



Agenda

Ordinary Meeting of Council
Tuesday, 8 December 2015

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

Commencing at 6.00pm

Council:

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

AGENDA FOR THE ORDINARY MEETING OF SURF COAST SHIRE COUNCIL
TO BE HELD IN THE COUNCIL CHAMBERS, 1 MERRIJIG DRIVE, TORQUAY
ON TUESDAY 8 DECEMBER 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 and In Camera Meeting of Council held on 24 November 2015 as a correct record of the meeting.

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 that could come 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:

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1. OFFICE OF THE CEO

1.1 Monthly Finance Report - November 2015

Author's Title: Coordinator Management Accounting	CEO: Keith Baillie
Department: Finance	File No: F15/973
Division: Office of the CEO	Trim No: IC15/595

Appendix:

1. Monthly Finance Report - November 2015 (D15/105221)

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 receive and approve the project variations for November 2015. The full finance report for November 2015 will be provided in January 2016 given the earlier December Council meeting.

Summary

The project variations for November 2015 are included.

Recommendation

That Council approve the project variations for November 2015 transferring a net of \$20,000 to the accumulated unallocated reserve as listed in the November Finance Report.

1.1 Monthly Finance Report - November 2015

Report

Background

Council receives a monthly project variations report to authorise transfer of project budgets.

Discussion

The proposed project variations are outlined in the attachment.

Financial Implications

The proposed project variations are outlined in the attachment.

Council Plan

Theme 2 Governance

Objective 2.4 Transparency in decision making and access to information

Strategy 2.4.2 Provide relevant and easy to understand financial information to the community.

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

Not applicable

Social Considerations

Not applicable

Community Engagement

Not applicable

Environmental Implications

Not applicable

Communication

Not applicable

Conclusion

It is recommended that Council approve the project variations for November 2015 transferring a net of \$20,000 to the accumulated unallocated reserve as listed in the November Finance Report.

2. GOVERNANCE & INFRASTRUCTURE

2.1 Audit and Risk Committee Charter

Author's Title: Coordinator Governance & Procurement

General Manager: Sunil Bhalla

Department: Governance & Risk

File No: F15/403

Division: Governance & Infrastructure

Trim No: IC15/276

Appendix:

1. Audit and Risk Committee Charter - ARC Nov 2015 (D15/92854)

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 an amended Audit and Risk Committee Charter as recommended by the Audit and Risk Committee.

Summary

The Audit and Risk Committee Charter was adopted by Council at a Council Meeting held on the 23 July 2013. The Audit and Risk Committee have recently reviewed the Charter at its meeting held on the 17 November 2015 and subsequently provide the revised Charter for Council's consideration and formal adoption.

Recommendation

That Council adopt the amended Audit and Risk Committee Charter as attached in Appendix 1.

2.1 Audit and Risk Committee Charter

Report

Background

The current Audit and Risk Committee Charter was adopted by Council at its meeting held on 23 July 2013. The Audit and Risk Committee has recently undertaken a review of the current Charter, and at the Committee meeting held on 17 November 2015 agreed to present the amended Charter to Council for consideration.

Discussion

The Audit and Risk Committee is delegated by Council with the responsibility to:

- Promote and monitor an ethical culture throughout the Council.
- Monitor the implementation of a sound system of risk oversight and management.
- Ensure Council maintains a reliable system of internal control.
- Monitor and review internal and external reporting.

The Audit and Risk Committee plays a key role in effectively communicating between Council and the internal and external auditors to assist Council to fulfil its governance and oversight responsibilities in relation to these functions.

In accordance with the Audit and Risk Committee Work Plan, the Committee is required to review and assess the adequacy of the Audit & Risk Committee Charter annually. The review of the Charter ensured that the increased focus on risk management was accurately reflected in the Charter. The amended Charter is attached at Appendix 1 and has the changes included.

Financial Implications

Not applicable.

Council Plan

Theme 2 Governance
Objective 2.1 Robust risk management framework and processes
Strategy Nil

Policy/Legal Implications

Section 139 of the Local Government Act 1989, provides that Council must establish an audit committee which is an advisory committee to Council.

Officer Direct or Indirect Interest

No officer involved in writing this report has a conflict of interest.

Risk Assessment

The Charter helps to ensure that the Audit and Risk Committee has clear direction from Council.

Social Considerations

Not applicable.

Community Engagement

Not applicable.

Environmental Implications

Not applicable.

Communication

Once adopted, the revised Charter will be forwarded to all Committee members.

Conclusion

It is recommended that Council adopt the amended Audit and Risk Committee Charter.

2.2 Submission Local Government Act Review 2015

Author's Title: Coordinator Corporate Planning

General Manager: Sunil Bhalla

Department: Governance & Risk

File No: F10/519

Division: Governance & Infrastructure

Trim No: IC15/597

Appendix:

1. Submission Local Government Act Review 2015 (D15/82407)

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 endorse the submission on the review of the Local Government Act 1989.

Summary

A comprehensive review of the Local Government Act is currently underway and as part of this process Councils have the option to provide a submission for consideration.

This is the first comprehensive review of the Act, which has seen over 90 amending Acts and hundreds of individual changes over the last 25 years.

The intention of this review is not to further renovate the existing Act but to create an entirely new legislative structure. This will accommodate the needs of modern governance and reflect a mature relationship between councils and the state.

A discussion paper was released to the sector in September 2015. Councils and broader community members have been invited to provide feedback against the discussion paper via a formal submission which is attached at Appendix 1. This submission is due for lodgement by 18 December 2015.

Recommendation

That Council endorse the submission as included in Appendix 1 on the review of the Local Government Act 1989.

2.2 Submission Local Government Act Review 2015

Report

Background

The Victorian State Government has announced a comprehensive review of the Local Government Act 1989 to "Improve transparency and create a more contemporary, accessible Act that meets the current and future needs of Victorian communities".

It is the first comprehensive review of the Act, which has seen over 90 amending Acts and hundreds of individual changes over the last 25 years.

The review will look at the objectives, roles and functions of Councils; the powers required of Councils to achieve these objectives and perform their roles and functions; and the extent these should be regulated under the Act. Other related legislation such as the City of Greater Geelong Act 1993, the City of Melbourne Act 2001 and the Municipal Association Act 1907 are also included in the review.

An advisory committee has been appointed to provide advice on the review which is chaired by Member for Yuroke, Ros Spence, and made up of current Councillors, former Chief Executive Officers from local government and the public sector, and public policy experts. Consultation will also take place with the Municipal Association of Victoria, Victorian Local Governance Association and LGPro.

Local residents will also be asked for their input through a consultation process that will include distribution of a discussion paper and development of a website and community hub at www.yourcouncilyourcommunity.vic.gov.au

Discussion

The Local Government Act Review discussion paper was released to the sector in September 2015 and feedback was sought against the following topics:-

1. The role of Councils
2. How councils are elected
3. How councils operate
4. Planning and reporting
5. Council rates and charges
6. Service delivery and financial decision making
7. Councillor conduct, offences and enforcement
8. Ministerial powers and
9. Harmonisation of the Local Government Act.

Councillors and Council officers have reviewed the discussion paper and provided comments and suggestions for consideration which are included in the final draft submission as attached at appendix 1.

Submissions are due by 18 December 2015 and will inform the development of a directions paper and further consultation in 2016 before the Bill is drafted in 2017. Implementation of the new Act is expected to take place in 2018.

This provides a valuable opportunity for Councils and the community to provide input to the modernisation of the legislative framework and to strengthen transparency and accountability of Councils to their communities.

Financial Implications

Not applicable.

Council Plan

Theme 2 Governance
Objective 2.2 High performing accountable organisation
Strategy Nil

Policy/Legal Implications

Review of the Local Government Act will have far reaching effects for Council and the community and it is in our interests to make a submission to this process.

Officer Direct or Indirect Interest

No officer involved in preparation of this report has a conflict of interest.

2.2 Submission Local Government Act Review 2015

Risk Assessment

Not applicable.

Social Considerations

Not applicable.

Community Engagement

State Government is engaging the community through discussion papers and a community hub.

Environmental Implications

Not applicable.

Communication

Refer communication timetable above.

Conclusion

Review of the Local Government Act will have far reaching effects for Council and the community and it is in our interests to make a submission to this process.

2.3 Place Naming and Boundary Realignment Requests

Author's Title: Manager Engineering Services

General Manager: Sunil Bhalla

Department: Engineering Services

File No: F15/108

Division: Governance & Infrastructure

Trim No: IC15/157

Appendix:

1. Plan of "Moonah Park", Anglesea (D15/45512)
2. Plan of "Seaview Reserve", Jan Juc (D15/45257)
3. Plan of Proposed Paraparap and Bellbrae Boundary Realignment (D15/45457)
4. Plan of Proposed Gherang and Wurdiboluc Boundary Realignment (D13/153437)
5. Plan of Matthews Rd, Gherang (D15/102833)
6. Plan of Agnes Lane, Anglesea (D15/45262)

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 declare its intention to formally name two Council reserves, rename two sections of road and formalise two boundary realignments.

Summary

Council recently received six requests to formally name two Council reserves, rename two sections of road, and formalise two boundary realignments. In accordance with the adopted policy, these requests require public consultation and subsequently a resolution of Council prior to submitting to the Office of Geographic Names for registration of the changes.

Recommendation

That Council:

1. Declare its intention to:
 - a. Name the Anglesea park and play space as "Moonah Park", Anglesea.
 - b. Name the open space reserve between Marner Close and Seaview Rise, Jan Juc as "Seaview Reserve".
 - c. Realign the boundary between Nortons Road and Charas Road, Paraparap as shown in Appendix 3.
 - d. Realign the boundary at Crafters Lane, Gherang as shown in Appendix 4.
 - e. Rename a section of Wray Street to Agnes Lane, Anglesea.
 - f. Rename a section of Nobles Road to Matthews Road, Gherang.
2. Issue a public notice and invite submissions in accordance with Section 223 of the Local Government Act 1989.

2.3 Place Naming and Boundary Realignment Requests

Report

Background

Council has received six separate requests for naming, renaming and boundary realignment. These requests have been considered by Council's Place Naming Committee and are now presented for Council consideration.

Discussion

The six requests are summarised below:

Moonah Park

In 2013, the new play area on the Anglesea Riverbank near the river mouth was informally named Moonah Park on the project's landscape plan. This name was agreed to following consultation with the Community Planning Group working on the development of the project. Council's Community Recreation Officer submitted a request to the Place Naming Committee to officially register this name. Council received DEPI approval of a Land Management Boundary Realignment in November 2014, which means the area can now be officially registered with Office of Geographic Names.

Seaview Reserve

Following installation of a new playground, Council's Place Naming Committee received a request from Council's Community Recreation Officer to formally name the unnamed reserve connecting Seaview Rise to Marnier Close as "Seaview Reserve".

Nortons Road and Charas Road - Boundary Realignment

Council's Place Naming Committee received a request from the owner of 415 Nortons Road to realign the Paraparap / Bellbrae locality boundary to formally change his property address from Paraparap to Bellbrae. This property currently has a postal address of Bellbrae, however the boundary line indicates the property actually sits in Paraparap. It is anticipated that the boundary realignment will resolve confusion with mail delivery services to 415 Nortons Road, which have been ongoing for a number of years. No other properties will be affected by the realignment.

Gherang and Wurdiboluc – Boundary Realignment

In 2013, Council received notification from Telstra requesting that the Gherang / Wurdiboluc locality boundary be reviewed. Currently the locality boundary bisects 155 and 157 Crafters Road, with the access points in the Wurdiboluc locality but the dwelling for 155 Crafters Road towards the rear of the property in Gherang. The locality boundary should follow the property boundary so that the whole of 155 and 157 Crafters Road is in the locality of Gherang. The amendment will have no impact on postal delivery services to any property.

Rename a section of Wray Street to Agnes Lane, Anglesea

Council has received plans for a subdivision in the section of Wray St, Anglesea between Camp Road and Bingley Parade. There are currently no properties accessing this section of road, and accordingly, the numbering of Wray St starts at Camp Road. Rather than renumber all of Wray St, it is proposed to rename the bottom section of Wray St to Agnes Lane. This name will be in recognition of Mrs Agnes Murray, wife of A. Murray who in 1880 purchased land nearby and ran a boarding /guest house known locally as "Mrs Murray's". The local historical society is supportive of this name.

Rename a section of Nobles Road to Matthews Road, Gherang

Council has received a request to rename the southern section of Noble's Rd due to a split in the road at this location which could cause confusion. The name Matthews Rd has been proposed as Matthews was one of the original settlers in the Modewarre/Gherang area.

In accordance with Council policy, it is proposed to consult with the community on the proposed changes.

Financial Implications

Not applicable.

Council Plan

Theme 3 Communities

2.3 Place Naming and Boundary Realignment Requests

Objective 3.3 Preservation of peaceful, safe and healthy environments
Strategy 3.3.6 Maintain, enhance and develop community and recreational facilities to improve community wellbeing.

Theme 2 Governance
Objective 2.5 Enhanced community engagement
Strategy 2.5.2 Provide opportunities for all members of the community to engage with Council on issues that matter to them.

Policy/Legal Implications

The proposed names and boundary amendments comply with relevant sections of the Geographic Place Names Guidelines developed under the Geographic Place Names Act. The naming proposals also comply with Council's Place Naming policy.

Officer Direct or Indirect Interest

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

Risk Assessment

Once formal registration or amendment of a location has occurred, Emergency Services will be advised of any changes. This minimises risk to the community in the event of an emergency.

Social Considerations

The community should have input into proposed renaming of roads, naming of reserves and boundary realignment and this process provides that opportunity.

Community Engagement

Where the naming of features or renaming of roads is proposed it is important to consult with the community and provide an opportunity into the changes and names proposed. This will be done through the s223 submission process

Environmental Implications

Not applicable.

Communication

Communication will occur through a public notice process and informing properties directly affected by such a change.

Conclusion

The six requests to formally name two Council reserves, rename two sections of road, and formalise two boundary realignments are in accordance with the adopted policy. It is recommended that Council issue a public notice and invite submissions in accordance with section 223 of the Local Government Act.

2.4 Sale of Council Land - 440 & 450 Hendy Main Road Mount Moriac and 31-33 Hesse Street, Winchelsea

Author's Title: Property & Legal Services Officer

General Manager: Sunil Bhalla

Department: Governance & Risk

File No: F13/919

Division: Governance & Infrastructure

Trim No: IC15/564

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 sell Council properties located at 440 and 450 Hendy Main Road, Mount Moriac and 31-33 Hesse Street, Winchelsea.

Summary

At its Ordinary meeting on 22 September 2015 Council resolved that a Public Notice be published for the sale of properties known as 440 and 450 Hendy Main Road, Mount Moriac and 31-33 Hesse Street, Winchelsea and for public submissions to be invited.

No submissions have been received, and accordingly it is proposed to proceed with the sale of the land.

Recommendation

That Council:

1. Sell Council properties located at 440 and 450 Hendy Main Road, Mount Moriac and 31-33 Hesse Street Winchelsea.
2. Sell the properties by public competitive sale by auction or private treaty.
3. Authorise the CEO to negotiate the sale of Hendy Main Road property either by excision of the land occupied by the stock pound, or by relocating the stock pound to another site.
4. Note that the revenue from the sale of these properties is to be used to acquire the land for the extension of Eastern Reserve, Winchelsea.

2.4 Sale of Council Land - 440 & 450 Hendy Main Road Mount Moriac and 31-33 Hesse Street, Winchelsea

Report

Background

At its 22 September 2015 Ordinary meeting, Council resolved:

That Council:

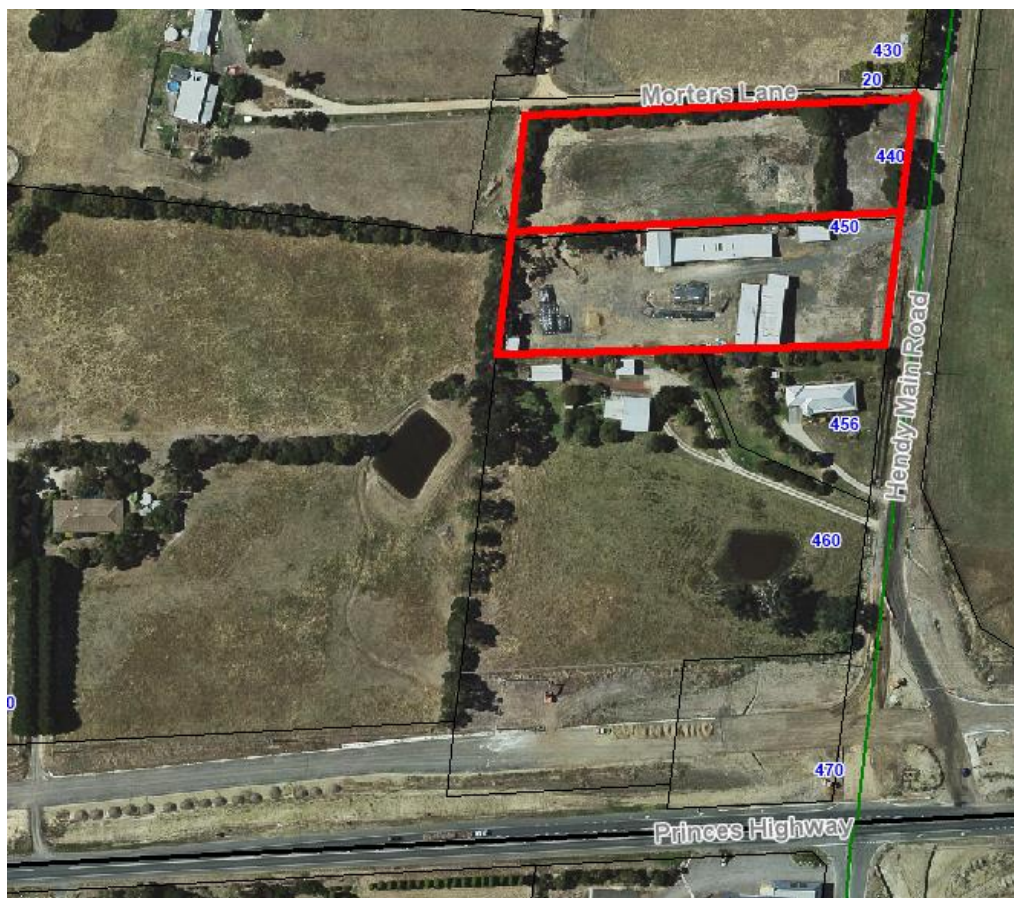
1. Declare its intention to sell properties known as 440 and 450 Hendy Main Road, Mount Moriac and 31-33 Hesse Street, Winchelsea.
2. Issue a public notice of intention to sell Council land and invite public submissions.
3. Consider any submissions received from the public submission process.
4. Note that at the time of sale the valuations shall not be more than six months old.
5. Sell the land by public competitive sale by auction or private treaty.
6. Note that the revenue from the sale of these properties will be used to acquire land for the extension of Eastern Reserve, Winchelsea.

Discussion

A Public Notice inviting submissions regarding the proposed sale was published in the Surf Coast Times on Thursday 8 October 2015 and The Winchelsea Star on Tuesday 6 October 2015. The submissions closed on Thursday 5 November 2015. No submissions were received by the closing date.

It is proposed that Council proceed with the sale of properties 440 and 450 Hendy Main Road, Mount Moriac and 31-33 Hesse Street, Winchelsea.

Locality Maps



2.4 Sale of Council Land - 440 & 450 Hendy Main Road Mount Moriac and 31-33 Hesse Street, Winchelsea



The Hendy Main Road property includes a stock pound which is required for future use by Council. It is proposed that in the first instance the property be offered for sale excluding the stock pound. Depending on the final negotiation, there may be a need to excise the land occupied by the stock pound from the title, or relocate it to another site.

Financial Implications

Costs to Council include Valuation of Land, Surveyor's cost, Land Registry costs, Legal costs, Real Estate Agent commission and officer time. These costs have been budgeted for in the 2015-2016 operating budget.

The proceeds from the sale will be used to offset the cost to purchase the land required for the extension of Eastern Reserve in Winchelsea.

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.

Theme 4 Infrastructure
Objective 4.1 Allocation of infrastructure according to need
Strategy 4.1.3 Develop an improved approach to service planning that identifies long-term future infrastructure requirements and actions

Policy/Legal Implications

Section 189 of the Local Government Act 1989 and Section 223 of the Local Government Act 1989.

Sale or Exchange of Council Land Policy.

2.4 Sale of Council Land - 440 & 450 Hendy Main Road Mount Moriac and 31-33 Hesse Street, Winchelsea

Officer Direct or Indirect Interest

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

Risk Assessment

The risk to Council not proceeding with the sales is of a financial nature. Funds raised from the sale of land subject of this report are required to purchase land for the extension of Eastern Reserve, Winchelsea.

Social Considerations

The extension of Eastern Reserve is consistent with the adopted master plan and expected to cater for the future growth of the town.

A public advertising process was undertaken to consider feedback regarding the sales.

Community Engagement

A Public Notice inviting submissions regarding the proposed sale was published in the Surf Coast Times on Thursday 8 October 2015 and The Winchelsea Star on Tuesday 6 October 2015.

Environmental Implications

Both properties in Mount Moriac have been the subject of extensive environmental assessment and auditing. 450 Hendy Main Road has been declared suitable for ongoing commercial use and it is anticipated that 440 Hendy Main Road will receive a Certificate of Environmental Audit shortly, allowing it to be used for residential use.

31-33 Hesse Street, Winchelsea does not have any environmental implications.

Communication

As detailed under the heading Community Engagement.

Conclusion

The sale of the 440 and 450 Hendy Main Road, Mount Moriac and 31-33 Hesse Street, Winchelsea is considered appropriate as they are surplus to Council requirements and will generate revenue for the acquisition of land to enable the future extension of Eastern Reserve, Winchelsea.

2.5 Torquay Jan Juc Development Contributions Plan Review Framework

Author's Title: General Manager Governance & Infrastructure

General Manager: Sunil Bhalla

Department: Governance & Infrastructure

File No: F10/60

Division: Governance & Infrastructure

Trim No: IC15/455

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 note the process to review and amend the Torquay Jan Juc Development Contributions Plan.

Summary

Council at its Ordinary meeting on 25 May 2011 adopted amendment C57 to the Surf Coast Shire Planning Scheme to include the Torquay Jan Juc Development Contributions Plan (Torquay Jan Juc DCP). At its Ordinary meeting on 27 October 2015, Council received a report on the status of implementation of the Torquay Jan Juc DCP as at 30 June 2015.

Since the adoption of the Torquay Jan Juc DCP in 2011, there have been few changes to the scope and delivery timelines, and consequently to the costs for some projects.

In light of these changes, it is appropriate that the Torquay Jan Juc DCP be reviewed.

Recommendation

That Council:

1. Note the process to review and amend the Torquay Jan Juc Development Contributions Plan.
2. Note that the review of the Torquay Jan Juc Development Contributions Plan is proposed to be undertaken in the latter half of 2016, and after the infrastructure requirements to service the Spring Creek growth area are confirmed.
3. Note that Council's Long Term Financial Plan will at this stage be developed on the basis of the projects, costs and delivery timeline included in the current Torquay Jan Juc Development Contributions Plan.
4. Refer the costs associated with the review of the Torquay Jan Juc Development Contributions Plan to the 2016-17 Budget process, noting that an allocation of \$20,000 will be required to undertake a Planning Scheme Amendment, and an additional allocation (to be confirmed) will be required to undertake the strategic work associated with the review.

2.5 Torquay Jan Juc Development Contributions Plan Review Framework

Report

Background

Council at its Ordinary meeting on 25 May 2011 adopted amendment C57 to the Surf Coast Shire Planning Scheme to include the Torquay Jan Juc Development Contributions Plan (Torquay Jan Juc DCP).

At its Ordinary meeting on 27 October 2015, Council received a report on the status of implementation of the Torquay Jan Juc DCP as at 30 June 2015. The Torquay Jan Juc DCP includes 45 projects – 38 on Council owned or managed land and 7 on the land managed by the Great Ocean Road Coast Committee (GORCC). Council will be the Collection Agency for the 7 projects on GORCC land. At the time of its adoption, the Torquay Jan Juc DCP was estimated to cost \$64,051,346. The indexed cost based on the expected delivery timelines is estimated at \$84,208,615. Approximately 27% of this cost is expected to be collected through development contributions, with the remaining 73% to be contributed by Council. Although the entire Torquay Jan Juc DCP is scheduled to be implemented by 2031, the major proportion (\$80 million) is expected to be delivered by 2024.

Discussion

The strategic basis for the Torquay Jan Juc DCP is provided by the Surf Coast Shire Council planning framework and a range of strategies and internal Council documents that address planning and infrastructure development. These reference documents include:

- Surf Coast Shire Planning Scheme (incorporating Municipal Strategic Statement and Local Planning Policy Framework).
- Torquay Jan Juc Structure Plan: May 2007, by Surf Coast Shire (and as modified by Council in 2009 to exclude 'Spring Creek').
- Torquay & Jan Juc: Community Infrastructure Assessment. Final Report May 2006, ASR Research Pty Ltd for Surf Coast Shire Council.
- Torquay Jan Juc Strategy Review: Transport Infrastructure Assessment. Stage 2, February 2007, Traffix Group for Surf Coast Shire Council.
- Pathways Strategy: Process, Background Policies and Recommendation. Part A, July 2006, Surf Coast Shire and Parklinks Pty Ltd.
- Torquay North Outline Development Plan 2008, Surf Coast Shire
- Infrastructure Project Sheets, Surf Coast Shire Council.

These documents establish the basis for the infrastructure assumptions. The various infrastructure documents identify the need and scope of projects to support existing and future communities and businesses in the Shire.

Since the adoption of the Torquay Jan Juc DCP in 2011, there have been few changes to the scope and delivery timelines, and consequently to the costs for some projects. As an example, the DCP includes a project to upgrade Bells Beach Recreation Reserve. The proposed upgrade was premised on the Bells Beach Coastal Management Plan and Master Plan adopted by Council in 2010. Following the recent completion of the Bells Beach Surfing Recreation Reserve Coastal management Plan, the scope of the upgrade is expected to be significantly reduced. Similarly, the scope of the proposed Three Court Stadium in the Community and Civic Precinct is likely to be affected due to the recent construction of the single court stadium as part of the Torquay Secondary College. A study is currently being undertaken to confirm the scope of the Three Court Stadium. There are at least three other projects which are also expected to have a revised scope.

In light of the above changes, it is appropriate that the Torquay Jan Juc DCP be reviewed.

Amendment to the Torquay Jan Juc DCP

All funds collected through development contributions must be used solely for the provision of infrastructure as included in the Torquay Jan Juc DCP. Section 46Q(4) of the Planning and Environment Act sets out the provisions that apply in the event that the funds collected have not been spent within the period required by the approved DCP.

2.5 Torquay Jan Juc Development Contributions Plan Review Framework

Within 6 months after the end of that period the Council must consider and implement one of the following options:

- Pay the amount to the current owners of the land in the area with the consent of the Minister for Planning.
- Prepare an amendment to the approved DCP that provides for the expenditure of that amount and submit to the Minister for Planning for approval.
- Expend that amount for the provision of other infrastructure in that area with the consent of the Minister for Planning.

There is scope to make limited adjustments to the calculations in the Torquay Jan Juc DCP without having to prepare a completely new DCP. Changes can be made on the basis of the calculation process and apportionment principles that applied at the time the DCP was prepared and adopted by Council. The opportunity to amend the DCP is limited to small scale changes to the DCP, such as:

- Deletion of projects.
- Increase of estimated costs for the projects which are already in the DCP.
- Resulting change in infrastructure levies.

Any change to the content of the DCP will require an amendment to the planning scheme. It is necessary to set out in the Explanatory Report for the amendment:

- Proposed change to the DCP.
- The reasons why the change is necessary, including its strategic justification.
- The implications of the change in terms of the type of infrastructure, the cost and timing of its provision, and any change to the levy.

Timing of the review

The Spring Creek Precinct Structure Planning process is currently underway. It is expected that the infrastructure requirements and the scope of a development contributions plan to service the development in that precinct will become clearer in the next 9 to 12 months. Since there are likely to be some potential infrastructure overlaps between the existing Torquay Jan Juc DCP and a DCP for Spring Creek, it is proposed that the review of the Torquay Jan Juc DCP be undertaken in the latter half of 2016.

Financial Implications

The planning scheme amendment is estimated to cost \$20,000. There will be additional cost in the review of supporting strategies which can only be confirmed after the potential projects to be the subject of review are identified.

The imminent introduction of rate capping is likely to impact on Council's capacity to deliver the DCP. The Long Term Financial Plan will be prepared on the basis of the projects, costs and delivery timeline included in the current Torquay Jan Juc DCP.

Council Plan

Theme 4 Infrastructure
Objective 4.1 Allocation of infrastructure according to need
Strategy Nil

Theme 4 Infrastructure
Objective 4.2 Accessible and well maintained Council facilities
Strategy Nil

Policy/Legal Implications

The Torquay Jan Juc DCP is included within the Surf Coast Shire Planning Scheme. Council has a contractual commitment to deliver it.

Officer Direct or Indirect Interest

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

Risk Assessment

Since its adoption, the strategic justifications for some of the projects included in the Torquay Jan Juc DCP have changed. It is timely to review the DCP to ensure that the projects are aligned with the current and proposed future demand in the area.

2.5 Torquay Jan Juc Development Contributions Plan Review Framework

Social Considerations

Implementation of the DCP will ensure timely provision of infrastructure and services to the growing population in Torquay/Jan Juc.

Community Engagement

Changes to the DCP will be subject of a planning scheme amendment which will provide opportunities for engagement with the community, developers and other affected stakeholders.

Environmental Implications

Not relevant.

Communication

As included under the heading of Community Engagement.

Conclusion

Since the adoption of the Torquay Jan Juc DCP in 2011, there have been few changes to the scope and delivery timelines, and consequently to the costs for some projects. It is proposed that the review of the Torquay Jan Juc DCP be undertaken in the latter half of 2016, and after the infrastructure requirements to service the Spring Creek growth area are confirmed.

2.6 Council Representation on Great Ocean Road Regional Tourism Board (GORRT) & G21 Geelong Region Alliance – Transport Pillar

Author's Title: Team Leader Governance
Department: Governance & Risk
Division: Governance & Infrastructure

General Manager: Sunil Bhalla
File No: F12/2042
Trim No: IC15/576

Appendix:

Nil

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 appoint a new Council delegate to the Great Ocean Road Regional Tourism Board (GORTT) and G21 Geelong Region Alliance Ltd – Transport Pillar.

Summary

There are a number of Committees to which Councillors are appointed as delegates on an annual basis, including a number of regional/peak organisations and internal advisory committees. Delegates represent Council at the meetings of these Committees and organisations and are responsible for reporting back to Council in regard to the actions taken at the meetings.

Council resolved on the 2016 delegates to the various committees and organisations at its Special Meeting held on 27 October 2015. Cr Clive Goldsworthy was appointed as the delegate to the GORRT Board and Cr Rose Hodge was appointed as the delegate to the G21 Transport Pillar. It is now proposed that new delegates be appointed to these bodies.

Recommendation

That Council:

1. Appoint Mr Keith Baillie, Chief Executive Officer, as delegate to the Great Ocean Road Regional Tourism Board (GORRT) for 2016.
2. Appoint Cr Brian McKiterick as delegate to the G21 Geelong Region Alliance Ltd – Transport Pillar for 2016.

2.6 Council Representation on Great Ocean Road Regional Tourism Board (GORRT) & G21 Geelong Region Alliance – Transport Pillar

Report

Background

There are a number of Committees which Councillors are appointed to as delegates on an annual basis, including a number of regional/peak organisations, as well as internal advisory committees.

Councillors are appointed as delegates to represent Council at the meetings of these committees and organisations and to be responsible for reporting back to Council in regard to the actions taken at the meetings. Substitute delegates are also nominated to represent Council at those meetings where the delegate may be unavailable.

Council resolved on the 2016 delegates to the various committees and organisations at its Special Meeting held on 27 October 2015.

Cr Clive Goldsworthy was appointed as the delegate to the GORTT Board. The Boards AGM will be held on 18th December 2015 where Cr Clive Goldsworthy is expected to be appointed as an independent representative requiring Council to appoint a new Council delegate to the Board for 2016.

Cr Rose Hodge was appointed as the delegate to the G21 Transport Pillar. Due to Cr Hodge's Mayoral and other commitments it is now proposed a new delegate be appointed to the pillar.

Discussion

Below is a brief description of the Committees and regional/peak organisations.

Great Ocean Road Regional Tourism Inc.

GORRT was formed in October 2013 following the City of Greater Geelong pulling of the Geelong Otway Tourism and in response to Tourism Victoria pursuing the formation of a regional tourism body for the Barwon South West region. The following Councils are members of GORRT: Surf Coast Shire, Colac Otway Shire, City of Warrnambool, Moyne Shire and Corangamite Shire. GORRT has been formed as a company limited by guarantee.

G21 Geelong Region Alliance Ltd – Transport Pillar

G21 is the alliance of a variety of independent organisations with a shared vision for the Geelong region. Formed in 2002, the heart of G21 is a series of Pillar Groups representing priority interest areas of the Region including: Arts and Culture, Economic Development, Environment, Health & Wellbeing, Education and Training, Sport & Recreation, Planning and Services, Water Panel, and Transport.

Financial Implications

Not applicable.

Council Plan

Theme	2 Governance
Objective	2.5 Enhanced community engagement
Strategy	Nil

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

Not applicable.

Social Considerations

Not applicable.

2.6 Council Representation on Great Ocean Road Regional Tourism Board (GORRT) & G21 Geelong Region Alliance – Transport Pillar

Community Engagement

Involvement with regional and industry based committees provides Council with the opportunity to consider issues that may have broader impact than just the Council area, and can assist Council to hear the views of a wider community.

Environmental Implications

Not Applicable.

Communication

Council delegates to the various committees are required to report back to Council in regard to the actions and discussions of each committee.

Conclusion

It is recommended that Council appoint Keith Baillie, Chief Executive Officer, as delegate to the Great Ocean Road Regional Tourism Board (GORTT) and Cr Brian McKiterick as delegate to the G21 Geelong Region Alliance Ltd – Transport Pillar for 2016.

2.7 Proposed Naming of Unnamed Lane in Aireys Inlet

Author's Title: Manager Engineering Services

General Manager: Sunil Bhalla

Department: Engineering Services

File No: F15/1065

Division: Governance & Infrastructure

Trim No: IC15/315

Appendix:

1. Plan of Proposed Laneway, Aireys Inlet (D15/57161)

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 an unnamed lane in Aireys Inlet.

Summary

Council received a request to formally name an unnamed lane in Aireys Inlet as "*Mangowak Lane*."

"*Mangowak*" means 'a good place for hunting swans' and was the original name for a small estuary area near the Painkalac Creek in Aireys Inlet.

The name has been approved by the local Registered Aboriginal Party.

The community consultation in accordance with the Geographic Place Names Guidelines has been undertaken with the Aireys Inlet community and involved both letters to property owners within the close proximity, and a public notice in the Surf Coast Times on 30 July 2015 calling for submissions under S223 of the Local Government Act. No objections have been received to the proposed naming.

Recommendation

That Council:

1. Endorse naming the unnamed lane in Aireys Inlet as shown in the attached plan in Appendix 1 as "*Mangowak Lane*."
2. Write to the Office of Geographic Names requesting that the unnamed lane be formally registered as "*Mangowak Lane*."
3. Advise property owners and businesses in close vicinity of the lane following confirmation of the registration by the Office of Geographic Names.

2.7 Proposed Naming of Unnamed Lane in Aireys Inlet

Report

Background

Council received a request to formally name an unnamed lane in Aireys Inlet as “*Mangowak Lane*.” “*Mangowak*” means ‘a good place for hunting swans’ and was the original name for a small estuary area near the Painkalac Creek in Aireys Inlet.

The name has received endorsement by the local Registered Aboriginal Party.

Discussion

The request was referred to Council’s Place Naming Committee for consideration and required consultation in accordance with the Geographic Place Names Guidelines. This was undertaken with the Aireys Inlet community through letters to property owners within the close proximity, and a public notice in the Surf Coast Times on 30 July 2015 calling for submissions under S223 of the Local Government Act. No objections have been received in relation to the proposed naming.

It is proposed that Council endorse the proposed naming and write to the Office of Geographic Names to formally register the name.

Financial Implications

Minor costs associated with the new street name signage can be funded from the operating budget.

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

The proposal complies with the Principles of the Geographic Place Names Guidelines. The proposal complies with schedule 10 of the Local Government Act 1989 – Council has the power to name roads.

In order to formally register the laneway as “*Mangowak Lane*”, a formal Council resolution is required. Naming unnamed roads is essential for Emergency Services navigation.

Officer Direct or Indirect Interest

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

Risk Assessment

By formally registering this unnamed lane, emergency services would be able find this location in the event of an emergency.

Social Considerations

Council’s Place Naming Committee sought the support from the Registered Aboriginal Party (RAP) Wadawurrung (Wathaurung Aboriginal Corporation) to name the laneway “*Mangowak*.” The RAP supported the use of the name and commended Council for its intent to use it.

Community Engagement

Council published a public notice in the Surf Coast Times on 30 July 2015 inviting submissions on this proposal under Section 223 of the Local Government Act 1989.

Council also wrote to property owners and businesses in close vicinity of the lane. The period to receive submissions closed at 5pm on Thursday 27 August, 2015. At the time of closing, Council had received one submission in support of the name “*Mangowak*.” from AIDA.

Environmental Implications

Not applicable.

2.7 Proposed Naming of Unnamed Lane in Aireys Inlet

Communication

Council will erect signage on site, and write to property owners and business in close vicinity of the lane once formal registration is confirmed by the Office of Geographic Names.

Conclusion

A request to name the unnamed lane in Aireys Inlet as "*Mangowak Lane*" was recently advertised and submissions invited in accordance with Section 223 of the Local Government Act. It is proposed to formally name the unnamed lane and register the name with the Office of Geographic Names.

3. ENVIRONMENT & DEVELOPMENT

3.1 Amendment C103 - Miscellaneous Corrections of Anomalies in the Planning Scheme

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

General Manager: Kate Sullivan
File No: F15/498
Trim No: IC15/439

Appendix:

1. C103 - Submissions - Summary of Submissions Table (D15/89138)
2. C103 - Submissions - Map of Castaway Crescent Precinct, Jan Juc (D15/93432)

Officer Direct or Indirect Conflict of Interest:
In accordance with Local Government Act 1989 –
Section 80C:

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

Yes

No

Yes

No

Reason: Nil

Reason: Nil

Purpose

To consider submissions received following public exhibition of Surf Coast Planning Scheme Amendment C103.

Summary

Amendment C103 proposes to amend various provisions in the Surf Coast Planning Scheme to correct a number of items by making mapping and wording changes to the Planning Scheme.

Council resolved to prepare and exhibit the amendment at the June 2015 Council meeting. The Amendment was publicly exhibited from 16 July 2015 to 11 August 2015. As a consequence of this exhibition, 21 submissions were received. A summary of submissions and Council officers' response is outlined in Appendix 1.

A breakdown of the submissions indicated that:

- 6 submissions supported the Amendment.
- 3 submissions supported the Amendment but requested changes
- 12 submissions objected to the Amendment.

Following assessment of the submissions, it is recommended to support the following changes to the exhibited version of the Amendment:

- Correction Item 14 - 35 Boyd Avenue, Moggs Creek – include the entire site within the Wildfire Management Overlay as requested by CFA.
- Correction Item 24 – Lorne Design and Development Overlay (DDO12) – Amend the proposed exemption to the minimum lot size under the subdivision provisions as follows: *'The land is developed by two or more dwellings which were lawfully constructed or approved by a permit issued under this Scheme before 16 October 2008.'*

There were, however, some unresolved submissions as follows:

- Correction Item 24 - Lorne Design and Development Overlay (DDO12) – 1 submission requests that the subdivision of land developed by existing dwellings be exempt from the requirement for a planning permit.
- Correction Item 18 – Low Density Residential Zone in the Castaway Crescent Precinct, Jan Juc – 12 submissions object to the correction of the wording in the local section of the Planning Scheme which proposes to replace the minimum lot size of 2,500 sq m for sewered lots with 2,000 sq m.

The *Planning and Environment Act 1987* requires all unresolved submissions be referred to an independent Panel appointed by the Minister, which will review all submissions and the overall merits of the Amendment.

Recommendation

That Council:

1. Request the Minister for Planning to appoint an independent Panel under Part 8 of the *Planning and Environment Act 1987*.
2. Refer all submissions to the Panel under Part 8 of the *Planning and Environment Act 1987*.

3.1 Amendment C103 - Miscellaneous Corrections of Anomalies in the Planning Scheme

Report

Background

Planning Scheme Amendment C103 proposes to amend various provisions in the Surf Coast Planning Scheme to correct a number of items by making mapping and wording changes as follows:

Planning Scheme Map Changes

1. Delete Heritage Overlay (HO63) from land at 116 Mountjoy Parade, Lorne.
2. Delete Heritage Overlay (HO90) from land at 4 Anderson Street, Torquay and apply HO90 to 2A Pearl Street.
3. Delete Heritage Overlay (HO120) from part of land at 17-19 Anderson Street Torquay and apply HO120 to Lot 2 PS711120B and associated heritage outbuildings.
4. Delete Heritage Overlay (HO121) from 27 Anderson Street and 8 Beale Street, Torquay and apply HO121 to 27 Anderson Street only.
5. Delete Heritage Overlay (HO140) from land at 41 Hesse Street, Winchelsea and apply HO140 to Lot 1 PS 729111C of the subject land.
6. Delete Heritage Overlay (HO19) from land at 33 Main Street, Winchelsea and retain HO19 to Lot 2 PS 734342C of the subject land.
7. Delete Development Plan Overlay (DPO1) affecting land at Bimbadeen Drive and Narani Way, Fairhaven.
8. Apply the Wildfire Management Overlay (WMO) to the northern strip of the land at 1 Beacon Boulevard, Torquay.
9. Delete the Design and Development Overlay (DDO14) affecting land at Pimelea Way, Torquay (PS 713555C).
10. Apply the Neighbourhood Character Overlay (NCO1) to part of land at 15-17 Boundary Road, Aireys Inlet.
11. Apply Restructure Overlay (RO2) to 10 Lorne Terrace, Lorne.
12. Rezone land at 365 The Esplanade, Torquay and part of the adjacent Thompson Creek tributary from part Rural Conservation Zone (RCZ) and part Comprehensive Development Zone (CDZ2) to Public Conservation Resource Zone (PCRZ).
13. Rezone 9,747 sq m parcel of Crown Land abutting 365 The Esplanade, Torquay (Crown Allotment 2006 Parish of Puebla) from Comprehensive Development Zone (CDZ2) to Public Conservation Resource Zone (PCRZ).
14. Rezone part of land at 35 Boyd Avenue, Moggs Creek from part Public Conservation Resource Zone (PCRZ) and part General Residential Zone (GRZ1) to Rural Conservation Zone (RCZ).
15. Rezone strip of land at 85 Torquay Boulevard, Jan Juc, from Public Park and Recreation Zone (PPRZ) to General Residential Zone (GRZ1).

Planning Scheme Ordinance Changes

16. In Clause 21.02 Settlement, Built Environment, Heritage and Housing, amend Clause 21.02-7 Implementation and Clause 21.02-8 Reference documents to make references to the Barrabool Uniting (formally Presbyterian) Church & Manse Heritage Assessment (2014).
17. Amend 'Map 1 to Clause 21.08: Torquay/Jan Juc Framework Map'; 'Map 2 to Clause 21.08: Residential Development Framework', 'Map 3 to Clause 21.08: Activity Centre' and 'Map 1 to Clause 22.09 Torquay/Jan Juc Residential Development Framework' to align settlement boundary at 460 Grossmans Rd with the boundary of the Low Density Residential Zone in Amendment C84.
18. Amend Table 1 to Clause 22.09 – Torquay–Jan Juc Residential Development and Neighbourhood Character Policy to replace the preferred housing density of 2,500 sq m for sewerred Low Density Residential Zone (LDRZ) lots with 2,000 sq m, except where a schedule to the LDRZ specifies a local variation to the minimum lot size.
19. Amend Clause 43.01 in the Schedule to the Heritage Overlay, "Heritage Place" HO3 relating to 1135 Barrabool Road, Barrabool, to include the Church, former Manse and mature exotic garden setting. Apply external paint control to both Church and former_Manse. Apply internal alteration controls to the Church, and apply specific tree controls on the property.
20. Amend Clause 43.01 Schedule to the Heritage Overlay to delete HO63 relating to the former Ozone Milk Bar 116 Mountjoy Parade, Lorne.
21. Amend Clause 43.01 Schedule to the Heritage Overlay HO120 to correct the specific Heritage Place address being part of land at 17-19 Anderson Street (Lot 2 PS711120B and associated heritage outbuildings).

3.1 Amendment C103 - Miscellaneous Corrections of Anomalies in the Planning Scheme

22. Amend Clause 43.01 Schedule to the Heritage Overlay HO140 to correct the specific Heritage Place address being part of land at 41 Hesse Street Winchelsea (Lot 1 PS 729111C).
23. Amend Clause 43.01 Schedule to the Heritage Overlay HO19 to correct the specific Heritage Place address being part of land at 33 Main Street, Winchelsea (Lot 2 PS 734342C).
24. Amend Clause 43.02 Schedule 12 to the Design and Development Overlay (DDO12) – Lorne Residential Areas, to include subdivision exemption provisions.
25. Delete Clause 43.02 Schedule 14 (DDO14) – affecting land at Pimelea Way, Torquay (PS 713555C).
26. Delete Clause 43.04 Schedule 1 (DPO1) – affecting land at Bimbadeen Drive and Narani Way.
27. Amend Clause 61.03 to delete DPO1 - affecting land at Bimbadeen Drive and Narani Way.

Following Council's resolution at its meeting on 23 June 2015 to seek ministerial authorisation to prepare and exhibit the Amendment, a directive was received from the Department of Environment, Land, Water and Planning (DELWP) on 30 June 2015 to proceed with the preparation of the Amendment.

Amendment C103 was exhibited for public comments from 16 July 2015 to 11 August 2015. As a consequence of this exhibition, a total of 21 submissions were received, comprising of 6 submissions supporting the Amendment, 3 submissions supporting the Amendment but requesting changes and 12 submissions objecting to the Amendment.

A summary of submissions and Council officer responses are provided in Appendix 1.

Discussion

Pursuant to the *Planning and Environment Act 1987*, Council is required to consider all submissions made to an Amendment and must:

- change the Amendment as requested by the submissions; or
- refer the submissions to an independent Panel appointed by the Minister for Planning; or
- abandon the Amendment or part of the Amendment.

An assessment of the submissions requesting change or objecting to the proposed Amendment is provided as follows:

Correction Item 14 – 35 Boyd Avenue, Moggs Creek

Correction Item 14 proposes to rezone part of land at 35 Boyd Avenue, Moggs Creek from part Public Conservation Resource Zone (PCRZ) and part General Residential Zone (GRZ1) to Rural Conservation Zone (RCZ). This is to recognise the rural conservation nature and private ownership of the entire land which is held in one title.

Currently a Wildfire Management Overlay (WMO) applies to a majority of the subject land except land zoned PCRZ.

A submission from CFA supports the Amendment but requests that for the ease of administration, clarity and future development, the WMO be extended to include the entire subject land. This submission is supported since it will address wildfire safety issues relating to the entire subject land.

Correction Item 24 – Design and Development Overlay Schedule 12 (DDO12) – Lorne Residential Areas

Correction Item 24 proposes to vary with a permit the minimum lot size requirement of 550 sq m, where land covered by the Design and Development Overlay Schedule 12 (DDO12) is developed with two or more dwellings constructed and approved prior to DDO12 coming into effect. This is to recognise the expectations of landowners that separate titles may be issued.

A submission supports this Amendment, in particular the change to the variation to the minimum lot size for land developed by 2 or more dwellings, but requests a change to the requirement for a permit. The submitter considers that there is no value in requiring a permit under the DDO12 as none of the decision guidelines are relevant in considering an application for subdivision and a permit is already required under the provisions of the General Residential Zone.

This requested change is not supported for the following reasons:

- The objectives and decision guidelines of DDO12 are relevant in considering an application for subdivision of land developed by two or more dwellings.

3.1 Amendment C103 - Miscellaneous Corrections of Anomalies in the Planning Scheme

- As a permit is also required under the General Residential Zone (GRZ), it would not trigger an additional permit requirement.

Another submission supports the Amendment but requests that the exemption be amended to allow subdivision where a permit has been issued for multi-dwellings, irrespective of whether the dwellings have been constructed prior to 16 October 2008.

The proposed exemption under the DDO12 as exhibited is as follows:

'The land is developed by two or more dwellings which were lawfully constructed and approved before 16 October 2008.'

The submission requested the following replacement wording:

'The land is developed by two or more dwellings in accordance with a planning permit issued before 16 October 2008'.

Council officers considered this replacement wording and recommended a minor change as follows:

'The land is developed by two or more dwellings which were lawfully constructed or approved by a permit issued under this Scheme before 16 October 2008.'

It is normal practice for planning schemes to specify cut off dates for transitional arrangements. The new wording exempts development either constructed or granted planning permission prior to the date that DDO12 was introduced. The submitter supports this redrafted version.

Correction Item 18 – Torquay / Jan Juc Low Density Residential Areas

Correction Item 18 – Proposes to correct the wording in Clause 22.09 of the Planning Scheme by reducing the minimum lot size for Torquay/Jan Juc Low Density Areas from 2,500 square metres to 2,000 square metres for sewerage lots. This would then make the policy consistent with the Low Density Residential Zone, which was changed via a Ministerial Amendment in July 2013 to 2,000 square metres for sewerage lots. At the moment the zone applying to the land and the current policy document are inconsistent.

12 submissions were received from land owners within the Castaway Crescent Precinct, Jan Juc, zoned Low Density Residential, (Refer Appendix 2) objecting to this correction item. The concerns include: allowing increased housing growth within an area of significant vegetation and bushfire risk, traffic issues, and maintaining the neighbourhood character of the precinct. The Castaway Crescent precinct had a minimum lot size of 4,000 square metres prior to the Ministerial amendment in 2013.

Following receipt of these submissions, letters were sent to the landowners in Castaway Crescent to investigate the support for re-introducing a local variation to the minimum lot size in this precinct by applying a minimum subdivision lot size of 4,000 square metres (0.4 hectare). 9 submissions supported the proposal while 3 submissions opposed it. (Refer Appendix 1)

It is recommended that the local variation not proceed and the correction be supported as exhibited for the following reasons:

- The need for consistency with the State standard provisions in the Low Density Residential Zone;
- Only a small number of existing lots (11 out of 51 lots) will have the potential for subdivision if the minimum lot size is reduced to 2000 square metres;
- Some existing allotments are below 4,000 square metres in size.

However, in response to the submissions, it is proposed to amend Table 1 to Clause 22.09 - Torquay-Jan Juc Residential Development and Neighbourhood Character Policy for the Low Density Residential area, to include wording to the effect that any subdivision applications will be considered on merit and where relevant will take into consideration wild fire, vegetation protection and landscape significance controls in the planning scheme.

As some submissions to the proposed Amendment remain unresolved, it is recommended to refer the submissions to an independent Panel appointed by the Minister pursuant to the *Planning and Environment Act 1987*.

3.1 Amendment C103 - Miscellaneous Corrections of Anomalies in the Planning Scheme

Financial Implications

The 2015/16 budget has provision for the processing of this planning scheme Amendment including a Panel Hearing

Council Plan

The proposed Amendment complies with Section 5 of the Council Plan as follows:

Theme	5 Development and Growth
Objective	5.4 Transparent and responsive land use and strategic planning
Strategy	Nil

Policy/Legal Implications

The proposed Amendment complies with relevant legislation in the Planning and Environment Act 1987 and there are no legal ramifications.

Officer Direct or Indirect Interest

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

Risk Assessment

There are no demonstrated risks associated with requesting a Panel to consider submissions to the Amendment.

Social Considerations

This Amendment continues the on-going improvement to the content of the Surf Coast Planning Scheme, having regard to improved social and economic outcomes in accordance with the objectives of planning in Victoria.

Community Engagement

This Amendment has been formally exhibited in accordance with the provisions of the Planning and Environment Act 1987. This process provided an opportunity for full public comment. Targeted notices were sent to landowners affected by specific changes.

Environmental Implications

The Amendment will not have any significant environmental effects since it is 'correctional' in nature. The proposed rezoning of land in Moggs Creek and Point Impossible/Breamlea areas will recognise the ownership and environmental significance of the land.

Communication

All submitters will be advised of the appointment of a Panel by Planning Panels Victoria and will be afforded an opportunity to be heard at the Panel Hearing.

Conclusion

Having considered all submissions, the proposed Amendment has sufficient merit to proceed to a Panel to be appointed by the Minister for Planning. It is recommended that Council request the Minister for Planning to appoint a Panel to hear all submissions made to the amendment.

3.2 Amendment C106 - Combined Rezoning and Subdivision Application 85 Grossmans Road Torquay (Barwon Water Basin)

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

General Manager: Kate Sullivan
File No: F15/789
Trim No: IC15/425

Appendix:

1. C106 - Authorisation - Subject Land: 85 Grossmans Road, Torquay (D15/92821)
2. C106 - Authorisation - Zoning Map (D15/92968)
3. C106 - Authorisation - Concept Design Response Plan (D15/92972)
4. C106 - Authorisation - Concept Plan of Subdivision (D15/92973)
5. C106 - Authorisation - Draft Subdivision Planning Permit (D15/105253)
6. C106 - Authorisation - Draft Explanatory Report (D15/105282)

Officer Direct or Indirect Conflict of Interest:

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

Yes

No

Status:

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

Yes

No

Reason: Nil

Reason: Nil

Purpose

To consider a request by Spire Australia Pty Ltd, on behalf of Barwon Water Corporation to seek authorisation from the Minister for Planning to prepare and publicly exhibit an application under Section 96A of the Planning and Environment Act 1987.

Summary

Spire Australia Pty Ltd on behalf of Barwon Water Corporation has submitted a Section 96A combined Planning Scheme amendment and planning permit request to rezone land at 85 Grossmans Road, Torquay (Refer Appendix 1) to allow for residential development.

The subject land is currently a decommissioned water basin site for the Barwon Water Corporation. The proposed amendment seeks to rezone approximately 5.4 ha of land, from Public Use Zone 1 (PUZ1) to General Residential Zone Schedule 1 (GRZ1) (Refer Appendix 2).

The amendment also seeks a planning permit to subdivide the subject land into 52 lots.

The proposal is considered to have merit and is generally consistent with Council policy, therefore it is recommended that Council request authorisation from the Minister for Planning to prepare and exhibit the amendment and planning permit.

Recommendation

That Council:

1. Seek authorisation from the Minister for Planning to prepare the Section 96A application, pursuant to the *Planning and Environment Act 1987*, to rezone land at 85 Grossmans Road Torquay from Public Use Zone 1 to General Residential Zone 1 and associated planning permit application for subdivision.
2. Exhibit the Planning Scheme Amendment for one month upon receipt of Ministerial authorisation.

3.2 Amendment C106 - Combined Rezoning and Subdivision Application 85 Grossmans Road Torquay (Barwon Water Basin)

Report

Background

Spire Australia Pty Ltd on behalf of Barwon Water Corporation has requested a proposed combined Planning Scheme amendment seeking to rezone land at 85 Grossmans Road, Torquay and obtain a planning permit to facilitate a multi-lot residential development. The subject land has been identified as surplus to Barwon Water's requirements and, as such, an alternative use is being sought.

The land currently contains the decommissioned Barwon Water Torquay Basin, a large concrete water storage basin extruding from the surrounding topography and associated infrastructure. Water supply for the area will be provided by the Torquay Tank site on the north side of Grossmans Road. Some Barwon Water assets will be retained on the Basin site (pipes and equipment) which will be preserved in a 13m wide reserve on the site.

Discussion

Existing Zoning and Overlay controls

The subject land is zoned Public Use Zone – Service and Utility (PUZ1). The purpose of this Zone is:

- *To recognise public land use for public utility and community services and facilities.*
- *To provide for associated uses that are consistent with the intent of the public land reservation or purpose.*

A Development Contributions Plan Overlay (DCPO2) applies to this land and provides the following purpose;

- *To identify areas which require the preparation of a development contributions plan for the purpose of levying contributions for the provision of works, services and facilities before development can commence.*

The current zoning of the land does not provide an opportunity for residential development to occur.

The Proposal

The proposal is a Section 96A request pursuant to the *Planning and Environment Act 1987* and comprises two parts, a planning scheme amendment request and a planning permit application. The planning permit can only be issued in the event that the amendment is supported. The details are summarised below.

Part A – Planning Scheme Amendment

Affects land at 85 Grossmans Road Torquay contained within Lots 1 and 2 on TP867669 and lot 1 on TP1197171C.

It is proposed to rezone the subject land to General Residential Zone Schedule 1 (GRZ1) to facilitate a multi-lot residential development.

The proposed rezoning is consistent with the following planning policies in the Planning Scheme:

- Clause 21.01 (Profile and Vision) - Torquay-Jan Juc is identified as an Urban Growth Centre on the Municipal Land Use Framework Plan with a key strategic direction to concentrate urban growth predominantly in the towns of Torquay-Jan Juc and Winchelsea.
- Clause 21.02-3 (Settlement patterns) - Torquay-Jan Juc is considered a major urban growth centre of the Shire.
- Clause 21.08 (Torquay Jan Juc Strategy) - seeks to accommodate and manage the projected growth and demographic change in an environmentally sustainable manner. The Amendment seeks a moderate level of housing growth and change within a General Residential Zone and will contribute positively to the character of the surrounding residential area.

It is considered appropriate to apply a Design and Development Overlay Schedule 1 (DDO1) over the subject land, consistent with the surrounding residential area.

The purpose of the DDO1 is:

- To protect and enhance the low rise coastal township character of Torquay Jan Juc.

3.2 Amendment C106 - Combined Rezoning and Subdivision Application 85 Grossmans Road Torquay (Barwon Water Basin)

- To minimise the visual prominence of development when viewed from the streetscape and adjoining properties, having regard to building height.
- To ensure the height of buildings is compatible with the existing scale and character of dwellings within the streetscape and neighbourhood.

Appendix 6 is the draft Explanatory Report which provides a strategic assessment of the amendment as required by Ministerial Direction No 11. This includes (inter alia)

- the reason why the amendment is required,
- an assessment of environmental, social and economic effects
- an assurance that the amendment complies with all relevant Ministerial Directions
- an assessment to ensure the amendment is consistent with all relevant clauses in the State and Local Planning Policy Framework
- an assessment to ensure that the amendment makes proper use of the Victoria Planning Provisions
- an assessment to ensure that the amendment addresses the views of any relevant agency, and
- comments on the potential impact the amendment on the resources and administrative costs of the Responsible Authority.

The strategic assessment in the Explanatory Statement indicates that the amendment is consistent with the State and Local Planning Policy Frameworks and that the various requirements under the Planning and Environment Act 1987 and Ministerial Directions can be met.

Part B – Planning Permit Application

Affects land at:

- 85 Grossmans Road and 14 Sea Breeze Drive, Torquay.

Proposes to:

- Subdivide land at 85 Grossmans Road into 52 lots comprising 45 Standard and 7 medium density super lots. (Refer Appendix 4)
- Provide 0.14 ha of land equivalent to 3% of the site as public open space contribution. This land is the only unencumbered part of the reserve along Grossmans Road being counted as part of the 10% public open space contribution (Refer Reserve C in Appendix 4). A further 7% of the site value will be required via the planning permit as cash-in-lieu contribution. Open space provision in the proposed development site is well serviced by existing or already endorsed open space reserves in the outlying Surfview Estate. A desk top analysis undertaken by Council officers indicates that the proposed development site is within the typical 400m safe access to open space, including access to the key east west linear reserve in Spring Creek.
- Provide a landscaped shared access path to the south-east of the development site at 14 Sea Breeze Drive, Torquay for the dual purpose of passive recreation and as a link to other open space.
- Remove a small patch of native vegetation (0.001 ha) within the Grossmans Road reserve impacted by the proposed western access to the subject land. All other native vegetation within this reserve including Bellarine Yellow Gums has been retained. The second road access has been designed to avoid removal of a mature Bellarine Yellow Gum, and the shared path for Grossmans Road has been diverted into this land title to avoid the removal of roadside vegetation.
- Undertake infrastructure works in association with the proposal.

The planning permit application at this time seeks approval for a multi-lot subdivision, vegetation removal and associated works. A draft subdivision planning permit indicating conditions for the proposed development is located at Appendix 5. Further subdivision of the medium density super lots would be subject to future planning permit applications.

A preliminary assessment of the concept Design Response Plan for the subdivision indicates that this plan is consistent with the following local policies in the Planning Scheme:

- Clause 22.02 Streetscape and Landscape Policy - details the importance of visual quality and appearance of streetscapes in all developments. The purpose of this policy is:
 - *To protect and enhance the individual landscape character of each town.*
 - *To promote the development of co-ordinated and visually pleasing streetscapes in residential, commercial and industrial areas.*

3.2 Amendment C106 - Combined Rezoning and Subdivision Application 85 Grossmans Road Torquay (Barwon Water Basin)

- *To encourage ecologically and economically sustainable streetscapes and landscapes.*
- Clause 22.09 Torquay-Jan Juc Residential Development and Neighbourhood Character Policy - applies where a planning permit is required to construct or extend one or more dwellings or subdivide in the residential zones in Torquay and Jan Juc. The purpose of this policy is to identify areas where different levels of housing growth and change are encouraged, recognising the character of existing neighbourhoods. Whilst the subject land is not identified within this policy because it is currently not zoned for residential purposes, it adjoins and is akin to Housing Area 2 - General Residential (mixed density). Area 2 is identified as having the capacity to accommodate a moderate level of housing growth with site responsive medium density infill development.
- Clause 56 (Residential subdivision) – requires that subdivision meets certain provisions including liveable and sustainable communities, lot design, access and mobility, integrated water management site management and utilities. It is considered that the proposed subdivision layout generally complies with the provisions of Clause 56 by providing;
 - an accessible and safe liveable environment within Torquay's urban boundary. It allows future residents convenient access to existing and proposed facilities within both the immediate area and the wider region.
 - a range of lot sizes capable of accommodating a variety of dwelling types to meet the needs of the population.
 - lots which are considered compatible with the identified densities of this policy and provides lot sizes, appropriately located, to achieve a sustainable and healthy community.
 - The site is considered suitable and large enough to accommodate the proposed multi-lot subdivision and is compatible with the identified future character of the area.

The concept Design Response Plan (Refer Appendix 3) in support of the proposed amendment and subdivision plan is informed by supporting technical documents including Servicing Strategy, Site Storm Water Management Strategy, Geotechnical investigation and Contamination Reports, Landscape Masterplan, Traffic Impact Assessment, Biodiversity and Heritage Assessments. These assessments provide a comprehensive site analysis from which the proposal for the site has been developed.

The key features of the concept Design Response Plan include:

- 45 standard lots and 7 medium density 'super lots' which creates a density of 10.83 lots/ha across the site. This increases to 19 lots/ha when the super lots are developed
- Open space areas incorporating path linkages and wetland features to facilitate stormwater treatment
- Sustainable urban design concepts for the drainage and stormwater treatment of the site, with the potential to incorporate rain gardens with appropriate planting
- A range of lot sizes achieving good solar orientation responsive to site features
- Lots fronting open space areas together with open space areas fronting streets
- Minimisation of native vegetation losses and facilitation of protection where appropriate
- Appropriate interface connections with the existing road network, including the provision for pedestrians and cyclists

The proposal was referred to relevant Council units for comment as part of the assessment of the amendment and subdivision plan. Issues raised by Councils units in the initial referral included the following:

- Amendments to the Landscape Master Plan and species list
- Details of the Stormwater Management Plan for the site
- Clarification on the access and parking spaces of the medium density development

Whilst most of these concerns have been addressed by the provision of further information, the technical documents and draft planning permit will be refined prior to exhibition. It is considered that the proposed Planning Scheme Amendment has sufficient strategic merit and should be further processed via a request to the Minister seeking authorisation and public exhibition.

Financial Implications

The privately driven amendment requires the proponent to cover all statutory costs relating to processing the amendment and planning permit application, including any Independent Panel Hearing costs.

3.2 Amendment C106 - Combined Rezoning and Subdivision Application 85 Grossmans Road Torquay (Barwon Water Basin)

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.

Policy/Legal Implications

The proposed amendment complies with Ministerial Direction Number 11 and the State and Local Planning Policy Framework. These matters have been documented in the Explanatory Report.

Officer Direct or Indirect Interest

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

Risk Assessment

There are no perceived risks associated with the preparation and exhibition of the proposal.

Social Considerations

The Amendment will have positive social effects, assisting Council in achieving its population growth forecasts for Torquay-Jan Juc whilst providing the opportunity for diversity of dwellings.

Community Engagement

Community engagement will be undertaken via the legislative process required by the *Planning and Environment Act 1987*. The exhibition of the Amendment for one month will provide the opportunity for community input.

Environmental Implications

The Biodiversity Assessment demonstrates that remnant vegetation is restricted to the Grossmans Road reserve, that the site itself is dominated by exotic and introduced pasture grass species with planted trees. The subject land is of low to moderate quality habitat for native fauna, with no nationally or state significant flora or fauna species likely to occur. The development proposal plans to remove a small patch of remnant vegetation impacted by the access to the western part of the subject land along Grossmans Road. A preliminary Biodiversity report by the Department of Environment Land Water and Planning indicates that no offset is required.

Communication

Public notice of the Section 96A Planning Scheme Amendment and Planning Permit request will be given in accordance with the legislative requirements of the *Planning and Environment Act 1987*. Letters will be sent to all owners/occupiers affected by the application and a public notice will be published in local newspaper (Surf Coast Times), the Government Gazette and on Council's website.

Conclusion

It should be noted that this report is not an assessment of the full merits of the proposal. The detailed merits of the application would be appropriately tested through the planning process. The draft plans and/or draft permit will be further refined prior to exhibition.

The proposal to rezone the site is consistent with State and Local policy and therefore it is recommended that Council seek Ministerial authorisation to prepare and exhibit the combined Planning Scheme Amendment C106 and the associated planning permit application.

3.3 Amended Permit for Landscape Garden Supplies 330 Grossmans Road, Bellbrae

Author's Title: General Manager Environment & Development

General Manager: Kate Sullivan

Department: Environment & Development

File No: OA2552

Division: Environment & Development

Trim No: IC15/466

Appendix:

1. Planning Officer's Report (D15/109035)

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 determine an application to amend Planning Permit 94/5796 to allow for an increase in the extent of the site area used for a garden supplies centre.

Summary

The subject land has approval for use and development of a Plant Nursery and Garden Supplies under planning permit 94/5796 which was issued in 1994 at 330 Grossmans Road, Bellbrae. The 1.7 hectare site is part of a sub-lease arrangement from the larger allotment and has access from both Grossmans Road and Ghazeeopore Road. The land to the north and west is part of the Kithbrooke Park retirement village.

In August 2007 the Minister for Planning approved Amendment C33 which allowed the subdivision of the land and development of the Kithbrooke Park Retirement Village. As part of the implementation of this permit plans were endorsed showing residential development on the site currently occupied by the Landscape Garden Supplies and a Section 173 Agreement was applied to the land.

The Landscape Garden Supplies has recently been taken over by a new tenant (Newcomb Sand & Soil) and in response to complaints from adjoining neighbours, non-compliance with the permit was identified. The plans endorsed with this permit limit the use to an area of 100 metres x 100 metres (1 hectare); however; investigations indicate that various elements of the use have extended beyond the permitted area since at least 2003. The new tenant is now seeking to amend the permit to align with the current use and area.

Sixty seven (67) objections have been received in response to the application, mainly from residents of the adjoining Kithbrooke Park Retirement Village and one submission in support of the proposal was received from the property owner.

The points raised by objectors mainly relate to amenity impacts and an expectation that the Section 173 Agreement which applies to the land should have prevented the Garden Supplies use from continuing to operate once the site was vacated by the previous tenant.

The long term lease of this site and its continued use as a Garden Supplies will restrict the proposed development of Kithbrooke Park. The use of the site and this proposed planning permit application is not consistent with the strategic intent of the land as specified in Amendment C33 which clearly identifies the land as part of the future development for a retirement village, this is further reinforced by the current zoning as Low Density Residential Zone. The Section 173 Agreement that runs with the land for the future development of Kithbrooke Park attempts to manage the future development of the land so that it can only be developed for the retirement village.

This report addressed a wider context and recommends Council refuse the application on the basis of the change to the planning context of the area, the social and environmental impact of approving the expansion and the intent of the 173 agreement.

3.3 Amended Permit for Landscape Garden Supplies 330 Grossmans Road, Bellbrae

Recommendation

That Council, having considered all the matters required under section 60 of the *Planning and Environment Act 1987*, issue a Notice of Refusal to amend Planning Permit 94/5796 which allows the Use and Development of the land at 460 Grossmans Road, Torquay for the purpose of Plant Nursery and Garden Supplies on the following grounds:

1. The expansion of the site area occupied for the non-conforming use is contrary to the orderly planning of the area.
2. The expansion of the site will have an unacceptable environmental impact on the surrounding residential area.
3. The expansion of the site will contribute to a social impact on the community by further delaying the development of the land as a retirement village as required under the Section 173 Agreement.
4. The Section 173 Agreement over the site prevents the owner from applying for the amendment to the permit and the intent of the agreement is being circumvented by the occupier applying for the consent.
5. The proposed plan has less landscaping and buffer distances to adjoining land and frontages than the current endorsed plan for the site.

3.3 Amended Permit for Landscape Garden Supplies 330 Grossmans Road, Bellbrae

Report

Background

The application seeks approval to amend Planning Permit 94/5796 which allowed the use and development of the land at 330 Grossmans Road, Bellbrae for the purpose of a plant nursery and garden supplies in accordance with attached plans. The use was originally allowed within an area of 100 metres by 100 metres fronting Grossmans Road and Ghazeepore Road with access from both frontages. A shed and specific areas for storage were designated on the approved plans.

Site Map



The garden supply and plant nursery has been in operation since 1994. The use appears to have expanded over the years to occupy an area comprising 205m by 80m which is larger than originally approved, and it appears it has been operating within that area since 2003. Recently a new tenant, Newcomb Sand and Soils, commenced operating on the site and lodged the current application to amend the permit. The amendment application seeks retrospective approval to expand the area approved for use to reflect the extent of the current activity, to change the layout to accommodate the needs of the new tenant and to reduce adverse impacts to adjoining properties. Means to improve adjoining residential amenity could include: new operating hours, a water cart to aid dust suppression when required by weather conditions, a new sprinkler system proposed on the northern boundary and new landscaping on the Ghazeepore Road frontage.

In August 2007 the Minister for Planning approved Amendment C33 which allowed the subdivision of the land and development of the Kithbrooke Park Retirement Village. As part of the implementation of this permit plans were endorsed showing residential development on the site currently occupied by the Landscape Garden Supplies and a Section 173 Agreement was applied to the land which requires

- That the owner will not make an application for planning permit to use, develop or subdivide the land other than for the purposes approved by the planning permit (06/0204)
- The use of proposed bedsitter units for disadvantaged older persons,
- The development to proceed in accordance with the staged development plans to ensure delivery of community and recreational facilities,
- The provision and management of open space.

The land nominated for the Kithbrooke Park Retirement Village and the Landscape Garden Supplies are held in common ownership with the garden supplies being the subject of a separate lease agreement.

The speakers at the Hearing of Submissions claimed that the use was impacting amenity through noise, dust and traffic and the continued occupation of this land threatened the economic sustainability of Kithbrooke Park Retirement Village.

3.3 Amended Permit for Landscape Garden Supplies 330 Grossmans Road, Bellbrae

A discussion occurred with the applicant around draft conditions subsequent to the Hearing of Submissions meeting. The applicant has advised that while willing to comply with their obligations to manage nuisance arising from noise and dust, they do not accept they have an obligation arising from conditions that would require an up-grading of the site, but would support the landowner undertaking these works.

Discussion

The strategic intent of this site has been specified by the Ministers approval of Amendment C33, which allowed the subdivision of the land and development of the Kithbrooke Park Retirement Village. As part of the implementation of this permit plans were endorsed showing residential development on the site currently occupied by the Landscape Garden Supplies and a Section 173 Agreement was applied to the land. It is clearly not an area for industrial type uses to be expanding in and is contrary to the intent of the planning scheme which is seeking residential development. Essentially the long term lease of this site and its continued use as a Garden Supplies will restrict the development of Kithbrooke Park.

The existing permit and continued occupation of the site means existing use rights may be applicable to the land. A decision to approve the expanded site would have to be on the basis of considerable capital improvements to upgrade the site to mitigate against the environmental impact of the use. The original permit was issued when the surrounding land was rural. This has changed over time and the conditions of the permit are inadequate. The attached planning assessment and report details the extent of the conditions that would require:

- the need to upgrade the storm water system including onsite retention and filtration
- upgrade vehicle crossovers
- dust suppression to the surface of the car parking
- undertake acoustic impact assessment and implement recommendations to achieve compliance with EPA standards (this is may require an acoustic fence be erected)
- prepare a landscaping plan and landscape the site
- prepare an operational management plan and comply with a range of other conditions

Clause 63 controls the non-conforming use of land under the Planning Scheme. Clause 63.05 requires that where an existing use of land is a use in section 3 in the zone (i.e. it is a prohibited use), it may continue but no building or works are to be constructed without a planning permit. *The use can only continue if the amenity of the area is not further damaged by a change in the activities beyond the limited purpose of the use preserved by the existing use right.*

In making this decision Council must have regard to Clause 65 and any other requirement of the *Planning and Environment Act 1987 (the Act)*. Clause 65 requires Council to consider the following relevant points;

- The matters set out in Section 60 of the Act.
- The State Planning Policy Framework and the Local Planning Policy Framework,
- including the Municipal Strategic Statement and local planning policies.
- The purpose of the zone, overlay or other provision.
- Any matter required to be considered in the zone, overlay or other provision.
- The orderly planning of the area.
- The effect on the amenity of the area.

Section 60 of *the Act* requires Council to consider any significant social effects the use or development might have. Further delaying the completion of the retirement village will have an ongoing social impact on the residents of the village and the community with the provision of onsite services for the residents not being provided in a timely manner as planned with the completion of the village. This service gap will have to be met by other social services in the community.

Sixty seven objections and one submission in favour of the proposal have been received. A hearing of submissions meeting allowed an opportunity for objectors to present their concerns to Council and for the applicant to explain their application. The level of impact on the residents is very real and evidence of their concern was demonstrated by the attendance at the hearing of submission by the large number of residents who attended the hearing.

3.3 Amended Permit for Landscape Garden Supplies 330 Grossmans Road, Bellbrae

Section 60 of the Act has recently been amended to require Council to have regard to the number of objections received to an application. In this instance it is considered that 67 people being directly affected is a significant matter. As outlined above, one of the main arguments presented by the residents included the impact of not developing this site for the retirement village, which has significant impacts on the financial sustainability of the village.

Section 60 also requires Council to have regard to any section 173 agreement affecting the land. The agreement prevents the owner from making an application for any use of this land other than for the approved retirement village. It does not prevent the occupier from making the application to amend the permit. However, the intent of the agreement is effectively being circumvented as it is the occupier making the application for the retrospective approval to use the whole of the site for garden supplies. The intent of the agreement is for this site to become part of the retirement village which is consistent with the orderly planning of the area.

The planning officer's assessment is attached to this report as Attachment 1. The report has identified three options for consideration.

Approve the application:

If Council were to approve the application, the original conditions of the permit would apply to the new endorsed plan.

Refuse the application:

If Council refuses the application, the existing permit and approved footprint area (100m x 100m) would apply. This option reinforces the strategic intent of the land as identified by C33 with the proposed extension of the retirement village. However, the existing permit does not provide for amenity protection and allows the use to operate 24 hours per day, 7 days a week

Approve the application with revised conditions:

Council could approve the application for an amended plan and place further conditions on the permit on the basis that increasing the area of operation on the site increases the offsite impacts. Additional environmental conditions, beyond the conditions foreseen necessary in the original permit, would mitigate against the off-site impacts that are currently occurring.

On assessment of these options and consideration of all factors relating to this permit application it is considered the most appropriate option is to refuse the application on the following grounds:

- The expansion of the site area occupied for the non-conforming use is contrary to the orderly planning of the area.
- The expansion of the site will have an unacceptable environmental impact on the surrounding residential area
- The expansion of the site will contribute to a social impact on the community by further delaying the development of the land as a retirement village as required under the section 173 agreement.
- The Section 173 agreement over the site prevents the owner from applying for the amendment to the permit and the intent of the agreement is being circumvented by the occupier applying for the consent.
- The proposed plan has less landscaping and buffer distances to adjoining land and frontages than the current endorsed plan for the site

Financial Implications

No direct financial implications are expected as a result of this application.

Assessment of merit and attendance at appeal tribunals are included in the current operational budget.

Council Plan

Theme 3 Communities
Objective 3.3 Preservation of peaceful, safe and healthy environments
Strategy Nil

Theme 5 Development and Growth
Objective 5.2 Encourage sustainable economic development and growth
Strategy Nil

3.3 Amended Permit for Landscape Garden Supplies 330 Grossmans Road, Bellbrae

Theme 5 Development and Growth
Objective 5.4 Transparent and responsive land use and strategic planning
Strategy Nil

Policy/Legal Implications

The application has been assessed against relevant provisions of the Surf Coast Planning Scheme and The Planning and Environment Act 1987.

Officer Direct or Indirect Interest

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

Risk Assessment

The merits of the proposal have been considered against the relevant provisions of the Surf Coast Planning Scheme and Planning & Environment Act 1987.

Social Considerations

Impact on the amenity, health and safety of adjoining residents has been considered in accordance with the relevant provisions of the Surf Coast Planning Scheme and the Planning and Environment Act 1987

Community Engagement

Public Notice was provided in accordance with Section 52 of the Planning and Environment Act.

Letters were sent to adjoining land owners and occupiers and two signs were displayed on the subject land. Submitters were given a period of 14 days to provide comments to Council.

A meeting of the Hearing of Submissions Committee was held on 8 September 2015 where submitters and the applicant were given the opportunity to explain their views, 67 objections against and one submission in support of the proposal were received.

Environmental Implications

Environmental impacts have been assessed and it is considered that they can be managed in accordance with the relevant provisions of the Surf Coast Planning Scheme and the Planning and Environment Act 1987

Communication

A copy of the Council's decision will be provided to the applicant and all submitters who will then have the opportunity to seek a review before the Victorian Civil and Administrative Tribunal.

Conclusion

After due consideration of the relevant provisions of the Surf Coast Planning Scheme and supporting documentation, application OA2552, which seeks approval to amend Planning Permit 94/5796 to allow a larger area of the subject land than originally shown on the endorsed plans to be used for the Landscape Garden Supplies, is recommended for refusal.

3.4 Approval of Development Plan for 22-28 Camp Road and 4 McRorie Street, Anglesea

Author's Title: Statutory Planner

General Manager: Kate Sullivan

Department: Planning & Development

File No: 14/0490

Division: Environment & Development

Trim No: IC15/567

Appendix:

1. 14/0490 - Further Information - Proposed Plan of Subdivision Version 8 - 22-28 Camp Road and 4 McRorie Street Anglesea (D15/90475)
2. 14/0490 - Further Information - Engineering Concept Plans - 22-28 Camp Road and 4 McRorie Street Anglesea (D15/90473)

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 and approve a stage of the Development Plan under Schedule 12 of the Development Plan Overlay related to the property at 22-28 Camp Road and 4 McRorie Street, Anglesea.

Summary

The application seeks approval of a Development Plan that will provide the foundation for the subdivision and development of the land at 22-28 Camp Road and 4 McRorie Street for residential purposes.

Council placed the development plan on public exhibition between 31 March and 30 April 2015 and invited submissions in accordance with Section 223 of the Local Government Act. Fourteen submissions were received from land owners/residents and five submissions were made by referral authorities.

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

Recommendation

That Council:

1. Having considered the application, submissions and referral responses received in respect of the development plan (as amended) approve the development plan for 22-28 Camp Road and 4 McRorie Street pursuant to Schedule 12 to Clause 43.04 of the Surf Coast Planning Scheme subject to the plans and supporting documents submitted with application 14/0490 being amended to the satisfaction of the responsible authority (to be exercised by the Manager Planning & Development) to:
 - 1.1 Include design guidelines for the development of each lot based on the objectives and standards of Schedule 3 to the Neighbourhood Character Overlay and to achieve a diversity of dwelling types, in particular the delivery of smaller dwelling types on those lots that are less than 400m²;
 - 1.2 Widen the reserve for the new street to 15 metres to accommodate a pavement of 7.3 metres;
 - 1.3 Reduce the outer kerb return radius to increase the area on the bend for turning vehicles;
 - 1.4 Further widening Correa Lane to a 10 metre reserve width and providing a pavement of 6.0 metres. The pavement widening is to be to the east side of the street;
 - 1.5 In making the above changes maximise the retention of significant indigenous trees.
2. Require any planning permit application for subdivision generally in accordance with the approved development plan to include:
 - 2.1 An engineering assessment of the structural adequacy of existing retaining walls and landforms and make recommendations as to stabilising the landform to make it suitable for residential development
 - 2.2 Detailed design of retaining walls which front a street to achieve a high quality streetscape which is reflective of the informal landscape character of Anglesea.

3.4 Approval of Development Plan for 22-28 Camp Road and 4 McRorie Street, Anglesea

2.3 Assessment of the capacity of existing stormwater infrastructure, where utilised by the proposed subdivision, to accommodate the additional flows generated from the developed subdivision.

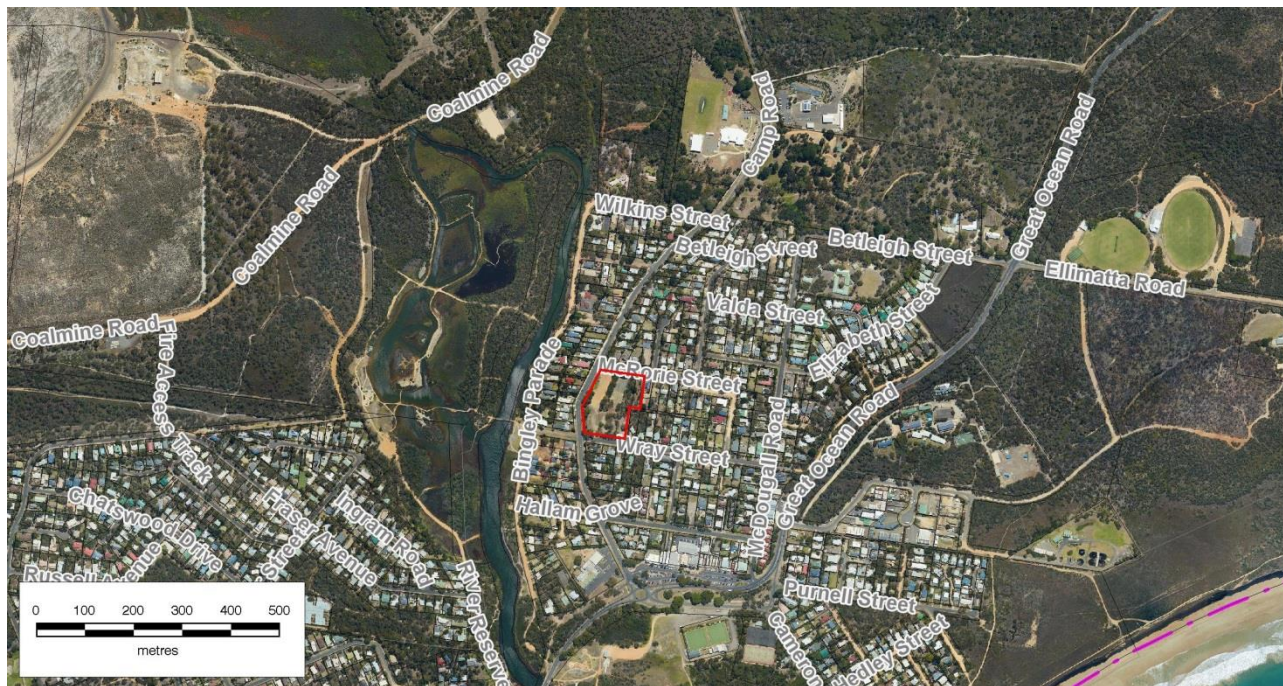
2.4 A monetary contribution for the provision of public open space.

3.4 Approval of Development Plan for 22-28 Camp Road and 4 McRorie Street, Anglesea

Report

Background

The land is the area of the former Anglesea Primary School which has been relocated further north along Camp Road. The land has been purchased by private interests for redevelopment purposes. The *Anglesea Structure Plan 2012* identified the potential the site for integrated infill residential development as a rare larger parcel of vacant (brownfield) land within the town boundaries.



Location plan

Amendment C79 in implementing the Structure Plan, applied a new Schedule 3 to the Neighbourhood Character Overlay (NCO3) and new Schedule 19 to the Design and Development Overlay (DDO19) to residential land within the town. These controls cover the subject land together with a new Schedule 12 to the Development Plan Overlay (DPO12) for the former Anglesea Primary School site. 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.

This development plan has been submitted on behalf of the land owner to meet the requirements of DPO12. Key elements of the plan are:

- A new L-shaped road branching off Camp Road and connecting to Wray Street, incorporating the construction and widening of Correa Lane.
- Residential lots ranging between 359m² and 648m² with a proposed yield of 24 lots
- Lots fronting each of the existing and proposed streets

Discussion

The objectives of DPO12 are:

- *To facilitate the integrated development of the land for a range of community and residential uses, treating the former School site as one consolidated parcel.*
- *To develop an attractive and high amenity residential and community precinct that integrates with adjoining residential areas.*
- *To ensure that the combination of uses, their scale and design are compatible with:*
 - *The low scale vegetated non-suburban coastal character of Anglesea;*
 - *The amenity of the surrounding residential land uses; and*
 - *The capacity of the existing street system, and any proposed modification, to accommodate an increase in vehicle traffic.*

3.4 Approval of Development Plan for 22-28 Camp Road and 4 McRorie Street, Anglesea

- *To ensure that development of the land is undertaken in a coordinated manner in accordance with an appropriate staging plan and does not prejudice the amenity of the surrounding area.*

The development plan has been assessed against these objectives as follows:

Facilitate integrated development

The Anglesea Structure Plan noted in relation to the site that:

“The relocation of the Anglesea Primary school to the new site on Camp Road provides an outstanding development opportunity for the vacated school site. Council has expressed interest in achieving medium density and affordable housing outcomes on the site. A residential zone currently exists on the land and does not restrict the development of the land for standard housing purposes. An opportunity exists however for Council to enter into negotiations with relevant government agencies (Department of Education, Office of Housing) and/or a Housing Association to broker support for an integrated housing development with a component of affordable housing and public open space. It will also be necessary to investigate appropriate planning tools to guide future development, for example the application of a ‘Comprehensive Development Zone’ or ‘Development Plan Overlay’ that would detail design and development requirements.”

The State has ultimately disposed of the land to private interests, with the development plan proposing residential development and use across the whole of the site. The need for community facilities within the Anglesea township and more specifically on the site has been tested with the Culture and Community Division and it is considered that there isn't any particular need for new facilities. In this context the use of the land for residential purposes represents the most appropriate use.

The land hasn't been acquired by a housing association for the purposes of 'affordable housing' and given the relatively limited scale of the development it is considered that requiring the developer to deliver affordable housing within the site not be reasonable.

The development plan proposes a range of lot sizes including relatively small lots of 359m². The provision of smaller lots and correspondingly smaller dwelling types does contribute to achieving more affordable housing and diversity of choice within Anglesea.

One of the requirements of DPO12 for the development plan is *“An indicative land use and lot layout that provides for:...a diversity of housing types, sizes, tenures and densities, with a substantial proportion of one and two bedroom dwellings”*. As discussed the development plan does identify a range of lot sizes, but it does not deal with the type and scale of development on those lots beyond referring to the provisions of NCO3. The NCO3 is a relatively robust and detailed provision which includes standards for site coverage, plot ratio, setbacks and building height amongst other things; but none of the standards are mandatory and therefore are subject to variation and challenge through a permit application and potentially appeal.

One of the purposes of the DPO is *“To exempt an application from notice and review if it is generally in accordance with a development plan.”* Therefore the subsequent development of each lot will be exempt from public notice. Where the development plan is non-specific it allows a liberal view to what is 'generally in accordance'; thus where a development plan refers to a discretionary standard, the responsible authority (Council or the Tribunal on review) may allow variation from those standards without remitting the application to public notice.

The site sits within an established residential context. It would be appropriate to have the proponent prepare development plan design guidelines for the future development of each lot based on the objectives and standards of NCO3. These guidelines should be relatively prescriptive to provide certainty to the development outcome. This would be consistent with the objective of facilitating the integrated development on the site. A permit can't be granted for a development which isn't generally in accordance with the approved development plan/guidelines.

Develop an attractive, high amenity, integrated residential precinct and Ensuring compatibility

The site is an irregularly shaped parcel of about 1.3ha. Overall the land falls from east to west with an average slope of 1:8 (a fall of 12m), but sections of the site have been levelled for former buildings or recreation facilities with more steeply sloping or retained banks between these areas. The site contains scattered mature vegetation with a mix of indigenous, native and exotic species. The site is located within a generally residential area 300-400m north of the Anglesea Shopping Centre. Existing residential

3.4 Approval of Development Plan for 22-28 Camp Road and 4 McRorie Street, Anglesea

development directly abuts the site to the east; in other directions the site is separated by roads from the residential neighbours.

The residential character of the surrounding area is varied. To the north, east and south proximate to the site, houses are predominantly small scale on larger lots and within a strong landscape setting. The site contributes significantly to the landscape character and sense of openness. Development along the western side of Camp Road is more closely spaced and there are a number of more modern larger scale buildings, but there is still a strong garden setting in the streetscape.

The subdivision pattern is fairly consistent but not uniform. To the east along Wray and McRorie Streets lots are mostly around 1000m². Along Camp Road lots are mostly around 700-800m². Within this broad pattern of larger lots are scattered examples of infill subdivisions and multi-dwelling developments.

In addition to DPO12, the land is covered by DDO19 which includes subdivision requirements based on three precincts. The land is within Precinct C, therefore lots must have a site area of at least 400m², except for corner sites where the minimum area is 450m².

The minimum site area can only be varied where the land is within Precinct C and the creation of lots less than 400m² increases dwelling diversity by providing smaller dwelling types (in floor area and number of bedrooms).

Whilst the site is within an area with a predominance of large lots (700m²+), it is a location identified for change to smaller lot sizes to increase dwelling diversity, as this precinct is within close walking distance of the town centre, primary school and recreational areas.

In this strategic context it is considered that the proposal to create a range of lot sizes, including lots less than 400m² is appropriate and is respectful of the preferred character. However the achievement of smaller dwelling types to justify lots less than 400m² reinforces the need for the development plan to include design guidelines.

The existing tree cover contributes significantly to the neighbourhood character (the biodiversity value is discussed under Environmental implications). A vegetation assessment has been submitted with the development plan. The majority of the tree canopy cover is comprised of indigenous species which are identified as being of landscape significance by SLO3 (Manna Gum, Messmate). One Anglesea Grey Gum is identified in the report within the centre of the site, but the officer has some doubt about the identification of this species from site observations. There are also a number of grasstrees. The report identifies some trees as significant but it isn't made explicit how this judgement has been made as other trees of the same species and similar size aren't so identified.

The development plan does not expressly address the vegetation assessment; therefore it isn't clear regard has been had to significant vegetation in determining the proposed subdivision layout. A number of significant trees are proposed to be removed for the construction of the new road and other trees exhibit health or structural issues which make them unsuitable for retention within a residential environment due to risk to life and property. Many of the indigenous trees are clustered reflecting the previous development pattern of the school.

There will inevitably be some loss of tree canopy with the development of the site, but the planning scheme seeks to achieve a balanced outcome between development at higher densities, landscape and neighbourhood character. Overall it is considered that the proposed development reasonably provides for the retention of significant trees however as detailed design of the subdivision is undertaken through the planning permit process it may be appropriate to undertake some fine-tuning to accommodate retained trees within roadsides or within lots where the tree would be within the front or rear setback. As the trees are clustered there is potential to retain a significant proportion of the existing indigenous canopy cover without overly prejudicing the development potential of the site.

The former development of the school has created a number of terraces; in the northwest corner is where the school buildings were located, east of this is an old high timber sleeper retaining wall above which is a former playing court, to the east of this is a series of tiered retaining walls, some of which have been removed or rotted to nothing. The southwest corner is built up to be level with the northwest corner with a steep batter up from Camp Road formed by old tyres.

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The development plan proposes to retain many of the existing retaining walls and construct new retaining walls. Many of the proposed retaining walls are internal to the development plan area, but two sections are proposed to the Camp Road frontage, one at the corner of Wray Street the other at the intersection of the new street. These retained sections are shown as accommodating the proposed stormwater infrastructure and it is taken that they are being made level which would result in retaining walls of 1.5-2.0m in height. There is the potential for this to result in poor streetscape integration.

None of the retaining walls are of a standard that they can be assumed to have appropriate structural integrity and at the least will require an engineering assessment, but most likely will need to be removed. This is considered to be a level of detail which can be resolved through the planning permit detail, but it is considered that stabilisation of the landform (removal or construction of retaining walls, removal of tyre batters, regarding, etc) should be completed within the subdivision of the land so that the resultant lots are ready to be built on. It would not be appropriate for each subsequent lot owner to deal with these issues in isolation.

Whilst there are a number of details to be resolved in relation to vegetation retention and landform this is down to a level of detail that is beyond that required for a development plan and are appropriately resolved in the planning permit process.

Roads and traffic

The proposed new road and widening and construction of Correa Lane provide for efficient movement through the site and connectivity with surrounding streets. Importantly this layout facilitates waste collection and other service vehicles moving through without needing a large court head to turn around. The layout also maintains connectivity with the east-west section of Correa Lane which is utilised by a number of properties for rear access.

The Governance and Infrastructure Division have recommended some changes to the proposed streets as follows:

- Widen the reserve for the new street from 14m to 15m to accommodate a pavement of 7.3m so as to allow parking on both sides of the street
- The outer kerb return radius should be reduced so that there is greater area on the bend for turning vehicles
- Further widening Correa Lane to 10m reserve width and providing a pavement of 6.0m

The applicant has proposed the widening of Correa Lane utilising the subject land and the adjoining property, 3 Wray Street which has also been purchased by the land owner. In widening the road as recommended, the pavement should not be moved further west so as to avoid encroaching further on the nearby significant tree (Tree 1). Requiring the above modifications will have some impact on the proposed lots, but it is considered that there is scope to make these changes.

Camp Road, Wray Street and McRorie Street all have sufficient capacity to accommodate the additional traffic associated with the subdivision and subsequent development. Whilst the concerns of the submitters are noted and acknowledged and it is accepted that Camp Road is a busy street compared to others within Anglesea, the standard of the road is sufficient to take additional traffic.

Coordinated development

The development plan does not propose staging the development, instead the future subdivision would be constructed in one period. Given the scope of works it is considered that this construction can occur without prejudicing residential amenity and that staging would not reduce the impact of works.

Financial Implications

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

The creation of new public roads and stormwater infrastructure will result in new asset management responsibility costs for Council, which are offset by the subdivision and development of land increasing the rate base. The proposed stormwater management utilises technology which could have higher operational maintenance costs than more traditional infrastructure. Based on the supplied draft maintenance contract the cost is approximately \$2500pa over a 10 year period plus indexation. The Governance and

3.4 Approval of Development Plan for 22-28 Camp Road and 4 McRorie Street, Anglesea

Infrastructure Division has indicated a tacit acceptance of these costs given the benefits to stormwater quality and the constraints of the site which limit the utilisation of conventional approaches. There is also going to be maintenance costs with any form of stormwater treatment system (such as a wetland or swales)

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.

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.

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 residential lots within Anglesea 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.

Council placed the development plan on public exhibition between 31 March and 30 April 2015 and invited submissions in accordance with Section 223 of the Local Government Act. Fourteen submissions were received from land owners/residents and five submissions were made by referral authorities. The key issues raised are:

- The density of development being too great and inconsistent with the existing residential character
- Insufficient consideration of existing vegetation, the contribution of this vegetation to neighbourhood and landscape character and the detrimental impact from loss of vegetation
- Traffic and parking issues
- Stormwater flows into Camp Road

Subsequent to exhibition of the plan, the applicant amended the development plan to the form now being considered. The key change from the exhibited plan is the introduction of the proposed through street compared to a T-head cul-de-sac and additional stormwater treatment infrastructure. These changes also reduced the lot yield by 1. The amended development plan was re-exhibited from 15 October to 29 October 2015 with a further three submissions received from existing submitters.

Of the referral authority responses, key submissions were made by the Department of Environment, Land, Water and Planning (DELWP) and Corangamite Catchment Management Authority (CCMA) in relation to the original proposal to not provide any treatment for stormwater discharging to Anglesea River. It is now proposed to provide treatment which should achieve best practice standards. Stormwater is discussed in further detail below.

Environmental Implications

Stormwater

The subdivision of the land and development of dwellings on the resultant lots will increase the rate and volume of stormwater runoff from the land which may also increase the level of pollutants. Stormwater from the site and surrounding residential area flows to Anglesea River.

3.4 Approval of Development Plan for 22-28 Camp Road and 4 McRorie Street, Anglesea

The development plan as submitted proposed detention through an oversized pipe in Camp Road to store and slowly release stormwater collected from a piped network within the subdivision for most of the site. From the storage pipe a new piped outfall was proposed along Wray Street to Anglesea River. This system would reduce the rate of flow entering the river but no treatment of stormwater was proposed.

The treatment of stormwater to best practice standards is strongly supported by Clause 56 and State and Local planning policy and the quality of stormwater discharge to Anglesea River is an identified issue. It is appropriate for new development to achieve best practice standards. Further the Corangamite CMA, which is the managing authority for the receiving waters have objected to the approval of the development plan on the basis of stormwater quality.

Subsequently the stormwater management plan (SMP) within the development plan was amended. The key changes to the SMP are to construct a new pipe within Wray Street to an existing pit and outfall within Bingley Parade and to provide a series of inline treatment systems to reduce pollutants. For treatment it is proposed to provide two pairs of interceptors (SPEL Ecoceptor and SPEL Hydrosystem) which use a combination of physical separation and filtration to remove gross pollutants, suspended solids, phosphorus and nitrogen. The SMP submits that using this technology best practice targets can be achieved.

The Governance and Infrastructure Division have supported that the implementation of the amended SMP will achieve appropriate stormwater management. The amended SMP has been provided to CCMA but at the time of preparing this report a response from this authority had not been received, however the SMP does address their concerns about stormwater quality and flow rates.

Vegetation

The site has a moderate coverage of trees and perhaps one or two patches of native vegetation. The majority of trees are indigenous species (Manna Gum, Messmate) but there are a number of other native and exotic species. There is no clear evidence of the indigenous species having been planted and are likely to be remnant or recruited specimens.

As the site is more than 0.4ha the permit requirements of Clause 52.17 and the *Permitted clearing of native vegetation – Biodiversity assessment guidelines* apply, however following subdivision and disposal to separate owners, vegetation removal would be exempt under Clause 52.17 (a permit would still be required under SLO3). In accordance with accepted principles in this circumstance the total loss of vegetation should be accounted for at the time of subdivision so that cumulative loss of vegetation can be considered and offsets appropriately applied (biodiversity offsets aren't required under SLO3). Because there will be an assumed total loss for this purpose does not mean that all vegetation is removed in reality.

A preliminary review indicates that an application would follow the moderate pathway under the guidelines which requires offsets to be determined by DELWP. Any offset would need to be achieved through an offsite offset credit as there is no ability to achieve an onsite offset. Given the degraded quality of vegetation across the site from past development and activity the site is unlikely to contain significant biodiversity values.

Communication

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

Conclusion

Based on the assessment of the detailed plans, supporting information and the inputs, it is considered in principle support for the development plan can be given subject to changes as detailed in the recommendation.

3.5 Amended Development Plan - 90 & 110 South Beach Road, Torquay

Author's Title: Subdivision/Planning Officer
Department: Planning & Development
Division: Environment & Development

General Manager: Kate Sullivan
File No: 11/0272B
Trim No: IC15/573

Appendix:

1. 11/0272B - Assessment - Officers Report - 90 & 110 South Beach Road, Torquay (D15/97759)
2. 11/0272B - Amended Development Plan - 110 South Beach Road, Torquay (D15/95331)
3. 11/0272A - Endorsed Development Plan - 110 South Beach Road, Torquay (D14/83995)

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 consider the merits of changes made to a previously approved Development Plan for 90 & 110 South Beach Road in Torquay North known as "Stretton Estate".

Summary

Council originally approved a Development Plan for the site on 28 September 2011 (subject to conditions), pursuant to Schedule 8 of the Development Plan Overlay (Clause 43.08 of the Surf Coast Planning Scheme). An amended Development Plan was submitted and approved by Council on 25 January 2012 which included the locations for a secondary and primary school. This latest amendment development plan responds to the overlay requirements and maintains integration with the surrounding Torquay North developments.

The development plan is considered appropriate subject to the plan responding to the following items:

- Consistency with the approved Development Plan stage to the south for 1160 Horseshoe Bend Road Torquay, as amended from time to time, including connection of the street network, provision of stormwater infrastructure and location of local parks
- A Traffic Management Facility will be required at the intersection of Fischer Street and Stretton Drive to provide traffic calming to the satisfaction of the Responsible Authority
- A review of the alignment of the streets and lots at the intersection of South Beach Road and Surf Coast Highway following adoption of the design for the treatment at that intersection
- Road cross sections generally in accordance with the Torquay North Outline Development Plan
- Details of the treatment and retardation of stormwater in accordance with the Torquay North Stormwater Strategy, which will require the calculation of the detention volume and modelling to show how the treatment of the stormwater will be achieved within the proposed drainage reserves/basins.

There is an administrative need to delegate the powers under section 173 of the Planning and Environment Act 1987 that allow for agreements to be entered into with the developer to the General Manager Environment and Development for this development site.

Recommendation

That Council:

1. Having considered the application and referral responses received in respect to the development plan, approve the amended Development Plan 90 & 110 South Beach Road Torquay pursuant to Clause 43.04 of the Surf Coast Planning Scheme, subject to the plans and supporting documentation submitted with application 11/0272B being amended to the satisfaction of the responsible authority (to be exercised by the Manager Planning & Development) to:
 - 1.1. Be consistent with the approved Development Plan stage to the south for 1160 Horseshoe Bend Road Torquay, as amended from time to time, including connection of the street network, provision of stormwater infrastructure and location of local parks.

3.5 Amended Development Plan - 90 & 110 South Beach Road, Torquay

- 1.2. Include a note that a Traffic Management Facility be provided at the intersection of Fischer Street and Stretton Drive to provide traffic calming to the satisfaction of the Responsible Authority.
 - 1.3. Review the alignment of the streets and lots at the intersection of South Beach Road and Surf Coast Highway following adoption of the design for the treatment at that intersection.
 - 1.4. Typical cross sections generally in accordance with the Torquay North Outline Development Plan.
 - 1.5. Provide details of the treatment and retardation of stormwater in accordance with the Torquay North Stormwater Strategy, which will include the calculation of the detention volume and modelling to show that treatment of the stormwater can be achieved within the proposed drainage reserves/basins.
2. Pursuant to Section 188 of the Planning Environment Act 1987, amend the instrument of delegation for the power under section 173 of the Planning and Environment Act 1987, to enter into an agreement, any amendment to an agreement or ending of an agreement, to include the General Manager Environment and Development for this development site.

3.5 Amended Development Plan - 90 & 110 South Beach Road, Torquay

Report

Background

The subject site was rezoned from Farming Zone (Clause 35.07 of the Surf Coast Planning Scheme) to Residential 1 Zone (Clause 32.01 of the Surf Coast Planning Scheme) via Amendment C43 which was gazetted on 30 April 2009. This amendment covered the subject land as well as land at 1195 Horseshoe Bend Road and 1445 Surf Coast Highway (now known as 1160 Horseshoe Bend Road). This combined area is known as the Torquay North Residential Precinct. Amendment C43 also introduced Schedule 8 to the Development Plan Overlay (Clause 43.04 Surf Coast Planning Scheme) over the Torquay North Residential Precinct to provide a framework for the orderly development of this land, as well as the Design and Development Overlay – Schedule 1 (Clause 43.02 Surf Coast Planning Scheme).

The original Development Plan was approved by Council on 28 September 2011 (11/0272). An amended Development Plan was submitted and approved by Council on 25 January 2012. This amended plan included modifications to include a secondary and primary school. The secondary school has been developed and is fully operational.

Planning permit 13/0103 was issued by Council for subdivision of the land into 56 lots (Stage 1). The majority of these lots have already been developed as well as completion of two linear reserves located adjacent to the Surf Coast Highway and in an east west direction along White Street. Construction of the roads surrounding the proposed primary school in the south east corner of the site have recently commenced.

Planning Permit 15/0211 was issued by Council on 19 September 2015 for subdivision of the land into 41 lots (Stage 2).

The key amendments to the approved Development Plan are:

- Changes to the internal road alignments to reflect the topography of the site.
- Changes to the orientation and direction of Stretton Drive at various points within the subdivision.
- Inclusion of a neighbourhood park in the north western quadrant of the subdivision.
- Inclusion of some small areas of medium density development across the site.

Discussion

There is no legislative process for considering amendments to development plans. The original development plan was advertised publically by Council and due to the inclusion of the secondary and primary schools the amended development plan was also advertised publically. In this instance public exhibition has not been undertaken as the amendments are not considered to have detrimental implications on anyone as the proposed changes include:

- Internal changes to road layout
- Changes to public open space location and size
- Changes to location and size of medium density lots

The amended development plan has been referred to Council's Infrastructure Department and Open Space Departments who have provided consent to the plan with conditions to the amendments.

The amended Development Plan has been discussed in detail in the attached officer's report.

Financial Implications

The subdivision and development of land within the Development Plan will contribute to supply of residential properties within the municipality and the subsequent payment of development levies for the provision of community facilities.

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

3.5 Amended Development Plan - 90 & 110 South Beach Road, Torquay

Strategy 5.4.2 Utilise structure plans and planning processes to encourage a diversity of housing stock across the Shire.

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. However, the Chief Executive Officer has a conflict of interest in the exercising of the delegated power under section 173 of the Planning and Environment Act 1987 for this development site. Consequently it is necessary for the Council to delegate this power to the General Manager Environment and Development for the administration of the development approvals that will follow as part of the subdivision of the land.

Risk Assessment

The merits of the proposal have been 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 residential lots within Torquay which has the potential to improve housing affordability. The development plan also seeks to provide a range of residential types with varied lot sizes (albeit smaller than traditional 'quarter acre' style blocks), including medium and higher density residential areas, which is likely to increase the diversity of housing available particularly in smaller housing types which have been identified as being undersupplied in Torquay.

The first two stages of development of 110 South Beach Road Torquay included locations for a secondary school and a primary school. The balance of the land contained within this amended development plan includes residential housing, neighbourhood parks and connections of Fischer Street to South Beach Road. This development plan provides further residential lots that provide integration with the surrounding community and supports the maintenance of independence and mobility of residents through the use of linear reserves.

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 amended development plans. Whilst it is Council policy to undertake an exhibition process and invite the making of 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. As explained above, as this application is for approval of an amended development plan that will not cause detrimental effect on anyone it is considered no public exhibition is required in this instance.

Environmental Implications

The previously approved development plan provided for a sustainable neighbourhood design which the amended plan has built upon. Environmental matters as set out in Clause 56 of the planning scheme have all been adequately addressed and will continue to be managed through the subsequent planning permit process.

Communication

Council's determination will be communicated to all submitters (referral authorities) by mail.

Conclusion

Based on the assessment of the supporting information, amended plans and inputs, it is considered in principle support for the development plan can be given subject to changes as detailed in the recommendation.

3.6 Winchelsea RV Friendly Town - Report on Consultation

Author's Title: Coordinator Business & Tourism Strategy **General Manager:** Kate Sullivan

Department: Economic Development & Tourism **File No:** F15/827

Division: Environment & Development **Trim No:** IC15/604

Appendix:

1. 'Have Your Say' Winchelsea RV Friendly Parking Area Consultation Flyer (D15/79943)
2. Plan - Winchelsea RV Friendly Parking Area (D15/79871)
3. FAQs - Winchelsea RV Friendly Parking Area (D15/79942)
4. Letter from Winchelsea Caravan Park - Free RV Overnight Parking (D15/47904)

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 consider the outcomes of consultation with local Winchelsea residents and the Winchelsea Caravan Park in relation to a Winchelsea RV Friendly Parking area proposal from Growing Winchelsea Inc.

Summary

A consultation and community engagement plan was created to invite comment on the RV friendly concept proposed by Growing Winchelsea for the open space area of the Barwon River near the corner of Barwon Terrace and Mercer Street. In total 54 local residents and 51 external interested parties provided feedback on the concept via letters, emails and attending listening posts.

Consultation revealed mixed support for the concept of Winchelsea becoming an RV Friendly Town with sentiment on the location ranging from positive to strong opposition.

Information received from Caravan & Motorhome Club of Australia (CMCA) indicates a minimum 10 spaces is required to achieve 'RV Friendly Town' status which is not suitable for the proposed site.

Discussions held with the Winchelsea Caravan Park and Barwon Hotel revealed a willingness by both businesses to provide RV Friendly sites within their premises to assist Winchelsea on a path to becoming RV Friendly. Pursuing RV sites on private land is considered the best way to test the merits of demand for RV sites in Winchelsea and at the same time maximise yield. After a 12 month period the demand for additional sites could be reviewed.

No objections were received from key stakeholders such as Corangamite Catchment Management Authority and Department of Environment, Land, Water and Planning (DELWP).

Recommendation

That Council

1. Note that the Winchelsea RV Friendly Parking area proposal by Growing Winchelsea represents the provision of a new service not currently provided by Council with indicative cost estimates of \$39,500 to establish plus \$39,700 annually.
2. Note the mixed community feedback received regarding the proposed location of RV friendly parking at the corner of Barwon Terrace and Mercer Street.
3. Work with identified local businesses to create RV friendly sites on private land.
4. Prepare marketing material to promote RV friendly sites in Winchelsea once established.
5. Review the requirement for the provision of additional RV Friendly parking sites after the 12 month trial period.

3.6 Winchelsea RV Friendly Town - Report on Consultation

Report

Background

Growing Winchelsea Inc. collected 191 signatures on a petition between 17 February 2015 and 29 March 2015 requesting Council declare "Winchelsea an RV friendly town by allowing free camping along our beautiful Barwon River, thus attracting tourists and contributing to the economy of our town." The proposed site was on the Barwon River below the intersection of Mercer Street and Barwon Terrace, Winchelsea.

At the 23 June 2015 Council Meeting, Council resolved that further consultation must be done with the Winchelsea community in regards to an RV Friendly Parking area, in particular with the caravan park operator and surrounding land owners to the proposed site. A report on the consultation findings was requested at a Council meeting by December 2015.

Discussion

A consultation and community engagement plan was created to invite comment from the surrounding landowners. Council officers prepared a draft design of a proposed RV Friendly Parking area on the Barwon riverbank, considered and addressed any perceived risks and prepared a plan for consultation. The draft design, consultation flyer and FAQs are attached.

The concept (and ability to provide comment) was publicly advertised from 14 September 2015 until 5 October 2015. Three listening posts were held on 22 September, 1 and 5 October in Winchelsea.

This report summarises comment from:

- Local Residents
- Winchelsea Caravan Park
- Growing Winchelsea Inc. and other stakeholder groups
- Caravan & Motorhome Club of Australia (CMCA)
- RV Travellers
- Great Ocean Road Regional Tourism (GORRT)

Local Resident feedback

Approximately 40 local residents visited one of three listening posts and a further 14 residents either phoned or provided a written submission to make a comment on the proposed Winchelsea RV Friendly parking area.

The consultation period generated a total of 31 written submissions or consultation capture forms.

- 18 submissions were generally in favour of proposal
- 13 submissions were against the proposal

Broadly the majority of locals who provided comment were supportive of the proposal, however while many supported the concept of Winchelsea being declared an RV friendly town, only 6 submissions were in favour of the proposed RV friendly parking area at the identified site on the Barwon River.

The remaining submissions in favour of the proposal also expressed concerns about the RV parking area such as: not being in the right location, being impractical, costing too much, impacting on a beautiful area, wanting no work done to the area, being unsure of Council's capacity to enforce the area, feeling uncomfortable sharing a public space with campers, concerns about the regular flooding of the area, the need for an RV parking area to be near a dump point and suggestions on alternate sites that were considered more suitable in Winchelsea. Four respondents felt that any RV parking should be located at the existing caravan park in Winchelsea.

3.6 Winchelsea RV Friendly Town - Report on Consultation

The table below summarises the most common comments about the proposal from local residents. It should be noted that people provided more than one reason they liked or disliked the proposal:

Like	Don't Like	Other Comment
<ul style="list-style-type: none"> • In agreement/like idea (13) • Lovely natural area (12) • Might discourage undesirable visitors e.g. hoons (7) • Will attract more people (4) • Good for business (3) • Historic use with no problems (3) • Visitors will spend money (2) 	<ul style="list-style-type: none"> • Don't think it's right site (8) • Costs too much (8) • Needs to be designed differently (7) • Don't want any works done to site, just use it as is (x6) • Encroachment on public open space (6) • Strongly / vehemently opposed (5) • Would feel uncomfortable sharing public space with campers (5) 	<ul style="list-style-type: none"> • Dump point needs to be moved closer to site (7) • Needs bins nearby (3) • Winchelsea needs more caravan and long vehicle parking near shops • Consider alternate site such as Eastern Reserve, golf club, caravan park (4), Barwon Hotel, Hesse St near bowls club, Railway station, Ghee reserve

Winchelsea Caravan Park feedback

The operators of the Winchelsea Caravan Park were consulted with directly and subsequently provided a letter stating their objection to the proposal to provide free RV parking on the Barwon River.

The objection was on the basis of:

- the proposal is in direct competition to their business;
- money and resources would be better spent on other opportunities to develop Winchelsea;
- would restrict future potential tourism to this area.

The operators did however believe there is a demand for free RV parking in Winchelsea and as such expressed support for the concept of Winchelsea being recognised as an RV Friendly Town. While the caravan park is small, the operators confirmed a willingness in allocating a certain number of sites to 'RV Friendly parking' at a low cost to contribute to Winchelsea's capacity to cater for RV travellers. The Winchelsea Caravan Park could provide up to 3 RV friendly sites.

Growing Winchelsea and other stakeholders

The draft plans were presented to Growing Winchelsea Inc. at their annual general meeting on Wednesday 9 September 2015. General comments provided from the group were:

- a desire for 'informal' RV parking anywhere along the Barwon Riverbank;
- costs of the proposed plans were too high and proposed works were unnecessary.

Should informal RV parking be allowed along the Barwon Riverbank, there would be little ability to mitigate identified risks to the site and surrounding residents including noise, overcrowding, litter and waste, clear direction for enforcement, degradation of the riverbank and surrounding area, loss of public amenity. These risks could lead to a poor quality visitor experience and negative reactions from local residents. As such it is not recommended to pursue an informal camping concept.

The Barwon Hotel indicated they would be willing to trial allowing RV visitors to park on their land at low cost or no cost if a meal was purchased. The area is zoned commercial and could provide 3-4 RV Friendly parking sites once the planning permit was amended to allow the intended use.

The following organisations had no objections to the proposed RV Friendly Parking Area at the identified location:

- Department of Environment, Land, Water and Planning (DELWP)
- Corangamite Catchment Management Authority (CCMA)
- Country Fire Authority (CFA) Winchelsea
- Barwon River & Land Care Group

3.6 Winchelsea RV Friendly Town - Report on Consultation

Caravan & Motorhome Club of Australia (CMCA)

The Caravan & Motorhome Club of Australia (CMCA) is “the largest **RV Club** in the southern hemisphere” with over 66,000 members. The CMCA communicate regularly to RV Travellers via a monthly magazine and ‘free camp’ forums, administer an ‘RV Friendly Town’ program and provide advice to local government on RV Friendly parking areas.

The CMCA provided some good advice on the conditions of stay for an RV Friendly Parking area and were provided the draft proposal for comment. While they were supportive of Growing Winchelsea Inc. and Council in planning to cater for RV travellers, the proposed site was “a little on the small side for RV Friendly Town status” and as a guide “like to see a minimum of 10 spaces for RV parking”.

A member of the CMCA association that plans RV Parks attended one of the Listening Posts to advise:

- The proposed design is not practical for RV travellers and would be better as a long parallel park to allow ‘drive-in/drive-out’ access;
- The Barwon Riverbank area is a beautiful area that would be attractive to RV travellers;
- There were no other locations where there is an RVFT catering to just four vehicles. A small number of spaces like this would not generate much economic benefit for Winchelsea;
- The site was different to most RV Friendly Towns which provide RV Friendly Parking on the outskirts of the town;
- It could be possible for Winchelsea to be an RV Friendly town if a combination of low-cost and no-cost RV parking areas were provided;

Comment from RV Travellers

During the consultation period, the proposed Winchelsea RV Parking area plans and invitation to comment spread rapidly through Facebook and many Free-camp wikis and traveller forums. This generated an unprompted 51 email submissions over three days from RV travellers around Australia stating they would love to visit Winchelsea, stay and spend if an RV Friendly parking space was provided.

Great Ocean Road Regional Tourism

Great Ocean Road Regional Tourism convened a forum on 17th July 2015 with Councils, land managers and tourism stakeholders to discuss the regional challenges and opportunities of freedom / RV camping. While the forum did not generate a clear action or regional position, it was generally agreed that RV camping was beneficial for some areas and detrimental for others and that free camping should generally be discouraged in coastal areas.

Financial Implications

Indicative cost estimates to implement the RV Friendly Parking area on the Barwon Riverbank are up to \$39,500 for site establishment and \$39,700 annually as calculated in the table below.

	\$ initial cost estimate	\$ Annual cost estimate
Parking Area	\$14,000	\$7,000
Plants & H-Beams	\$900	\$ -
Parks Maintenance	\$2,000 ^	\$ 2,000
Signage	\$1,600	\$ 600
Cultural Heritage Management Plan	\$16,000	\$ -
Authorised officer response	\$ -	\$30,000 *
Bins	\$5,000	\$100
Total Costs	\$39,500	\$39,700

^ in addition to current maintenance

* allowance subject to annual review of demand and based on calculated wage costs for regular weekly inspections and enforcement.

3.6 Winchelsea RV Friendly Town - Report on Consultation

The costs estimates provided to the 23 June 2015 Council meeting (of \$65,500 to \$82,000 initially and \$31,100 to \$41,100 annually) have been significantly reduced. This was possible following more detailed designs, quotes and a desire from Growing Winchelsea Inc. to spend the least amount possible to deliver an RV Friendly parking area.

There is no provision in the 2015/ 2016 budget to create an RV Friendly Parking Area in Winchelsea. If supported, the proposal represents the provision of a new service not currently provided by Council.

Council Plan

Theme 2 Governance
Objective 2.5 Enhanced community engagement
Strategy 2.5.2 Provide opportunities for all members of the community to engage with Council on issues that matter to them.

Theme 5 Development and Growth
Objective 5.1 Protect productive farmland and support rural business
Strategy 5.1.2 Work with local businesses

Theme 5 Development and Growth
Objective 5.3 Develop and grow sustainable year round tourism
Strategy 5.3.2 Facilitate product development to enhance the visitor experience and in particular develop off beach products both infrastructure and business.

Policy/Legal Implications

The entire site is Crown land (back to the alignment of Barwon Terrace) reserved for Public Purposes and is under the control of Surf Coast Shire (SCS) as the appointed Committee of Management (CoM). All Crown land regulations relating to the reserve were revoked in 2000 so there is no impediment from a regulation perspective that would conflict with the proposed RV Parking use.

The Department of Environment, Land, Water & Planning (DELWP) has no objection to the proposed use and Council as the CoM can undertake a trial. No further approval is required from DELWP and if Council chooses to proceed, it can utilise local laws to control the activity.

The Corangamite Catchment Management Authority (CCMA) have provided in principle support for the proposal.

No planning permit is required to create an RV Friendly parking area vehicles in this instance.

Regulatory Considerations

Staying overnight in car parks and on the roadside is illegal and has been identified as an issue in Surf Coast Shire between Torquay and Lorne. Policing of illegal roadside camping and sleeping in vehicles is undertaken via Community Amenity Local Law 1 of 2011: 4.6 and 4.8.

An area can be designated under resolution of Council to be available for camping under section 4.6 of the Local Law. In deciding whether to grant a permit under this clause, Council must consider the following:

- (a) The location of the land;
- (b) The statutory planning requirements relevant to the land;
- (c) The suitability of the land for camping;
- (d) The number of persons or other structures to be located or accommodated on the land;
- (e) The length of time the tents and other structures will be erected on the land;
- (f) The availability of sanitary facilities to the land;
- (g) The likely damage to be caused;
- (h) The likely impact on nearby residents;
- (i) Council policy; and
- (j) Any other matter relevant to the circumstances of the application.

Other Regulations that need to be considered prior to implementing a facility are below:

- Crown Land (Reserves) Act 1978
- The Land Act 1958

3.6 Winchelsea RV Friendly Town - Report on Consultation

- The Local Government Act 1989
- The Country Fire Authority Act 1958
- The Occupational Health and Safety Act 2004
- The Environment Protection Act 1997

Officer Direct or Indirect Interest

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

Risk Assessment

Key risks in relation to an RV Friendly parking area include:

- Potential for negative impact on the existing caravan park in Winchelsea and the aspect of competitive neutrality. Competitive neutrality identifies that government cannot use its cost advantages to disadvantage the operation of private businesses. E.g. A private holiday park cannot compete with council on providing free accommodation due to their operational costs (rates, taxes and return on investment requirements). The existence of the caravan park in Winchelsea may elevate the need to consider competitive neutrality in regards to the proposal. The Victorian Competitive and Efficiency Commission (VCEC) is the responsible body that investigates complaints of this nature.
- High ongoing costs of maintaining a site outweigh the positive impact of additional expenditure.
- Potential reduction in public amenity due to noise and litter.
- Increased number of complaints from the local community.
- Council's reputation is diminished if the proposal is not supported.
- Doing nothing does not assist the Winchelsea economy to grow.
- Concerns about enforcement and ability to be proactive to respond to any issues that arise from the site.

Social Considerations

The following social considerations need to be factored into a decision. In some cases the provision of infrastructure will minimise the potential occurrence.

- Litter – caused by people camping.
- Human waste – caused due to lack of nearby toilet facilities.
- Noise – caused by inappropriate gatherings (parties) or generators.
- Alcohol consumption.
- Lighting.
- Could attract an unintended markets such as squatters, campers in tents (short or long term) or Mass gatherings (parties).

Community Engagement

A community engagement plan was developed and divided into two stages. The first stage was to form an internal working group of Council officers from all relevant areas to define the scope of the proposal, address any perceived risks and prepare a plan for consultation. The second stage of engagement was to consult with key stakeholders, in particular the surrounding landowners and the Winchelsea Caravan Park.

The information was advertised from 14 September 2015 until 5 October 2015 in Surf Coast Times, Winchelsea Star, Colac Herald, Surf Coast Shire Website & Facebook and posters in local noticeboards and businesses. A letter including the proposal was sent to all residents in the area bordered by Austin Street, Hesse Street and Willis Street (Princes Highway) inviting them to three listening posts held in the local area during the consultation period on 22 September, 1 and 5 October in Winchelsea.

Key stakeholders such as the Department of Environment, Land, Water and Planning (DELWP), the Corangamite Catchment Management Authority (CCMA), Growing Winchelsea Inc., Caravan and Motorhome Club of Australia (CMCA), Barwon River Land and River Care Group were kept informed and invited to comment.

Environmental Implications

Independent advice was sought from a cultural heritage adviser who advised that the proposal would qualify as a high impact activity and therefore a Cultural Heritage Management Plan is required. The proposed RV friendly parking area is located next to a protected site and is within 200m of the Barwon River.

3.6 Winchelsea RV Friendly Town - Report on Consultation

The Barwon Land and River Care Group did not report any significant concerns in relation to the proposal.

Communication

Growing Winchelsea Inc. will be receive a letter advising of the outcome of their petition, Winchelsea residents and the general public will be informed by a media release. Council officers will work with Growing Winchelsea Inc. and commercial businesses to develop marketing material promoting RV friendly sites in Winchelsea.

Conclusion

Consultation with Winchelsea residents regarding the proposed RV Friendly parking concept reveals support for the idea of Winchelsea becoming an RV Friendly town. However, there is mixed support on the proposed location and costs.

While no objections were received from key stakeholders, the Caravan & Motorhome Club of Australia (CMCA) advises the proposed RV Friendly Parking area is too small and, on its own, would not qualify Winchelsea for RV Friendly Town status.

The Winchelsea Caravan Park is opposed to the proposal for RV Friendly parking to be implemented on the Barwon Riverbank as it is in direct opposition to their business. The Caravan Park and the Barwon Hotel are both willing, and have capacity, to provide RV Friendly sites within their premises to assist Winchelsea on a path to becoming RV Friendly.

This option provides Council with an opportunity to work with local businesses to generate greater yield (length of stay and expenditure by visitors) for Winchelsea at little cost to Council.

While it is possible that Winchelsea may not be declared RV Friendly, the demand for RV parking areas can be tested over a period of 12 months via regular contact with the businesses involved. Marketing collateral can be produced to promote the sites.

4. CULTURE & COMMUNITY

4.1 Aquatic and Health Centre

Author's Title: Manager Community Relations

General Manager: Chris Pike

Department: Community

File No: F12/1449

Division: Culture & Community

Trim No: IC15/483

Appendix:

1. Final JWS Research Report Surf Coast Shire Aquatic Centre (D15/75033)
2. Capire Report - Aquatic and Health Centre Community Forums - 2015 (D15/108291)
3. Complete Record of Verbatim Comments on Aquatic and Health Centre (D15/98593) (separately enclosed)

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 the findings of Council's Testing the Water (Aquatic and Health Centre) consultation process and determine the next course of action.

Summary

Council has considered the topic of an aquatic facility on numerous occasions in the last 20 years. In the last few months Council has tested with the community a concept and funding model for an aquatic and health facility.

The concept has triggered extensive feedback from over 1000 people. Consideration of this feedback finds that:

- On balance an aquatic and health centre as a concept is a good thing for our community.
- Most people do not believe the facility provides sufficient benefit and do not wish to pay for it now or in the future.
- A minority of people do believe it will benefit them but that Council should find a way to provide a facility that costs them less.

Whilst alternative options to deliver a facility could be explored, the recommended option recognises that the community does not wish Council to invest further in exploring an aquatic facility at this time. It does assume, however, that the project could be a longer-term proposition and so Council would do well to collaborate with the City of Greater Geelong (CoGG) regarding its plans for an aquatic facility in Armstrong Creek (at least 15 years away). There is an opportunity to develop a shared, longer-term view by participating in CoGG's refresh of its Aquatic Strategy.

Given the potential for an aquatic facility to be considered in the future, it is recommended that Council retain sufficient land for this purpose within the Community and Civic Precinct in North Torquay.

Recommendation

That Council:

1. Note and acknowledge the extensive feedback provided by members of the community on Council's proposed model for an aquatic and health facility.
2. Note that whilst the development and operation of an aquatic and health centre would offer benefits to some in the community, the majority of people's views indicates that a facility is not desired at this time and that Council should focus on other priorities.
3. Having considered all views in the community do not undertake any further planning for an aquatic and health centre at this time.
4. Note that no allowance is made for an aquatic and health centre in Council's long-term financial plan.
5. Mindful of the potential to consider a facility in the longer-term, retain sufficient land for an aquatic

4.1 Aquatic and Health Centre

and health centre within the Community and Civic Precinct in North Torquay.

6. Remain open to proposals from private parties to develop and operate an aquatic and health centre on Council-owned land.
7. Note the feedback received through the consultation process that Council should work closely with the City of Greater Geelong in considering the development of future aquatic infrastructure that will potentially serve communities in both municipalities.
8. Allocate \$5,000 from the Accumulated Unallocated Cash Reserve to participate in the City of Greater Geelong's refresh of its Aquatic Strategy to develop a shared-view of the longer-term aquatic and health needs of communities in the growth areas of Torquay, Winchelsea and Armstrong Creek.

4.1 Aquatic and Health Centre

Report

Background

For many years, Council has undertaken strategic planning in relation to the feasibility of an Aquatic Leisure Centre in Torquay including reports in 1995 and 1998 (Jeavons & Jeavons 1995, and Michael King & Associates 1998).

In 2009, the Shire received a petition from the Surf Coast Community Leisure Centre Action Group containing approximately 2000 signatures. The petition sought the development of a leisure centre with aquatic facilities and associated active recreation facilities such as a gymnasium.

Council completed the Surf Coast Aquatic and Leisure Centre Feasibility Study in November 2009. This feasibility study recommended that Council should not consider the development of an Indoor Aquatic and Leisure Centre until at least the end of the 2015 financial year. At this time, Council resolved to:

1. Recommend to the Community Precinct Land Opportunity Study that the site location recommended in the Aquatic Leisure Centre Feasibility Study (North East parcel of the Community and Civic Precinct, Nth Torquay) be reserved for future aquatic needs.
2. Investigate possible private investment and other possible partnerships in an aquatic facility on the recommended site.
3. Continue discussions with State and Federal Governments on the future of aquatic facilities on the Surf Coast.

In August 2012, Council took steps to secure land availability for an Aquatic / Healthy Living Facility and resolved to:

1. Work with the City of Greater Geelong (CoGG), Department of Planning and Community Development (DPCD), State Regional Victoria (SRV) and G21 Region Alliance on a regional Aquatic facility in Armstrong Creek – North Torquay.
2. Reserve the parcel of land identified in the Civic Precinct Opportunity Study Plan, being the North East corner of the site for a future swimming pool/aquatic/healthy living facility pending the outcome of Number 1.
3. Explore alternative funding scenarios or incentives that limit Council's risk such as but not limited to, public private partnerships or subsidised land lease arrangements.
4. Actively explore possible partnerships with health and leisure service providers.
5. Continue working with the Surf Coast Community Leisure Centre Action Group to find a solution to the lack of community aquatic facilities in Torquay.

After this resolution, Surf Coast Shire Officers met with relevant staff from CoGG. At this time, staff from CoGG indicated that they will be developing a sub-region facility at Armstrong Creek incorporating a 25m swimming pool, 3 court stadium and a sports and entertainment centre that can hold a capacity of 3,000 people. CoGG officers estimated that the facility will be built at Armstrong creek in a 10-15 year period from 2009

In July 2013, Council established an Aquatic and Leisure Taskforce to keep an open dialogue with the community about an aquatic facility. The Taskforce comprised of four serving Councillors and six community members. The Taskforce Terms of Reference stated that community members should have a keen interest in this proposal and is a mix of (gender, age range and place of residence, including specialist skills such as finance, a member from the local Residents association and a representative from the Surf Coast Aquatic Centre Action Group).

The Taskforce worked with Council in an advisory capacity to provide input and guidance on a proposed Surf Coast Aquatic and Leisure Centre. The Taskforce provided advice to Council on a number of options for consideration in the development of such a facility. The Taskforce produced a report that was received by Council in September 2014. This report recommended a Health, Wellness and Education model (Scenario Two) because it services the broad needs of the community from infants to older people; it would optimise the balance between operating cost and revenue; has better potential to attract government capital funding and is consistent with Council's health and wellness strategic vision.

The Taskforce report revealed the annual average cost of providing a centre based on scenario two is estimated to be \$1.989m. This figure is based on developing a centre that costs \$28.9million to build.

4.1 Aquatic and Health Centre

These costs would be dependent on a number of factors outlined in the Taskforce report including the design of the centre, assumptions about visitation rates and the level of Council borrowings used to fund the project.

The Taskforce recommended that Council “undertakes a comprehensive community consultation process to determine the level of informed support for investing ratepayer funds in an aquatic centre”.

After considering this report at its September 2014 meeting, Council thanked Taskforce members and resolved to:

1. Undertake further analysis of the implications of the Taskforce’s preferred model on Council’s financial position and forward capital works program.
2. Develop a community engagement plan to test the level of informed community support for investing ratepayer funds in an aquatic centre.

Analysis of Council’s financial position has continued since September 2014. The newly elected State Government committed to pursue rate capping of Victorian Councils in November 2014. This policy change limits local government’s ability to increase rates above a set percentage which is expected to be confirmed in late 2015. Council is continuing to understand what this will mean for its financial sustainability for the future. If current predictions become reality rate capping is estimated to reduce Council’s revenue by over \$100m over 15 years. Council is also facing financial pressure as a result of the Commonwealth Government’s 3 year freezing of Financial Assistance Grants (calculated to reduce Council’s revenue by over \$5m over 15 years).

Council developed a communication and community engagement process in June 2015 to test the level of informed community support for investing ratepayer funds in an aquatic facility. Council resolved to:

1. Commence an education campaign which explains the financial implications of a potential investment in an aquatic facility based on the recommended model from the Aquatic Taskforce.
2. Commence a community consultation process in July to test the level of informed community support for investing ratepayer funds in an aquatic facility. The consultation process will include:
 - open community consultation and;
 - targeted contact with a random stratified sample of the Surf Coast community.
3. Invite members of the Aquatic and Leisure Centre Taskforce to participate in the further development of the community consultation process.
4. Undertake further community consultation later in 2015 to explain the financial implications and test the level of informed community support for other aspirational investments.

The table below described the engagement process that was undertaken between July and December 2015.

July	August	September	Nov - Dec
Commence Education and Communication Campaign	Market research of a representative community sample	Community forums Open submission period	Reports prepared Council briefing and meeting

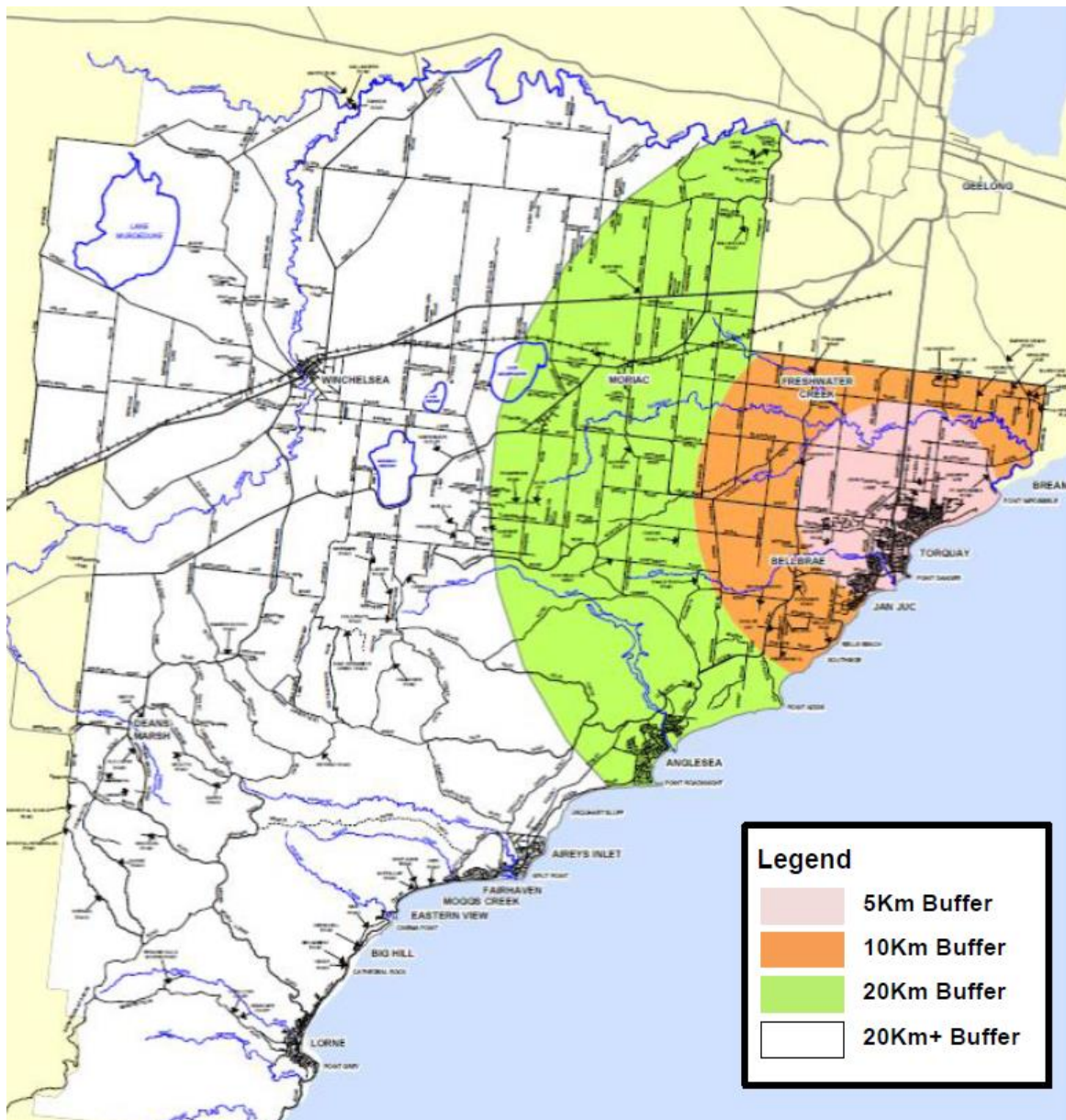
Discussion

Understanding the level of informed community support for investing ratepayer funds in an aquatic facility was central to the education and engagement process. Given the expenditure (capital and operational) and income anticipated in scenario two of the Taskforce Report, Council would need to borrow \$21.68 million to fund an Aquatic and Health Centre.

Council proposed a funding model where ratepayers may contribute to the capital costs through a special charge scheme to fund this loan. This special charge may remain in place for 20 years. A special charge model is founded on the principle that those who receive the most benefit from the facility pay more to the scheme than those deriving less benefit. In this case those who live closest to an Aquatic Facility may be asked to pay more, with the cost per ratepayer decreasing the further you live from the facility.

The funding proposition stated that a special charge between \$20 and \$150 per year would be added to rates bills each year for 20 years by which time the loan would be repaid. The special charge would be set according to ratepayers’ proximity to an aquatic and health centre as shown in the following map.

4.1 Aquatic and Health Centre



Distance from proposed facility	Proposed Special Charge
Within 5km	\$150
5-10km	\$100
10-20 km	\$60
More than 20km	\$20

The model proposed operational costs may be funded through a unique 2.75% rate increase. The increase would occur once and then always remain in the rate base. The funding proposal assumed users of the facility would also pay usage charges to contribute to the operating costs.

The education and engagement process was titled 'Testing the Water' and it commenced in July 2015.

Targeted Engagement

The targeted engagement with a random stratified sample of the Surf Coast community was a ratepayer telephone survey representative of where people own properties across the municipality.

This survey was conducted as a 10 minute telephone survey, in the period of 6 to 13 August. 600 Surf Coast Shire ratepayers were surveyed including 400 permanent ratepayers and 200 non-permanent ratepayers. Ratepayers were randomly selected from the Surf Coast Shire database.

4.1 Aquatic and Health Centre

Key findings:

There were four times in the survey when ratepayers were asked “do you strongly support, somewhat support, neither support nor oppose, somewhat oppose or strongly oppose building an aquatic and health centre in Torquay?”

The results are as follows:

1. **Initial** - before proposed cost to ratepayer is stated
 Initial support for the proposal to fund an Aquatic and Health centre was 44% and initial opposition was 35%. As many were strongly against the proposed centre (24%) as were strongly supportive (23%).
2. **In Principle Cost** - after interviewee is made aware of the proposed increased cost to ratepayer
 Support for the proposed aquatic centre declined upon in-principle consideration of increased cost to ratepayers over a 20 year period to pay for the centre. 30% of ratepayers support the proposal based on this in-principle consideration, while opposition increased to 65%, with most (52%) strongly opposed.
3. **Individualised Cost** - after interviewee is made aware of the proposed individualised cost based on where they live.
 Support declines further when ratepayers were asked if they support the proposal based on the individualised amount of the special charge and rate increase calculated on their specific property location. 25% of ratepayers supported the proposal based on their individualised charge, whilst 70% are opposed, 55% strongly so.
4. **Considered** - after costs are known and interview is made aware of the benefits associated with an aquatic and health facility

Upon prompting with a range of potential benefits and concerns in relation to the proposed facility, support was at 37%, while 54% continued to oppose it. On a considered basis, more (40%) strongly oppose the centre, than support it overall (37%), with ratepayers within a 0-5km radius of the location of the proposed centre delivering the only majority support (51%).

The full market research report is included as Appendix 1.

Open Community Consultation

Community Forums

Five community forums were held with interested groups and individuals from across the municipality. Forums took place in Torquay, Anglesea, Lorne, Winchelsea and Jan Jun. 368 people attended these forums.

The community forums were designed to provide the Surf Coast community with an opportunity to learn more about the proposal and related funding model; to ask questions to key representatives of Council; and to express ideas, concerns and/or opinions.

The format of each session differed slightly, depending on the number and needs of participants. Despite this, engagement objectives for the forums were applied consistently across all five.

There is a full report detailing the community forums in Appendix 2. The table below is a brief summary of the community forums.

Location	Attendees	Forum Description
Torquay	80	Mix of views and reasons for attending. Range of ages.
Anglesea	46	Predominantly against proposal. Mature age range.
Lorne	104	Passionate views against the proposal and any further planning for an aquatic facility. No support to have information presented. Mature age range.
Winchelsea	105	Predominantly against proposal. Range of ages – predominantly mature.

4.1 Aquatic and Health Centre

Jan Juc	35	Many supported an aquatic facility but opposed the funding proposal. Range of ages attending. Many people attending a second forum.
<u>Total</u>	<u>370</u>	

Written Submissions

The 'Testing the Water' email address (testingthewater@surfcoast.vic.gov.au) was established to provide an opportunity for community members to ask questions and express their views throughout the engagement phase, to complement the community engagement forums and phone survey.

An online submission form was promoted via a mail-out to all non-resident rate payers during September, and was advertised to the broader community through social media, press advertising and Council's website. The communication campaign advised community members that the opinion gained would inform Council's decision on future steps for an Aquatic and Health Centre. At the time of opening these open consultation channels, participants were not informed all submissions would be shared publically. The quantity and content of the submissions are the reasons that they are shared anonymously through this report to meet the interest of the public and to provide greater transparency to Council decision making.

There is a full report of de-identified written submissions in Appendix 3. The following is a summary of the community feedback received from community members who contributed feedback via email and the online submission form.

Petitions

Council received four petitions in opposition to the model:

- Enclose Winchelsea Swimming Pool with a roof - open pool all year (574 signatures). Tabled at September Council Meeting. Council response at October Council Meeting opted not to proceed with that proposal.
- Against an increase in rates and charges to fund an Aquatic and Health Centre in Torquay (323 signatures). Tabled at September Council Meeting. Council response at October Council Meeting. This report addresses the substance of that petition.
- Ratepayers in Lorne opposing the funding model for an Aquatic facility (35 signatures). Tabled at September Council Meeting. Council response at October Council Meeting. This report addresses the substance of that petition.
- Opposing increased rates and charges to fund an Aquatic Centre at Torquay (238 signatures). Tabled at October Council Meeting. This report serves as a formal response to that petition.

Breakdown of community opinion

More than 820 emails were received through the 'Testing the Water' email address. Of these, approximately 500 were registered as unique submissions (the others were made up of duplicate emails, acknowledgement responses, follow up discussion etc). More than 60 additional comments were received through other Council email addresses and via letter.

In addition, 320 submissions were received via the online submission form.

The feedback can be grouped into categories and percentages applied given the numbers of submission that fit into these categories:

- | | |
|--|-----|
| • Supports the centre but not the funding proposal | 10% |
| • Support for the centre and the funding proposal | 9% |
| • Does not support the facility in any form | 47% |
| • Does not support the funding proposal and has no stated position on the centre | 28% |
| • Questions and replies | 6% |

Caution is advised when interpreting these results. The submissions were gathered through an open comments process, not a poll or survey with set options. The comments received have been grouped into the above categories, for reporting purposes only. Surf Coast Shire Officers have grouped the comments according to which category they best fit into. This enables themes to be identified and helps the reader to summarise the verbatim comments.

4.1 Aquatic and Health Centre

Summary of verbatim comments

The following are a summary of comments received. The comments are arranged according to whether they support the centre, oppose the centre or provide suggestions for a re-scoped proposal, or other relevant comment.

Opposition to the facility

The following are some of the key comments received that are in opposition to an aquatic centre:

- Not an appropriate use of such a significant amount of money
- Insufficient revenue for the project to be viable
- Too much focus on facilities for Torquay
- Of minimal/no benefit to communities outside the Torquay/Jan Juc area
- Council should focus on core business, not providing this type of facility
- Existing facilities (eg. In City of Greater Geelong) are reasonably accessible and satisfactory to meet needs
- Future plans for an Armstrong Creek facility make a pool in Torquay unnecessary
- Borrowing funds for this facility would limit Council's ability to borrow funds for other projects in the future
- Non-resident, or part time residents, were highly likely to oppose the proposal citing a lack of direct benefit.

Support for the facility

The following are key points raised in favour of the centre:

- Large numbers of locals take part in swim school/lessons
- There is a risk of drowning if people don't have access to local public swim lessons
- Aquatic centres deliver health and wellbeing benefits to all ages
- An aquatic centre could add to the tourism infrastructure in the Shire.
- There is a need to plan now for future growth
- Other towns of similar size have access to local aquatic centre
- Community members have been requesting an aquatic facility for a long time
- Community members in Torquay and Jan Juc were more likely to be in favour of the facility.

Suggestions for re-scoping the project or other suggestions

The following are comments that call for a re-scoped proposal:

- Investigate private sector funding for aquatic centre
- Investigate additional grant funds for aquatic centre
- Investigate partnership with health provider
- Take over and redevelop existing privately operated centre
- Funding model is unfair and divisive
- More specific 'user-pays' funding model to be devised
- Re-scope the project to reduce cost of aquatic centre
- Invest in design process so the project can be accurately costed
- 50 metre pool is required to allow for competitions and school carnivals
- Relocate centre to an alternative location within the shire
- Upgrade for pool in Winchelsea
- Enclose and heat Lorne pool

Analysing the Consultation Data

Based on the work of the Taskforce and the consultation process what have we learned about two questions?

1. Is an aquatic and health centre considered a good thing for our community?
 - This is not as clear cut as people might expect. Council's phone survey discovered that the big supporters of this kind of facility were those who already swam. It's possible to extend this to a broader group of people who already make use of or would like to make use of a public facility, particularly in Torquay/Jan Juc. There was evidence in the consultation period that those in communities with pools (such as Lorne and Winchelsea) see value in these kinds of facilities. However, many comments were received that this kind of facility is unnecessary given the

4.1 Aquatic and Health Centre

proximity of the ocean, the presence of existing private facilities and proximity to facilities in Geelong.

- There is clear evidence of a level of demand for such a facility by virtue of the numbers of people using existing facilities either in the shire or in Geelong.
- There are other things that we know about our community that suggest a facility would be a good thing. Our community is very active yet we know that some exercise/therapeutic needs are not being met. The presence of the ocean means some, particularly the young, would benefit from learning to swim in a controlled environment. We know that the biggest users of aquatic and health facilities are children and older people and these age groups are set to be the main growth cohorts in Torquay and Jan Juc over the next 20 years.
- Finally, as the Taskforce acknowledged in its report in 2014, there is much evidence of the preventative and therapeutic health benefits of aquatic centres.

2. Does the community want a pool?

- Here there would appear to be two intertwined lines of thought based on two further questions:
 - Will it benefit me and those close to me?
 - Drivers appeared to be whether people were or would be users of this kind of facility and whether its location would be beneficial to them or their family.
 - Most did not see benefits for themselves.
 - Those who did not see benefits in the concept generally fell into one of the following categories:
 - It's too far away
 - Not interested in these kind of indoor swimming and health activities, prefer doing other things
 - My needs are already catered for by existing facilities
 - Those who saw benefit in the concept generally fell into one of the following categories:
 - Already using facilities further away, typically Waurn Ponds
 - Existing facilities don't or won't in the future meet my or my family's needs
 - Unable to get to other facilities due to cost or location but would use a local centre
 - How much will it cost me?
 - Very few people felt that the funding model was satisfactory.
 - Those who saw benefits for themselves or their families generally felt that there ought to be ways for them to enjoy these benefits without it costing them or others as much as was proposed by the funding model.
 - Those who did not see benefits for themselves or their families were generally against bearing any cost for a facility that they would not use. This was a dominant view.
- It is noted that Council already has a large financial obligation to deliver the Torquay / Jan Juc Developer Contributions Plan (DCP); this was adopted in 2011 and does not include an aquatic facility within the 45 projects. In a financially constrained environment, Council will be increasingly challenged to deliver even the DCP. It is also noted the DCP projects are all in Torquay / Jan Juc, meaning that further investment in Torquay may result in limited funds available for priorities elsewhere in the shire.
- It has also been expressed that given rate capping will have a dramatic impact on Council's long term financial planning, it would be appropriate to first understand how this change emerges before making a commitment of this scale.
- It was uncommon to read or hear statements from people who saw little benefit for themselves but who still praised the virtues of a facility for the broader good of the community.

In summary:

- On balance an aquatic and health centre as a concept is a good thing for our community.
- Most people do not believe it is of sufficient benefit to them and do not wish to pay for it now or in the future.
- A minority of people do believe it will benefit them but that Council should find a way to provide a facility that costs them less.

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On that basis many would suggest that this should be the end of the matter and that Council should turn its attention to other priorities across the shire. However, for a complete assessment of Council's options it is necessary to consider if there are alternative options which are fairer (i.e. those who benefit should pay) and cost the community less.

An Alternative Model

Feedback and our understanding of aquatic facilities indicates that a project that could be supported by the majority of the community would need to:

- Be in a location to primarily service the shire's largest population centre, being Torquay/Jan Juc
- Cost those living outside of Torquay/Jan Juc nothing (initial and ongoing costs)
- Cost those living in Torquay/Jan Juc substantially less than the proposed model
- Provide a similar offering to facilities available in the City of Greater Geelong but be sufficiently different to what is presently available in private facilities in Torquay

To achieve this, some combination of the following elements would be required:

Build it

- Reduce the additional Council funds required to construct a facility to a level consistent with Council's history of expenditure on capital projects (\$3-10m):
 - Change the scope and design of the facility to make it cheaper to build.
 - Extend the partnership with other capital investors such as State and Federal Governments (increased grants), private sector organisations, community, City of Greater Geelong.
 - Redirect funds currently committed to other projects (e.g. revisit the Torquay/Jan Juc Developer Contribution Plan, include an aquatic facility in the Spring Creek Developer Contribution Plan, draw down Council cash reserves set aside for other purposes) or sell underutilised assets.
 - Integrate the facility with another. The most obvious example is the proposed indoor sports stadium which would share components such as changing rooms, reception and staff spaces. An alternative option is to look at some kind of partnership with a surfing-related facility such as a wave pool.
 - Purchase an existing private facility such as The Sands.
- Reduce Council's cost of borrowing:
 - Reducing the size of the loan (covered by options above)
 - Achieve best possible borrowing terms to minimise annual cost (e.g. increase the term of the loan, fix lowest possible interest rate)
- Alternate assumptions for funding Council's borrowing costs:
 - A special charge scheme would need to be restricted to Torquay/Jan Juc, noting that this would be subject to majority support. Support for the scheme would be sensitive to the size of the charge.
 - Special charges typically fund a proportion of the cost of a project, with the balance coming from external sources and Council via general expenditure (funded by rates). This approach is reflected in Council's current policy and practice regarding special charge schemes. Feedback would indicate that only a minimal or zero proportion from general Council expenditure would be acceptable.

Run it

- Reduce the operating cost
 - Change the scope and design of the facility to make it cheaper to run.
 - Do not recognise the need for the facility to fund depreciation and accordingly make no allowance for future renewal works.
 - Ensure growth assumptions are fully factored into calculations.
 - Cost of running a facility would have to be drawn from general rates consistent with other services that Council subsidises.

Use it

- Users pay to use the facility:

4.1 Aquatic and Health Centre

- User charges are susceptible to people's preparedness to pay and the value they feel they are getting relative to competitor products. Setting charges too high could have the effect of reducing use for the facility as people are either priced out or choose to use other facilities.
- Resident/ratepayer discounts would likely be not feasible due to the negative impact on operating revenue.

The relationship between size and cost to run

Note that there is an important interplay between the size of the facility and the cost to run it. For example, the 2014 Taskforce report provided two further options to that recommended, both of which had smaller footprints with fewer components. The average annual operating deficit (excluding depreciation) was between 100 and 400 per cent higher for these two options.

City of Greater Geelong (CoGG)

The feedback regarding the opportunity of working closely with CoGG was not surprising. This was considered an avenue of investigation the last time Council considered the topic of an aquatic facility.

CoGG has plans to deliver a facility similar in scope to the model proposed by the taskforce and smaller than the regional facility at Waurin Ponds. This is considered to be at least 15 years away and is not included in the Armstrong Creek Developer Contributions Plan (which will deliver other community infrastructure).

There are reasons why members of the Surf Coast community might suggest focusing attention on the opportunity presented by a CoGG facility that is close to Torquay:

- Would be closer than Waurin Ponds so could consider Torquay/Jan Juc as being within its catchment and avoid Council having to build its own facility.
- A joint project between CoGG and Council could deliver a single facility, potentially of a regional standard either in Armstrong Creek or Torquay. This would increase the likelihood of obtaining larger government funding commitments.

Discussions with CoGG have revealed that it intends to refresh its Aquatic Strategy very shortly. This presents an opportunity for Torquay/Jan Juc aquatic requirements to be considered as well as the possibility of some kind of partnership project in the longer-term. A small financial contribution of \$5,000 would enable the project to widen its focus to encompass Torquay/Jan Juc needs. This work could also include consideration of the Winchelsea pool in relation to pools within the Geelong region. CoGG has indicated that a proposal to expand the scope of this analysis would be well-received.

Collaboration between Councils on strategic planning and operational matters is rightly seen as essential in meeting community needs at an affordable cost. This approach is likely to become even more important given the introduction of rate capping and the resultant constraints on funds available for discretionary capital projects. Collaborating with CoGG on this project represents an excellent opportunity for both councils and the community at large.

Options for Next Steps

Taking all factors into account, four options are presented below.

Option 1 – No further action

Cease work on this project altogether – no further investigations into an aquatic and health facility until such time that the community identifies this as a priority project for Torquay.

This option represents a view that an aquatic facility is not a priority for the community as a whole and that Council should not put any further time or resources into this project at a cost to other priorities. It would appeal to most of those outside of Torquay/Jan Juc along with those in Torquay/Jan Juc that would rather see Council focus on other projects and/or curb its spending. It would disappoint those in favour of a facility, most of whom would like to see Council find another way to make the project viable and affordable.

This option also allows the impacts of rate capping to unfold before Council potentially makes a commitment of this scale. Council is also at this time updating its Long Term Financial Plan, in particular to take into account rate capping and to confirm the funding for meeting its large DCP commitments.

4.1 Aquatic and Health Centre

This option is not recommended as it foregoes an opportunity to establish a formal connection with CoGG on the matter of meeting the community's aquatic and health needs in the longer-term.

Option 2 – No further action except for contribution to CoGG Aquatic Strategy refresh

Cease work on this project except for a contribution of \$5,000 to CoGG to ensure that the Torquay/Jan Juc opportunity is considered within the CoGG's Aquatic Strategy.

This option recognises that the community does not wish Council to invest further in exploring an aquatic facility at this time. It does assume, however, that the project could be a longer-term proposition. It assumes that Council would likely consider the need for a facility some years into the future and in doing so would do well to collaborate with CoGG regarding its Armstrong Creek plans. Therefore starting that process now by gaining recognition of the issue in CoGG's Aquatic Strategy would be a worthwhile move.

This option would satisfy/disappoint in a similar way to Option 1 albeit it would potentially open up longer-term opportunities to address the needs of some current and future residents.

This option supports the need for Council collaboration to ensure the best outcomes for the community, particularly in response to rate capping. It also allows time for Council's long term financial planning to adapt to an environment with reduced revenue. It leaves open the opportunity for private organisations to approach Council with their own proposals.

This option is recommended as it reflects the weight of views obtained via the community consultation period. It also establishes a formal connection with CoGG on the matter of meeting the community's aquatic and health needs in the longer-term.

Option 3 – Explore other options in 2016/17, contribute to CoGG Aquatic Strategy refresh

Consider a project proposal in the 2016/17 budget process to undertake work to develop alternative options to deliver a facility. The scope of works could include:

- Establishment of parameters for a project including:
 - An upper limit on the amount Council would contribute towards construction
 - An upper limit on the amount Council would contribute towards operations, including an allowance for future renewal works
- Development of alternative designs
- Undertake market research to refine assumptions such as patronage
- Undertake market testing to gauge interest and requirements of private investors
- Exploration of innovations in user pays and other funding methods
- Facilitate community to explore fundraising opportunities
- Explore the inclusion of a facility in a Developer Contributions Plan
- Undertake due diligence on opportunities associated with existing private facilities
- Undertake fresh financial modelling including Council funding options
- Test the priority of this project relative to other projects
- Further community consultation on some or all of the above

Council would also commit \$5,000 to CoGG to ensure that Torquay/Jan Juc requirements and the potential for collaboration are factored into CoGG's Aquatic Strategy.

This option works on the assumption that Council and the community need to be better informed on all possibilities to deliver a facility within certain parameters. This option assumes that Council is committed to finding the best way to deliver a facility. It would be supported by those in favour of a facility but would disappoint those that believe enough time and resources have gone into the concept already. The findings of the study would not be ready in time to enable Council to have the project considered as a Federal Election funding opportunity.

This option is not recommended as it does not reflect the weight of views obtained via the community consultation period.

4.1 Aquatic and Health Centre

Option 4 – Explore other options now

Allocate \$100,000 from the Accumulated Unallocated Cash reserve to undertake work to develop alternative options to deliver a facility. This would have the same scope as Option 3 but would aim to deliver options to Council by the middle of 2016 and potentially in time to be considered as a Federal Election funding opportunity. This would gain further support over Option 3 from those in favour of a facility due to the opportunity to potentially take advantage of the Federal Election campaign. This approach would disappoint those who believe that no further work should be take place.

It should also be noted that Council's 2016/17 Budget forecast utilises Council's unallocated cash and any further allocations would reduce funds available for other expenditure priorities in the next financial year.

This option is not recommended as it does not reflect the weight of views obtained via the community consultation period.

Financial Implications

\$56,500 has been spent on the Testing the Water consultation process mainly consisting of the phone survey, support for the community forums and notifying residents and ratepayers of the project. In addition indirect costs (mostly staff time) have been funded within annual operating budgets.

The costs of building and operating a facility are a key factor in the feedback received with a resounding rejection of the model proposed by Council.

Council Plan

Theme 3 Communities
Objective 3.3 Preservation of peaceful, safe and healthy environments
Strategy 3.3.6 Maintain, enhance and develop community and recreational facilities to improve community wellbeing.

Theme 4 Infrastructure
Objective 4.1 Allocation of infrastructure according to need
Strategy 4.1.2 Utilisation of community demographics to determine future infrastructure needs.

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

Council does not have an aquatics policy or strategy. The Health and Wellbeing Plan recognises the benefits of physical activity.

The Testing the Water consultation process has been designed and conducted in accordance with Council's Communications and Community Engagement Strategy (further information below).

Officer Direct or Indirect Interest

No officers involved in preparing this report have a conflict of interest.

Risk Assessment

Opportunity and risk has been a central tenet of the Testing the Water process. Council has endeavoured to transparently share all available information regarding the concept of an aquatic and health centre.

A number of risks are at play in considering Council's next move:

- Health and wellbeing – clearly an aquatic and health facility will contribute to a healthy and well community. Other projects also contribute to these outcomes. It is suggested by some that it is the only sport/recreation infrastructure (aside from passive public open space) that is for all ages and abilities within a community. Not progressing the development of a centre in Torquay makes it more difficult for the local community to access these facilities and services.
- Financial – the costs associated with delivering a centre have been central to the debate evident through Testing the Water. Indeed, it was recognised as a critical consideration in the 2014 Taskforce report. Feedback shows little willingness by the majority of ratepayers to fund a facility to

4.1 Aquatic and Health Centre

the level outlined in Council's concept. Many, particularly outside of Torquay/Jan Juc, do not wish any funds to be spent on the project including further reports and investigations. The context of rate capping and the impact of this on Council's long-term financial position is a critical risk consideration.

- Reputation and community confidence – the level of engagement on this topic shows there are strong views held by many. Whatever decision Council now makes, sections of the community will be pleased and others disappointed.

Social Considerations

Aquatic and health centres promote social and health benefits. This project in particular aims to understand the views of as many people as possible to help inform Council's decision. Keeping people informed and involved in decision making is critical to improving social outcomes. This project has drawn a diverse range of views, often put forward passionately. The project has provided ample opportunity for people to be involved in decision making on an issue important to this community.

Community Engagement

The discussion section of this report details the community engagement undertaken for this project.

Environmental Implications

Environmental implications are minor for this project.

Conclusion

'Testing the Water' has drawn a significant response from the shire's community. The number of people involved and the passion of submissions demonstrates a high level of engagement. The recommendation reflects the weight of views obtained via the community consultation process. The project concludes that while aquatic facilities are generally seen as a good thing, there is limited support among community members to fund the construction and operation of a facility. Indeed, there is limited support for Council to proceed with any further planning work and so it is recommended that Council ceases work on this project at this time.

It is, however, possible that Council may wish to revisit this topic in the future. In light of this, it is prudent to retain land in the Community and Civic Precinct in North Torquay for a facility in the longer-term.

The recommendation also seeks to establish a formal connection with the City of Greater Geelong on the matter of aquatic and health needs of growing communities in both municipalities in the longer-term. This was a key theme emerging from the community consultation.

4.2 Council Supported Awareness Raising Activities and Events 2016

Author's Title: Manager Community Relations

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Department: Community

File No: F15/982

Division: Culture & Community

Trim No: IC15/539

Appendix:

1. 2016 Awareness Raising Calendar (D15/98425)

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 adopt a calendar of awareness raising initiatives for 2016.

Summary

Council receives many requests each year for support and assistance from many worthwhile causes and initiatives. This creates a challenge to determine which causes to support over a year and how to consistently resource and manage these types of activities.

The proposed schedule of awareness raising events and associated framework has been developed for Council's endorsement on a calendar year basis. It provides the opportunity for resource planning to be undertaken to support the delivery of consistently high quality events across the year.

Priority areas in the Council Plan 2013-2017 and Health and Wellbeing Plan 2013-2017 have informed the selection of causes recommended for support in 2016 and does not diminish in any way the importance of those causes not included in the program. The framework and number of activities does however recognise resource limitations and the organisation's capacity to deliver types of events. It also establishes a manageable approach to appropriately recognise and raise awareness for those causes that are selected.

Recommendation

That Council adopt the calendar of awareness raising initiatives for 2016.

4.2 Council Supported Awareness Raising Activities and Events 2016

Report

Background

Council receives many requests each year for support and assistance from many worthwhile causes and initiatives. Council applies a coordinated approach establishing a calendar to improve the management of these initiatives.

Council endorsed the 2015 calendar of awareness raising events at the December 2014 meeting. Confirming an annual calendar provided several benefits including improved internal coordination of events and promotion activities. The agreed calendar also provided clarity about what causes Council would be involved in and support. There were a small number of initiatives added to the calendar in 2015 during the year at Council's discretion.

The 2015 adopted calendar included four Level 1 events, six Level 2 events and five Level 3 events.

Discussion

The proposed schedule of activities (Appendix 1) has been developed for Council's endorsement for the 2016 calendar year. The 2016 calendar includes four Level 1 events, seven Level 2 events, five Level 3 events and two Partnership Events. Partnership Events is a new event level described below.

The proposed initiatives have been selected based on links to the Council Plan, Health and Wellbeing Plan and Accessible and Inclusive Strategy and includes social causes for which Council has previously demonstrated its support. Three new events, 'Multicultural Day', '50th Anniversary of the Battle of Long Tan' and 'Youth Week' have been added in 2016. It is worth noting that 'Youth Week' is an activity Council has undertaken previously. This report proposes elevating it to the formal awareness raising calendar. 'Multicultural Day' and '50th Anniversary of the Battle of Long Tan' have been presented by members of the community seeking Council's support to deliver events on these occasions. It should be noted that the proposed 2016 calendar requires additional funds to be successfully implemented and is reliant on an additional \$1,000 being included in the 2016/17 budget. See "*Financial Implications*".

The proposed 2016 calendar provides the opportunity for resource planning to be undertaken in order to support the development and delivery of consistently high quality activities across the year. The proposed framework (Table 1) also identifies the scale of activity and associated costs to clarify how each event will be delivered.

The level of planning and staff resources required has also informed the selection of the events to be supported. Level 1 events require significant input of staff time across multiple business units in their planning and delivery. Level 2 events can be managed at a department level and in consultation and cooperation with other service providers or agencies as required.

Level 3 initiatives will require low levels of resourcing and may not require a significant event. Support for Level 3 events may be in the form of promotion through Council communication channels, the media or sales/wearing of merchandise associated with the particular campaign.

The number of events proposed is recommended based Council's ability to deliver the program within existing resources. Should the number of events in the calendar increase, consideration would need to be given to either increasing staff resources to support delivery of events or a reduction in other work priorities and projects. A key resource consideration is the staff time required to plan and implement each event. Additional events prevent staff from completing existing duties or other new initiatives.

A new activity level described below is a Partnership Event. Creating this level enables Council to support three community or agency lead initiatives per year while managing the resource impacts of additional events. Inclusion of three Partnership Events per year, determined when this calendar is adopted, provides Council the flexibility to support new and emerging initiatives.

Clarity needs to be maintained that this activity level does not provide a method for events to gain support outside Council's existing event or small grant funding rounds. For this reason, limiting the calendar to three Partnership Events per year, adopted at the start of the year is a critical feature of this approach. This approach will manage costs associated with these initiatives.

4.2 Council Supported Awareness Raising Activities and Events 2016

Council continues to strive to be an environmental leader and is exploring partnerships with our community to achieve this. The “Eat Local Month” event is included in the 2016 calendar which supports Council’s environmental leadership aspiration.

Table 1; Awareness Raising Activity Framework

Level	Activity	Estimated Cost
Level 1	<ul style="list-style-type: none"> • Event/Activity – Larger scale e.g.; breakfast, afternoon teas, flag raising ceremony e.g. white ribbon day, international women’s day • Media release • Use of Community and Civic Precinct Billboard • High level of staff and community involvement 	\$5000
Level 2	<ul style="list-style-type: none"> • Smaller event/Business unit level activity with other service providers e.g. children’s week play day, small grants ceremony • Media release • Promotion by organisations 	\$2000
Level 3	<ul style="list-style-type: none"> • Media release and local promotion e.g. Council Website, wear a ribbon /badge • Counter sales of ribbons, pens etc. 	\$500
Partnership Event	<ul style="list-style-type: none"> • Event lead by community group or an organisation. Surf Coast Shire may support in the form of contribution to cost of the event and local communication support. 	\$500

This framework and approach applies to the awareness raising events and causes and civic events such as Australia Day. Citizenship ceremonies, festivals and community events are not included in this calendar and are subject to their own process and management criteria as outlined in Council’s events policy

Financial Implications

The cost to implement initiatives in the 2016 calendar is \$38,000. \$1,000 is not currently contained in existing 2015/16 operating budgets and would need to be included in Council’s 2016/17 budget.

In some cases external funding sources contribute to events such as International Day of People with a Disability. Other opportunities will also be explored to offset some of the costs of running events. The cost identified does not include staff time. Additional costs for staff time and event activities may be incurred if there is an increase in the number of events

Council Plan

Theme 3 Communities
 Objective 3.3 Preservation of peaceful, safe and healthy environments
 Strategy Nil

Policy/Legal Implications

Many of the campaigns contained in this report are supported by legislation namely the:

- *Equal Opportunity Act 2010*
- *Racial and Religious Tolerance Act 2001*
- *Charter of Human Rights and Responsibilities Act 2006*

Officer Direct or Indirect Interest

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

Risk Assessment

The establishment of an event schedule linked to organisation strategic direction and policy clearly articulates Council’s rationale for support of chosen causes and provides a framework for management of requests for support. This mitigates the risk of Council over committing resources by adding more events.

The risk of not supporting these campaigns would be that Council is not fulfilling its role as a social leader and may fall below community expectations.

4.2 Council Supported Awareness Raising Activities and Events 2016

Social Considerations

Council continues to show social leadership by committing to raise awareness for these important campaigns. Community members will be encouraged to participate in awareness raising events.

Community Engagement

The proposed event schedule aims to raise awareness of issues that the Surf Coast Community is most passionate about. This input has been gained primarily from community engagement done in creating the Council Plan, Health and Wellbeing Plan and Accessible and Inclusive Strategy. Community members have suggested events to Council and the calendar aims to respond to these requests.

Environmental Implications

Council will manage events in an environmentally sustainable way in line with its Event Guidelines.

Communication

Communication plans will be developed for each event and activity and will be promoted through local media and through Council's communication channels. The Banyul Warri Fields billboard will advertise Level 1 events.

Conclusion

Council adopting a calendar of awareness raising initiatives provides clarity regarding which campaigns are supported in 2016. This allows for appropriate planning and resource allocation. The selection of these particular awareness raising causes are directly linked with Council's strategic priorities as outlined in the Council Plan 2013-2017, the Health and Wellbeing Plan 2013-2017 and Accessible and Inclusive Strategy 2015-2015. It is therefore recommended that Council adopt the proposed schedule and scale of events for 2016, subject to annual review.

4.3 Torquay Synthetic Hockey Pitch Progress Update

Author's Title: Manager Leisure & Wellbeing

General Manager: Chris Pike

Department: Leisure & Wellbeing

File No: F14/435

Division: Culture & Community

Trim No: IC15/560

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 note the progress of actions regarding a synthetic hockey pitch in Torquay.

Summary

Council accepted a Torquay Synthetic Hockey Pitch Feasibility Study report in June 2015 and resolved to:

- Refer the study to the G21 Sport and Recreation Pillar to establish a coordinated regional approach to the provision of new hockey facilities.
- Through G21, seek further advice from Hockey Victoria on the relative priority of a new facility in the region and its own capacity to leverage funding for such a facility.
- Continue to explore hockey facility development options with other interested stakeholders, including the Torquay Tornados Hockey Club, Surf Coast Secondary College, Department of Education and Training, and Sport and Recreation Victoria.
- Consider the findings of these investigations at a meeting of Council before the end of 2015.

Surf Coast Shire tabled a project proposal to the G21 Sport and Recreation Pillar to develop a business case that explores the feasibility and timing of constructing an additional synthetic hockey pitch in the G21 region, potentially in Surf Coast Shire. The Pillar did not consider the project an immediate priority but in the pipeline of projects to be considered as new initiatives are required.

The Pillar recognise the need for a Regional Hockey Strategy and will consider this as a priority once a G21 Regional Netball Strategy has been developed. A Regional Netball Strategy application has been submitted by City of Greater Geelong in the current 2016/17 Community Sports Infrastructure Fund (CSIF) Planning Category round of funding.

The Sport and Recreation Pillar have invited Hockey Victoria to present their State-wide Strategic Facilities Master Plan 2015 at the next pillar meeting to be held 10 December 2015. Officers will be able to confirm post-meeting where the development of a synthetic pitch in the region sits in their pipeline of advocacy priorities across the State.

Surf Coast Shire has facilitated two meetings with key stakeholders including a 'think-tank' session with Torquay Hockey Club, Surf Coast Secondary College, Hockey Victoria and City of Greater Geelong. The session confirmed that a Regional Hockey Strategy is critical to being able to demonstrate the need for the project in a regional context and attract funding in competitive funding pools.

The benchmark pitch provision ratio for providing a synthetic pitch for any 1 or a collection of clubs is 20 teams or 300 active players as a minimum. Any number below this will seriously test the ability of pitch managers (including clubs, Council, schools and user groups) to operate the pitch sustainably and provide investment back into the pitch to replace the surface over a 12 – 15 year lifespan. Torquay Hockey Club has 11 teams and 156 players and is projected to grow to 15 teams by 2021. In a regional context the recommended facility provision ratio is 1 synthetic pitch per 100,000 population and the G21 region has a current provision ratio of 1 synthetic pitch per 74,596 population which indicates an adequate synthetic pitch supply to service current hockey participation levels in a regional context.

4.3 Torquay Synthetic Hockey Pitch Progress Update

These statistics demonstrate that the current level of hockey participation and growth does not make the project viable at this point of time. Torquay Hockey Club is at least 5 years away from being able to demonstrate a level of need required to attract Sport and Recreation Victoria Major Facilities funding.

The Synthetic Hockey Pitch Feasibility report identifies that 70% of respondents (60 responses) to the Torquay Hockey Club survey accept current travel requirements for matches and members are 'comfortable' with the travel required for hockey training purposes. Council can support Torquay Hockey Club growth in participation through an increased allocation of access to training and junior match facilities at Banyul Warri Fields when the second oval is constructed.

Recommendation

That Council:

1. Note the progress of actions regarding a synthetic hockey pitch in Torquay.
2. Continue to advocate for the development of a G21 Regional Hockey Strategy as the next Sport and Recreation Pillar regional planning priority project after netball.
3. Continue to support growth in participation at the Torquay Hockey Club through an increased allocation of access to training and junior match facilities at Banyul Warri Fields when the second oval is constructed.

4.3 Torquay Synthetic Hockey Pitch Progress Update

Report

Background

In 2014/15 Hockey Victoria secured Sport and Recreation Victoria funding to develop a State-wide Strategic Facilities Master Plan to guide the future development and provision of new hockey facilities over the next 20 to 30 years. Surf Coast Shire engaged the same consultant insideEDGE Sport and Leisure Planning to develop a Torquay Synthetic Hockey Pitch Feasibility Study to investigate the potential feasibility of providing a floodlit synthetic hockey pitch within Torquay for use by the rapidly expanding Torquay Hockey Club and other compatible community uses.

The study identified a need for an additional synthetic hockey pitch to be developed within the G21 region within the next 5 to 10 years, based on infrastructure and population ratio planning and the current provision and access to existing hockey pitches in the Geelong area.

Council accepted the Torquay Synthetic Hockey Pitch Feasibility Study report in June 2015 and resolved to:

- Refer the study to the G21 Sport and Recreation Pillar to establish a coordinated regional approach to the provision of new hockey facilities.
- Through G21, seek further advice from Hockey Victoria on the relative priority of a new facility in the region and its own capacity to leverage funding for such a facility.
- Continue to explore hockey facility development options with other interested stakeholders, including the Torquay Tornados Hockey Club, Surf Coast Secondary College, Department of Education and Training, and Sport and Recreation Victoria.
- Consider the findings of these investigations at a meeting of Council before the end of 2015.

Discussion

Council Officers have met with the G21 Sport and Recreation Pillar and key stakeholders in regard to a proposed synthetic hockey pitch in Torquay. Progress regarding implementation of the recommendations arising from the June 2015 Council meeting are summarised below.

Council Recommendations

Refer the study to the G21 Sport and Recreation Pillar to establish a coordinated regional approach to the provision of new hockey facilities.

Surf Coast Shire tabled a project proposal to the G21 Sport and Recreation Pillar on the 20 August 2015 to develop a business case that explores the feasibility and timing of constructing an additional synthetic hockey pitch in the G21 region, potentially in Surf Coast Shire. The Pillar did not consider the project an immediate priority but in the pipeline of projects to be considered as new initiatives are required.

The Pillar did recognise the need for a Hockey Strategy for the region and have acknowledged this as a priority once a G21 Regional Netball Strategy has been developed. A Regional Netball Strategy application has been submitted by City of Greater Geelong in the current funding round of the 2016/17 Community Sports Infrastructure Fund (CSIF) Planning Category. If successful this provides the potential opportunity for Surf Coast Shire to lead the development of a G21 Hockey Strategy in 2017/18.

The current Hockey Victoria recommended facility provision ratio is 1 synthetic pitch per 100,000 population and the G21 region has a current provision ratio of 1 synthetic pitch per 74,596 population based on 2 synthetic pitches at Stead Park and 2 at private schools. This is significantly less than the best practice provision ratio demonstrating an adequate synthetic pitch supply to service current hockey participation levels in a regional context.

The benchmark pitch provision ratio for providing a synthetic pitch for any 1 or a collection of clubs is 20 teams or 300 active players as a minimum (Synthetic Hockey Pitch Feasibility Report 2015). Any number below this will seriously test the ability of pitch managers (including clubs, Council, schools and user groups) to operate the pitch sustainably and provide investment back into the pitch to replace the surface over a 12 – 15 year lifespan. Torquay Hockey Club has 11 teams and 156 players and is projected to grow to 15 teams by 2021.

4.3 Torquay Synthetic Hockey Pitch Progress Update

These statistics demonstrate that the current level of hockey participation and growth does not make the project viable at this point of time. Torquay Hockey Club is at least 5 years away from being able to demonstrate a level of need required to attract Sport and Recreation Victoria Major Facilities funding.

Through G21, seek further advice from Hockey Victoria on the relative priority of a new facility in the region and its own capacity to leverage funding for such a facility.

The Sport and Recreation Pillar have invited Hockey Victoria to present their State-wide Strategic Facilities Master Plan 2015 - 2025 at the next pillar meeting to be held 10 December 2015. This meeting will provide the opportunity to present the G21 regional planning for sport model to Hockey Victoria, determine where the development of a synthetic pitch in the region sits in their pipeline of advocacy priorities across the State and confirm Hockey Victoria's capacity to leverage funding for such a facility.

Continue to explore hockey facility development options with other interested stakeholders, including the Torquay Tornados Hockey Club, Surf Coast Secondary College, Department of Education and Training, and Sport and Recreation Victoria.

Surf Coast Shire has facilitated two meetings with key stakeholders including a 'think-tank' session with Torquay Hockey Club (THC), Surf Coast Secondary College (SSC), Hockey Victoria (HV) and City of Greater Geelong (CoGG). The session confirmed that a Regional Hockey Strategy is critical to being able to demonstrate the need for the project in a regional context and attract funding in competitive funding pools.

CoGG noted that this project should be positioned at the local level addressing local needs as it will be a single pitch, joint use facility with the Secondary College. Geelong also noted that a regional level hockey facility with two synthetic hockey pitches is planned for the Armstrong Creek West-sub-region precinct and the timing for this development is expected within 5 – 10 years. This facility will be considered in the development of a Regional Hockey Strategy.

Surf Coast Secondary College has indicated that they would contribute \$100,000 toward a single synthetic hockey pitch development at the Secondary College. The Torquay Hockey Club have secured a quote of \$15,000 to have this development accurately costed, however Council Officers recommend that it would be premature to proceed with securing accurate costings until a Regional Hockey Strategy has been completed and the demonstrated need for the facility is more closely aligned to the industry benchmark synthetic hockey pitch provision ratio of 20 teams or 300 active players.

The Synthetic Hockey Pitch Feasibility report identifies that 70% of respondents (60 responses) to the Torquay Hockey Club survey accept current travel requirements for matches and members are 'comfortable' with the travel required for hockey training purposes. This would indicate that Council is able to continue to work with the Club toward advocating for the project in a regional context and supporting growth in participation through an increased allocation of access to training and junior match facilities at Banyul Warri Fields when the second oval is constructed.

The Surf Coast Secondary College was the recommended site location in the Torquay Synthetic Hockey Pitch Feasibility Report should a business case for an additional synthetic hockey pitch in the G21 region demonstrate a need and Surf Coast Shire as the desired location. The Hockey Victoria Strategic Facilities Master Plan 2015 – 2025 also identifies 'develop a new synthetic hockey pitch in Torquay' as a priority action, however does not specify a timeframe for the development.

Hockey is not identified in the Community and Civic Precinct Master Plan or the Torquay / Jan Juc Developer Contribution Plan. The Hockey Feasibility Study estimates the development costs for a single synthetic pitch, club level hockey facility (excluding building amenities, landscaping, car parking) to be between \$1.3 and \$1.8 million.

Financial Implications

Council will be required to contribute approximately \$2000 toward the development of a G21 Regional Hockey Strategy, however this is not expected as a G21 Sport and Recreation Pillar priority until at least 2017/18 after the Regional Netball Strategy is complete.

4.3 Torquay Synthetic Hockey Pitch Progress Update

The draft 10 year capital expenditure plan does not include funds for further design work or construction of a hockey facility in Surf Coast Shire. The Torquay Hockey Feasibility Study identifies the following cost estimates:

- \$15K for a complete detailed business case, management plan and likely funding model
- \$25K for detailed site investigations, engineered designs and quantity surveyor costs
- \$1.3 to 1.8M to construct a single synthetic, club level hockey pitch depending on site conditions, surface choice and floodlighting levels (note this excludes change facilities/clubroom)
- \$5K per year annual maintenance costs
- \$35K per year renewal and replacement fund including surface replacement over a 12 – 15 year lifespan

A detailed business case would be required to explore all of the above costs following the development of the Regional Hockey Strategy. The development of this business case would need to be considered in the overall context of planning needs in Surf Coast Shire at the time and Hockey is not currently an identified priority.

Council Plan

Council Plan objectives relevant to this report:

Theme 4 Infrastructure
Objective 4.2 Accessible and well maintained Council facilities
Strategy 4.2.5 Undertake planning for future emerging recreation facilities including Hockey facilities within the Shire.

Theme 3 Communities
Objective 3.3 Preservation of peaceful, safe and healthy environments
Strategy 3.3.6 Maintain, enhance and develop community and recreational facilities to improve community wellbeing.

Theme 2 Governance
Objective 2.5 Enhanced community engagement
Strategy 2.5.4 Build strong relationships with community interest groups.

The Community and Civic Precinct Master Plan does not include a future hockey facility.

Policy/Legal Implications

There is no policy or legal implications arising from this report.

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 to the rate of growth of participation in hockey in Surf Coast Shire due to the perceived barrier of travel to competition venues, however the latter is the case for a number of sports where competition is centralised in Geelong.

Social Considerations

The sport of hockey is growing rapidly in Surf Coast Shire. The Torquay Hockey Club has developed 11 teams and 156 players in five years including many juniors and active female players. Councils continued support in advocating for a Regional Hockey Strategy and providing an increased allocation of training and junior match facilities with the development of the second oval at Banyul Warri Fields responds to changing community needs and supports the growth of physical activity and participation across the Shire.

Community Engagement

Two think-tank sessions have been held with key stakeholders including Torquay Hockey Club, Surf Coast Secondary College, Hockey Victoria and City of Greater Geelong. Council Officers have also had a separate meeting with the Torquay Hockey Club President Andrew Crowley in preparing this report.

4.3 Torquay Synthetic Hockey Pitch Progress Update

Environmental Implications

No significant environmental implications arise from the recommendations in this report.

Communication

The outcome of the Council report will be communicated by officers to the G21 Sport and Recreation Pillar and key stakeholders involved in the 'think-tank' session.

Conclusion

The benchmark pitch provision ratio for providing a synthetic pitch for any 1 or a collection of hockey clubs is 20 teams or 300 active players as a minimum. Any number below this will seriously test the ability of pitch managers to operate the pitch sustainably and replace the surface over a 12 – 15 year lifespan. Torquay Hockey Club has 11 teams and 156 players and is projected to grow to 15 teams by 2021. Therefore, Torquay Hockey Club is at least five years away from being able to demonstrate a level of need required to attract Sport and Recreation Victoria Major Facilities funding. Key stakeholders have identified the development of Regional Hockey Strategy as a critical first step in the planning toward the development of a synthetic hockey pitch locally.

4.4 G21 Physical Activity Strategy 2014 - 2017

Author's Title: Manager Leisure & Wellbeing

General Manager: Chris Pike

Department: Leisure & Wellbeing

File No: F12/1588

Division: Culture & Community

Trim No: IC15/593

Appendix:

1. G21 Physical Activity Strategy 2014 - 2017 (D15/94790)
2. Surf Coast Shire Action Plan (Incorporated into G21 Physical Activity Strategy) (D15/8866)

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 G21 Physical Activity Strategy 2014 - 2017 report incorporating a Surf Coast Shire Action Plan.

Summary

The G21 Sport and Recreation Pillar have developed a Physical Activity Strategy to establish an evidence base to guide policy and decision making at a regional and municipal level.

The strategy supports a number of strategic objectives already outlined in the Surf Coast Shire Council Plan 2013-2017 and the Health and Wellbeing Plan 2013-2017.

The strategy development has included a review of current strategic and operational plans and policies at all levels and across departments. It provides an overarching framework for all of Council's commitments relating to physical activity. The strategy will be a useful document to advocate for actions that increase and provide for physical activity across the Shire.

Recommendation

That Council note the G21 Physical Activity Strategy 2014 – 2017 incorporating a Surf Coast Shire Action Plan.

4.4 G21 Physical Activity Strategy 2014 - 2017

Report

Background

There are eight pillar groups supporting the objectives of the G21 Geelong Region Alliance and in 2012 the Health and Wellbeing Pillar agreed to collaborate on the development of a planning framework to improve the health and wellbeing of people across the region. As a result of community and stakeholder consultations to inform the development of the G21 Region Health and Wellbeing Plan 2013-17, three regional priorities were identified – one of which was to improve the opportunities for and uptake of physical activity.

Concurrently the G21 Sport and Recreation Pillar facilitated the development of an initiative jointly funded by the City of Greater Geelong, Colac Otway Shire and VicHealth to develop a regional and local physical activity plan. As a result of the action plans for the two Councils, G21 approached the remaining three Councils and each agreed to develop their own local physical activity action plan.

This report provides the final G21 Physical Activity Strategy 2014 – 2017 incorporating a local action plan for Surf Coast Shire.

Discussion

The Australian Government is committed to enhancing the health of the population with a reduction in the incidence of preventable diseases. This is in part because 62.8% of Australians aged 18 years and over are either overweight or obese and physical inactivity has been estimated to cost Australian taxpayers more than \$719 million a year.

The evidence demonstrates that being physically active and limiting sedentary behaviour will help reduce the risk of cardio –vascular disease along with a number of other chronic illnesses.

The VicHealth BE ACTIVE Framework identifies a range of determinants that influence whether or not people participate in physical activity. Consideration of these in the planning and development of infrastructure, facilities, services and programs can significantly influence the nature and scope of participation in physical activity.

Barriers to participation can be easily defined into three main headings:

- Individual factors
- Built environment factors
- Social and Cultural environment factors

Generally speaking the Surf Coast Shire community is relatively active. In 2011-2012, the proportion of the Surf Coast Shire population (69.8%) that undertook sufficient physical activity was higher than the State average (63.9%). Across the South Western region, males were more likely to undertake sufficient physical activity than females (62.5% vs 57.3%).

In order to improve physical activity levels and ultimately the health and wellbeing of people living in the Surf Coast, Council has already committed to a number of initiatives which have been included in the current Council and Health and Wellbeing Plans.

The complete list of actions is provided on pages 32 - 33 of the Strategy. As these actions are already listed in a number of other strategic documents, the implementation of these are occurring or will be prioritised over the coming years.

By noting this Physical Activity Strategy Council is assisting in elevating the importance of physical activity. The Strategy will be utilised as a valuable advocacy document specifically highlighting the importance and benefits of physical activity in our community.

Financial Implications

The actions identified in the Strategy can be incorporated into current operating budgets and officer work plans.

Council Plan

The Council Plan has a number of key objectives relating to physical activity:

4.4 G21 Physical Activity Strategy 2014 - 2017

Theme 3 Communities
Objective 3.3 Preservation of peaceful, safe and healthy environments
Strategy 3.3.6 Maintain, enhance and develop community and recreational facilities to improve community wellbeing.

Theme 4 Infrastructure
Objective 4.1 Allocation of infrastructure according to need
Strategy 4.1.3 Develop an improved approach to service planning that identifies long-term future infrastructure requirements and actions.

The Health and Wellbeing Plan also has key objectives relating to physical activity, including:

Theme 1
Objective 1.2 To increase participation in physical activities

Theme 3
Objective 3.1 Ensure equitable access to all health and community services.

Policy/Legal Implications

There are no policy or legal implications arising from this report.

Officer Direct or Indirect Interest

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

Risk Assessment

There are no known risks associated with implementing this plan. If the strategies identified in the action plan are developed, each of these will have their own individual risk assessments to be developed at the appropriate time.

Social Considerations

Advancing our commitment to ensuring our community continues to remain physically active is an important focus of Council's work. This plan further elevates the important priority of physical activity and identifies a series of actions that can be implemented over time to ensure our community remains physically active.

Community Engagement

No direct community engagement has been undertaken as part of this Strategy. The actions listed already form part of existing plans and /or strategies. It was during the development of these plans and strategies that a number of community engagement activities were completed.

Environmental Implications

There are built environment implications associated with some of the Strategy actions and an environmental assessment will be completed as required.

Communication

A media release will be developed by G21 informing the community of the Physical Activity Strategy and action plan. The Strategy will be presented on Council's web-site and the G21 Health and Wellbeing and Sport and Recreation Pillar website pages.

Conclusion

The G21 Physical Activity Strategy 2014 - 2017 provides an evidence base to guide future policy and decision making. The recommendations provided in this strategy provide a direct link with the G21 Health and Wellbeing Plan and all local Health and Wellbeing Plans. This strategy focuses on physical activity interventions such as facility development, policies, programs and services that are cost effective and most likely to succeed given people's ongoing commitment to physical activity. The challenge remains to retain current levels of physical activity and to ensure that Surf Coast Shire can build on these excellent levels of physical activity.

5. MINUTES

5.1 Section 86 Committee Minutes

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

Department: Governance & Risk

File No: F15/399

Division: Governance & Infrastructure

Trim No: IC15/602

Appendix:

1. Anderson Roadknight Reserve Committee Minutes - 9 November 2015 (D15/108440)
2. Connewarre Reserve & Hall Committee AGM Minutes - 8 September 2015 (D15/108442)
3. Eastern Reserve Committee Minutes - 27 July 2015 (D15/108443)
4. Globe Theatre Committee Minutes - 24 November 2015 (D15/108444)
5. Hearing of Submissions Committee Minutes - 1 December 2015 (IC15/632)
6. Planning Committee Minutes - 28 September 2015 (D15/107672)
7. Planning Committee Minutes - 23 November 2015 (D15/107674)
8. Stribling Reserve Committee Minutes - 15 June 2015 (D15/108495)
9. Stribling Reserve Committee AGM Minutes - 14 September 2015 (D15/108449)
10. Stribling Reserve Committee Minutes - 14 September 2015 (D15/108445)
11. Stribling Reserve Committee Minutes - 12 October 2015 (D15/108446)
12. Stribling Reserve Committee Minutes - 9 November 2015 (D15/108448)

Officer Direct or Indirect Conflict of Interest:

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

Yes

No

Status:

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

Yes

No

Reason: Nil

Reason: Nil

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 noting in a subsequent report.

Recommendation

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

- Anderson Roadknight Reserve Committee - 9 November 2015
- Connewarre Reserve & Hall Committee AGM - 8 September 2015
- Eastern Reserve Committee - 27 July 2015
- Globe Theatre Committee - 24 November 2015
- Hearing of Submissions Committee Meeting - 1 December 2015
- Planning Committee – 28 September 2015, 23 November 2015
- Stribling Reserve Committee – 15 June 2015, AGM and Ordinary - 14 September 2015, 12 October 2015, 9 November 2015

5.2 Advisory Committee Minutes

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

Department: Governance & Risk

File No: F15/403

Division: Governance & Infrastructure

Trim No: IC15/625

Appendix:

1. Municipal Emergency Management Planning Committee Minutes - 27 October 2015 (D15/108598)
2. Audit & Risk Committee Minutes - 17 November 2015 (IC15/579)

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 minutes of the Advisory 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 noting in a subsequent report.

Recommendation

That Council receive and note the minutes of the following Advisory Committees:

- Municipal Emergency Management Planning Committee – 27 October 2015
- Audit and Risk Committee – 17 November 2015

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: IC15/601

Appendix:

1. Assembly of Councillors - Agenda Review - 27 October 2015 (D15/96052)
2. Assembly of Councillors - Torquay Surf Life Saving Club Expansion/Infrastructure - 10 November 2015 (D15/101876)
3. Assembly of Councillors - Council Briefing - 10 November 2015 (D15/100764)
4. Assembly of Councillors - Discussion on Torquay CBD - 11 November 2015 (D15/101650)
5. Assembly of Councillors - Council Briefing - 11 November 2015 (D15/100772)
6. Event Grants Funding Discussion - 24 November 2015 (D15/106282)
7. Assembly of Councillors - Agenda Review - 24 November 2015 (D15/106115)
8. Assembly of Councillors - Council Briefing - 1 December 2015 (D15/106847)

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 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:

- Agenda Review – 27 October 2015
- Torquay Surf Life Saving Club Expansion/Infrastructure – 10 November 2015
- Council Briefing – 10 November 2015
- Discussion on Torquay CBD – 11 November 2015
- Council Briefing – 11 November 2015
- Event Grants Funding Discussion - 24 November 2015
- Agenda Review – 24 November 2015
- Council Briefing – 1 December 2015

7. URGENT BUSINESS/PETITIONS/NOTICES OF MOTION

7.1 Petition Requesting Construction of Hopkins Street, Aireys Inlet

Author's Title: Coordinator Special Projects

General Manager: Sunil Bhalla

Department: Engineering Services

File No: F15/1060

Division: Governance & Infrastructure

Trim No: IC15/605

Appendix:

1. Petition (D15/106384)

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 petition requesting that Council construct and seal Hopkins St, Aireys Inlet, between the Great Ocean Road and Hartley Street, Aireys Inlet.

The petition consists of 26 signatures.

Recommendation

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

1. Receive and note the petition requesting the construction and sealing of Hopkins Street, Aireys Inlet, between Great Ocean Road and Hartley Street, Aireys Inlet.
2. Refer the petition to the General Manager Governance & Infrastructure for consideration as part of the proposed road project and associated Special Charge Scheme assessment
3. Require a report on the Proposed Scheme and petition be presented to the 28 January 2016 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

8.2 Financial Transfer Report - November 2015

Recommendation

That:

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

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

