



Agenda

Ordinary Meeting of Council
Tuesday, 26 July 2016

To be held in the
Lorne Senior Citizens Centre, Mountjoy
Parade, Lorne

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 LORNE SENIOR CITIZENS CENTRE, MOUNTJOY PARADE, LORNE
ON TUESDAY 26 JULY 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 28 June 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:

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1. OFFICE OF THE CEO

Nil

2. GOVERNANCE & INFRASTRUCTURE

2.1 Lorne Ward Update

Author's Title: Executive Assistant

General Manager: Anne Howard

Department: Governance & Infrastructure

File No: F15/100

Division: Governance & Infrastructure

Trim No: IC16/698

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 receive and note the Lorne Ward update.

Summary

Information is provided on a selection of recent and upcoming infrastructure works and community events in the Lorne Ward.

Recommendation

That Council receive and note the Lorne Ward update.

2.1 Lorne Ward Update

Report

Background

A report on local topical issues is provided to coincide with the Council meeting in the Ward. This report summarises the key current and recent infrastructure works and community events in the Lorne Ward.

Discussion

Infrastructure

A list and information about a selection of infrastructure projects in the Lorne Ward follows:

Project Name: Lorne Historical Building Internal Refurbishment (Building Renewal Program)

Description: Refurbishment of the internal areas of the building included air-conditioning installation, removal of obsolete toilet and storage area, rewiring of electrical services, paint of all internal walls, ceiling, sanding and reseal of flooring.

Budget: \$18,000

Completion date: 30 May 2016

Project Name: Lorne Visitor Information Centre

Description: Concrete entrance area (river side)

Budget: \$5,000 (Building Renewal Program / Economic Development)

Completion date: 30 May 2016

Project Name: Lorne Visitor Information Centre

Description: Electric Vehicle Charging Station in conjunction with the RACV

Budget: \$8,000 (Funded by RACV delivered by Council)

Completion date: 30 May 2016

Project Name: Lorne Leisure Centre

Description: Internal Repainting of Football and Netball clubrooms, upgrade of external security and carpark lighting.

Budget: \$15,800 (Cyclic Maintenance Program)

Completion date: 30 June 2016

Project: Stribling Reserve Masterplan

Description: The project will produce a masterplan to create a strategic framework to ensure that Stribling Reserve is a usable and functional space now and into the future.

Budget: \$50,000

Completion date: July 2017

Project: Lorne Men's Shed

Description: The design and construction of a facility for use as a men's shed by the Lorne & District Men's Shed Inc.

Budget: \$198,800 (Stage 1 – design and construction, excluding fitout)

Opening date: 12 June 2016.

Project: New pathway Otway St to Clissold St

Description: A new pathway has been constructed past Fig Tree House connecting to the Senior Citizens Centre and Historical Society.

Budget: \$50,000

Completion date: 30 June 2016.

Project: Lorne Swing Bridge path connection from Deans Marsh Rd

Description: A new pathway has been completed connecting from Deans Marsh – Lorne Rd down to the swing bridge. The works were partly funded by VicRoads and aligned with the new pedestrian refuge island to enable safer crossing of the Great Ocean Road at this popular location

Budget: \$95,000

Completion date: 30 June 2016.

2.1 Lorne Ward Update

Project: Stirling St drainage upgrade

Description: The old open concrete channel that ran down Stirling St has been upgraded to ensure stormwater is conveyed to the outfall without impacting properties.

Budget: \$60,000

Opening date: 30 May 2016.

Other Community Updates

Lorne Bushfire Interface Fuel Reduction and Maintenance Program.

Council has previously engaged high risk areas within the Lorne township for bushfire fuel management programs. The Department of Environment, Land, Water and Planning (DELWP) are planning fuel reduction burns near town in Spring 2016. We are revisiting selected interface areas to the bush with fuel reduction and maintenance programs to support DELWP's efforts. This will ensure both council assets and private properties remain in a well maintained fuel condition. We have invited properties to participate based on their proximity to proposed fuel reduction burns. Our program will run from July to September 2016.

This shared responsibility approach to bushfire safety means Council, DELWP and residents will be working together to reduce the risk of bushfires impacting townships. Council will maintain our road reserves and residents will be encouraged to ensure their properties are well maintained from a fire fuel perspective. Maintenance of private property will be enabled by Council by the provision of a green waste roadside collection service. Council officers will also assist with advice on the removal or modification of vegetation to improve bushfire safety in balance with the protection of the natural environment.

Events

The Lorne Ward has hosted a number of events over the recent months. A snapshot of some recent and upcoming events as follows:

Event: Great Ocean Road Marathon

Description: Marathon run from Lorne to Apollo Bay along the Great Ocean Road. Two courses 23 kms and 45 kms.

Date: Sunday 15 May 2016

Event: FOPA - Festival of Performing Arts

Description: Showcasing music, dance, installations and performance art over three days, this festival is entering its 4th year and is sure to impress.

Date: Friday 2 September to Sunday 4 September 2016

Event: Amy's Otway Criterium and Amy's Wall

Description: Amy's Otway Tour Criterium in the main street of Lorne in the afternoon followed by Amy's Wall hill-climb in the evening. Both events are public so anyone can enjoy the action.

Date: Saturday 10 September to Sunday 11 September 2016

Event: Amy's Gran Fondo

Description: New reverse course that concludes with breathtaking views along the Great Ocean Road and finishes on the main street in Lorne

Date: Sunday 11 September 2016

Event: Surf Coast Hell Run

Description: The surf coast hell run is a breath taking trail running event, nestled in the mountains behind Lorne at Sheoaks Picnic Ground. Runners and walkers are challenged over a choice of 10km and 21km courses, with the option to double or triple the distance to 42 or 63km.

Date: Saturday 24 September 2016

Event: GORC Pipster Classic - 2016 GORC Colin "Iceman" Coates Classic

Description: Recreation ride along the Great Ocean Road, 300 riders in teams

Date: Saturday 15 October 2016

Event: Lorne Film

Description: Film Festival event held in existing venues in Lorne including film, workshops and projection art.

Date: Thursday 10 November to Sunday 13 November 2016

2.1 Lorne Ward Update

Event: Falls Music and Arts Festival

Description: New Year's Eve Music, Comedy, Markets Celebrations near Lorne

Date: Wednesday 28 December 2016 – Sunday 1 January 2017

Financial Implications

Any financial implications have been outlined within the body of the report.

Council Plan

Theme	Nil
Objective	Nil
Strategy	Nil

Policy/Legal Implications

Council Plan Objective: Inclusive and accountable governance and community focused infrastructure services.

Officer Direct or Indirect Interest

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

Risk Assessment

All projects and events listed above have included risk assessment.

Social Considerations

Council provides and maintains community infrastructure to specified standards in adopted Asset Management Plans. Safe, attractive and appropriate facilities, and properly coordinated events contribute significantly to health and well-being outcomes in the community.

Community Engagement

Not applicable.

Environmental Implications

Environmental implications of each project are considered during the planning phase of each project.

Communication

This report is provided to inform the Lorne Ward community.

Conclusion

A range of infrastructure works and community events have been undertaken, or are scheduled to occur in the near future in the Winchelsea Ward. A summary of these activities is provided within the report for information.

2.2 Council Delegations to the Chief Executive Officer

Author's Title: Coordinator Governance & Procurement

General Manager: Anne Howard

Department: Governance & Risk

File No: F15/1076

Division: Governance & Infrastructure

Trim No: IC16/788

Appendix:

1. Delegations and Authorisation Instrument of Delegation - Council to CEO (D16/51366)

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 approve the Instruments of Delegations from Council to the Chief Executive Officer (CEO), pursuant to Section 98(1) of the *Local Government Act 1989* (the Act).

Summary

The Local Government Act 1989 enables Council to delegate to the Chief Executive Officer and/or members of Council staff its powers, duties or functions, other than specified exemptions found under section 98(1). The previous Instrument of Delegation from Council to the CEO and to members of Council staff was approved by Council on 23 July 2013, following the previous year's Council elections.

In 2015 Council subscribed to Maddocks delegations service, which is used by most other Councils in Victoria, that provides a more detailed and up to date framework.

The earlier draft delegation to the CEO was deferred from the Council meeting on 26 April 2016 and is now being presented for adoption.

Recommendation

That Council approve the Instrument of Delegation from Council to the Chief Executive Officer (CEO) as shown in Appendix 1.

2.2 Council Delegations to the Chief Executive Officer

Report

Background

Pursuant to Section 98(6) of the *Local Government Act 1989* (the Act), Council must review all delegations made by Council under Section 98(1), within a period of 12 months after a general election. This review was last carried out in 2013 (Appendix 1), following the previous year's election, with the assistance of Macquarie Lawyers.

In 2015 Council subscribed to Maddocks delegations service, which is used by most other Councils in Victoria, that provides a more detailed and up to date framework. This report includes delegations from Council to the Chief Executive Officer.

Discussion

The draft delegation to CEO was presented to EMT for review on 2 March 2016 and Council Briefing for information on 12 April 2016. Council deferred the Instrument of Delegation from the 26 April Council meeting for further discussion.

Following further discussion and investigation the revised draft Instrument of Delegation from Council to the CEO is now presented for adoption.

Financial Implications

Council's Chart of Authorities sets out financial delegations and is separate to this process.

Council Plan

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

Policy/Legal Implications

Section 98(6) of the *Local Government Act 1989* states "A Council must review within the period of 12 months after a general election all delegations which are in force and have been made by the Council under subsection (1)."

Section 98(1) states that a Council may by instrument of delegation delegate to a member of its staff any power, duty or function of a Council with certain exceptions.

Officer Direct or Indirect Interest

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

Risk Assessment

A thorough system of delegations minimises the likelihood of officers acting outside their powers and exposing Council to unacceptable risk.

Social Considerations

Not Applicable.

Community Engagement

Under the *Local Government (General) Regulations 2015* Council must make available for public inspection a register of delegations kept under sections 87 and 98 of the *Local Government Act 1989*, including the dates on which the last reviews under sections 86(6) and 98(6) of the *Local Government Act 1989* took place.

Environmental Implications

There are no environmental implications arising from this report.

Communication

Changes to the current delegation will be communicated internally and a copy provided to the CEO.

Conclusion

By adopting an up to date delegation from Council to the CEO, Council will ensure that this is up to date and responsibilities are clear.

2.3 Road Safety Strategy 2016-2021

Author's Title: Coordinator Design & Traffic

General Manager: Anne Howard

Department: Engineering Services

File No: F14/1716

Division: Governance & Infrastructure

Trim No: IC16/678

Appendix:

1. Road Safety Strategy 2016-2021 (D16/56618)
2. Road Safety Strategy Appendices A-J (D16/49993)
3. Road Safety Strategy Action Plan Costings (D16/59854)

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 Road Safety Strategy 2016-2021.

Summary

Surf Coast Shire Council aspires to establish and maintain a safe road network. The Road Safety Strategy 2010-2015 had expired and Council determined to review the strategy and establish a fresh strategy for the coming years.

The Surf Coast Shire Road Safety Strategy 2016-2021 has been prepared in consultation with the community and Council's partners, particularly VicRoads and Victoria Police, and aims to address the ongoing and emerging road safety issues for the Surf Coast Shire region over the next five years.

The development of this Strategy has included; a review of the previous Road Safety Strategy 2010-2015; analysis of VicRoads records of reported (casualty) crashes for the last five years (July 2010 – June 2015); and extensive consultation with key stakeholders and the community. The development of the strategy has been overseen by a steering committee including key internal and external partners.

The Road Safety Strategy has now been developed and incorporates the following key elements:

- Strategic goals and targets which have been developed based on the key issues identified for the region.
- A targeted and focused action plan with clear responsibilities across the organisation and partners.
- Detailed financial analyses of the proposed action plan with detailed funding proposals to allow for future planning and targeted external funding applications.

Recommendation

That Council:

1. Adopt the Road Safety Strategy 2016-2021, presented as Appendix 1 to this report
2. Endorse the Road Safety Strategy 2016-2021 Action Plan, based on the following conditions that:
 - 2.1. The responsibilities of the Road Safety Officer will be a separate consideration by Council
 - 2.2. \$30,000 per year (starting in 2017/18) is pre-allocated from the annual Roads to Recovery funding to support the additional grading as per Goal 3.1
 - 2.3. The balance of the initiatives and activities contained in the Road Safety Strategy 2016-2021 Action Plan can be funded from existing recurrent budgets or the Capital Works Program, which currently includes an annual allocation towards improving road safety.
3. Authorise officers to pursue Blackspot funding applications lodged in 2015/16 as follows:
 - 3.1. Blackgate Rd, Horseshoe Bend Road – Minya Lane (2.6km)
 - 3.2. Cape Otway Rd, Gherang Rd –Mathisons Rd (8.5km)
 - 3.3. Horseshoe Bend Road – South Beach Road to Blackgate Road
 - 3.4. Mt Duneed Road – Hunts Road to Bogans Lane
4. Authorise officers to lodge and pursue Blackspot funding applications in 2016/17 as follows:

2.3 Road Safety Strategy 2016-2021

- 4.1. Cape Otway Rd – Marshmans Outlet to Parishes Lane
- 4.2. Cape Otway Road– Taylors Road to Hendy Main Road
- 4.3. Horseshoe Bend Road – McCanns Road to Fisher Road
- 4.4. Barrabool Road – Hendy Main Road to Devon Road
5. Authorise the Chief Executive Officer to sign blackspot funding agreements on behalf of Council for any application that is successful
6. Write a letter of appreciation to partners and key stakeholders that contributed to the development of the strategy

2.3 Road Safety Strategy 2016-2021

Report

Background

Surf Coast Shire Council's previous Road Safety Strategy was developed and adopted in 2010. With a five year lifespan, the strategy is due for replacement. A steering committee including key internal and external stakeholders was set up in August 2015 to guide the project. With provision of funds from the Transport Accident Commission through 'community road safety grants' a consultant was engaged to develop a new and updated Road Safety Strategy reflecting current issues and trends.

The review was particularly important as there was a need for Council's road safety policies to adapt to meet the challenges of:

- Population growth
- Increasing international and tourist drivers,
- Increasingly diverse road users,
- Increasing international and tourist drivers
- Increasingly diverse road users
- Aging Infrastructure
- Increasing cyclists using network
- Aging population

It is intended that the new strategy provides direction for improving road safety for the next five years.

The Road Safety Strategy 2016-2021 is attached for Council consideration.

Discussion

The Road Safety Strategy and Action Plan if endorsed will facilitate delivering a number of important benefits for Council, including improved road safety for the community and integrating road safety into the services provided. Furthermore it also provides clear direction on key road safety priorities to focus Council Road Safety resources and offers a good basis for targeting appropriate road safety funding applications.

The strategy developed has incorporated the following processes to ensure that it will deliver these benefits:

- Development of an issue paper to identify key road safety issues which face Council:- Identification of the key issues and road safety priorities outlined in this paper were based on community consultation and stakeholder input, backed up by a comprehensive analysis of VicRoads crash data between 2010 and 2015, and an extensive review of current research and related strategies and policies. The issues paper was endorsed by the Steering committee in February 2016.
- Development of new strategic targets and goals for road safety:- These were developed in collaboration with the steering committee and were based on the findings of the issues paper.
- Development of a focused costed action plan which clearly distributes responsibility across Council and partners:-This was reviewed and endorsed by the Steering Committee (which included representatives from the areas of responsibility identified in the plan) in April 2016.

One of the key opportunities to seek funding for road safety improvements in the Shire is the Federal Blackspot Program. This program relies on a detailed assessment of accident hotspots and only funds projects that have a high benefit/cost ratio (fatality sites typically are high benefit) compared to other projects submitted across Australia. Council has submitted four projects in the 2015/16 program. During the 2016 Federal election, the local Member of Parliament made a commitment that two of the applications would be successful. Official confirmation of this need to be pursued now that the election has concluded. Officers have reviewed the latest accident data throughout the Shire and are preparing our 2016/17 bids which includes four new sites which need to be submitted by 29 July 2016. The Federal blackspot program fully funds successful projects.

Financial Implications

Detailed analyses of the Action Plan was undertaken in consultation with the Steering committee and other internal/ external stakeholders in April 2016 to ensure that the actions recommended could potentially be resourced. This led to the development of financial analyses of the action plan.

The financial plan to support the Road Safety Strategy 2016-2021 is attached as Appendix 3.

2.3 Road Safety Strategy 2016-2021

External funds will be sought for major projects. The other activities can generally be funded from the existing budget except for the additional grading request. It is recommended that Council fund the additional grading through a strategic allocation of Roads to Recovery funding, of which Council usually receives approximately \$694K. This enables Council to fully support the strategy and action plan without sourcing increased revenue or needing to reduce other funding commitments.

The functions of the Road Safety Officer role proposed in the strategy will be a separate consideration by Council, which enables more time to assess the likely demand of this role.

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 3.3 Preservation of peaceful, safe and healthy environments
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.

Theme 4 Infrastructure
Objective 4.3 Enhance key rural and coastal roads and transport options
Strategy 4.3.1 Identify and prioritise key coastal/rural arterial road links including advocacy campaigns.

Policy/Legal Implications

Under the Road Management Act, Council has a responsibility to provide a road network which is 'as safe for road users as is reasonably practicable'. The Road Safety Strategy 2016-2021 and supporting action plan will support this requirement.

Over the five-year period between 1 January 2009 to 31 December 2013 (the most recent data available) there were 186 casualty accidents recorded on Surf Coast Shire Council managed roads. Of these accidents there were six fatalities.

In order to ensure that safety continues to improve across the road network and to reduce the number and severity of accidents in the municipality a review of the current road safety strategy is required. It has been identified that the current strategy could be improved by developing a more accessible document with clear targets and key actions identified.

Officer Direct or Indirect Interest

Not applicable.

Risk Assessment

No direct risk to Council, but aims to reduce the road safety risk to the community within the municipality.

Social Considerations

Opportunity to strengthen partnerships with internal stakeholders, Victoria Police, VicRoads, Schools, Transport Victoria and neighbouring road authorities to improve road safety in the municipality.

Community Engagement

A detailed Community Engagement Plan was developed for this project by the communications team and reviewed and endorsed by the steering committee. The plan included a number of elements:

- Continuous engagement with Steering Committee
- Work shop with key stakeholders including community and agency stakeholders as part of the development of an issues paper. This included input from a range of groups such as bike safe, local schools, local community group reps.
- Wider community consultation was undertaken during the development of the issues paper through a number of mediums.

2.3 Road Safety Strategy 2016-2021

This included an online engagement page inviting submissions, a media campaign promoting online engagement opportunities, a mail out to five hundred select residents with a short survey. Good feedback was received through this process with over 200 respondents.

- Online and paper submissions were invited on the draft strategy. A mail out requesting feedback on the draft strategy was sent the sample group of residents who were originally invited to submit on the issues paper. Online forum was developed and promoted through a media releases and social media. All stakeholders from earlier workshops were invited to submit on the draft.

Environmental Implications

Not applicable.

Communication

Media Releases and direct contact with stakeholders. The final Road Safety Strategy and Action Plan will be made available on Surf Coast Shire Website. A number of communication techniques as identified in the action plan will be used to implement the various communication activities identified as a priority in the strategy over the coming years.

Conclusion

The Road Safety Strategy 2016-2021 has been developed in collaboration with key partners in VicRoads and Victoria Police and has been prepared through a detailed analysis of traffic crash data for the municipality and extensive engagement with the members of the community and stakeholders.

2.4 Adoption of Local Law No. 2 - Council Meeting Procedures and Common Seal

Author's Title: Manager Governance & Risk

General Manager: Anne Howard

Department: Governance & Risk

File No: F16/611

Division: Governance & Infrastructure

Trim No: IC16/309

Appendix:

1. Final Version of Local Law No 2 Meeting Procedure (D16/61168)

Officer Direct or Indirect Conflict of Interest:

Status:

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

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

Yes

No

Yes

No

Reason: Nil

Reason: Nil

Purpose

To approve the final version of Local Law No. 2 – Council Meeting Procedures & Common Seal following a period of public exhibition in accordance with sections 119 and 223 of the Local Government Act 1989.

Summary

Local Law No. 2 was reviewed by Council in April 2016 and placed on public exhibition along with a Local Law Community Impact Statement.

As no submissions were received from that process the Local Law is now being presented for final adoption in accordance with the Local Government Act 1989 (the Act) section 119.

Once approved Council will be required to advertise adoption of the local law in the Government Gazette and via a public notice, with a copy of the final gazetted local law being submitted to the Minister.

Recommendation

That Council adopt the final version of Local Law No. 2 – Council Meeting Procedures & Common Seal as at Appendix 1 in accordance with section 119 of the Local Government Act 1989.

2.4 Adoption of Local Law No. 2 - Council Meeting Procedures and Common Seal

Report

Background

As required by section 119 of the Local Government Act 1989, Local Law No. 2 Council Meeting Procedures & Common Seal was reviewed by Council in April 2016 and placed on public exhibition along with a Local Law Community Impact Statement. At the same time a notice was placed in the Government Gazette, Surf Coast Times and on Council's website.

Submissions were invited with a closing date of 28 June 2016.

Discussion

As no submissions were received Local Law No. 2 is now ready for final adoption by Council without change. Once adopted Council will be required to advertise in the Government Gazette and via a public notice, with a copy of the final gazetted local law being submitted to the Minister.

The timeline for formal adoption of the local law is as follows;

Date	Action
September 2015 to March 2016	Officer review and benchmarking with other Councils - Complete
30 March 2016	EMT consideration - Complete
12 April 2016	Council Briefing - Complete
26 April 2016	Council meeting resolution to adopt draft and place on public exhibition - Complete
Early May 2016	Public notice and Government Gazette of intention to amend the local law including invitation for public submissions. Publishing of Community Impact Statement (LLCIS) with draft local law. Complete
June 2016	Public exhibition period ends (at least 28 days). Complete
July 2016	Hearing of Submissions Committee considers public comments and hears submissions. Not required as no submissions.
July 2016	Where appropriate, incorporate any amendments that have been suggested during the submissions process. Not required as no submissions.
July 2016	If necessary brief Council on proposed amendments – Not required, no changes.
26 July 2016	Council consider adoption of finalised local law.
August 2016	Prepare advertisements for newspapers and Government Gazette for adoption.
August 2016	Submit an updated copy to the Minister.
1 September 2016	Local Law No. 2 comes into effect.

It is therefore proposed that Local Law No. 2 will come into operation on 1 September 2016 to allow time for the statutory processes to be completed. The local law will be available on our website and at the Council office for inspection during normal business hours.

Financial Implications

There are no financial implications associated with this report.

Council Plan

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

This process complies with sections 119 and 223 of the Local Government Act.

Officer Direct or Indirect Interest

No officers involved in the preparation of this report have any conflicts of interest.

2.4 Adoption of Local Law No. 2 - Council Meeting Procedures and Common Seal

Risk Assessment

Not applicable.

Social Considerations

Officers have assessed this proposed Local Law for compatibility with the Charter of Human Rights and Responsibilities Act 2006 and it is not considered that the rights of any individual would be adversely impacted.

There are minor restrictions on allowing the freedom of expression which is necessary to regulate how the public can ask questions or participate in Council meetings. The restrictions are intended to provide for the efficient and orderly conduct of the meetings and are considered reasonable and justifiable pursuant to section 7(2) of the Act. The request for members of the public to sign in aligns with Council's procedures during normal business hours.

Community Engagement

The community was provided with an opportunity to comment through a section 223 process.

Environmental Implications

Not applicable.

Communication

The required public notices will be published within the local media and in the Government Gazette pursuant to section 119 of the Act. A copy of the final local law will be made available for public inspection at Council's offices, on the website and a copy forwarded to the Minister.

Conclusion

Local Law No. 2 – Council Meeting Procedures & Common Seal is now ready for final adoption by Council after which time the statutory process described in section 119 of the Act will be followed, with the local law coming into effect on 1 September 2016.

3. ENVIRONMENT & DEVELOPMENT

3.1 C106 - Combined Planning Scheme Amendment and Planning Permit Application 85 Grossmans Road, Torquay - Submissions

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

General Manager: Rowena Frost (Acting)
File No: F15/789
Trim No: IC16/279

Appendix:

1. Summary of Submissions (D16/56431)
2. Revised Draft Planning Permit (D16/65615)
3. Planning Permit Assessment (D16/65287)

Officer Direct or Indirect Conflict of Interest:

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

Yes

No

Reason: Nil

Status:

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

Yes

No

Reason: Nil

Purpose

To consider submissions received following the public exhibition of Surf Coast Planning Scheme Amendment C106 and planning permit application 15/0485 and refer the submissions to an independent Panel pursuant to Part 8 of the *Planning and Environment Act 1987*.

Summary

Amendment C106 and draft planning permit application 15/0485 propose to rezone land at 85 Grossmans Road, Torquay from Public Use Zone 1 (PUZ1) to General Residential Zone (GRZ1) and subdivide the land into 52 lots.

The combined Amendment was publicly exhibited from 11 February 2016 to 15 March 2016. As a consequence of this exhibition nine submissions were received, including one submission from a referral authority (VicRoads) offering no objection. All eight submissions objected to the Amendment and application. A summary of submissions including Council officers' response is outlined in Appendix 1.

The major issues raised in the objecting submissions relate to residential amenity, building heights and construction management issues.

A mediation meeting was held on 30 March 2016 to hear submitters and to facilitate resolution to their concerns. Following this mediation meeting and Council officers' feedback, the proponents provided further information and prepared recommended changes to the exhibited version of draft planning permit to address the submitters concerns. However, only two submissions have been withdrawn on the basis of the new information, with six submissions outstanding.

Pursuant to the *Planning and Environment Act 1987*, unresolved submissions should be referred to an independent Panel which will consider all submissions and the overall merit of the Amendment.

Recommendation

That Council:

1. Having considered all submissions to Amendment 106, 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*.

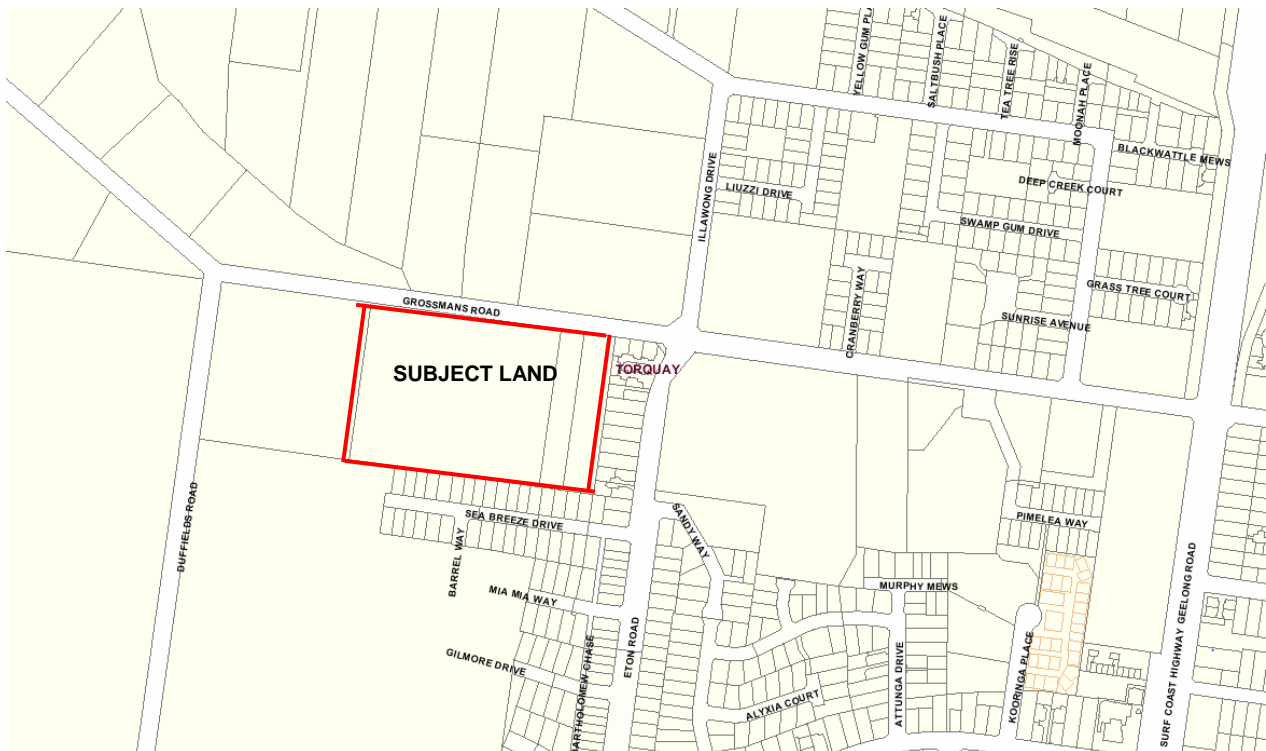
3.1 C106 - Combined Planning Scheme Amendment and Planning Permit Application 85 Grossmans Road, Torquay - Submissions

Report

Background

Spiire Australia Pty Ltd, on behalf of Barwon Water Corporation, has requested a proposed combined Planning Scheme amendment and planning permit under Section 96A of the Planning and Environment Act. The proposal seeks to rezone land at 85 Grossmans Road, Torquay (Refer Figure 1) from Special Use Zone (SUZ1) to General Residential Zone (GRZ1) and obtain a planning permit to facilitate a 52 lot residential subdivision including 7 superlots to accommodate medium density development. The 5.4 ha subject land has been identified as surplus to Barwon Water's requirements and, as such, an alternative use is being sought.

Figure 1 Site Location



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

At the Council meeting of 8 December 2015, it was resolved to seek authorisation from the Minister for Planning to prepare and exhibit the Amendment for public comment. Following Council's resolution, a directive was received from the Department of Environment, Land, Water and Planning (DELWP) on 30 December 2015 to proceed with preparation and exhibition of the combined Amendment.

Amendment C106 and draft planning permit 15/0485 were publicly exhibited from 11 February 2016 to 15 March 2016. A total of 9 submissions were received including 1 submission from a referral authority (VicRoads), offering no objection to the Amendment and 8 submissions from the adjoining land owners expressing concerns about the future development of the subject land.

A summary of submissions including Council officers' responses is provided in Appendix 1.

3.1 C106 - Combined Planning Scheme Amendment and Planning Permit Application 85 Grossmans Road, Torquay - Submissions

Discussion

A mediation meeting was held on 30 March 2016 with Barwon Water, their consultants and the objecting submitters to discuss the issues raised in submissions.

The mediation meeting resulted in a number of changes to the exhibited draft planning permit being proposed by Barwon Water to address the submitters concerns as listed below.

- Include additional wording for draft planning permit condition 11(b) for requirements for the Construction Management Plan – ‘Measures to accommodate the private vehicles of workers/tradespersons on site away from existing dwellings with the surface of any such car park area treated to prevent dust causing loss of amenity to the neighbourhood.’
- Include additional wording for draft planning permit condition 11(h) for requirements for the Construction Management Plan – ‘Bulk earthworks must be undertaken in a manner that minimises soil erosion. Exposed areas of soil must be stabilised to prevent, mitigate and minimise soil erosion as much as practically possible’.
- Remove the existing chainmesh boundary fence and provide a replacement 1.8m high timber boundary fence at the proponent’s cost.
- Design Guidelines must be prepared prior to subdivision to indicate height limits within the development site. The guidelines will at the minimum specify the maximum building height limit of 6.5 metres for dwellings on the estate’s southern boundary and 7.5m limit for all other dwellings on the balance of the estates.
 The design guidelines will be required to be submitted and approved by the Council and will be registered on title.

Barwon Water also submitted indicative site levels and cross-section plans that show that the development site will have finished site levels which will accord with the surrounding properties. The draft planning permit also requires that prior to commencement of works the developer must provide a detailed finished levels plan to Council’s satisfaction that is generally in accordance with these indicative plans.

The key issues raised in the submissions and the outcomes of the mediation are outlined in the table below:

Issue	Mediation outcome
<p>1. Loss of privacy</p> <p>Some submitters state that their privacy will be compromised by new development overlooking into their properties especially double storey dwellings and dwellings with excessive building heights.</p> <p>Existing trees that create privacy should be maintained on the site.</p>	<p>Design Guidelines will be prepared to include:</p> <ul style="list-style-type: none"> • Any element of a proposed building within 9 metres of the estate’s southern boundary must not exceed single storey to a maximum height of 4 metres above finished site levels. • Dwellings on the estate’s eastern boundary are to be designed to limit overlooking of existing neighbouring dwellings at Eton Road, Torquay. • A maximum building height limit of 6.5 metres above finished site level will apply to dwellings on the estate’s southern boundary and a 7.5 metre height limit will apply to all other dwellings on the balance of the estate. <p>These guidelines have been included as a condition of the draft planning permit which, once approved by Council, would be registered on title through Memorandum of Common Provisions.</p> <p>The subdivision plan has been designed to minimise the removal of existing native vegetation, which is mainly located within the Grossmans Road reservation. The proponents have also submitted a landscape masterplan for the site which provides for the planting of new vegetation within the estate, including around the new stormwater retarding basin in the</p>

**3.1 C106 - Combined Planning Scheme Amendment and Planning Permit Application 85
 Grossmans Road, Torquay - Submissions**

Issue	Mediation outcome
	south eastern corner of the site. The retarding basin provides improved amenity at this location and some separation from existing and new development.
2. Loss of natural light, overshadowing	
Some submitters raise concerns about new development blocking natural light entering backyards and homes and overshadowing.	Refer Issue 1 above. It is considered that the design guidelines will address this concern.
3. Traffic impact	
Some submitters fear that traffic generated as a result of new development will worsen the already congested school traffic in the precinct.	The Traffic Impact Assessment indicates that future associated resident use of the schools would likely generate pedestrian rather than vehicle movements. This assessment also indicates that maximum generated peak hour traffic flows (62 vehicles per hour) will have minimal impact on the current performance and safety of Grossmans Road.
4. Drainage & Erosion – removal of the basin	
Some submitters raise the issues of drainage and erosion due to site levels and removal of soil around the basin.	<p>The Storm Water Management Plan addresses drainage issues on the site. Concerns in relation to drainage and construction are addressed through the draft planning permit conditions which require precautionary actions by the developer to minimise off-site effects both during and post development.</p> <p>The Construction Management Plan includes a condition that bulk earthworks must be undertaken in a manner that minimises soil erosion. Exposed areas of soil must be stabilised to prevent, mitigate and minimise soil erosion.</p>
5. Noise, dust and dirt	
Some submitters have expressed concern about noise, dust and dirt from significant earthmoving that is required for this development.	<p>Conditions have been included in the planning permit application that deals with the management of construction works (including measures to minimise noise, dust, and vehicle movements to/from the site). The requirements of these conditions necessitate the provision of information to Council for further approval prior to commencement of works.</p> <p>EPA guidelines for management of site construction works must be adhered to.</p>
6. Construction time Impacts	
Some submitters are concerned about construction start and finish times.	Construction start and finish times are stipulated as a requirement in the Construction Management Plan to the satisfaction of Council.
7. Dwelling height	
Some submitters state that there should be building height restrictions especially as the site levels are likely to be higher than the existing adjoining properties. This will assist in addressing overlooking and overshadowing concerns of the submitters.	<p>A Design and Development Overlay (DDO1) to restrict the heights of dwellings to 7.5m without a permit was inadvertently omitted from the exhibited amendment.</p> <p>Following a mediation meeting with the submitters, the proponent has agreed to prepare design guidelines prior to subdivision to include maximum building height limit of 6.5 metres for dwellings on the estate's southern boundary and 7.5m limit for all other dwellings in the balance of the estate.</p> <p>These guidelines has been included as part of the draft planning permit to be submitted and approved by the Council and will be registered on title via a Memorandum of Common Provisions.</p>

**3.1 C106 - Combined Planning Scheme Amendment and Planning Permit Application 85
 Grossmans Road, Torquay - Submissions**

Issue	Mediation outcome
	<p>As a result it is not intended to apply DDO1 over the subject land.</p> <p>A plan showing the proposed finished site levels and cross sections for the site has been submitted by the proponents. The plan indicates that that the development site will have finished site levels after the removal of the basin 'bund' that accord with the surrounding properties.</p>
8. Fencing	
<p>Submitters stated that there should be no fencing costs to adjoining landowners for the replacement of an already existing chain mesh fence separating the property boundary.</p>	<p>A permit condition requires that the existing chainmesh security fencing will be removed and replaced with a 1.8m high timber fence, at the proponent's cost. The proponents have agreed to this condition.</p>
9. Green wedge	
<p>A submitter suggests a 20 m green wedge separating the proposed development from the Seaview Estate properties. This will reduce the impact during construction on already established homes, reduce issues of overshadowing, overlooking and ultimately reduce the loss of amenity for the residence of Sea Breeze Drive.</p>	<p>The suggested 20 m green wedge is not supported as this will result in on-going maintenance issues for Council and security concerns due to the proposed location at the rear of new lots.</p> <p>As an alternative it is proposed that the Design Guidelines to be prepared will include maximum building height limits and a single storey setback on the southern boundary as outlined in item 1.</p>

These mediation outcomes were presented to the submitters in a letter dated 30 May 2016 for consideration and to facilitate the withdrawal of their submissions. However, at the end of the closing date for receiving withdrawal notices on 10 June 2016, only two submissions were withdrawn with six submissions outstanding.

Pursuant to the *Planning and Environment Act 1987*, unresolved submissions should be referred to an independent Panel appointed by the Minister for Planning, which will consider all submissions and the overall merit of the Amendment.

A planning permit condition requiring reticulated recycled water supply to service the proposed development, should this become available, was included in the exhibited version of the draft planning permit. However, Barwon Water as the relevant service provider has advised that it is not intended to implement recycled infrastructure within this area. As such, references to reticulated recycled water supply have been deleted from the draft planning permit.

A planning permit application assessment for the subject land concludes that the application complies with the relevant planning scheme provisions. In addition it recommends that a permit be granted for subdivision subject to conditions as specified in the draft planning permit.

The revised draft planning permit (Refer Appendix 2) and planning permit assessment (Refer Appendix 3) will form part of Council's position on the Amendment to be presented at the independent Panel Hearing for consideration.

Financial Implications

As a privately driven amendment, the proponent is required to cover all statutory costs relating to the processing of the Amendment and planning permit application, including any panel costs.

Council Plan

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.

3.1 C106 - Combined Planning Scheme Amendment and Planning Permit Application 85 Grossmans Road, Torquay - Submissions

Policy/Legal Implications

There should be no legal ramifications.

Officer Direct or Indirect Interest

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

Risk Assessment

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

Social Considerations

The Amendment will have positive social effects, assisting Council in achieving its population growth forecasts for Torquay-Jan Juc whilst ensuring that appropriate contributions are made towards future provision of community infrastructure and facilities through the currently applicable Development Contributions Plan Overlay.

Community Engagement

This Amendment has been formally exhibited in accordance with the provisions of the Planning and Environment Act 1987. This process provided an opportunity for full public comment.

Environmental Implications

The Biodiversity Assessment demonstrates that remnant vegetation is restricted to the Grossmans Road reservation and that the site itself is dominated by exotic and introduced pasture grass species with planted trees. The land is of low to moderate quality habitat for native fauna, with no nationally or state significant flora or fauna species likely to occur. The Biodiversity Assessment demonstrates that an offset requirement, for the removal of a small patch of native vegetation impacted by the proposed western access, is not required.

The proposed development layout seeks to protect and enhance existing biodiversity values and promotes innovative use of water sensitive urban design techniques.

Communication

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

Conclusion

Having considered all submissions, it is considered that the proposed Amendment and draft planning permit have sufficient merit to proceed to an Independent Panel Hearing. It is recommended that Council request the Minister for Planning appoint a Panel to hear all submissions. The revised draft planning permit as outlined in this report will form the basis of Council's position at Panel.

3.2 Amendment to Approved Development Plan for 1095 Horseshoe Bend Road Torquay

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

General Manager: Rowena Frost (Acting)
File No: 11/0256A
Trim No: IC16/691

Appendix:

1. Proposed Development Plan (D16/44654)

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 approve an application to amend the previously approved Development Plan for 1095 Horseshoe Bend Road Torquay.

Summary

An application has been made to amend the approved Development Plan stage for 1095 Horseshoe Bend Road Torquay to facilitate the use and development of a Child Care Centre.

The approved development plan identifies the whole of this land being subdivided and developed for residential purposes and open space. It is proposed to use and develop the northwest corner of the land (on Horseshoe Bend Road) for a child care centre. The use of land for non-residential uses which service the local community can be appropriate in residential areas. It is considered appropriate to facilitate this use as proposed given the sites location on a collector road and in proximity to the proposed State Government primary school on the west side of Horseshoe Bend Road and possible Catholic primary school on South Beach Road.

The amended development plan continues to achieve the requirements of Schedule 8 to the Development Plan Overlay and is consistent with the Outline Development Plan for Torquay North.

Recommendation

That Council approve the amended Development Plan stage for 1095 Horseshoe Bend Road Torquay pursuant to Clause 43.04 of the Surf Coast Planning Scheme.

3.2 Amendment to Approved Development Plan for 1095 Horseshoe Bend Road Torquay

Report

Background

An application has been made to amend the approved Development Plan stage for 1095 Horseshoe Bend Road Torquay to facilitate a child care centre.

The approved development plan identifies that the whole of the land will be used for residential purposes in accordance with the zoning of the land under General Residential Zone (GRZ). The GRZ however allows for a range of non-residential uses which can service the community within the local area. The currently approved development plan does not allow for this outcome. The application seeks approval for a site to be identified in the northwest corner on Horseshoe Bend Road opposite South Beach Road.

An application for a planning permit has been received to use and develop a child care centre on the identified location. A permit cannot be granted until it is consistent with the approved development plan.

Discussion

The Torquay North growth area is covered by Schedule 8 to the Development Plan Overlay (DPO8). Under the DPO a development must be prepared and approved before a permit may be granted to use, develop or subdivide the land. Any subsequent proposal must also be generally in accordance with the approved development plan.

The amendment is required primarily to allow a child care facility in the northwest corner.

The underlying zoning of this area is General Residential Schedule 1 (GRZ1). A child care centre is a permissible use in the GRZ1. It is considered that the proposed location for a child care is appropriate for the following reasons:

- Non-residential uses in the GRZ1 should serve local community needs. Whilst it might also attract customers from outside the local area, this location is most likely to serve the emerging residential area of Torquay North.
- There will be a significant population within walking distance.
- Being proximate to the future State primary school (Horseshoe Bend Road) and near the possible Catholic primary school (South Beach Road) the location may facilitate multi-purpose journeys.
- The site does not have boundaries with sensitive residential areas.
- The location on a collector road will minimise traffic incursion into local residential streets.

The child care centre will have a boundary with farm land to the north (flower growing) and there is the potential for interface issues (dust, noise, chemical use), however these issues already arise with the zoning of the land for residential use as both are considered to be sensitive uses. It is considered that this interface issue can be resolved through the use of appropriate design treatments and does not preclude the child care in this location. It is also noted that this area is identified on the Torquay – Jan Juc Framework plan as a location for further investigation for future residential expansion.

The location that has been identified in addition to frontage to Horseshoe Bend Road is bounded by a new local road on the south and east creating an 'island' site without any boundaries to residential land. This minimises the potential for this commercial activity to impact on residential amenity.

In amending the development the potential to subdivide and use the land for residential purposes remains but it creates the potential for a permit to be granted for a child care centre. Any application for a child care centre will be exempt from public notice (due to the operation of the DPO), however as noted there are no proposed adjoining lots which ameliorates the potential for amenity impacts from the use and development.

Financial Implications

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

3.2 Amendment to Approved Development Plan for 1095 Horseshoe Bend Road Torquay

Council Plan

Theme 5 Development and Growth
Objective 5.2 Encourage sustainable economic development and growth
Strategy 5.2.3 Support and grow Surf Coast Shire's key industry sectors of Surfing, Tourism, Retail, Agriculture and Construction.

Policy/Legal Implications

The amended development plan is consistent with the Torquay – Jan Juc Strategy at Clause 21.08 of the Surf Coast Planning Scheme including the policies of:

- Facilitate new residential growth in Torquay North up to South Beach Road, north-west of Messmate Road up to the ridgeline and to the west in Spring Creek Valley up to one kilometre west of Duffield's Road.

Officer Direct or Indirect Interest

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

Risk Assessment

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

Social Considerations

The amended development plan continues to provide for planned residential development within Torquay North. Detailed design is managed through the planning permit application process.

Community Engagement

The *Planning & Environment Act 1987* and the Surf Coast Planning Scheme do not include legislated requirements to undertake public notice of applications for the approval of development plans. However Council policy is to exhibit proposed development plans and this was done for the original approval process. This amended development plan has not been exhibited as it is considered that the changes from the approved plan are unlikely to materially affect the interests of others.

Environmental Implications

The proposed changes to the development plan are unlikely to have any environmental implications.

Communication

The applicant will be provided a copy of the approved development plan. Approved development plans are provided for public viewing on Council's website.

Conclusion

Approval is sought for minor changes to the approved development plan stage for 1095 Horseshoe Bend Road to facilitate a proposed child care centre in the north-west corner of the estate. The amended plan meets the requirements of Schedule 8 to the Development Plan Overlay. It is recommended that the amended plan be approved.

3.3 Australian National Surfing Museum - Strategic Assessment & Future Options

Author's Title: Manager Economic Development & Tourism **General Manager:** Rowena Frost (Acting)

Department: Economic Development & Tourism **File No:** F16/614

Division: Environment & Development **Trim No:** IC16/703

Appendix:

1. Strategic Assessment & Future Options - Australian National Surfing Museum (D16/60616)
2. Summary Australian National Surfing Museum - Strategic Assessment & Options (D16/62355)

Officer Direct or Indirect Conflict of Interest:

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

Yes

No

Status:

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

Yes

No

Reason: Nil

Reason: Nil

Purpose

To receive and note the findings of the Australian National Surfing Museum Strategic Assessment and Future Options Report by Urban Enterprise.

Summary

Consultants Urban Enterprise were engaged by Council to investigate the strategic merits of why Council would consider upgrading the Australian National Surfing Museum (ANSM) as a key tourism destination.

The full report is provided as Appendix 1 and a summary provided as Appendix 2.

In developing the report consultation was undertaken and included discussions with representatives from surfing businesses, Surfing Victoria, Tourism Victoria, Regional Development Victoria, Great Ocean Road Regional Tourism and Torquay Commerce and Tourism.

The report suggests the market potential for an enhanced ANSM concept is limited within the niche theme of surfing. Case studies of other museums and interpretive centres demonstrate that even an expanded ANSM with high quality exhibits, interpretation and experiential elements is only likely to achieve visitation of around 40,000 - 60,000 visitors per annum.

This finding prompted an investigation of the broader opportunity available to Torquay, the Surf Coast Shire and the Great Ocean Road region in establishing a gateway experience to the Great Ocean Road. The great opportunity for ANSM is to be incorporated as part of a Great Ocean Road gateway experience that provides a hub for commencement of the Great Ocean Road journey and a central place to disperse visitors to other attractions in Surf Coast Shire and the Great Ocean Road region. This type of experience is estimated to attract 260,000 – 350,000 people per year.

The report highlights the broader Great Ocean Road gateway concept as the preferred option to investigate in greater detail.

Further feasibility, concept development and business case work is required to progress the gateway concept further.

Recommendation

That Council:

1. Note the Australian National Surfing Museum Strategic Assessment and Future Options Report by Urban Enterprise.
2. Endorse option three 'Great Ocean Road Gateway Experience' as the preferred option, undertake a detailed analysis of the attributes of this option in partnership with Great Ocean Road Regional Tourism and receive a report on the findings of this work by March 2017.
3. Incorporate the 'Great Ocean Road Gateway Experience' as a peak project in Council's advocacy plan.

3.3 Australian National Surfing Museum - Strategic Assessment & Future Options

Report

Background

The Council Plan 2013 – 2017 contains action 5.3.8 'Investigate opportunities of expanding the Australian National Surfing Museum as an integrated experience'.

In line with this, consultants Urban Enterprise were engaged by Council to undertake a strategic assessment of options for the ANSM. The purpose of the report is to provide Council with information to assess the merit of pursuing options for an enhanced ANSM facility in the future, with a view to progressing to a more detailed analysis of a preferred option as a next stage.

In exploring the merits of various options for the ANSM there was a deliberate intention to not focus on aspects such as location, but rather identify why a particular option should be pursued.

Discussion

Located in Surf City, the ANSM first opened in December 1993 as 'SurfWorld Museum' with the objective to tell the story of Australia's rich beach culture and surfing heritage that has developed over the last one hundred years.

Since its opening the ANSM has experienced a general decline in visitations from 1994 (21,705 visitors) to 2015 (11,987 visitors).

While technology, product and visitor expectations for an experience have all changed markedly since 1993, the experience at the museum has remained relatively the same as at the time of opening. Predominantly the experience is dominated by static displays of surfing memorabilia and surf boards.

Informing Context

The following context was considered to form the strategic objectives and identification of potential options for the ANSM as part of developing the report.

In 2015 the Great Ocean Road region attracted 4.8 million visitors with a large proportion of the visitor market being a daytrip market. Almost 2 million visitors travelled along the Great Ocean Road in 2015.

There is strong support for the 12 Apostles and the Great Ocean Road due to the significant economic contribution the destination brings to Victoria. However, this expenditure could be increased via longer length of stay and enhanced interpretation.

Surf Coast Shire attracted 1.8 million visitors in 2015, 55% of which were daytrip visitors, 43% domestic over-night visitors and 2% international visitors.

Torquay attracted 759,011 visitors in 2015, 53% of which were domestic daytrip visitors, 45% overnight visitors and 2% international visitors. In recent years length of stay in Torquay has reduced.

Torquay marks the official gazetted start of the Great Ocean Road. However, the construction of the Geelong Ring Road has caused many touring visitors to bypass Torquay and start their journey on the Great Ocean Road in Anglesea.

Discussions with retailers from the Surf City precinct in Torquay and Torquay Commerce and Tourism anecdotally suggest that this has caused a 10% reduction in sales revenue, which is likely due to a reduction in incidental touring visitation revenue.

Previous research conducted as a survey of 500 Victorians reveals only 34% of visitors associated Torquay with being the start of the GOR and a further 44% did not know where the GOR started.

Attractions which tended to generate significant visitation were those that offered a unique and compelling experience that the visitor becomes immersed in, for example the Penguin Parade at Phillip Island where visitors can witness first-hand the penguins coming onto the beach and learn more about the surrounding natural environment. This is the kind of experience that becomes a 'highlight' of the visit.

3.3 Australian National Surfing Museum - Strategic Assessment & Future Options

The surf industry forms a significant component of Surf Coast Shires economy with the greater Surf City precinct conservatively receiving 1 million visits annually. This figure includes local residents and multiple visits by the same people.

The visitor segments for 'surfing' and 'museums' has less appeal to the broader visitor market than the Great Ocean Road itself.

Recent upgrades to several retail outlets in Surf City has greatly lifted the product offering and the visitor experience.

A brand hierarchy exists whereby the Great Ocean Road, 12 Apostles and Bells Beach hold international and national status while the ANSM has very low levels of awareness, even in Victoria.

Strategic Objectives

Urban Enterprise identified four strategic objectives arising out of consultation, analysis, benchmarking and consideration of context. The strategic objectives form a critical component in understanding why Council would pursue a particular option and also serve as a test for the merits of each option.

The four strategic objectives that follow align with regional and State strategies as well as support comments made by key stakeholders in the consultation phase.

1. To change the nature of visitation along the Great Ocean Road from a day trip to a multi-night journey.
2. To grow visitor yield in Surf Coast and Great Ocean Road region through increased length of stay and expenditure.
3. To create an experience and brand that compels visitors to start their Great Ocean Road journey in Torquay.
4. To integrate and express the unique surf history and culture of Torquay into the Great Ocean Road Experience in a way that complements 'Surf City'.

Potential Options

The report identifies three options for consideration and assesses their merits against the strategic objectives. The options are highlighted below.

Option 1: Minimal change to the ANSM. This option would see the ANSM maintain its current building footprint. The ANSM would remain largely a static experience however the information provided will utilise digital technology better. Exhibits and exhibitions would be improved.

Greater collaboration with Surf City retail outlets would be undertaken. Wayfinding to the ANSM and marketing efforts would be boosted to increase visitation.

Under this option visitation would likely increase to 15,000 – 20,000 visitors per annum and be a result of visitors who had an active interest in surfing history and culture. The attraction of these additional visitors to Torquay to intentionally visit to see the ANSM, or stay longer as a result of visiting the ANSM, is estimated to boost employment by 6 – 13 jobs in the region.

Option 2: New and Improved ANSM. This option would result in the ANSM expanding its footprint (potentially double current size) to offer a higher quality, purpose designed space, collocated with the Torquay Visitor Information Centre so that it has higher exposure to visitors and is a more appealing destination to visit.

The exhibition space would be increased to cater for improved and more regular exhibitions as well as more space allocations to tell the story of the unique surfing history and culture that exists along the Surf Coast.

The use of technology would be a key improvement and integrate with static and interactive displays to generate an immersive experience for those seeking to appreciate the significance of surfing in the region. As in option 1 greater links with the surf industry and enhanced wayfinding would be undertaken to pull a greater portion of the 1 million visitors into the ANSM who visit the precinct.

3.3 Australian National Surfing Museum - Strategic Assessment & Future Options

Under this option annual visitation is estimated to increase to 30,000 – 40,000 visitors as a result of a more compelling experience. It is also envisaged that school visitation would increase due to an enhanced educational product. Modelling suggests that this increase in visitation and resultant expenditure would create an estimated 27 – 40 additional jobs in the region.

Option 3: Great Ocean Road Gateway Experience. Option 3 acknowledges that there is a significant opportunity to establish a visitor gateway to the Great Ocean Road region in Torquay. This option acknowledges that an expanded ANSM on its own will have limitations in its attraction of visitors. It also acknowledges that there is opportunity for Torquay to strengthen its position as a starting point for the Great Ocean Road journey and pull in visitors who currently bypass Torquay on the Geelong Bypass.

This option provides significant opportunity to align with regional and state objectives for increasing visitor yield, length of stay and visitor dispersal across the region by playing a key role in reframing the Great Ocean Road journey. Under this option the Great Ocean Road gateway concept would be the major element with the ANSM playing an important but subservient role. Importantly the ANSM component would complement the experience now on offer by the major retail brands as Surf City.

Through leveraging the significant existing brand recognition of the Great Ocean Road and complementing it with Surf Coast Shire's unique surfing history and culture this option would appeal to a far greater audience than a pure ANSM and create an experience that acts as the 'must do' starting point for the Great Ocean Road journey.

The visitor and economic benefits of option would extend well beyond Surf Coast Shire for the full extent of the Great Ocean Road and as a result generate significant regional employment outcomes.

Under option 3 it is envisaged annual visitation to the gateway concept would reach between 260,000 – 350,000 visitors each year and as a result in an additional 350 – 460 jobs in the region.

Strategic Benefits of Option 3

Under Option 3 Urban Enterprise highlight the several opportunities which have benefits for Torquay, Surf Coast and the Great Ocean Road Region including:

- Reframing the Great Ocean Road Journey via the establishment of a clear starting point in Torquay which educates visitors on the array of opportunity.
- Moving from a one day drive to the 12 Apostles to an immersive journey that can be undertaken by many modes (driving, cycling and walking). For example completing the journey via the Surf Coast Walk, Great Ocean Walk and Great South Walk and experiencing the townships along the way.
- Experiencing the Great Ocean Road journey by activity preferences:
 - Indigenous culture
 - The ocean
 - Dining/seafood experience
 - Nature based experience
 - Indulgence.
- Creating multiple experiences and memories beginning in Torquay and a need to come back and experience the journey in a different mode.
- Incorporating the surfing aspect as a key experience in Torquay to start the journey.

While Options 1 and 2 hold some benefits their narrow focus on a purely surfing visitor market reduces its appeal and therefore ability to generate significant economic outcomes. When aligned with the strategic objectives outlined above Options 1 and 2 do not rate as favourably as Option 3. Discussions held with Tourism Victoria, Regional Development Victoria, Great Ocean Road Regional Tourism and Great Ocean Road Coastal Committee indicate Option 3 is well aligned with several state and regional strategies to achieve increased visitor yield.

As such it is recommended Council undertake further research into developing the concept and subsequent business case of Option 3.

3.3 Australian National Surfing Museum - Strategic Assessment & Future Options

Next Steps

This phase has identified the need to potentially look beyond a specific expansion on the ANSM to generate a significant destination in Torquay. Should Council endorse Option 3 as the preferred option the next steps would involve undertaking more detailed analysis of the key features of Option 3 in terms of the key experiential components and the business case behind doing so. Council has budgeted \$50,000 in 2016 – 2017 to undertake further analysis.

Financial Implications

Council budgeted \$30,000 (GST excl) for the project in 2015 - 2016. The Cost of the cost of the project was \$29,300 (GST Excl). Council has budgeted \$50,000 in 2016 – 2017 to undertake further analysis.

Council Plan

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

Policy/Legal Implications

There are no legal or policy ramifications associated with this report. Great Ocean Road Regional Tourism and Tourism Victoria have both indicated the findings are consistent with their objectives.

Officer Direct or Indirect Interest

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

Risk Assessment

There are no risks associated with this report. A budget allocation in 2016 – 2017 to implement the next phase of the project is available.

Social Considerations

The surf industry was consulted as part of exploring the merits of an expanded ANSM

Community Engagement

In developing the report a range of consultation was undertaken and included representatives from surfing businesses, Surfing Victoria, Tourism Victoria, Regional Development Victoria, Great Ocean Road Regional Tourism and Torquay Commerce and Tourism, Councillors and Council staff.

Environmental Implications

There are no environmental implications associated with this report.

Communication

Key stakeholders who provided input will be advised of the outcome of the Council meeting.

Conclusion

Consultants Urban Enterprise has completed a strategic assessment of potential options regarding the ANSM.

The report highlights that there is an opportunity to appeal broader visitor market than would be achieved by only focussing on an expanded ANSM offering, and identifies the preferred option of a broader Great Ocean Road gateway experience. The ANSM would be a sub component of the broader experience (Option 3).

Option 3 has the potential to add significant value to the Great Ocean Road journey by creating a unique, informative and unmissable immersive experience and entrench Torquay as the must experience Start of The Great Ocean Road.

It is recommended Option 3 be explored in more detail as part of the next phase involving concept development.

3.4 Development Plan 12 Merrijig Drive Torquay (Torquay North Childrens Centre)

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

General Manager: Rowena Frost (Acting)
File No: 16/0219
Trim No: IC16/720

Appendix:

1. Torquay North Children's Centre Development Plan Response (D16/51869)

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 next stage of the Torquay North Development Plan. The stage of the plan for consideration relates to 12 Merrijig Drive Torquay.

Summary

An application has been made for approval of the next stage of the Torquay North Development Plan. The stage for consideration relates to 12 Merrijig Drive Torquay and once approved, will facilitate the use and development of the Torquay North Children's Centre.

The development plan stage achieves the requirements of Schedule 8 to the Development Plan Overlay and is consistent with the Outline Development Plan for Torquay North.

Recommendation

That Council approve the revised Development Plan for 12 Merrijig Drive Torquay pursuant to Clause 43.04 of the Surf Coast Planning Scheme.

3.4 Development Plan 12 Merrijig Drive Torquay (Torquay North Childrens Centre)

Report

Background

An application has been made for approval of a Development Plan stage for 12 Merrijig Drive Torquay to facilitate the use and development of the Torquay North Children's Centre.

An application for a planning permit has been received to use and develop of the children's centre on the identified location. A permit can only be granted if it is consistent with the approved development plan.

Discussion

The Torquay North growth area is covered by Schedule 8 to the Development Plan Overlay (DPO8). Under the DPO a development must be prepared and approved before a permit may be granted to use, develop or subdivide the land. Any subsequent proposal must also be generally in accordance with the approved development plan.

A development plan may be approved in stages and a number of stages have been approved for most of the area covered by DPO8 including the land being developed as the Quay 2 estate. However the land north of Quay 2, owned by Surf Coast Shire, has not been included in previous stages of the approved development plan.

This proposed development plan stage covers the area between Quay 2 and Merrijig Drive and will facilitate the development of this land for the Torquay North Children's Centre.

The underlying zoning of this area is General Residential Schedule 1 (GRZ1). The proposed children's centre is not a defined use and as an innominate use is permissible in the GRZ1. It is considered that the proposed location for the children's centre is appropriate for the following reasons:

- Non-residential uses in the GRZ1 should serve local community needs. Whilst it might also attract users from outside the local area, this location is most likely to serve the emerging residential area of Torquay North.
- There will be a significant population within walking distance.
- The location clusters the use with the other civic services provided by Council from the municipal offices, Grant Pavilion and sporting fields.
- The location on the intersection of two collector roads will minimise traffic incursion into local residential streets.

Financial Implications

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

Council Plan

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

Policy/Legal Implications

This development plan stage is consistent with the Torquay – Jan Juc Strategy at Clause 21.08 of the Surf Coast Planning Scheme including the policies of:

- Facilitate new residential growth in Torquay North up to South Beach Road, north-west of Messmate Road up to the ridgeline and to the west in Spring Creek Valley up to one kilometre west of Duffield's Road.
- Develop community hubs within close proximity to all major and neighbourhood centres that provide multi-use facilities and shared spaces.
- Ensure services and facilities are distributed effectively amongst the established and new growth areas and cater for different life stages, from early years to ageing in place.

Officer Direct or Indirect Interest

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

3.4 Development Plan 12 Merrijig Drive Torquay (Torquay North Childrens Centre)

Risk Assessment

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

Social Considerations

The development plan, including this stage, provides for planned residential development within Torquay North supported by a range of non-residential uses and the Torquay North Neighbourhood Activity Centre on Fischer Street. Detailed design is managed through the planning permit application process.

Community Engagement

The *Planning & Environment Act 1987* and the Surf Coast Planning Scheme do not include legislated requirements to undertake public notice of applications for the approval of development plans. However Council policy is to exhibit proposed development plans. Exhibition of the development plan stage between 7 June 2016 and 5 July 2016 has not attracted any submissions.

Environmental Implications

The proposed changes to the development plan are unlikely to have any environmental implications.

Communication

Approved development plans are provided for public viewing on Council's website.

Conclusion

The development plan stage meets the requirements of Schedule 8 to the Development Plan Overlay and facilitates the development of the Torquay North Children's Centre. It is recommended that the plan be approved.

4. CULTURE & COMMUNITY

4.1 MAV State Council Motions 9 September 2016

Author's Title: Manager Community Relations

General Manager: Chris Pike

Department: Community

File No: F15/1007

Division: Culture & Community

Trim No: IC16/690

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 adopt Council's motions for the Municipal Association of Victoria (MAV) State Council Meeting on 9 September 2016.

Summary

Council is again presented with the opportunity to put forward motions to the MAV State Council. The MAV State Council is MAV members' opportunity to raise motions of business for consideration by the MAV to progress them as advocacy actions and to inform the MAV's strategic work plan.

The two most relevant issues for Surf Coast Shire at the State Council meeting on 9 September include retention of Rural Access program funding and advocating for improved public transport services.

The Victorian Department of Health and Human Services (DHHS) has funded Rural Access programs in Surf Coast Shire and many other councils for over a decade. This program has delivered important outcomes for community members with disability and has improved Surf Coast Shire Council's awareness of the needs of people with disability.

The funding model for the Rural Access program is likely to change as funds transfer from the State Government to the Federal Government under the National Disability Insurance Scheme (NDIS) in the future. Funding for the Rural Access program and the benefits to our community may be at risk from this transition.

Public transport is a key issue for Surf Coast Shire residents and community members in rural areas across the state. Surf Coast Shire is active in the G21 Transport Pillar and supports the Public Transport Strategy 2014 which aims to increase the use of public transport to reduce traffic congestion, improve the environment and overcome social isolation.

Recommendation

That Council put the following motion to the MAV State Council Meeting on 9 September 2016:

1. That the MAV advocate to the State Government to ensure that funding is secured for the Rural, Metro and Deaf Access programs currently funded through the Victorian Department of Health and Human Services when funding transitions to the National Disability Insurance Scheme.
2. That the MAV advocate to Public Transport Victoria to develop a policy on regional public transport service levels for smaller communities and trial a flexible service that uses smaller vehicles.

4.1 MAV State Council Motions 9 September 2016

Report

Background

The MAV State Council provides member Councils the opportunity twice annually to put forward motions to influence MAV's advocacy priorities and inform the MAV strategic work plan.

All MAV member Councils have the opportunity to put forward motions at the State Council meeting. An electronic voting system determines which motions are carried and become resolutions of the MAV State Council. Resolutions are assessed by the MAV Board to determine how they will be progressed.

At the State Council meeting on 13 May 2016, Surf Coast Shire Council put forward the following motions:

1. That the MAV continue to advocate to the State Government to appropriately fund services that are state government responsibility that are delivered by local government.
2. That the MAV seek a commitment from the State Government to work in partnership with the sector on a reform program in response to the challenges and opportunities presented by the Fair Go Rates system including initiatives in digital transformation and shared services.

These motions were considered at the May State Council Meeting with the motions by other Victorian municipalities, and both motions were carried.

Discussion

MAV State Council provides an important advocacy avenue for Council. State Council Motions may not have an immediate impact to the operation of Councils who put them forward. However, the MAV is an influential organisation and Council should seek to leverage MAV's ability to advocate on our behalf for issues of regional and state significance.

Motion 1

DHHS has funded Rural Access programs in Councils including Surf Coast Shire for over a decade. This has enabled Surf Coast Shire to deliver outcomes for local people with disability and has helped Council develop strong access and inclusion strategic plans. Programs such as Enabling Women leadership programs, reTHINK disABILITY community campaign and International Day of People with Disability have been possible through Rural Access funding.

Rural Access programs are important for local people with disability as they connect individuals with opportunities throughout the community participate more equally in community life. The Rural Access program has raised awareness about the importance of our community creating equal opportunities for people with a disability. Many Victorian Councils have improved access and inclusion practices for people with a disability as a direct result of the Rural Access (and equivalent Metro and Deaf Access) programs.

DHHS funding of Rural, Metro and Deaf Access Programs is assured to 30 June 2017, however State Government funding for these programs is likely to cease in the coming years. The money that has funded these programs will transition from the State Government to the Federal Government via the NDIS in the future.

The current DHHS funding model to local government is inconsistent with NDIS's funding model that provides funds to individuals who then pay for programs and services of their choosing. In rural areas, these programs and services are harder to find and NDIS participants may find it difficult to find these opportunities. There is a risk that Councils will no longer receive funding for Rural Access programs in the future under the NDIS.

Motion 2

Surf Coast Shire and the G21 region is experiencing steady population growth. Public transport has an important role in providing access to education, employment and social activities for community members. Access to transport is directly linked isolation (social and economic) in the region.

Limited public transport exists in Surf Coast Shire. The G21 Transport Pillar has the goal to increase utilisation of public transport. In turn, this contributes to reducing traffic congestion, improving the environment, and overcoming social isolation. Recent public transport trials in the region, including a buss loop connecting Moriac to Geelong and Torquay; have not continued in recent years.

4.1 MAV State Council Motions 9 September 2016

Internationally and elsewhere in Australia, setting minimum levels of service is a common policy approach to identifying a base level of service. Victoria introduced a minimum service level for Melbourne bus services in 2006, but there is not a minimum level of service for G21 region communities. (G21 Transport Strategy, 2014) Public Transport Victoria establishing clear guidelines for levels of services will make it easier for communities to understand public transport provision and usage expectations to support ongoing viability.

Flexible service trials that use smaller vehicles in rural areas will reduce costs while still catering for the level of passengers on these services and may make these services more economically viable.

Financial Implications

Surf Coast Shire Council currently receives \$47,679 from the State Government to deliver the Rural Access program. This funds salary costs, event costs, communication to the community and support for Council's All Abilities Advisory Committee.

Changes to the funding model could have a negative impact on Council's financial position and may require decisions to be made on how to deliver future programs.

Council Plan

Theme	2 Governance
Objective	2.4 Transparency in decision making and access to information
Strategy	2.4.3 Ensure decision-making is as transparent as possible.
Theme	2 Governance
Objective	2.6 Advocate on behalf of our community
Strategy	2.6.3 Influence decision makers to secure positive outcomes for the community

Policy/Legal Implications

Advocating via the MAV is an effective way to influence Government policy.

Under the Victorian Disability Act (2006), councils are required to have an Access and Inclusion Plan. Surf Coast Shire Council adopted the current plan in 2015 and the DHHS funding is helping Council deliver this ten year plan.

Officer Direct or Indirect Interest

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

Risk Assessment

No significant risks are likely by determining the MAV State Council motions. A broad advocacy risk is the more issues Council advocates for, the more diluted the advocacy effort becomes. This risk also exists for the MAV each time more motions are added at State Council meetings. The risk of not determining MAV State Council Motions is that an opportunity could be missed to advocate on behalf of the Surf Coast community.

Social Considerations

Access and inclusion issues affect many people in Surf Coast Shire. Many people with a disability and their carers often find it hard to access community facilities, programs, built and natural environments. Surf Coast Shire has committed to addressing our community's access and inclusion needs and aspirations. The current funding supports Council to deliver a community that is accessible and inclusive for local residents and visitors alike.

Community Engagement

Council has not directly engaged the community on this issue. Council's highly active All Abilities Advisory Committee are fully committed to seeing Council deliver on the Accessible and Inclusive Strategic Plan and would object to reduction in funding to access programs.

The G21 Public Transport Strategy 2014 was informed by community consultation across the G21 region.

Environmental Implications

Increase in the use of public transport will have a positive on the environment as less people rely of cars for transport reducing emissions and the use of fuels.

4.1 MAV State Council Motions 9 September 2016

Communication

The motion will be communicated to the MAV via email. Council will communicate the MAV State Council motion to the community via communication channels which may include the website and media articles.

Conclusion

The recommended motions are significant issues that affect Surf Coast Shire. Putting forward these motions to the MAV State Council is an effective way for Council to leverage MAV's ability to advocate on our behalf.

4.2 State Disability Plan Submission

Author's Title: Manager Community Relations

General Manager: Chris Pike

Department: Community

File No: F15/790

Division: Culture & Community

Trim No: IC16/802

Appendix:

1. Victorian State Disability Plan Submission Letter from Council (D16/65806)

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 submission to the State Disability Plan 2017-2020.

Summary

The Minister for Housing, Disability and Ageing, The Hon. Martin Foley released a discussion paper inviting submissions to the State Disability Plan 2017-2020.

The discussion paper was informed by engagement the State Government undertook with people with a disability, peak bodies, local governments and the Victoria Disability Advisory Council.

The ambition of the State Disability Plan articulated in the discussion paper is a better Victoria for people with a disability. The discussion paper outlines themes and poses questions to find out what submitters think can make the biggest difference for people with a disability.

The Surf Coast Shire submission describes Council's commitment to improving the lives of people with a disability through its Accessible and Inclusive Strategic Plan. Council's submission identifies that there are shared responsibilities for these improvements across government entities, community organisations and businesses.

Due to the deadline for submissions being prior to this Council meeting, officers sought Councillors' input prior to lodging Council's submission on 6 July 2016.

Recommendation

That Council ratify the submission to the Victoria State Disability Plan 2017-2020 submitted on 6 July 2016.

4.2 State Disability Plan Submission

Report

Background

The vision of the State Disability Plan 2017-2020 is:

We want a better Victoria for people with a disability

The Discussion Paper identifies four themes:

1. Active citizenship
2. Rights and equality
3. Economic participation
4. Making the most of the National Disability Insurance Scheme (NDIS)

The discussion paper invites comments on these four themes. It asks if these themes are the most important or if there are others that should be raised. There is also a section on how to drive outcomes for people with a disability and what can be measured to understand the impact of the plan.

The discussion paper was drafted after consultation in 2015. Surf Coast Shire's submission was lodged on the due date of 6 July 2016.

Discussion

Council's submission supports the vision of the State Disability Plan and endorses the four themes in the discussion paper.

The discussion paper is consistent with Council's ten year Accessible and Inclusive Strategic Plan which was adopted in January 2015. In this plan, Council demonstrates its commitment to an inclusive community where all people, including people with a disability, are active citizens, have equal rights and have access to economic outcomes.

Council's submission includes a summary of the Surf Coast Shire Strategic Plan and offers suggestions on the four themes in the discussion paper. The Surf Coast Shire submission also includes suggestions for driving outcomes in the state plan by describing the evaluation measures in place for Council's Strategic Plan.

Council's submission identifies that while governments have a key part to play in improving the lives of people with a disability, community organisations and businesses can also play a vital role.

Access to reliable transport is an issue that appears regularly in the submission as it impacts on many of the themes raised in the discussion paper. Access to services for people with a disability in regional and rural areas is another key issue addressed in Surf Coast Shire's submission.

In the section about making the most of the NDIS, Council's submission states community building roles - such as the state funded Rural Access program - are essential to ensure each community promotes and protects the rights of people with a disability and actively supports their participation and engagement.

The submission strongly recommends that Rural Access programs are ideally placed to deliver the Information, Linkages and Capacity Building (ILC) component of the NDIS. Council's submission would like to see the State Disability Plan strongly recommend that councils are ideally placed and receive funding through the NDIS to deliver the ILC.

Financial Implications

The submission strongly recommends that council continues to receive funding via the NDIS to deliver the ILC program. Surf Coast Shire Council currently receives \$47,679 from the State Government to deliver the Rural Access program. This submission is another opportunity to advocate for continued government support for this important community building program as funding transitions from State to Federal Government.

4.2 State Disability Plan Submission

Council Plan

Theme 2 Governance
Objective 2.6 Advocate on behalf of our community
Strategy 2.6.3 Influence decision makers to secure positive outcomes for the community

Policy/Legal Implications

This submission aims to influence State Government policy to improve the lives of people with a disability in Surf Coast Shire and in this state.

Officer Direct or Indirect Interest

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

Risk Assessment

No significant risks are likely by providing this submission to the State Disability Plan. If Council did not make a submission it would forego the opportunity to influence this important piece of policy.

Social Considerations

Access and inclusion issues affect many people in Surf Coast Shire. This submission aims to improve the lives of people with a disability and their carers. Surf Coast Shire continues to affirm its commitment to addressing our community's access and inclusion needs and aspirations.

Community Engagement

Council's All Abilities Advisory Committee reviewed the discussion paper and members provided considered input into this submission.

Environmental Implications

There are no significant environmental implications in making this submission.

Communication

The submission was communicated to the State Government via email on 6 July 2016. The All Abilities Advisory Committee were provided a copy of the submission soon after it was submitted.

Conclusion

Council's submission to the State Disability Plan 2017-2020 is consistent with the commitment to improve the lives of people with a disability and their carers. The submission supports the discussion paper's vision, endorses the themes and makes suggestions that support people with a disability in Surf Coast Shire.

5. MINUTES

5.1 Section 86 Committee Minutes

Author's Title: Administration Officer - Governance & Risk **General Manager:** Chris Pike

Department: Governance & Risk **File No:** F16/284

Division: Governance & Infrastructure **Trim No:** IC16/744

Appendix:

1. Anderson Roadknight Reserve Committee Minutes - 9 May 2016 (D16/61057)
2. Connewarre Reserve and Hall Committee Minutes - 14 June 2016 (D16/61126)
3. Deans Marsh Memorial Park & Hall Committee Minutes - 24 May 2016 (D16/61121)
4. Eastern Reserve Committee Minutes - 21 March 2016 (D16/61093)
5. Globe Theatre Committee Special Meeting Minutes - 21 March 2016 (D16/61139)
6. Globe Theatre Committee Minutes - 24 May 2016 (D16/61118)
7. Hearing of Submissions Committee Minutes - 12 July 2016 (IC16/783)
8. Modewarre Reserve & Hall Committee Minutes - 18 May 2016 (D16/61070)
9. Planning Committee Minutes - 6 & 27 June 2016 (D16/63435)
10. Stribling Reserve Committee Minutes - 20 June 2016 (D16/61141)

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 note the minutes of the Section 86 Committee meetings as appended.

Summary

The minutes provided in this report are draft unless otherwise identified. Committees do not re-issue minutes if any corrections are made at the time of adoption, rather note these corrections in the agenda item confirming adoption of the minutes at the following committee meeting.

Any corrections to draft minutes of material significance made by the committees will be provided to Council for noting in a subsequent report.

Recommendation

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

- Anderson Roadknight Reserve Committee – 9 May 2016
- Connewarre Reserve and Hall Committee – 14 June 2016
- Deans Marsh Memorial Park & Hall Committee – 24 May 2016
- Eastern Reserve Committee – 21 March 2016
- Globe Theatre Committee – 21 March 2016 and 24 May 2016
- Hearing of Submissions Committee – 12 July 2016
- Modewarre Reserve & Hall Committee – 18 May 2016
- Planning Committee – 6 June 2016 and 27 June 2016
- Stribling Reserve Committee – 20 June 2016

5.2 Advisory Committee Minutes

Author's Title: Administration Officer - Governance & Risk **General Manager:** Chris Pike

Department: Governance & Risk

File No: F16/285

Division: Governance & Infrastructure

Trim No: IC16/787

Appendix:

1. All Abilities Advisory Committee (AAAC) Minutes - 28 June 2016 (D16/63939)

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 Advisory Committee meetings as appended.

Summary

The minutes provided in this report are draft unless otherwise identified. Committees do not re-issue minutes if any corrections are made at the time of adoption, rather note these corrections in the agenda item confirming adoption of the minutes at the following committee meeting.

Any corrections to draft minutes of material significance made by the committees will be provided to Council for noting in a subsequent report.

Recommendation

That Council receive and note the minutes of the All Abilities Advisory Committee held on 28 June 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: IC16/776

Appendix:

1. Assembly of Councillors - Agenda Review - 28 June 2016 (D16/60647)
2. Torquay Major Landholdings Study - 5 July 2016 (D16/65684)
3. Assembly of Councillors - Council Briefing - 5 July 2016 (D16/63406)
4. Assembly of Councillors - Council Briefing - 12 July 2016 (D16/63707)

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 – 28 June 2016
- Torquay Major Landholdings Study – 5 July 2016
- Council Briefing – 5 July 2016
- Council Briefing – 12 July 2016

7. URGENT BUSINESS/PETITIONS/NOTICES OF MOTION

7.1 Petition Requesting Surf Coast Shire Council reject Application number 16/0125 - 1160 Horseshoe Bend Road, Torquay and ensure that the construction of a petrol station is not permitted on Fischer Street, Torquay

Author's Title: Executive Assistant

General Manager: Rowena Frost (Acting)

Department: Environment & Development

File No: 16/0125

Division: Environment & Development

Trim No: IC16/803

Appendix:

1. Petition (D16/66454)

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 petition requesting that Council reject application number 16/0125 - 1160 Horseshoe Bend Road, Torquay and ensure that the construction of a petrol station is not permitted on Fischer Street, Torquay.

The petition consists of 117 signatures (as at 13 July 2016). Council should note that this is an online petition which is still active and is likely the numbers of signatures will increase up until Council considers this report.

Recommendation

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

1. Receive and note the petition requesting that Council reject application number 16/0125 - 1160 Horseshoe Bend Road, Torquay and ensure that the construction of a petrol station is not permitted on Fischer Street, Torquay.
2. Agrees that the petition be considered as a submission to planning application number 16/0125 - 1160 Horseshoe Bend Road, Torquay and that no separate report will be presented to Council.

8. IN-CAMERA

Recommendation

That Council pursuant to section 89(2)(d) contractual matters, section 89(2)e proposed developments, section 89(2)(f) legal advice and section 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

8.2 Special Event Request

8.3 Update on Winchelsea Property Acquisition and Turf Wicket matters

Recommendation

That:

1. The resolution and report pertaining to In-Camera items 8.1 and 8.2 remain In Camera.
2. Points 3 and 4 of the resolution pertaining to In-Camera item 8.3 be made public and points 1 and 2 and the report remain In Camera.
3. Council open the meeting to the public at pm.

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