



Agenda

Ordinary Meeting of Council
Tuesday, 28 June 2016

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

Commencing at 6.00pm

Council:

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

AGENDA FOR THE ORDINARY MEETING OF SURF COAST SHIRE COUNCIL
TO BE HELD IN THE COUNCIL CHAMBERS, 1 MERRIJIG DRIVE, TORQUAY
ON TUESDAY 28 JUNE 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 24 May 2016, the Special meeting of Council held on 31 May 2016, and the Special meeting of Council held on 14 June 2016, as correct records of the meetings.

LEAVE OF ABSENCE REQUESTS:

CONFLICTS OF INTEREST:

Note to Councillors and Officers

Declaration of Interest

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

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

A person has a direct interest if:

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

A person has an indirect interest if the person has:

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

Disclosure of Interest

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

PRESENTATIONS:

PUBLIC QUESTION TIME:

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1. OFFICE OF THE CEO

1.1 Monthly Finance Report May 2016 - Project Variations

Author's Title: Coordinator Management Accounting	CEO: Keith Baillie
Department: Finance	File No: F15/973
Division: Office of the CEO	Trim No: IC16/676

Appendix:

1. Project Variations May 2016 (D16/55835)

Officer Direct or Indirect Conflict of Interest:

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

Yes

No

Reason: Nil

Status:

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

Yes

No

Reason: Nil

Purpose

To receive and approve the project variations for May 2016.

Summary

The project variations for May 2016 are included.

Recommendation

That Council approve the project variations for May 2016 transferring a net of \$20,802 to the accumulated unallocated reserve, \$1,859,749 to the adopted strategy reserve, \$384,667 to the DCP Council Funds Reserve and varying projects with a \$0.00 cost to Council as listed in the May Finance Report.

1.1 Monthly Finance Report May 2016 - Project Variations

Report

Background

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

Discussion

The proposed project variations are outlined in the attachment.

Financial Implications

The proposed project variations are outlined in the attachment.

Council Plan

Theme	2 Governance
Objective	2.4 Transparency in decision making and access to information
Strategy	2.4.2 Provide relevant and easy to understand financial information to the community.

Policy/Legal Implications

Not Applicable.

Officer Direct or Indirect Interest

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

Risk Assessment

Not Applicable.

Social Considerations

Not Applicable.

Community Engagement

Not Applicable.

Environmental Implications

Not Applicable.

Communication

Not Applicable.

Conclusion

It is recommended that Council approve the project variations for May 2016.

1.2 SCS-028 Depreciation of Property, Infrastructure and Plant and Equipment

Author's Title: Coordinator Management Accounting **CEO:** Keith Baillie
Department: Finance **File No:** F16/895
Division: Office of the CEO **Trim No:** IC16/683

Appendix:

1. Depreciation of Property Plant and Equipment (D16/27616)

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 consider an updated Depreciation of Property, Infrastructure and Plant and Equipment policy.

Summary

Officers have completed the annual process of reviewing the useful lives and depreciation methods of major asset classes and has adjusted the useful lives in five categories.

Recommendation

That Council endorse the updated Depreciation of Property, Infrastructure and Plant and Equipment policy SCS-028.

1.2 SCS-028 Depreciation of Property, Infrastructure and Plant and Equipment

Report

Background

Under Accounting Standard AASB 116 Property, Plant and Equipment, Council must depreciate the value of its assets over their useful lives. This represents the systematic allocation of the cost of the asset over the period it is expected to be available for use. Council must reassess the useful lives, remaining useful lives and the residual values of major asset classes annually. Depreciation rates and methods must also be reviewed annually.

Discussion

Useful lives are a best estimate based on design and construction standards, historic data and benchmarking. After reviewing the useful lives the following asset categories have had their useful lives updated:

Road Pavements was 10 – 90 years; now 16 – 100 years

Seals is now identified separately with a life of 15 – 30 years

Footpaths was 5 – 70 years; now 20 – 65 years

Drainage and Sewerage now has a separate life for septic tanks of 30 years

Recreation, Leisure and Community Facilities now has a separate life for ovals of 40 years

Bridges now has a separate life for heritage bridges of 150 years

Financial Implications

As depreciation is a non cash transaction there will be no change to Council's cash position.

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

Meet Accounting Standards.

Officer Direct or Indirect Interest

No officers involved in the development of this report have a conflict of interest with the matter.

Risk Assessment

Meet Accounting Standards.

Social Considerations

There are no social considerations related to this report.

Community Engagement

Not Applicable.

Environmental Implications

Not Applicable.

Communication

The details of this policy will form part of Note 1 Significant Accounting Policies in the financial section of the annual report.

Conclusion

It is recommended that Council adopt policy SCS-028 Depreciation of Property, Infrastructure and Plant and Equipment.

2. GOVERNANCE & INFRASTRUCTURE

2.1 Review of the Council Plan 2013 - 2017

Author's Title: Coordinator Corporate Planning

General Manager: Anne Howard

Department: Governance & Risk

File No: F12/1213

Division: Governance & Infrastructure

Trim No: IC16/466

Appendix:

1. Council Plan 2013 - 2017 - Update 30 June 2016 (D16/56699)

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 review and adopt the revised Council Plan 2013 – 2017 (including Strategic Resource Plan 2016/17 to 2019/20).

Summary

Council is required under Section 125 of the Local Government Act 1989 (the Act) to review its Council Plan (the Plan) at least once in each financial year to consider if it requires any adjustment relating to strategic objectives, strategies, strategic indicators.

Section 126 of the Act also states that a Council must review the Strategic Resource Plan during the preparation of the Council Plan and adopt the Strategic Resource Plan no later than 30 June each year.

The 2016 – 2017 financial year is the final year of the current Council Plan which was amended in June 2015 following a mid-term review.

Following Council Elections in October 2016, the Council must prepare and approve a Council Plan by 30 June 2017.

Recommendation

That Council:

1. Affirm that objectives, strategies and/or strategic indicators in the Council Plan 2013 – 2017, as adopted in June 2015, are still relevant for Council and community for the final year of the Council Plan.
2. Endorse the amended wording of “Our Vision” in the Council Plan 2013 – 2017 to read “An engaged, innovative and sustainable community”.
3. Endorse the inclusion of the “Council Purpose” and “Organisational Direction” statements in the Council Plan 2013 – 2017.
4. Resolve to adopt the revised Council Plan 2013 – 2017 (including Strategic Resource Plan 2016/17 to 2019/20) as included at Appendix 1.

2.1 Review of the Council Plan 2013 - 2017

Report

Background

Section 125 of the Act states that:

- (2) A Council Plan must include:-
- (a) the strategic objectives of the Council;
 - (b) strategies for achieving the objectives for at least the next 4 years
 - (c) strategic indicators for monitoring the achievement of the objectives;
 - (d) a Strategic Resource Plan containing the matters specified in section 126;
 - (e) any other matters which are prescribed by the Regulations.

Section 125 of the Act also requires that:

- (7) At least once in each financial year, a Council must consider whether the current Council Plan requires any adjustment in respect of the remaining period of the Council Plan.
- (8) Subject to subsections (9) and (10), a Council may make any adjustment it considers necessary to the Council Plan.
- (9) A person has a right to make a submission under section 223 on a proposed adjustment to a Council Plan which relates to a matter specified under subsection (2)(a), (2)(b) or (2)(c).
- (10) If a Council makes an adjustment to the Council Plan the Council must, within 30 days of making the adjustment, advise the Minister of the details of the adjustment to the Council Plan.

Section 126 of the Act requires that:

- (2) The Strategic Resource Plan must include:-
- (a) Financial statements describing the required financial resources in the form and containing the information required by the regulations;
 - (b) Statements describing the required non-financial resources, including human resources, in the form and containing the information required by the regulations.

In addition the Act also specifies that:

- (3) Council must:
- (a) Review the Strategic Resource Plan during preparation of the Council Plan; and
 - (b) Adopt the Strategic Resource Plan no later than 30 June each year.

Following adoption of the Council Plan (including the Strategic Resource Plan) Section 125(11) of the Act requires that:

- (11) A copy of the current Council Plan must be available for inspection by the public at—
- (a) the Council office and any district offices; and
 - (b) any other place required by the regulations.

Discussion

The Council Plan 2013 – 2017 (including Strategic Resource Plan) is the key corporate document that provides direction to the operations of Council, as well as articulating to the community what Council hopes to achieve during its elected term.

In accordance with Section 125 (7) of the Act at least once every financial year Council must consider if the current Council Plan requires amendment.

Where a proposed adjustment relates to either of the following attributes of the Council Plan a 28 day section 223 submission process applies:-

- (a) the strategic objectives of the Council
- (b) strategies for achieving the objectives for at least the next 4 years;
- (c) strategic indicators for monitoring the achievement of the objectives;

Council conducted a mid-term review of the Plan 2013 – 2017 in early 2015 and consequently an amended Plan (including the Strategic Resource Plan 2015/16 to 2024/25) was adopted by Council on 9 June 2015. This review was aimed at delivering on the needs and aspirations of the Surf Coast community.

2.1 Review of the Council Plan 2013 - 2017

Council has informally considered the Plan with officers in recent months and identified that the strategic objectives, strategies and/or strategic indicators in the current Plan are still relevant for Council and community. The discussion did however identify a desire to revise the wording to Council's Vision as captured in the Plan. It is proposed that the "Our Vision" in the current Plan be amended to read "An engaged, innovative and sustainable community", with the words "Working towards" to be deleted from the previous vision statement.

In addition to minor amendments to the Vision, it is proposed that Council include a Purpose Statement and Organisational Direction Statement in the revised Council Plan.

In December 2015 staff and councillors completed an extensive process to articulate a statement that spells out Council's purpose. This was tested with our community in June 2016 and it is now proposed that the following statements be included in the revised Council Plan.

Council Purpose Statement

Help our community and environment to thrive.

Organisational Direction Statement

Our Organisation will be an innovative and flexible leader, and a constructive partner, that values the strengths of others' a place where people can do their best and be proud of their achievements.

Research shows that organisations with a clear sense of purpose perform better than those that don't. Although not many Councils' articulate their purpose, as a provider of more than 100 distinct services it is important that Council leverages opportunities to enable it to perform better and better serve our community.

Also included in a Council Plan is a Strategic Resource Plan that includes the resources required to achieve the strategic objectives of Council for at least the next 4 financial years must be included in the Council Plan.

The draft Budget 2016 – 2017 which is currently on public exhibition as part of the Section 223 submission process includes a four-year Strategic Resource Plan.

Following Council adoption of the Budget 2016 – 2017 the Strategic Resource Plan will be incorporated into the current Council Plan.

If there are no changes to the strategic objectives, strategies and/or strategic indicators in the current Council Plan, the revised Council Vision, Council Purpose and Organisational Direction Statements, and the Strategic Resource Plan can be incorporated into the electronic version of the Plan and presented to Council for adoption on 28 June 2016 No further 28 day Section 223 submissions process would apply.

Financial Implications

Considerable Councillor and staff resources were applied to facilitation of the mid-term review and production of the June 2015 amendment to the Council Plan 2013 – 2017. Minimal costs would be associated with updating the "Our Vision" and the Strategic Resource Plan section of the Council Plan 2013 – 2017.

Council Plan

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

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

2.1 Review of the Council Plan 2013 - 2017

Policy/Legal Implications

Section 125 (7) of the Local Government Act 1989 states that "At least once in each financial year, a Council must consider whether the current Council Plan requires any adjustment in respect of the remaining period of the Council Plan".

Officer Direct or Indirect Interest

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

Risk Assessment

There is a risk associated with not reviewing and where necessary updating the Plan due to its role in confirming the strategic goals and activities of Council. Reviewing the plan is also a legislated requirement in accordance with the Act.

Social Considerations

The strategic goals of Council, as articulated in the Plan, are aimed at delivering on the needs and aspirations of the Surf Coast community. It is important that these are current to maximise community outcomes.

Community Engagement

The original Council Plan 2013 – 2017 was developed in 2013 following extensive community consultation.

The community were also engaged in the mid-term review of the current Council Plan adopted by Council in June 2015.

Further Community engagement was conducted June 2016 in response to the development of the draft Council Purpose and Organisational Direction Statements.

Environmental Implications

Printed versions of the Plan are kept to a minimum to reduce the impact on the environment with stakeholders being encouraged to access the electronic version of the Plan via Council's website.

Communication

The current Council Plan 2013 – 2017 is available to the public on the website together with quarterly progress updates against actions to deliver the Plan.

Conclusion

That Council review and resolve to adopt the draft revised Council Plan 2013 – 2017 (including the Strategic Resource Plan) in accordance with Section 223 of *Local Government Act 1989*.

2.2 Council Delegations to Council Staff and Council's Planning Committee

Author's Title: Coordinator Governance & Procurement

General Manager: Anne Howard

Department: Governance & Risk

File No: F15/1076

Division: Governance & Infrastructure

Trim No: IC16/621

Appendix:

1. Delegations and Authorisation Service Template - P - VIC - S6 - Staff Package - Delegation - Council to Members - DELS6 (D15/55896)
2. Delegations and Authorisation Service Template - P - VIC - C5 - Committee Package Instrument of Delegation - Council to Planning Committees - DELC5 (D15/55885)

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 Delegation from Council to members of staff and to the Surf Coast Planning (Section 86) Committee, 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, which provides a more detailed and up to date framework. A thorough review of delegations is now underway including the CEO's, Municipal Building Surveyor's and Council delegations. This report includes delegation from Council to Council staff and to Council's Planning Committee. Delegations from the CEO to staff are now also being reviewed and will be completed in the next few months.

The earlier draft delegations were presented to EMT for review on 2 March 2016 and Council Briefing for information on 12 April 2016. A Council Report was presented to Council on the 26 April 2016; however, Council deferred the Instrument of delegations for further discussions.

The revised draft Instrument of Delegation from Council to Council staff and to the Surf Coast Planning (Section 86) Committee was presented to EMT for review on 8 June 2016 and Council Briefing on 14 June 2016.

Recommendation

That Council approve the Instruments of Delegation from Council to Council Staff as shown in Appendix 1 and Council to Surf Coast Planning Committee as shown in Appendix 2.

2.2 Council Delegations to Council Staff and Council's Planning Committee

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.

Discussion

In 2015 Council subscribed to Maddocks delegations service, which is used by most other Councils in Victoria, which provides a more detailed and up to date framework. A thorough review of delegations is now underway including the CEO's, Municipal Building Surveyor's and Council delegations. This report includes delegations from Council to Council staff and to Council's Planning Committee. Delegations from the CEO to staff are now also being reviewed and are expected to be completed in the next few months.

The earlier draft delegations were presented to EMT for review on 2 March 2016 and Council Briefing for information on 12 April 2016. A Council Report was presented to Council on the 26 April 2016; however, Council deferred the Instrument of delegations for further discussions.

The revised draft Instrument of Delegation from Council to Council staff and to the Surf Coast Planning (Section 86) Committee was presented to EMT for review on 8 June 2016 and Council Briefing on 14 June 2016.

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.

2.2 Council Delegations to Council Staff and Council's Planning Committee

Communication

Changes to the current delegations will be communicated internally. It is proposed that a summary of delegations be developed for each position that can be attached to the position description.

Conclusion

By carrying out a complete review of its delegations Council will ensure that the Instrument of Delegations from Council to Council staff and to its respective Section 86 Committees are up to date and within their responsibilities and levels of authority.

2.3 Petition Requesting Investigation of Feasibility of Public Transport for Moriac

Author's Title: Acting Manager Engineering Services **General Manager:** Anne Howard

Department: Governance & Infrastructure **File No:** F12/1984

Division: Governance & Infrastructure **Trim No:** IC16/594

Appendix:

Nil

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 provide an update to a petition which was tabled at the 24 May 2016 Ordinary Council Meeting.

Summary

A petition was tabled at the 24 May 2016 Ordinary Council Meeting which requested Council to facilitate an initial meeting between interested Moriac residents and representatives of Public Transport Victoria (PTV) seeking support from PTV to investigate the feasibility of a regular transport service for Moriac. Initial contact has been made with PTV who has agreed to convene a meeting following their investigation of the request. PTV will issue invitations to appropriate Council staff to attend.

Recommendation

That Council write to the first-named petitioner advising that Council has contacted Public Transport Victoria (PTV) and it has advised that PTV will commence investigations into the feasibility of a regular public transport service for Moriac and has committed convening a meeting with residents following this investigation.

2.3 Petition Requesting Investigation of Feasibility of Public Transport for Moriac

Report

Background

A petition was tabled at Council's 24 May 2016 Ordinary Meeting which requested Council facilitate an initial meeting between interested Moriac residents and representatives of PTV to gain PTV support to investigate the feasibility of a regular public transport service for Moriac

Discussion

In August 2014 the G21 Transport Pillar completed a G21 Public Transport Strategy. As part of the Strategy there was significant community consultation and engagement that did identify some key actions which included "*Advocate to PTV to develop a policy on regional public transport service levels for smaller communities*". Although this action has not been implemented, it aligns with the request in the petition.

It was also noted in the strategy that a Moriac summer bus loop connecting Moriac to destinations in Geelong and Torquay had previously been trialled and averaged fewer than two passengers per trip, and as such was not continued. However, Council will request PTV undertake a new trial given the time that has passed and that there is now new community support for a review of public transport services in Moriac.

Initial contact has been made with PTV and they are willing to organise a meeting to discuss the issue.

Financial Implications

There are no financial implications for Council as the service is provided by State Government.

Council Plan

Theme 4 Infrastructure
Objective 4.3 Enhance key rural and coastal roads and transport options
Strategy 4.3.3 Public transport needs assessment with proposed solutions.

Policy/Legal Implications

The request aligns with the August 2014 G21 Public Transport Strategy, specifically Action 1 of Access for All which is to "*advocate to PTV to develop a policy on regional public transport service levels for smaller communities*."

Officer Direct or Indirect Interest

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

Risk Assessment

Not applicable.

Social Considerations

Moriac currently does not have any public transport service. This could provide a valuable service if it is supported by the community.

Community Engagement

The community have united through the petition to voice their request for assistance of Council to facilitate some engagement with PTV.

Environmental Implications

Public Transport is an important service that improves our environment and the community's health and wellbeing.

Communication

Council will write to the head petitioner advising of its recommendation.

Conclusion

As this request has come through a petition with significant signatures for a small community, and as it aligns with the G21 Public Transport Strategy, it is considered important that Council supports this community with their request for Council to facilitate some engagement with PTV.

3. ENVIRONMENT & DEVELOPMENT

3.1 Towards Environmental Leadership Program

Author's Title: Manager Environment & Community Safety

General Manager: Kate Sullivan

Department: Planning & Environment

File No: F16/192

Division: Environment & Development

Trim No: IC16/578

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 launch the interactive digital Towards Environmental Leadership Program.

Summary

In 2015 Council advised that it wanted the Surf Coast Shire to be known internationally as environmental leaders. The Towards Environmental Leadership Program has been created to recognise existing achievements, to build on them and set directions for the future.

The Program is Council's first paper free, digital and interactive Program. It has been created with input from key community members and groups including Council's Environment and Rural Advisory Panel (ERAP). It is both a community and Council Program.

Whilst the environmental opportunities in the Shire are very broad, three themes and four projects under these themes have been identified as the Program focus on for the next 12-18 months. Community and Council activities will also continue within other environmental themes and these will be captured by the Program.

The Program includes adopting the One Planet Framework to provide the credible metrics and accountability that can help benchmark Surf Coast Shire performance against international standards. In adopting this framework Council is joining many leading government and private organisations from across the globe using One Planet to guide their environmental programs.

Recommendation

That Council:

1. Launch the interactive digital Towards Environmental Leadership Program.
2. Endorse the Program's three key themes, four priority projects and use of the One Planet Framework as the focus for the next 12-18 months.

3.1 Towards Environmental Leadership Program

Report

Background

Council exists to help our community and environment to thrive. Environmental leadership is central to who we are. Council and the community have achieved significant environmental outcomes already and there is much more to be done.

In 2015 Council advised that it wanted the Surf Coast Shire to be known internationally as environmental leaders. The *Towards Environmental Leadership Program* has been created to recognise existing achievements, to build on them and set directions for the future.

This Program has involved considerable community engagement and involved consultation with Council's Environment and Rural Advisory Panel (ERAP) and representatives from Surf Coast Energy Group (SCEG), Surf Coast Air Action (SCAA), (Surfers Appreciating the Natural Environment) SANE, Landcare groups and networks, our community garden members and an online community survey. Three Program development stages have now been completed.

Stage 1 - Testing concepts and understanding best practice. September 2015 – Jan 2016

Stage 2 - Revise concepts based on feedback and identify key themes. Feb-March 2016

Stage 3 - Consultation on a draft program of works with key stakeholders and online survey. April-May 2016

Council is undergoing an environmentally responsible digital transformation. This is the first Council Program to be delivered in a paper free, digital and interactive format. The approach will provide a clear direction setting and enable the Program to be easily updated, enhanced and reported on over time.

Discussion

The environmental opportunities in the Shire are very broad, three themes and four projects within these themes have been identified in the Program to focus on for the next 12-18 months. Community and Council activities will continue within other environmental themes and these will also be captured by the Program.

Research has been undertaken on what other environmental leaders are doing, including how they measure their performance. To help reach the high standards that Council and the community expects, the Program includes adopting the One Planet framework to provide the credible metrics and accountability that can benchmark actual performance against international standards. In adopting this framework Council is joining many leading government and private organisations from across the globe using the One Planet framework to guide their environmental programs. The framework is comprehensive and will be applied across all of Council's services and activities.

One Planet Framework

There are 10 One Planet Principles. Under the Program, the proposed 2016/17 work program is aligned with three One Planet Principles that are considered to be of high interest to Council and the community - Renewable Energy, Local and Sustainable Food and Land Use and Wildlife. .

Renewable Energy Theme - Project 1 – 25% by 2020 Renewable Energy Task Force

Council will establish a Task Force of renewable energy leaders to work in partnership with Council, community and industry to develop an action plan for the municipality of the Surf Coast Shire to enable it to meet or exceed the state government's proposed target of a least 25% renewable energy by 2020 (revised June 15, 2016).

Local and Sustainable Food Theme – Project 2 – Local Food Strategy

The Local Food Strategy will consider and respond to climate change pressures on local farmers, food security including affordability, accessibility, competition, nutrition education and the issue and opportunities for building our local food economy.

Land Use and Wildlife Theme – Project 3 – Rural Hinterland Futures

This project will explore broad opportunities for the most appropriate land uses within the rural hinterland area in line with zone provisions and the ability/opportunity for designated areas to support those opportunities.

3.1 Towards Environmental Leadership Program

With a particular focus on sustainable economic development practices in the context of a climate adaptation lens, the project will develop a land use profile, identify the value of the rural hinterland to Surf Coast Shire's economy and the challenges and opportunities for the hinterland, analyse climate resilient communities and develop key principles to feed into the Permanent Town Boundary project and Planning Scheme. The local food strategy will be a key feed into this project.

Land Use and Wildlife Theme – Project 4 - Permanent Town Boundaries

This project will work towards having clear and permanent town boundaries in Surf Coast Shire particularly around Torquay and Jan Juc. The project will assess the impact of continued growth on the environment and coastal township character, inclusive of an assessment of continued growth on the Tourism Town status. This will include exploring how to direct growth to other areas in the Shire, such as Winchelsea. A key feed into this project will be the Rural Hinterland Strategy outlining the importance of the economic and environmental aspects of the hinterland areas.

The Link to the *Towards Environmental Leadership Program*: surfcoastshire.sequencedigital.com.au will be activated on the 29 June 2016.

Financial Implications

This program has been allocated \$255,000 base expenditure in the 2016/17 budget. This includes the following breakdown allocated to 3 projects:

- Environmental Leadership Program Resourcing and 25% by 2020 Taskforce: \$150,000
- Rural Hinterland: \$75,000
- Permanent Town Boundaries: \$30,000

In addition the Local Food Strategy Project is currently underway. The project cost of \$20,000 is funded by a 2015/16 Council project budget allocation and a State Government matching grant.

This funding, along with existing in-kind community and Council resources is sufficient to deliver the 2016/17 program. Additional external funding grants will also be explored as opportunities arise.

Council Plan

Theme 1 Environment
Objective 1.3 Leadership in innovative environmental practices
Strategy Nil

Theme 1 Environment
Objective 1.2 Pursue alternative energies
Strategy 1.2.2 Support community programs that aim to make solar power accessible and cost-effective for residents and businesses.

Theme 1 Environment
Objective 1.3 Leadership in innovative environmental practices
Strategy 1.3.4 Develop initiatives with other community groups to enhance sustainable local food production and consumption.

Policy/Legal Implications

This program complies with current legislation and has no foreseeable legal implications.

Officer Direct or Indirect Interest

There are no conflict of interest issues

Risk Assessment

There are no foreseeable risks with the endorsement of this program

Social Considerations

This program will help to build positive social outcomes through the collaborative delivery of environmental and sustainability programs.

3.1 Towards Environmental Leadership Program

Community Engagement

The community engagement undertaken to assist develop this Program has been summarised previously. A communications strategy has been developed to promote awareness of the program and to encourage community collaboration in its implementation.

Environmental Implications

The environment will be enhanced over the short and long term by the adoption and delivery of this Program.

Communication

Once adopted the program will be launched on the Shire website and regular updates will be provided as projects are undertaken.

Conclusion

In 2015 Council advised it wanted the Surf Coast Shire to be known internationally as an environmental leader. The Towards Environmental Leadership Program has been created to recognise existing achievements, to build on them and set directions for the future. It has been created with input from key community members and groups including Council's ERAP, it is both a community and Council Program.

Whilst the environmental opportunities in the Shire are very broad, three themes and four projects under these themes have been identified as the Program focus for the next 12-18 months. Community and Council activities will also continue within other environmental themes and these will also be captured by the Program. It will enable Council and the community to make positive steps towards being recognised as international environmental leaders.

To help reach the high standards that Council and the community expects, the Program includes adopting the One Planet framework to provide the credible metrics and accountability that can help benchmark actual performance against international standards.

The Program is Council's first paper free, digital and interactive Program. This approach will provide a clear direction while also enabling the Program to be easily updated, enhanced and reported on over time.

3.2 Funding Agreements - Great Ocean Road Regional Tourism

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

Department: Planning & Environment **File No:** F15/1008

Division: Environment & Development **Trim No:** IC16/259

Appendix:

1. Funding Agreement - Surf Coast Shire Council & Great Ocean Road Regional Tourism 2016 - 2019 (D16/47913)
2. Heads of Agreement Surf Coast Shire Council & Great Ocean Road Regional Tourism 2016-17 (D16/45679)

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 Section 77(2)(c):

Yes

No

Reason: Nil

Reason: Nil

Purpose

To approve two funding agreements between Council and Great Ocean Road Regional Tourism Limited.

Summary

Great Ocean Road Regional Tourism Limited (GORRT) is the Regional Tourism Association for the Great Ocean Road region. The region stretches from Torquay to the South Australian border and covers all coastal local government areas including the Surf Coast Shire, Colac Otway Shire, Moyne, Corangamite, Warrnambool and Glenelg.

GORRT is seeking to confirm two funding agreements which include a three year funding agreement from all partner Councils from 1 July 2016 to 30 June 2019 inclusive and a one year funding agreement between GORRT and Surf Coast Council from 1 July 2016 to 30 June 2017 on behalf of Surf Coast commercially rated properties who have paid the commercial and industrial differential rate to Surf Coast Shire Council.

The agreements define the services / outputs that will be delivered by GORRT in return for specified funding by Surf Coast Shire Council.

The combined agreements total \$150,976 (+GST) in 2016/ 2017 with the following breakdown:

- A Council contribution of \$75,976 (+GST) and;
- A Council contribution of \$75,000 (+GST) to GORRT on behalf of commercially rated businesses in Surf Coast Shire in exchange for an Essentials Package membership by way of a Heads of Agreement.

Further negotiations regarding the structure of the one year agreement will be conducted in 2016/17. The three year funding agreement will extend to 2017/18 and 2018/19 financial years and include annual increases of the lesser of the advised rate cap or CPI.

Given that significant Council resources are directed towards tourism, it is appropriate that agreements with GORRT outlining the expectations and KPIs that relate to this funding are clearly defined.

The agreements are included as Appendices to this report.

Recommendation

That Council:

1. Approve the Funding Agreement between Surf Coast Shire Council and Great Ocean Road Regional Tourism 2016 – 2019 for execution by the Chief Executive Officer effective from 1 July 2016, including the allocation of \$75,976 per annum plus annual indexation (+GST) from Council's Economic Development & Tourism budget for the Funding Agreement for the 2016/17, 2017/18 and 2018/19 financial years inclusive.

3.2 Funding Agreements - Great Ocean Road Regional Tourism

2. Approve the Heads of Agreement between Surf Coast Shire Council and Great Ocean Road Regional Tourism 2016 – 2017 totalling \$75,000 (+GST) for execution by the Chief Executive Officer effective 1 July 2016.
3. Note the negotiations to take place regarding the future structure of the Council payment on behalf of commercially rated businesses under the Heads of Agreement.

3.2 Funding Agreements - Great Ocean Road Regional Tourism

Report

Background

Great Ocean Road Regional Tourism (GORRT) is the Regional Tourism Association for the Great Ocean Road region. The region stretches from Torquay to the South Australian border and includes all coastal local government areas including the Surf Coast Shire, Colac Otway Shire, Moyne, Corangamite, Warrnambool and Glenelg.

GORRT's role is to work with the local municipalities, local tourism associations, Visit Victoria and local tourism and tourism related operators. Their aim is to work collaboratively in order to make the Great Ocean Road Region the destination of choice and help the region prosper. GORRT activity is guided by the Great Ocean Road Regional Tourism Board, a strategic three year business plan and a Strategic Master Plan for the Great Ocean Road Region Visitor Economy 2015-2025.

Historical Agreement

On 24 September 2013, Council resolved to:

1. Support in principle the formation of Great Ocean Road Regional Tourism Ltd (GORRT).
2. Appoint Cr Goldsworthy as its representative on GORRT.
3. Note that Council's annual financial contribution will not exceed \$75,000 (plus CPI) for the first three years.

The current funding agreement between Council GORRT will expire on 30th June 2016 and requires renewal.

Council also established a Heads of Agreement for the period from 1 July 2014 to 20 June 2015 to continue a historical working arrangement between Council and the previous Regional Tourism Board (Geelong Otway Tourism) following a recommendation from the previous Surf Coast Tourism Board, a former section 86 advisory committee to Council.

Under this arrangement, Council provided GORRT \$75,000 on behalf of commercially rated businesses who register with GORRT to receive 'business services' (including a display of their brochures in Visitor Information Centres and to be listed on the official tourism websites).

These two payments made Council's total contribution to GORRT approximately \$150,000 per annum in 2015/ 2016.

At its meeting on 23 June 2015, Council reviewed the role of the Surf Coast Tourism Board and, by association, the role of both Council and Great Ocean Road Regional Tourism in the context of tourism industry partnerships. Council ceased the operation of the Surf Coast Tourism Board and as such it does not form part of ongoing discussions.

Council's CEO was appointed as a representative of the Surf Coast Shire Council on the GORRT Board at its 8 December 2015 Council meeting.

Discussion

GORRT is seeking to confirm two funding agreements.

- i. A three year funding agreement from all partner Councils from 1 July 2016 to 30 June 2019 inclusive
- ii. A one year Heads of Agreement between GORRT and Surf Coast Council on behalf of commercially rated businesses in Surf Coast Shire in exchange for an Essentials Package membership.

The agreements define the services / outputs that will be delivered by GORRT in return for specified funding by Surf Coast Shire Council and would apply from 1 July 2016.

It should be noted that Surf Coast Shire Council is the only Council to have an additional Heads of Agreement with GORRT due to the differential rate levy for commercial businesses.

Three Year Agreement

The three year agreement will commence on 1st July 2016 and extend to 30th June 2019. The agreement contains the three key sections including a Program Description, Terms & Conditions of Agreement and Schedule One.

3.2 Funding Agreements - Great Ocean Road Regional Tourism

The Program Description identifies key deliverables required by both GORRT and Council and outlines a range of Key Performance Indicator's to be achieved.

The Terms and Conditions, covers the scope, reporting requirements, terms and conditions of the agreement surrounding GORRT's obligations.

Within Schedule One the GORRT Strategic Plan 2016 – 2019 and GORRT Annual Business Plan are key reference documents.

The Strategic Plan identifies 10 ten distinct strategic priority areas identified below. Each priority area contains a strategy, action and measure of success as well as timing.

1. Strategic Planning
2. Infrastructure Development
3. Investment Attraction
4. Product Development
5. Industry Development
6. Marketing & International Marketing
7. Partnerships
8. Visitor Management
9. Industry & Community Engagement
10. Crisis Management

Schedule one also outlines the funding commitment, reporting and payment schedule for the \$75,976 contribution.

Heads of Agreement

In addition to the above proposed three year funding agreement Surf Coast Shire Council will provide a \$75,000 payment on behalf of businesses which have paid the commercial and industrial rate differential for the 1st July 2016 – 30th June 2017 period.

The proposed Heads of Agreement provides commercially rated businesses with access to an Essentials package which enables a choice of website promotions, access to placing brochures in Visitor Information Centres and the ability to send 20% of their membership to their identified local trader group.

The Heads of Agreement is for one year only 2016/17 and it is intended that discussions be held with GORRT in the 2016/17 financial year to identify a suitable model moving forward.

Financial Implications

The proposed agreements between Council and GORRT will commit Council to a funding contribution of \$150,976 per annum (+GST) in 2016/17.

The key components are:

- A Council contribution of \$75,976 (+GST) for the first year of a three year agreement; and
- A Council contribution of \$75,000 (+GST) to GORRT on behalf of commercially rated businesses in Surf Coast Shire in exchange for an Essentials Package membership by way of a Heads of Agreement.

Annual indexation of the \$75,976 three year agreement will also apply for the 2017/18 and 2018/19 financial years and will be the lesser of the advised rate cap or CPI.

The above amounts have been included in the 2016 – 2017 budget.

Council Plan

Theme 5 Development and Growth
Objective 5.3 Develop and grow sustainable year round tourism
Strategy 5.3.5 Encourage collaboration with all tourism businesses, associations and Great Ocean Road Tourism.

3.2 Funding Agreements - Great Ocean Road Regional Tourism

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 proposal will clearly define the responsibility of GORRT and Council in a working relationship and provides a framework for transparent reporting on Council's investment and guidance on dispute resolution.

Officer Direct or Indirect Interest

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

Risk Assessment

The notable risks associated with not implementing the recommendations contained in the report include financial, human resources, operational and reputational risks. In addition, no formal agreement with GORRT places the stability of the regional tourism body at risk.

The identified risks are best managed through the proposed written agreements which contain proper governance arrangements and a clear understanding of service delivery expectation with GORRT.

Social Considerations

There are no anticipated impacts on the community or specific community groups as a result of implementing the recommendations contained in the report. The agreement is between GORRT and Council. The Local Tourism & Trader associations and tourism related businesses located within the Surf Coast Shire have an interest in this agreement, however they have their own agreements directly with GORRT.

Community Engagement

Within the agreement Council staff will provide input into various projects undertaken by GORRT.

Environmental Implications

There are no environmental implications contained in this report.

Communication

The agreements will be signed by both parties and following the signing of the agreements, the decision will be communicated via media release, website and newsletter to local businesses.

Conclusion

The two agreements presented will provide clarity for both GORRT and Council on service delivery expectations.

Given that significant Council resources are directed towards tourism, it is appropriate that an agreement with GORRT outlining the expectations and KPIs that relate to this funding are clearly defined.

The three year funding agreement between Council and Great Ocean Road Regional Tourism for the period 2016 to 2019 represents the next step in the integration of GORRT into the region's tourism industry structure.

The one year Heads of Agreement between GORRT and Surf Coast Shire on behalf of commercially rated businesses in Surf Coast Shire provides access to an Essential package membership for the 2016/17 financial year. Discussions will take place with GORRT regarding the structure of this Heads of Agreement.

It is recommended Council approves the agreements for execution by the chief executive officer.

3.3 Amendment C99 and Planning Permit Application 14/0287 - 305 Great Ocean Road, Jan Juc

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

General Manager: Kate Sullivan
File No: F15/1232
Trim No: IC16/540

Appendix:

1. C99 Panel Report (D16/42167)
2. Draft Planning Permit No. 14/0287 (D16/47110)
3. Planning Permit Application Assessment - Officer's Report (D15/10531)

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 Panel Report on Planning Scheme Amendment C99 and Planning Permit Application 14/0287 and to adopt the Amendment.

Summary

Planning Scheme Amendment C99 and Planning Permit Application 14/0287 seek to rezone land at 305 Great Ocean Road, Jan Juc from Farming Zone to Low Density Residential Zone and subdivide the land into 16 lots. The land is located within the Torquay-Jan Juc settlement boundary and is identified for future low density residential development.

The amendment and planning permit application were publicly exhibited from 5 November 2015 to 7 December 2015. A total of nine (9) submissions were received, including four (4) from referral authorities offering no objection (subject to conditions), one from the proponent in support of the application and four (4) submissions objecting to the rezoning and subdivision. Key issues raised in submissions relate to the proposed density/lot sizes, loss of vegetation and wildlife, landscape and visual impacts, traffic and access, bushfire risk, strategic justification and the need for more housing.

All submissions were considered by an independent panel appointed by the Minister for Planning. The Panel recommends that the Amendment be adopted as exhibited and that a permit be granted as exhibited but with a number of changes as outlined in the Panel report.

Recommendation

That Council:

1. Receive and note the Panel Report on Planning Scheme Amendment C99 and Planning Permit Application 14/0287 for land at 305 Great Ocean Road, Jan Juc.
2. Adopt Planning Scheme Amendment C99 as exhibited.
3. Recommend to the Minister for Planning to grant Planning Permit No. 14/0287 for staged subdivision of the land, removal of native vegetation and subdivision of land adjacent to a Road Zone Category 1 subject to conditions as included in Appendix 2.
4. Submit the adopted amendment and revised planning permit to the Minister for Planning for Approval.

3.3 Amendment C99 and Planning Permit Application 14/0287 - 305 Great Ocean Road, Jan Juc

Report

Background

Planning Scheme Amendment C99 (the amendment) and associated Section 96A Planning Permit Application 14/0287 (the application) seek to rezone land at 305 Great Ocean Road, Jan Juc from Farming Zone to Low Density Residential Zone (LDRZ) and subdivide the land into 16 lots ranging from 4,000m² to 7,959m².

The amendment and application were publicly exhibited from 5 November 2015 to 7 December 2015. A total of nine (9) submissions were received, including four (4) from referral authorities offering no objection (subject to conditions), one from the proponent in support of the application and four (4) submissions objecting to the rezoning and subdivision. Key issues raised in submissions relate to the proposed density/lot sizes, loss of vegetation and wildlife, landscape and visual impacts, traffic and access, bushfire risk, strategic justification and the need for more housing.

At the 28 January 2016 meeting Council resolved to refer the submissions to an independent panel to be appointed by the Minister for Planning. The Panel held a public hearing on 21 March 2016 and heard from Council, the proponent and two submitters. The report of the Panel was received on 2 May 2016 and has been made public pursuant to Section 26 of the Planning and Environment Act 1987.

Discussion

The Panel report provides a considered response to the key issues raised in submissions. The Panel recommends that the amendment be adopted as exhibited and that a permit be granted as exhibited but with changes as outlined in the Panel report. The Panel makes the following conclusions and recommendations:

- **Strategic justification:** The Amendment is supported by, and implements, the relevant sections of the State and Local Planning Policy Framework and there is strong strategic support for the proposed rezoning to LDRZ. The site is located within the settlement boundary and has been specifically identified for future low density residential development.
- **Landscape impacts:** The Amendment/Application will not have a significant impact on the heritage listed Great Ocean Road and the Bells Beach Surfing Recreation Reserve; and will not have a significant impact on the landscape amenity or character of the area. The establishment and maintenance of the proposed 15 metre wide landscape buffers along the road frontages, combined with retention of existing vegetation in the south-east corner of the site, will be critical and the height of future buildings should be limited to 7.5 metres. The Panel recommends extension of the maintenance period for landscaping from 2 years to 5 years and payment of a bond (value to be determined by Council) to ensure early establishment and survival of the landscaping).
- **Vegetation:** The proposed subdivision will not result in any unacceptable removal of vegetation; and any vegetation to be removed will be appropriately offset and adequately compensated by the indigenous landscaping in the proposed landscape buffers. The Panel recommends retention and protection of the four scattered trees that were previously proposed to be removed, and also notes, and accepts, that an as yet unknown extent of native vegetation within the Bells Boulevard road reserve will need to be removed to facilitate the intersection works required by VicRoads (to be confirmed through further detailed design work). The Panel considers this can be adequately addressed through a permit condition that deals with vegetation offsets and notes that, based on a worst case footprint of the intersection works, the total extent of vegetation removal will be less than originally proposed with the recommended retention of the four scattered trees (removal of 0.144ha instead of 0.343ha).
- **Stormwater management:** Initial concerns around stormwater management raised by the Corangamite Catchment Management Authority (CCMA) have been adequately addressed through permit conditions, including the requirement for an amended stormwater management plan. This will ensure that stormwater run-off from the proposed subdivision will be managed to the satisfaction of the CCMA and Council and will not have an adverse impact on water quality of the waterway that traverses the site.
- **Lot size/density:** The proposed lot sizes and density are consistent with the policy framework and provisions of the LDRZ and are an appropriate response to the features and characteristics of the site. The Panel is not convinced that there is a strategic imperative to increase the size of the lots above the 0.4ha minimum as requested by submitters, given the site has very little vegetation cover, does not have high landscape values that need to be protected through larger lots, all lots are capable of containing wastewater, and the site does not share the same characteristics as the Bells Boulevard precinct where a 1.5ha minimum lot size applies.

3.3 Amendment C99 and Planning Permit Application 14/0287 - 305 Great Ocean Road, Jan Juc

The Panel considers that the site is able to accommodate lots within the specified lot range, and with the proposed landscape buffers and the restrictions on built form in terms of height and siting, the proposed lot sizes are considered appropriate.

- **Traffic and access:** Following the finalisation of the intersection treatment on Bells Boulevard required by VicRoads the proposed subdivision will not have any adverse traffic, access and safety impacts. The anticipated traffic volume of 150 vehicles per day is not considered excessive. The Panel recommends that Council review the speed limit along this section of Bells Boulevard if speeding is an issue.
- **Bushfire risk:** The proposed subdivision is not located within an area specifically identified as being of high fire risk and is not affected by a Bushfire Management Overlay. It incorporates appropriate bushfire management measures to manage any potential bushfire risk, including a 20 metre separation distance to the proposed landscape buffers, the siting of building envelopes beyond BAL-29 setbacks, and road network and water supply requirements to CFA standards.

The Panel conclusions and recommendations are consistent with Council's assessment of the amendment/application and all recommendations are generally accepted. The Panel recommends several changes to the Draft Planning Permit and these have been incorporated in the version of the permit included in Appendix 2, some of these are in modified form in some instances to improve clarity and consistency.

A merits assessment of the planning permit application is provided at Appendix 3.

Financial Implications

This is a privately funded amendment request with no cost to Council. The proponent has entered into an agreement with council to cover all statutory costs relating to processing the amendment and planning permit application, including panel costs.

Council Plan

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

Policy/Legal Implications

Ministerial Direction No. 15 (The Planning Scheme Amendment Process) requires a planning authority to make a decision on the amendment within 40 business days of the date it receives the Panel report.

Council must make a decision to adopt or abandon the amendment under Sections 28 and 29 of the Planning and Environment Act 1987 and submit an adopted amendment to the Minister for Planning for approval.

Officer Direct or Indirect Interest

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

Risk Assessment

There are no risks to Council associated with either adopting or abandoning the amendment.

Social Considerations

The development will increase the availability of low density residential lots in a desirable location.

Submitters have raised issues around the impact of development on landscape values, and the 'culture' and 'soul' of Torquay. The proposed landscape buffers are intended to enhance the identified valued landscape amenity of the area. The buffers will contribute to the important vegetated character of the area, while screening views to future residential development from Bells Boulevard and the Great Ocean Road.

The proposal will change the western rural interface to some degree with five new lots abutting the western boundary, however it is considered that the size of these lots (from 4,000m² to 5981m²) combined with existing boundary vegetation and generous building envelope setbacks (approx. 10m) will limit any adverse impacts on amenity, landscape values and any agricultural use that may be conducted on the adjoining property.

3.3 Amendment C99 and Planning Permit Application 14/0287 - 305 Great Ocean Road, Jan Juc

Community Engagement

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

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

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

Submitters were given an opportunity to address Council's Hearing of Submissions Committee on 19 January 2016 and to be heard by the Panel.

Environmental Implications

A land capability assessment was prepared to assess environmental risks associated with wastewater disposal. The assessment demonstrated that all lots are capable of treating and retaining wastewater.

The flora and fauna assessment prepared to support the application identifies that the site is mostly highly modified with remnant vegetation limited to the south-east corner of the site and the road reserves. A small amount of native vegetation is proposed to be removed to facilitate road access to the site. Appropriate offsets are nominated and the majority of remnant vegetation will be preserved in a reserve, with further planting to be provided within the nominated landscape buffers.

A due diligence cultural heritage assessment undertaken for the site shows that the site is not within an area of cultural heritage sensitivity and is unlikely to contain any significant Aboriginal cultural heritage artefacts.

The site is not affected by the Bushfire Management Overlay, however a Bushfire Development Report was prepared to address any bushfire risk.

Communication

Submitters will be personally notified of Council's decision by mail or email. Should the Minister approve the amendment, notice of approval will be published in the Government Gazette and Surf Coast Times.

Conclusion

It is considered that the amendment and proposed development are consistent with State and local policy in the Surf Coast Planning Scheme and will result in an acceptable land use and development outcome that has considered and appropriately addressed all relevant matters, such as landscape impacts, vegetation removal, vehicle access, bushfire risk and servicing. The amendment and permit application are supported by the Panel. It is therefore recommended that Council adopt Amendment C99 and recommend that the Minister for Planning grants the planning permit, which will eventually be issued by Council.

3.4 Amendment C116 and Planning Permit Application 16/0172 - 180 Erskine Falls Road, Lorne

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

General Manager: Kate Sullivan
File No: F16/704
Trim No: IC16/560

Appendix:

1. C116 Explanatory Report (D16/49966)
2. Incorporated Document (D16/49967)
3. Schedule to Clause 52.03 (D16/49968)
4. Schedule to Clause 81.01 (D16/49970)
5. Architectural Plans (D16/49971)
6. Draft Planning Permit 16/0172 (D16/56061)

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 combined Planning Scheme Amendment C116 and Planning Permit Application 16/0172 for an outdoor recreation facility at 180 Erskine Falls Road, Lorne and to seek Ministerial authorisation to prepare and exhibit the amendment and application.

Summary

Council has received a request from Livewire Park Pty Ltd for a combined planning scheme amendment and planning permit application pursuant to Section 96A of the Planning and Environment Act 1987. The proposal seeks to facilitate the use and development of land at 180 Erskine Falls Road, Lorne for an outdoor recreation facility (tree top adventure park).

The use is prohibited by the Rural Conservation Zone and the amendment is required to introduce a site specific exemption into the Surf Coast Planning Scheme which would enable Council to consider a permit application. The proponents have applied for a planning permit concurrently under Section 96A of the Planning and Environment Act 1987.

Council must seek authorisation from the Minister for Planning before the amendment and application can be placed on public exhibition.

Recommendation

That Council seek Ministerial authorisation to prepare and exhibit a Section 96A combined Planning Scheme Amendment C116 and Planning Permit Application 16/0172 for land at 180 Erskine Falls Road, Lorne.

3.4 Amendment C116 and Planning Permit Application 16/0172 - 180 Erskine Falls Road, Lorne

Report

Background

Council has received a request on behalf of Livewire Park Pty Ltd (the proponent) for a combined Planning Scheme Amendment (the amendment) and Planning Permit Application (the application) pursuant to Section 96A of the *Planning and Environment Act 1987* (the Act). The proposal seeks to facilitate the use and development of land at 180 Erskine Falls Road, Lorne (the site) for an outdoor recreation facility (tree top adventure park).

The site is zoned Rural Conservation Zone (RCZ). The proposed use is prohibited under the zone and the amendment is required to introduce a site specific exemption into the Surf Coast Planning Scheme by listing the site and inserting an incorporated document in the Schedule to Clause 52.03 'Specific Sites and Exclusions' and the Schedule to Clause 81.01 'Incorporated Documents'.

The permit application seeks approval for the use and development of the land for an outdoor recreation facility (tree top adventure park) and the removal of native vegetation.

Discussion

The proposal

The proposal seeks to establish a ropes adventure course within the established tree canopies across the site enabling people to zip line and walk between tree canopies. The proposal involves the attachment of cables and platforms to the trees. A range of courses are proposed to suit the needs of all ages and abilities. Associated infrastructure and facilities include an office building, amenities building with toilets and change rooms, parking for 61 cars and a shuttle bus, vehicle access loop track, off-grid solar panel system, waterless composting system and a 160,000 litre water tank. The proposal has been designed and sited to retain the bushland vegetation, and seeks to offer a tourism use that will deliver social and economic benefits to Lorne and surrounds.

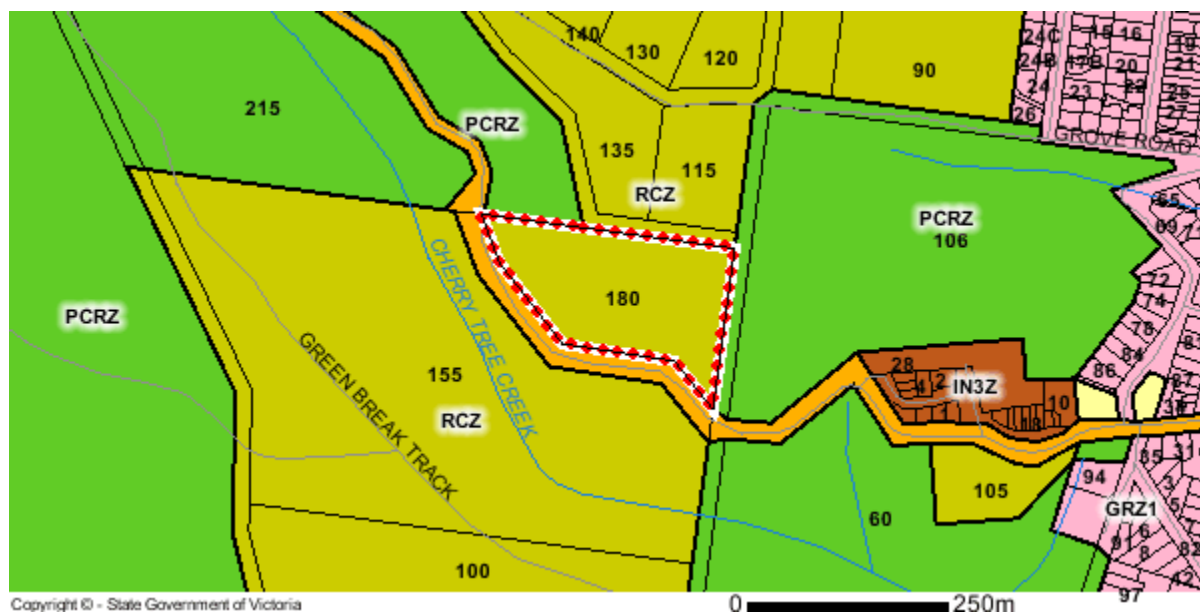
The proposal is seeking approval of operating hours between 8.30am and 9.30pm daily, except Christmas Day and declared extreme and code red fire danger days, however is likely to operate at reduced hours in non-peak periods. Changes have been made to the Draft Planning Permit to reflect this and to ensure the facility does not operate after dark.

The facility is expected to attract between 60-80 visitors at any one time in peak periods, with up to 300 people over the day. There will be up to 25 staff required to manage the facility in peak times, and approximately 15 staff at other times. Examples of established tree top adventure parks in Victoria are Enchanted Maze at Arthurs Seat (Mornington Peninsula), Otway Fly at Beech Forest (Otway Ranges) and Trees Adventure at Belgrave (Dandenongs).

The site

The subject site has an area of 4 hectares and is located just outside the Lorne township, approximately 200 metres to the west of the industrial estate. The site is covered by a dense tall tree canopy (predominantly Blue Gum and Mountain Grey Gum) and understorey vegetation that varies in quality from poor in disturbed areas to good in intact areas. A large portion of the site has been cleared from understorey and groundcover vegetation for fire prevention purposes. The site has a moderate to steep south-facing slope. There is existing vehicle access onto Erskine Falls Road along the southern boundary of the property and a series of internal formed tracks. Surrounding land consists of road reserves, Crown land and private properties developed by dispersed dwellings in a bush setting.

3.4 Amendment C116 and Planning Permit Application 16/0172 - 180 Erskine Falls Road, Lorne



Considerations

The proposal is supported by a number of technical reports that address:

- The strategic justification of the amendment and proposed use
- The impact on native vegetation and fauna habitat
- Bushfire risk
- Traffic, parking and access
- Wastewater management
- Economic and social impacts
- Cultural heritage

Having regard to the choices and tools available to facilitate the proposal, it is considered that an amendment via Clause 52.03 Specific Sites and Exclusions is the most appropriate. Land identified in the schedule to Clause 52.03 can be used or developed in accordance with specific controls contained within an incorporated document. The clause states that the specific controls may allow the land to be used or developed in a manner that would otherwise be prohibited or restricted. The site does not warrant rezoning as for the most part the purposes of the Rural Conservation Zone remain relevant, particularly as the proposal seeks to have the least amount of impact upon the natural environment.

The proposal is consistent with planning policies that encourage nature based tourism in the Lorne hinterland and Otway Ranges, whilst also providing for the protection of environmental and landscape values and management of bushfire risk.

Surf Coast Shire Council has in the past advocated to the State Government for changes to the Rural Conservation Zone to facilitate nature based tourism uses. The Rural Zones, including the Rural Conservation Zone, were amended by the previous government to allow greater flexibility and to foster economic and tourism investment, however, the zone still prohibits leisure and recreation based uses. Proposals for nature based recreation such as tree top walks and adventure ropes courses are considered well placed in a number of coastal hinterland areas given the topography and forest environment, and sustainable tourism outcomes are actively promoted by planning policies and tourism strategies on a local, regional and state level.

It should be noted that this report is recommending Council resolve to seek Ministerial authorisation and exhibit the Section 96A request. A detailed assessment of the merits of the proposal has not been undertaken. However, the information submitted with the application is considered sufficient to proceed to public exhibition of the proposal and to invite comments from relevant authorities such as the Country Fire Authority (CFA) and Department of Environment, Land, Water and Planning.

3.4 Amendment C116 and Planning Permit Application 16/0172 - 180 Erskine Falls Road, Lorne

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

Policy/Legal Implications

Ministerial Direction Number 11 and the Surf Coast Planning Scheme provide a range of policy directions that need to be considered when testing the merits of the proposal, including demonstration of how the proposal is consistent with and implements State and local planning policy. These matters have been documented in the Explanatory Report.

Officer Direct or Indirect Interest

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

Risk Assessment

There are no perceived risks associated with the preparation and exhibition of the amendment and permit application.

Social Considerations

The proposal is expected to generate a number of positive social benefits, including direct and indirect employment opportunities, and broadening of Lorne's tourism base beyond the traditional coastal activities during peak summer season. It will enhance the visitor experience by offering an alternative attraction to a high profile visitor destination and encourage more day and overnight visitors outside the peak holiday season. Other social benefits include providing a healthy, outdoor recreation and tourism experience for residents and visitors.

Community Engagement

Community engagement will be undertaken via the legislative process required by the *Planning and Environment Act 1987*. Following Ministerial authorisation, the amendment and application will be placed on public exhibition for one month.

Environmental Implications

Environmental considerations have formed an integral component of the proposal. The proposal relies on the retention and protection of the environmental values of the site for its existence as a nature based recreation facility. The proposed use and development has been designed to have minimal environmental impacts as follows:

- The platforms and ropes courses will be attached to trees using timber battens and ropes to minimise any damage. There will not be any drilling into trees. A Tree Management Plan has been prepared by a qualified arborist to provide measures for the protection and ongoing maintenance of the trees.
- The two buildings will have a small footprint and will be constructed on stilts to minimise vegetation removal and ground disturbance. A total of six trees will require removal. Offsets will be provided in accordance with the State government biodiversity assessment guidelines.
- The existing track will be used as the main loop accessway. Car parking spaces will be located adjacent to the accessway and in between trees. Measures, such as bollards, barriers, mulching or landscaping, are required to ensure vehicles do not directly damage any trees or compact the soil within the structural root zone of the trees. This is addressed in the aforementioned Tree Management Plan.
- The waterless composting system does not result in any effluent disposal.
- The proposal incorporates environmentally sustainable design features, including water tanks and solar panels.
- A shuttle bus service is proposed to reduce private car use.

3.4 Amendment C116 and Planning Permit Application 16/0172 - 180 Erskine Falls Road, Lorne

A bushfire management statement has been prepared which recommends that the site be closed on days of extreme or code red fire danger and the site evacuated in case of an impending emergency, rather than fire proof the site through standard bushfire management measures such as increased BAL construction standards and vegetation clearance within the defendable space. Vehicle access and water supply will be required to meet CFA requirements and relevant conditions have been included on the draft planning permit.

A Cultural Heritage Management Plan has been prepared for the site (currently awaiting approval from Aboriginal Victoria). No Aboriginal cultural heritage was identified in the activity area.

Communication

Notice will be given of the amendment request and application in accordance with the legislative requirements of the *Planning and Environment Act 1987*. This will include:

- Notices to affected landowners and adjacent owner/occupiers
- Notice to community and trader associations
- Notice to Prescribed Ministers and referral authorities
- Notices in the Surf Coast Times, The Echo and Government Gazette
- Available for viewing on the Department of Environment, Land Water and Planning website and Council's website.

Conclusion

The detailed merits of the application should appropriately be tested through the planning scheme amendment process. It is recommended that Council seek Ministerial authorisation to prepare and exhibit Planning Scheme Amendment C116 and the associated planning permit application 16/0172.

3.5 Private Planning Scheme Amendment Requests Management Procedure

Author's Title: Strategic Land Use Planning Co-ordinator

General Manager: Kate Sullivan

Department: Planning & Development

File No: F14/255

Division: Environment & Development

Trim No: IC16/558

Appendix:

1. Current Private Planning Scheme Amendment Guide (D14/3923)
2. Planning Scheme Amendment Prioritisation Tool (D14/3775)

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

The purpose of this report is to revise the procedure for the processing of privately initiated planning scheme amendment requests.

Summary

The current management procedure for the processing of private planning scheme amendments was introduced in 2004 and updated in 2007. It is now proposed that the procedure be revised to include an option to require project management fees for the “in-house” processing of requests as a lower cost option for applicants.

Recommendation

That Council:

1. Endorse the proposed change to the existing management procedure for the processing of privately initiated planning scheme amendments to include the option of applying project management fees for internal staff.
2. Note the fee to be applied for project management services will fully recover the cost of a senior planner including on-costs and overheads.

3.5 Private Planning Scheme Amendment Requests Management Procedure

Report

Background

In 2004 Council introduced a procedure for the processing of planning scheme amendments initiated by private landowners. These 'private planning scheme amendments' are requests from individuals, developers and authorities to make changes to the planning scheme or rezone land. They are often not part of Council's strategic workplan or can include amendments received ahead of Council's proposed timing for strategic work.

The current procedure requires the proponents to finance the appointment of consultants to act on behalf of council to process the amendments. Proponents also cover all the other costs relating to the amendment including costs of an independent panel, advertising and Department of Environment Land Water and Planning (DELWP) fees. (Refer Appendix 1). The first amendment used to pilot this charging of fees was "The Sands" at Torquay in 2004 and has been applied consistently until recently. A diagram showing the process for a planning scheme amendment is incorporated into the last page of Appendix 1.

At the time that the procedure was developed in 2004, Council also applied a comprehensive set of criteria for assessing the priority of private planning scheme amendment requests. This list was updated in 2007. (Refer Appendix 2). It was considered important that Council's strategic planning workplan for the development of strategies and amendments was successfully achieved without limited resources being spent on external requests that were not urgent and had little community benefit. The prioritisation tool is a useful method of applying a framework to decision-making. Currently Council's Strategic Planning resources include a co-ordinator, two full time planners, two part time planners, and one part time administration officer.

In 2013 Strategic Planning completed the Municipal Association of Victoria "STEP" programme on process improvement. At the end of the review the main recommendation arising from the programme was to cease the appointment of private consultants to work on private planning scheme amendments on behalf of Council. In practice it had been found that the practice of hiring external consultants has not been as efficient as anticipated. Council officers had to manage the external consultants and contracts in addition to undertaking the normal administrative work associated with an amendment, such as organising exhibition and liaising with the State Department. In effect there was very little advantage to Council continuing with the practice and therefore it has been largely discontinued since 2014. Ballarat City Council had a similar process to Surf Coast Shire established in 2009 but experienced similar concerns and reviewed the process in 2013.

A more efficient approach is required to manage the number of amendment requests and Council's limited resources.

Discussion

It is proposed that the management procedure for private planning scheme amendments be formally amended to include an additional option for proponents. The option will give proponents the opportunity to pay hourly rates for project management by in-house planning officers. The hourly rate includes on-costs. Instead of hiring external consultants, Council would then have the option of hiring casual staff or extending the hours of existing part time staff in the planning department to process the new projects. This model was used recently for Amendment C113 for 85 Geelong Road, Torquay when the timing of the amendment was extremely important to the proponents and internal resources were fully committed on other projects.

It is proposed that planning scheme amendments to implement Council's adopted strategic work, such as "Growing Winchelsea" or "Aireys Inlet to Eastern View Planning for the Future" will continue to be undertaken by the planning unit as part of the agreed strategic planning work plan, without cost to private clients.

In addition, it is proposed to retain the existing prioritisation tool for private planning scheme amendment requests.

The new procedure has the following benefits:

- The hourly rate for casuals or existing staff is significantly lower than consultancy rates which can be up to three times more expensive. This is a cost saving to customers.
- Staff are familiar with Council's procedures and practices, meaning an efficient process.
- Work quality will be maintained

3.5 Private Planning Scheme Amendment Requests Management Procedure

- Council staff will not be required to dedicate additional time to managing consultancy contracts
- Work will not be duplicated e.g. Council staff reviewing and amending Council reports, attending the same meetings, attending Panel hearings.
- More urgent planning scheme amendments can be accommodated in the workplan as they arise.

The new procedure is consistent with Council's approach to project management and the application of project management fees to projects through the Program Management Office and is a recognition of the resources required to manage projects appropriately.

Financial Implications

The rate to be charged to proponents will be an hourly rate for a senior planner including on-costs. The cost of overheads (providing workspace and equipment) will be charged at the industry standard of 8%. Council officers will keep a record of hours worked on an amendment on a timesheet for monthly invoicing.

The option of paying hourly rates for "in house" project management by planning officers is a cheaper option for customers than hiring external consultants which can be up to three times as expensive as staff rates.

Council Plan

Theme 5 Development and Growth
Objective 5.4 Transparent and responsive land use and strategic planning
Strategy 5.4.3 Investigate a customer focussed approach to planning applications (this may include case managers)

Policy/Legal Implications

There are no policy or legal implications in relation to this change to the procedure. Proponents will be required to voluntarily enter into a legal agreement under common law to cover costs in accordance with existing practice. A standard template agreement can be provided, requiring only a signature without legal input.

Officer Direct or Indirect Interest

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

Risk Assessment

There is no risk to Council in endorsing this procedure.

Social Considerations

Customers will benefit from the lower cost option provided through this change in procedure. It will also provide the opportunity for Council to proceed with amendment requests which would normally be placed on hold or postponed until resources were available.

Community Engagement

New procedure documents will be prepared and distributed to stakeholders such as planning consultancy firms.

Environmental Implications

Not applicable.

Communication

New procedure documents will be available on Council's website and at the planning counter.

Conclusion

The introduction of a new option to charge project management fees for the "in-house" processing of planning scheme amendments will provide a lower cost option for proponents and provide more flexibility for Council.

3.6 Amy's Gran Fondo Signature Event Funding Request

Author's Title: Manager Economic Development & Tourism

General Manager: Kate Sullivan

Department: Planning & Environment

File No: F16/311

Division: Environment & Development

Trim No: IC16/620

Appendix:

Nil

Officer Direct or Indirect Conflict of Interest:

Status:

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

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

Yes

No

Yes

No

Reason: Nil

Reason: Nil

Purpose

To consider a two year funding proposal for the Amy's Gran Fondo event.

Summary

First staged in September 2011 Amy's Gran Fondo has grown to become a world-class cycling event held over a weekend, with a strong focus on rider safety.

Key elements of the 2015 event weekend included:

- **120km** Gran Fondo, (Start - finish in Lorne)
- **45km** Medio Fondo (Commencing in Apollo Bay and finishing in Lorne)
- **14km** Family Fondo (Loop from Lorne to Cumberland River)
- **Amy's Otway Tour Criterion** (Mountjoy Pde - Lorne)
- **Amy's Wall** (Hill-climb up Bay Street - Lorne)
- **Amy's Otway Tour Classic** (Australia's best female cyclists)

Subject to securing private sponsorship a proposed new element in 2016 is a Men's Criterion to be held in Lorne.

The event is one of two (including the Great Ocean Road Marathon) which currently have a multiyear in principle agreement to utilise a full road closure of the Great Ocean Road.

With almost 6,000 riders taking part in 2015 the event generated an estimated total economic benefit of in excess of \$15million over the weekend the event is held. Flow-on return visitation to the Surf Coast based on those extremely likely to return as a result of attending the event takes the estimated benefit to over \$21 million annually.

To ensure the event continues to grow, Amy's Gran Fondo are seeking a financial contribution from Council for the 2016 and 2017 events.

Recommendation

That Council:

1. Commit to funding the Amy Gran Fondo for an amount of \$20,000 over a two year period for the September 2016 and 2017 events.
2. Allocate \$10,000 funding from the Signature Event Fund in 2016/ 2017 towards the September 2016 Amy Gran Fondo.
3. Pre-allocate \$10,000 funding from the 2017/2018 budget for the September 2017 Amy Gran Fondo.
4. Note that a funding agreement will be entered into with the Amy Gillett Foundation Board of Management outlining the funding commitment of \$20,000 over 2 years and including the pre-release of 2017 funding on receipt and assessment of an event acquittal report and debrief after the 2016 event is held.

3.6 Amy's Gran Fondo Signature Event Funding Request

Report

Background

The Amy Gillett Foundation (AGF) is a charity organisation with one purpose – reducing the incidence of death and injury to bike riders. The AGF honours the life and legacy of Amy Gillett who was killed by a driver whilst training as an elite-level cyclist in Germany.

In 2010 The AGF approached Surf Coast Shire with the prospect of creating an iconic cycling event in Lorne, with the first Amy's Gran Fondo event held in September 2011.

The AGF currently has a three year in principle agreement to host the event and utilise one of two closures of the Great Ocean Road each year (between May and November). The current in principle agreement extends to the 2017 event.

The initial 2011 event attracted approximately 3,000 participants from around Australia and internationally. Since this time, Amy's Gran Fondo has grown to a multiday event (held Saturday & Sunday) incorporating several event elements, attracting over 6,000 participants and 12,000 spectators and generating an economic benefit estimated to be over \$21 million.

In 2016 the Gran Fondo event course is proposed to be reversed (anti clockwise direction) and this has allowed the option of starting and finishing the main Gran Fondo event and Women's NRS event in the Lorne town centre for the first time.

The events annual budget is approximately \$900,000 and is governed by a Board of Management, The Amy Gillett Foundation.

Amy's Gran Fondo secured \$10,000 under the Major Event funding stream for the 2015 event from Surf Coast Shire.

Discussion

Since its creation six years ago the Amy Gran Fondo has grown to become one of Australia's most iconic mass participation rides. Taking in the incredible scenery of the Great Ocean Road and the hinterland the main Fondo event starts in Lorne will travel through the inland townships of Deans March, Forest and Skenes Creek, finishing back in Lorne.

In 2016 the Medio Fondo will commence in Apollo Bay and finish in Lorne (a reversal on previous years).

From an initial single day event comprising three riding options, Amy's Gran Fondo has expanded to now incorporate a range of riding options that enables participation from beginner to elite level. The spectator component has also increased markedly with the inclusion of Amy's Wall in 2014 and the Women's Criterion in 2015.

The event also includes an elite level UCI sanctioned women's race that forms part of the National Road Series. This event (Amy's Otway Tour Classic) attracts the best women cyclists in Australia and is broadcast around Australia and as a highlights package globally by the UCI to an audience of over 5 million viewers.

Key elements of the Amy's Gran Fondo event weekend include:

- **120km** Gran Fondo, (Start - finish in Lorne).
- **45km** Medio Fondo (Commencing in Apollo Bay and finishing in Lorne).
- **14km** Family Fondo (Loop from Lorne to Cumberland River and return).
- **Amy's Otway Tour Criterion** (Mountjoy Pde - Lorne).
- **Amy's Wall** (Hill-climb up Bay Street - Lorne).
- **Amy's Otway Tour Classic** (Australia's best female cyclists on the Gran Fondo Course).

A new element in 2016 is a proposed **Men's Criterion** to be held in Lorne to further boost participation and create a greater atmosphere in Lorne (subject to sponsorship being secured).

3.6 Amy's Gran Fondo Signature Event Funding Request

Held in mid-September the event provides a significant boost to businesses in what was historically an off peak time of the year in Lorne. The event is timed to run after the Lorne Arts Festival (FOPA). Doing so provides a continuous economic boost to Lorne and the wider region in the lead up to summer.

Two Year Funding Request

To assist in achieving its long term goals of remaining a UCI recognised event and becoming Australia's largest mass participation ride the AGF, has completed an application under the Signature category for the Event Grant Program seeking a two year funding agreement.

The securing of a two year funding agreement with Council under the Signature category will play a critical role in helping leverage other State government funding opportunities as well as assist in the expansion of the weekend long event to include a Men's Criterion.

In qualifying for Signature event funding AGF is required to evidence it is an event which achieves national exposure and significant economic benefits for Lorne/ Surf Coast Shire as well as providing major social, cultural and environmental outcomes. These aspects are discussed below.

Economic

Amy's Gran Fondo is one of Surf Coast Shire's most significant generators of economic expenditure by visitors to an event.

After the 2015 event AGF conducted a survey to assist (in part) in identifying the economic benefit delivered by the event. Over 1,400 responses were received.

Key economic data gained from participants reveals the following:

- Of the 5,900 participants 5,583 are non-local.
- Approximately 31% of riders are from interstate origins (N.S.W, S.A and W.A most common).
- 1.6% of riders come from overseas (7 different countries, with New Zealand the most common origin).
- 25% of riders had an annual income of over \$225,000.
- Average expenditure per rider attending the event was \$844.43.
- Over 31% of participants spent more than 3 nights in the area.
- The average travel party size attending with a rider was 2.24 people.
- As a result of attending the event 63% of participants indicated they were extremely likely to return to the Surf Coast within the next 12 months.
- The Women's Criterion Event is broadcast across Australia on SBS and Foxtel generating significant exposure for Lorne and the Great Ocean Road. In addition, the UCI also utilize highlights footage from the Criterion and other event elements to promote the UCI series globally. This footage has a global exposure to over 5 million viewers.

Taking into consideration the above, total direct expenditure generated by the 2015 Amy Gran Fondo in the region is estimated to be 18,089 (total participants and spectators) * \$844.43 (average per person expenditure) = \$15,274,894. This excludes any expenditure by those participating in the event (and their travel party) which resided within the region. The figure also excludes expenditure by those who came to see the event but had no connection to someone participating in it.

When combined with flow on benefits from those participants which indicated they were extremely likely to return in the next 12 months as a result of attending the event, the total estimated benefit increases to over \$21million.

Environmental

As part of the UCI Gran Fondo World Series, Amy's Gran Fondo is required to meet strict environmental impact regulations.

All aspects of the event are audited by the UCI to ensure the event is conducted in an eco-friendly manner, minimising the carbon footprint of the event.

3.6 Amy's Gran Fondo Signature Event Funding Request

The five goals of the environmental impact regulations are:

1. Returning the landscape to its original state.
2. Researching and putting in place partnerships with companies and environmental-related enterprises.
3. Extending the ECO CYCLO concept to other road cycling activities.
4. Putting in place plans to help local interests and local cycling under the concept of sustainable development.
5. Translate agreements and accords between the FFC, the AEC and the managers of open spaces into concrete actions on the ground at a local and regional level.

In addition to the above the event will take action to comply with the recently adopted Plastic Wise Event and Markets Policy. This will include the non-use of single use plastic items. This will include those stall holders exhibiting at the event village.

Social

The event successfully combines participation, sanctioned competition and 'big event' experience, setting new safety standards. Until 2016 the event was the only mass participation cycling ride that enjoyed a full road closure.

The variety of events ranging from the 14km Family Fondo to the UCI sanctioned qualification event for the Amateur World Cycling Championships ensures a broad spectrum of participation over the Saturday and Sunday.

New elements such as the Women's Criterion and Amy's Wall are held on Saturday afternoon in Lorne's town centre and are timed to enable spectators to move from one event to the next and keep people in and around the cafes and shops.

In 2015 the Women's National Road Series Event (NRS) expanded to become a 2 day tour held in conjunction with Wiggle Amy's Gran Fondo. The focus on female cycling is designed to raise the profile of elite women's cycling and get more women on bicycles.

The AGF via the Amy's Gran Fondo also has a focus of supporting the development of elite female cyclists to compete with the Australian Women's Road Development Team.

The AGF has an objective to reduce the incidence of death and injury caused by the interaction between cyclists and motorists and works with all levels of government, road authorities, motoring, cycling and community safety organisations and the public to create a safer bike riding environment in Australia.

The AGF undertake a range of activities to spread bike safety messages, including safety campaigns such as 'a metre matters', education programs, rides and other events, research and policy development including:

- A metre matters
- *It's a Two-Way Street*
- *AustCycle*
- *Cycle Safe Communities.*

Cultural

Surf Coast Shire can legitimately lay claim as one of regional Australia's most significant cycling destinations. Complimenting the Cadel Evans Great Ocean Road Race (held in late January) and the Great Ocean and Otway Classic Ride (a ride attracting 3,500 riders and held in March/ April), Amy's Gran Fondo closely aligns to the outdoor active cycling culture of the Surf Coast region.

In recognition of the significance of cycling in the Surf Coast Shire area the AGF will install latest technology signage to warn motorists of slow moving cyclists along the Deans Marsh-Lorne Road in July 2016.

This road has long been identified by the local community as a major safety concern due to the high number of visitors travelling the road. This road is heavily utilised by recreational bike riders throughout the year, and particularly during the summer period. It is also a major route for both locals and visitors to the Great Ocean Road region.

3.6 Amy's Gran Fondo Signature Event Funding Request

Financial Implications

Amy's Gran Fondo generates an estimated \$15 million in economic expenditure each year over the event weekend and an additional \$6 million in repeat visitation with the vast majority of this benefit being received by businesses in and within close proximity to Lorne.

Given the significant in-kind support already provided by Surf Coast Shire towards the event, it is recommended that a contribution of \$10,000 per year over two years (total contribution of \$20,000) be provided. This cash contribution combined with the existing in-kind support amounts to a substantial contribution from Surf Coast Shire.

Should Council agree to the recommended funding amount the following budget implications would exist:

An allocation of \$10,000 from the 2016/17 budget envisaged to be paid in July 2016.

A pre-allocated amount of \$10,000 in the 2017/2018 budget from the signature events category envisaged to be paid in July 2017 for the September 2017 event and pending an approved acquittal report for the 2016 event.

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.

Theme 5 Development and Growth
Objective 5.3 Develop and grow sustainable year round tourism
Strategy 5.3.3 Improve the promotion of all major events and festivals across Surf Coast Shire.

Policy/Legal Implications

The provision of funding by Council will result in a Funding Agreement being developed between Amy Gillett Foundation and Surf Coast Shire. The Agreement will contain requirements for Amy Gillett Foundation to meet prior to the release of year two funding.

Officer Direct or Indirect Interest

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

Risk Assessment

Although a comparatively small amount compared to the total event cost the provision of funding will assist the AGF to leverage other significant funding from State government and other sources. When combined with existing in-kind support provided the total support package is substantial.

Due to the multiyear request a provision would be placed in the funding agreement for the provision of an acquittal report prior to future funding allocations being released as well as the return of funds should the event not proceed.

Social Considerations

The Amy's Gran Fondo event has created social connections extending through schools (bike safety programs), and enabling riders of all abilities to come together and enjoy the safety of riding the Great Ocean Road under a full road closure.

Community Engagement

Several meetings have taken place with the event organisers who have provided evidence of the events eligibility to access the Signature category of the Event Grant Program.

Environmental Implications

The event will seek to incorporate the recently adopted Council Policy towards events and markets with respect to single use plastic products.

The event also adopts the UCI Gran Fondo World Series, environmental impact regulations.

3.6 Amy's Gran Fondo Signature Event Funding Request

Communication

Staff will communicate the decision of Council to the event organisers both verbally and in writing.

Conclusion

The Amy Gillett Foundation is seeking a multiyear funding contribution from Surf Coast Shire for the Amy's Gran Fondo for the 2016 and 2017 events.

Held in Lorne each September Amy's Gran Fondo is Australia's most iconic mass participation rides on a fully closed road and generates significant economic expenditure in Lorne and the wider region.

The purpose of the funding request is to enable the expansion of the Women's Criterion and a greater level of marketing to be undertaken to interstate and international riders.

Given the existing level of in-kind support already provided it is recommended an amount of \$10,000 funding for the 2016 and 2017 events (totalling \$20,000) be provided.

Provision of funding from Council would also be used to leverage contributions from other funding sources such as the State government.

3.7 Council Submission on Protecting Victoria's Environment - Biodiversity 2036

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

General Manager: Kate Sullivan
File No: F12/1367
Trim No: IC16/539

Appendix:

1. Submission (D16/42643)

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 note the submission on *Protecting Victoria's Environment – Biodiversity 2036*.

Summary

In 2010, as one of the 196 signatory nations to the Convention on Biological Diversity, Australia adopted the international *Strategic Plan for Biodiversity 2011-2020*. Based on this the Australian Government produced the *Biodiversity Conservation Strategy 2010-2030*.

This document outlines the Victorian Government's approach to meeting the priorities of the Australian Strategy. Once approved, it will replace Victoria's current *Biodiversity Strategy 1997*.

The Draft Strategy outlines why biodiversity is important in that it is the foundation of healthy ecosystems, is important to daily health and wellbeing, can help reduce the impacts of climate change and is economically important.

Despite the known importance of biodiversity, the documented loss of Victorian plants and animals continues. The Draft Strategy reviews current performance and proposes a new vision, goals, priorities and targets to evaluate performance.

Council's submission reflects the draft MAV submission that was circulated to Councils in April 2016. A draft of this submission was distributed to Councillors for comment on 10 May 2016.

Recommendation

That Council note the Submission on Protecting Victoria's Environment – Biodiversity 2036 submitted on 15 May 2016.

3.7 Council Submission on Protecting Victoria's Environment - Biodiversity 2036

Report

Background

The Draft Strategy is centred round the new vision:

Victoria's biodiversity is healthy, valued and actively cared for

The two goals behind achieving this are proposed to be:

Goal 1. To encourage more Victorians to value nature; and

Goal 2. To ensure that Victoria's natural environment is healthy.

The Draft Strategy is a high level strategic document. It proposes 21 priorities for action which are fairly general in nature. They encourage improved environmental management on both public and private land. These priorities will influence state government supported projects into the future eg through grants, and will inform potential future changes to state government policies and legislation that affect biodiversity values.

Regionally, there will be community engagement on the setting of regional priorities for actions and investment, and it is proposed that these regional priorities will be incorporated into plans such as catchment strategies.

Discussion

There is widespread recognition of the increasing threats to biodiversity and an acceptance that all levels of government and the community need to work together to tackle environmental issues. While the Draft Strategy is strategic in nature, the intent of the strategy will drive improved consideration, monitoring and reporting on biodiversity objectives. Local government, as the implementers of key policies such as Victoria's Native Vegetation Clearing regulations, will be directly involved in changes that flow from the new strategy.

The priorities in the Draft Strategy align with Council's Environmental Leadership Program. The Draft Strategy emphasises a combination of natural environmental actions alongside community based initiatives around green infrastructure, liveable communities and climate change adaptations.

A further emphasis is on greater connections between people and the environment, encouraging people to spend more time out in nature. Council's submission points out the importance of the environment to economic activity in the Surf Coast, and the pressures facing the biodiversity values of local beaches and bushland due to the increasing visitation and type of activities being undertaken (eg increased unauthorised camping and increased creation of unapproved mountain bike trails through bushland).

Council's submission is broadly consistent with the draft submission by the MAV which was circulated in April 2016.

Financial Implications

Initially it is not expected that finalisation of the Draft Strategy will have any immediate budget implications for Council. However, over time as the intent of the final approved strategy is incorporated in state government decision making, there may be implications in terms of access to state government funding. Successful funding bids will need to demonstrate that the project adheres to the objectives of the new strategy and there may be additional reporting requirements associated with state funded projects.

Council Plan

Theme 1 Environment

Objective 1.1 Preserve and enhance the natural environment

Strategy 1.1.3 Protect and enhance biodiversity in Nature Reserves

Theme 1 Environment

Objective 1.2 Pursue alternative energies

Strategy 1.2.1 Investigate the viability (practicality, efficiency, effectiveness) of alternative sources of sustainable power across council owned buildings.

Theme 1 Environment

Objective 1.3 Leadership in innovative environmental practices

Strategy 1.3.4 Develop initiatives with other community groups to enhance sustainable local food production and consumption.

3.7 Council Submission on Protecting Victoria's Environment - Biodiversity 2036

Policy/Legal Implications

This submission does not have direct legal or policy implications. However, overtime Council policies will be expected to be consistent with any approved strategy and Australia's commitments to international conservation agreements.

Officer Direct or Indirect Interest

The officers involved in the preparation of this report and the submission have no direct or indirect interest in the review.

Risk Assessment

There are no risk implications of making a submission.

Social Considerations

The Surf Coast has highly engaged communities that regular demonstrate a commitment to biodiversity and sustainability, and who strongly voice the opinion that Council should be operating in an environmentally sensitive and sustainable manner.

Community Engagement

The Draft Strategy has been publically exhibited for an extended period. There has been the opportunity for interested individuals or groups to make their own submission to the state government. Council's submission has not been publically advertised.

Environmental Implications

The Draft Strategy proposes a number of actions that will guide improved biodiversity management over the next 20 years. Improved biodiversity management is consistent with the Council Plan and community expectations.

Communication

The submission has been made to DELWP in accordance with their requirements.

Conclusion

The Draft Strategy identifies the threats to Victoria's biodiversity and proposes changes to enable improved biodiversity management and sustainability into the future. Due to the deadline the submission was lodged with DELWP on 15 May 2016.

3.8 Council Policy - Election Advertising Signage

Author's Title: Coordinator Governance & Procurement

General Manager: Kate Sullivan

Department: Development Compliance & Local Laws

File No: F16/78

Division: Environment & Development

Trim No: IC16/661

Appendix:

1. SCS-024 Election Advertising Signage Policy (D16/52480)

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 policy regarding Election Advertising Signage on Council land and facilities.

Summary

With the 2016 Council Elections scheduled for 22 October 2016 it is important to consider a policy that provides clear guidelines for all candidates and employees to prevent placement of any Election Advertising Signage on Council road, reserves, land, facilities or buildings.

Recommendation

That Council adopt the Council Policy, SCS-024 – Election Advertising Signage, as attached.

3.8 Council Policy - Election Advertising Signage

Report

Background

The current four year term of the Surf Coast Shire Councillors expires in October 2016. In accordance with the *Local Government Act (1989)*, Council is required to consider a range of legislative restrictions in the lead up and during the conduct of the Election, including actions taken and decisions made during the Caretaker Period.

As part of a recent review of Council's policies, it has been identified that Council could benefit from a policy regarding the management of election signage. The review identified that a stronger focus was warranted for the management of Electoral Advertising Signage during the Election period, and to clearly outline Council's position in respect to advertising material of any candidate contesting the October 2016 election.

Discussion

Council has the responsibility for approving an application for the placement of temporary signage on Council land, roads and in or on municipal buildings. Council already has a strong policy position in respect to the placement of signage throughout the municipality and with the implementation of this policy this will cover election advertising signage,

Council is committed to remain totally impartial in all levels of Government elections and to promote this position and should not allow any temporary electoral advertising signage to be placed on any Council land, municipal building/facility or road.

Financial Implications

Not Applicable

Council Plan

Theme 2 Governance
Objective 2.4 Transparency in decision making and access to information
Strategy 2.2.2 Review the Council governance structure.

Policy/Legal Implications

Section 55D (1) of the *Local Government Act 1989* states "A Council must not print, publish or distribute or cause, permit or authorise to be printed, published or distributed, any advertisement, handbill, pamphlet or notice during the election period unless the advertisement, handbill, pamphlet or notice has been certified, in writing, by the Chief Executive Officer."

Officer Direct or Indirect Interest

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

Risk Assessment

Not Applicable.

Social Considerations

Not Applicable.

Community Engagement

Not Applicable.

Environmental Implications

Not Applicable.

Communication

Relevant media, Councillors and Council Departments will be advised when the policy is adopted.

Conclusion

That Council adopt the policy SCS-024 – Election Advertising Signage.

4. CULTURE & COMMUNITY

4.1 Eastern Reserve Committee of Management - Instrument of Delegation Review

Author's Title: Recreation Development Officer **General Manager:** Chris Pike
Department: Leisure & Wellbeing **File No:** F11/1010
Division: Culture & Community **Trim No:** IC16/418

Appendix:

1. Eastern Reserve S86 COM - Instrument of Delegation - August 2013 (D16/49138)
2. Eastern Reserve S86 COM - Instrument of Delegation - July 2016 (D16/49139)

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 consider an extension of the Eastern Reserve Committee of Management Instrument of Delegation that is due to expire on 30 June 2016.

Summary

The current Eastern Reserve Committee of Management (ERCOM) members were appointed as a special committee under Section 86 of the Local Government Act 1989 in July 2013 to manage the buildings and grounds at Eastern Reserve. This is for a three year term concluding on 30 June 2016, in accordance with the ERCOM Instrument of Delegation (IOD) that was adopted by Council at the same time. The IOD differs from other special committees in that it provides for ERCOM to build up working capital via Council paying for expenses that would otherwise be paid by the special committee and Council staff undertaking the bookings and invoicing role. It also required ERCOM to develop a business plan to be endorsed by Council prior to implementation.

Council received and endorsed the business plan in June 2015 and ERCOM has built up substantial working capital with a bank balance of approximately \$72,000. However, officers suggest that the Committee are not yet in a position to effectively operate and manage the facility in the best interests of the community without further Council support. Hence, officers recommend that Council extend the current IOD by 16 months to 22 October 2017 to align to the expiry of all other Section 86 Committee IOD agreements and Council should continue to manage the bookings, invoicing and cleaning of the facility during this period.

However, in-line with the existing IOD and the Committee's achievement 'financial self-sufficiency', ERCOM should now be responsible for the paying of utilities less a percentage contribution from the Winchelsea Health Club based on a square metre rate.

Council will be able to review the revised IOD at 22 October 2017 in line with its other seven Section 86 Committee's of Management to determine the Committee's capacity to align to the same IOD and manage the facility bookings and invoicing directly.

Recommendation

That Council:

1. Extend the Eastern Reserve Committee of Management Instrument of Delegation from 1 July 2016 to 22 October 2017 with the following key amendment:
 - a. Special Committee to pay all utility costs with Council to contribute to electricity and water costs for the Council-managed Winchelsea Health Club.
2. Note that \$10,000 will be included in the Business Improvement Program's 2016/17 list of savings that will reduce the 2017/18 budget.

4.1 Eastern Reserve Committee of Management - Instrument of Delegation Review

Report

Background

The main building at Eastern Reserve was redeveloped by Council with Victorian Government and community fundraising contributions. The building re-opened as Eastern Reserve Community Centre in November 2011.

The Eastern Reserve Section 86 Committee of Management was the key driver for a community fundraising effort that contributed \$60,000 to the \$2.46m project including upgrade of the netball courts and redevelopment of the main building at Eastern Reserve to create the Eastern Reserve Community Centre (ERCC). Following completion of the redevelopment ERCOM experienced difficulty operating the facility and requested support from Council. A new instrument of delegation (IOD) was approved by Council on 23 July 2013 with the aim to provide a three year period for ERCOM to build up working capital so as to achieve 'financial self-sufficiency' by 30 June 2016.

Over three years the special committee has achieved a number of important milestones including securing Council approval of a business plan in June 2015 and signed user agreements. The committee continues to work in collaboration with Council whilst developing capacity within the committee to effectively operate and manage the facility independent of Council.

Discussion

The two objectives of ERCOM, as detailed in the existing IOD, are:

- The aim of the Instrument of Delegation is to provide a three (3) year period for the Special Committee to build up working capital so as to achieve financial self-sufficiency by 30 June 2016. Any new instrument of delegation will only come into force after that date with the approval of Council.
- The Special Committee must develop a Business Plan by 31 December 2013 which must be submitted to Council for its consideration and must not be implemented without Council's approval.

Council has received and endorsed the business plan in June 2015 and ERCOM has built up substantial working capital with a bank balance of approximately \$72,000. However, the Committee have held a number of meetings with Council Officers and requested that an extension to the status quo management arrangement be considered with an acceptance that ERCOM could pay for utilities during the period to test the committees capacity to operate independently of Council in the future.

Extending the current IOD by 16 months to 22 October 2017 will align the delegation expiry to the seven (7) other Section 86 Committee IOD agreements, ensuring a consistent and universal approach to reviewing Committee of Management operations across the Shire.

It is not intended that COMs cover all costs associated with maintenance and improvement of facilities at reserves. For example, the overall Council expense against Eastern Reserve inclusive of building maintenance, open space maintenance, essential services, pest control, utility costs, cleaning costs and minor capital improvements was \$134,105 for 2013/2014, \$167,995 for 2014/15 and \$98,922 for 2015/16 as at 23 May 2016.

'Financial self-sufficiency' for other COMs is considered to be that the 'Hire, user group and lease income is expected to cover operational costs (utilities and cleaning) with some funds remaining to contribute to minor facility improvements, equipment purchases, special events and other initiatives that improve community access and participation at the facility.

This is not detailed in the IODs for other COMs however is custom and practice. Under the Local Govt Act 1989 Council is required to review all Special Committee Instruments of Delegation within one year of Council elections. Given this legislative requirement, it allows an ideal time period for ERCOM to test whether they can achieve operational and financial self-sufficiency by 22 October 2017. It is recommended that Council continue the current resource support of Council Officers including liaison and bookings support.

4.1 Eastern Reserve Committee of Management - Instrument of Delegation Review

As part of the progression to self-sufficiency Council will contribute an agreed percentage toward the electricity and water utility costs based on a square metre rate of the Winchelsea Health Club (i.e 10%, to be negotiated with ERCOM). The figure is to be negotiated and will be a fair and reasonable amount that would offset the cost of Council staff booking the facility at no charge and the electricity and power costs of the Winchelsea Health Club which operates for 35 hours per week.

Business Plan

The Eastern Reserve Community Facility Business Plan was adopted by Council on 23 June 2015. There was a delay in the Committee finalising the plan, however it does provide a road map in which the Committee are able to follow. The Committee have been heavily invested in developing a website and promotional materials to effectively promote the facility. They have had a professional photographer take photo and video footage to develop promotional materials to maximise use of the facility.

The Committee have acknowledged that the reporting against their Business Plan via their minutes has been limited and have now added the business as a standing agenda item to report the most recent progress.

At the end of three years from December 2013 the Business Plan identified an over-arching goal to be a profitable enterprise, operating as a fully functional community facility, including the following components:

- **Part time facility manager** – Not yet achieved. The Committee have established substantive working capital, however the facility is not yet considered mature enough to consider a part-time facility manager. ERCOM have indicated that this goal remains a priority to ensure effective management of the facility, however the Committee will be in a better position to realise this goal in 16 months time (proposed IOD extension).
- **60% bookings for each room** – Not yet achieved, however the figure is reasonably close for the major Community Bank room. The Committee have engaged a photographer and developing a brochure to further promote the rooms available for hire. A brochure and website will be created that details the resources available for each booking space and also provides a list of local catering options that further promotes and supports local business.
- **Own website based booking system** - Not yet achieved. All bookings are currently done through the Surf Coast Sport and Recreation Centre. ERCOM have developed a relationship with the Stribling Reserve Committee who have visited Eastern Reserve as part of their Master Plan preparations and will be seeking advice regarding the effective booking process for use of their facilities (Google calendar).
- **Range of caterers utilising facility with options for budget /taste** – Partially achieved. The Committee have identified a number of local caterers who are offering services to provide meeting catering. Menu options have been developed to include on a future website and attach to the facility hire booking form when catering is required.
- **Increasing community patronage and support locally and from outside of SCS** – There has been increasing and repeat use of the Centre from local community and outside the local community. The facility is displaying its multi-use capacity with Growing Winchelsea utilising the Community Bank Room for a fundraising event with 'Greg Champion' while Apollo Bay FC were training on the main oval as their home oval was out of use. We have also had the Winchelsea Football Club training while a Council meeting was held in the Community Bank Room which is maximising the use of the facility.

The Committee is pleased with the increasing use of the facility and President Stephen Leigh has identified a number of other highlights including:

- User Agreements in place with the Football and Cricket Club.
- Liquor Licence has been updated and includes the outdoor alfresco area.
- Progress has been made on developing the website and promotional material.
- Online finance system (Zero) is working effectively to monitor all Committee finances.
- Large scale events are being held at the facility including a funeral with 600 people, weddings and the Trade Expo.

Financial Implications

Council is currently paying for utilities (electricity and water) and cleaning as a special arrangement for the three year term. Council also maintains the structure and fixed assets in Eastern Reserve Community Centre as part of the standard arrangement for community buildings owned and managed by Council.

4.1 Eastern Reserve Committee of Management - Instrument of Delegation Review

As stated in the proposed new instrument of delegation, Council will contribute toward electricity and water costs based on a square meter rate of the Winchelsea Health Club (i.e 10% to be negotiated with ERCOM). With the Committee now responsible for utility payments the estimated saving to Council in 2016/17 is approximately \$10,000. This will be identified in the Business Improvement Program's 2016/17 list of savings that will reduce the 2017/18 budget.

Council will continue to provide staff support and associated software system for the bookings process estimated at five staff hours per week. Council is also providing a high level of liaison and governance support to ERCOM, relative to other Section 86 committees of management, via Coordinator Sport and Recreation and Manager Leisure and Wellbeing.

Council's total contribution to Eastern Reserve building/grounds maintenance, utilities and capital improvements was \$134,105 for 2013/2014, \$167,995 for 2014/15 and \$98,922 for 2015/16 (as at 23 May 2016). ERCOM have been managing their own gas bottle costs via their tenant clubs, however the electricity and water costs that Council has been 100% subsidising for the past 3 years include:

Eastern Reserve Utilities	2013/14	2014/15	2015/16*
Water Costs	4,350	4,661	1,278*
Electricity Costs	23,480	13,820	8,623*
Total	\$27,830	\$18,481	\$9,901*

* As at April 2016

The revenue that Council collects through facility hire and transfers to the Committee will comfortably cover the cost of utilities at Eastern Reserve going forward which includes an annual payment from Optus of \$11,353.80 for tower rental.

Year	Amount Collected and transferred to Committee (net amount)
2013/14	23,376.30
2014/15	24,511.98
2015/16	24,707.60
Total	\$72,595.88

ERCOM also collect an annual hire fee from tenant Clubs including Winchelsea Football and Netball Club \$6K, Winchelsea Cricket Club \$3K and invoice the Clubs in arrears for a portion of quarterly utility costs. This brings the anticipated income at Eastern Reserve to \$30K+ annually. The oval lights are separately metered to ensure that contributions to the use of the oval lights can be accurately calculated.

Council Plan

The Council Plan 2013-17 objectives relevant to this report include:

Theme 3 Communities
 Objective 3.4 Building leadership and skills within the community
 Strategy 3.4.1 Support people to build their community leadership and develop their skills.

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

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

Policy/Legal Implications

Council is responsible for the establishment and governance of special committees in accordance with Section 86 of the Local Government Act 1989.

4.1 Eastern Reserve Committee of Management - Instrument of Delegation Review

Officer Direct or Indirect Interest

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

Risk Assessment

Risks identified include:

- Quality of the relationship between ERCOM and the core sport clubs
- Capacity of ERCOM to manage the facility as volunteers

Social Considerations

The Eastern Reserve Community Centre is a significant sporting and social hub for the Winchelsea community and community expectation regarding the management of the facility is high and a challenge for a volunteer based group.

Community Engagement

Council officers engage with the ERCOM via monthly meetings and regular contact between meetings. Council Officers have presented the proposed IOD changes to ERCOM representatives who have unanimously supported the changes and accept utility payment responsibilities.

Environmental Implications

There are no known environmental risks associated with the management and operations of the Eastern Reserve.

Communication

Council officers will communicate the outcomes of this report to ERCOM.

Conclusion

The Eastern Reserve Committee of Management Instrument of Delegation has operated for the past three (3) years and the committee are now in a position to test their capacity to operate with less financial assistance from Council, which aligns with the aim of the current delegation.

The period of time allowed for in this revised delegation aligns with the expiry of Councils other seven (7) Special Committees of Management IOD's which under the Local Govt Act must be reviewed within twelve (12) months of Council elections.

Eastern Reserve is a valuable community asset situated in a designated growth node. The Committee of Management has worked tirelessly in developing a business plan and building stronger relationships with tenant Clubs and the local community, however managing such a large facility is a challenge for a volunteer group. The recommended option is for Council to continue to support the Committee by managing the facility bookings, invoicing and cleaning, with the Committee to pay all utility costs (less an agreed contribution from Council for the Winchelsea Health Club) under a revised Instrument of Delegation.

5. MINUTES

5.1 Section 86 Committee Minutes

Author's Title: Administration Officer - Governance & Risk **General Manager:** Anne Howard

Department: Governance & Risk

File No: F16/285

Division: Governance & Infrastructure

Trim No: IC16/670

Appendix:

1. Planning Committee Minutes - 2 May 2016 (D16/49676)
2. Hearing of Submissions Committee Minutes - 31 May 2016 (IC16/613)

Officer Direct or Indirect Conflict of Interest:

Status:

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

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

Yes

No

Yes

No

Reason: Nil

Reason: Nil

Purpose

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

Summary

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

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

Recommendation

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

- Planning Committee – 2 May 2016
- Hearing of Submissions Committee – 31 May 2016

5.2 Advisory Committee Minutes

Author's Title: Administration Officer - Governance & Risk **General Manager:** Anne Howard

Department: Governance & Risk

File No: F16/285

Division: Governance & Infrastructure

Trim No: IC16/470

Appendix:

1. Audit & Risk Committee Meeting Minutes - 16 February 2016 (IC16/210)
2. Audit & Risk Committee Meeting Minutes - 17 May 2016 (IC16/546)
3. Municipal Emergency Management Planning (MEMP) Committee Minutes - 17 May 2016 (D16/46466)

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 following Advisory Committee meetings:

- Audit & Risk Committee – 16 February 2016
- Audit & Risk Committee – 17 May 2016
- Municipal Emergency Management Planning Committee – 17 May 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: IC16/528

Appendix:

1. Assembly of Councillors - Organisation Budget Submissions - 24 May 2016 (D16/52559)
2. Assembly of Councillors - Council Agenda Review - 24 May 2016 (D16/52551)
3. Assembly of Councillors - Council Briefing - 7 June 2016 (D16/52573)
4. Assembly of Councillors - Council Briefing - 14 June 2016 (D16/54700)

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:

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:

- Organisation Budget Submissions – 24 May 2016
- Council Agenda Review – 24 May 2016
- Council Briefings – 7 June 2016
- Council Briefings – 14 June 2016

7. URGENT BUSINESS/PETITIONS/NOTICES OF MOTION

Nil

8. IN-CAMERA

Recommendation

That Council pursuant to section 89(2)(a) personnel matters, section 89(2)(d) contractual matters 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 Confidential

8.2 Service Review - Family Day Care

8.3 Appointment of the 25% by 2020 Renewable Energy Task Force

Recommendation

That:

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

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