



Agenda

Ordinary Meeting of Council
Tuesday, 23 August 2016

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

Commencing at 6.00pm

Council:

Cr Rose Hodge (Mayor)
Cr David Bell
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 23 AUGUST 2016 COMMENCING AT 6.00PM

PRESENT:

OPENING:

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

PLEDGE:

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

APOLOGIES:

CONFIRMATION OF MINUTES:

Recommendation

That Council note the minutes of the Ordinary meeting of Council held on 26 July 2016 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:

PUBLIC QUESTION TIME:

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1. ENVIRONMENT & DEVELOPMENT

1.1 Application for Use and Development of Land at 1160 Horseshoe Bend Road, Torquay - Service Station on Fischer Street

Author's Title: Planning Officer

General Manager: Kate Sullivan

Department: Planning & Development

File No: 16/0125

Division: Environment & Development

Trim No: IC16/830

Appendix:

1. 16/0125 Lodgement Plans - 1160 Horseshoe Bend Road Torquay (D16/30970)
2. 16/0125 Lodgement Pump Graphics - 1160 Horseshoe Bend Road Torquay (D16/30967)
3. 16/0125 Lodgement Planting Schedule - 1160 Horseshoe Bend Road Torquay (D16/30973)
4. 16/0125 Lodgement Planning Report - 1160 Horseshoe Bend Road Torquay (D16/30950)
5. 16/0125 - Lodgement Traffic and Transport Assessment - 1160 Horseshoe Bend Road Torquay (D16/30962)
6. 16/0125 - Overall Policy Framework and Detailed Assessment - 1160 Horseshoe Bend Road Torquay (D16/70331)

Officer Direct or Indirect Conflict of Interest:

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

Yes

No

Reason: Nil

Status:

Information classified confidential in accordance with Local Government Act 1989 – Section 77(2)(c):

Yes

No

Reason: Nil

Purpose

To consider an application to use and develop land at 1160 Horseshoe Bend Road, Torquay (Part of Lot BB on PS727250X) for the purpose of a service station and associated signage, including request for permission to vary the service station and loading bay requirements.

Summary

An application has been received to use 1949 m2 of land for the purpose of a service station on Fischer Street as part of 1160 Horseshoe Bend Road development. The proposed service station includes a 120 m2 kiosk, four (4) petrol dispensers and one LPG dispenser under a canopy and ten (10) car parking spaces. The proposal includes one entry on the common access road for the adjoining commercial centre's outdoor car parking area and one exit on Fisher Street. The service station is proposed to operate 24 hours / 7 days per week. The application includes a package for construction and display of business identification signage.

The application was placed on public notice and ninety-one (91) objections were received at the time of writing this report. One submission is in favour and the remainder are against the proposal. A petition with 117 names was tabled at the Council Meeting held on 26 July 2016. The petition requested that the application be rejected by Council. A hearing of submissions was held on 2 August 2016.

For reasons outlined in the report, it is recommended that Council refuses the Application.

Recommendation

That Council having caused notice of Planning Application No. 16/0125 to be given under Section 52 of the *Planning and Environment Act 1987* and having considered all the matters required under Section 60 of the *Planning and Environment Act 1987* decides to Refuse to Grant a Permit under the provisions of 34.01, 43.02, 43.04, 45.09, 52.05, 52.06, 52.07, 52.12 and 65 of the Surf Coast Planning Scheme in respect of the land known and described as 1160 Horseshoe Bend Road, Torquay (Part of Lot BB on PS727250X) for the use and development of a service station, construction and display business identification signage, variation to loading bay requirements (Clause 52.07) and variation to service station requirements (Clause 52.12) for the following reasons:

1. A Planning Permit cannot be granted given the provision of Clause 43.01-4 as the development is not generally in accordance with the endorsed Development Plan, specifically noting that Council resolved to exclude a service station from the Development Plan;
2. The development contradicts the State Planning Policy Framework. In particular, State Planning

1.1 Application for Use and Development of Land at 1160 Horseshoe Bend Road, Torquay - Service Station on Fischer Street

Policy Clause no.11 (Environmental Risks) for noise and air, Clause no. 13.04-1 (Noise Abatement), Clause no. 15 (Built Environment and Heritage) for urban design and design for safety.

3. The development contradicts the Local Planning Policy Framework. In particular, Local Planning Policy Clause no.21.02 (Settlement, Built environment, Heritage and Housing), Clause no. 21.08 (Torquay Jan Juc Strategy), Clause no.22 .02 (Streetscape and Landscaping Policy);
4. The proposal contravenes the orderly development of the area as per Clause 65 in that it does not accord with the Development Plan;
5. The development fails to comply with the preferred character of the area, in particular with the Design and Development Overlay, Schedule 23. In particular, it fails to provide an active and pedestrian focused interface; It fails to create an environment conducive to alternative mode of transport and fails to provide advertising signage that contributes to a vibrant centre which does not detract from the amenity of the area;
6. The development will result in unacceptable safety risk to pedestrian and cyclists in the area. In particular, the proposal would result in an unacceptable rise in the number of "out" directly onto Fisher Street instead of funnelling traffic in the planned entry and exit of the NAC;
7. The development will result in unacceptable amenity impacts on the area, in particular on the residences nearby in relation to noise, lighting, and hours of operation;
8. The development fails to demonstrate compliance with the objectives for the site requirements of service stations as per Clause 52.12 of the Surf Coast Planning Scheme in that does not comply with the minimum depth requirement for the site, crossover width, side setback from road.

1.1 Application for Use and Development of Land at 1160 Horseshoe Bend Road, Torquay - Service Station on Fischer Street

Report

Background

The application received seeks approval for the use and development of a service station (petrol station), construction and display of business identification signage, variation to loading bay requirements (Clause 52.07) and variation to service station requirements (Clause 52.12) at land located at 1160 Horseshoe Bend Road, Torquay (Part of Lot BB on PS727250X). The site is identified in Figure 1 below:

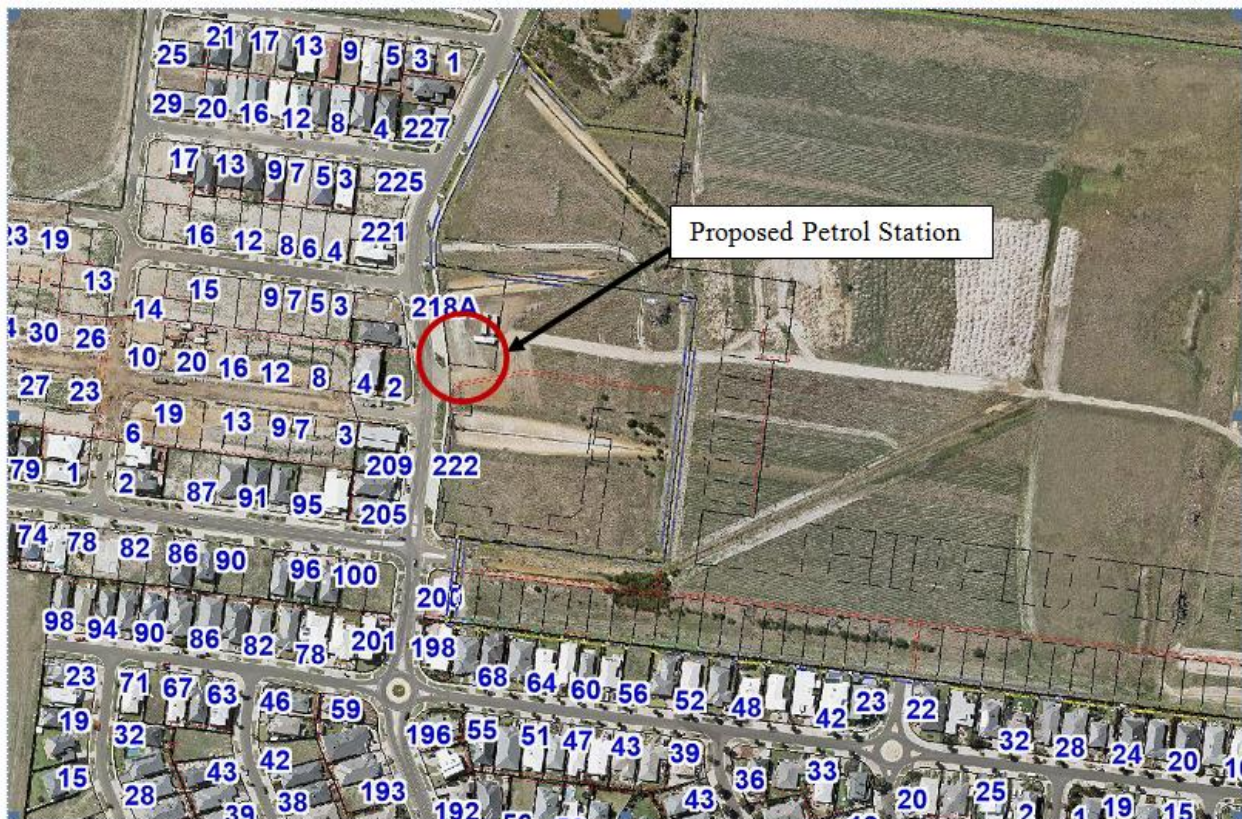


Figure 1 – Proposed service station site

The site is zoned Commercial 1, is covered by the Design and Development Overlay Schedule 23, the Development Plan Overlay Schedule 8 and the Parking Overlay Schedule 3. The surrounding area is Commercial 1 Zone to the east and south and General Residential Zone to the west, north and north west. Community infrastructure such as sports ovals and schools are established in the vicinity.

The *Surf Coast Planning Scheme* identifies 'service station' as a Section 2, permit required land use in the Commercial 1 Zone and the application is required to be assessed against the relevant decision guidelines in the Commercial 1 Zone and the Particular Provision for Service Stations Clause 52.12.

The site is subject to a Development Plan which was endorsed under Clause 3 of Schedule 8 of Clause 43.04 of the Surf Coast Planning Scheme.

The plan was endorsed following a Council Resolution made on 24 March 2015. The plan originally presented for endorsement included a service station on the subject site. The adopted resolution included the following item:

1.8 Amend the Neighbourhood Activity Centre Concept Plan by:

1.8.3 Removing reference to a service station being present and allowing for another non-retail commercial use instead.

Following the adoption of the above resolution, reference to the service station was deleted from the Development Plan and replaced with as reference to a 'non-retail' site. The Council resolution clearly intended to avoid the development of a service station on the site.

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The endorsed plan follows as Figure 2:



Figure 2 - Approved Development Plan

It is considered that the application is not generally in accordance with the approved Development Plan and cannot be approved given the provisions of Clause 43.01-4.

The applicant was advised of the above and was given the opportunity to withdraw the application. The applicant advised Council that it wished the application to be determined.

The application was referred to the following authorities:

- Council's Infrastructure Department
- Council's Environmental Health Department
- Environmental Protection Authority (informal referral only)

The responses were taken into consideration and are discussed in the sections below.

The application was placed on public notice with letters sent to neighbours and a sign on site. Ninety-one (91) objections were received at the time of writing. One submission was in favour and the remainder against the proposal. A petition with 117 names was tabled at the Council Meeting held on 26 July 2016. The petition requested that the application be rejected by Council.

A Hearing of Submissions was held on 2 August 2016 to give submitters the opportunity to speak to their submissions.

1.1 Application for Use and Development of Land at 1160 Horseshoe Bend Road, Torquay - Service Station on Fischer Street

Discussion

Permit Triggers/requirements

A permit is required to approve this land use for the following reasons, and subject to the following requirements:

- Clause 34.01-1 and 34.01-4 (Commercial Zoning) – Permit trigger for the use the land for a service station and building and works.
- Clause 43.02-2 (Design and Development Overlay, Schedule 23) – Permit trigger to construct a building or construct or carry out works
- Clause 43.04 (Development Plan Overlay, Schedule 8) - State that a permit granted must:
 - Be generally in accordance with the development plan
 - Include any conditions or requirements specified in a schedule to this overlay
- Clause 45.09 (Parking Overlay –Precinct 3) – Number and design requirements for car parking
- Clause 52.05-9 (Advertising Signs) – Display of advertising signs
- Clause 52.07 9 (Loading and unloading of vehicles) – Provision of Loading Bays
- Clause 52.12 (Petrol Stations) – Land may be used for a service station only if the listed requirements are met. A permit may be granted to vary the requirements.
- Clause 65 – Decision Guidelines

Planning Policy Framework

The planning policy framework also needs to be considered. A detailed policy context and assessment is provided in Appendix 6.

The **State Planning Policy Framework** references the need to respond to the general business and commercial needs of the population. It also discuss urban design and the appropriateness of the built form for the area. Amenity, notably in terms of noise and air is also discussed.

The **Municipal Policy Framework** acknowledges that commercial uses are appropriate for the area but specifies that those can create conflicts. Those are to be appropriately managed though orderly development. The proposal does not allow the orderly development in that it fails to propose a use that is suitable for the area and to protect the amenity of the surroundings.

Particular provisions

The proposal is also subject to Particular Provisions of the **Surf Coast Planning Scheme**. The proposal does not comply with the above clauses. A detailed assessment is provided in Appendix 6. Many of those non-compliances are also discussed below in this report in the 'Impact on amenity' section. In summary:

Clause 52.05 Advertising Signs	The proposed freestanding sign results in excessive promotional signage for the area and the illumination of this sign is detrimental to the amenity of the residential area.
Clause 52.06 Car parking/access/manoeuvring	The proposal does provide the required number of car parking spaces however resolution of the legal entry rights for the site needs to be resolved. Queuing could also be an issue.
Clause 52.07 Loading and Unloading of Vehicles	One loading/unloading bay is provided on site however the required dimensions have not been achieved. A variation could be supported but the relocation of the loading bay would result in a more practical outcome.
Clause 52.12 Petrol Stations.	The proposal most notably does not comply with the following requirements of Clause 52.12 Petrol Stations: <ul style="list-style-type: none"> • the minimum depth of 30 m (proposed 28.17m); • Both crossovers are wider than 7.7 m; • the 9m setback from a road.

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Clause 65 (Decision Guidelines) particularly insists that because a planning permit can be granted it does not imply that it should or will be granted. The proposal needs to produce an acceptable outcome in term of the decision guidelines of Clause 65 which includes the following relevant items:

- *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;*
- *The proximity of the land to any public land;*
- *Factors likely to cause or contribute to land degradation, salinity or reduce water quality;*
- *Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site;*
- *The extent and character of native vegetation and the likelihood of its destruction;*
- *Whether native vegetation is to be or can be protected, planted or allowed to regenerate;*
- *The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.*

In considering those elements, it was found that the proposal fails to adequately address a number of relevant factors which are discussed below.

Strategic intent

It is acknowledged that the site is part of a Neighbourhood Activity Centre (NAC), being the Torquay North NAC. A range of services and facilities of a commercial nature is to be provided in this area. Proximity between commercial, residential and community uses is the key to create a liveable and active neighbourhood. This mix of uses can create conflicts if not planned appropriately and to assist how those land use conflicts should be resolved, a development plan overlay was applied to the site and a development plan endorsed under Clause 43.04-1 of the planning scheme. In particular:

<p>Clause 43.04-1 (Development Plan Overlay) specifies that:</p> <p>A permit granted must:</p> <ul style="list-style-type: none"> • Be generally in accordance with the development plan. • Include any conditions or requirements specified in a schedule to this overlay. 	<p>The proposal is not generally in accordance with the development plan in that it does not reflect the intent of the land use envisaged for the site.</p> <p>The development plan earmarks this site for 'non-retail' uses. Although a petrol station is not 'nested' under retail premises (as per Clause 75 – Nested Diagrams) and is defined separately under the Planning Scheme, it is clear that the site was not intended to be used as a petrol station, as it was removed from the development plan by Council as detailed in the background section of this report.</p>
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It is considered that this proposal is inconsistent with the orderly development of the area which is to be considered as per Clause 65 of the Planning Scheme and does not comply with Clause 43.04-1. It is considered that Council cannot issue a permit for the use.

Design and Development Overlay Scheduled 23 (DDO23) Objectives

The proposal is inconsistent with the following relevant objectives of the Design and Development Overlay, Schedule 23:

<ul style="list-style-type: none"> • <i>To facilitate the development of a 'main street' type activity centre with shops fronting directly onto Merrijig Drive and Fischer Street to provide an active and pedestrian focused interface.</i> 	<p>The Overlay indicates that an 'active pedestrian focus interface' is to be provided with proximity to shops such as cafes and small scale retail shops to encourage a 'human scale' interface. A petrol station will not contribute to the 'pedestrian focus interface' as it is car oriented and unfriendly to</p>
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	pedestrian traffic.
<ul style="list-style-type: none"> To encourage a design and built form that reflects Torquay’s coastal atmosphere, emphasising strong associations with the beach and surfing culture of the township. 	The design of the petrol station is stock standard and does not reflect the ‘coastal character’ of the area. No attempt was made to adapt the design of the station to the ‘beach and surfing culture’.
<ul style="list-style-type: none"> To ensure shops and cafes activate the street, with large car parking areas and larger format retail premises(e.g. supermarket) that have large areas of blank walls being ‘sleeved’ by small retail or commercial premises. 	A petrol station contradicts the small scale retail shop character of the area and will not contribute to the ‘activation’ of the street as it would put emphasis on a ‘car orientated’ neighbourhood.
<ul style="list-style-type: none"> To create an environment conducive to walking, cycling and public transport use. 	The proposal encourages the use of cars where the strategic intent is to encourage pedestrians and cyclists. It will also create conflicts between preferred modes of transport and cars.
<ul style="list-style-type: none"> To ensure the design and location of car parking and vehicular access does not detract from the amenity of the area. 	The car parking will be visible from the street and will detract from the ‘small shop’ pedestrian interface on Fischer Street.
<ul style="list-style-type: none"> To encourage interesting and innovative advertising signage that contributes to a vibrant centre and does not detract from the amenity of the area. 	The advertising package is stock standard and detracts from the amenity of the area by being illuminated 24/7 and in close proximity to residential uses.

To understand the character of the area and the ‘pedestrian interface’ it is imperative to understand the adjoining development which consists of a Woolworths supermarket and small shops fronting Fischer Street. This development is currently under construction (Planning Application 15/0175) detailed below as Figure 3:

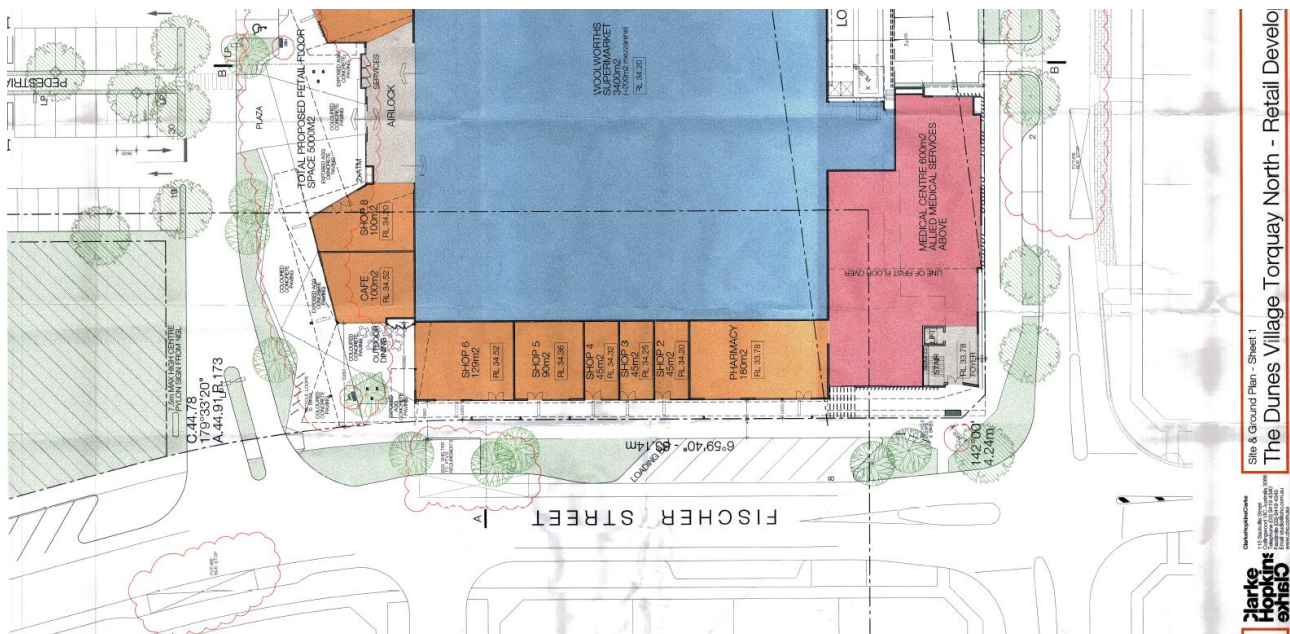


Figure 3 – Extract from Endorsed Plans (Planning Application 15/0175)

The large supermarket is setback from Fisher Street with smaller retail shops and a medical centre (pink on the map) fronting Fisher Street. The “car intensive” activity has been channelled to a larger parking area at the rear, away from Fisher Street, to ensure that pedestrian activity is the main focus and create an attractive streetscape.

The opening hours, being 24/7 are also out of character with the area in that no other business in the NAC have similar opening hours. The “commercial “ character of the area is not typified by 24/7 businesses.

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The DDO23 also includes specific requirements which have been assessed and found to be generally satisfactory except for the height to ceiling requirement and the preference for zero side setbacks.

The DDO23 specifies that a category 3 signage area is required for this area. The signage package is not in accordance with the requirement of a category 3 signage area. A detailed signage assessment is provided in attachment to this report.

The proposed species to be planted on the site are appropriate.

However, it is noted that at least one street tree will need to be removed and no compensation was proposed. In addition, additional shrubs could be planted within the front setback.

A detailed assessment of the Design and Development Overlay is attached to this report.

Overall, the proposal does not positively respond to the design objectives of the overlay and thus fails to be in character with the NAC. It fails to integrate with the surrounding neighbourhood and to reflect the coastal style of Torquay. More specifically, the proposal is unfriendly to pedestrian activity, will be disruptive of the desired streetscape and out of place as being the only business in the area to be opening on a 24/7 basis in the area.

Commercial 1 Zone

The proposed use is permissible under this zone however this does not mean that an application should or will be approved.

<p>Clause 34-01-2 (Commercial 1 Zone) requires that a use must not detrimentally affect the amenity of the neighbourhood, including through the:</p> <ul style="list-style-type: none">• Transport of materials, goods or commodities to or from the land.• Appearance of any building, works or materials.• Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.	<p>The proposal will detrimentally affect the neighbourhood in terms of the appearance of the development, being in contradiction with the character of the area and through the emission of noise, light (from signage), smell and fumes.</p>
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Furthermore, all amenity impacts are to be considered as part of the overarching Decision Guidelines in terms of Clause 65.

Impact on Amenity

In considering the amenity impacts for the development, the following issues were raised:

Traffic

A traffic increase in the area due to the proposed service station is unlikely to be significant. It is expected that the majority of the uses will be on a multi-trip to/from other anchor locations such as the Woolworth grocery, the nearby schools and other local shops.

It would be unlikely that the proposal would result in a significant increase in traffic in the area. Adjoining uses will generate the vast majority of the traffic and it is considered that the road network can accommodate the traffic generated by the proposal.

Safety for pedestrians

In considering the risk for pedestrians, in particular for children, the proposal is considered to increase significantly the risk of accident. There are a number of sports facilities (existing and proposed) as well as schools in the vicinity of the development. A high number of children and adults are expected to walk or cycle to and from those community facilities.

It is note that a shared bicycle and pedestrian path and a local bike route is proposed on Fisher Street as per Council's Pathway Strategy 2012 as per Figure 4 below:

1.1 Application for Use and Development of Land at 1160 Horseshoe Bend Road, Torquay - Service Station on Fischer Street



Pathways Strategy Legend

Potential Pathways

- Regional Path
- Shared Path
- Town Path
- Regional Bike Route
- Local Bike Route

Figure 4 - Extract from Council's Pathway Strategy 2012

The use, when compared to what was strategically contemplated for the site (being a non-retail use as per the development plan) could see an increase in the number of in/out as well as a wider crossover on Fisher Street. This is particular to the petrol station use as other non-retail use such as an office type of use would have lesser number of in/out than what is typically seen for a petrol station. In addition, a smaller crossover would likely be required as the petrol station requires sufficient manoeuvring space for a petrol delivery truck.

It is noted that conflicts between the petrol delivery truck and pedestrians and cyclists could be mitigated by restricting the delivery hours. However, the use will increase the number of in/out movements in a day and pedestrians will have to cross a larger crossover than what was expected for the site. This increases the risk of accident for pedestrians in a "pedestrian orientated" NAC where traffic is channelled towards strategic routes to limit conflicts.

The proposal will create a risk to pedestrians and cyclists which is not acceptable.

Manoeuvring for large delivery trucks

Vehicle sweep paths were included in the Traffic Study submitted with the application and was assessed as being generally satisfactory by Council's Infrastructure Department.

Fumes and air pollution

The management of odour is controlled by the State Environment Protection Policy (Air Quality Management) [SEPP (AQM)]. It is considered likely that there will be a number of potential odour sources arising from the proposed use, including:

- Petrol fumes
- Exhaust emissions
- Smells from waste stored on site.

Odours from petrol fumes and vehicle exhausts are less able to be controlled once the use is established. The EPA *Recommended Buffer Distances for Industrial Residual Air Emissions* 2013 provides buffer distances from sensitive uses to limit the impact of odours however a service station or associated activity is not a listed use. The petrol pumps will be located at least 25 m from the residences opposite Fisher Street.

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Informal advice obtained from the EPA suggests that a condition could be included to ensure that offensive odours must not be discharged beyond the boundaries of the premises.

Based on general observation it is considered that petrol fumes are generally not noticeable outside of the service station, therefore it is considered that odours are unlikely to impact on the amenity of adjoining properties. As noted previously the use is controlled by SEPP (AQM).

It is noted that a café is proposed opposite the access on the southern side (as per the endorsed plans) and that there could be a potential for perceived conflict.

Noise

A concern from the adjoining residential properties is the impact of noise generated by the proposed use and development. An acoustic assessment has not been prepared or submitted by the applicants. The following noise sources can be expected:

- Vehicles arriving and leaving, car door shutting 24 hours/day
- Convenience store air-conditioning 24 hours/day
- Refrigeration condensing units 24 hours/day
- Petrol and other deliveries and collection of waste Limited
- Retail premises air-conditioning 24 hours/day
- Food servery hood exhaust fan 24 hours/day

The current application has not nominated delivery times for petrol or for standard goods. To avoid conflict with pedestrians and cyclists, it was proposed to limit petrol delivery outside peak traffic times. However, this can exacerbate the noise issues if petrol deliveries are made very early in the morning or very late at night. The window of opportunity for petrol delivery is very limited.

In the case of other currently existing petrol stations in Torquay adjacent to residential development, they are located on the Surf Coast Highway and therefore the noise generated by those facilities is not readily distinguishable from the noise of traffic using the highway.

In this instance, the background noise is expected to be low, particularly at night when the other businesses are closed. Adverse noise impacts are considered likely to be detrimental to residential amenity.

Visual appearance

The proposed development is a typical Caltex service station design with a simple rectangular building, or "Pay Point" as the plans designate it, with no concessions to Surf Coast Style. The result is a relatively bland building that does little to promote the design principles elaborated in the Design and Development Overlay, Schedule 23. The service station will not contribute to the preferred character of the area.

Extended hours of operation

The extended hours of operation being 24/7 will clash with the other businesses in the area and will be out of character and create amenity issues such as illumination and noise. Submitters also mentioned the potential for an increase in loitering, theft and other anti-social behaviour.

The petrol station is unlikely to offer additional "crime" potential as surveillance is generally provided on-site.

Details of specific lighting have not been provided with the application, but it can be assumed that the area under the canopy, around the building and within the car parking will be lit as well as the freestanding internally illuminated sign. The lights will be visible from adjoining properties opposite the street and to the north.

This is likely to be detrimental to adjoining residential properties, particularly given the hours of operation proposed.

Stormwater drainage

Concerns were raised that the development would increase risk of soil and waterway contamination due to spillage.

The development of the NAC with significant building area and large area of car parking will generate substantial volumes of stormwater run-off at high volumes which are likely to have high levels of pollutants.

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The site must be considered in the big picture of the whole development site, not just the area of the service station. A significant stormwater treatment wetland is identified on the approved development plan to service the whole of the estate, including land to the west of Fischer Street. The NAC will ultimately be connected to this infrastructure when it is constructed.

The present proposal does not include any drainage solution or connection. Advice from Council's Infrastructure Department was obtained with a preference for the site to be connected to the underground drain on Falcon Drive – to the north of the site (to be constructed).

In relation to any spillage and pollutant in stormwater, the EPA guidelines specify that a secondary containment system must be provided for liquids which if spilt are likely to cause pollution or pose an environmental hazard, in accordance with the EPA Publication 347 Bunding Guidelines 1992 or as amended. This would be in accordance with the current EPA requirements.

Other Issues Raised by Objectors

Decrease in house value and ability to find tenants

These issues are generally not considered as valid planning grounds of objection. VCAT has determined that the potential for property devaluation is not a planning consideration and cannot be substantiated.

Decommissioning

EPA advice was obtained and responded that: *'Any underground storage tanks which are to be decommissioned, temporarily decommissioned or removed shall be managed in accordance with AS4976-2008 The Removal and Disposal'*

Insufficient competition

A concern was that there are too many Woolworth/Caltex petrol stations in Torquay which does not foster competition. This is not considered to be a valid planning ground of objection. Council must consider the use proposed rather than the individual operators which could change over time.

Hazard (fire, explosion) in a residential area

It is not uncommon for service stations to be located in residential areas throughout Australia and the risk to nearby residences can be appropriately mitigated.

Land area

Some discrepancies exist between the endorsed plans for Planning Application 15/0175 for the shopping centre and the present proposal in that the development area for this site is 1850 m² whereas the lease area subject to this application is 1949 m².

Furthermore, there is an existing Powercor reserve on the site which has not been shown on the plan. This may further constrain the development on the site.

Financial Implications

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

Processing and assessment of the application and attendance (if required) at the Victorian Civil and Administrative Tribunal can be undertaken within the current operational budget.

Council Plan

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

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

Policy/Legal Implications

The application is being assessed against relevant provisions of the Surf Coast Planning Scheme and the *Planning Environment Act 1987*.

1.1 Application for Use and Development of Land at 1160 Horseshoe Bend Road, Torquay - Service Station on Fischer Street

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 are considered against the relevant provisions of the *Surf Coast Planning Scheme* and the *Planning and Environment Act 1987*.

Any decision made by Council on this application can be challenged at the Victorian Civil and Administrative Tribunal (Tribunal).

In the event the application was refused and appealed to the Tribunal by the Applicant or approved and appealed to VCAT by submitters, appropriate representation to the Tribunal will be made. Council is required by VCAT procedures to circulate draft 'without prejudice' conditions to all parties at least 10 days prior to a hearing when an Application is refused by Council and appealed. This will be actioned if the circumstance arises. In the event that the Tribunal determines to grant a permit these conditions will form the basis of discussion between the parties.

Social Considerations

Impact on the amenity, health and safety of adjoining residents are 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 1987*.

Letters were sent to the adjoining land owners and occupiers and a sign was displayed on the subject land.

Following public notification of the proposal, 91 submissions were received for the proposal and a petition of 117 individuals was tabled at Council Meeting on 26 July 2016.

Submitters had the opportunity to address the Hearing of Submissions Committee on 2 August 2016.

Environmental Implications

Environmental impacts will be assessed and managed in accordance with the relevant provisions of the *Surf Coast Planning Scheme* and the *Planning and Environment Act 1987*.

Communication

Council's final decision on this matter will be provided to the applicant and all submitters.

Conclusion

Overall, the proposal fails to address the strategic intent as reflected in the controls of the Surf Coast Planning scheme. The Neighborhood Activity Centre (NAC) allows for commercial uses to be established. However the proposal is considered inconsistent with finer details and strategic intent of the development plan and orderly development of the area. A Development Plan controls the development of the NAC which does not allow for the land to be used as a service station at the proposed location.

The proposal does not positively respond to the design objectives of the overlay and therefore fails to be in character with the NAC. It fails to integrate with the surrounding neighbourhood and to reflect the coastal style of Torquay. The proposal is unfriendly to pedestrian activity, will be disruptive of the desired streetscape and will adversely affect amenity by being the only business in the area to be open on a 24/7 basis.

Although it is not uncommon for service stations to be located in or near residential areas, in this instance, the resulting amenity issues will outweigh the convenience of a petrol station. In particular, the noise, level of illumination, safety of pedestrian and cyclists are considered to be inappropriate.

It is recommended that the proposal be refused for the reasons outlined in the grounds of refusal; it is also considered that the application does not achieve community benefit.

1.2 Planning Scheme Amendment C113 - 85 Geelong Road, Torquay - Consideration of Submissions

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

General Manager: Kate Sullivan
File No: F16/661
Trim No: IC16/810

Appendix:

1. Summary of Submissions with Officer Comment (D16/69143)
2. Schedule 5 to the Special Use Zone amendment (D16/69151)

Officer Direct or Indirect Conflict of Interest:

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

Yes

No

Reason: Nil

Status:

Information classified confidential in accordance with Local Government Act 1989 – Section 77(2)(c):

Yes

No

Reason: Nil

Purpose

To consider submissions received to Surf Coast Planning Scheme Amendment C113 and resolve to refer the submissions to an independent Panel.

Summary

Planning Scheme Amendment C113 applies to land at 85 Geelong Road, Torquay, located on the corner of the Surf Coast Highway (Geelong Road) and Grossmans Road.

The Amendment proposes to amend Schedule 5 to the Special Use Zone to allow the proponent to apply for a planning permit to use and develop the land for a service station as part of a wider concept plan (with an E-station for charging electric cars). It also includes a medical centre, aged care facility, child care centre, café and food outlets with speciality shops, a cinema or multi-purpose function centre and a community/outdoor amphitheatre. The proposal does not include a request for a planning permit at this time.

Amendment C113 was placed on public exhibition from 26 May 2016 to 27 June 2016. 16 public submissions were received, including one late submission supporting the Amendment. One referral was received from Vic Roads offering no objection to the Amendment. Eight of the public submissions objected to the Amendment and eight supported the Amendment (one on the proviso that the future development of the site must include an arts facility). Two of the submissions were from the same submitter representing two different companies. Opponents of the Amendment are generally concerned with possible traffic, amenity, health and safety impacts attributed to the operation of a service station on the site and that the use of the land for a service station is not appropriate for a prominent “gateway” site at the entrance to Torquay.

For reasons outlined in this report, it is recommended that Council refer the Amendment and associated submissions to an independent Panel for consideration, with a slight change to Council's position on the wording of the schedule in response to submissions.

Recommendation

That Council:

1. Having considered all submissions to Amendment C113, request that the Minister for Planning appoint an independent Panel under Part 8 of the *Planning and Environment Act 1987*.
2. Refer all submissions to the Panel pursuant to Section 23(1)(b) of the *Planning and Environment Act 1987*.
3. Refer Amendment C113 to the Panel with the following change:
In Precinct T1 the site must:
 - Be accessed only from the Surf Coast Highway or a service road running parallel to the Surf Coast Highway.
 - Not be located on the Grossmans Road frontage or have access from Grossmans Road.

1.2 Planning Scheme Amendment C113 - 85 Geelong Road, Torquay - Consideration of Submissions

Report

Background

The Amendment applies to land at 85 Geelong Road, Torquay (Lot 3 on LP 213066W). The land is 2.56 hectares in area and at the corner of the Surf Coast Highway (Geelong Road) and Grossmans Road. It is shown on the Location Map below.

Location Map



The land is currently zoned Special Use and is located within 'Precinct T1- Surf Coast Gateway Precinct' of Schedule 5 (Clause 37.01). The purpose of this Special Use Zone is to encourage tourism development in high profile precincts within the Shire.

The Amendment proposes to amend Schedule 5 by including Precinct T1 (with reference only to Lot 3 of LP213066W, i.e. the subject land) in the list of precincts where a planning permit application can be made to use the land for a service station. Service stations are currently only permitted in Precinct T4 in Torquay within the Special Use Zone, which is currently developed with a Woolworths affiliated service station. The existing service station at 55A Geelong Road is within the General Residential Zone.

A wider concept plan for the site was exhibited with the Amendment, however the proposal does not include a request for a planning permit at this time. The Concept Plan, in addition to a proposed service station, included an E-station for charging electric cars, medical centre, aged care facility, child care centre, café and food outlets with speciality shops, a cinema or multi-purpose function centre and a community/outdoor amphitheatre. Council required the current landowners to enter into a Section 173 Agreement prior to exhibiting the Amendment which would commit the landowner (including future landowners) to developing the site generally in accordance with the Concept Plan.

1.2 Planning Scheme Amendment C113 - 85 Geelong Road, Torquay - Consideration of Submissions

It included a clause that allows construction of a service station only if a minimum of 50% of the land is developed in accordance with the Concept Plan or delivered at the same time.

Discussion

Amendment C113 was placed on public exhibition from 26 May 2016 to 27 June 2016. 16 public submissions were received, including one late submission supporting the Amendment. One referral was received from Vic Roads offering no objection to the Amendment. Eight of the public submissions objected to the Amendment and eight supported the Amendment (one on the proviso that the future development of the site must include a publicly managed arts facility). Two of the supporting submissions were from the same submitter representing two different companies. One submitter (supporting the Amendment) did not supply any contact details and officers have been unable to locate a contact address.

Key issues raised through opposing submissions can be grouped under two main headings:

- 1) Concerns that the proposed policy change does not align with the strategic importance of the land as a “landmark” or “gateway” site, and does not comply with the purpose of the zone provisions which promote tourism development on the land.
- 2) Amenity, health and safety impacts that may arise if a service station is permitted on the site.

The need for community infrastructure, and in particular a public arts facility, was also raised in a number of submissions both supporting and opposing the Amendment.

Strategic Importance of the Site

Five of the objecting submitters (Submitters 2, 5, 10, 13 and 15) raise concerns over the proposed change and assert that a service station would not be compatible with the “landmark” or “gateway” status of the site, nor meet the definition of a tourism focussed development. Specific points include:

- 85 Geelong Road is the gateway to Torquay and should be used in a manner that will promote local trade without opening it up to large chain businesses.
- The declaration of the site as a “gateway” has been stated and reinforced by Council many times over the years.
- This site has previously been determined unsuitable for a service station and should remain so. There is no justification for this change in policy.
- This amendment should not be made without considerable community consultation and regard to the Torquay Jan Juc Strategy.
- This amendment is at odds with the fundamental strategic direction for this land which was established through Amendment C36. This previous Amendment established a long standing policy direction which acknowledged the critical importance of the Surf Coast Highway and in particular the subject site, to Torquay, its amenity and economic development.
- This land should be occupied by a building that would do justice to this “iconic” site.
- The subject site is a critical landmark property as acknowledged by the Design and Development Overlay, Schedule 7 (DDO7). The strategic direction and built form parameters remain sound. A service station would not align with these requirements.

Submitter 14 however, supporting the amendment believes that the ‘site is long overdue for development and the proposed plan makes good use of the site that sits at the gateway to the entrance of the town.’

Officer Comment

The subject site is part of the ‘Gateway Precinct’, referred to as Precinct T1 in the Special Use Zone, Schedule 5 (SUZ5) in the Surf Coast Planning Scheme. The SUZ5 is primarily concerned with regulating the use of the land as distinct from development design. The purpose of the SUZ5 is to:

- Encourage tourism development in the following high profile precincts shown on Map 1 of this schedule to Clause 37.01:
 - Precinct T1 – Surf Coast Gateway Precinct, Surf Coast Highway, Torquay
 - Precinct T2 – Surf City Precinct, Surf Coast Highway, Torquay
 - Precinct T3 – Town Centre Foreshore Precinct, The Esplanade, Torquay
 - Precinct T4 – Corner Bristol Road and Surf Coast Highway, Torquay
- Encourage a range of tourism related land uses, including:
 - Diverse forms of medium density tourism accommodation;
 - Tourist activities and attractions; and
 - Tourism related retailing in appropriate locations.

1.2 Planning Scheme Amendment C113 - 85 Geelong Road, Torquay - Consideration of Submissions

- Promote a mixture of tourism related uses, with food and drink premises and tourism related retail predominantly at ground floor level, and accommodation and offices predominantly at upper floor levels.
- Ensure that Precincts T1 and T2 are not dominated by restaurants, cafes and take-away food premises.
- Promote the use of environmentally responsive designs, materials and colours to develop a distinct image for the Shire which reflects and complements its environmental and cultural attributes.

It should be emphasised that the Planning Scheme cannot control the brand of business seeking to use or develop land (e.g. whether a business is part of a wider chain) but may only control the type of land use and development design.

It is noted that a service station is currently a permit required use in Precinct T4, which is the site of the current Woolworths affiliated service station at the corner of Bristol Road and the Surf Coast Highway, and therefore cannot be seen as contrary to the purposes of the SUZ5. The question then turns to whether it is appropriate to consider locating a service station in Precinct T1.

The land has been part of Precinct T1 in the SUZ5 since the introduction of the new format planning scheme in 2000. Precinct T1 is referred to as the "Surf Coast Gateway Precinct" and includes the subject land and land further south accommodating the existing Torquay Lions Village and a retail development, including McDonalds, further south to Beach Road. In the late 1990s when the precincts in the SUZ5 were developed, the traffic lights at the intersection of Grossmans Road and the Surf Coast Highway were the first set of lights when coming into Torquay from Geelong and beyond. There was little development to the north of Grossmans Road, the Tropicana Motel was located on the north west corner of the intersection and residential development to the north east in Wombah Park was well set back from the Surf Coast Highway.

Over the years, this entrance to Torquay has undergone much change. The introduction of the West Coast Business Park approximately 1km north of the subject site, the construction of the Surf Coast Shire Municipal Offices opposite the business park, and significant planned and built residential development in the intervening 1km has meant that the significance of the land as the premier gateway site for Torquay is somewhat diminished. Notwithstanding this, the land is still in a very prominent location on the Surf Coast Highway and provides a lead up to the Surf City development to the south.

Over time, the SUZ5 has been amended a number of times to increase the number of permitted uses that can be considered in order to encourage a greater mix of uses within each precinct and foster economic development (refer Amendment C36, C37 and C78). A review of the SUZ5 was undertaken for Amendment C78 which noted:

'Schedule 5 to the Special Use Zone was drafted in the late 1990's as part of the preparation of the new format planning scheme for Surf Coast Shire. The new format scheme introduced the Victorian Planning Provisions which specifies standard zones and their application.

Council sought to limit the type of retailing permitted in and around the Surf City complex and adjacent the Surf Coast Highway to reinforce the predominantly surfing and tourist oriented flavour and to prevent the establishment of a supermarket and associated specialty shops that would compete with the hierarchical role of the Torquay Town Centre at Gilbert Street.

This policy was supported by the Torquay Town Centre Retail Strategy, 1999 and upheld at Panel in relation to a planning scheme amendment to allow a supermarket on the Highway. The retail strategy was reviewed in 2003 and again in 2005. The 2005 retail strategy provided support to the Torquay Jan Juc Structure Plan of 2007. It continued to promote the principle of ensuring the role of the Torquay Town Centre as the primary retail centre for Torquay was maintained and strengthened, and that further fragmentation of retail floor space within Torquay was avoided.'

The review also noted that since its introduction many landlords and estate agents raised concerns with difficulty in leasing properties within the SUZ5 due to its limiting restrictions on retailing. Removal of the SUZ5 and replacing with a Commercial Zone was not considered appropriate as its function in maintaining the retail hierarchy for Torquay was important.

1.2 Planning Scheme Amendment C113 - 85 Geelong Road, Torquay - Consideration of Submissions

It was however found that the range of uses needed to be expanded to encourage retail development and ensure a successful economic environment. The report did not specifically review whether a service station would be appropriate in locations other than Precinct T4. Through public consultation a question was raised about the appropriateness of the 3,000sqm site area limit for a service station and the response at the time was that "it is appropriate to apply the site area limit in the Special Use Zone as this is not a use that should be encouraged to dominate in this zone". As such, Amendment C78 was prepared and exhibited with no change made to the provisions regarding service stations. The primary limiting purpose of Precinct T1 continued to be to ensure that it would not be dominated by restaurants, cafes and takeaway food premises.

It is considered that Amendment C113 proposes a change to the SUZ5 which:

- Would not be contrary to the purposes of the SUZ5.
- Would have no impact on the ability of a landowner to apply to use the land for a restaurant, cafe or takeaway food premises.
- Would not result in service stations dominating in the SUZ5.
- Would not destabilise the retail hierarchy of Torquay or jeopardise the primacy of the Torquay Town Centre.

In terms of the future development of the land for a service station and built form outcomes, it is important to note that all of the existing requirements and decision guidelines within the Surf Coast Planning Scheme that currently apply to development of the land will continue to apply. No change is proposed to the Design and Development Overlay, Schedule 7 affecting the land.

The site sits within Precinct 1 'Landmark' which contains performance criteria around building height, siting, design and landscaping. In particular, it requires a landmark element for any building located on the corner of Grossmans Road, a 40 metre minimum landscaped setback to any proposed parking from Grossmans Road to incorporate the installation of landmark planting and design, a 20 metre building setback to the Surf Coast Highway and a 10 metre minimum setback to Grossmans Road. Any future planning permit application for 85 Grossmans Road, Torquay would need to meet these guidelines.

Potential Impacts on Amenity, Health & Safety from a Service Station

Submitters 1, 2, 3, 5, and 8 raise a number of concerns in relation to the possible impacts on the amenity, health and safety of adjoining residents from the possible operation of a service station on the land. Issues include:

- Increases in traffic and the potential danger to children who pass by this site on the way to the two primary schools in Grossmans Road.
- The proposed mix of uses shown in the Concept Plan conflict and could put lives in danger should the need for an evacuation arise.
- The Grossmans Road, Surf Coast Highway intersection is already very busy and this proposed development would exacerbate the problem.
- The proposed use would negatively impact on the tranquil atmosphere currently enjoyed by the residents at the adjoining Torquay Lions Village, through noise, smell, overshadowing and privacy loss.
- Several research studies have provided a positive correlation between an increased risk of cancer and those living within 100m of a service station.
- The industrial estate is the ideal location for a service station so there is no need for one to locate on this site.

Officer Comment

Amendment C113 proposes to amend the Surf Coast Planning Scheme to allow a planning permit application to be made for a service station on the subject land. It does not include a planning permit application and thus it is difficult to assess the potential impacts without having a development proposal on which to base an assessment. What is clear is that any future development on the site will have potential impacts for surrounding properties and for future users of the site. A service station in particular is likely to have a number of possible impacts that would need to be carefully considered.

Any permit application for a service station in the future would need to specifically address the following conditions and requirements set out in the Surf Coast Planning Scheme (this list highlights amenity issues and is not a full list of all the requirements in the Scheme):

1.2 Planning Scheme Amendment C113 - 85 Geelong Road, Torquay - Consideration of Submissions

- 'A use must not detrimentally affect the amenity of the neighbourhood, including through the:
 - Transport of materials, goods or commodities to or from the land.
 - Appearance of any buildings, works or materials.
 - Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.' (Section 2, Clause 37.01, Schedule 5).
- 'Before deciding on an application to use the land the responsible authority must consider, as appropriate:
 - The interface with adjoining zones, especially the relationship with residential zones.
 - The need to restrict land uses likely to generate high rates of vehicle movement to sites with direct frontage to main roads.
 - The need to protect the core retail and service functions of the Torquay Town Centre.
 - The need to protect the residential amenity of surrounding dwellings from off-site impacts such as noise, odour, traffic congestion and on-street parking.
 - Whether a mix of land uses within each precinct is provided, with food and drink premises and tourism-related retail predominantly at ground floor level, and accommodation and offices at upper floor levels.
 - The effect of traffic to be generated on roads.' (Section 2, Clause 37.01, Schedule 5)
- 'The amenity of the locality must not be adversely affected by activity on the site, the appearance of any building, works or materials, emissions from the premises or in any other way.
- If the site adjoins a residential zone:
 - A landscape buffer strip at least 3 metres wide along the common boundary must be planted and maintained to the satisfaction of the responsible authority.
 - External lights must be directed away from the residential zone to prevent light spill and glare.' (Clause 52.12-1)

An applicant would be required provide detailed plans and specialist reports to address these issues.

The subject site is a large site of over 25,000sqm. It is located on the Surf Coast Highway and has a commercially based zoning. It is not unusual for a service station to be located within towns, near to residential areas and other community facilities. As noted above, any service station proposed for the site would need a planning permit application and would need to address the issues outlined. However, given the prominent position of the site, its size and proximity to nearby schools and residential areas it would be reasonable to apply some additional criteria through this Amendment C113. It is proposed that Council recommend the following conditions in the Special Use Zone, Schedule 5 be referred to a Panel alongside the Amendment:

In Precinct T1 the site must:

- Be accessed only from the Surf Coast Highway or a service road running parallel to the Surf Coast Highway.
- Not be located on the Grossmans Road frontage or have access from Grossmans Road.

Provision of Community Infrastructure

Submitters 1, 4, 5, 9, 10, 11, 12, and 14 all raise the possibility of community infrastructure provision, particularly an arts facility with some submitters viewing this potential as a good reason to proceed with the Amendment, and others strongly opposed to this being used to justify the Amendment.

Officer Comment

In the first instance, it should be noted that the provision of community infrastructure on this privately owned site is not a requirement of the Surf Coast Planning Scheme. The proponent submitted a Concept Plan with the Amendment which outlined a possible future multi use development outcome for the site. This Concept Plan included a potential "cinema/multi-purpose function centre" and "community/outdoor amphitheatre". The landowners entered into a Section 173 Agreement with Council committing the landowner to developing the site generally in accordance with this Concept Plan should the Amendment proceed. There was no agreement however, that future development should provide a community or Council managed arts facility and it cannot be assumed or guaranteed that this will eventuate on the site.

It is noted that the Development Contributions Plan Overlay applies to the site and it is technically possible that Council could negotiate the provision of works in kind rather than the specified payment amount, however the content of the Development Contributions Plan for Torquay Jan Juc would need to be amended to reflect this and no investigation into likely costs of such a facility has currently been undertaken.

1.2 Planning Scheme Amendment C113 - 85 Geelong Road, Torquay - Consideration of Submissions

In summary, it is recommended that the Amendment has sufficient merit to proceed to a hearing by a Panel appointed by the Minister for Planning. All submissions should be referred to the Panel for further consideration.

Financial Implications

The proponent has signed a legal agreement to cover all costs associated with processing a planning scheme amendment, including any panel costs and Council's project management costs. The requirement to cover all costs is based on the request being privately sought and outside Council's strategic planning work program.

Council Plan

Theme 5 Development and Growth

Objective 5.4 Transparent and responsive land use and strategic planning

Policy/Legal Implications

The proposed Amendment would lead to a revision of planning policy for the site, with regard to the potential for a service station to locate on the site.

The proposal commits Council to two new legal agreements in which the obligations of each rest with the proponent, the first requiring payment of all costs associated with the Amendment and the second requiring the proponent to pursue development of the site in accordance with the concept plan.

Officer Direct or Indirect Interest

No officer involved this report has any direct or indirect conflict of interest.

Risk Assessment

There are no identified risks to Council associated with considering submissions and referring the Amendment to a Panel.

Social Considerations

The Amendment could lead to a range of social outcomes. It has the potential to facilitate the development of a service station on the land, which would create a number of jobs, both in the construction phase and for ongoing operation, and increase the provision of such facilities in Torquay. There are however, amenity, health and safety considerations that would need to be carefully considered through a future planning permit application.

Other proposed facilities shown on the concept plan are not affected by the Amendment. All of these are currently permit required uses pursuant to the Surf Coast Planning Scheme.

Community Engagement

The Amendment was exhibited in accordance with section 19 of the *Planning and Environment Act 1987*, including:

- Notices to affected landowners and adjacent owner/occupiers
- Notices in the Surf Coast Times and Government Gazette
- Available for viewing on the Department of Environment, Land Water and Planning website and Council's website.

Environmental Implications

The Amendment is not expected to have any adverse environmental effects. Environmental implications that might arise from future development of the site would be considered in detail as part of any subsequent planning permit applications.

Communication

Submitters will be notified of Council's decision following the Council meeting.

Conclusion

Having considered all submissions, it is considered that the proposed Amendment has sufficient merit to proceed to an independent Panel Hearing. It is recommended that Council request the Minister for Planning appoint a Panel to consider Amendment C113 and associated submissions, with changes as outlined in this report.

1.3 Amendment C114 - Spring Creek Precinct Structure Plan

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

General Manager: Kate Sullivan
File No: F16/734
Trim No: IC16/809

Appendix:

1. Summary of submissions (D16/77210)

Officer Direct or Indirect Conflict of Interest:

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

Yes

No

Reason: Nil

Status:

Information classified confidential in accordance with Local Government Act 1989 – Section 77(2)(c):

Yes

No

Reason: Nil

Purpose

To consider submissions received to Planning Scheme Amendment C114 and refer the submissions to an independent Panel.

Summary

Planning Scheme Amendment C114 seeks to implement the Spring Creek Precinct Structure Plan (PSP).

The amendment was placed on public exhibition from 26 May 2016 to 27 June 2016. A total of 80 submissions were received. Key issues raised in the submissions relate to the rural-urban interface along the western boundary; the extent and level of development (number of lots and density); access to/from the Great Ocean Road (including opposition to signalised intersections at Strathmore Drive East and West); loss of the natural environment, biodiversity and wildlife and bushfire risk; support for the Community Vision for the Spring Creek Precinct Structure Plan prepared by local community groups; queries about the future of the balance of the Spring Creek valley; and detailed comments from Spring Creek landowners and developers about technical aspects of the PSP (e.g. neighbourhood activity centre, open space, stormwater management, traffic infrastructure, lot sizes and density, residential design controls, native vegetation removal/retention, development contributions).

Given the complexity of the issues raised in the submissions and the competing demands/interests, Council is unable to resolve all the submissions. It is therefore recommended that all submissions be referred to an independent Panel to be appointed by the Minister for Planning. Council reserves its right to give further consideration to the merits of the amendment following receipt of the Panel report.

Recommendation

That Council:

1. Receive and note submissions to Planning Scheme Amendment C114.
2. Having considered all submissions to Amendment C114, request that the Minister for Planning appoint an independent Panel under Part 8 of the *Planning and Environment Act 1987*.
3. Refer all submissions to the Panel pursuant to Section 23(1)(b) of the *Planning and Environment Act 1987*.
4. Endorse the following position for officers to present at the Panel hearing:
 - 4.1 Support alternative access arrangements to/from the Great Ocean Road in lieu of a signalised intersection at Strathmore Drive East, informed by council officers' investigation of suitable options.
 - 4.2 Require the establishment of a suitable buffer within private land along the rural-urban interface, including a 10 metre wide vegetation buffer, 20 metre building setback and appropriate fencing.
 - 4.3 Support the request to increase the size of the Neighbourhood Centre from 2.1 hectares to 3 hectares in order to accommodate up to 5,000m² of retail floor space in the long term.
 - 4.4 Not support the request to accept the large area of Bellarine Yellow Gum woodland on 200 and 220 Great Ocean Road, Jan Juc as an offset site due to the restrictions this would place on future passive recreational use and ongoing land management obligations for Council.

1.3 Amendment C114 - Spring Creek Precinct Structure Plan

Report

Background

Planning Scheme Amendment C114 seeks to implement the Spring Creek Precinct Structure Plan (PSP). The PSP was prepared by Council with assistance from the Metropolitan Planning Authority (MPA) and in consultation with government agencies, service authorities and key stakeholders. It provides the strategic framework for the future development of the Spring Creek urban growth area west of Duffields Road.

The PSP is based on recommendations from a Community Panel Council convened in 2015 as well as a series of technical reports and submissions on an interim Draft Framework Plan which formed a pre-cursor to the structure plan.

Key features of the plan are:

- a permanent town boundary along the precinct's western boundary by having no roads along the boundary and larger residential lots with 20 metre building setbacks at this end of the precinct
- more than 57ha of open space and conservation reserves, including a 75 metre setback either side of the 10-year flood level along Spring Creek and wildlife corridors along all waterways
- protection of as many stands of Bellarine Yellow Gum and individual trees as possible, while vegetation offset requirements are identified for any trees removed as part of future development
- retention of existing roadside vegetation along Duffields Road, Grossmans Road and the Great Ocean Road
- a variety of lot sizes and housing options to suit a range of prospective residents, but generally at lower densities in recognition of the landscape and environmental values of the precinct
- residential design controls that mandate minimum setbacks, maximum site coverage and minimum area available for planting and restrict fences and the use of retaining walls. The controls also specify a preferred maximum building height of 7.5 metres.
- local services including a neighbourhood shopping centre and a community building to reduce the need for car travel
- a comprehensive network of pedestrian and bicycle paths, including on both sides of Spring Creek, linking open space areas within the precinct and beyond towards Torquay's CBD
- connector road access points from Grossmans Road, Duffields Road and Great Ocean Road to provide safe and efficient connections between the precinct and surrounding areas
- retention of the green break between Torquay and Bellbrae

The Planning Scheme Amendment proposes to incorporate the Spring Creek PSP into the Surf Coast Planning Scheme. The amendment also updates the Urban Growth Zone Schedule 1 (UGZ1) to facilitate the development of the land; rezones part of the Christian College site that is surplus to its requirements to UGZ1; applies the Development Contributions Plan Overlay Schedule 3 (DCPO3) to all land zoned; incorporates the Spring Creek Native Vegetation Precinct Plan (NVPP); and makes a number of other consequential changes to the Surf Coast Planning Scheme.

Discussion

The amendment was publicly exhibited from 26 May 2016 to 27 June 2016. A total of 80 submissions were received. Submissions were received from:

- Government agencies / service authorities (5)
- Spring Creek landowners/developers (10)
- Adjoining landowners (7)
- Community groups (3)
- Residents (55) (Jan 34, Torquay 14, other or unknown 7)

Council's Hearing of Submissions Committee convened on 12 July 2016 and heard from fourteen submitters.

A summary of submissions is provided at Appendix 1. The key issues can be summarised as follows:

- Thirty-six (36) submissions objecting to signalised intersections on the Great Ocean Road at Strathmore Drive East and West, with requests for roundabouts, staggered T-intersections or no access at all.
- Eleven (11) submissions supporting the "Community Vision for the Spring Creek Precinct Structure Plan" prepared by a coalition of local community groups.

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- Six (6) submissions raising concerns relating to the rural-urban interface along the precinct's western boundary.
- Objections to the level and extent of development and requests for less and larger lots (up to 4,000m²).
- Several submissions expressing concerns about the impact of development on the natural environment, biodiversity, wildlife and bushfire risk.
- A number of submissions querying the future of the balance of the Spring Creek valley between 1km west and Bellbrae; and requests for land up to Ashmore Drive to be rezoned to Low Density Residential to permit 4,000m² allotments similar to Ocean Acres.
- Comprehensive submissions from Spring Creek landowners/developers about technical aspects of the PSP and associated documents on a range of issues, including allowing smaller lot sizes in strategic locations.

Rural-urban interface

Submissions

Adjoining landowners within the Farming Zone on the north side of Spring Creek have raised concerns about the treatment of the rural-urban interface along the precinct's western boundary. Concerns include the perceived loss of rural atmosphere/lifestyle/amenity, impact on the viability of existing farming enterprises, endangerment of livestock (horses) from possible incursion by new residents and dogs, the likelihood of complaints from future urban residents about farming activities (e.g. dust, noise, chemical spray) and intrusion by kangaroos displaced by development. The submitters request a vegetation buffer, fencing that prevents access to their land and larger lots (4,000m²) along the western boundary to mitigate the impacts.

The location of the proposed Torquay West Feeder Main was also mentioned as a concern by adjoining landowners. Plan 9 in the PSP shows this water main aligned along the full length of the precinct's western boundary between Grossmans Road and Great Ocean Road outside the precinct boundary. This plan was prepared based on advice from the water authority, Barwon Water, and a servicing report prepared by Council's consultants. Submitters request that this main be located within the development area rather than on adjacent farming land.

The submission from Rural Estates (Submission 39) submits that the western precinct boundary should not be the final town boundary and that provision should be made for further development to the west.

The owners of the egg farm on Grossmans Road (Submission 4) request that a 300 metre dwelling exclusion zone be applied around the farm to ensure its ongoing operation.

Response

The PSP aims to provide a sensitive rural-urban interface and in response shows larger lots (1,500-2,000m²) along the western boundary, with building setbacks from the western boundary to be a minimum of 20 metres. 4,000m² lots are not supported as the UGZ encourages urban densities. A construction management plan will be required as a condition of permit for each subdivision to reduce off-site amenity impacts such as dust and noise during construction.

Council acknowledges the landowner concerns and in order to address the interface issues, it is recommended that Council decide on a suitable solution to establish an effective buffer along the western boundary to mitigate any adverse amenity impacts and threats to the viability of adjacent rural activities. The following options can be considered:

	Option	Positives	Negatives
1	Vegetation buffer reserve (public land)	<ul style="list-style-type: none"> • More certainty that buffer would be established and maintained. 	<ul style="list-style-type: none"> • Land would have to be purchased, planted and maintained by Council as the land is above the 10% required for public open space under the planning scheme. The cost is likely to be prohibitive. • Does not exclude public access near or onto adjacent rural properties.

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			<ul style="list-style-type: none"> • The landscaped strip increases bushfire risk. • Planted area cannot be wider than 20m so as not to be declared as 'classified vegetation' that constitutes a bushfire hazard in accordance with the Australian Standard for Construction of buildings in bushfire-prone areas.
2	Perimeter road	<ul style="list-style-type: none"> • Would separate residential and rural properties. • Would be provided at developer's cost but is difficult to justify with development on only one side. • Is consistent with best practice planning to reduce bushfire risk along the urban and non-urban interface and provides emergency access. 	<ul style="list-style-type: none"> • The Community Panel did not support any roads along or ending at the western boundary in order to prevent facilitation of development to the west of the settlement boundary. • Does not exclude public access near or onto adjacent rural properties.
3	Controls on private land: - Building setback - Landscape buffer provided by landowners - Fencing	<ul style="list-style-type: none"> • No purchase or maintenance costs to Council. • Fencing is an effective solution to prevent access onto adjacent rural land. • Vegetated buffer will visually screen urban development within the Spring Creek precinct. 	<ul style="list-style-type: none"> • Will require ongoing enforcement of the establishment and maintenance of the landscape strip. • Adjoining landowners would have to share cost of fencing if developers do not agree to carry full cost. • The PSP seeks to avoid solid fencing along the rural interface.
4	Larger lot sizes	<ul style="list-style-type: none"> • Would reduce number of residential lots along the western boundary. 	<ul style="list-style-type: none"> • Does not solve the access and visual amenity issues raised by property owners to the west. • Larger lots inconsistent with purpose of UGZ. • Not supported by current landowners/developers.

It is considered that Option 3 is the most feasible. It is recommended that lots along the western boundary be required to provide for:

- The establishment and ongoing maintenance of a 10m wide landscape buffer planted out with vegetation, including trees and shrubs, that provides an effective visual screen to achieve privacy and to assist in noise attenuation and reduction of dust and spray drift. Species should be low bushfire risk.
- a 20m building setback from the western boundary; and
- fencing that inhibits uncontrolled access by humans or dogs onto adjacent rural land.

These controls can be mandated as part of the residential design controls in the PSP, which will be given effect through a Memorandum of Common Provisions (restrictive covenant on the certificate of title of each lot), and apply only to lots abutting the western boundary.

Precedent for the establishment of landscape buffers within private land has been set by several other developments within the Surf Coast Shire, including a Low Density Residential subdivision at 460 Grossmans Road (8m buffer along the northern ridgeline boundary in combination with a 20m building setback) and a commercial development on the Princes Highway in Winchelsea (10m buffer adjacent to residential land).

Council considers the western boundary to be the final town boundary and the PSP has been designed to ensure there is no expectation that development continues further to the west, consistent with the recommendations of the Community Panel. The balance of the Spring Creek valley in the green break between Torquay and Bellbrae will be considered as part of Council's Rural Hinterland Strategy.

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Regarding the alignment of the proposed Torquay West Feeder Main, Barwon Water advised that the plan provided for the PSP was indicative and the exact location of the main not known at that stage as further design work and consultation with landowners was required. This was not expected to be until 2020. In a further submission however Barwon Water have advised that, following discussions with affected landowners and preliminary site investigations, it is Barwon Water's preference for the northern section of the water main to be located in a future road reserve within the PSP area. Detailed design, which is not expected until at least 2018, will identify a final alignment for the remainder of its distance to the Great Ocean Road. Dependant on a number of factors including ground conditions, environment, slope, available land and constructability issues, the final route may run inside and/or adjacent the PSP south of Fernbach's Drive. Council officers will continue to discuss the alignment with Barwon Water and advocate that it be wholly located within the PSP area.

Council recognises the need to allow for the continued operation of the egg farm, whilst taking into consideration the need to protect the residential amenity of surrounding properties and providing opportunities for residential development consistent with settlement planning for Torquay-Jan Juc. The farm has existing use rights and is entitled to continue operating in accordance with its approvals and existing land use rights. The site context has significantly changed from when the farm was first established, with low density residential development encircling the farm to the north, east and west and land to the south now zoned UGZ. The adjoining Frog Hollow low density residential estate was approved and developed without any separation or buffer distance requirements, with residential lots directly abutting the farm and houses sited within vicinity of the boundary. The only limitation imposed on the development was the prohibition on the keeping of poultry on lots for as long as the egg farm is operating.

The PSP proposes larger lots (1,500-2,000m²) along Grossmans Road in recognition of the rural residential interface. This will limit the number of new dwellings within vicinity of the egg farm. It is not considered that an exclusion zone should be applied given the context of the area and purpose of the UGZ, which was rezoned by the Minister for Planning in 2014 without buffers being applied.

Intersections

Submissions

A large number of submitters, primarily Jan Juc residents, object to the proposed signalised intersections on the Great Ocean Road at Strathmore Drive East and West. Concerns include the effect on traffic flows from five sets of traffic lights between the RACV Resort and Strathmore Drive West, increased traffic volumes on Strathmore Drive/Domain Road and related traffic safety and amenity impacts, and the possible effects on the Great Ocean Road as an international tourist route (submitters feel visitors may bypass Torquay).

Submitters suggest the use of roundabouts in lieu of traffic signals to enhance the flow of traffic, use of staggered T-intersections or denial of access onto the Great Ocean Road altogether (relying on Duffields Road for access to/from the precinct).

VicRoads (Submission 26) do not support the signalised intersection at Strathmore Drive East due to the adverse impact on traffic flows and have requested this intersection be deleted from the PSP and replaced by an alternative solution. VicRoads do support the signalised intersection at Strathmore Drive West and the left in / left out intersection near the western precinct boundary.

Response

Officers will investigate alternative solutions and will work with its traffic consultants, VicRoads, the MPA and other relevant stakeholders to investigate alternative access solutions prior to the Panel hearing.

Level and extent of development

Submissions

A number of submitters object to the level of development in terms of the number of lots, density and lot sizes. They request less lots, larger lot sizes (up to 4,000m²) and lower densities. Developers on the other hand argue for smaller lot sizes and higher densities, quoting targets of at least 15 dwellings per hectare.

Several submitters argue that development should be restricted to 1km west of Duffields Road, not 1.47km as proposed.

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Response

Lots of 4,000m² are not supported as they are not consistent with the purpose of the UGZ to provide for urban development. Higher densities as advocated by developers are not supported either. It is considered that urban growth area densities of at least 15 dwellings per net developable hectare are inappropriate for the Spring Creek precinct due to the environmental and landscape values and the community's desire to "do things differently". Clause 21.08 in the Surf Coast Planning Scheme encourages "lower housing densities" in the Spring Creek valley and the former Minister for Planning who rezoned the area to UGZ has been quoted in *The Age* as saying "we don't want to impose Melbourne style urban growth in Torquay".

The *Sustainable Futures Plan Torquay Jan Juc 2040* planned for approximately 1900 lots in Spring Creek with a density of between 12 and 15 lots per hectare. The yield provided by the PSP is estimated at 1780 lots with a density of 10 dwellings per net developable hectare. Therefore, it is considered that the PSP generally achieves the land supply objectives for this area, despite the lower density.

The PSP applies to the area that is zoned UGZ and is consistent with the western town boundary of Torquay-Jan Juc established upon approval of Amendment C66. The area has been colloquially described as the "1km west" area, even though the southern portion of the precinct extends further than 1km west of Duffields Road when measured along the Great Ocean Road. The "1km west area" is based on a former version of the Torquay-Jan Juc Framework Map at Clause 21.08 of the Planning Scheme, which showed a "v line" as an informal town boundary generally 1km to the west of Duffields Road. The Panel for Amendment C66 recommended that this area be rezoned to UGZ by the Minister and described the extent of the area as "*land in the Spring Creek Valley west of Duffields Road to a line generally in alignment with Bells Boulevard adjusted to correlate with the closest north south title boundaries (the '1km west land')*".

Natural environment, biodiversity, wildlife and bushfire risk

Submissions

Several submitters have raised general concerns about the impact of development in Spring Creek on the natural environment, the loss of biodiversity and wildlife, and bushfire risk.

Response

The aim of the PSP is to protect significant vegetation, habitat and environmental values in balance with urban development. The most significant vegetation, including within the Spring Creek riparian corridor and the large patch of Bellarine Yellow Gum woodland south of Spring Creek, will be retained within the network of conservation reserves, waterway/drainage reserves, local and linear parks and road reserves.

A detailed flora and fauna assessment and arboricultural assessment were prepared to inform the PSP. The assessments identified the flora and fauna species and vegetation communities present and likely to occur in the precinct, the conservation status of remnant vegetation and native fauna, the quality of habitat, the health and retention values of trees, and recommended the most significant areas for retention. In addition, targeted surveys were conducted for the nationally significant Growling Grass Frog, Western Plains Galaxiella and Yarra Pygmy Perch (none of which were recorded within the area).

It is considered that the PSP responds to the concerns as follows:

- The PSP provides requirements and guidelines around the protection and enhancement of remnant vegetation, including revegetation and planting requirements for all open space reserves and streets. The open space network will create biolinks along Spring Creek, the northern tributary and key drainage lines, traversing through and connecting outside of the development area.
- The Native Vegetation Precinct Plan (NVPP) details vegetation that must be retained and vegetation that can be removed. Any native vegetation removal must be offset. The practical retention of trees that are permitted to be removed is strongly encouraged.
- The PSP includes Kangaroo Management Principles to manage the kangaroo population and avoid the kangaroos being landlocked. The 75m wide buffers on both sides of Spring Creek will provide a movement corridor.
- The Spring Creek precinct is not covered by a Bushfire Management Overlay and, although within a designated Bushfire Prone Area under the Building regulations, is not specifically classified as a high risk bushfire area. The PSP includes requirements to manage and mitigate any bushfire risk.
- Specific requirements in the construction management plan for subdivision for identification, salvage and relocation of fauna that may be present e.g. possums.

1.3 Amendment C114 - Spring Creek Precinct Structure Plan

Community vision

Submissions

A number of local community groups have prepared a "Community Vision" for Spring Creek. The key differences of this plan compared to the exhibited PSP are:

- A greater provision of public open space, including wider creek buffers and habitat links
- No access to/from the Great Ocean Road
- Lot sizes of 2,000-4,000m² instead of 1,500-2,000m²
- A vegetation buffer along the western boundary
- Provision of a community food, cultural and health precinct
- Bellarine Yellow Gums used in 80% of street trees

The alternative plan is supported by eleven submitters, including 3228 Residents Association, Surf Coast Energy Group (SCEG) and Surfrider Foundation.

Response

The PSP provides a total of 57 hectares (23%) of public open space, consisting of conservation reserves, waterway/drainage reserves and credited open space (local parks and linear reserves). In accordance with Clause 52.01 of the Planning Scheme, Council can require up to 10% credited open space. Any provision above this legislative requirement would necessitate purchase by Council. Council ownership of this land would also result in an ongoing financial investment by Council for maintenance and management of open space assets.

The PSP provides buffers of 75 metres wide either side of Spring Creek and 50 metres on each side of the northern tributaries (measured from the 1 in 10 year flood level). This is in excess of the 30 metre minimum buffer zone required by state policy (Clause 14.02-1). Vegetation along Grossmans Road, Duffields Road and Great Ocean Road will be retained within the verges of the proposed local service roads.

Denying access to/from the Great Ocean Road would put undue pressure on Duffields Road and would necessitate significant upgrades. The upgrades are likely to result in greater loss of roadside vegetation along Duffields Road. Traffic movements would be increased to levels approximate to the Surf Coast Highway.

Larger lot sizes are not consistent with the purpose of the UGZ to provide for "urban development" and would not meet the land supply objectives in *Sustainable Futures Torquay Jan Juc 2040* for this growth area.

Balance of Spring Creek Valley

Submissions

Several submitters have raised questions about the future of the balance of the Spring Creek valley between the 1km west area and Bellbrae and propose that land up to Ashmore Drive to be rezoned to Low Density Residential to permit 4,000m² allotments similar to Ocean Acres.

Response

The balance of the Spring Creek valley is not part of the PSP. The local planning policy framework in the planning scheme identifies this area to the west as a green break between Torquay and Bellbrae.

Landowner/developer submissions

Submissions

Spring Creek landowners/developers have submitted comprehensive submissions that address a range of matters in detail, including:

- Suggestions for drafting changes to requirements and guidelines in the PSP and provisions in the UGZ Schedule.
- A request from Parklea (Submission 65) to increase the size of the Neighbourhood Centre from the proposed 2.1ha to 3.0ha to accommodate the level of services proposed, opportunities for housing and to take into consideration the topography.
- Objection to the prescribed lot sizes and density, with submitters requesting higher densities, including medium or high density housing around the neighbourhood centre, smaller lots within a walkable catchment of the shopping centre, community facility and school campus, and standard lot sizes along the western boundary and Grossmans Road in lieu of 1,500-2,000m² lots.

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Submitters state that more flexibility is required to be consistent with state and local planning policies that encourage densities of 15 dwellings per hectare in growth areas, and to better respond to market conditions and home buyer preferences, site specific conditions, housing diversity and sustainability objectives, and commercial interests.

- Objection to the residential design controls (e.g. setbacks, site coverage, building height) as it is felt that the controls are too prescriptive, will result in unintended outcomes and will not provide housing diversity or sustainable housing.
- Recommendations for changes to local access roads and connector roads, road cross-sections and intersection treatments. Two submissions (Nos. 11 and 57) request consideration of a vehicle creek crossing to provide improved internal connections between the northern and southern sub-precincts. Christian College (Submission 57) request a third street frontage along the western boundary of its school campus, whilst the owners of 260 Great Ocean Road (Submission 78) oppose a road on their land along the western boundary of the school. Niche Planning Studio (Submission 43) request that the connector road on 220 Great Ocean Road be realigned to provide for residential lots adjacent to the Christian College site. Reeds Consulting (Submission 41) request a road connection from 225 Grossmans Road onto Grossmans Road as per the previously exhibited Draft Framework Plan.
- Criticism of the stormwater management report and proposed drainage assets.
- Questions about the rationale behind vegetation retention/removal, the detail of the NVPP and vegetation offsets, and disagreement with the amount of land required for public open space, conservation and drainage reserves. Niche Planning Studio (Submission 43) objects to the size of the Bellarine Yellow Gum woodland reserve on 200 and 220 Great Ocean Road and requests that the reserve be accepted as a vegetation offset site.
- Concerns about the lack of detail regarding the Development Contributions Plan.

One Spring Creek landowner (Submission 37) is strongly opposed to development and suggests, if development is to proceed, that lots along Grossmans Road should be increased to 4,000m² (1 acre) and the service road deleted.

Response

Officers support the request to increase the size of the Neighbourhood Centre from 2.1 hectares to 3 hectares as it is felt that this will not have an impact on the overall plan and will ensure a good urban design outcome, including the retention of the small patch of Bellarine Yellow Gums near Duffields Road. The critical matter is to ensure the centre can support the 5,000m² of retail floor space that is required in the longer term (3,000m² in the short to medium term), together with non-retail activity, car parking, landscaping and circulation.

The purpose of the residential design and lot size controls is to encourage development that is respectful of the landscape and environmental values of the precinct, responds to the topography and sensitive interfaces and minimises building bulk. The need for controls formed part of the Community Panel recommendations. The generous setbacks and limitations to building footprint will ensure there is sufficient space for landscaping and the 7.5m building height will reduce the visual impact of development (this is consistent with other residential areas of Torquay-Jan Juc and the coastal townships of Anglesea, Aireys Inlet-Fairhaven and Lorne). The discretionary nature of the height control will allow for variations to be considered subject to a permit, e.g. to respond to slope.

Criticism of the stormwater management report and proposed drainage assets is noted. The report was prepared with input from the Corangamite Catchment Management Authority, MPA and Council's engineers. Developers will be required to prepare detailed stormwater managements plans as part of subdivision applications. The PSP provides a level of flexibility to consider alternative outcomes.

The size and location of the conservation reserves e.g. the detail of the NVPP are based on the findings of the Biodiversity Assessment (Ecology & Heritage Partners, 2016) and the Arboricultural Assessment (ENSPEC, 2015) that were prepared as background studies to the PSP. The reports identified patches of native vegetation and trees within the precinct which should be prioritised for retention due to their significance and value. The large patch of Bellarine Yellow Gums on 200 and 220 Great Ocean Road in particular was found to be of quite extraordinary value due to its size and the number of Bellarine Yellow Gum specimens. The Bellarine Yellow Gum is endemic to the Surf Coast and Bellarine Region, with the main populations occurring in Torquay and Ocean Grove.

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It is listed as a threatened species under the *Flora and Fauna Guarantee Act 1988* (FFG Act) and is considered endangered according to the Victorian List of Rare or Threatened Plants. The first two objectives of the Bellarine Yellow Gum Action Statement under the FFG Act are to protect key populations and to secure habitat to allow natural recruitment within and adjacent to extant populations. Local policy in the Surf Coast Planning Scheme at Clause 21.08 notes the loss and degradation of stands of Bellarine Yellow Gums as a key issue and places high priority on its protection.

Officers do not accept this remnant patch as an offset site as it would not be suitable as Council managed land if it were an offset site. As an offset site, the land would have to be exclusively managed for biodiversity, meaning it would be fenced and signed as a conservation area with no pathways, public access or passive recreation activities occurring within the boundary. This is not consistent with the planned passive recreational use of the area.

The perceived lack of detail regarding development contributions is noted. The existing Torquay-Jan Juc Development Contributions Plan (DCP) will be reviewed in 2016/17 and it is proposed that development contributions for Spring Creek be added to this plan following the review. A list of infrastructure items for Spring Creek has been compiled to form part of the DCP. A "shell" DCP Overlay Schedule has been exhibited as part of Amendment C114 as an interim solution to flag Council's intent to require development contributions. Developers will be required to enter into a Section 173 Agreement with Council in the absence of a formal DCP.

Given the complexity of the issues raised in the submissions, competing interests and incompatible views of landowners/developers, adjoining landowners, community groups and general residents, Council is unable to resolve all the submissions therefore it is recommended that the submissions be referred to an independent Panel.

Financial Implications

The cost of preparation of the precinct structure plan is being funded by 5 landowners within the precinct, who will in return receive a credit for their portion in the development contributions plan. Community engagement activities have been funded by Council through the allocation in the strategic planning budget for this item.

In accordance with Clause 52.01 of the Planning Scheme, Council can require up to 10% credited open space. Any provision above this legislative requirement would necessitate purchase by Council. Council ownership of this land would also result in an ongoing financial investment by Council for maintenance and management of open space assets.

Council Plan

Theme	1 Environment
Objective	1.1 Preserve and enhance the natural environment
Strategy	1.1.3 Protect and enhance biodiversity in Nature Reserves
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	4.1.1. Perform an infrastructure needs assessment to provide clarity to the community on how a fair distribution of infrastructure will be achieved.
Theme	5 Development and Growth
Objective	5.2 Encourage sustainable economic 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 precinct structure plan has been prepared consistent with Council policy and the objectives and strategies in the Surf Coast Planning Scheme.

1.3 Amendment C114 - Spring Creek Precinct Structure Plan

The planning scheme amendment has been prepared and exhibited in accordance with the legislative requirements of the *Planning and Environment Act 1987*.

In accordance with Section 23 of the *Planning and Environment Act 1987*, after considering a submission that requests a change to the amendment Council must:

- a) change the amendment in the manner requested; or
- b) refer the submission to a panel appointed under Part 8; or
- c) abandon the amendment or part of the amendment.

Officer Direct or Indirect Interest

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

Risk Assessment

There are no risks to Council associated with considering submissions.

Social Considerations

The PSP takes into consideration the needs of the future population for community infrastructure. The plan shows a neighbourhood activity centre, local community facility and integrated open space and pathway network.

Community Engagement

The amendment was placed on public exhibition in accordance with the requirements of the Planning and Environment Act 1987. Notice was given in the following manner:

- Notices were sent to all landowners within the Spring Creek urban growth area
- Notices were sent to abutting landowners along the western boundary
- Notices were sent to former members of the Community Panel, submitters to the Draft Framework Plan and local community groups (including Surf Coast Energy Group, 3228 Residents Association, Surfers Appreciating the Natural Environment, Surfrider Foundation, Bellbrae Residents Association)
- A notice was placed in the Surf Coast Times, Echo and Government Gazette

Meetings were held with key community groups (including Bellbrae Residents Association, 3228 Residents Association and Surfers Appreciating the Natural Environment) to brief them on the PSP.

A display was erected in the foyer of the Council office for the duration of the exhibition period.

The amendment and supporting documents were available for viewing at the Council office, on Council's Surf Coast Conversations website and on the website of the Department of Environment, Land, Water and Planning.

Environmental Implications

The PSP is informed by detailed biodiversity, arboricultural, aboriginal heritage and land capability assessments. The plan provides for 38 hectares of conservation and waterway/drainage reserves and seeks to retain as many Bellarine Yellow Gums as possible. The Native Vegetation Precinct Plan (NVPP) regulates which native vegetation can be removed and which must be retained. The PSP encourages environmentally sustainable development and includes kangaroo management principles to manage the existing kangaroo population.

Two major developers (Amex and Parklea) have registered for the Urban Development Institute's EnviroDevelopment Programme, which is a nationally recognised independent technical assessment tool that encourages developers to exceed minimum sustainability standards.

Communication

Submitters will be notified of Council's decision following the Council meeting.

Conclusion

Given the complexity of the issues raised in the submissions and the competing interests and incompatible views of landowners/developers, adjoining landowners, community groups and general residents, it is recommended that the submissions be referred to a Panel. It is recommended that Council present a position to the independent Panel hearing on the traffic signals on the Great Ocean Road, treatment of the buffer on the western boundary, the land size for the activity centre and the Bellarine Yellow Gum woodland off-set.

1.4 Planning Scheme Amendment C108 - Combined Rezoning and Planning Permit for 69B Harvey Street, Anglesea

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

General Manager: Kate Sullivan
File No: F15/1368
Trim No: IC16/542

Appendix:

1. C108 - Summary of Submissions (D16/77457)
2. C108 - Proposed DDO19 (D16/59723)
3. C108 - Proposed NCO3 (D16/59725)
4. C108 - Explanatory Report (D16/59726)
5. C108 - Planning Permit Application Delegate Report (D16/59727)
6. C108 - Draft Planning Permit no 15/0372 (D16/77191)

Officer Direct or Indirect Conflict of Interest:

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

Yes

No

Reason: Nil

Status:

Information classified confidential in accordance with
Local Government Act 1989 – Section 77(2)(c):

Yes

No

Reason: Nil

Purpose

To consider submissions received to combined Planning Scheme Amendment C108 and planning permit 15/0372 and resolve to refer these submissions to an independent Panel pursuant to Part 8 of the Planning and Environment Act 1987.

Summary

Amendment C108 seeks:

- To rezone a disused public utility site at 69B Harvey Street, Anglesea from Public Use Zone 1 (PUZ1) to General Residential Zone (GRZ1).
- To apply an amended version of the Design and Development Overlay Schedule 19 (DDO19) and the Neighbourhood Character Overlay Schedule 3 (NCO3) to the site.
- The closure of Sparrow Avenue (where it abuts the site) to create a small local park.

Planning permit 15/0372 seeks to:

- Re-subdivide the existing 7 lots into 10 lots.

The amendment was publicly exhibited from 5 May 2016 to 6 June 2016. A total of seventeen (17) submissions were received and are summarised as follows:

- One (1) supported the amendment.
- Two (2) submissions were from referral authorities (no objection).
- Fourteen (14) objected, primarily to the proposed subdivision and its perceived impacts on the area's character. There were mixed views presented in relation to the closure of Sparrow Avenue and provision of footpaths.

All unresolved submissions must be referred to an independent panel, unless Council resolves to abandon the amendment. The panel will be appointed by the Minister for Planning under Part 8 of the *Planning and Environment Act 1987*.

Recommendation

That Council:

1. Having considered submissions to Amendment C108, request that the Minister for Planning appoint an independent Panel under Part 8 of the *Planning and Environment Act 1987*.
2. Refer all submissions to the Panel pursuant to Section 23(1)(b) of the *Planning and Environment Act 1987*.

1.4 Planning Scheme Amendment C108 - Combined Rezoning and Planning Permit for 69B Harvey Street, Anglesea

Report

Background

The water supply basin located at 69B Harvey Street ceased to be operational in the mid-1990s and since that time has fallen into disrepair. The site is zoned Public Use Zone – Service and Utility (PUZ1), recognising the historic use of the land as a water basin. Amendment C108 seeks to rezone the subject land to General Residential Zone Schedule 1 (GRZ1), per Figure 1, to enable residential development to occur.

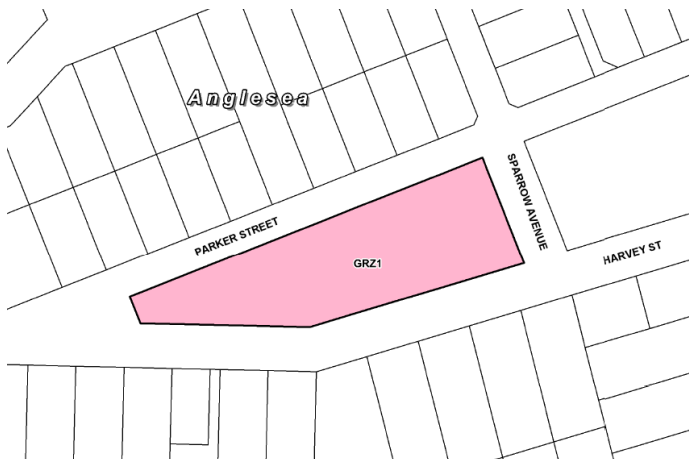


Figure 1: Proposed rezoning to GRZ1

The amendment proposes to apply a revised version of the Design and Development Overlay, Schedule 19 (DDO19) and Neighbourhood Character Overlay, Schedule 3 (NCO3) in conjunction with the GRZ1. The purpose of these overlay schedules is to protect and enhance the low density, low profile, vegetated, non-suburban coastal township character of Anglesea. Both schedules have been modified to enable a lot size and front setback variation to occur on the subject site to respond to its unusual land configuration (refer Appendices 2 and 3). Importantly the controls are site specific to ensure the variations do not set an unwanted precedent beyond the subject site. The NCO3 includes a building envelope for each proposed lot to ensure future development has sufficient space for planting to occur with limited building site coverage, reflecting fundamental components of the surrounding neighbourhood character.

A planning permit (permit no 15/0372, refer Appendix 6) is concurrently sought to re-subdivide the existing 7 lots into 10 lots, as shown in Figure 2 below.



Figure 2: Proposed subdivision layout, including building envelopes.

1.4 Planning Scheme Amendment C108 - Combined Rezoning and Planning Permit for 69B Harvey Street, Anglesea

Discussion

Planning Scheme Amendment C108

The amendment seeks to rehabilitate the disused water basin and provide infill development consistent with the Municipal Strategic Statement as follows:

- Clause 21.02-3 (Settlement patterns):
 - the containment of residential development within designated settlement boundaries;
 - the efficient use of suitable land for redevelopment;
 - the maximising of existing infrastructure; and
 - minimising any adverse environmental and neighbourhood character impacts.

The site is located within Anglesea's settlement boundary and has direct access to the sealed roads of Parker and Harvey Street. The site has minimal environmental values due to its previous use as a water basin. The proposed rezoning provides an opportunity to reintroduce vegetation onto the site.

The Municipal Strategic Statement provides further guidance as to the site's development at Clause 21.11-2 (Anglesea Strategy), which "encourages infill residential development with open space within the disused water basin". This reflects the direction of the *Anglesea Structure Plan (2012)*.

The amendment also proposes the closure and rehabilitation of an unsealed section of Sparrow Avenue (where it abuts the site). This land will then be combined with the 267sqm open space contribution required under Clause 52.01 to create a more useable local park. The traffic report submitted with the application raised no concerns in relation to the closure of Sparrow Avenue in this location. Council's Infrastructure Department supports the closure as this section of Sparrow Avenue being an unsealed road that is not critical for vehicular connectivity and has ongoing maintenance costs.

It is considered that a small local park in this area would be a community asset consistent with the vision for the site (as outlined in the Anglesea Strategy and the Anglesea Structure Plan). If Amendment C108 is supported, the closure of Sparrow Avenue would be subject to a separate road closure process run by Council under the *Local Government Act 1989*. The land would then need to be rezoned to Public Park and Recreation Zone, to reflect the changed use as a park, through a separate planning scheme amendment process.

The Council report dated 22 March 2016 and Explanatory Report (refer Appendix 4) provides a thorough strategic assessment of the amendment as required by Ministerial Direction No 11.

Planning permit application 15/0372

The planning permit application proposes to:

- Re-subdivide the existing 7 lots into 10 lots (refer Appendix 5).
- Provide 267sqm of land (equivalent to 4% of the site) for the 3 additional lots as public open space contribution in accordance with the planning scheme requirement. Under the Schedule to Clause 52.01 of the Planning Scheme, the relevant public open space contribution is 1% per additional lot created in a subdivision.
- Provide a local footpath on Harvey Street that would connect to the proposed path within the new park located at Sparrow Avenue.
- Provide street trees on both Harvey and Parker Street.
- Seek to retain all native vegetation located within the street reservation including an Otway Grey Gum (listed as vulnerable on the State advisory listing) located in Harvey Street.

The officers' delegate report provides a thorough assessment of the subdivision proposal against the provision of the Surf Coast Planning Scheme (refer Appendix 5). The assessment reviews the planning permit application against the following relevant strategies and policies:

- Clause 21.11 Anglesea Strategy – identifies the site within the framework plan as having the potential to provide future residential land with an opportunity for a park. The Strategy does not suggest a preferred lot size for any future subdivision of the site and the DDO19 (which includes controls covering subdivision lot sizes in Anglesea) does not currently apply to the land. The surrounding residential land has an 800sq m minimum lot size. While this subdivision limit does not currently apply to the subject site, it is considered the subdivision should fit within the context of the broader area. This issue is discussed in more detail below.

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- Clause 22.02 Streetscape and Landscape Policy – details the importance of visual quality and appearance of streetscapes in all developments. The amendment proposes to enhance the streetscape by planting street trees and landscaping of the park created at Sparrow Avenue.
- Clause 56 (Residential subdivision) – requires that subdivisions meet a range of standards and objectives addressing liveable and sustainable communities, lot design, access and mobility, integrated water management, site management and utilities. It is considered that the proposed subdivision layout complies with the provisions of Clause 56.

Subdivision layout and lot size

The township of Anglesea is divided into three subdivision precincts, A, B and C; shown in Figure 3 below. Precinct A has a minimum lot size of 800sq m and applies to the south western part of the township. Precinct C is located close to the shops and allows the smallest lot sizes (400sq m). The remainder of the town is within Precinct B (550sq m).

These residential precinct subdivision sizes are applied through the Design and Development Overlay, Schedule 19 (DDO19) which does not currently apply to the subject site. The site geographically sits within Precinct A, shown in Figure 3 below.

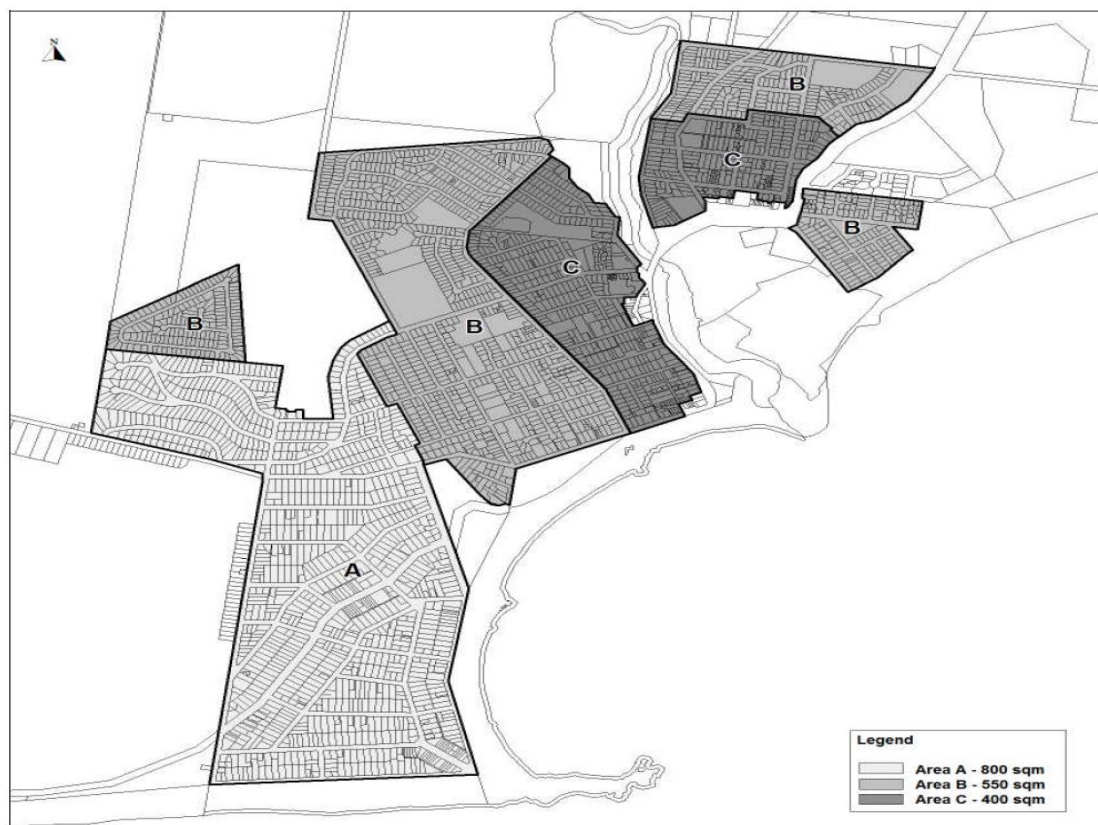


Figure 3: Subdivision lot sizes in Anglesea (DDO19)

The subject site currently consists of 7 lots ranging in size from 907sq m to 1012sq m. The planning permit application (15/0372) seeks to re-subdivide the existing 7 lots into 10 lots with a lot range of 600sq m to 671sq m, refer Figure 2 above. A key concern raised by submitters through the public exhibition process was the creation of lots smaller than 800sq m within Precinct A and the potential impacts this could have on the character.

Submissions

The amendment was publicly exhibited from 5 May 2016 to 6 June 2016. Seventeen (17) submissions were received, summarised as follows:

- One (1) supported the amendment including residential subdivision, closure of Sparrow Avenue and the provision of a park.

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- Two (2) submissions were from referral authorities (no objection raised, conditions provided to be included on planning permit no. 15/0372).
- Fourteen (14) objected to the subdivision and the creation of smaller lots although there was support for rezoning the land to residential. Sentiment was mixed in relation to the closure of Sparrow Avenue to create a small park and provision of a footpath.

A more detailed summary of submissions is provided at Appendix 1. The key issues are discussed below.

Point raised via submission	Officer response
Support for the amendment and/or subdivision proposal	
Support for rezoning from a public utility site to General Residential to enable residential development to occur.	Support noted.
One submitter supports the subdivision application on the grounds that the proposal will: <ul style="list-style-type: none"> • Provide lots with a single street frontage. • Hide the backs of lots from the street, avoiding the creation of neglected areas potentially caused by dual frontages. • Smaller blocks will lead to smaller houses (less bulk). 	Support noted.
Support for closing Sparrow Avenue and its rehabilitation into a small park on the grounds that: <ul style="list-style-type: none"> • Removing vehicles will alleviate associated dust and corrugation problems. • A park will be an asset to the area. 	Support noted. Note that the closure of Sparrow Avenue would be subject to a separate process open to public submissions under Section 223 of the <i>Local Government Act 1989</i> .
Submitters support footpaths in the area noting that there is a considerable amount of foot traffic using the area and walking on the road can be hazardous. An informal path, winding through the trees is the preferred option.	Support noted. Council's Open Space Unit was consulted on the question of footpath design. The Open Space Unit does not support a gravel footpath in Harvey Street, due to ongoing maintenance requirements and negative environmental impacts resulting from gravel being washed into the stormwater system. The Open Space Unit supports a narrow footpath of 1.5m (rather than 2.5m shared footpath) constructed of an exposed aggregate that has the appearance of gravel but is more durable and appropriate in this location. The path should be designed to wind around the trees in the verge to have a less urban, more informal appearance. There are examples of similar paths, constructed in towns like Aireys Inlet, which have the same character issues.
Objection to the amendment and/or subdivision proposal	
Submitters state that they oppose a variation from the 800sqm lot sizes stipulated for precinct A in the DDO19, on the grounds that: <ul style="list-style-type: none"> • Providing lots of 600-700sqm would be contrary to the character of the area resulting in housing being visually 	Objection noted. The site currently consists of seven titles with lots ranging from 907sqm to 1012sqm which complies with the 800sqm minimum lot size proposed within precinct A. Each lot has a frontage to both Harvey and Parker Street. The proposal is to re-subdivide the 7 lots and to provide 10 lots ranging between 600sqm to 671sqm in a manner that reduces

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Point raised via submission	Officer response
<p>prominent within the streetscape, with fewer trees than usually seen in Harvey/Parker Street.</p> <ul style="list-style-type: none"> The subdivision design and site levels will potentially cause new dwellings to overlook existing dwellings in the area. 	<p>the number of lots with dual frontages.</p> <p>The site has an unusual configuration: It is triangular in shape, contains two street frontages and no clearly definable rear boundary.</p> <p>The established subdivision pattern in the surrounding area provides all lots with a single street frontage and a rear boundary that directly abuts the rear boundary of a mirror lot. This provides for a safe and active street environment as defined by Clause 56 of the Surf Coast Planning Scheme. The proposed subdivision layout reflects this configuration by avoiding dual frontages.</p> <p>Submitters have stated that the backs of lots can be managed through the Planning Scheme. This has the potential to create an ongoing enforcement and planning burden for Council by creating a poor subdivision legacy. It is preferable to avoid double frontages if possible.</p> <p>Submitters are concerned that the smaller lots and front setback variation will lead to a loss of character due to housing being visually dominant in the streetscape with minimal space for trees. The proposal incorporates building envelopes with generous side setbacks of 3m (collectively providing 6m between houses) which provides adequate space for tree planting. Further, building envelopes have been identified on the site that will ensure compliance with the 35% site coverage stipulated by the NCO3. This will ensure 65% of the site is free of built form and can be landscaped.</p> <p>It is proposed to provide a street setback of 6m on the subject site due to the shallow nature of the blocks. It should be noted that setbacks vary considerably in Harvey and Parker Street (ranging from 3.5m to 20m). Although lesser than the indicative 9m front setback, a 6m setback is still sufficient to plant a substantial tree species within a landscaped space.</p> <p>The site has limited vegetation due to its historical use as a water basin. The planting of street trees (required via a condition of permit) and landscaping within each frontage and between houses will over time contribute to the well-vegetated character of the area. The proposal also seeks to retain native vegetation currently on site.</p> <p>Any houses built on the site in the future would have to comply with Rescode standards as part of the building assessment process, including provisions related to overlooking. Overlooking requirements are limited to 9m which will fall within the street reservation and are therefore unlikely to be considered.</p> <p>Conditions have been included on planning permit no 15/0372 stipulating finished site levels associated with the filling of the basin. The finished levels are not to exceed natural ground level as it would have occurred prior to the construction of the basin.</p>
<p>Submitters state that they oppose the closure of Sparrow Avenue on the grounds that:</p> <ul style="list-style-type: none"> Vehicles use this route 	<p>Objection noted.</p> <p>These issues have been discussed with Council's Infrastructure and Environment and Community Safety departments.</p>

1.4 Planning Scheme Amendment C108 - Combined Rezoning and Planning Permit for 69B Harvey Street, Anglesea

Point raised via submission	Officer response
<p>(especially in summer time).</p> <ul style="list-style-type: none"> • Closure of Sparrow Avenue would increase traffic in Harvey and Parker Street. • The intersection at Parker/Harvey Street will be busier. • Sparrow Avenue is considered to provide an escape route in a bushfire. 	<p>There are no traffic counts available for this part of Sparrow Avenue due to the low volumes that utilise this street (including during peak season). The traffic report included with the planning permit application did not raise any traffic concerns with the closure or any increased pressure on the Harvey/Parker Street intersection.</p> <p>Council's Infrastructure department support the closure and acknowledge the capacity of the Harvey and Parker Street intersection to deal with the increased traffic volumes. Sparrow Avenue is unsealed, presenting an ongoing maintenance cost to Council. Council's preference is to encourage traffic to use the sealed road network.</p> <p>Council's fire safety officer recommends Sparrow Avenue remains open to traffic as all escape routes are of benefit in an emergency situation. It is noted that the unsealed portion of Sparrow Avenue is a small stretch of road that would provide some limited additional options in an emergency. It is considered the open space could be delivered and emergency access retained by redesigning Sparrow Avenue as a small park with limited vegetation and a narrow carriageway with flexible rebound bollards at either end that would allow vehicles to travel through in an emergency. This design would encourage vehicles to use the sealed street network and ensure Sparrow Avenue presents and functions as a park.</p> <p>If authorities were to call for an evacuation of the area in a large scale bush fire emergency it would occur early to allow time for the orderly and safe departure of residents and there are several other road routes available.</p>
<p>Opposition to the amendment based on potential construction management issues associated with the subdivision and rehabilitation of the basin.</p>	<p>Objection Noted.</p> <p>Site management issues have been considered as part of the planning permit assessment required under Clause 56.08-1, 'Site management' of the Surf Coast Planning Scheme. Should Amendment C108 be supported and approved by the Minister, the applicant would be required via a condition on the planning permit to prepare a detailed site management plan for Council's approval before any works can begin.</p> <p>A planning permit wasn't required to fill the basin.</p>

Financial Implications

The privately-driven amendment requires the proponent to cover all statutory costs related to processing the amendment and planning permit application, including any independent Planning Panel hearing costs. The proponent has entered into an agreement with Council confirming all associated costs will be covered.

Council Plan

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

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

1.4 Planning Scheme Amendment C108 - Combined Rezoning and Planning Permit for 69B Harvey Street, Anglesea

Policy/Legal Implications

Ministerial Direction No. 15 (The Planning Scheme Amendment Process) requires a planning authority to request the appointment of a panel within 40 business days of the closing date for submissions, unless a panel is not required.

In accordance with Section 23 of the *Planning and Environment Act 1987*, after considering a submission that requests a change to the amendment Council must:

- (a) change the amendment in the manner requested; or
- (b) refer the submission to a panel appointed under Part 8; or
- (c) abandon the amendment or part of the amendment.

Officer Direct or Indirect Interest

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

Risk Assessment

There are no risks to council associated with referring the submissions to an independent panel. Following receipt and consideration of the panel report, Council has the authority to either adopt or abandon the amendment.

Social Considerations

Submitters have supported the rezoning of the public utility to General Residential and the rehabilitation of the disused water basin. There is mixed sentiment in relation to the closure of Sparrow Avenue with some submitters expressing concern that the road provides an alternative route in an emergency and others expressing support for the unsealed road being redeveloped as public open space. The creation of a park that includes a highly modified carriageway with rebounding bollards at either end to allow emergency access presents a potential compromise. The provision of a park on the existing portion of Sparrow Avenue is considered to be a social benefit.

Although there is support for the proposed subdivision, many submitters are concerned with the deviation from the 800sqm lot size specified for the area under the DDO19. While noting the DDO19 does not currently apply to the site, it is considered that the reconfiguration of the subdivision into 10 lots provides a better neighbourhood character outcome by avoiding dual frontages while retaining sufficient setbacks for landscaping.

It is considered that the proposal will result in a net community benefit. This will be achieved through the closure and rehabilitation of the basin, the planting of street trees, creating a local park that will deliver open space and facilities (with limited vehicle access) and an enhanced streetscape.

Community Engagement

The Amendment and permit application were placed on public exhibition in accordance with the requirements of the *Planning and Environment Act 1987*. Notice was given in the following manner:

- Notices were sent to surrounding landowners.
- Two signs were erected on site.
- A notice was placed in the Surf Coast Times and Government Gazette.

The Amendment and supporting documents were available for viewing at the Council office, on Council's website and on the website of the Department of Environment, Land, Water and Planning.

Prior to public exhibition Barwon Water conducted two community information sessions as follows;

1. An information stall at the Anglesea Riverbank Market on Sunday 10 January 2016.
2. Community information session (formal letter invite to surrounding landowners), Saturday 6 February 2016.

Following these initial consultation sessions, the number of lots in the subdivision was reduced from 11 to ten in response to concerns raised in relation to number of lots.

1.4 Planning Scheme Amendment C108 - Combined Rezoning and Planning Permit for 69B Harvey Street, Anglesea

Council held a Hearing of Submissions meeting on the 9th August 2016. All submitters were provided with the opportunity to address the Hearing of Submissions Committee via letter of invitation. Three submitters (including the proponent) addressed the committee.

Due to the nature and number of submissions, this report recommends Council refer submissions to an independent planning panel. Panel also provides a forum for submissions to be heard.

Environmental Implications

A vegetation assessment was prepared by Mark Trengove Ecological Services for the site, which found that the basin itself is devoid of vegetation but small patches of remnant vegetation (predominantly ground covers) are still present along the periphery of the site and within the street reservation. There is an Otway Grey Gum, listed as vulnerable on the State advisory listing, within the street reservation in Harvey Street. As all significant vegetation within the site is located along the perimeter, the inclusion of building envelopes will enable the majority of indigenous vegetation remaining on site to be retained. All indigenous vegetation currently in the street reserve is proposed to be retained. Regrowth vegetation on the basin embankment will be removed with the earth works.

Communication

Submitters will be personally notified of Council's decision by mail or email. Submitters will also be contacted by Planning Panels Victoria following the appointment of a panel.

Conclusion

The proposal would result in the rehabilitation of a disused water basin and its redevelopment as residential land with a small park, possibly with restricted emergency vehicle access (subject to a successful road closure process under Section 223 of the *Local Government Act 1989*). This outcome is consistent with Council policy. The re-subdivision of lots is considered beneficial as it is more responsive to the site's unusual configuration and minimises the number of lots with double frontages. Although lots will be smaller than the surrounding area, building envelopes and strict setback controls are to be applied to the site to ensure neighbourhood character objectives can still be met. The removal of the basin and the planting of street trees, installation of a path and small park will greatly improve the aesthetics of the site and provide an overall community benefit.

The merits of the combined Amendment and planning permit application should be further tested through the independent planning panel process. It is therefore recommended that Council seek the appointment of a panel by the Minister for Planning to consider all submissions.

1.5 Amendment C110 - Aireys Inlet to Eastern View Structure Plan Implementation

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

General Manager: Kate Sullivan
File No: F16/390
Trim No: IC16/696

Appendix:

1. AIDA Submission - Summary and Response (D16/74572)
2. Clause 21.12 Post Exhibition (D16/74573)
3. NCO1 Post Exhibition (D16/74578)
4. DDO10 Post Exhibition (D16/74575)
5. DDO11 Post Exhibition (D16/74580)

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

Yes

No

Reason: Nil

Status:
Information classified confidential in accordance with
Local Government Act 1989 – Section 77(2)(c):

Yes

No

Reason: Nil

Purpose

To consider submissions received to Planning Scheme Amendment C110 and adopt the amendment with changes.

Summary

Planning Scheme Amendment C110 implements the *Aireys Inlet to Eastern View Structure Plan (2015)*. The amendment was placed on public exhibition from 5 May until 6 June 2016. Submissions were received from VicRoads, AIDA and an Aireys Inlet resident. The submissions generally support the amendment, but seek clarification or request changes to specific aspects of the Amendment.

Where a submission requests a change to an amendment, the planning authority must either change the amendment in the manner requested, refer the submission to a panel or abandon the amendment or part of the amendment in accordance with Section 23 (1) of the Planning and Environment Act 1987.

In negotiation with submitters, officers have made revisions to the amendment to resolve the submissions in order to avoid the need for a Panel Hearing. The submitters have confirmed acceptance of the changes and the submissions are deemed to be resolved. Council is therefore in a position to adopt Amendment C110 and forward the adopted amendment to the Minister for Planning for approval.

Recommendation

That Council:

1. Receive and note the submissions to Planning Scheme Amendment C110.
2. Generally accept the requests for changes to the amendment as detailed in the submissions.
3. Having resolved all submissions, adopt Amendment C110 generally as exhibited, but with changes as shown in the amendment documents included at Appendix 2, 3, 4 and 5.
4. Submit the adopted amendment to the Minister for Planning for approval.

1.5 Amendment C110 - Aireys Inlet to Eastern View Structure Plan Implementation

Report

Background

Planning Scheme Amendment C110 seeks to implement the Aireys Inlet to Eastern View Structure Plan, which was adopted by Council on 24 November 2015. The amendment implements the strategic land use directions of the Structure Plan by updating the Municipal Strategic Statement (MSS) in the Surf Coast Planning Scheme and making a number of zone and overlay changes.

In particular the Amendment seeks to:

- Update Clause 21.12 'Aireys Inlet to Eastern View Strategy' to reflect the strategic directions of the Structure Plan and to include the Structure Plan as a reference document.
- Amend the wording of Schedule 1 to the Neighbourhood Character Overlay (NCO1) and Schedules 10 and 11 to the Design and Development Overlay (DDO10 and DDO11) to ensure the continuous protection and enhancement of the valued character of the townships.
- Rezone various Crown land parcels and municipal reserves to Public Conservation and Resource Zone (PCRZ) or Public Park and Recreation Zone (PPRZ) to ensure the zoning reflects the public purpose of the land.

The amendment was placed on public exhibition from 5 May until 6 June 2016. Three submissions were received, including from VicRoads, Aireys Inlet and District Association (AIDA) and an Aireys Inlet resident. The submissions from AIDA and the resident generally support the amendment, but seek clarification or changes to specific aspects of the amendment.

Discussion

The submissions are summarised as follows:

Sub #	Submitter	Summary of submission
1	VicRoads	<ul style="list-style-type: none">• Does not object to the amendment.
2	Resident, Aireys Inlet	<ul style="list-style-type: none">• Supports the preservation of the small coastal village character of the area, but disagrees with the strategy at Clause 21.12-2 of giving preference to gravel roads. Considers some major roads could be sealed for safety, environment, financial (maintenance) and emergency reasons without adversely affecting the village character.• Questions what is being done to investigate the feasibility of underground powerlines.
3	AIDA	<ul style="list-style-type: none">• Generally supports the amendment, but seeks clarification of or changes to specific matters – refer Appendix 1.

Where a submission requests a change to an amendment, the planning authority (i.e. Council) must change the amendment in the manner requested, refer the submission to a panel or abandon the amendment or part of the amendment in accordance with Section 23(1) of the Planning and Environment Act 1987.

In negotiation with submitters, officers have made revisions to the amendment to resolve the submissions in order to avoid the need for a Panel Hearing. The submitters have confirmed acceptance of the changes and the submissions are deemed to be resolved.

Sealed versus unsealed roads

Submitter 2 disagreed with the proposed strategy under Objective 1 at Clause 21.12-2 to "ensure that roads and footpaths retain an informal appearance, with preference to gravel surfaces where practical and alternatives to standard bitumen and concrete kerb and channel drainage". The submitter considers that some unsealed roads in Aireys Inlet are in urgent need of upgrading and submits that the village character need not be adversely affected if some major roads were sealed. AIDA on the other hand is strongly in favour of retaining gravel roads as an important feature of the town's non-suburban, informal character.

The matter of sealed roads versus unsealed roads is a recurring topic in Aireys Inlet. The sealing and construction of roads was considered by two Citizens Juries in 2007 and 2008 and in the past two years Council has received petitions from residents requesting the sealing of sections of Hopkins Street, Aireys Street and Gilbert Street. Pearse Road was sealed in 2014 following a successful petition.

1.5 Amendment C110 - Aireys Inlet to Eastern View Structure Plan Implementation

The *Aireys Inlet to Eastern View Structure Plan (2015)*, *Aireys Inlet to Eastern View Neighbourhood Character Study (2004)* and *Aireys Inlet to Eastern View Strategy* at Clause 21.12 of the Surf Coast Planning Scheme emphasise the importance of protecting the non-suburban coastal village character of the townships by, amongst other things, retaining the informal appearance of roads and footpaths.

The Neighbourhood Character Study states that in order to maintain the town character, Council should either retain gravel road surfaces or alternatively ensure that construction and sealing of roads occurs in a way that retains their informal appearance. The Structure Plan endorses this preferred approach and states that gravel surfaces should be retained where practical or, where roads are to be sealed, ensure this occurs in a manner that retains an informal appearance by adopting alternative surface treatments, such as exposed aggregate or coloured bitumen in lieu of standard bitumen/asphalt. Other options are minimising carriageway widths, maintaining informal or soft road edges with open drains (in lieu of standard concrete kerb and channel), retaining roadside vegetation, constructing roads that meander around existing vegetation and facilitating shared road usage (i.e. no separate footpaths). The Structure Plan seeks to strike a balance between retaining the informal character and allowing for necessary improvements in some circumstances (e.g. to improve road conditions and traffic safety or to reduce dust, mud, sedimentation and maintenance requirements). Requests from residents for road sealing are considered by Council on a case by case basis and are assessed against the level of support from affected residents, the cost, scope and priority of works and the opportunity for (partial) cost recovery through declaration of a special charge scheme.

Although it is the wish of part of the Aireys Inlet community, including AIDA and a large majority of its members, to retain the unsealed roads as a means of preserving the non-suburban informal coastal village character of the area, there are also residents who prefer roads to be sealed to address amenity issues such as noise, dust and mud or to improve traffic safety, as evidenced by the number of petitions received by Council in the last few years with requests for road sealing.

Judging by the recent number of requests for road sealing, it is clear that there are two incompatible views within the community, with no unequivocal preference by the community as a whole for either one (unsealed roads) or the other (sealed roads) outcome. The common ground is that most people appreciate the informal appearance of the streetscapes as a component of the non-suburban coastal village character. This does not necessarily mean that roads have to retain their gravel surfaces to achieve this. As described above, there are treatment options that can retain the informality of the area. A good example is Pearse Road which was sealed in 2014 following a successful petition by residents.

A report on a petition for the sealing of Gilbert Street considered at the Council meeting held on 24 May 2016, stated that given the number of petitions received over recent years that have requested or resulted in the sealing of local roads in Aireys Inlet, it is now important to understand the cumulative effect of these works on the overall community. It was therefore considered timely to review Council's policy and practice or seek further community consultation on the issue.

In light of Council's intention to review its policy and to take a strategic approach to road sealing in Aireys Inlet, and in response to the submissions, it is considered appropriate to amend the disputed strategy at Clause 21.12-2 to delete specific reference to the preference for gravel surfaces and allow for either gravel roads or sealed roads to be considered, as appropriate, in a manner that retains the informal character and appearance. It is considered prudent not to pre-empt or prejudice any outcomes of Council's further review and investigations. The amended Clause 21.12 is included at Appendix 2.

Other issues

An overview and response to AIDA's concerns and issues is provided in Appendix 1. The requested changes are largely accepted and reflected in the revised amendment documents included at Appendix 2, 3 and 4.

Financial Implications

This amendment was included in the 2015/16 budget. Funds have been carried forward to 2016/17 to complete the amendment. The amendment will not increase the resource and administrative costs of Council.

1.5 Amendment C110 - Aireys Inlet to Eastern View Structure Plan Implementation

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

In accordance with the requirements of the Planning and Environment Act 1987, if submissions are received which Council does not support, then Council must refer the submissions to an independent panel appointed by the Minister for Planning. If Council can resolve the submissions through modifying the amendment, it may adopt the amendment. Council may also choose to abandon the amendment, or part of the amendment.

Officer Direct or Indirect Interest

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

Risk Assessment

There are no perceived risks associated with referring the submission to a panel or adopting the amendment.

Social Considerations

The amendment is expected to have positive social effects and will result in net community benefit by reinforcing strategic directions regarding the protection and enhancement of the coastal village character and vegetated bush environment of the Aireys Inlet to Eastern View District, facilitation of opportunities for economic and tourism development, and the provision of community and physical infrastructure that meets current and future needs.

Community Engagement

The amendment was placed on public exhibition for a period of one month in accordance with the requirements of the Planning and Environment Act 1987.

Public notice of the amendment was given in the following manner:

- Notices were sent by mail to all owners/occupiers in the Aireys Inlet to Eastern View district (3231 postcode)
- Notices were placed in the Surf Coast Times and Government Gazette
- The amendment was available for viewing at the Council office and on the Surf Coast Shire and Department of Environment, Land, Water and Planning websites

Environmental Implications

The amendment underpins policy direction to protect and enhance the significant environmental assets and scenic landscape values of Aireys Inlet to Eastern View.

Communication

Submitters will be notified of Council's decision.

Conclusion

Amendment C110 has been prepared to implement the adopted Aireys Inlet to Eastern View Structure Plan. Two submissions have requested changes to aspects of the amendment. Officers have been able to resolve these submissions through negotiation and Council is in a position to adopt the amendment without the need for a Panel hearing. It is recommended that Council adopt Amendment C110 and forward the adopted amendment to the Minister for Planning for approval.

1.6 Grasstree Park Masterplan

Author's Title: Environment Officer

General Manager: Kate Sullivan

Department: Environment & Community Safety

File No: F15/1286

Division: Environment & Development

Trim No: IC16/818

Appendix:

1. Grasstree Park Nature Reserve Masterplan 2016 - Site Analysis and Values and Principles (D16/70518)
2. Grasstree Park Nature Reserve Masterplan 2016 - Key Directions (D16/76029)

Officer Direct or Indirect Conflict of Interest:

Status:

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

Information classified confidential in accordance with Local Government Act 1989 – Section 77(2)(c):

Yes

No

Yes

No

Reason: Nil

Reason: Nil

Purpose

To consider a Masterplan for Grasstree Park Nature Reserve.

Summary

Preparation of a Masterplan for Grasstree Park Nature Reserve (Reserve) was identified as a high priority at Council's Strategic Planning Workshop in February 2012 with an allocation of \$35,000 for the Grasstree Park Masterplan committed in the 2012/13 financial year. The project was then deferred until 2015/2016. Delivery of recommendations in the Masterplan will enact Council's commitment in the Torquay North Developer Contributions Plan (DCP) for Restoration of Grasstree Park.

Consultation and engagement was undertaken during May and June to produce a draft Masterplan, "values and principles" for the Reserve and sixteen key directions. These were tested with the community over a four week public consultation period during June-July.

The Masterplan is a feasible long term vision for the protection, restoration, use and enjoyment of the Reserve. It complies with the Conservation Covenant, improves accessibility and protects the environmental values. The Masterplan recommendations will be implemented during 2016-17 and 2017-18 using funds allocated from the DCP in Council's capital works program.

Recommendation

That Council adopt the Grasstree Park Nature Reserve Masterplan (2016).

1.6 Grasstree Park Masterplan

Report

Background

Grasstree Park Nature Reserve (Reserve) is owned and managed by Council. It contains significant natural and cultural values, and is managed in accordance with a Trust for Nature Conservation Covenant which is a legal instrument which recognises and protects the conservation values in perpetuity. The covenant sets out activities that are, and are not, allowable.

The Reserve is approximately 26 hectares in size, bounded by Surf Coast Highway and Messmate Road in Torquay North, an area of current and future residential growth pressures. It is surrounded by agricultural land to the north and west, the West Coast Business Park to the south and the Community and Civic precinct and residential land developments to the east.

The land to the north and west of the Reserve is identified within the Torquay Structure Plan as growth area for residential development between now and 2040. It is anticipated that the reserve will be surrounded by urban land uses within the next 20 to 30 years.

The Reserve contains the last significant remnants of grasstree heathland in the Torquay area. Heathland vegetation of the type found at Grasstree Park is locally endangered.

A management plan to guide day to day activities was prepared for the reserve in 1996 and updated in 2014. A landscape concept plan was prepared in 1999 and is partially implemented. The recently completed Masterplan will guide future investment and management.

Ratified in 1994, the Conservation Covenant applies to the Surf Coast Shire Council and any future owners of the site. It includes the following requirements:

- The land under the Covenant cannot be subdivided or contain structures or dwellings except for non-habitable structures which can only be placed on modified land;
- All buildings and structures must be designed and finished to blend in with the natural environment;
- No local indigenous native trees, plants or grasses can be destroyed or removed;
- Only local indigenous flora can be planted;
- No introduction of any non-indigenous fauna or domesticated animals save for dogs which must be kept under control at all times;
- No operation of any trade, industry or business, the recreational use of trailbikes, horses, motorised vehicles, the unnecessary storage of rubbish or other materials, or any other activities not consistent with the objectives of the Covenant;
- No removal of any timber including fallen timber;
- The Owner shall ensure that public access to the site does not adversely affect the conservation values of Grasstree Park;
- Compliance with the prohibitions and restrictions may be waived to the extent necessary for reasonable fire protection, weed and pest control and public safety; and the maintenance of fences, culverts, dams, bridges, watercourses, buildings, tracks and paths.

To date, Council has complied with the requirements of the Covenant.

Discussion

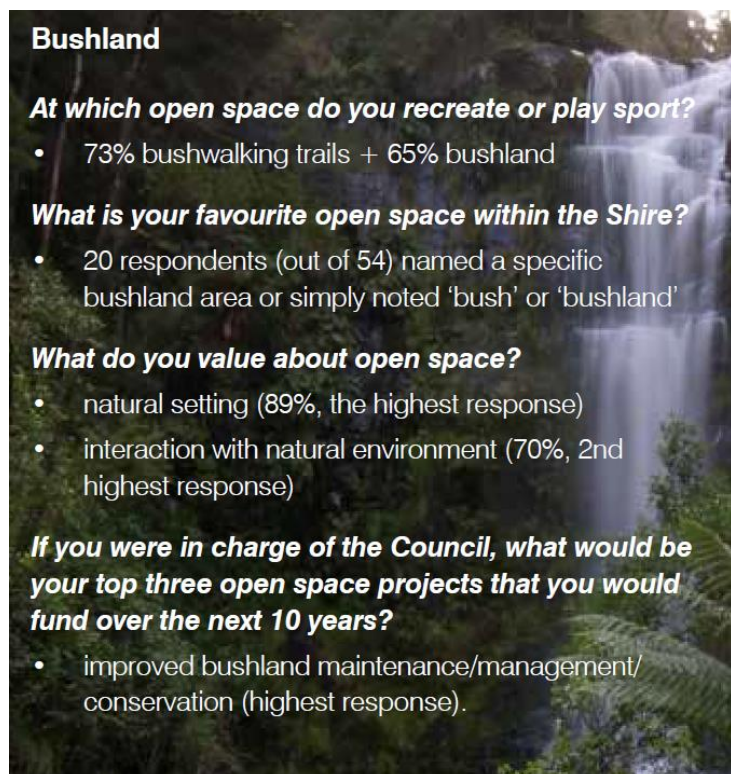
Natural and cultural heritage are important contributors to the character, tourist attraction and quality of life on the Surf Coast Shire.

The Reserve contains both significant cultural and natural heritage. It is one of the largest areas of bushland open space within Torquay and is located within a growth precinct. Unlike much of the existing open space within Torquay, Grasstree Park is not located on or adjacent to a waterway or the coast. As an inland tract of land, it offers a unique open space experience and contains a special assemblage of native plants and animals.

The 2015-2025 Open Space Strategy (OSS) reports that the permanent population of Torquay is anticipated to be 23,352 by 2036. Common and repeated feedback received during the development of the Strategy was that the bush and the beach are highly valued open space and that the community most valued the natural setting of open space. This is highlighted in an extract from the OSS in Figure 1 below.

1.6 Grasstree Park Masterplan

Figure 1



The Masterplan aims to reflect a shared vision for the future conservation, use and enjoyment of the Reserve.

To facilitate a collaboratively produced Masterplan, a number of opportunities for community engagement have been provided including a site visit and design workshop, interactive website and one on one meetings with key stakeholders. The Trust for Nature, who is a co-signature to the Covenant, has also been involved.

Three key themes were explored during the consultation process:

1. Ecology and Conservation
2. Access and Pathways
3. Visitor Experience

Community input expressed a strong desire to respect and strengthen the reserve's conservation values by linking the remnant in the south to the remnant in the north and undertaking revegetation. Providing for passive recreation was supported, where consistent with the reserve's conservation values and objectives. The community supported creating a loop track with viewing points and seating. Moving the existing carpark from the Surf Coast Highway to Messmate Road was seen as sensible, however one submission suggested maintaining the existing carpark and allowing overnight (12 hour) stays. An additional car park at Beacon Boulevard was also supported, subject to appropriate orientation and screening. A strongly held view was that dogs should be excluded, however two submissions supported maintaining the existing regulations. A future shelter/structure was supported in principle. Maintaining an open grassed area was also supported.

The Masterplan shows Conservation A, B, C and D zones, integrating an open grassed area accessed via a new carpark at Messmate Road. Conservation D zone includes a footprint for a future structure/shelter. The zones are linked by revegetation of the current carpark and additional revegetation areas along the highway and around the open grassed area which will utilise iconic indigenous heathland species. Improved pedestrian access points are planned for Messmate Road and the corner of Beacon Boulevard and Surf Coast Highway. New signage together with way finding will be implemented. The open space to the south ("environmental buffer" formed through subdivision of the West Coast Business Park) has been considered and will be a future pedestrian link between Messmate Road and Surf Coast Highway.

1.6 Grasstree Park Masterplan

The current regulations of no camping and no overnight stays are recommended to remain in place. The current dog regulations are recommended to be considered as part of the Domestic Animal Management Act review.

In addition to the key themes, **values and principles** were discussed and refined and have informed the resulting Masterplan.

The values and principles are:

VALUES	PRINCIPLES		
	CONSERVE	RESTORE	RESPECT
Natural environment	<ul style="list-style-type: none"> Conserve flora and fauna species and communities. Maintain landscape views Aim for healthy and resilient ecosystems Use best practice management. 	<ul style="list-style-type: none"> Restoration activities are underpinned by science and adaptive management. Fire plays an important part of restoration of the natural environment. 	<ul style="list-style-type: none"> Natural history forms part of the visitor experience. Environmental education is forms part of the visitor experience. Provide and maintain “cues to care”. Protection of conservation values takes precedence.
Community connections	<ul style="list-style-type: none"> Maintain the reserve as a place of quiet, relaxation and rejuvenation. Maintain a non-urban bushland experience. 	<ul style="list-style-type: none"> Provide a unique space for family and community to gather amongst nature. Provide a nature based experience for a wide spectrum of ages and abilities. Foster a renewed sense of stewardship between the community and the reserve. Provide physical connections to the neighbouring precinct. 	<ul style="list-style-type: none"> Locate pathways, viewing points and linkages to provide interaction with nature whilst minimising impact on conservation values. Recognise the value of the reserve as a place of intangible or spiritual connections.

The key built elements proposed in the Masterplan include:

- Pathways
- Fencing
- Car parking and bollards
- Seating
- A footprint for a future structure/shelter

1.6 Grasstree Park Masterplan

Financial Implications

The Masterplan and its implementation are funded through the Torquay North Developer Contributions Plan (DCP) – Grasstree Park. Approximately \$96,000 has been allocated in the DCP over the next two years with approximately \$56K in the 2016/17 capital works program and \$40K identified in the proposed 2016/17 capital works program. This is considered adequate to deliver the built elements and continue with biodiversity improvements.

Ongoing maintenance and operations is funded through Council's nature reserve renewal program.

Council Plan

Theme 1 Environment
Objective 1.1 Preserve and enhance the natural environment
Strategy 1.1.3 Protect and enhance biodiversity in Nature Reserves

Theme 1 Environment
Objective 1.4 Protect public open space and green belts
Strategy 1.1.3 Protect and enhance biodiversity in Nature Reserves

Policy/Legal Implications

The following legal obligations apply to the Masterplan:

- The Masterplan complies with the Conservation Covenant.
- The DCP relates to the Planning and Environment Act.
- The restoration work required in the DCP scope includes work on noxious pest plants and pest animals which meet Council's responsibilities under the Catchment and Land Protection Act.

Officer Direct or Indirect Interest

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

Risk Assessment

There are a number of risks associated with not adopting the Masterplan. These include:

- non-compliance with the Covenant;
- delaying safe and accessible use and enjoyment of the reserve;
- the deterioration of existing significant flora and fauna values;
- fire damage to people and property if fuel loads are not managed adequately;
- potential public health impacts from human exposure to contaminated soil;
- the introduction of Cinnamon Fungus (*Phytophthora cinnamomi*), a microscopic, soil borne pathogen [disease causing organism] that attacks and destroys plant root systems causing plants to die through lack of water and nutrients;
- an ad hoc approach to the physical management of Grasstree Park will not be an efficient use of Council resources; and
- Council's reputation as a responsible land manager could be damaged.

Social Considerations

The Reserve is currently enjoyed by locals for passive recreation and relaxation. The Masterplan proposes to enhance accessibility of the reserve to the public and improve visitor experience.

Council manages the overall open space estate on behalf of the community who generally have a relatively low awareness of the Reserve.

Meaningful involvement of current and future members of the broader community in the design process provides an opportunity to ensure that the Masterplan is as relevant as it can be, will encourage appropriate usage and add value to the existing open space estate in Torquay and the Shire more broadly.

Community Engagement and submissions

A Grasstree Park Nature Reserve Masterplan Community Engagement Plan has been implemented. Key stakeholders, Council and the community as well as internal staff were consulted during preparation of the Masterplan. Activities included face to face consultation with a site walk, a workshop, a public exhibition period of four weeks and engagement using a variety of channels such as print media and social media. The Surf Coast Conversations website was used to enhance engagement including use of video messages.

1.6 Grasstree Park Masterplan

Environmental Implications

The Masterplan vision is for a resilient and diverse heathland capable of supporting native plants and wildlife whilst being appreciated and enjoyed by the community.

The DCP scope requires restoration of the Reserve including the preparation of a Masterplan. Implementation of the DCP since 2013-14 has already shown improvements in the condition of the remnant heathland vegetation and restoration of areas previously infested with woody weeds.

The preparation and adoption of the Grasstree Park Nature Reserve Masterplan is a significant and critical milestone for the future of the Reserve.

Communication

Key stakeholders will be contacted directly to advise the outcome of Council consideration of the Masterplan.

It is intended that:

- the Trust for Nature will receive a copy of the Masterplan;
- VicRoads will receive a copy of the Masterplan and Council will continue to work with VicRoads on the roads reserve to the north of Grasstree Park; and
- Parks and Open Space staff will receive a copy of the Masterplan and a project update at a staff meeting.

Council's decision will also be communicated via Council media channels.

Conclusion

The development of the Grasstree Park Nature Reserve Masterplan is a requirement under the scope of the Developer Contributions Plan – restoration of Grasstree Park. Completion of the Masterplan is a critical milestone, and provides a long term vision for the protection, restoration, use and enjoyment of the reserve.

Implementation of the Plan is intended to occur over 2016-17 and 2017-18.

The Masterplan has been prepared in consultation with the community and key stakeholders including Trust for Nature.

It is recommended that Council adopt the Masterplan.

1.7 Winchelsea Town Centre - Access and Parking Opportunities

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

General Manager: Kate Sullivan
File No: F15/1570
Trim No: IC16/694

Appendix:

1. Access and Parking Opportunities Report (D16/55419)
2. Implementation Plan (D16/62452)

Officer Direct or Indirect Conflict of Interest:

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

Yes

No

Reason: Nil

Status:

Information classified confidential in accordance with Local Government Act 1989 – Section 77(2)(c):

Yes

No

Reason: Nil

Purpose

To consider the Winchelsea Town Centre Access and Parking Opportunities Report (O'Brien Traffic, June 2016), including the Implementation Plan.

Summary

The Growing Winchelsea Plan includes a priority action for the Winchelsea Town Centre Beautification Project (the Project). The purpose of the Project is to attract investment and tourism trade, thereby creating jobs and wealth in the local economy.

The Project will produce two key outputs:

- a Streetscape Plan for the public realm; and
- a Precinct Structure Plan to guide future development on private commercial land.

An initial step to produce these outputs was to engage consulting firm O'Brien Traffic to investigate issues and opportunities associated with vehicular access, car parking, public transport, walking and cycling (including connections to the Barwon River and across the Princes Highway). The investigation has considered both short term and longer term requirements taking into account future commercial development within the town centre precinct and includes an implementation plan for Council's consideration.

Recommendation

That Council:

1. Adopt the Winchelsea Town Centre Access and Parking Opportunities Report (O'Brien Traffic, June 2016), subject to amending the Implementation Plan to include the upgrade of the two accessible car parking spaces as a short term priority.
2. Note that officers will investigate the options available to Council with regard to securing public access across land forming part of the link road around Memorial Park and present the findings back to Council for consideration.
3. Note that officers will investigate the feasibility of the construction of a link road between Palmer and Hesse Streets and present the findings back to Council for consideration.

1.7 Winchelsea Town Centre - Access and Parking Opportunities

Report

Background

A priority project emerging from the Growing Winchelsea Plan is the Winchelsea Town Centre Beautification Project (the Project). The purpose of the Project is to attract investment and tourism trade, thereby creating jobs and wealth in the local economy. It is also intended to lift morale for residents and traders, and build community spirit by creating a streetscape that will facilitate community interaction and civic pride.

The objectives of the Project are to improve the appearance and functionality of the town centre commercial precinct, and to create opportunities for better connections with the Barwon River public realm as private land is developed in the future.

The Project will produce two key outputs:

- 1) A Streetscape Plan for the public realm; and a
- 2) Precinct Structure Plan to guide future development on private commercial land.

Development of these plans will involve analysis and planning of both public and private land and how they interact. Future vehicle access arrangements, pedestrian movements and car parking plans will be critical to the successful functioning of the precinct. Consulting firm, O'Brien Traffic, was commissioned to investigate issues and opportunities associated with vehicular access, car parking, public transport, walking and cycling (including connections to the Barwon River and across the Princes Highway) both in the short term and longer term taking into account future commercial development within the precinct.

Discussion

Winchelsea Town Centre is located on the southern side of the Princes Highway to the west of the Barwon River. The study area is shown in Figure 1.



Figure 1: Winchelsea Town Centre

1.7 Winchelsea Town Centre - Access and Parking Opportunities

The major issues raised in the 'Winchelsea Town Centre Access and Parking Opportunities Report' (the O'Brien Report) include:

- Lack of vehicle circulation through the Town Centre, both currently and having regard to future commercial development.
- Intersection capacity.
- Use of private land for public vehicle access.
- Unsealed carriageways.
- Undeveloped footpath network.
- Confusing shared path connections.
- No major current car parking issues were identified however it is recommended that accessible spaces are upgraded and identifies opportunities for parking into the future.

Opportunities identified to improve traffic circulation, parking and pedestrian/cycle movements in the Town Centre include:

- Revision of the Memorial Park design to secure public access, improve circulation and provide additional parking.
- Provision of link roads (one short term, one long term) between Palmer Street and Hesse Street to enable good circulation through the Town Centre and eliminate truck turning problems in Hesse Street.
- Adoption of Cross Sections for Palmer and Hesse Streets to guide future infrastructure provision and development.
- Improvements to the recreational path and cycle network, including the Hesse Street Bridge.
- Provision of a turning head in Hesse Street should a short term link road not prove feasible.
- Provision of additional parking through road sealing and line marking.
- Additional long vehicle parking in Palmer Street.
- Additional bicycle parking in the Town Centre.

Full details of the issues and opportunities identified by O'Brien Traffic, and through community consultation, are set out in Appendix 1 'Access and Parking Opportunities Report'. The Implementation Plan, which forms part of the report, has been reproduced in Appendix 2 as a table. Council officers have added detail to identify what actions would be required to implement various recommendations, which Council department would be responsible and likely budget implications. Priorities include:

1. Preparing a Precinct Structure Plan for the Winchelsea Town Centre.
2. Investigating the feasibility of the construction of a link road between Palmer and Hesse Streets.
3. Adopting a Parking Maximisation Cross Section for Palmer Street and a Cycle Friendly Cross Section for Hesse Street.

Figure 2 summarises the key recommendations of the O'Brien Report:

1.7 Winchelsea Town Centre - Access and Parking Opportunities



Figure 2: Key Recommendations

The O'Brien Report notes that as access issues impact on some areas outside the study area, such as the Princes Highway and land south of the river, these areas have also been given consideration.

In addition to identifying existing issues, the O'Brien Report considers access and parking for longer term increased commercial development in the centre.

1.7 Winchelsea Town Centre - Access and Parking Opportunities

There is currently over 18,000 square metres of land within the centre zoned or designated for commercial development which is currently undeveloped or used for residential purposes. In line with the Growing Winchelsea: Shaping Future Growth Plan 2015, the O'Brien Report anticipates:

- A slow growth of the centre with commercial redevelopment of the existing residential properties on Palmer Street and Hesse Street;
- That it is unlikely that a larger supermarket would be developed within the centre; and
- Increasing car parking demand and traffic growth within the centre.

It is recommended that Council adopt the recommendations and actions as outlined in the O'Brien Report and Appendix 2 – Implementation Table. Five particular issues will be given direction by Council adoption of the O'Brien Report. This will enable planning to progress for future development of the town centre are discussed in more detail below.

1. Access and Circulation

The Report notes that:

'In smaller activity centres where the predominant form of transport to the centre is by private motor vehicle, the provision of a network where vehicles can circulate is generally a requirement of a successful centre, with shops and other commercial premises located on dead-end streets being much less desirable from a customer perspective.' (p.20)

The need for a through road between Palmer Street and Hesse Street has been raised often in recent times both through community consultation and in strategic planning work examining future development of commercial land in the precinct. Current opportunities for circulation in the centre are poor, with the service road in front of the shops providing the only through route and the two main streets (Hesse Street and Palmer Street) terminating in dead-ends.

One of the biggest issues currently being raised by the community is the problems being caused by trucks, and to a lesser extent cars, performing U-turns and three-point turns in Hesse Street (which comes to a dead end at the Barwon River). This is the result of trucks needing to access the loading area of the supermarket and postal trucks accessing the new postal premises in Hesse Street. The new shops along Hesse Street have also increased demand for car parking in this area, creating additional constraints for trucks turning. The result has been that trucks are tending to perform turns further along Hesse Street where only the centre strip of the road is sealed, and in the process damaging road infrastructure including kerbs and vehicle crossovers. The O'Brien Report acknowledges that this problem could be somewhat overcome by the construction of a turning head at the end of Hesse Street, however notes that the further users have to travel along the road to use it, the less likely they are to do so. The turning head would be able to accommodate garbage trucks and similar sized commercial vehicles but not semi-trailer size delivery trucks. Council has committed \$45,000 to installing a turning head in the 2016-2017 year to partly address this problem.

As noted above, the turning head would not address the turning problems for larger trucks, nor the access issues associated with future commercial development along Hesse and Palmer Streets (which are zoned or intended to be zoned for commercial use and development). It is therefore recommended that Council investigate options to provide a vehicle link to Hesse Street as a short term priority. This aligns with strategic work undertaken for the Growing Winchelsea plan, where the importance of a connecting road from Palmer Street to Hesse Street was also identified (Growing Winchelsea: Shaping Future Growth, p.38).

Other options for provision of the link were considered and are outlined in the O'Brien Report. None of these were deemed feasible.

The need for a second link road in the longer term, closer to the Barwon River, was also identified. It is expected that this would be provided however as part of any future subdivision of 8 Palmer Street, as it is only if this land is subdivided that a second link would be required.

Public Access Across Private Land

The O'Brien Report refers to the 'Hotel Loop Road' being a one-way road that starts at the Barwon Hotel car park and connects to the exit lane from the Princes Highway leading to the service road.

Vehicles circulate anti-clockwise around a central island, which contains the recently erected ANZAC memorial cairn, a rotunda, other heritage items and a newly constructed shared path. It is intended that this area become known as "Memorial Park" and there are plans for two additional cairns as funds become available.

1.7 Winchelsea Town Centre - Access and Parking Opportunities

The Loop Road also accesses public toilets, public reserve alongside the Barwon River and a Recreational Vehicle dump point. Parking is currently informal and occurs on both sides of the road as well as on the grass. Part of this Loop Road is not designated road reserve and crosses two parcels of land under separate private ownership. The O'Brien Report notes that this raises '*significant concerns...regarding the long-term viability of this arrangement which may create substantial issues for Council in the future*'.

As part of the future development of "Memorial Park", Council has plans to formalise the existing island in the Loop. It is intended that the Loop Road remains and thus requires future use of private land for public vehicle access (as is the case now). It also notes that existing concept designs would not completely align with the recommendations of the O'Brien Report and it is therefore recommended that the design be revisited through the Memorial Park Project and public access rights be clarified and formalised for the Loop Road.

Cross Sections for Hesse Street and Palmer Street

The Report emphasises the importance of sealing and constructing Hesse and Palmer Streets in order to make them attractive for commercial development. It notes the informal nature of the car parking and the lack of footpaths makes them unattractive to commercial business and potential customers. Prior to this however, the Report identifies the need to adopt appropriate cross sections for both these streets. It is considered an optimal time to do so due to their lack of existing infrastructure and thus no requirement to retrofit.

It recommends that Council adopt a "parking maximisation" cross section for Palmer Street, which includes parallel parking on one side and 90 degree parking on the opposite side. It is considered that Palmer Street is unlikely to generate major bicycle traffic and that this option would provide 65% more parking spaces than a parallel parking option.

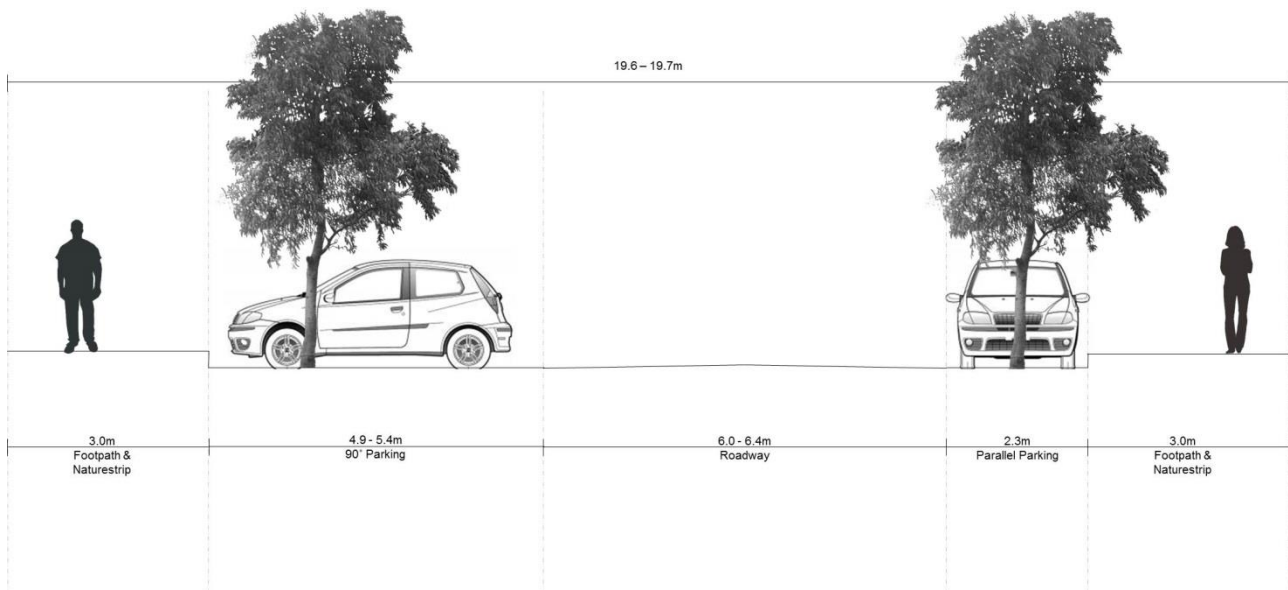


Figure 3: Cross Section for Parking Maximisation (shown as Figure 34 in the O'Brien Report)

Alternatively, it recommends that Council adopt a "cycle friendly" cross section for Hesse Street, which includes parallel parking on both sides and cycle lanes adjacent to parking. The Growing Winchelsea Plan identifies Hesse Street as a key future pedestrian route to both the commercial centre of town and further north to the railway station, school and hospital – in large part due to the recent installation of traffic signals at the intersection of Hesse Street and the Princes Highway.

It is likely to become an even more important pedestrian and cycle route as residential growth occurs in the south east quadrant of the town and when the Hesse Street shared-path bridge over the Barwon River is constructed.

1.7 Winchelsea Town Centre - Access and Parking Opportunities



Figure 4: Cycle Friendly Road Cross Section (shown as Figure 35 in the O'Brien Report)

It is considered that adopting these two cross sections for Hesse and Palmer Streets would be beneficial for the town centre, helping to guide future development and will greatly assist decision making about future infrastructure provision in these areas.

Car Parking

Community concerns relating to parking have focussed in particular on high demand for spaces in the service road (in front of the shops), long term parking in 'premium' spaces (i.e. those in front of shops), inadequate disabled parking spaces (both number and current design) and ensuring adequate parking for long vehicles (including farm type vehicles, trailers, caravans and trucks).

O'Brien Traffic prepared an inventory of parking within the town centre (refer Figure 5) and undertook parking surveys on Tuesday 19 January 2016 and Saturday 20 January 2016 (considered a peak Saturday in the summer period).

The town centre was found to contain approximately 170 car spaces, 44 of which are on private property and two of which are disabled spaces. In summary, the survey found that demand for parking within the service road was high, particularly the 'premium' spaces in front of the shops, however elsewhere considerable parking spaces, both public and private, were available. Spaces located in the centre of the service road, which can accommodate long vehicles, had an average occupancy of 56%.

The O'Brien Report notes that "while there is no current shortage of spaces within convenient walking distance to the businesses, like many rural towns there is a community expectation that parking should be available directly outside the businesses locals are visiting". It goes on to recommend that Council ensure alternate on-street parking is attractive to users through measures such as sealing carriageways, providing good vehicle circulation and constructing quality footpaths. It does not recommend the creation of new public car parking areas but suggests that formalising car parking in Hesse and Palmer Streets would add to supply and notes that future private development should contribute to parking supply within the centre, and in particular provide for off-street staff car parking.

1.7 Winchelsea Town Centre - Access and Parking Opportunities



Figure 5: Car parking survey area

Figure 2, which summarises the key recommendations, notes that the two accessible spaces provided in the town centre need upgrading. A recommendation to this effect however, has been omitted from the Implementation Plan. Council officers advise that these existing spaces are not DDA compliant and need minor works to bring them up to standard. It is recommended that upgrade of these two accessible spaces be added to the Implementation Table at Appendix 2 as a short term priority.

Walking, Cycling and Public Transport

The O'Brien Report notes that a number of new pedestrian and cycle connections were implemented as part of the Princes Highway duplication project. A schematic of the shared path and pedestrian network is included and shown at Figure 6 below.

Public transport currently operates from the Winchelsea Railway Station, 600m north-west of the town centre, accessed via Hesse Street.

1.7 Winchelsea Town Centre - Access and Parking Opportunities



Figure 6: Cycling and Walking Network

The O'Brien Report identifies two main issues with the current network:

- The lack of footpaths, particularly sealed footpaths, is likely to discourage commercial development and local shoppers from using car parking in these areas.
- A confusing shared path network.

It identifies opportunities for the town centre including:

- Continuing to work towards the provision of the Barwon River Loop Walk and Hesse Street pedestrian bridge.
- Putting measures in place to ensure a future connection to Batson Street.
- Utilising Hesse Street as the primary north-south cycle route through town and north to the Railway Station (public transport currently operates from the station, e.g. buses and trains).
- Widening of the footpath in front of the existing shops.
- Providing convenient bike parking within the existing centre, and expanding as need arises.

1.7 Winchelsea Town Centre - Access and Parking Opportunities

Council is currently working on the preparation of a concept design for the Hesse Street pedestrian/shared path bridge. This is a first stage in the Barwon River Loop Walk and seen as an important link connecting residents east of the Barwon River to the town centre and other community facilities. A community member did raise the question of the need for the bridge given the current lack of public access directly south of the Barwon River to Batson Street. It should be noted however that public access to Barwon Terrace is readily available along the river reserve only a relatively short distance away (just over 300 metres), and thus to housing on the east side of the River. It is also noted that in the longer term, a connecting path to Batson Street has been identified through the Winchelsea Growth Area Outline Development Plan (adopted by Council in 2011), which would be a requirement of future residential subdivision in this area.

Adopting a 'cycle friendly' cross section for Hesse Street has been discussed above and is considered an important matter for short term resolution. Adopting a cross section will guide parking provision and signage and complement the shared nature of the Hesse Street Bridge. It could provide a key link for school children riding to the primary school north of the Princes Highway, noting that the only signalised intersection across the Princes Highway in this area is at Hesse Street. It may also encourage residents to access the town centre via bicycle in the longer term, provided that the pathway for the Barwon River Loop Walk is further developed on the south eastern side of the River so that it is suitable for riding.

Other opportunities are medium to long term recommendations and are discussed in Appendix 2.

Financial Implications

Council has applied for funding through the National Stronger Regions Fund for town centre beautification works in Winchelsea. This funding is for activities that are not covered in this report as land acquisition and statutory planning procedures may not be funded through this program.

Council has committed \$45,000 in 2016-2017 to installing a turning head at the end of Hesse Street (which comes to a dead end at the Barwon River) to partly address the problem of trucks and other vehicles performing U-turns and three-point turns in this location.

Potential budget implications arising from the various recommendations in the O'Brien Report are outlined in Appendix 2. Additional short term costs (i.e. within a 3 year time frame) could be in the order of \$70-85,000.

The land acquisition costs are dependent on the outcome of further investigations and findings will be presented back to Council for consideration.

Council Plan

Theme 4 Infrastructure
Objective 4.1 Allocation of infrastructure according to need
Strategy 4.1.1. Perform an infrastructure needs assessment to provide clarity to the community on how a fair distribution of infrastructure will be achieved.

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

Theme 5 Development and Growth
Objective 5.4 Transparent and responsive land use and strategic planning
Strategy 5.4.7 Complete a strategic planning framework for land use planning.

Policy/Legal Implications

The O'Brien Report is consistent with the direction of Growing Winchelsea: Shaping Future Growth adopted by Council in 2015.

Officer Direct or Indirect Interest

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

Risk Assessment

No risks have been identified in adopting the O'Brien Report.

1.7 Winchelsea Town Centre - Access and Parking Opportunities

Social Considerations

Implementing the recommendations of the O'Brien Report is expected to positively influence the function and success of the Winchelsea Town Centre. This in turn is likely to lead to more investment in the centre, job creation and the appeal of the centre to passing trade and tourists. Improvements to the walking and cycling network can positively influence health and wellbeing outcomes in the community.

Community Engagement

Consultation with the community was undertaken via an "open house" style session held in March 2016. All traders, landowners and residents both in the Winchelsea Town Centre and nearby were invited to attend, along with an invitation to Growing Winchelsea Inc., and advertisements placed in the Winchelsea Star. Interested persons who could not attend the session were sent copies of the information displayed and invited to provide feedback separately. Community feedback is summarised at Section 7 in the O'Brien Report (beginning on page 42). Community input helped to shape the recommendations in the final report.

Environmental Implications

There are no direct environmental implications arising from the O'Brien Report.

Communication

Notice of the O'Brien Report going to Council for a decision will be included in the Winchelsea Star Council Corner in the first week in August 2016.

All traders, landowners and residents in the Winchelsea Town Centre will be notified of the Council resolution regarding the O'Brien Report and invited to request a copy of the document either electronically or in hard copy format.

Conclusion

The access and parking recommendations in the O'Brien Report are considered an important first step in implementing the Winchelsea Town Centre Beautification Project. Adopting a definite plan for access (vehicular, pedestrian and cycle) and parking lays the foundations to build streetscape works in the public realm and development guidelines for private land. It is recommended that Council adopt the O'Brien Report and the Implementation Plan as set out in Appendix 2. Budget implications for implementation will be presented to Council for consideration following further investigations.

1.8 Bells Beach Tour Operator Licence Recommendations

Author's Title: Coordinator Business and Tourism Strategy

General Manager: Kate Sullivan

Department: Economic Development & Tourism

File No: F15/1481

Division: Environment & Development

Trim No: IC16/775

Appendix:

1. Bells Beach Reserve - Commercial Tour Operator Licence Applications (D16/64933)

Officer Direct or Indirect Conflict of Interest:

Status:

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

Information classified confidential in accordance with Local Government Act 1989 – Section 77(2)(c):

Yes

No

Yes

No

Reason: Nil

Reason: Nil

Purpose

To issue commercial tour operator licences at Bells Beach Surfing Recreation Reserve for a period of three years commencing 1st November 2016.

Summary

Council is required to issue commercial tour operator licences at Bells Beach Surfing Recreation Reserve (Reserve) in line with State Government legislation for commercial use of any crown land. The Reserve is an area of Crown Land for which Council is the land manager.

At the May 2016 meeting Council resolved to undertake a competitive expression of interest process for commercial tour operators.

The expression of interest process for commercial tour operators licences was undertaken from the 1st June 2016 to 3pm on the 29th June 2016.

The four submissions received were:

- Great Ocean Road Surf Pty. Ltd- Trading as Great Ocean Road Surf Tours
- Torquay Surfing Academy Pty Ltd – Torquay Surfing Academy
- Walter Edgar of WDE Systems Pty Ltd – Trading as Around And About Travel & Planning
- Australian National Surfing Museum – Surf Coast Shire

The four submissions received were all deemed to be satisfactory against the weighted criteria therefore all are recommended for approval of a three year licence.

Recommendation

That Council:

1. Issue commercial tour operator licences for the Bells Beach Surfing Recreation Reserve to the businesses identified in Appendix 1 commencing on 1st November 2016 for a period of three years to 31st October 2019.
2. Authorise officers to issue up to four additional licences for the Bells Beach Surfing Recreation Reserve to suitable commercial tour operators in consultation with the Bells Beach Committee, that satisfy the approved criteria, and that these licences expire on 31st October 2019 regardless of date of commencement.

1.8 Bells Beach Tour Operator Licence Recommendations

Report

Background

In early 2016 the Bells Beach Surfing Recreation Reserve Coastal Management Plan (CMP) was completed and adopted by Council. Amongst other things, this document provides guidance with respect to commercial tour operator requirements at the Reserve.

At the May 2016 meeting Council resolved to:

- Offer licences through a competitive allocation process.
- Restrict the number of licences to a maximum of eight (8) for tour operators to bring long vehicles into the reserve (restricted to 22 seats or less).
- Extend the period of licence issued to three years.
- Adopt the fee structure set by the Department of Environment, Land, Water and Planning (DEWLP) – refer Table 2.
- Reinvest fees collected into protecting the Reserve's values.
- Update the special conditions for tour operators to abide by when visiting the Reserve in line with the new parking conditions for commercial tour vehicles as outlined in the CMP – refer Appendix 1.
- Update enforcement regulations as outlined in the CMP.
- Confirm the current selection criteria for issuing tour operator licences – refer Table 1.

Currently there are six licences in place and these will expire on the 31st October 2016.

Discussion

In accordance with the May 2016 resolution of Council, advertising of the Expression of Interest (EOI) process for commercial tour operators licences was undertaken from the 1st June 2016 to 3pm on the 29th June 2016.

The opportunity for commercial tour operators to apply for a licence via EOI was widely advertised to ensure an open competitive process. This included emailing all tour operators on the Surf Coast Shire and Parks Victoria databases, advertising in the Geelong Advertiser, The Age, The Echo and Surf Coast Times and promoting the EOI online via the Surf Coast Shire Website.

On the 29th June at 3pm when the tender closed, the EOI document had been downloaded 14 times, with four submissions received.

Evaluation of Submissions

Upon conclusion of the EOI process, an assessment panel (comprised of four staff from Economic Development and Tourism and Environment and Community Safety departments) undertook a review of the submissions received.

Applications were received from the following commercial tour operators:

- Great Ocean Road Surf Pty. Ltd- Trading as Great Ocean Road Surf Tours
- Torquay Surfing Academy Pty Ltd – Torquay Surfing Academy
- Walter Edgar of WDE Systems Pty Ltd – Trading as Around And About Travel & Planning
- Australian National Surfing Museum – Surf Coast Shire

Three of these commercial tour operator applications are local businesses and one is based in Melbourne. Two of these successful applicants currently hold tour operator licences for the Reserve with no issues being recorded.

The four submissions received were all deemed to be satisfactory against the weighted criteria detailed in Table 1 and as such all submissions are recommended for approval of a three year licence.

1.8 Bells Beach Tour Operator Licence Recommendations

Table 1: Qualitative criteria with weightings:

Selection Criteria	Weighting
Demonstrated capability & experience of tours	30%
Recognised eco-accreditation	5%
Frequency, timing and length of stay	20%
Schedule of activity to be conducted	20%
Demonstrated economic benefit to the local community	20%
Occupational Health and Safety	5%

Number of Licences Issued

While Council resolved to issue eight licences, only four commercial tour operators applied in the latest Expression of Interest process.

There is an opportunity for Council to consider additional applications as they arise for those operators which can demonstrate the delivery of a quality and high value add product for the Bell's Beach Surfing Recreation Reserve with the remaining four licences.

Duration of Licences

Under State government guidelines the length of commercial tour operator licence issued can range from a minimum of one year to a maximum of ten years.

Council resolved at the May 2016 meeting that licences should be issued for a period of three years commencing on the 1st November 2016 with an expiry date of 31st October 2019. The Bells Beach Committee was consulted on this period.

Special Conditions

All tour operator licences are subject to special conditions of use included in their licence agreement in relation to visiting the Reserve including conditions on parking location, time of access, noise/litter and reporting.

Each licence has a section for site specific 'special conditions' to be added. In this way, Council can control and direct the behaviour of licenced tour operators to minimise, reduce or control the environmental or social impacts of commercial operations on the Reserve.

The conditions were developed to minimise the impact of the commercial operators visiting the Reserve and to give clear direction on where they can and cannot go while in the Reserve to avoid any future conflicts between coach companies and general visitors or surfers.

Within the CMP Strategic Action 8.4.1 states the Council will:

- *Continue to offer a restricted number of licences for tour operators to bring long vehicles into the reserve. Licensed vehicles to be restricted to 22 seats or less.*
- *Alter traffic signage within the reserve to enable enforcement under the Road Safety Act 1986 of the requirement for commercial buses to hold a licence.*
- *Undertake regular patrols by local laws staff to deter and fine unlicensed commercial vehicles.*
- *Ensure the licence conditions for commercial tour operators minimise the impacts of commercial operations on other reserve visitors.*
- *Enforce road safety regulations in relation to parking within the car parks and along Bells Beach Road to assist with the management of visitor numbers and improve safety.*

The updated Special and General Conditions were discussed with the Bells Beach Committee and deemed acceptable.

Details of Special Conditions for licences to be issued are attached as Appendix 1.

1.8 Bells Beach Tour Operator Licence Recommendations

Enforcement

New signage has been erected in May 2016 within the Reserve and will enable enforcement to take place under the Road Safety Act 1986 including the requirement for commercial tour operators to hold a licence.

Licensed operators will be issued with a sticker to place on the windscreen of their tour vehicle similar to the one pictured below (however with a 2016 – 2019 period) to identify those tour operators permitted to stop.

Signage will also identify the areas and times that tour operators can stop within the Reserve.

Infringement notices will be sent directly to the company to reduce conflict on site between the Rangers and operators.



Next Steps

Following endorsement of recommendations in this report by Council, licence documentation will be prepared for signing by Council, DELWP and the respective commercial tour operators.

Financial Implications

Licence fees are statutory fees which must be charged to each commercial tour operator. Fees are set in accordance with the Tour Operator Licence Fee Regulations 2011. The annual licence fees set in the Regulations are set by 'fee units', in accordance with the Monetary Units Act 2004. As of 1st July 2016 a new fee structure will commence as set out in Table 2 below.

Table 2: Summary of Standard Tour Operator Licence Fees as set by DELWP

Category	Fee from 1 July 2016*
Annual fee - standard one year licence	\$299.00
Annual fee - standard licence greater than one year (per year)	\$227.00
Use fee - General visitor	\$2.40
Use fee - School student and child	\$1.60
Use fee cap*	\$14,140.00

*GST is not payable on tour operator licence fees.

The fee structure includes a base licence fee as well as a per person charge. The maximum payable under a licence will be capped at \$14,140.

Non-commercial tour operators (e.g. school bus driver) are exempt.

The revenue raised via licencing will be reinvested into protecting the Reserve's values.

Council Plan

Theme 3 Communities

Objective 3.3 Preservation of peaceful, safe and healthy environments Select Objective text

Strategy 3.3.1 Continually monitor and evaluate the Local Government Act and relevant legislation to ensure a safe and peaceful community including residential amenity, safety in public places and community liveability.

1.8 Bells Beach Tour Operator Licence Recommendations

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.

Theme 5 Development and Growth
Objective 5.3 Develop and grow sustainable year round tourism
Strategy 5.3.8 Investigate opportunities of expanding the Australian National Surfing Museum experience as an integrated

Policy/Legal Implications

The licence process for the Reserve has been determined by State Government legislation under the "The Crown Land Acts Amendment (Lease and Licence Terms) Act 2009" and provides a state wide approach to licencing commercial activity on crown land.

The introduction of licences has helped reduce the number and impacts of large tourist coaches. New signage will enable enforcement to take place and manage the regulation of commercial tour operators visits to the Reserve.

Individual licence documents are required to be signed in triplicate by the tour operator Council's Chief Executive Officer and the Minister's delegate from DELWP and the respective commercial tour operator.

Officer Direct or Indirect Interest

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

Risk Assessment

Specific risks that have been identified in relation to commercial tour operator licenses at the Reserve include:

- Reputational: Some members of the community may not support the issuing of licences to occur, however, the CMP recommends the continuation of a restricted number of licences.
- Legal: Council is required to follow a license process for all commercial operations on Crown land of which the Surf Coast Shire Council is a land manager under the Crown Land Management Act. Failure to do so could leave Council liable for prosecution by the State.
- Financial: The license process has the potential to generate income for the Surf Coast Shire council. However, it relies on commercial tour operators reporting correctly and complying with the license process.

Social Considerations

The issuing of three year licenses will improve the security and safety and minimise potential for user conflict within the Reserve.

The license conditions provide clear direction for all commercial operators and allow any members of the public to clearly identify licensed operators.

The licence process has effectively prohibited large coach tour operators from visiting the Reserve. This has been supported by the Bells Beach Committee and the broader community.

Community Engagement

The Bells Beach Committee has been consulted with and informed of the Expression of Interest process, the Special and General Conditions and the four submissions received.

Environmental Implications

There are no direct environmental impacts in the recommendations proposed in this report.

Communication

The opportunity for commercial tour operators to apply for a licence was widely advertised to ensure an open competitive process.

1.8 Bells Beach Tour Operator Licence Recommendations

Following endorsement of recommendations in this report by Council, licence documentation will be prepared for signing by Council, DELWP and the respective commercial tour operators. The process will be communicated as follows:

- Direct mail to existing licensed operators.
- Letter to the Department of Land, Environment, Water and Planning (DELWP) seeking approval.
- Media release regarding the issuing of commercial tour operator licences.

Conclusion

As part of the requirement to issue licences to commercial tour operators to enter into the Bells Beach Surfing Recreation Reserve, a competitive allocation process was undertaken. Four submissions were received with all four submissions deemed acceptable against the evaluation criteria.

It is recommended licenses be issued to all four commercial tour operators.

The new licenses are for a three year period commencing on 1st November 2016 and expiring on 31st October 2019.

The new licences are required to be signed in triplicate by Council's Chief Executive Officer, the Minister's delegate from DELWP and the respective commercial tour operator.

Council has previously resolved that eight licences could be issued therefore it is recommended that Council authorise officers to issue up to four additional licences, as applications arise, to suitable commercial tour operators that are assessed using the approved criteria for the Bells Beach Surfing Recreation Reserve, and that these licences expire on 31st October 2019 regardless of date of commencement.

2. OFFICE OF THE CEO

2.1 Service Review - Aireys Inlet Social Housing Units

Author's Title: Manager Business Improvement	CEO: Keith Baillie
Department: Office of the CEO	File No: F15/1058
Division: Office of the CEO	Trim No: IC16/911

Appendix:

1. Aireys Inlet Units - August 2016 Update (D16/76922)

Officer Direct or Indirect Conflict of Interest:

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

Yes

No

Reason: Nil

Status:

Information classified confidential in accordance with
Local Government Act 1989 – Section 77(2)(c):

Yes

No

Reason: Nil

Purpose

To consider the recommendations arising from the review into the Aireys Inlet Social Housing Units and surrounding land.

Summary

Council currently plays a role in the provision of social housing, historically for the elderly, at 2 Fraser Dve, Aireys Inlet. Conducting a review into Councils ongoing role in this service was endorsed as part of the 2015/16 Business Improvement program.

The 6,668 m² site at 2 Fraser Drive includes four social housing units built in the early 1990's using grant funding from the Director of Housing, the 3231 community garden and approximately 4,100m² of vacant land. The site was purchased by the Shire of Barrabool in 1988. The site has long been identified in the community as being an ideal location for housing for older residents.

It is increasingly uncommon for Councils to be involved in the housing sector. The Department of Health and Human Services has an established group of registered bodies that are the preferred service providers for affordable housing in the State. Council believes that this sector is far better placed to deliver the current housing service in Aireys Inlet.

To ensure that Council can consider the wide range of options available for this complicated site it is recommended that an expression of interest (EOI) process is conducted. The EOI process will consider transfer of the existing service and potential development of the site. The EOI submissions will be assessed based on the welfare of the current housing tenants, the results of recent community engagement, strategic planning objectives and financial impacts on Council.

Further information on the review to date and the recommendations of this report are summarised in the presentation at Appendix 1.

Recommendation

That Council:

1. Authorise the commencement of an EOI process for transfer of the existing Aireys Inlet social housing units and potential development of the site.
2. Note that a future report will be provided, following the EOI process, to seek a decision on the units and potential development of the site.
3. Note that officers will seek valuations for the site to assist with the assessment of the EOI responses received.

2.1 Service Review - Aireys Inlet Social Housing Units

Report

Background

Council currently plays a role in the provision of social housing, historically for the elderly, at 2 Fraser Drive, Aireys Inlet. Conducting a review into Council's ongoing role in this service was endorsed as part of the 2015/16 Business Improvement program.

Discussion

The 6,668 m² site at 2 Fraser Drive includes four social housing units built in the early 1990's using grant funding from the Director of Housing, the Aireys Inlet community garden and approximately 4,100m² of vacant land. The full site was purchased by the Shire of Barrabool in 1988. The vacant land has long been identified in the community as being an ideal location for housing for older residents.

It is increasingly uncommon for Council's to be involved in the housing sector. The Department of Health and Human Services (DHHS) has an established group of registered bodies that are the preferred service providers for affordable housing in the State. Council believes that this sector is far better placed to deliver the current housing service in Aireys Inlet. Discussions have taken place with both DHHS and industry representatives to understand how a transfer of this service may be possible.

A strong community engagement activity was undertaken in April 2016 to understand what the community wants from the site. This community consultation included the following:

- meetings with current residents, AIDA and CG3231 (Community Garden)
- an information session at the Aireys Inlet Community Centre
- use of Surf Coast Conversations online engagement hub
- direct mail out to approximately 100 residents in close proximity of the site
- posters in the General Store and Post Office
- emails to AIDA and CG3231 mailing lists

A range of views were heard through this consultation period with a number of consistent themes evident. These are summarised in the presentation at Appendix 1.

To ensure that Council can consider the wide range of options available for this complicated site it is recommended that an expression of interest (EOI) process is conducted. The EOI process will consider transfer of the existing service and potential development of the site. The EOI submissions will be assessed based on the welfare of the current housing tenants, the results of recent community engagement, strategic planning objectives and financial impacts on Council.

The presentation attached as Appendix 1 to this report, summarises the work undertaken in this review to date including community consultation, discussions with key stakeholders and a range of recommendations for adoption to progress this project.

Financial Implications

Council has contractual obligation to continue to provide social housing on this site in accordance with two funding agreements signed with the Director of Housing, one in 1991 and the other in 1993. Failure to continue to deliver this service will result in a contractual liability equivalent to the original grant multiplied by a factor derived from the increase in land value. This contractual liability is estimated to be in excess of \$850,000.

This liability is only due if the service ceases to be provided by either Council or a Registered Housing Provider or Association. A key outcome of this project is to ensure that Council does not realise this contractual liability.

The project may result in Council disposing of its land asset at this location which would result in a one off capital sale. The sale of the site is not subject to a decision at this stage of the project.

Council Plan

Theme	2 Governance
Objective	2.2 High performing accountable organisation
Strategy	2.2.4 Undertake a scheduled program of service reviews aimed at improving efficiency and effectiveness in service delivery in accordance with agreed principles.

2.1 Service Review - Aireys Inlet Social Housing Units

Policy/Legal Implications

At this stage of the project there are no policy or legal implications. The recommendations provided here authorise officers to engage with the private and not for profit markets to identify options available for the service and the site only.

Officer Direct or Indirect Interest

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

Risk Assessment

At this stage of the project the key risk is community concern associated with potential development of the site. As the recommendations here relate to identifying available options for the site only, this key risk will be managed through clear communication with interested community groups.

Social Considerations

The welfare of the current residents in the units at 2 Fraser Drive is a priority of this project. The broader Aireys Inlet community also have strong interest in this project. A strong community engagement exercise has been undertaken and the outcomes are summarised in the presentation at Appendix 1.

Community Engagement

Refer to Social Considerations above. In addition, further advice will be provided to the community regarding the next steps following the adoption of the recommendations in this report.

Environmental Implications

At this stage of the project there are no environmental implications. As the project progresses the environmental impact will be a key consideration for the development of the site.

Communication

Refer to Community Engagement above.

Conclusion

The review into service provided by Council at 2 Fraser Drive Aireys Inlet is continuing. To further progress this project it is recommended that Council engage with the private and not for profit markets to identify options available for the service and the site. Understanding these options will allow Council to make a fully informed decision about the future of this site and its variety of uses.

3. GOVERNANCE & INFRASTRUCTURE

3.1 Monthly Finance Report June 2016

Author's Title: Coordinator Management Accounting **General Manager:** Anne Howard

Department: Finance **File No:** F15/973

Division: Governance & Infrastructure **Trim No:** IC16/926

Appendix:

1. Project Variations June 2016 (D16/78243)

Officer Direct or Indirect Conflict of Interest:

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

Yes No

Reason: Nil

Status:

Information classified confidential in accordance with Local Government Act 1989 – Section 77(2)(c):

Yes No

Reason: Nil

Purpose

To receive and approve the project variations for June 2016.

Summary

The project variations for June 2016 are included.

Recommendation

1. That Council approve the project variations for June 2016 making the following reserve transfers:
 1. Transfer to the accumulated unallocated cash reserve net \$300,156;
 2. Transfer from the accumulated unallocated cash reserve funding for grant funded programs that were previously classified as operational \$49,256;
 3. Transfer to the adopted strategy reserve net \$33,250;
 4. Transfer to the renewal reserve net \$384,406;
 5. Transfer to the DCP Council funds reserve net \$118,661;
 6. Transfer to the waste reserve net \$151,231;
 7. Transfer to the accumulated unallocated cash reserve \$10,000 from the renewal reserve;
 8. Transfer to the DCP Council funds reserve \$11,836 from the accumulated unallocated cash reserve;
 9. Transfer the balance of the asset development reserve to the adopted strategy reserve and close the asset development reserve; and
2. That Council ratifies the Chief Executive Approved variations under \$5,000:
 10. Transfer to the accumulated unallocated cash reserve net \$19,739;
 11. Transfer to the renewal reserve net \$16,757;
 12. Transfer to the Open Space Reserve net \$756; and
3. That Council approves the creation of a new reserve to hold payments received for NDIS Home-Care package clients
4. That Council note the carry forwards:

Carry Forward Reserve		
Project Name	Comment	Reserve Movement \$
Capital Projects Expenditure	Projects still in progress, carry forard budget to 2016/17.	4,379,821
Capital Projects Income	Income not received.	(397,543)
Operating Projects Expenditure	Projects still in progress, carry forard budget to 2016/17.	907,943
Operating Projects Income	Income not received.	(139,935)
Total:		4,750,287

3.1 Monthly Finance Report June 2016

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 June 2016.

3.2 Monthly Finance Report July 2016

Author's Title: Coordinator Management Accounting **General Manager:** Anne Howard
Department: Finance **File No:** F16/897
Division: Governance & Infrastructure **Trim No:** IC16/922

Appendix:

1. July 2016 Project Variations Report (D16/77707)

Officer Direct or Indirect Conflict of Interest:

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

Yes

No

Reason: Nil

Status:

Information classified confidential in accordance with
Local Government Act 1989 – Section 77(2)(c):

Yes

No

Reason: Nil

Purpose

To receive and approve the project variations for July 2016.

Summary

The project variations for July 2016 are included.

Recommendation

That Council approve the project variations for June 2016 making the following reserve transfers:

1. Transfer from the accumulated unallocated cash reserve net \$132,000;
2. Transfer from the adopted strategy reserve net \$140,000

And that Council ratifies the Chief Executive Officer approved exceptional circumstance variation:

1. Transfer from the accumulated unallocated cash reserve \$20,000.

3.2 Monthly Finance Report July 2016

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 July 2016.

3.3 Council Plan and Health & Wellbeing Plan Reporting Frameworks 2016-2017

Author's Title: Coordinator Corporate Planning

General Manager: Anne Howard

Department: Governance & Risk

File No: F16/850

Division: Governance & Infrastructure

Trim No: IC16/917

Appendix:

1. Council Plan 2013-2017 - Year 4 Actions 2016-2017 (D16/77058)
2. Health and Wellbeing Plan 2013-2017 - Year 4 Actions 2016-2017 (D16/77093)

Officer Direct or Indirect Conflict of Interest:

Status:

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

Information classified confidential in accordance with Local Government Act 1989 – Section 77(2)(c):

Yes

No

Yes

No

Reason: Nil

Reason: Nil

Purpose

To enable Council consideration of a number of recommendations designed to support Council's statutory reporting requirements and enhance greater engagement in Council's performance reporting against key strategic plans including the Council Plan and Health & Wellbeing Plans.

Summary

A recent review of Council's current approach to performance reporting against key strategic documents including the Council Plan and Health and Wellbeing Plans has revealed that it is not an effective or efficient way to engage readers and communicate key achievements and / or challenges in delivering on these plans.

Council has a statutory obligation to maintain key strategic planning documents including the Council Plan, Health and Wellbeing Plan and Municipal Strategic Statement. Together these plans provide the planning and accountability framework for Council to the community and inform performance reporting.

In reviewing our current approach it is now considered that there are more efficient and effective ways to engage Council and the community in Council's performance reporting while meeting statutory reporting obligations.

Recommendation

That Council:

1. Receive the annual action plans developed by officers to deliver on the strategies in both the Council Plan (Appendix 1) and Health and Wellbeing Plan (Appendix 2) in 2016 – 2017.
2. Note the following:
 - 2.1 That action plans will form the basis of organisational work plans.
 - 2.2 That reports against strategic indicators included in the following plans will be provided at six monthly intervals:-
 - 2.2.1. Council Plan (to meet statutory requirements)
 - 2.2.2. Health and Wellbeing Plan (to inform Council and the community)
 - 2.2.3. Local Government (Performance and Reporting) Regulations
 - 2.3 That the December year-to-date report will be presented to Council at the Ordinary meeting of Council in February.
 - 2.4 That end of year will be presented to Council at the Ordinary meeting in September and incorporated into the Annual Report.
3. That Council agree that key actions to deliver the Council Plan and Health and Wellbeing Plans are communicated to the public in a variety of ways which may include the Mayors Column and the quarterly newsletter "Groundswell".

3.3 Council Plan and Health & Wellbeing Plan Reporting Frameworks 2016-2017

Report

Background

A recent review of Council's current approach to performance reporting against key strategic documents including the Council and Health & Wellbeing Plans has revealed that it is not an effective or efficient way to engage readers and communicate key achievements and / or challenges in delivering on these plans.

Discussion

Council has a statutory obligation to maintain key strategic planning documents including the Council Plan, Health and Wellbeing Plan and Municipal Strategic Statement. Together these plans provide the planning and accountability framework for Council to the community and inform performance reporting.

Planning Requirements

Following a Council Election a new Council has a legislative requirement to develop or review the following strategic plans within a statutory period:-

1. A Council Plan (*Local Government Act 1989 S125*)
2. A Municipal Public Health and Wellbeing Plan (Health and Wellbeing Plan) (*Public Health and Wellbeing Act 2008 S26*)
3. A Municipal Strategic Statement (*Planning and Environment Act 1987*)

The *Local Government Act 1989* section 125 requires Council to prepare and approve a Council Plan within 6 months after a general Council election or by 30 June, whichever is the later. The Council Plan must include:-

4. the strategic objectives of the Council
5. strategies for achieving the objectives for at least the next 4 years
6. strategic indicators for monitoring the achievement of objectives.

It is a legislative requirement that when developing or reviewing either the Health and Wellbeing Plan or the Municipal Strategic Statement that Council ensures that each is consistent with the objectives and strategies contained in the Council Plan.

Reporting Requirements

The *Local Government (Performance and Reporting) Regulations 2014* require that Council can demonstrate compliance with its Council Plan reporting requirements as follows:-

7. Governance and Management Checklist Item 17
 - a) Council Plan reporting (report reviewing the performance of the Council against the Council Plan , including the results in relation to the strategic indicators for the first six months of the financial year, together with dates
8. The report of operations section of the Annual Report must contain:-
 - (a) A statement that reviews the performance of the Council against the Council Plan, including results achieved in relation to the strategic indicators including in the Council Plan under section 125(2)(c) of the Act
9. The *Public Health and Wellbeing Act 2008* does not specify any reporting requirements against the Health and Wellbeing Plan. Current practice is that performance is reported to Council on a quarterly basis also, consistent with Council Plan reporting.

Current approach

In recent years Council have endorsed an action plan developed by officers to deliver on both the Council Plan and Health and Wellbeing Plans. The endorsed action plan has formed the basis of quarterly reports present to Council at the August, November, February and May ordinary meetings of Council.

The current approach was developed in the interest of public transparency and accountability as the agreed actions plans to deliver on the Council Plan and Health & Wellbeing Plans and related quarterly reports were received by Council at an ordinary meeting of Council and are therefore available to interested members of the public. End of year reports have also been used to inform development of the Annual Report.

In reviewing our current approach it is now considered that there are more efficient and effective ways to engage Council and the community in Council's performance reporting while maintaining Council's statutory reporting obligations.

3.3 Council Plan and Health & Wellbeing Plan Reporting Frameworks 2016-2017

A number of recommendations are proposed to enhance the effectiveness of Council's performance reporting against key strategic document and these are submitted for Council consideration.

Financial Implications

It is envisaged that implementation of this proposal will streamline Council reporting processes and result in higher levels of engagement in future performance reporting.

Council Plan

Theme 2 Governance
Objective 2.2 High performing accountable organisation
Strategy Nil

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 change complies with relevant legislation as evidenced above.

Officer Direct or Indirect Interest

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

Risk Assessment

A stronger emphasis on organisational performance reporting structures

Social Considerations

The proposed approach supports enhanced community engagement in Council's performance reporting against key strategic plans. Together these plans guide action on the delivery of quality outcomes for the community.

Community Engagement

The proposed change is aimed at strengthening engagement in Council's performance reporting.

Environmental Implications

Reducing the need to produce lengthy hard copy reports will impact positively on environmental outcomes.

Communication

A Communication Plan will be developed to support implementation of this proposal

Conclusion

The review of the current approach to Council's performance reporting has confirmed that action planning to deliver on key strategic documents is an important element of organisational planning.

While Council has statutory requirement to report against key strategic plans, there is a broader opportunity to engage the community in performance reporting and its relationship to delivering quality outcomes for the community.

The proposed recommendations are designed to support statutory requirements and enhance greater engagement in Council's performance reporting.

3.4 Council Plan 2013-2017 - Final Progress Report 30 June 2016

Author's Title: Coordinator Corporate Planning **General Manager:** Anne Howard
Department: Governance & Risk **File No:** F15/1485
Division: Governance & Infrastructure **Trim No:** IC16/786

Appendix:

1. Council Plan 2013-2017 - End of year progress report @ 30 June 2016 (D16/69362)

Officer Direct or Indirect Conflict of Interest:

Status:

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

Information classified confidential in accordance with
 Local Government Act 1989 – Section 77(2)(c):

Yes

No

Yes

No

Reason: Nil

Reason: Nil

Purpose

To receive and note the final progress report on delivery of the Council Plan 2013 – 2017 strategies and measures for 2015 - 2016.

Summary

This report marks the completion of the first year's reporting against the Council Plan 2013 – 2017 adopted by Council in June 2015 following a mid-term review.

During 2015 - 2016 performance against Council Plan strategies and measures was reported to Council quarterly. A summary of the highlights and challenges will be incorporated into the Annual Report for 2015 – 2016.

For the strategies and measures contained in the Council Plan 2013 – 2017 the end of year results at 30 June 2016 are as follows:

Status	Strategies		Measures	
	No.	%	No.	%
Work in progress	3	3	6	7
Met or exceeded	97	95	64	75
Not met	1	1	15	18
No action planned 2013 – 14	1	1	-	-
Total	102	100	85	100

Recommendation

That Council receive and note the Council Plan 2013 – 2017 final progress report for strategies and measures for the 2015 – 2016 year attached as Appendix 1.

3.4 Council Plan 2013-2017 - Final Progress Report 30 June 2016

Report

Background

This is the final quarterly progress report to Council against the Council Plan 2013 – 2017 strategies and measures for the 2015 – 2016 financial year. This report also marks the first year’s reporting against the Council Plan 2013 – 2017 adopted by Council in June 2015 following a mid-term review.

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

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

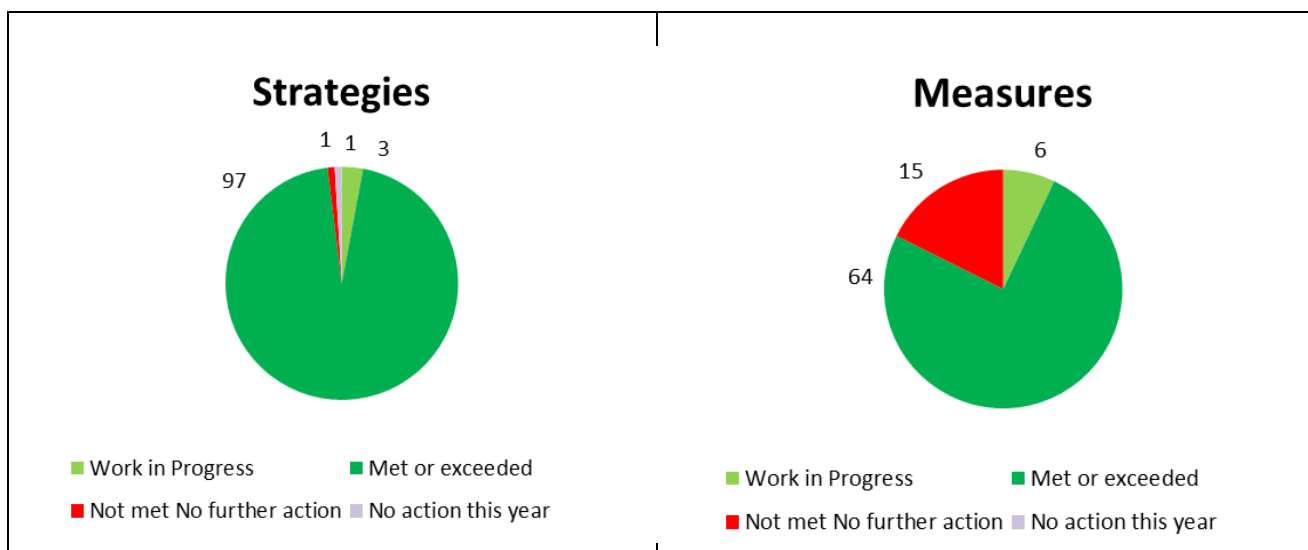
Discussion

The end of year performance results for 2015 – 2016 are detailed in the attached report.

This report has been formatted to include:

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

Overall performance for 2015 – 2016 is as follows:



Status indicator	Work in progress	Met or exceeded	Not met	No action planned 2014 -15	Total
Strategies	3	97	1	1	102
Measures	6	64	15	-	85

3.4 Council Plan 2013-2017 - Final Progress Report 30 June 2016

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

Comments where actions for strategies identified as “not met”

No.	Strategy	Action	Comment
1.	5.4.2 Utilise structure plans and planning processes to encourage a diversity of housing stock across the Shire.	5.4.2.3 Provide a report to Council on Affordable Housing.	Partly met via work undertaken by the Business Improvement Department regarding the Winchelsea and Aireys Inlet social housing units.

Comments where actions for strategies identified as “work in progress”

No.	Strategy	Action	Comment
1.	2.3.1 Identify and pursue new sustainable revenue sources to address the imbalance between rate and non-rate revenue sources.	2.3.1.1 Prepare a report on alternative revenue streams	Internal meetings occurred and identified required tasks. Officers have been allocated tasks, but the action is incomplete.
2.	4.1.3 Develop an improved approach to service planning that identifies long-term future infrastructure requirements and actions	4.1.3.1 Implement infrastructure priority actions from the Winchelsea Health and Wellbeing Plan	Council continues to explore the establishment of a youth space in Winchelsea.
3.	4.1.2 Utilisation of community demographics to prioritise future infrastructure needs.	4.1.2.1 Deliver Growing Winchelsea project	Council continued to support implementation of the plan in areas where it has responsibility and financial commitments in addition to ongoing advocacy on matters identified in the plan, eg. frequency of rail services.

Comments where actions for strategies identified as “No action planned 2015 - 2016”

No.	Strategy	Action	Comment
1.	5.2.5 Conduct an economic impact study of Armstrong Creek development on Surf Coast Shire.	5.2.5.1 To be completed in 2016 - 2017	At present there is no retail or commercial development in Armstrong Creek to enable an impact assessment to be undertaken. City of Greater Geelong has already undertaken an impact assessment based on planned development.

3.4 Council Plan 2013-2017 - Final Progress Report 30 June 2016

Comments where targets for measures identified as “not met 2015 - 2016”

No.	Measure	Target	Comment
1.	1.4.1 Number of open space capital works projects annually that implement open space master plan actions.	Target = 8 including 7 from CAPEX program for 2015/16 and one carried over from 2014/15. Timeframe = Annually; Reported = Quarterly	There are currently 5 master plan actions being implemented from the CAPEX program.
2.	2.2.5 Improve customer service performance in independent measurement activities annually	Target = Create unit level customer service standards and share them with our community. Publish and report on council-wide service standards; Time frame = annually; Reported = annually	Business unit level customer services standards have been developed but are yet to be communicated with the community. In the meantime independent customer service benchmarking results saw Surf Coast Shire customer service ranked 3rd from 178 organisations for call answer time, operator performance and ability to deal with enquiry. State Government community satisfaction survey results continue to compare favourably with other large rural shires.
3.	2.2.6 Improve customer service performance in independent measurement activities annually	Target = Maintain an "Overall Performance" indexed score in the annual Community Satisfaction in Local Government Survey of = > 66; Time frame = annually; Reported = annually	Overall performance result for 2016 was 60, a decline of 6 points from 2015. This remains 6 points above the average for other large rural shires and 1 point above the state average.
4.	3.4.3 Value of grants provided to groups via the Small Grants Program	Target = \$45,000 per round (2 rounds); Time frame = annually; Reported = annually	Round 1 funding totalled \$31,750. Round 2 funding totalled \$30,150. Total funding allocated for the 2015-16 Small Grants program equals \$61,900. One of the reasons why the total expenditure on this program is lower than the stated target is due to the diversion of funds to the Events Grant Program which now considers community events which were previously funded via the Small Grants Program.
5.	4.1.1 Percentage of capital works program delivered by 30 June annually.	Target = 90%; Time frame = annually; Reported =	80%

3.4 Council Plan 2013-2017 - Final Progress Report 30 June 2016

No.	Measure	Target	Comment
		annually	
6.	4.3.4 Length of road rehabilitations undertaken across the shire	Target = 50km; Time frame = annually; Reported = annually	24 km of gravel roads and 22km of sealed roads have been rehabilitated this year
7.	5.1.2 Deliver Rural Hinterland Strategy	Target = Complete rural hinterland strategy; Time frame = by June 2016; Reported = annually	Rural Hinterland Strategy which is dependent on State Government funding not yet granted. Currently looking for alternative sources of funding
8.	5.2.6 Number of Regional, State and Federal strategies containing key Surf Coast Shire economic development and tourism projects.	Target = 3 strategy documents containing projects; Time frame = annually; Reported = annually	Surfing Industry Advancement now a priority project for G21 Economic Development. Several Surf Coast Shire projects identified in the Great Ocean Road Regional Tourism Strategy
9.	5.3.2 Report at least annually on Number of day-trippers, domestic overnight and international visitors to Surf Coast Shire.	Target = 2 million visitors in total to Surf Coast Shire; Timeframe = annually; Reported = quarterly	Latest figures provided by Tourism Victoria indicate: 1.84 million visitors in total. 1.0 million domestic day, 802,000 domestic overnight and 39,700 international for YE. 2015
10.	5.3.3 Number of enquiries to Visitor Information Centres.	Target = 309,126; Time frame = annually; Reported = quarterly	Total Visitor enquires for 2016 - 2016 financial year was 259,296. Decrease at Torquay due to more accurate collection of stats. Torquay Visitor Centre was also undergoing renovations from 1 July to 24 August resulting in significantly reduced numbers over that period. Lorne also closed for 3 days in Dec due to Extreme fire days and town evacuation. VIC's are moving towards an enhanced digital offering based on visitor information search patterns
11.	5.3.6 Number of Surf Coast Shire businesses engaged with Great Ocean Road Tourism.	Target = 5% increase pa from 2013 base of 396; Time frame = annually; Reported = annually	Latest figures provided by GORRT indicated 407 businesses representing 2.7% increase.
12.	5.3.8 Identify the economic impact of major events taking place in Surf Coast Shire and report on an annual basis.	Target = Report to Council; Time frame = in March each year; Reported = annually	Report to be delivered August 2016 for the 2015 - 2016 Financial year

3.4 Council Plan 2013-2017 - Final Progress Report 30 June 2016

No.	Measure	Target	Comment
13.	5.4.1 Percentage satisfaction for land use planning related measures.	Target = 55%; Time frame = annually; Reported = annually	DELWP Community Satisfaction Survey results for 2016 show a result of 50 in both the Planning Policy and Planning Permit services areas. Planning reform program is underway
14.	5.4.3 Average number of gross processing days to issue a planning permit.	Target = 100; Time frame = annually; Reported = annually	The gross processing days for the year was 155 days. This result reflects the significant effort made to close out older applications that had become inactive (stale) and not progressed for various reasons. This has distorted the gross processing days for the year. The total number of applications received within the year was 838 with 808 being processed. This was a 21.9% increase in volume of applications received on the previous year.
15.	5.4.4 Clear policy position to maintain green belts in the Municipal Strategic Statement (MSS)	Target = Complete rural hinterland strategy; Time frame = by June 2016; Reported = annually	Dependent on the Rural Hinterland Strategy reliant on State Funding not yet granted.

Comments where targets for measures identified as “work in progress”

No.	Measure	Target	Comment
1.	1.2.2 Number of viable alternative energy opportunities investigated.	Target = 2; Time frame = by 30 June 2017; Reported = annually	Currently a joint G21 submission has been submitted looking at Energy Efficient Light upgrades. Next opportunity is to review methane gas flaring opportunities for energy generation.
2.	1.3.3 The number of actions delivered from the Climate Change Strategy.	Target = 3; Time frame = by 30 June 2017; Reported = annually	Council is on track to meeting its emission reduction targets well before 2020. Multiple actions from the current Climate Change Strategy are completed or underway. Renewable energy is one of three key themes in Council's developing environmental leadership program
3.	2.3.1 Number of VAGO KPI's achieved	Target = 100%; Time frame = annually; Reported = quarterly	To be confirmed once end of financial year reporting has been completed.
4.	3.3.5 Number of new or upgraded recreational facilities delivered	Target = Deliver 2 new recreational facilities -	On track - Banyul Warri Play and Skate Zone is in the delivery stage and will be completed in early 2016/17.. Grenville Oval

3.4 Council Plan 2013-2017 - Final Progress Report 30 June 2016

		Grenville Oval and Banyul Warri Fields Recreation, Play and Skate Zone; Time frame = by 30 June 2017; Reported = annually	development is also in the delivery stage and will be delivered in time for the Winter 2017 season as planned.
5.	4.2.3 Percentage of audited Council facilities compliant with physical accessibility.	Target = 80%; Time frame = by 30 June 2017; Reported = annually	40 building Audits completed; additional funding allocated in 2016 – 17 budget to continue program to complete all buildings by June 2017 and to develop a works priority plan
6.	5.3.1 Increase the percentage of events held in the off peak period (May – December).	Target = > 4; Time lines = by 30 June 2017; Reported = annually	Off peak events now comprise approx. 48% of all events in Surf Coast Shire (117 of 244 events). This does not include sporting events, farmers markets and events that do not need a permit.

Financial Implications

There are no additional costs associated with reporting the performance.

Council Plan

Theme 2 Governance
Objective 2.2 High performing accountable organisation
Strategy Nil

Policy/Legal Implications

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

Officer Direct or Indirect Interest

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

Risk Assessment

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

Social Considerations

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

Community Engagement

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

Environmental Implications

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

3.4 Council Plan 2013-2017 - Final Progress Report 30 June 2016

Communication

This report will be incorporated into Council minutes and made available to the public and other stakeholders via the Surf Coast Shire website www.surfcoast.vic.gov.au.

Conclusion

This report provides information on Council's performance in delivering against the 2013 - 2017 Council Plan strategies and measures endorsed by Council in June 2015 and will provide a transparent reporting mechanism to the community in relation to Council's performance.

3.5 Adoption of Council Policies

Author's Title: Coordinator Governance & Procurement

General Manager: Anne Howard

Department: Governance & Risk

File No: F16/78

Division: Governance & Infrastructure

Trim No: IC16/916

Appendix:

1. SCS-001 Councillor Entitlements (Expenses & Facilities) Policy (D16/27531)
2. SCS-010 Fraud and Corruption Policy - March 2016 (D16/30690)
3. SCS-018 Gifts, Benefits & Hospitality Policy - March 2016 (D16/25939)

Officer Direct or Indirect Conflict of Interest:

Status:

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

Information classified confidential in accordance with Local Government Act 1989 – Section 77(2)(c):

Yes

No

Yes

No

Reason: Nil

Reason: Nil

Purpose

To present the updated Councillor Entitlement (Expenses & Facilities) Policy SCS-001, Fraud & Corruption Policy SCS-010, and Gifts, Benefits & Hospitality Policy SCS-018 for adoption by Council.

Summary

The Councillor Entitlements (Expenses & Facilities), Fraud & Corruption and Gifts, Benefits and Hospitality policies have been reviewed by the Audit & Risk Committee and the Policy Review Sub-Committee with their recommendations now being incorporated into the final document.

Recommendation

That Council endorse the:

1. Councillor Entitlement (Expenses and Facilities) Policy SCS-001.
2. Fraud and Corruption Policy SCS-010
3. Gifts, Benefits and Hospitality Policy SCS-018.

3.5 Adoption of Council Policies

Report

Background

The **Councillor Entitlements (Expenses and Facilities) Policy SCS-001** was adopted by Council at the 22 January 2013 Council meeting. The policy has been reviewed the Audit & Risk Committee and the Policy Review Sub-Committee, with their recommendations now incorporated.

The **Fraud and Corruption Policy SCS-010** was adopted by Council at the 23 September 2014 Council meeting. The policy has been reviewed by the Audit & Risk Committee and the Policy Review Sub-Committee with their recommendations now incorporated.

The **Gifts, Benefits and Hospitality Policy SCS-018** was adopted by Council at the 23 September 2014 Council meeting. The policy has been reviewed by the Audit & Risk Committee and the Policy Review Sub-Committee, with their recommendations now incorporated.

Discussion

The key changes in the **Councillor Entitlements (Expenses and Facilities) Policy SCS-010** include the following:

- Where applicable, Councillors are to complete the Australian Institute of Company Directors (AICD) course in the first two years of their appointment.
- 5.4.6 – Replace whole paragraph with ‘Council will issue agendas and documents to Councillors in electronic form’.
- 5.8.1 - Councillors to use Council pool car where possible when travelling outside a 50km radius of the main Torquay office. Vehicle mileage rates not to be included in the policy and instead refer to the ‘applicable rate’.
- Travel claim forms reviewed and streamlined.
- 5.6 – third paragraph needs to be clear that prior approval by the Mayor is required for any professional development that does not exceed \$3,000 in any financial year.

The updated policy is attached at Appendix 1.

The key changes in the **Fraud and Corruption Policy SCS-010** include the following:

- That reference is made to the Protected Disclosures Act 2012 where a matter of a confidential nature is disclosed.
- As an additional reporting measure, the Governance and Risk Department, completes an investigation plan summary report at the conclusion of fraud-related investigations.

The updated policy is attached at Appendix 2.

The key changes in the **Gifts, Benefits and Hospitality Policy SCS-018** include the following:

- Internal Control - all gifts received are to be reported to the Governance and Risk Department via Council's Gifts, Benefits and Hospitality form which is signed by the staff member/Councillor and authorised by their respective Manager/General Manager/ CEO (for the Mayor) and Mayor (for the CEO and Councillors).
- The Gifts, Benefits and Hospitality form has also been updated to include sign off by the Mayor (for gifts, benefits and hospitality relating to Councillors and the CEO).

The updated policy is attached at Appendix 3.

Financial Implications

Not applicable.

Council Plan

Theme 2 Governance
Objective 2.2 High performing accountable organisation
Strategy 2.2.2 Review the Council governance structure.

Policy/Legal Implications

The proposed changes comply with the Local Government Act 1989.

3.5 Adoption of Council Policies

Officer Direct or Indirect Interest

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

Risk Assessment

Council is required to ensure that all policies are current and meet legislative and organisational requirements

Social Considerations

Not applicable.

Community Engagement

Not applicable.

Environmental Implications

Not applicable.

Communication

The policies will be available on the website and Council's intranet.

Conclusion

By adopting the attached policies Council will ensure these remain current and are compliant with the Local Government Act 1989.

3.6 SCS-021 Risk Management Policy

Author's Title: Coordinator Risk Management & Legal Services **General Manager:** Anne Howard

Department: Governance & Risk

File No: F12/1547

Division: Governance & Infrastructure

Trim No: IC16/832

Appendix:

1. Council Policy SCS-021 Risk Management (D16/68422)

Officer Direct or Indirect Conflict of Interest:

Status:

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

Information classified confidential in accordance with
Local Government Act 1989 – Section 77(2)(c):

Yes

No

Yes

No

Reason: Nil

Reason: Nil

Purpose

To provide a revised version of the Risk Management Policy for Council's consideration.

Summary

The Risk Management Policy has been reviewed by the Executive Management Team, the Audit & Risk Committee and the Policy Review Sub-Committee with their recommendations now being incorporated into the final document.

A copy of the updated policy is attached.

Recommendation

That Council endorse the Risk Management Policy SCS-021 as attached at Appendix 1.

3.6 SCS-021 Risk Management Policy

Report

Background

The Risk Management Policy has been reviewed by the Executive Management Team, the Audit & Risk Committee and the Policy Review Sub-Committee with their recommendations now being incorporated. The Policy Review Sub-Committee reviewed the policy with collaborative information from the City of Melbourne and Hepburn Shire policies for comparison.

Discussion

The policy was last adopted by Council at the 24 June 2014 Council meeting.

Key changes include:

- The 'Purpose' and 'Scope' have been modified and reworked to update language.
- Section 6 under 'Policy' an additional dot point has been included - 'integrates risk management into planning and operational processes'.
- Sections 7.6 and 7.7 have been reworked to reflect the responsibilities of the Audit & Risk Committee as described in their Charter.

Minor changes have been made to the policy to reflect current organisational practices including changes to employee titles and the management of strategic risks as an outcome of the risk register software.

A copy of the updated policy is attached.

Financial Implications

Not applicable.

Council Plan

Theme 2 Governance
Objective 2.1 Robust risk management framework and processes
Strategy 2.1.1 Implement the risk management system.

Policy/Legal Implications

Policy complies with AS/NZS ISO 31000:2009 Risk Management – Principles and Guidelines.

Officer Direct or Indirect Interest

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

Risk Assessment

The risk management policy describes Council's commitment to be proactive in the management of risk.

Social Considerations

Not applicable.

Community Engagement

Not applicable.

Environmental Implications

Not applicable.

Communication

The policy will be available on the website and intranet.

Conclusion

Adoption of the revised Risk Management Policy will ensure the policy is up to date and reflects current practice, whilst defining roles and responsibilities and providing guidance for staff.

3.7 SCS-019 Procurement Policy

Author's Title: Manager Governance & Risk

Department: Governance & Risk

Division: Governance & Infrastructure

Appendix:

1. Procurement Policy SCS-019 (D16/77103)

Officer Direct or Indirect Conflict of Interest:

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

Yes

No

Reason: Nil

General Manager: Anne Howard

File No: F11/802

Trim No: IC16/846

Status:

Information classified confidential in accordance with
Local Government Act 1989 – Section 77(2)(c):

Yes

No

Reason: Nil

Purpose

To present the updated Procurement Policy SCS-019 for adoption by Council.

Summary

Council's Procurement Policy has been reviewed by officers and forwarded to the Audit & Risk, and Policy Review Sub-Committee members for comment.

It is proposed that the thresholds stated are adjusted to be clear that these are exclusive of GST, that the level for obtaining three written quotes is raised from \$5,000 to \$10,000 and that the process for obtaining quotes between the values of \$10,000 and \$50,000 is strengthened.

The amended policy is attached with changes tracked for ease of reference.

Recommendation

That Council endorse the updated Procurement Policy SCS-019 as attached at Appendix 1.

3.7 SCS-019 Procurement Policy

Report

Background

The policy was last reviewed in February 2016. in accordance with the Local Government Act 1989 a review must take place in each financial year. The background to the changes being proposed in this review is as follows:

- Council's tender thresholds as currently stated in the Procurement Policy need to be adjusted to be clear the amounts are exclusive of GST and in order to align with MAV Procurement Best Practice Guidelines. The current limits of \$150,000 and \$200,000 are inclusive of GST by default, and have therefore been adjusted to read \$135,000 and \$180,000 respectively for 'GST exclusive' thresholds.
- For purchases via quotation, the current values and corresponding requirement for three written quotations has not changed since 2003.
- Benchmarking indicates that the majority of similar sized Victorian councils do not require three written quotes for a purchase of \$5,000.
- The requirement to obtain three written quotes for purchases between \$5,000 and \$10,000 does not guarantee best value for Council, and is viewed as an onerous process for suppliers to participate in.
- Council's current quotation process from \$5,000 - \$150,000 is unclear as it allows an undocumented invitation process to occur between \$5,000 and \$50,000.

Currently the thresholds are as follows:

CURRENT THRESHOLDS FOR QUOTATIONS AND PUBLIC TENDER		
Expenditure (GST Exclusive)	Procurement Method	Comment
≤ \$5,000	Verbal quote	Details must be recorded where more than one quote received
\$5,001 - \$50,000	Seek three written quotes	Written request for quotation NOT required
\$50,001 - \$150K (Goods & Services) \$50,001- \$200K (Works)	Seek three written quotes	Direct issue of written request for quotation is required
\$150,001+ (Goods & Services) \$200,001+ (Works)	Public Tender process to be undertaken	Mandatory

3.7 SCS-019 Procurement Policy

Discussion

The proposed updated expenditure thresholds are as follows:

PROPOSED THRESHOLDS FOR QUOTATIONS AND PUBLIC TENDER		
Expenditure (GST Exclusive)	Procurement Method	Comment
< \$1,000	Verbal quote	
\$1,001 - \$10,000	Obtain one written quote	(Verbal quote permitted if evidenced by email confirmation to supplier)
\$10,001 - \$135,000 (Goods & Services)	Seek three written quotes	Quotes must be sought via issue of a written request for quotation. A record of the process undertaken, must be maintained in Council's records management system
\$10,001 - \$180,000 (Works)		
\$135,001+ (Goods & Services) \$180,001+ (Works)	Public tender process to be undertaken	Detailed records of the tender process undertaken must be maintained in Council's records management system

The case for making the changes includes:

- The number of purchases that could potentially move from a three quote process to a one quote process per year equals 544.
- The number of purchases per year from \$1K - \$5K already on one quote under our current policy is 2771.
- Greater ability to target low value purchases to local suppliers as current requirement to obtain three quotes over \$5K often means going out of the local area for smaller spend levels
- Increased documentation and formality of process would be targeted according to appropriate spend levels.
- Tendering thresholds would comply with MAV Best Practice Guidelines.

It has been further suggested through Audit and Risk Committee member feedback that a line should be added to make it clear that cumulative spends also contribute to the threshold. This has been added into the policy.

Financial Implications

Not applicable.

Council Plan

Theme 2 Governance
 Objective 2.2 High performing accountable organisation

Policy/Legal Implications

The proposed changes would comply with the Local Government Act 1989 and MAV Best Practice Guidelines.

Officer Direct or Indirect Interest

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

3.7 SCS-019 Procurement Policy

Risk Assessment

The risks associated with implementing the proposals would be negligible. Resources and formality of process would be targeted at the higher spends that potentially present the most risk.

Social Considerations

Not applicable.

Community Engagement

Not applicable.

Environmental Implications

The policy includes environmental considerations.

Communication

The policy would be available on Council's website (as per legislation) and the Intranet.

Conclusion

By updating the thresholds, Council would be more in line with other benchmarked Councils and the MAV Best Practice Guidelines whilst targeting resources and a more formal process at the higher level spending.

3.8 Grant Application to Public Safety Infrastructure Fund

Author's Title: Strategic Asset Manager

General Manager: Anne Howard

Department: Asset Management

File No: F16/1077

Division: Governance & Infrastructure

Trim No: IC16/779

Appendix:

Nil

Officer Direct or Indirect Conflict of Interest:

Status:

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

Information classified confidential in accordance with
Local Government Act 1989 – Section 77(2)(c):

Yes

No

Yes

No

Reason: Nil

Reason: Nil

Purpose

To present a candidate application for the Victorian Government 'Public Safety Infrastructure Fund' grant program.

Summary

The Public Safety Infrastructure Fund (PSIF) provides Council with the opportunity to obtain funding for one or more projects totalling up to \$250,000 on with a maximum leverage opportunity of 9:1. The program is focussed on developing public safety and security infrastructure to improve community safety and confidence in public places.

Each Victorian Council is able to submit one or more projects each with a minimum value of \$10,000 with a total grant request of up to \$250,000 combined. Officers have investigated possible projects to fund under this program and recommend submitting a single proposal which covers improving visibility at multiple public sites throughout the Shire.

Officers will work with community house and club representatives to prepare and submit an application before the nominated deadline.

Recommendation

That Council:

1. Endorse the 'Surf Coast Improved Public Lighting and Amenity for Safer Community Precincts' project as its preferred candidate for funding under the Victorian Government's 'Public Safety Infrastructure Fund' grant program;
2. Authorise the Chief Executive Officer to submit an application to the Victorian Government's 'Public Safety Infrastructure Fund' grant program for the 'Surf Coast Improved Public Lighting and Amenity for Safer Community Precincts' project;
3. Authorise the Chief Executive Officer to enter a funding agreement under the Victorian Government's 'Public Safety Infrastructure Fund' grant program if the application is successful; and
4. Approve the transfer of \$27,400 from the Accumulated Unallocated Cash Reserve to the Adopted Strategy Reserve for use as Council's financial contribution towards this project if the application is successful.

3.8 Grant Application to Public Safety Infrastructure Fund

Report

Background

The Public Safety Infrastructure Fund provide Victorian councils with funding of up to \$250,000 to develop public safety and security infrastructure to improve community safety and confidence in public places.

The design of environments has an important role in reducing opportunities for crime and antisocial behaviour. Environments designed with embedded safety features promote safer and more accessible public places that encourage legitimate community use.

The objectives of the Public Safety Infrastructure grants are to:

- support councils to improve local public safety and security infrastructure in local communities
- increase community safety and confidence in public places
- encourage local communities to apply innovative crime and community safety solutions to local areas
- build the knowledge base about good practice public safety infrastructure solutions, and capture and share lessons learned
- promote the development and delivery of integrated crime prevention initiatives as part of a strategic approach to local community safety
- promote widespread engagement in community crime prevention initiatives across Victoria.

Types of projects that may be funded

- streetscape and amenity improvements in public areas designed to minimise the risk of crime and support safe behaviour
- lighting systems and other physical security or safety measures
- physical elements of public place Closed Circuit Television systems (CCTV).

Applications close at 4.00pm on Friday 2 September 2016.

Discussion

Council officers have met to discuss possible candidates for this grant funding program. Having considered the following available information:

- Recent Council Budget Submission's from the public, Councillors and staff
- Draft 20 Year Capital Works Program
- Existing Master Plans and Strategies
- Recent history of vandalism, crime or incidents at Council facilities
- Previous unsuccessful submission to grant program for CCTV in Torquay

Officers have identified three possible submissions that benefit Council and the Community and which adheres most closely to the funding criteria. All are focussed on improving visibility and amenity at public sites throughout the Shire. All are focussed on a range of smaller community buildings and precincts at which we are encouraging the broader community to use and activate these spaces to help reduce the incidents of graffiti through an improved amenity which has proven to discourage anti-social behaviour in particular vandalism and theft. Surf Coast Shire has evidence to show that upgrading our amenities with lighting - discourages vandalism and thieving as well as enhancing the area and encouraging higher use. A disorderly environment sends the message that no one values the property or place, thus generating general fear of walking in the dark in open spaces that are not lit well and can encourage opportunistic crime.

Details of the candidate projects are listed below:

Project 1 – Public lighting for a safer Anglesea Community Precinct

Lighting of car park and open space facilities	\$203,000
Project Management (5%)	\$10,000
Contingency (10%)	\$20,000
Project Cost	\$233,000

Required Council contribution (10% of project) \$23,300.

3.8 Grant Application to Public Safety Infrastructure Fund

Project 2 – Surf Coast Community Precincts, Minor Lighting Improvements for Public Safety

Site 1 – Lorne Community House, Historical Society, Senior Citizens Precinct	\$5,000
Site 2 – Anglesea Art House, Tennis, Bowls Precinct	\$9,000
Site 3 – Mount Moriac Recreation Reserve	\$11,000
Site 4 – Deans Marsh Recreation Reserve	\$4,000
Site 5 - Bob Pettitt Recreation Reserve, Jan Juc incorporating kindergarten, sports pavilion, playground and public toilets	\$4,000
Project Management (10%)	\$3,200
Contingency (10%)	\$3,200
Project Cost	\$39,400

Required Council contribution (10% of project) \$3,940.

Officers believe that there is a third 3 alternatives which could be submitted through the grant process as follows.

Project 3 – Surf Coast improved public lighting and amenity for safer community precincts

Combination of Projects 1 and 2

Total Project cost would be \$272,400 and the funding application would seek funding through the PSIF of \$245,160 which is still within the maximum grant available of \$250,000 Council would need to contribute \$27,240 toward the project.

As well as the financial contribution Council will be required to meet other deliverables around community engagement and education of public safety.

Financial Implications

A Council allocation of up to \$27,240 from Unallocated Cash would be required to obtain funding depending on which submission is supported by Council.

Council Plan

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

Policy/Legal Implications

Council will be required to enter a funding agreement if the application is successful that will place responsibilities and obligations on Council regarding project delivery.

Officer Direct or Indirect Interest

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

Risk Assessment

No significant risks arise from recommendations of this report.

Social Considerations

A successful application will result in an improved amenity at these sites resulting in increased access and participation by the community in a healthy, active and enjoyable lifestyle to enrich wellbeing and reduce the incidents of opportunistic crime. The application process and potential funding outcomes have positive social impact. Lights and improved amenity will also have an improved perception of safety by discouraging vandalism and encouraging recreational users outside daylight hours.

Community Engagement

Engagement with user groups of facilities where applicable will be undertaken.

3.8 Grant Application to Public Safety Infrastructure Fund

Environmental Implications

No significant environmental implications arise from recommendations in this report. Officers will incorporate opportunities for renewable energy sources and/or energy-efficient lighting where possible in line with Council's 'Towards Environmental Leadership' target of 25% renewable energy by 2020.

Communication

Communication with user groups of facilities where applicable will be undertaken.

Conclusion

Funds are available to Council's through the Victorian Government 'Public Safety Infrastructure Fund' grant program which would enable Council to improve public safety at key community precincts with minimal cost to Council. It is recommended that Council submit one application to this program. Direction from Council is sought on which project to submit.

4. CULTURE & COMMUNITY

4.1 Age Friendly Declaration Statement of Support and Partner Endorsement

Author's Title: Manager Aged & Family

General Manager: Chris Pike

Department: Community

File No: F14/1502

Division: Culture & Community

Trim No: IC16/713

Appendix:

Nil

Officer Direct or Indirect Conflict of Interest:

Status:

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

Information classified confidential in accordance with
Local Government Act 1989 – Section 77(2)(c):

Yes

No

Yes

No

Reason: Nil

Reason: Nil

Purpose

To consider the findings of the Commissioner for Senior Victorians' report on isolation and loneliness among senior Victorians and the option of signing the Age-Friendly Victoria Statement of Support and Partner Endorsement.

Summary

In early 2015 the Commissioner for Senior Victorians was asked to investigate the issue of social isolation and loneliness among Victorian seniors. In his report "Ageing is everyone's business" the Commissioner identified that loneliness and isolation are a significant issue for our ageing population with at least 10 percent of Victoria's older people experiencing loneliness at any one time.

The research identified that disadvantaged or vulnerable groups are at greater risk of social isolation or loneliness and are considered at greater risk due to barriers accessing information and support, cultural issues and fear of acceptance due to individual circumstances. The report also identified that there is strong evidence that older people who are socially engaged are happier and healthier than those who are not. Consequently, policies and strategies that promote healthy and active ageing and age-friendly communities are key approaches to addressing isolation and loneliness.

The Commissioner concluded that addressing loneliness among older people is everyone's business and we all have a role to play as neighbours, business owners, community members and government. As a result of the report the State Government announced a range of initiatives to support older people in the community, including the Age Friendly Victoria Initiative.

MAV President Cr Bill McArthur signed the Age Friendly Victoria Declaration with the State Government on 14 April 2016. The declaration confirms a commitment to State and local government to working together to create age-friendly communities across Victoria.

The age-friendly communities' direction, an initiative of the World Health Organization (WHO) has been influencing how government and communities embrace and support their older populations. Victoria has been actively involved in the WHO direction through the MAV since its inception and councils in Victoria play a key role in working with older people to improve local environments, facilities, infrastructure, supports and services to make them more age-friendly.

The age-friendly initiative is an important direction for councils and their communities and as such it is recommended that Council demonstrates its support through signing the Age-Friendly Victoria Statement of Support and Partner Endorsement.

Recommendation

That Council:

1. Note the findings of the report from the Commissioner of Senior Victorians "Ageing is everyone's business"
2. Sign the Age-Friendly Victoria Statement of Support and Partner Endorsement
3. Forward the signed commitment to the MAV, for inclusion on their website and display on the virtual wall of commitments.

4.1 Age Friendly Declaration Statement of Support and Partner Endorsement

Report

Background

In early 2015 the Commissioner for Senior Victorians was asked to investigate the issue of social isolation and loneliness among Victorian seniors. In his report "Ageing is everyone's business" the Commissioner identified that loneliness and isolation are a significant issue for our ageing population with at least 10 percent of Victoria's older people experiencing loneliness at any one time.

Discussion

In commissioning the report the State Government asked that an evidence base be established for isolation and loneliness among older people and that the causes and drivers of isolation are identified as well as the impacts on health, wellbeing and quality of life as a result of isolation and loneliness.

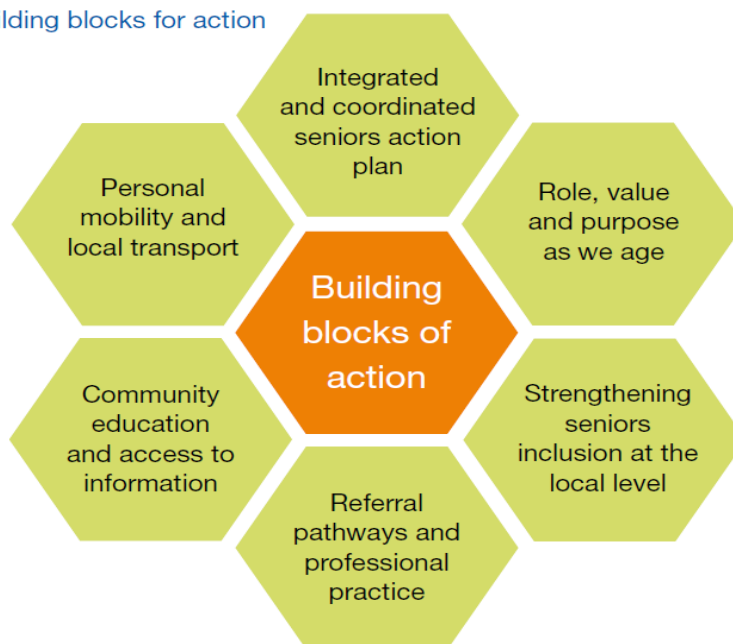
The research acknowledged that disadvantaged or vulnerable groups are at greater risk of social isolation or loneliness including those on low incomes, people at risk of homeless, those with significant health issues or disability, Aboriginal and culturally diverse groups, carers and gender or sexually diverse older people. These groups are considered at greater risk due to barriers accessing information and support, cultural issues and fear of acceptance due to individual circumstances.

The impacts of loneliness and isolation are felt at both the individual and community level. Individually the impacts can result in risk taking behaviours such as alcohol consumption and poor diet as well as adverse mental and physical health outcomes. At a community level this can cause increased health care costs and loss of productivity.

The report also confirmed that there is strong evidence that older people who are socially engaged are happier and healthier than those who are not. Consequently, policies and strategies that promote healthy and active ageing and age-friendly communities are key to addressing isolation and loneliness.

The Commissioner recommended a set of six building blocks as the basis for an integrated approach to addressing isolation and loneliness among older people. An integrated and coordinated approach is proposed in partnership with a broad range of key stakeholders including local government businesses peak bodies and community organisations. The aim is to enhance the benefits to the community and reduce the risks and costs associated with premature decline in individual wellbeing and capacity as a result of loneliness.

Figure 1: Building blocks for action



4.1 Age Friendly Declaration Statement of Support and Partner Endorsement

The Commissioner concluded that addressing loneliness among older people is everyone's business and we all have a role to play as neighbours, business owners, community members and government.

As a result of the report the State Government announced a range of initiatives to support older people in the community, including the Age Friendly Victoria Initiative which comprises;

- Age-Friendly Community grants; targeting rural councils and innovative age-friendly projects to improve quality of life for older people
- Age-Friendly Victoria Declaration; signed with Municipal Association of Victoria, and the Statement of Support and Partner Endorsement to build more age-friendly communities, services and local environments
- Age-Friendly Victoria Award; to recognise excellence and innovation in creating age- friendly communities, promoting active ageing, quality of life and inclusion for older people
- Seniors Card Age-Friendly Partners Program; that is developing innovative partnerships with businesses to create age-friendly products and services.

MAV President Cr Bill McArthur signed the Age Friendly Victoria Declaration with the State Government on 14 April 2016. The declaration confirms a commitment to State and local government to working together to create age-friendly communities across Victoria.

The age-friendly communities' direction, an initiative of the World Health Organization (WHO) has been influencing how government and communities embrace and support their older populations. Victoria has been actively involved in the WHO direction through the MAV since its inception and councils in Victoria play a key role in working with older people to improve local environments, facilities, infrastructure, supports and services to make them more age-friendly.

The age-friendly journey is a valued and important direction for councils and their communities and as such Councils have been invited to demonstrate their support through signing the Age- Friendly Victoria Statement of Support and Partner Endorsement.

Financial Implications

Endorsing this proposal will not result in any financial commitment for Council. Any proposed future initiatives that require funding as part of promotion and participation in Age-friendly community initiatives will be subject to Council's standard budget/project approval processes.

Council Plan

Theme 2 Governance
Objective 2.6 Advocate on behalf of our community
Strategy 2.6.2 Identify and build strong strategic relationships at the local, regional, state and national levels.

Theme 3 Communities
Objective 3.4 Building leadership and skills within the community
Strategy 3.4.2 Support people to participate in community life.

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

Policy/Legal Implications

Becoming a signatory to the Age-friendly Victoria Statement of Support and Partner Endorsement will support State Government policy in developing and supporting age-friendly communities across Victoria.

Officer Direct or Indirect Interest

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

Risk Assessment

It is considered that endorsing the Aged- friendly community declaration, partner support, will have a positive reputational impact on Council.

4.1 Age Friendly Declaration Statement of Support and Partner Endorsement

Social Considerations

Increased focus on reducing social isolation and loneliness among older people within the Surf Coast community will result in improved health and wellbeing outcomes across this demographic.

Community Engagement

Listening tours across Victoria were conducted as part of the work undertaken by the Commissioner for Senior Victorians in the preparation of the report. No additional community engagement has been undertaken for this report however communication of the outcome will be promoted to the community with a particular focus on groups that include older people.

Environmental Implications

Not applicable.

Communication

A media release outlining Council's commitment will be developed and circulated via local media channels.

The signed commitment will be forwarded to the MAV, for inclusion on their website and a photo of the signed declaration will be included on the virtual wall of commitments, coordinated by the State Government through the Seniors Online website.

Conclusion

Providing support and advocacy to older people in the community is vital for individual wellbeing and in the context of an ageing population. The age-friendly initiative provides an important opportunity for councils and their communities and as such it is recommended that Council demonstrates its support through signing the Age-Friendly Victoria Statement of Support and Partner Endorsement.

4.2 Advocacy Priorities Update

Author's Title: Manager Community Relations

General Manager: Chris Pike

Department: Community

File No: F16/839

Division: Culture & Community

Trim No: IC16/895

Appendix:

1. Detailed Project Information – Advocacy Priorities Quarter 1 2016/17 (D16/77477)

Officer Direct or Indirect Conflict of Interest:

Status:

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

Information classified confidential in accordance with
Local Government Act 1989 – Section 77(2)(c):

Yes

No

Yes

No

Reason: Nil

Reason: Nil

Purpose

To consider Council's advocacy priorities and strategic partnerships.

Summary

Council wishes to be 'An innovative and flexible leader, a constructive partner that values the strengths of others'. Partnerships with government and non-government organisations are critical to this goal.

Council advocating on behalf of communities needs to be a continuous process. The Federal Election occurred on 2 July 2016 and the lead up to the election presented an opportunity to advocate for priorities that are important to the community.

Both major political parties provided election commitments during their respective election campaigns. The elected Coalition committed to deliver funding and infrastructure to the value of \$17.1 million for projects in Surf Coast Shire. It is expected these commitments will be delivered in this term of government which may be up to three years.

Council will continue to have a long term view of advocacy and will use future advocacy opportunities to pursue benefits for the Surf Coast community.

Having clearly defined priorities at all times is a feature of successful advocacy planning. Council recognises that there are many, ongoing advocacy opportunities that we should be ready for such as regional forums, funding rounds and state and federal budgets. To capitalise on these opportunities, Council is updating advocacy priorities on a quarterly basis.

Surf Coast Shire Council understands the importance of partnerships in successful advocacy strategies. Council will continue to formalise and deepen these government and non-government partnerships in pursuing advocacy priorities. Importantly, this includes formalising Council's relationship with Deakin University.

Recommendation

That Council:

1. Adopt the practice of affirming advocacy priorities each quarter
2. Confirm Council's strategic advocacy priorities (with associated projects detailed in Appendix 1), as:
 - 2.1 Great Ocean Road Visitor Economy
 - 2.2 Towards Environmental Leadership
 - 2.3 Building our Future
 - 2.4 Community and Partner-Led Priorities
 - 2.5 Key Policy Campaigns
3. Note that the Chief Executive Officer will sign a Memorandum of Understanding with Deakin University to formalise this important partnership.

4.2 Advocacy Priorities Update

Report

Background

Council is reliant on the actions of other levels of government to achieve its objectives which means advocacy is a critically important activity. Likewise, other levels of Government are often reliant on partnerships with Council to achieve their objectives. The areas of mutual interest often include infrastructure, services and policy. Funding is often at the heart of these relationships.

Council has a successful track record in attracting support from Federal and State Governments to deliver infrastructure, provide services and shift policy.

Substantial commitments were made in the lead up to the 2016 Federal Election by both major parties. Surf Coast Shire is situated in the federal seat of Corangamite which has been a marginal seat for the most recent four federal elections.

Over \$60 million for projects was committed in total by both parties in the lead up to the federal election. The re-elected Coalition's commitment to projects in Surf Coast Shire totalled \$31.9 million. Major investment included:

Project	Amount
Funding to upgrade the Great Ocean Road	\$25,000,000
Three mobile towers addressing blackspots in Anglesea, Airey's and Bellbrae	\$960,000
Upgrade change rooms and scoreboard at Stribling Reserve, Lorne	\$230,000
Blackgate Road between Horseshoe Bend Road and Minya Lane; Cape Otway Road between Gherang Road and Considines Road at Modewarre	\$1,959,000
Upgrade netball facilities at Spring Creek Reserve Torquay.	\$200,000
Upgrade to Forest Road and Grays Road, Paraparap.	\$1,070,000
Jan Juc SLSC upgrade	\$2,000,000
Anglesea Bowling Club upgrade	\$500,000

Discussion

Good advocacy planning with a clear strategic direction will improve Council's chances of advocacy success. This approach will ensure our key spokespeople are prepared with relevant data and clear messages aimed at the right people.

Affirming advocacy priorities each quarter prepares Council to capitalise on many opportunities, not just the opportunities that exist around elections. These opportunities include frequent funding rounds, State and Federal Budget development, regional delegations to Canberra, Municipal Association of Victoria (MAV) State Council meetings and regular meetings with Ministers and Members of Parliament. This constant advocacy schedule is supplemented by the necessary pre-work for major proposals including well developed business cases, project plans and grant applications which are all key ingredients for successful partnerships.

Strong relationships need to exist at many levels including with elected representatives and candidates, advisory and campaign staff and organisations with mutual objectives. Council will continue to identify and build strong relationships with them to gain support for priorities.

It is very important to understand the government and opposition policy context when determining Council's advocacy priorities. The development of Council's advocacy priorities has included research into policy platforms of each of the major parties. Council priorities are more likely to be supported if they achieve the objective of government.

Council needs a defined set of priorities to maintain focus and clarity when talking to potential partners and stakeholders. Focussing Council's advocacy efforts on defined, key projects and issues does not diminish the importance of other projects and activities. They will remain a high priority progressed through advocacy opportunities including but not limited to; meetings and conversations with politicians and bureaucrats, advocating through the MAV and Australian Local Government Association (ALGA) and active representation at the G21 Regional Alliance.

4.2 Advocacy Priorities Update

Establishing advocacy priorities has included a review of Council's strategic planning work which is shaped by community input through specific engagement processes. The strategic plans considered included:

- Council Plan
- Health and Wellbeing Plan
- Council policy positions
- Council strategies and masterplans
- Local land use plans and township design frameworks
- Developer contribution plans

It is important to be clear with potential partners and stakeholders about Surf Coast Shire's priorities. To this end Surf Coast Shire has identified three strategic advocacy priorities:

1. Great Ocean Road Visitor Economy	2. Towards Environmental Leadership	3. Building our Future
We attract millions of visitors each year and the Great Ocean Road is a unique driver of our economy.	We recognise the Surf Coast's assets are built on our natural environment.	We are growing rapidly and need to deliver facilities and services that make our communities great places to live.

A number of key projects sit within each advocacy priority (more detailed project information in Appendix 1). These are:

1. Great Ocean Road Visitor Economy
 - 1.1. Great Ocean Road Gateway Experience
 - 1.2. Growing Adventure Tourism – Surf Coast Trails
 - 1.3. Shipwreck Coast Master Plan
 - 1.4. The Great Ocean Road
2. Towards Environmental Leadership
 - 2.1. 25% by 2020 Taskforce Project
 - 2.2. Energy Efficient Streetlight Conversions
 - 2.3. Hinterland Futures
 - 2.4. Permanent Town Boundaries
3. Building our Future
 - 3.1. Regional Indoor Stadium - North Torquay
 - 3.2. North Torquay Soccer Facilities
 - 3.3. Torquay Active Transport
 - 3.4. Participating in City of Greater Geelong's Long-Term Aquatic Infrastructure Planning
 - 3.5. Winchelsea Township Beautification
 - 3.6. Winchelsea Netball Facilities upgrade
 - 3.7. Stribling Reserve Redevelopment
 - 3.8. Improved Phone and Internet Coverage

Council also continues to lend support to community and partner-led initiatives

4. Community and Partner Led Priorities
 - 4.1. Surf Coast Surf Life Saving Clubs – Priority Jan Juc, led by Jan Juc SLSC
 - 4.2. Point Grey Precinct, Lorne, led by Great Ocean Road Coastal Committee
 - 4.3. Barwon Park Fire Protection, led by the National Trust

Council also continues to pursue outcomes through policy change:

5. Key Policy Campaigns
 - 5.1 Retaining Funding for Rural Access through NDIS
 - 5.2 Improved Public Transport
 - 5.3 Coastal Agency Coordination
 - 5.4 Sustainable Future for Emergency Services.
 - 5.5 Banning Unconventional Gas

4.2 Advocacy Priorities Update

Strategic Partnerships

Council also seeks to form constructive partnerships with non-government organisations, wherever possible leveraging their strengths to the benefit of our community. Likewise, a partnership with Council can be strategically important to these organisations and their own goals.

In recent months Council has commenced work with Deakin University including understanding renewable energy production and exploring how technology might be able to play a part in the Great Ocean Road Gateway Experience. There are also opportunities to provide experience for students and to bring their expertise to bear on Council's services and programs. The CEO will shortly formalise this relationship via the signing of an MOU confirming our mutual objectives and how these can be achieved by working together.

Financial Implications

A successful advocacy program can deliver significant income to Council projects. In the event these advocacy priorities are funded, Council will need to consider how its financial contribution to these projects will impact on its capacity to deliver other capital projects in future budgets.

Consideration will need to be given to equity and the spread of projects across the shire. Council's cash position and the possibility of debt funding larger projects will also need to be considered.

Council Plan

Theme	2 Governance
Objective	2.6 Advocate on behalf of our community
Strategy	2.6.1 Develop an advocacy agenda and priorities and regularly update these

Theme	2 Governance
Objective	2.4 Transparency in decision making and access to information
Strategy	2.4.1 Communicate decisions clearly and in a timely manner.

Policy/Legal Implications

A review of Government policy continues to inform Council's advocacy program. Council's advocacy activities seek to influence Government policy to deliver outcomes which benefit the Surf Coast community.

Officer Direct or Indirect Interest

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

Risk Assessment

Failure to determine clear advocacy priorities for action may limit Council's ability to achieve support for its priorities. A clear and ongoing advocacy plan with defined priorities mitigates against this risk.

Social Considerations

Effective advocacy planning is a key ingredient in Council achieving support for its priorities. This increases the likelihood of Council achieving social benefits for the community.

Community Engagement

Previous community engagement activities have informed the choice of priorities. They are drawn from engagement conducted for the Council Plan, Health and Wellbeing Plan, established master plans, developer contribution plans and other capital works planning exercises.

Environmental Implications

Council is committed to being an environmental leader and this is evident in the current advocacy pillars. Inclusion of the Converting to Energy Efficient Lights project in the list of priorities is a demonstration of Council's commitment to improving environmental outcomes. The 25% by 2020 Taskforce will determine projects that will take Council Towards Environmental Leadership.

Communication

A communications plan will be developed for each advocacy priority. The adoption of the priorities will trigger the implementation of these plans. Council will actively communicate the advocacy priorities once adopted via local media and Council's communication channels.

4.2 Advocacy Priorities Update

Conclusion

The achievement of Council's objectives within the Council Plan 2013-2017 is reliant on the development of effective partnerships with other stakeholders, including other levels of Government.

Council continues to advocate in the interest of the Surf Coast community. The priority list is informed by community needs and aspirations as well as referencing government policies to increase the likelihood of gaining government support.

Council will continue to take a long term view to its advocacy effort. The focus will continue to be on maintaining government relations, developing business cases for projects and maximising key opportunities to achieve benefits for the community.

4.3 Community Sports Infrastructure Fund - SRV Grants

Author's Title: Manager Leisure & Wellbeing

General Manager: Chris Pike

Department: Leisure & Wellbeing

File No: F16/692

Division: Culture & Community

Trim No: IC16/859

Appendix:

Nil

Officer Direct or Indirect Conflict of Interest:

Status:

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

Information classified confidential in accordance with
Local Government Act 1989 – Section 77(2)(c):

Yes

No

Yes

No

Reason: Nil

Reason: Nil

Purpose

To note an update regarding Council's submission of three project proposals to the Sport and Recreation Victoria (SRV) 2017-18 Community Sports Infrastructure Fund (CSIF) and consider progressing to the full application stage in the Minor Facilities and Female Friendly Facilities categories.

Summary

At the Council briefing on 7 June 2016, Council received an update regarding potential projects to be submitted to the Sport and Recreation Victoria 2017-18 Community Sports Infrastructure Fund. A total of 17 projects were considered, however there is a limit to the number and value of applications in each category and therefore Council approved the submission of three project proposals to Stage 1 of the funding program.

Council has now been invited to Stage 2 (full application) for two project proposals and one proposal has been confirmed as unsuccessful on this occasion. Project proposal quotations and cost estimates have been validated including a project management and contingency allowance confirming Council's contribution as follows:

Successful Proposals – invitation to proceed to full application

1. Minor Facilities – Winchelsea Golf Club, Sustainable Course Irrigation Project – Council contribution required is \$6,250 towards a total project cost of \$144,000. Amount to be applied for - \$75,000.
2. Female Friendly Facilities Category – Winchelsea Netball Club, Winchelsea Netball Clubroom Redevelopment – Council contribution required is \$425,000 towards a total project cost of \$600,000. Amount to be applied for - \$100,000.

Unsuccessful Proposal

1. Major Facilities – Surf Coast Soccer Club, Installation of 3rd soccer pitch at Banyul Warri Fields – Council contribution required \$421,000.

A total pre-allocation commitment of \$431,250 in the 2017/18 Budget is required to proceed to full application.

Recommendation

That Council:

1. Note the unsuccessful project proposal in the Sport and Recreation Victoria 2017-18 Community Sports Infrastructure Fund Major Facilities Category – Installation of 3rd soccer pitch at Banyul Warri Fields – Total project cost \$821,000.
2. Submit a full application to the following 2017-18 Community Sports Infrastructure Fund categories:
 - 2.1 Female Friendly Facilities Category – Winchelsea Netball Club, Winchelsea Netball Clubroom Redevelopment: Total project cost \$600,000, funding sought \$100,000.
 - 2.2 Minor Facilities – Winchelsea Golf Club, Sustainable Course Irrigation Project: Total project cost \$144,000, funding sought \$75,000.
3. Pre-allocate \$425,000 from the 2017/18 Budget as Council's contribution to the Winchelsea Netball Clubroom Redevelopment.
4. Pre-allocate \$6,250 from the 2017/18 Budget as Council's contribution to the Winchelsea Golf Club Sustainable Course Irrigation Project to be drawn from the Community Project Management Support Fund.
5. Note that groups that submitted expression of interest project proposals will be provided with constructive feedback and advised of future funding opportunities.

4.3 Community Sports Infrastructure Fund - SRV Grants

Report

Background

Council has submitted a range of projects to the Community Sports Infrastructure Fund in the past with a high level of success.

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

The procedure includes:

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

The Community Sports Infrastructure Fund (CSIF) application process has recently changed and now includes two stages. The first stage includes the submission of project proposals and the second stage if successful is being invited to submit a full application as follows:

Program opens	12 April 2016
Project Proposals closing date (Stage 1)	8 June 2016
Notifications of successful Project Proposals	18 July 2016 onwards
Full Applications close date (Stage 2)	31 August 2016
Funding Announcements and Notification of Outcomes	November 2016 onwards

Following a Council briefing workshop on 7 June 2016, officers submitted project proposals to the following categories:

- **Female Friendly Facilities Category** – Winchelsea Football and Netball Club, Winchelsea Netball Clubroom Redevelopment – Total project cost \$500K (including \$100K SRV, \$50K ERCOM/WFNC, \$350K SCS).
- **Minor Facilities** – Winchelsea Golf Club, Installation of a Sustainable Golf Course Watering System – Total project cost \$125K (including \$75K SRV, \$25K cash / \$25K in kind Winchelsea Golf Club, \$0 SCS).
- **Major Facilities** – Installation of 3rd soccer pitch at Banyul Warri Fields – Total project cost \$821K (including \$400K SRV, \$421K Council).

Council has now been invited to full application stage in the Minor Facilities and Female Friendly Facilities categories (Stage 2). Officers have validated quotations and updated cost estimates for each project, including a project management and contingency allowance. This assessment confirmed an increase in total project cost and contributions from stakeholders as follows:

- **Female Friendly Facilities Category** – Winchelsea Football and Netball Club, Winchelsea Netball Clubroom Redevelopment – Total project cost \$600K (including \$100K SRV, \$75K ERCOM/WFNC, \$425K SCS).
- **Minor Facilities** – Winchelsea Golf Club, Installation of a Sustainable Golf Course Watering System – Total project cost \$144K (including \$75K SRV, \$37,750 cash / \$25K in kind Winchelsea Golf Club, \$6,250 SCS).

4.3 Community Sports Infrastructure Fund - SRV Grants

Discussion

The Community Sports Infrastructure Fund provides grants for planning, building new and improving existing facilities where communities conduct, organise and participate in sport and recreation. The purpose of this program is to provide high quality, accessible community sport and recreation facilities across Victoria.

Funding is available under the following categories:

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

Council is the applicant for these grants and a funding contribution is required from Council and/or community to apply. Council invites the community to identify projects through an expression of interest process and also considers previous applicant projects and projects identified in Council’s Draft 20 Year Capital Expenditure Plan that meet the criteria for the program.

Only four (4) project proposals were received via an expression of interest process and a further thirteen (13) projects were considered against key criteria including:

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

Following an assessment of projects and a meeting with Sport and Recreation Victoria representatives it was recommended that Council do not submit project proposals to the Better Pools, Small Aquatic Project or Planning categories as a high level of strategic underpinning is required and no projects are advanced enough in their planning to be considered project ready.

Sport and Recreation Victoria feedback suggested that the cricket facility proposals were considered ‘like for like replacement’ which are ineligible and these projects need to demonstrate an upgrade or development of new facilities (i.e 3rd practice net facility) to be competitive in this category.

Following a Council briefing workshop on 7 June 2016, officers submitted three project proposals to Stage 1 of the funding program and have been successful with two projects progressing to Stage 2 receiving a formal invitation to submit full applications under the following categories:

Category	Who can apply / objective	Maximum Grant	Total Project Cost	Funding Ratio (minimum)
Minor Facilities	All sporting clubs & community groups to develop or upgrade community sport and recreation facilities – via Council.	Up to \$100,000	Up to \$1,000,000	SRV \$2 : \$1 Local
Female Friendly Facilities	All sporting clubs & community groups that cater for traditional and non-traditional female sport to build new and upgrade existing, out-dated change facilities at sports clubs with a focus on promoting female and family friendly environments – via Council.	Up to \$100,000	No maximum total project cost	SRV \$2 : \$1 Local

The funding guidelines state that smaller projects that achieve the objectives of the Minor Facilities and Female Friendly Facilities categories are encouraged and will be highly regarded. Consideration will be given to claiming in-kind expenses to a maximum of 50 per cent of the total project cost. Council must approve and underwrite any in-kind contribution.

4.3 Community Sports Infrastructure Fund - SRV Grants

As with most grant programs the CSIF is highly competitive and projects with approved concept designs, cost plans and secured funding have a greater chance of success.

Successful Project Proposals

1. Winchelsea Netball Pavilion Upgrade Project

Category

Female Friendly Facilities

Scope

The development of a new Netball Pavilion at Eastern Reserve Winchelsea will provide increased participation opportunities for females ranging from junior primary school age (Netta Program) through to older adults who volunteer at the Winchelsea Football and Netball Club (WFNC). The proposed infrastructure aligns to Netball Victoria's Development Guidelines and has been designed in consultation with the WFNC and Eastern Reserve Committee of Management (ERCOM).

The scope of Stage One works includes:

- Change rooms (home and visitor including shower cubicles and toilets)
- Netball Umpires change room
- Public toilet (accessible)
- Competition / Administration office
- First Aid/Trainer room
- Servery (matchday kiosk in the main pavilion)
- Spectator / Social area (bi-folding walls between all rooms)
- Storage
- Sheltered viewing area

Relevant Council Planning

This project is supported by the SCS Council Plan 2013-2017, SCS Recreation Strategy 2010, G21 AFL Barwon Football and Netball Strategy 2012, Eastern Reserve Master Plan 2015, G21 Physical Activity Strategy 2014, G21 Regional Growth Plan, G21 Regional Health and Wellbeing Plan, Surf Coast Shire Health and Wellbeing Plan, Growing Winchelsea Shaping Future Growth 2015, Netball Victoria Development Guidelines and Netball Australia National Facilities Policy.

Scale

The cost is \$600,000 for a modular/pre-fabricated construction based on an ERCOM and WFNC endorsed concept design. Funding would consist of \$100,000 from SRV, \$425,000 from Council and \$75,000 from the community (ERCOM and WFNC).

Officers' Comments

The Winchelsea Netball Clubrooms are approximately 40m², comprising of one main area with a small kitchenette which is significantly less than the minimum 100m² as recommended by the Netball Victoria Development Guidelines. There are no toilets, showers, office space, trainers room, storage or hot water. The clubrooms were transported from the local bowls club in the late 1970's when the club was operating with 30 members and the Club now has 200 members including:

- 4 x senior teams
- 3 x junior teams (U13, U15, U17)
- 50 x Netta / Net Set Go participants
- 35 x Junior Development Program
- 6 x coaches, 10 x umpires, 5 x Coordinators

This project will ensure that the Winchelsea Football and Netball Club (WFNC) is able to provide fit for purpose facilities that meet the demands of their growing female junior and senior membership. It will provide female participants and umpires access to a toilet, a private area to change and shower on training nights and match days. The project will also provide all members and spectators, including disabled, female and male participants with appropriate amenities.

Feedback from Sport and Recreation Victoria representatives has confirmed that this is a strong project proposal and the participation outcomes of this project suggest that it will be a strong application.

4.3 Community Sports Infrastructure Fund - SRV Grants

2. Winchelsea Golf Club Sustainable Course Irrigation Project

Category

Minor Facilities

Scope

This project will see the installation of a fully automated computerised irrigation system that covers all tees, greens and fairways including an upgrade of power to the existing pump shed. The irrigation infrastructure includes installation of new pumps, associated pipe work and irrigation components. The capacity of the automated system will ensure that the course is watered during 'off peak' periods which will reduce energy requirements, save the club money on utility bills and allow irrigation of the course at night, alleviating manual handling and saving thousands of volunteer hours.

Relevant Council Planning

This project is supported by the SCS Council Plan 2013-2017, SCS Recreation Strategy 2010, G21 Physical Activity Strategy 2014, G21 Regional Growth Plan, G21 Regional Health and Wellbeing Plan, Surf Coast Shire Health and Wellbeing Plan, Growing Winchelsea Shaping Future Growth 2015 and Golf Victoria Strategic Plan 2014 - 2017.

Scale

The cost is \$144,000 including project management and contingency. Funding would consist of \$75,000 from SRV, \$37,750 cash / \$25,000 in-kind Winchelsea Golf Club and \$6,250 from Council to be allocated from the 2017/18 Community Project Management Support Fund.

Officer's Comments

This project including the installation of an automated irrigation system that services all tees, greens and the final three non-irrigated fairways will reinvigorate the club increasing its sustainability through attracting increased membership and green fee players as well as a higher level of competition.

Council did submit this project in last year's round of SRV Community Sports Infrastructure Funding, however were unsuccessful. Sport and Recreation Victoria representatives have confirmed that this is a strong project proposal, however the Minor Facilities category is highly competitive. An improved application will include further detail regarding the current and proposed activities and programs offered by the Club, detail regarding water access from the Winchelsea Reclamation Plant and further information regarding how the course will be watered (i.e when, how much water will be used, storage provision etc).

Unsuccessful Project Proposal

3. Banyul Warri Fields Sporting Facilities Upgrade

Category

Major Facilities

Scope

This project includes the development and upgrade of the Banyul Warri Fields Sports facilities which provide for both local, regional and international sporting activities. Included in this upgrade is a third soccer pitch facility for the precinct, it requires installation of both an adequate drainage and irrigation system, warm season turf/grass coverage, standard player shelters, fully enclosed black chain mesh fencing with high areas behind both goal ends, two standard soccer goals and netting plus 100 lux sports lighting to enable maximum use by our local and regional soccer clubs. Also included in this upgrade is a power upgrade to the site to enable full use of both existing sports surfaces training standard lighting and irrigation system. The project scope also includes two AFL electronic scoreboards which will be installed at the two existing AFL ovals.

4.3 Community Sports Infrastructure Fund - SRV Grants

Relevant Council Planning

This project is supported by the SCS Council Plan 2013-2017, SCS Recreation Strategy 2010, G21 Regional Football (Soccer Strategy), Torquay Community and Civic Precinct Mater Plan, G21 Physical Activity Strategy 2014, G21 Regional Growth Plan, G21 Regional Health and Wellbeing Plan, Surf Coast Shire Health and Wellbeing Plan, Growing Winchelsea Shaping Future Growth 2015, G21 AFL Barwon Football and Netball Strategy 2012 and the Football Federation Victoria Strategic Plan 2012 - 2015.

Scale

The cost of this project is \$821,000 including the power upgrade and would consist of \$400,000 from SRV, and \$421,000 from Council.

Officer's Comments

The third soccer pitch will be the final playing surface constructed for the Civic and Community Precinct as identified in the Master Plan for the site. The third pitch facility will enable Council to support the expanding growth in both male and female soccer and alleviate current scheduling conflicts to also allow Galaxy United FC and Torquay Hockey Club a space to train.

Feedback from Sport & Recreation Victoria has indicated that while this project provides valuable participation outcomes, a greater regional focus is required to evidence the need. Further detailed designs will assist an application in a future round.

Financial Implications

Council will project manage the delivery of both projects.

Council's contribution to project manage the Winchelsea Golf Club Irrigation Project is \$6,250. In anticipation of a successful application, it is recommended that this is pre-allocated from the 2017/18 Budget with expectations it will be drawn from the annual Community Project Management Support Fund.

The Winchelsea Netball Pavilion Upgrade Project requires a 2017/18 Budget pre-allocation of \$425,000.

Council is required to underwrite the total cost of the projects, less the grant amounts. With a cap on Council's contribution, club contributions are required to be validated via a breakdown of in-kind support and a copy of bank statements to demonstrate financial capacity.

Council Plan

Theme 4 Infrastructure
Objective 4.1 Allocation of infrastructure according to need
Strategy 4.2.4 Maximise usage of Council buildings

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

Policy/Legal Implications

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

Officer Direct or Indirect Interest

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

Risk Assessment

There is a reputational risk in managing community expectations and Council determining priority projects submitted by the community through an expression of interest process, however the Grants Management Procedure and assessment process mitigates this.

Social Considerations

The 2017-18 Community Sports Infrastructure Fund Program supports many of Council's objectives in meeting community aspirations, responding to changing community needs and supporting the growth of physical activity and participation across Surf Coast Shire.

4.3 Community Sports Infrastructure Fund - SRV Grants

Community Engagement

Community engagement in this process has been via a two (2) week Expression of Interest process that was advertised in the Surf Coast Times and Winchelsea Star on 5 May 2016 and closed 19 May 2016. The EOI process was also advertised on the Shire web-site, direct email to all Shire sporting groups and direct email to all unsuccessful applicants from last year's round of CSIF funding.

Environmental Implications

The golf club irrigation project is expected to enable more efficient use of water reserves.

Communication

The Grants Management Procedure outlines communication of outcomes internally and externally. Representatives of clubs and groups have put considerable time, effort and energy into their project proposals. Clubs have been contacted with feedback about their proposals and officers will seek to identify ways to support their ongoing efforts to develop their facilities.

Council officers will meet with Clubs directly to prepare submissions should Council resolve to proceed to the full application stage in both the Minors and Female Friendly Facilities categories.

Conclusion

The Community Sports Infrastructure Fund is a highly competitive funding program, competing against 78 other councils from across Victoria. In consultation with Sport and Recreation Victoria, Council officers have considered expression of interest applications, previous applicant projects and projects identified in Council's draft 20 Year Capital Expenditure Plan that meet the criteria for the program to determine competitive priority projects.

Council submitted three project proposals to Stage 1 of the funding program and while we were unsuccessful in progressing to full application stage for the Banyul Warri Sporting Facilities Upgrade, we have been successful in progressing to the next stage for the Winchelsea Netball Pavilion Upgrade and Winchelsea Golf Club Sustainable Course Irrigation Projects.

These projects fit with Council's strategic planning framework, align to the CSIF guidelines and have been assessed as highly competitive submissions with an invitation to full application stage. There has been a high level of community collaboration in making it to Stage 2 of the application process and a total pre-allocation commitment of \$431,250 in the 2017/18 Budget will enhance each successful community partnership and progress each project.

4.4 Positive Ageing Strategy and Early Years & Youth Strategy Year One Implementation

Author's Title: Manager Aged & Family

General Manager: Chris Pike

Department: Community

File No: F14/1444

Division: Culture & Community

Trim No: IC16/815

Appendix:

1. Early Years & Youth Strategy Implementation Summary Year 1 (D16/72132)
2. Positive Ageing Strategy Implementation Summary Year 1 (D16/67179)

Officer Direct or Indirect Conflict of Interest:

Status:

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

Information classified confidential in accordance with Local Government Act 1989 – Section 77(2)(c):

Yes

No

Yes

No

Reason: Nil

Reason: Nil

Purpose

To receive a progress report on the implementation of Year 1 of the Positive Ageing Strategy 2015-2018 and Early Years and Youth Strategy 2015-2018.

Summary

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

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

Annual action plans for implementation at an operational level help to guide activity that will result in the achievement of the goals of each plan. Implementation plans are aligned with the Council plan and Health and Wellbeing Plan. They are grouped under the priority themes:

1. Access
2. Knowledge
3. Connection
4. Quality Frameworks
5. Change

Under each of the themes are a number of objectives and strategies that continue to be worked on over the life of the plan. Appendices provide a summary of the achievements to date across the each of the themes. Key achievements of year one implementation include:

Positive Ageing

- 1.1.2 Ensure service development, planning and implementation processes reflect best practice in service coordination is maintained during Aged Care Reform Transition.
Training in National Screening and Assessment Form completed by all Assessment staff May 2016
- 3.2.2 Investigate opportunities via existing community groups to facilitate the linking of younger people with older members of their local community.
Partnership approach with Narana to develop intergenerational activities and carer support through the "Urban Goddess workshops"

Early Years and Youth

- 3.1.1 Identify and promote opportunities within existing programs and services, and explore opportunities for new avenues to increase community connections.
Delivery of new to the area parent groups through MCH and Playgroups promoted to new families
- 5.2.1 Identify service gaps through reviews and feasibility studies and work in partnership with the community to establish priorities and advocate for planning.
Youth survey completed with findings currently being collated for reporting to Council. Family Day Care service review informing service planning.

Recommendation

That Council note the progress of implementation of Year 1 of the Positive Ageing Strategy 2015-2018 and Early Years and Youth Strategy 2015-2018.

4.4 Positive Ageing Strategy and Early Years & Youth Strategy Year One Implementation

Report

Background

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

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

The development of the strategies in 2015 involved a number of activities including, review of previous strategies and outcomes, research and demographic analysis, community consultation and consultation with key stakeholders.

The resulting strategies chart the way forward for Council to achieve better outcomes for Surf Coast's children, youth and older people over the three year implementation period in a context of change and reform and were adopted by Council at its ordinary meeting in August 2015.

Discussion

The development of annual action plans for implementation at an operational level help to guide activity that will result in the achievement of the goals of each plan. Implementation plans aimed to ensure linkages with the Council plan and Health and Wellbeing Plan as key strategic focus areas for the organisation and to identify key responsibility areas for implementation. Activity is grouped under priority themes for action which include;

6. Access
7. Knowledge
8. Connection
9. Quality Frameworks
10. Change

Under each of the themes are a number of objectives and strategies that continue to be worked on over the life of the plan. Appendix 1 (Early Years & Youth Strategy) and Appendix 2 (Positive Ageing Strategy) provides a summary of the Year 1 achievement to date across the each of the themes.

Some of the key achievements of year one implementation include;

Positive Ageing

- 1.1.2 Ensure service development, planning and implementation processes reflect best practice in service coordination is maintained during Aged Care Reform Transition.
Training in National Screening and Assessment Form completed by all Assessment staff May 2016
- 3.2.2 Investigate opportunities via existing community groups to facilitate the linking of younger people with older members of their local community.
Partnership approach with Narana to develop intergenerational activities and carer support through the "Urban Goddess workshops"

Early Years and Youth

- 3.1.1 Identify and promote opportunities within existing programs and services, and explore opportunities for new avenues to increase community connections.
Delivery of new to the area parent groups through MCH and Playgroups promoted to new families
- 5.2.1 Identify service gaps through reviews and feasibility studies and work in partnership with the community to establish priorities and advocate for planning.
Youth survey completed with findings currently being collated for reporting to Council in August.
Family Day Care service review informing service planning

Financial Implications

Activities and programs implemented in year one of these Strategies been achieved through existing resources and established programs. This has been a positive outcome accomplished through development of service efficiencies and collaborative partnerships with other key stakeholders.

The level of activity to deliver on the Plan is, naturally, sensitive to the level of annual investment. For the 2016/17 financial year Council has committed funding to support the implementation of year 2 activity within these Strategies.

4.4 Positive Ageing Strategy and Early Years & Youth Strategy Year One Implementation

Council Plan

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

Policy/Legal Implications

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

Early years and youth

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

Positive ageing

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

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

Officer Direct or Indirect Interest

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

Risk Assessment

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

Social Considerations

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

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

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

Community Engagement

Community engagement was undertaken with groups and individuals as part of programs and services provided through year one of the implementation of the strategies.

Environmental Implications

Not applicable.

4.4 Positive Ageing Strategy and Early Years & Youth Strategy Year One Implementation

Communication

Progress reporting will be made available on Council's website and through relevant stakeholder groups outlining the achievements of year 1 implementation of the strategies

Conclusion

The strategies outline a coordinated approach to improving outcomes for Surf Coast's children, youth and older people over the three years. Reporting of progress and achievements is an important aspect of the implementation and support the overall achievement of the strategic objectives for these groups.

4.5 Health and Wellbeing Plan Implementaton Year 3

Author's Title: Manager Aged & Family

General Manager: Chris Pike

Department: Community

File No: F13/563

Division: Culture & Community

Trim No: IC16/813

Appendix:

1. Health and Wellbeing Plan – Implementation Summary April-June 2016 (D16/65986)

Officer Direct or Indirect Conflict of Interest:

Status:

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

Information classified confidential in accordance with
Local Government Act 1989 – Section 77(2)(c):

Yes

No

Yes

No

Reason: Nil

Reason: Nil

Purpose

To receive and note the progress of implementation of Year 3 of the Municipal Health and Wellbeing Plan 2013-2017.

Summary

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

Some of the key achievements for Year 3 of implementation include:

- Completion of the Anglesea Health and Wellbeing Profile and action plan. The report provides detail on the individual health and wellbeing characteristics of the Anglesea community and identifies opportunities to work with groups and individuals on projects that will enhance health and wellbeing outcomes. The men's health event being planned for Anglesea is an example of action from the plan that will support improved access to health information and support networks for local men.
- Support for positive health and wellbeing outcomes through enhancements to the community grants program has resulted in a number of projects with a health focus successfully securing funding. These include; Seniors in Character Calendar by Sirovilla Retirement Village, Painting with Parkinson's by Spring Creek Community House and The Anxious Bird by Art of the Minds for Mental Health Week
- Provision of traineeship opportunities for young people or people re- entering the workforce within Aged and Family Services. The traineeships have been valuable local employment opportunities providing skill development and increased knowledge of Council services
- The Vacation Care Assessment and Rating visit with Department of Education and Training has been completed in April 2016. The outcome of this assessment was a rating of Exceeding, and together with feedback from families utilising the service demonstrates the high quality and value of the service for families and children in our community

The Year 3 implementation activity report provides an overview of the range of activity achieved in this the third year of the plan.

Recommendation

That Council receive and note the progress of implementation of Year 3 of the Municipal Health and Wellbeing Plan 2013-2017.

4.5 Health and Wellbeing Plan Implementaton Year 3

Report

Background

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

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

Discussion

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

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

Some of the key achievements for Year 3 of implementation include:

- Completion of the Anglesea Health and Wellbeing Profile and action plan. The report provides detail on the individual health and wellbeing characteristics of the Anglesea community and identifies opportunities to work with groups and individuals on projects that will enhance health and wellbeing outcomes. The men's health event being planned for Anglesea is an example of action from the plan that will support improved access to health information and support networks for local men.
- Support for positive health and wellbeing outcomes through enhancements to the community grants program has resulted in a number of projects with a health focus successfully securing funding. These include; "Seniors in Character Calendar" by Sirovilla Retirement Village, "Painting with Parkinson's" by Spring Creek Community House and "The Anxious Bird" by Art of the Minds for Mental Health Week
- Provision of traineeship opportunities for young people or people re- entering the workforce within Aged and Family Services. The traineeships have been valuable employment opportunities providing skill development and increased knowledge of Council services
- The Vacation Care Assessment and Rating visit with Department of Education and Training has been completed in April 2016. The outcome of this assessment was a rating of Exceeding, and together with feedback from families utilising the service demonstrates the high quality and value of the service for families and children in our community

Financial Implications

Many of the activities and programs implemented within the Health and Wellbeing Plan have been achieved through existing resources and established programs. This is an indicator of improved efficiencies across the organisation and collaborative partnerships with other key stakeholders which is a positive outcome.

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

Council Plan

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

Policy/Legal Implications

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

4.5 Health and Wellbeing Plan Implementaton Year 3

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

Officer Direct or Indirect Interest

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

Risk Assessment

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

Social Considerations

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

Community Engagement

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

Environmental Implications

Not applicable

Communication

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

Conclusion

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

4.6 Geelong Regional Library Corporation Contribution 2016-17

Author's Title: Manager Community Relations

General Manager: Chris Pike

Department: Community

File No: F15/797

Division: Culture & Community

Trim No: IC16/923

Appendix:

Nil

Officer Direct or Indirect Conflict of Interest:

Status:

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

Information classified confidential in accordance with
Local Government Act 1989 – Section 77(2)(c):

Yes

No

Yes

No

Reason: Nil

Reason: Nil

Purpose

To confirm Surf Coast Shire's contribution to the Geelong Regional Library Corporation (GRLC) in 2016/17.

Summary

Surf Coast Shire Council is one of four member councils of the GRLC. Each member council contributes financially to the GRLC to fund the delivery of fixed and mobile library services in each municipality.

One fixed library and mobile services in five townships provide library services across Surf Coast Shire. Surf Coast Shire has representation on the GRLC board and strong working relationships with the corporation.

An agreement is in place between all four member councils which sets the conditions for the operation of the GRLC. The current agreement was signed by all member councils in 2009. Member council's financial contribution is defined in the agreement and is apportioned to each council based on usage of library services in each municipality.

This report is being considered by Council as Surf Coast Shire's 2016/17 GRLC contribution has been calculated, based on usage, to be \$678,574 excluding GST. This is above the Chief Executive Officer's delegated authority limit of \$650,000.

Surf Coast Shire's 2016/17 GRLC contribution has already been included in Council's adopted budget.

Recommendation

That Council:

1. Note that Council's contribution to the Geelong Regional Library Corporation in 2016/17 is \$678,574 which exceeds the Chief Executive Officer's delegated authority limit.
2. Note that Council's contribution is included in the 2016/17 Budget.
3. Authorise the Chief Executive Officer to pay Council's contribution for 2016/17.
4. Notes that the process for approving payments to the Geelong Regional Library Corporation in the future will be considered as part of the next review of Council's delegation to the CEO.

4.6 Geelong Regional Library Corporation Contribution 2016-17

Report

Background

Surf Coast Shire has been a member Council of the GRLC since its inception in 1997. The current agreement was signed by the four member councils in 2009.

The current GRLC agreement confirms the conditions by which the corporation is governed and managed including how member council contributions are calculated.

Member council financial contributions are apportioned based on usage which is calculated by combining the number of loans and visits to fixed and mobile services in each municipality.

Council has included the 2016/17 GRLC contribution of \$678,574 exclusive of GST in the adopted budget.

The GRLC has a proven track record of successfully delivering library services to Surf Coast Shire and other member councils. Surf Coast Shire is represented on the GRLC board and has strong working relationships with the corporation.

The GRLC was recently ranked as the highest ranking public library service in Victoria by an independent assessment of the Public Libraries Victoria Network. The report was prepared by I & J Management Services which ranked the public library network across 10 key indicators.

Discussion

The GRLC deliver quality library services across Surf Coast Shire and the region. There is a fixed library service in Torquay and the mobile service stops weekly in Aireys Inlet, Anglesea, Deans Marsh, Lorne and Winchelsea.

Council is aware of the 2016/17 GRLC contribution through Council's budget process. This report seeks to further formalise that Council approves the expenditure as it is above the Chief Executive Officer's delegated authority of \$650,000. This is the first time the GRLC contribution has exceeded this amount.

Financial Implications

The 2016/17 GRLC contribution is included in Council's budget.

The 2016/17 contribution is approximately a 6% increase to the previous year based on an increase in usage relative to other GRLC member councils.

It is important to note that Surf Coast Shire library usage is expected to decrease this year relative to other member councils due mainly to the significant increase in usage of the new Geelong Library and Heritage Centre.

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

Surf Coast Shire's membership of GRLC is confirmed in the 2009 agreement which was approved by the Minister responsible for administering the *Local Government Act 1989*.

Officer Direct or Indirect Interest

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

Risk Assessment

This report aims to deliver clarity and transparency by having Council separately approve and authorise expenditure by the Chief Executive Officer above the delegated authority. It mitigates against the risk of ambiguity or a lack of transparency.

4.6 Geelong Regional Library Corporation Contribution 2016-17

Social Considerations

Libraries deliver significant social benefit to Surf Coast Shire communities. The high standard of performance by GRLC provides excellent social opportunities across Surf Coast Shire. The recent increased usage in Surf Coast Shire is a measure that people value these services.

Community Engagement

The development of Council's 2016/17 budget was the subject of through community engagement through information sessions, an online submission process and an opportunity for community members to participate in a Council Hearing of Submission session. The GRLC contribution was included in the draft budget and was not the subject of a high level of positive or negative feedback.

Environmental Implications

There are no significant environmental implications associated with this report.

Communication

The 2016/17 GRLC contribution was communicated through Council's budget communication and engagement process from April to June 2016.

Conclusion

This report seeks to endorse Council's 2016/17 the GRLC contribution. This transparent approach ensures this significant expenditure is separately identified and approved because it is above the Chief Executive Officers delegated authority. Communities in Surf Coast Shire can expect to receive high quality library services delivered by GRLC in 2016/17.

5. MINUTES

5.1 Section 86 Committee Minutes

Author's Title: Administration Officer - Governance & Risk **General Manager:** Kate Sullivan

Department: Governance & Risk

File No: F16/285

Division: Governance & Infrastructure

Trim No: IC16/884

Appendix:

1. Anderson Roadknight Reserve Committee Minutes - 11 July 2016 (D16/76091)
2. Hearing of Submissions Committee Meeting Minutes - 2 August 2016 (IC16/898)
3. Hearing of Submissions Committee Meeting Minutes - 9 August 2016 (IC16/901)
4. Planning Committee Minutes - 11 & 25 July 2016 (D16/72623)

Officer Direct or Indirect Conflict of Interest:

Status:

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

Information classified confidential in accordance with Local Government Act 1989 – Section 77(2)(c):

Yes

No

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 - 11 July 2016
- Hearing of Submissions - 2 August 2016
- Hearing of Submissions - 9 August 2016
- Planning Committee - 11 & 25 July 2016

6. ASSEMBLIES OF COUNCILLORS

6.1 Assemblies of Councillors

Author's Title: Administration Officer - Governance & Risk **General Manager:** Anne Howard

Department: Governance & Risk

File No: F16/289

Division: Governance & Infrastructure

Trim No: IC16/883

Appendix:

1. Assembly of Councillors - Agenda Review - 26 July 2016 (D16/70216)
2. Assembly of Councillors - Council Briefing - 2 August 2016 (D16/72893)
3. Assembly of Councillors - Council Briefing - 9 August 2016 (D16/76249)

Officer Direct or Indirect Conflict of Interest:

Status:

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

Information classified confidential in accordance with Local Government Act 1989 – Section 77(2)(c):

Yes

No

Yes

No

Reason: Nil

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 – 26 July 2016
- Council Briefing – 2 August 2016
- Council Briefing – 9 August 2016

7. URGENT BUSINESS/PETITIONS/NOTICES OF MOTION

Nil

8. IN-CAMERA

Recommendation

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

8.1 Assemblies of Councillors Confidential

8.2 CEO Performance Review & Objectives

Recommendation

That:

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

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