activities dominated. Sport club related activities and creative and cultural pursuits were equally represented.
- Re-purposing is evident with a number of buildings converted from their original uses and these serve as models for what is possible.
- Buildings with Council services, community centres, multi-purpose sports buildings, and some community houses had high attendance numbers and hours of activity.
- There are buildings in the rural hinterland that are underutilised – single purpose sport buildings and halls.
- Occupancy rates vary across the week and building categories and also within some building categories.

#### 4.1 Community Buildings Study 2014-15



#### Management

- A variety of management arrangements are in place for Council community buildings including Council, services, tenanted through leases and licences, Section 86 Committees, Council as a tenant and shared management.
- The community plays an important and valued role in the management and operations of various community buildings.
- There is an inconsistency across the board regarding which type of legal agreement is used in order for community users to utilise Council community buildings.
- Booking systems range from centrally coordinated by the Shire through the Sport and Recreation Centre through to paper based systems or no formal booking system.
- There is an inconsistent range of fee arrangements across buildings.
- 50% of Councils Community Buildings available for hire by the general public. This includes community centres, Community Houses, halls, multi-purpose sport buildings, Senior Citizens, a few single purpose sport building and a few arts/culture buildings.



## 4.1 Community Buildings Study 2014-15

### Costs and benefits

- The use audit revealed that Council community buildings are a place to provide Council services, health and wellbeing activities, exercise, relax and connect, be creative, do business, welcome visitors, support working parents, learn, be cared for, support volunteers, connect, celebrate and support young and old.
- Community buildings have the potential to support and harness changes in social and demographic trends.
- The financial cost of community buildings to Council includes maintenance, programmed works, capital expenditure and operating/running costs.
- There has been around \$1.7 million spent on maintenance/programmed works for Council community buildings July 2013 - March 2015.
- Nearly \$14 million capital expenditure has been contributed to Council community buildings since June 2011.
- There is an opportunity to get better community value for Council subsidy of facilities through consideration of usage.

Council community buildings serve an important role in community connection around service provision and community participation. They support and facilitate participation across sports, arts, culture, recreation, educational and social networking activities which can build broader networks and connection.

While there are significant levels of activity overall and significant community benefit not all Council community buildings are reaching their full potential. There are some buildings which are underutilised and these provide opportunities for re-purposing, increased multi use of facilities and community hub development.

The variety of management arrangements across Council community buildings and lack of consistency of approach points to the need to improve structures and processes. The lack of clear policies, processes and guidelines are an impediment to constructive conversations with user groups when change is required. This indicates the need for more work to be done to ensure the facilities are working effectively and efficiently and being well used and managed.

The recommendations of the study are detailed in the action plan in the Study Report and in summary are that Council:

1. Establishes a cross divisional team tasked with overseeing improved structures and processes around the provision of community buildings.
2. Develops an integrated policy and procedures framework for community buildings
  - Policy Framework with guiding principles for community building (to go through the Policy Review Sub-Committee)
  - Procedural/operational improvements to implement the policy
3. Develops a more comprehensive understanding of:
  - the issues for user groups /community around community buildings.
  - the broader economic and social benefits that community buildings deliver to the community and business
4. Further develops the multi-purpose shared use building concept (links with no. 2, 2<sup>nd</sup> dot point)
  - continues to seek opportunities for community hubs/co-location
  - investigates innovative approaches such as “activity driven” community hubs e.g. arts/cultural, physical activity, learning
  - increase activity in underutilised spaces.
5. Utilises information resources developed through the use audit strategically for related projects/plans and day to day Council work e.g Arts Space Feasibility Study, Business Improvement Project, future Masterplans

### ***Financial Implications***

This project has received \$30,000 funding for the 2014-15 financial year. Efficiency savings were achieved by undertaking this project in house with a contracted staff member to undertake the community buildings use audit. The total project cost was \$12,000. There is no budget provision in the next financial year and the recommendations will be undertaken by officers.

## 4.1 Community Buildings Study 2014-15

### **Council Plan**

Theme	4 Infrastructure
Objective	4.2 Accessible and well maintained Council facilities
Strategy	4.2.4 Maximise usage of Council buildings

### **Policy/Legal Implications**

A policy gap has been identified and a recommendation of this study is to develop an integrated policy and procedures framework for community buildings. The policy will go through the Policy Review Sub-Committee.

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

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

### **Risk Assessment**

A project risk log was developed for the project. This was updated regularly and discussed at the Project Reference Group (PRG) meeting. The key risks identified and strategies for mitigating included:

- Scope Creep – project scope well defined in charter
- Failing to achieve a collaborative, cross organisational approach – PRG included representation from across the organisation, use audits have involved consultation with key staff who work with our community buildings and findings from the study presented to and discussed with key staff.
- Unrealistic expectations of what the project can achieve – this requires accurate explanation and engagement about the scope of the project

If the recommendations are not implemented the lack of clear policies, processes and guidelines will continue as an impediment to maximising usage of community buildings, developing flexible infrastructure and constructive conversations with user groups when change is required.

### **Social Considerations**

Community buildings serve an important role in community connection around community participation and service provision. The use audit indicates that Council's 79 community buildings support and facilitate participation across sports, arts, culture, recreation, education, environmental and social networking activities for a range of age groups. This participation provides the opportunity for broader networks and connection.

Endorsing the next phase of this project will grow the ability of the Council community buildings' stock to adapt to future demographic change, community needs and expectations, social trends and the outcomes of Council's strategic and service planning.

### **Community Engagement**

A project Communications and Engagement Plan outlined the proposed internal and external engagement for all stages of the project. Internal engagement supported completion of use audits for 25% of Council community buildings. External engagement involved meeting in the field or phone/email contact with managers of community buildings including Committees of Management – Section 86 and Lease/licence holders in March-May 2015. The meetings were positive and informative. There were a number of Council owned buildings that were not use audited including those leased to private operators.

Engaging with user groups to find out their needs and views on Council community buildings was not in the scope of this stage of the project however is one of the recommended actions. There was no general community consultation.

### **Environmental Implications**

Improving use, increasing multi-purpose shared use and understanding utilisation rates of existing Council community buildings has the potential to improve environmental sustainability through Council only building what it needs and minimising the impact of construction on the environment.

### **Communication**

The Community Buildings Study 2014-15 report will be available on Council's website and the information will be shared with people who participated in the community buildings use audit process.



#### **4.1 Community Buildings Study 2014-15**

##### ***Conclusion***

Providing accessible community buildings is an effective contribution Council can make to achieving connected communities and facilitating participation, but there also are opportunities for improvement.

The community buildings “information bank” developed through this study provides the resource and opportunity to think more strategically about community buildings including placing individual matters in a Shire, town or category context.

While there are high levels of activity overall and significant community benefit not all community buildings are reaching their full potential. There are some buildings which are underutilised and these provide opportunities for re-purposing, increased multi use of facilities and community hub development.

The variety of management arrangements across community buildings and lack of consistency of approach points to the need to improve structures and processes. The lack of clear policies, processes and guidelines are an impediment to constructive conversations with user groups when change is required. This indicates the need for more work to be done to ensure the community buildings are being well used and managed.

A policy and procedures framework, some further research and the study’s data are recommended to form the resources for developing a way of ensuring Council’s financial resources are going where they achieve the greatest community benefit.

## 4.2 Endorsement of Positive Ageing Strategy and Early Years and Youth Strategy 2015-2018

**Author's Title:** Manager Aged & Family

**General Manager:** Chris Pike

**Department:** Community

**File No:** F14/1444

**Division:** Culture & Community

**Trim No:** IC15/4

**Appendix:**

1. Positive Ageing Strategy 2015-2018 (D15/44359)
2. Positive Ageing Strategy 2015-2018 Summary Document (D15/61731)
3. Early Years and Youth Strategy 2015-2018 (D15/52960)
4. Early Years and Youth Strategy 2015-2018 Summary Document (D15/61735)

**Officer Direct or Indirect Conflict of Interest:**

**Status:**

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

Information classified confidential under Section 77  
of the Local Government Act:

Yes

No

Yes

No

**Reason:** Nil

**Reason:** Nil

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### Purpose

To adopt the Surf Coast Shire Council Early Years and Youth Strategy 2015-18 and Positive Ageing Strategy 2015-18.

### Summary

Surf Coast Shire Council's two key Aged and Family Services Strategies are intended to guide the ongoing development and delivery of Council programs and services for:

- Young citizens during their formative years (Early Years and Youth Strategy 2015-18)
- Older citizens (Positive Ageing Strategy 2015-18).

The process of developing these strategies involved:

- reviewing previous strategies (i.e. Early Years Plan 2009-13, Youth Strategy 2006-09 and Positive Ageing Strategy 2009) as a key strategy articulated in the Surf Coast Shire Council Plan 2013-17
- a three-pronged research approach, involving desktop research, demographic analysis and community consultation
- meetings with Aged and Family Services staff to discuss key findings and determine strategic directions, and
- consultation with other Council units as required.

The ensuing strategies chart the way forward for Council to achieve better outcomes for Surf Coast's children, youth and older people over the next three years. As such, they form the basis for developing annual action plans for implementation at an operational level.

Both documents were placed on public exhibition for four weeks. This provided an opportunity for community and stakeholders to provide feedback to Council prior to the finalisation of the document. The feedback received has been reviewed, noted and summarised. The feedback has been reviewed in reference to the goals and objectives of the strategies, and has not resulted in changes to the final draft documents.

### Recommendation

That Council:

1. Note the feedback received during the public exhibition period in relation to the Surf Coast Shire Council Early Years and Youth Strategy 2015-18 and Positive Ageing Strategy 2015-18.
2. Adopt the Early Years and Youth Strategy 2015-18.
3. Adopt the Positive Ageing Strategy 2015-18.

## 4.2 Endorsement of Positive Ageing Strategy and Early Years and Youth Strategy 2015-2018

### Report

#### **Background**

At the May 26 Surf Coast Council briefing, Council endorsed for public exhibition, the Draft Aged and Family Services Strategies. The intent of these strategies is to guide the ongoing development and delivery of Council programs and services over the next three years across two key areas:

- Early Years and Youth Strategy 2015-18 focuses on young citizens during their formative years from birth to 25 years, and
- Positive Ageing Strategy 2015-18 targets older citizens aged 65 years and above.

The process of developing these strategies involved:

- reviewing previous strategies (ie Early Years Plan 2009-13, Youth Strategy 2006-09 and Positive Ageing Strategy 2009) as a key strategy articulated in the Surf Coast Shire Council Plan 2013-17
- a three-pronged research approach, involving desktop research, demographic analysis and community consultation
- meetings with Aged and Family Services staff to discuss key findings and determine strategic directions, and
- consultation with other Council units as required.

The ensuing strategies chart the way forward for Council to achieve better outcomes for Surf Coast's children, youth and older people over the next three years. As such, they form the basis for developing annual action plans for implementation at an operational level. Both strategies recognize the importance of community connections and maintaining strong and productive links with key stakeholders. The exhibition period provided the opportunity for Council to receive and review feedback about how accurately the strategies reflect the community they serve.

#### **Discussion**

The draft strategies were made available for review via the Council website and individual copies distributed electronically to key stakeholders and community members who participated in the development and consultation phases of the strategies. Additionally hard copies were made available at visitor information centres, community health centres and key shire buildings. Feedback sheets were made available and collection points identified. Public notices were included in the local media alerting the community the exhibition period and inviting individuals to participate in this important phase of the process.

In summary the feedback comprised of the following:

- Two pieces of email correspondence.
- One feedback sheet returned electronically.
- Anecdotal comment from key stakeholders.

Key themes:

- Acknowledgment of the alignment of the goals and themes with those of a prominent community group. (U3A)
- Acknowledgment of the clarity of the objectives and strategies and their relevance for the demographic they target.
- Questions about how Council can further support the development of opportunities for both older adults and young people by way of the provision of low cost venues that can support a wide range of social and recreational activity.
- Question about how community groups can access financial support from the Surf Coast Shire Council.

To conclude the exhibition process respondents will receive correspondence from Council acknowledging their input and informing them about current Council activity in as a result of the questions raised.

Final draft strategies are included as attachments to this report:

- Attachment 1 – Surf Coast Shire Council Early Years and Youth Strategy 2015-18
- Attachment 2 – Surf Coast Shire Council Positive Ageing Strategy 2015-18.

## 4.2 Endorsement of Positive Ageing Strategy and Early Years and Youth Strategy 2015-2018

### **Financial Implications**

Existing staff resources will be utilised in planning and for the delivery of some strategies contained within the plan. Resource considerations will be subject to Council's annual budget process where additional funding is required to support implementation.

### **Council Plan**

Theme 3 Communities  
Objective 3.2 Quality Assessment Ratings for Aged & Family Services  
Strategy 3.2.3 Implement key community services strategies including Access & Inclusion Positive Ageing, Early Years and Youth.

### **Policy/Legal Implications**

Each strategy considers Council's policy and legal obligations under relevant legislation, regulations and frameworks including:

Early years and youth

- Children's, Youth and Family Act 2005
- Early Years Learning and Development Framework 2009
- Education and Care Services National Law Act 2010 (and regulations 2011)
- School Aged Framework 2009, and
- Working with Children Check (Criminal Record Check) Act 2004.

Positive ageing

- Victorian Charter of Human Rights and Responsibilities Act 2006
- Occupational Health and Safety Act 2004
- Aged Care Act 1997
- Home and Community Care Act 1985
- Disability Act 2006
- Carers Recognition Act 2012
- Disability Discrimination Amendment Act 2012

Potential effects of ongoing reform is also considered, given the significant change that has already occurred within both sectors over the past four years and planned future reforms as identified in each strategy.

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

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

### **Risk Assessment**

Ongoing government policy reform and social change, has major implications for Council in terms of planning and delivering services that respond to the changing needs of Surf Coast's families, children and older people. Development and implementation of these strategies provides the framework to support and guide Council's response within this context.

### **Social Considerations**

Young people's learning, development, socialisation and wellbeing are optimised when their families are confident, capable and supported by their community and a well-connected service system. Evidence confirms the value of investing in early years and youth development in terms of contributing to strong, healthy communities and reducing expenditure on health, education, employment and crime.

Older people's capacity to age positively is influenced by their ability to remain independent for as long as possible. Being physically and mentally active, and maintaining strong social and community connections are critical, with international research confirming living circumstances and quality of life as key health and life expectancy factors.

Through its local community planning responsibilities, local government is recognised as playing a critical role in achieving positive social outcomes. The strategies aim to support Council in fulfilling this role through service planning and delivery, community development and advocacy.

## **4.2 Endorsement of Positive Ageing Strategy and Early Years and Youth Strategy 2015-2018**

### ***Community Engagement***

Community engagement comprised a crucial element of each strategy's development as detailed in the community engagement report (refer to Appendix III in each document). The focus was on gaining a better understanding of how children, youth, older people and their families perceived Council's services in meeting their specific needs and expectations. Various tools assisted in eliciting this information including client surveys, face-to-face meetings, workshops and dot posters.

### ***Environmental Implications***

Not applicable

### ***Communication***

The draft strategies have been subject to Council's public exhibition process. In addition, the various organisations, groups and individuals who contributed input to their development, via the community engagement process, will be invited to provide feedback.

A communications and community engagement plan has been developed and implemented for:

- the public exhibition/final consultation phase
- communicating Council's progress in implementing the strategies following their adoption by Council, and
- seeking community input to each strategy's review and evaluation process as the basis for its continuous improvement and further development.

### ***Conclusion***

The draft strategies outline a coordinated, whole-of-Council approach to improving outcomes for Surf Coast's children, youth and older people over the next three years. As such it is recommended that Council endorse the Early Years and Youth Strategy 2015-2018 and the Positive Ageing Strategy 2015-2018

### 4.3 Support for the MAV ALGA submission against freezing of Federal Assistance Grants

**Author's Title:** Coordinator Communications & Community Engagement

**General Manager:** Chris Pike

**Department:** Community

**File No:** F15/1007

**Division:** Culture & Community

**Trim No:** IC15/46

**Appendix:**

Nil

**Officer Direct or Indirect Conflict of Interest:**

**Status:**

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

Information classified confidential under Section 77 of the Local Government Act:

Yes

No

Yes

No

**Reason:** Nil

**Reason:** Nil

#### Purpose

To support a combined Australian Local Government Association (ALGA) and Municipal Association of Victoria (MAV) campaign to restore the indexation of the Australian Government's Financial Assistance Grants.

#### Summary

The Australian Government introduced a freeze on the annual indexation of its Federal Assistance Grants in 2014. Until then the Federal Assistance Grants were indexed annually to provide for population growth and inflation.

The ALGA has estimated the freeze on indexation of Federal Assistance Grants will equate to a loss of revenue to Councils across Australia of approximately \$600 million over three years. The anticipated impact on the Surf Coast Shire Council is approximately \$5 million over 15 years.

Councils rely on Federal Assistance Grants to assist in the funding of key Council services and infrastructure, including maintenance of roads and delivery of facilities such as playgrounds and kindergartens.

The Surf Coast Shire Council was allocated \$3,617,989 in Federal Assistance Grants for the 2015/16 financial year.

The subject of the freezing of indexation of Federal Assistance Grants was raised at this year's National General Assembly of Local Government in Canberra.

The President of the ALGA Mayor Troy Pickard has written to Surf Coast Shire Council seeking Council's support for the ALGA's national campaign.

#### Recommendation

That Council:

1. Acknowledge the importance of federal funding through the Financial Assistance Grants program for the continued delivery of Council's services and infrastructure;
2. Note that Council will receive \$3,617,989 in Financial Assistance Grants in 2015/16;
3. Call for indexation of Federal Assistance Grants to be restored immediately and for the Australian Government to review the overall amount made available through the program to Councils given the demands placed on community infrastructure and services through population growth and inflation.
4. Write to relevant Australian Government Ministers, Shadow Ministers, Members of Parliament and candidates advising of Council's resolution.

### **4.3 Support for the MAV ALGA submission against freezing of Federal Assistance Grants**

#### **Report**

##### ***Background***

The 2014 Federal Budget included a three year freeze on indexed increases to the Financial Assistance Grants. The grants program provides untied funding to Councils Australia wide and is relied upon to deliver community infrastructure and services.

In 2014-15 the Federal Assistance Grants program contributed an approximate total of \$2.3 billion to Councils Australia wide. The funds are invested in maintenance and construction of local roads, bridges, parks and kindergartens as well as community services of all kinds.

Financial Assistance Grants are usually indexed in line with population growth and inflation.

Between 2006 and 2014 the Surf Coast Shire experienced an annual population growth of 3.1%. Forecast growth figures to 2031 are the fifth highest for Victoria. Growth figures for Torquay North are 188%, old Torquay and Torquay West are 58%, Winchelsea 39% and Moriac 34%.

The freeze on indexation of Federal Assistance Grants coincides with the introduction of rate capping which is a new Victorian Government policy to be levied on Councils from the 2016/17 financial year.

In May 2015 the Council made a submission to the Essential Services Commission of Victoria (ESC) on rate capping. The submission noted that fast growing areas such as Surf Coast Shire would need to deliver significant levels of new infrastructure to keep up with community demand.

##### ***Discussion***

Greater than average population growth has placed additional demand on Council to provide services and infrastructure to the community.

The ALGA argues that even without the freeze the Federal Assistance Grants were not keeping pace with demands for services and infrastructure in local communities.

The ALGA has estimated the freeze on indexation of the grants will result in a loss of revenue to Councils of approximately \$600 million over three years.

The Surf Coast Shire Council has calculated the freeze will result in the loss of approximately \$5 million in funding over 15 years.

This compounded by the estimated impact of the State Government's rate capping policy which is due to come into effect for the 2016/17 financial year.

Surf Coast Shire Council estimates if rate capping resulted in a 2% reduction in rate increases the Council would lose more than \$100m over a 15 year period.

As at July 2015 the ALGA had received advice that 25% of all Councils Australia wide had passed a resolution calling for the reversal of the freeze on indexation of Federal Assistance Grants.

##### ***Financial Implications***

There are no direct financial implications from the adoption of this report. If indexing is returned to the Federal Assistance Grants the Council would have more funds to invest in community services and projects.

##### ***Council Plan***

This reports relates to all three of the priority areas that were included in the mid-term (June 2015) update of Council Plan 2013-2017:

- Position the Surf Coast for the (future) benefit of the environment, the economy and the community.
- Secure buy-in and support from critical partners.
- Sustainable service and staff efficiencies.

##### ***Policy/Legal Implications***

No direct policy or legal implications

### **4.3 Support for the MAV ALGA submission against freezing of Federal Assistance Grants**

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

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

#### ***Risk Assessment***

There is a risk if Council has insufficient funds to deliver services and facilities to meet community expectation.

#### ***Social Considerations***

The Surf Coast Shire is a rapidly growing area resulting in demand for Council services and infrastructure. Council's ability to service this demand may be comprised if funding streams such as the Federal Assistance Grants are not indexed to account for growth.

#### ***Community Engagement***

No specific community engagement activities have been undertaken in relation to this report. The impact of a freeze on Federal Assistance Grants was included in information provided as part of Council's draft 2015/16 budget. The budget process involved engagement activities and opportunities across the shire.

#### ***Environmental Implications***

No direct environmental implications.

#### ***Communication***

The ALGA and Mav will be advised of Council's resolution. Local Members of Parliament will also be advised of Council's resolution.

#### ***Conclusion***

The Australian Government's Federal Assistance Grants scheme is a vital source of funds for Councils Australia wide. The current freeze on indexed increases to the grants will result in a loss of revenue to Councils nationwide of approximately \$600 million over three years.

The Surf Coast Shire Council has calculated the freeze will result in the loss of approximately \$5 million in funding over 15 years.

By adopting this report Council would formally record its support of a combined ALGA and MAV campaign calling for the immediate return of indexation of Federal Assistance Grants; and for the Australian Government to review the overall amount made available through the program to Councils given the demands placed on community infrastructure through population growth and inflation.



#### 4.4 2016-17 Community Sports Infrastructure Fund - Sport and Recreation Victoria Grants

**Author's Title:** Manager Leisure & Wellbeing

**General Manager:** Chris Pike

**Department:** Community

**File No:** F15/1159

**Division:** Culture & Community

**Trim No:** IC15/117

**Appendix:**

1. Summary of applications Sport and Recreation Victoria Grants – Community Facility Funding Program 2016/17 (D15/67637)
2. Sport and Recreation Victoria 2016 to 2017 Community Facility Funding Program Project Criteria Summary (D15/69592)

**Officer Direct or Indirect Conflict of Interest:**

**Status:**

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

Information classified confidential under Section 77 of the Local Government Act:

Yes

No

Yes

No

**Reason:** Nil

**Reason:** Nil

#### **Purpose**

To note the sport and recreation groups that have submitted a project proposal for the Sport and Recreation Victoria (SRV) Community Facility Funding Program (CFFP) Major Facility category for 2016-17 and that no application has been lodged.

#### **Summary**

The Department of Health and Human Services, previously the Department of Transport, Planning and Local Infrastructure has an annual program for grant applications to support community facility development, The purpose of this program is to provide high quality, accessible community sport and recreation facilities across Victoria.

The categories for the program are:

- Better Pools
- Major Facilities
- Small Aquatic Projects
- Minor Facilities
- Cricket Facilities
- Female Friendly Facilities
- Planning – Facility Feasibility or Recreation Planning.

Council is the applicant for these grants and a funding contribution is requiring from Council. Council invites the community to identify projects through an expression of interest process. This report only considers those projects for the Major Facility category. A later report will consider projects under other categories.

A project proposal needs to be submitted to Sport and Recreation Victoria on Monday 24 August 2015. Once a proposal is received, officers in the State Government will assess the project and then invite local government authorities for a full application.

Representatives of clubs and groups have put considerable time, effort and energy into their project proposals. This should be recognised. Officers have assessed the proposals against key criteria including:

- Level of Council contribution required
- Project readiness
- Are community/club and other funding sources confirmed?
- Is it identified in forward financial plans?
- Fit with State Government funding criteria
- Is it identified in a Master plan

#### **4.4 2016-17 Community Sports Infrastructure Fund - Sport and Recreation Victoria Grants**

As a result of this assessment, it is not recommended that a project proposal be submitted under the Major facility category for 2016/17. Additionally, it would be premature for Council to make an application under the Better Pools category given community consultation is in swing.

##### **Recommendation**

That Council:

1. Note the project proposals from a range of sport and recreation groups for the Sport and Recreation Victoria (SRV) Community Facility Funding Program (CFFP) Major Facility category for 2016-17.
2. Note that no applications have been submitted for the Major Facilities, Better Pools and Small Aquatic categories for 2016/17.
3. Thank the groups that submitted project proposals, provide them with constructive feedback and advise them on future funding opportunities.
4. Note a report recommending projects under the Minor Facilities, Female Friendly and Cricket Facilities programs will be provided to Council for consideration at the October Council meeting.

#### **4.4 2016-17 Community Sports Infrastructure Fund - Sport and Recreation Victoria Grants**

##### **Report**

##### ***Background***

Council has submitted a range of projects to the Community Facilities Funding Program in the past with a high level of success.

The Grants Management Procedure was adopted by Council at the 26 July 2012 meeting with the purpose: "To provide Surf Coast Shire with a clear, concise and equitable process for the submission of the relevant Department applications where Council is the auspice organisation".

The procedure includes:

- Informing the community of the availability of the grants
- Seeking involvement of sport and recreation groups via a project expression on interest (EOI) process
- Assessing EOI's to recommend which project applications are submitted to the program
- The Council endorsement process
- Completing project proposals/ applications
- Advising and informing groups of the outcomes of the process.

The application process is in two stages and the first stage includes a requirement to discuss project ideas with a Sport and Recreation Victoria (SRV) representative before submitting a project proposal. This process provides a filter for projects to ensure they meet the funding criteria and that the project is ready to proceed.

The project proposals are due on the 25<sup>th</sup> August before the Council meeting date. An extension was explored with SRV and this was denied.

##### ***Discussion***

A summary of the Major Facility Category EOIs to be considered for 2016- 2017 is detailed in Appendix 1.

The guidelines state that local governments can only submit one application under the Better Pools, Major Facilities or Small Aquatic Project categories. The Major facilities category encompasses projects with a total project cost of more than \$500,000 (GST exclusive). The maximum grant is \$650,000. The funding ratio is SRV \$1:\$1 Council and other funds.

Project proposals and full applications require evidence of confirmed funding contributions to meet the funding contribution ratio requirements. As with most grant programs, they are highly competitive and project readiness along with detailed design, cost plans and all funding sources confirmed provide a greater chance of success.

Consideration has been given to all project proposals. There are a range of issues associated with each of these grant proposals and officers have assessed these against a key criteria that includes:

- Level of Council contribution required
- Project readiness
- Are community/club and other funding sources confirmed?
- Is it identified in forward financial plans?
- Fit with State Government funding criteria
- Is it identified in a Master plan

Resulting from the project criteria, there is not an obvious project that can be considered as an applicant under the Major facility category. Council's contribution to match the required funds is not yet available and therefore, it is recommended that a major facility project not be submitted for the 2016/17 funding round.

Officer recommendation is not to submit an application to the Better Pools funding category. Council are currently undertaking community consultation on a proposed funding model for an aquatic and health facility. This will inform consideration of grant opportunities in the future.

#### **4.4 2016-17 Community Sports Infrastructure Fund - Sport and Recreation Victoria Grants**

The funding guidelines also provide opportunities for projects that fall within the Minor Facilities, Cricket Facilities, and Female Friendly Facilities programs. These projects need to be less than \$1m and can potentially provide a maximum grant of up to \$100k.

Councils can apply for the maximum grant amount for up to three projects from the Minor, Cricket and Family Friendly categories (with a maximum of two from any single category). Planning/feasibility projects will also be considered alongside these.

Project proposals in this category are still being collated and a further report will be provided to Council for consideration at its October meeting. The due date for these grant applications is 29th October.

##### ***Financial Implications***

As the Major facility projects require matching funding, Council needs to consider its capacity to pre-allocate funding in 16/17 and beyond. Council will need to revisit its long-term financial plan in light of rate capping announcements in coming months. It is likely that Council will have a reduced capacity to fund capital projects in coming years.

##### ***Council Plan***

Theme 4 Infrastructure  
Objective Allocation of infrastructure according to need.  
Strategy 2.5.4 Build strong relationships with community interest groups.

##### ***Policy/Legal Implications***

There are no policy or legal implications, noting that the process follows the Grants Management Procedure – 2012.

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

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

##### ***Risk Assessment***

There is a reputational risk in managing community expectations and Council determining priority projects submitted by the community through an expression of interest process.

##### ***Social Considerations***

The Community Facility Funding program supports many of Council's objectives in meeting community aspirations, responding to changing community needs and supporting the growth of physical activity and participation across Surf Coast Shire.

##### ***Community Engagement***

Community engagement in this process has been via an Expression of Interest process that is advertised in local media, our web-site and by direct email to all sporting groups. A number of follow up telephone calls were made to Club secretaries. CO

##### ***Environmental Implications***

No significant environmental implications arise from this report.

##### ***Communication***

The Grants Management Procedure outlines communication of outcomes internally and externally.

Representatives of clubs and groups have put considerable time, effort and energy into their project proposals. Clubs will be contacted with feedback about the proposals and officers will seek to identify ways to support their ongoing efforts to develop the facilities.

##### ***Conclusion***

The CFFP is a highly competitive program. Representatives of clubs and groups have put considerable time, effort and energy into their project proposals. Unfortunately none are ready to be submitted to the program.

#### 4.5 Health and Wellbeing Plan Year 3 Implementation Action Plan and Year 2 Implementation

**Author's Title:** Manager Aged & Family

**General Manager:** Chris Pike

**Department:** Community

**File No:** F13/563

**Division:** Culture & Community

**Trim No:** IC15/2

**Appendix:**

1. Health and Wellbeing Plan – Implementation Summary April - June 2015 (D15/65464)
2. Surf Coast Shire Health and Wellbeing Plan Year 3 Action Plan (2015/16) (D15/66858)

**Officer Direct or Indirect Conflict of Interest:**

**Status:**

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

Information classified confidential under Section 77  
of the Local Government Act:

Yes

No

Yes

No

**Reason:** Nil

**Reason:** Nil

#### **Purpose**

To receive and note the outcomes of Year 2 of the Municipal Health and Wellbeing Plan 2013-2017 and to endorse the Year 3 action plan.

#### **Summary**

The Surf Coast Shire Health and Wellbeing Plan 2013-2017 was developed through collaboration between the G21 Councils and other key stakeholders and adopted by Council at its general council meeting held 24 September 2013. The final draft plan was submitted to the Minister for Health on 29 October 2013 to meet requirements under the Act.

The Year 2 implementation activity report provides an overview of the level and range of activity achieved in this first half of the plan and sets a solid foundation for activity for the second half of its life. Outputs and actions from the plan will be reported to the Department of Health as part of Council's legislative responsibilities.

A review of the achievements and activity over Year 2 of the Plan has resulted in the development of the Year 3 action plan. For the 2015/16 financial year Council has committed to fund a 0.6 EFT Health and Wellbeing Officer to support the implementation of the Plan and build on the achievements of 2014/15.

#### **Recommendation**

That Council:

1. Receive and note the outcomes of the implementation of Year 2 of the Surf Coast Shire Health and Wellbeing Plan.
2. Endorse the Surf Coast Shire Health and Wellbeing Plan 2013 - 2017 Year 3 Action Plan.

## 4.5 Health and Wellbeing Plan Year 3 Implementation Action Plan and Year 2 Implementation

### **Report**

#### ***Background***

The Victorian Municipal Public Health & Wellbeing Act 2008 (the Act) requires that each Council develop and implement a Municipal Public Health and Wellbeing Plan (MPHWP) within 12 months of a general Council election. Council endorsed MPHWPs are to be lodged with the Minister for Health by 31 October 2013 also as a requirement of the Act.

The Surf Coast Shire Health and Wellbeing Plan 2013-2017 ("the Plan") was developed through a collaboration between the G21 Councils and other key stakeholders and adopted by Council at its Ordinary Council Meeting held 24 September 2013. The final draft plan was submitted to the Minister for Health 29 October 2013 to meet requirements under the Act.

#### ***Discussion***

Following adoption of the Plan an implementation plan was developed which aimed to ensure linkages with the Council plan and to identify key responsibility areas for implementation across the organisation. Activity was grouped under the priority themes for action which include;

1. Healthy engaged communities
2. Local opportunities
3. Service Accessibility

Included under each of the themes are a number of objectives and strategies that will be worked on over the life of the plan. Appendix 1 provides a summary of the Year 1 achievement across the each of the themes.

Some of the key achievements for Year 2 of implementation include;

- 1.5.2.1 Partner with Federal Government to identify suitable community solar projects for Surf Coast Community Solar grant – 2 successful applications achieved
- 1.5.3.1 Deliver initiatives from the "Edible Landscapes Initiatives" document and report annually on projects completed. – Eat local month and launch of the good fish project
- 2.3.2.1 Actively support traineeship placements for Certificate/Diploma students in aged care and early years. – 3 traineeship opportunities implemented over 2014/15
- 3.2.1.2 Conduct a Rural Forum to understand rural communities' service needs and provide information on service availability. The Winchelsea service expo was held in May 2015 at Eastern Reserve

Review of the achievements and activity over Year 1 of the Plan has resulted in the development of the Year 3 action plan (Appendix 2) which also indicates actions that will receive funding to support their implementation through the budget allocation provided for this project.

The Surf Coast Health and Wellbeing plan forms part of a collaboration between G21 Councils and relates in a number of key areas to the priorities established in the regional plan. In the third year of the plan a renewed focus will be placed by the G21 Health and Wellbeing Pillar on the implementation of regional priorities and activities. Initial discussions have been held with G21 and partner LGA's regarding opportunities for shared approaches to the implementation of the regional plan, including education and training. This activity will be progressed and reported as part of the year three implementation of the regional and local health and wellbeing plans.

#### ***Financial Implications***

Many of the activities and programs implemented in this first year have been achieved through existing resources and already established programs. This is an indicator of improved efficiencies across the organisation and collaborative partnerships with other key stakeholders which is a positive outcome.

The level of activity to deliver on the Plan is, naturally, sensitive to the level of annual investment. For the 2015/16 financial year Council has committed to fund a 0.6 EFT Health and Wellbeing Officer to support the implementation of the Plan and build on the achievements of 2014/15.

#### **4.5 Health and Wellbeing Plan Year 3 Implementation Action Plan and Year 2 Implementation**

##### ***Council Plan***

Theme 3 Communities  
Objective 3.3 Preservation of peaceful, safe and healthy environments  
Strategy 3.3.5 Annual monitoring and evaluation of the G21 Regional Health and Wellbeing Plan and Surf Coast Shire sub plan.

##### ***Policy/Legal Implications***

The Victorian Municipal Public Health & Wellbeing Act 2008 (the Act) requires that each Council develop and implement a (MPHWP) within 12 months of a general Council election.

The Local Government Act 1989 outlines Council's role in the promotion, protection and improvement of health and wellbeing.

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

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

##### ***Risk Assessment***

The Health and Wellbeing Plan is a statutory requirement under the Victorian Public Health and Wellbeing Act 2008, S26. Ongoing implementation and reporting of achievements will support compliance with the Act.

##### ***Social Considerations***

The ongoing implementation of the Surf Coast Shire MPHWP will continue to assist in the creation of environments that support the health of members of the local community and strengthen the capacity of the community and individuals to achieve better health standards.

##### ***Community Engagement***

Community engagement activity undertaken as part of implementation activity includes development of working and reference groups for specific projects, community surveys, stakeholder consultation through meetings and one to one consultation with individuals in the community.

##### ***Environmental Implications***

Not applicable

##### ***Communication***

Implementation activity will be communicated through relevant stakeholder groups with an interest in supporting implementation activity.

The Winchelsea Health and Wellbeing Profile Report and Implementation Plan will be launched with the reference group and promoted broadly with the Growing Winch Project.

##### ***Conclusion***

The action plan for Year 3 will build on the achievements of the first 2 years of the plan and support the overall achievement of objectives for the four year plan. Outputs and actions from the Plan will be reported to the Department of Health as part of Council's legislative responsibilities.

As such it is recommended that Council endorse the Municipal Health and Wellbeing Plan 2013 - 2017 Year 3 action plan.

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## 5. MINUTES

### 5.1 Section 86 Committee Minutes

**Author's Title:** Administration Officer - Governance & Risk      **General Manager:** Sunil Bhalla

**Department:** Governance & Risk

**File No:** F15/400

**Division:** Governance & Infrastructure

**Trim No:** IC15/141

**Appendix:**

1. Planning Committee Minutes - 6 July 2015 (D15/67871)
2. Planning Committee Minutes - 3 August 2015 (D15/69918)

**Officer Direct or Indirect Conflict of Interest:**

**Status:**

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

Information classified confidential under Section 77  
of the Local Government Act:

Yes

No

Yes

No

**Reason:** Nil

**Reason:** Nil

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### Purpose

To receive and note the minutes of the Section 86 Committee meetings as appended.

### Summary

The minutes provided in this report are draft unless otherwise identified. Committees do not re-issue minutes if any corrections are made at the time of adoption, rather note these corrections in the agenda item confirming adoption of the minutes at the following committee meeting. Any corrections to draft minutes of material significance made by the committees will be provided to Council for nothing in a subsequent report.

### Recommendation

That Council receive and note the following minutes of the Section 86 Committee meetings:

- Planning Committee Minutes – 6 July 2015
- Planning Committee Minutes – 3 August 2015



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## 6. ASSEMBLIES OF COUNCILLORS

### 6.1 Assemblies of Councillors

**Author's Title:** Administration Officer - Governance & Risk      **General Manager:** Sunil Bhalla

**Department:** Governance & Risk

**File No:** F15/764

**Division:** Governance & Infrastructure

**Trim No:** IC15/123

**Appendix:**

1. Assembly of Councillors - Council Briefing - 28 July 2015 (D15/66296)
2. Assembly of Councillors - Council Briefing - 4 August 2015 (D15/66439)
3. Assembly of Councillors - Council Briefing - 11 August 2015 (D15/69822)
4. Assembly of Councillors - Open Space Strategy - 11 August 2015 (D15/68782)

**Officer Direct or Indirect Conflict of Interest:**

**Status:**

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

Information classified confidential under Section 77  
of the Local Government Act:

Yes

No

Yes

No

**Reason:** Nil

**Reason:** Nil

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**Purpose**

To receive and note the Assembly of Councillors records received since the previous Council Meeting.

**Summary**

The Local Government Act 1989 section 80A(2) states that the Chief Executive Officer must ensure that the written record of an assembly of Councillors is as soon as practicable reported at an Ordinary Meeting of Council and incorporated in the minutes of that Council Meeting.

**Recommendation**

That Council receive and note the Assembly of Councillors records for the following meetings:

- Council Briefing – 28 July 2015
- Council Briefing – 4 August 2015
- Council Briefing – 11 August 2015
- Open Space Strategy Briefing – 11 August 2015

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## 7. URGENT BUSINESS/PETITIONS/NOTICES OF MOTION

### 7.1 Petition Requesting that Council Support the Application for an ALDI Supermarket in Rudd Avenue, Torquay

**Author's Title:** Senior Strategic Planner

**General Manager:** Kate Sullivan

**Department:** Planning & Development

**File No:** F15/710

**Division:** Environment & Development

**Trim No:** IC15/118

**Appendix:**

1. Petition to support the application for an ALDI supermarket in Rudd Avenue, Torquay (D15/69247)

**Officer Direct or Indirect Conflict of Interest:**

**Status:**

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

Information classified confidential under Section 77  
of the Local Government Act:

Yes

No

Yes

No

**Reason:** Nil

**Reason:** Nil

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### **Purpose**

To receive and note the petition requesting that Council support the application for an ALDI supermarket in Rudd Avenue, Torquay.

The petition consists of 127 signatures.

### **Recommendation**

That Council, in accordance with its Local Law No. 2 – Meeting Procedure:

1. Receive and note the receipt of the petition requesting that Council support the application for an ALDI supermarket in Rudd Avenue, Torquay.
2. Refer the petition to the General Manager Environment and Development for consideration.
3. Require a report on the petition be presented to the September 2015 Ordinary Council Meeting.

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## 7.2 Petition Against Construction and Sealing of Aireys Street, Aireys Inlet

**Author's Title:** Coordinator Special Projects

**General Manager:** Sunil Bhalla

**Department:** Engineering Services

**File No:** F15/652

**Division:** Governance & Infrastructure

**Trim No:** IC15/110

**Appendix:**

1. Petition Against Construction and Sealing of Aireys Street, Aireys Inlet (D15/68391)
2. Petition Against Construction and Sealing of Aireys Street, Aireys Inlet - Additional Petition (D15/70331)

**Officer Direct or Indirect Conflict of Interest:**

**Status:**

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

Information classified confidential under Section 77  
of the Local Government Act:

Yes

No

Yes

No

**Reason:** Nil

**Reason:** Nil

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**Purpose**

To receive and note the petition requesting that Council does not proceed with construction and sealing of Aireys St between Great Ocean Road and Sandy Gully.

**Recommendation**

That Council, in accordance with its Local Law No. 2 – Meeting Procedure:

1. Receive and note the receipt of the petition requesting that Council does not proceed with the construction and sealing of Aireys Street.
2. Refer the petition to the General Manager Governance and Infrastructure for consideration
3. Require a report on the petition be presented to the 22<sup>nd</sup> September 2015 Ordinary Council Meeting.

## **8. IN-CAMERA**

### **Recommendation**

That Council pursuant to section 89(2)(h) other matters and section 89(2)(d) contractual matters of the Local Government Act 1989, close the meeting to members of the public to resolve on matters pertaining to the following items:

- 8.1 Assemblies of Councillors Confidential**
- 8.2 Potential Purchase of Land in Winchelsea**
- 8.3 Contract 15/571 Clearance of Public Bins and Street Sweeping**

### **Recommendation**

That:

1. The resolution and report pertaining to In-Camera items 8.1 and 8.2 remain In-Camera.
2. The resolution pertaining to In-Camera item 8.3 be made public and the report remain In-Camera.
3. Council open the meeting to the public at pm.

**Close:** There being no further items of business the meeting closed at pm.