



# Minutes

Ordinary Meeting of Council  
Tuesday, 22 August 2017

Held in the  
Aireys Inlet Community Centre  
6 Great Ocean Road, Aireys Inlet  
Commencing at 6.00pm

**Council:**

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

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MINUTES FOR THE ORDINARY MEETING OF SURF COAST SHIRE COUNCIL  
HELD IN THE AIREYS INLET COMMUNITY CENTRE, 6 GREAT OCEAN ROAD, AIREYS INLET  
ON TUESDAY 22 AUGUST 2017 COMMENCING AT 6.00PM

**PRESENT:**

Cr Brian McKitterick (Mayor)  
Cr David Bell  
Cr Libby Coker  
Cr Martin Duke  
Cr Clive Goldsworthy  
Cr Carol McGregor  
Cr Margot Smith  
Cr Heather Wellington

**In Attendance:**

Chief Executive Officer – Keith Baillie  
General Manager Governance & Infrastructure – Anne Howard  
General Manager Culture & Community – Chris Pike  
General Manager Environment & Development – Ransce Salan  
Manager Finance – John Brockway  
Team Leader Governance – Candice Holloway (minutes)  
Administration Officer Governance & Risk – Claire Rose (minutes)  
Communications Officer – Kate Fowles

25 members of the public  
1 member of the press

**OPENING:**

**Cr Brian McKitterick, Mayor opened the meeting.**

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:**

**Cr Heather Wellington recited the pledge on behalf of all Councillors.**

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:**

**Council Resolution**

**MOVED Cr Libby Coker, Seconded Cr Martin Duke**

That Council receive an apology from Cr Rose Hodge.

CARRIED 8:0

**CONFIRMATION OF MINUTES:**

**Council Resolution**

**MOVED Cr Clive Goldsworthy, Seconded Cr Carol McGregor**

That Council note the minutes of the Ordinary meeting of Council held on 25 July 2017 as a correct record of the meeting.

CARRIED 8:0

**LEAVE OF ABSENCE REQUESTS:**

Nil.

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### **CONFLICTS OF INTEREST:**

Cr David Bell declared a Conflicting Personal Interest in item 4.4 Proposal to Licence Council Land - 6 Great Ocean Road, Aireys Inlet (Anderson Roadknight Hall and Car Park) – Market under section 79B of the Local Government Act 1989 due to owning and operating a market within the Shire. A motion was passed at that point in the agenda to exempt Cr David Bell from voting on the item. Cr David Bell left the meeting at 7:09pm and returned at 7:26pm. Cr David Bell was absent whilst the matter was being considered.

General Manager Governance & Infrastructure – Anne Howard declared an Indirect Conflict of Interest in item 2.2 Response to Petition - Regarding Safer Pedestrian, Cyclist and Motorist Routing on Centreside Drive, Merrijig Drive, Quay Boulevard and the Quay Oval, Torquay under section 78E of the Local Government Act 1989 due to residential amenity.

### **PRESENTATIONS:**

Nil.

### **PUBLIC QUESTION TIME:**

#### **Questions with Notice:**

Questions 1 and 2 received from Geoff Winkler of Bellbrae:

#### **Question 1: NBN Tower Bellbrae**

As claimed by NBN at the public meeting held June 5, 2017, did the Surf Coast Council Planning department recommend to NBN to move their proposed tower site away from option 'F', off Moores Road West, to the current planned location at 1435 Anglesea Road?

General Manager Environment & Development – Ransce Salan responded:

It is my understanding that in the pre-application process officers provided general advice on the need to avoid locating the tower in proximity to the Great Ocean Road due to its national significance and the desirability for it to be outside the view from the road. NBN have chosen a location further away from the Great Ocean Road.

#### **Question 2: NBN Tower Bellbrae**

Can Council please advise which of the planning assessment guidelines is correct and how such a significant discrepancy has been communicated to the community, considering the importance of the issue at hand?

General Manager Environment & Development – Ransce Salan responded:

The Officer's report does make reference to the need to be consistent with the objectives of section 4 of *The Planning and Environment Act 1987* which does include those things mentioned including the social and economic issues, benefits to the community and to balance future and present interests of all Victorians. These are very broad considerations and greater weight is given to the specific controls contained within the Planning Scheme under 52.19 which is the particular provision that deals with applications for telecommunication facilities.

Questions 3 and 4 received from Brett Hollis of Bellbrae:

#### **Question 3: NBN Tower Bellbrae**

In relation to the visual impact of the proposed tower. Does council consider the Anglesea Rd gateway to the Great Ocean Road and the proposed towers 300 - 400 metres from Anglesea Rd to be of significance and importance when concerning the visual amenity of the tower in relation to the local community and the large amount of tourists entering our globally famous road and region via this route?

General Manager Environment & Development – Ransce Salan responded:

Council considers Torquay to be the start of and the gateway to the Great Ocean Road. Council will determine if the visual amenity is significant enough to have an impact on the Great Ocean Road as part of item 3.6 Planning Permit Application 17/0106 - 1435 Anglesea Road, Bellbrae on tonight's agenda. Officers have concluded that the tower is far enough away to not impact on the visual amenity the Great Ocean Road.

**Question 4: NBN Tower Bellbrae**

Considering the doubt over the coverage figures provided by NBN, is the council 100% confident that the net public benefit is maximised by the proposed tower location?

General Manager Environment & Development – Ransce Salan responded:  
Council is required to consider the proposal on the information that has been submitted.

Questions 5 and 6 received from Jason Keeble of Bellbrae

**Question 5: NBN Tower Bellbrae**

Is there an opportunity in the statutory guidelines and provisions under which you assess a proposal whereby you can consider if it's in the best long term objective and presents a positive social and economic outcome for the new community gain?

General Manager Environment & Development – Ransce Salan responded:  
Council is required to consider the application under The *Planning and Environment Act 1987* which has the requirement to consider social, economic and environmental effects with its planning decisions.

**Question 6: NBN Tower Bellbrae**

Keeping in mind Mr Salan's statements recorded in the Council minutes regarding social benefit when deciding in proposals then I ask, can you please act on behalf of your community and seek a positive solution that best meets the needs of the greatest majority over time and not the short term goals of a passing corporate agenda?

General Manager Environment & Development – Ransce Salan responded:  
Council will consider the matter as item 3.6 Planning Permit Application 17/0106 - 1435 Anglesea Road, Bellbrae on tonight's agenda.

**Questions without Notice:**

Question 1 received from Graeme Biggins of Torquay (not present)

**Question 1: Petition Regarding Safer Pedestrian, Cyclist and Motorist Routing on Centreside Drive, Merrijig Drive, Quay Boulevard and the Quay Oval, Torquay**

Does Shire engineering staff truly understand our legitimate community safety concern with Merrijig's traffic 'forced into much wider Quay Boulevard along the Oval reserve at the newly constructed and confusing intersected to be open?

Cr Brian McKiterick, Mayor responded:  
Given Mr Biggins is not present, the question is taken on notice and a response will be provided within 5 business days. This question relates to item 2.2 Response to Petition - Regarding Safer Pedestrian, Cyclist and Motorist Routing on Centreside Drive, Merrijig Drive, Quay Boulevard and the Quay Oval, Torquay on tonight's agenda. The question identifies an error in the report that states the petitioners are seeking a pinch point at the intersection of Merrijig Drive and Scott Street and that error will be addressed when the item is considered by Council.

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**1. OFFICE OF THE CEO**

Nil

## 2. GOVERNANCE & INFRASTRUCTURE

### 2.1 Project Budget Adjustments and Cash Reserve Transfers - August 2017

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

**Department:** Finance      **File No:** F17/954

**Division:** Governance & Infrastructure      **Trim No:** IC17/913

**Appendix:**

Nil

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

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

Yes

No

**Reason:** Nil

**Status:**

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

Yes

No

**Reason:** Nil

#### Purpose

The purpose of this report is to receive and approve the Project Budget Adjustments and Cash Reserve Transfers, including ratification of net changes to cash reserves resulting from the project budget adjustments relating to the finalisation of accounts for the prior year:

#### Summary

The project Budget Adjustments and Cash Reserve transfers report for August are included in this report.

#### Recommendation

That Council:

1. Approve the Project Budget Adjustments outlined in Tables 1 to 2 in this report.
2. Approve the following net changes to cash reserves resulting from the project budget adjustments listed in this report:

Funding Sources	Transfers From/ (to) Reserve
Asset Renewal Reserve	(699,259)
<b>Grand Total</b>	<b>(699,259)</b>

3. Ratify the following net changes to cash reserves resulting from the project budget adjustments relating to the finalisation of accounts for the prior year:

Funding Sources	Transfers From/ (to) Reserve
Accumulated Unallocated Cash Reserve	(3,466)
Adopted Strategy Implementation Reserve	2,000
Asset Renewal Reserve	(9,306)
Waste Reserve	13,650
<b>Grand Total</b>	<b>2,878</b>

## 2.1 Project Budget Adjustments and Cash Reserve Transfers - August 2017

### Council Resolution

#### MOVED Cr Margot Smith, Seconded Cr Carol McGregor

That Council:

1. Approve the Project Budget Adjustments outlined in Tables 1 to 2 in this report.
2. Approve the following net changes to cash reserves resulting from the project budget adjustments listed in this report:

<b>Funding Sources</b>	<b>Transfers From/ (to) Reserve</b>
Asset Renewal Reserve	(699,259)
<b>Grand Total</b>	<b>(699,259)</b>

3. Ratify the following net changes to cash reserves resulting from the project budget adjustments relating to the finalisation of accounts for the prior year:

<b>Funding Sources</b>	<b>Transfers From/ (to) Reserve</b>
Accumulated Unallocated Cash Reserve	(3,466)
Adopted Strategy Implementation Reserve	2,000
Asset Renewal Reserve	(9,306)
Waste Reserve	13,650
<b>Grand Total</b>	<b>2,878</b>

CARRIED 8:0



## 2.1 Project Budget Adjustments and Cash Reserve Transfers - August 2017

### Report

#### **Background**

Council allocates project funding to projects through its annual budget or specific resolution.

From time to time, situations arise whereby initial budgets need to be reconsidered to achieve their planned objectives and project scope. It is important that Council's decisions to adjust project budgets from the originally approved allocations are open and transparent to the community. Therefore any changes to initially approved project budgets are reported in a manner that demonstrates the diligence and transparency of the organisation's project management processes.

Closure of projects is another important process for maintaining a well-managed program and involves financial review, asset management and project review activities. Projects reported for closure have been through Council's project review and closure process.

#### **Discussion**

The following budget transfers, detailed in Table 1, are required where it has been identified that projects require adjustments to their approved budgets to allow achievement of project scope and objectives; or there is a request to adjust scope of project.

**Table 1 – Project Budgets Requiring Adjustment**

Project Name	Funding Source	Basis for Variation	Project Allocation \$
New: Cape Otway Road Bridge Strengthening	Project Account	Project to be treated as standalone, funding to come from 9553: Bridge Renewal Program. Bridge audit identified urgent works to maintain bridge.	18,000
9648: Hesse Street Renewal Winchelsea - Roads to Recovery Funding	Asset Renewal Reserve	Cash flow adjustment of Roads to Recovery funding between 2017/18 and 2018/19 as per Federal Government Advice. Councilors advised 13 July 2017.	(240,000)
9651: Sealed Rd Renewal Horseshoe Bend - Roads to Recovery Funding	Asset Renewal Reserve	Cash flow adjustment of Roads to Recovery funding between 2017/18 and 2018/19 as per Federal Government Advice. Councilors advised 13 July 2017.	(368,000)
9647: Gnarwarre Road Culvert - Roads to Recovery Funding	Asset Renewal Reserve	Cash flow adjustment of Roads to Recovery funding between 2017/18 and 2018/19 as per Federal Government Advice. Councilors advised 13 July 2017.	(91,259)

## 2.1 Project Budget Adjustments and Cash Reserve Transfers - August 2017

The following budget transfers, detailed in Table 2, are a result of movements in the 2016 – 2017 year end results and a correction to the funding source of a project transfer.

**Table 2 – Ratification of Adjustments - Finalisation of Accounts for Prior Year**

Project Name	Funding Source	Basis for Variation	Project Allocation \$
8709: Sport and Rec Facilities Officer	Accumulated Unallocated Cash Reserve	Correction to 2016 - 2017 Close Out of Project finalisation of accounts.	398
8609: Business Continuity Exercise (1yr)	Accumulated Unallocated Cash Reserve	Correction to 2016 - 2017 Close Out of Project finalisation of accounts.	(210)
8616: Development of Council Plan 2017-2021	Accumulated Unallocated Cash Reserve	Correction to 2016 - 2017 Close Out of Project finalisation of accounts.	1,919
9082: Building Renewal	Asset Renewal Reserve	Correction to 2016 - 2017 Close Out of Project finalisation of accounts.	(9,000)
9590: Lorne Big Belly & Bin Locks	Waste Reserve	Correction to 2016 - 2017 Close Out of Project finalisation of accounts.	12,513
9598: Winchelsea Big Belly Bins	Waste Reserve	Correction to 2016 - 2017 Close Out of Project finalisation of accounts.	1,137
8566: RACV's Water Harvest Agreement	Grant Funded	Correction to 2016 - 2017 Close Out of Project finalisation of accounts.	307
8620: Anglesea Futures and Anglesea River	Accumulated Unallocated Cash Reserve	Correction to 2016 - 2017 Close Out of Project finalisation of accounts.	(743)
8628: Statutory Planning Resources - Growth in Applications & Reducing Backlog	Accumulated Unallocated Cash Reserve	Correction to 2016 - 2017 Close Out of Project finalisation of accounts.	(2,830)
9001: Sealed Road Renewal	Asset Renewal Reserve	Correction to 2016 - 2017 Close Out of Project finalisation of accounts.	(261)
9084: Playground Equipment Renewal	Asset Renewal Reserve	Correction to 2016 - 2017 Close Out of Project finalisation of accounts.	(45)
8654: Digital Transformation - Payroll Upgrade	Accumulated Unallocated Cash Reserve	Correction to 2016 - 2017 Digital Transformation - Payroll Upgrade to be funded from Digital Transformation via the Adopted Strategy Reserve not the Accumulated Unallocated Cash Reserve	(2,000)
8654: Digital Transformation - Payroll Upgrade	Adopted Strategy Implementation Reserve	Correction to 2016 - 2017 Digital Transformation - Payroll Upgrade to be funded from Digital Transformation via the Adopted Strategy Reserve not the Accumulated Unallocated Cash Reserve	2,000

### **Financial Implications**

The proposed Project Budget Adjustments and Cash Reserve Transfers are outlined in this Report. Through this report all financial implications of the project budget adjustments and cash reserve transfers are clearly and transparently presented to Council and the community.

### **Council Plan**

Theme 5 High Performing Council

Objective 5.1 Ensure Council is financially sustainable and has the capability to deliver strategic objectives

Strategy 5.1.1 Establish long-term financial principles and incorporate into the long-term financial plan

### **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 Budget Adjustments and Cash Reserve Transfers for August 2017.

## 2.2 Response to Petition - Regarding Safer Pedestrian, Cyclist and Motorist Routing on Centreside Drive, Merrijig Drive, Quay Boulevard and the Quay Oval, Torquay

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

**General Manager:** Anne Howard

**Department:** Engineering Services

**File No:** F17/1052

**Division:** Governance & Infrastructure

**Trim No:** IC17/923

**Appendix:**

Nil

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

**Status:**

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

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

Yes

No

Yes

No

**Reason:** S78 Indirect Interest by Close Association

**Reason:** Nil

### Purpose

The purpose of this report is to respond to the petition received and noted by Council at the 25 July 2017 Council meeting in relation to the six traffic management matters regarding safer pedestrian, cyclist and motorist routing on Centreside Drive, Merrijig Drive, Quay Boulevard and the Quay Oval.

### Summary

A petition seeking safer pedestrian, cyclist and motorist routing on Centreside Drive, Merrijig Drive, Quay Boulevard and the Quay Oval has been received and noted by Council at the 25 July 2017.

Officers have investigated each of the six traffic management issues raised and in response to the petition it is proposed to:

- Refer two matters for consideration on Council's future capital works program
- Monitor two of the issues through traffic volume and speed surveys
- Not support any action on two of the issues following investigation.

### Recommendation

That Council:

1. Respond in writing to the head petitioner confirming that the six proposed traffic measures have been reviewed and the following responses are provided:
  - 1.1 The proposed greenway, which would involve the closure of the intersection of Merrijig Drive and Quay Boulevard, is not supported as the constructed intersection arrangement are expected to meet the designed and balanced traffic flows for this precinct.
  - 1.2 Additional parking around the Quay Oval is not currently considered necessary, however future demand could be met through provision of angled parking on Merrijig Drive to replace the existing three indented parallel bays and this business case will be referred to Council's future capital works program for consideration.
  - 1.3 The provision of "Slow" pavement markings is not considered necessary but speed of vehicles on Quay Boulevard will be monitored and if required, traffic calming measures will then be considered.
  - 1.4 The intersection of Merrijig Drive and Scott Street is not suitable for the provision of a "pinch point" and when this road network is opened traffic volumes will be monitored and if required traffic calming measures will then be considered.
  - 1.5 The intersection of Merrijig Drive and Fischer Street is currently being reviewed as a problematic intersection as part of a road safety audit for Fischer Street (report due September) and any suggested improvements will be referred to Council's 2018/19 capital works program for consideration.
  - 1.6 Widening of Merrijig Drive between Fischer Street and Manuka Street is not supported as the current road widths are very adequate.
2. Refer the following two items for consideration as candidates to the 2018/19 capital works program:
  - 2.1 Additional parking on Merrijig Drive adjacent to the Quay oval; and
  - 2.2 Potential intersection improvements for Merrijig Drive and Fischer Street intersection.

## **2.2 Response to Petition - Regarding Safer Pedestrian, Cyclist and Motorist Routing on Centreside Drive, Merrijig Drive, Quay Boulevard and the Quay Oval, Torquay**

### **Council Resolution**

#### **MOVED Cr Martin Duke, Seconded Cr Margot Smith**

That Council:

1. Respond in writing to the head petitioner confirming that the six proposed traffic measures have been reviewed and the following responses are provided:
  - 1.1 The proposed greenway, which would involve the closure of the intersection of Merrijig Drive and Quay Boulevard, is not supported as the constructed intersection arrangement are expected to meet the designed and balanced traffic flows for this precinct.
  - 1.2 Additional parking around the Quay Oval is not currently considered necessary, however future demand could be met through provision of angled parking on Merrijig Drive to replace the existing three indented parallel bays and this business case will be referred to Council's future capital works program for consideration.
  - 1.3 The provision of "Slow" pavement markings is not considered necessary but speed of vehicles on Quay Boulevard will be monitored and if required, traffic calming measures will then be considered.
  - 1.4 The intersection of Centreside Drive and Scott Street is not suitable for the provision of a "pinch point" and when this road network is opened traffic volumes will be monitored and if required traffic calming measures will then be considered.
  - 1.5 The intersection of Merrijig Drive and Fischer Street is currently being reviewed as a problematic intersection as part of a road safety audit for Fischer Street (report due September) and any suggested improvements will be referred to Council's 2018/19 capital works program for consideration.
  - 1.6 Widening of Merrijig Drive between Fischer Street and Manuka Street is not supported as the current road widths are very adequate.
2. Refer the following two items for consideration as candidates to the 2018/19 capital works program:
  - 2.1 Additional parking on Merrijig Drive adjacent to the Quay oval; and
  - 2.2 Potential intersection improvements for Merrijig Drive and Fischer Street intersection.

CARRIED 8:0

## **2.2 Response to Petition - Regarding Safer Pedestrian, Cyclist and Motorist Routing on Centreside Drive, Merrijig Drive, Quay Boulevard and the Quay Oval, Torquay**

### **Report**

#### ***Background***

The Quay Residents Association, represented by John De Witt and Graeme Biggins, met with Torquay Ward Councillors and officers on 11 May 2017 expressing their concerns at a number of traffic management concerns being:

- The adequacy of the shared path on Merrijig Drive,
- The intersection of Merrijig Drive/ Scott St likely to be used as a short cut, and
- The adequacy of the parking around the Quay Oval.

Council officers respond in writing to each of these three concerns on 9 June 2017, but John De Witt indicated he found this response unsatisfactory and has consequently organised a petition from 165 residents (representing 91 properties) requesting 6 new traffic measures be reviewed in this area.

#### ***Discussion***

There are six proposals for new traffic measures that have been requested to be reviewed by council. These have been discussed with officers from the relevant areas (traffic, recreation, subdivision development and planning) and our assessment of each of the proposals is:

1. The proposal of a greenway which would involve closure of the intersection of Merrijig Drive and Quay Boulevard is not supported for the following reasons:
  - The intersection as designed (and construction now almost complete) is as per the approved Torquay North Overall Development Plan and independent traffic modelling (by TTM traffic consultants) has indicated it will function adequately. Merrijig Drive between Fischer Street and Horseshoe Bend Road will function as a Secondary Collector Road with an estimated volume of 2250 vehicles per day (vpd) at the Fischer Street end and down to 1050 vpd at the Horseshoe Bend Road end.
  - The proposed closure of the connection between Merrijig Drive (6.5m carriageway plus indented parking both sides) and Quay Boulevard (8.5m carriageway) would push more traffic onto Centreside Drive (6.4m carriageway) which it has not been designed for and is not supported.
  - The intersection as designed of Quay Boulevard and Merrijig Drive provides good even traffic flow down both roads which is important for evenly distributed traffic flows and access in this area.
  - The shared pathway remains on the north side of Merrijig Drive and provides a safe connection through to the shared path on Horseshoe Bend Road.
2. An assessment of parking supply and demand around the Quay oval has been undertaken with the recreation functions of Council and indicates that parking capacity should be close to meeting needs. It is however recognised that additional parking would assist in peak periods in particular. The peak demand estimated for this oval is the changeover period when two teams of football (20 players per side) are playing and if all players had a parent driving them then you would potentially require 2 x 20 players x 2 teams changing over = 80 cars, but not all people would drive a car and so a reasonable target is between 60 to 70 parks required. The current capacity of parking immediately abutting the oval is 70 (31 off street car spots, 29 parallel parks along Quay Boulevard and 10 indented bays on Merrijig Drive) and this is allowing residents to keep the parking abutting their properties (currently not controlled by any parking restrictions). The future of this oval is to remain as a junior oval and it does get used most nights in the season for training. If additional parking is required in future, then angled parking could be provided along Merrijig Drive along the north side of the oval. There are three existing parallel parking bays with a total of 10 car spaces which could be changed to angled parking which would provide an additional 13 car spaces (bring total car parking adjacent to the oval to 83) at an estimated cost of \$90,000. This could be referred for consideration of future capital works program.
3. The provision of red "Slow" signs is also not supported as it is currently only used at high use pedestrian sites such as schools (which have activity each week day morning and afternoon and some weekends). To provide this road marking adjacent to an oval, which mainly has activity on weekends and some nights, would lessen the impact and meaning of such signage as most weekdays there is minimal pedestrian activity and motorists will question what they are slowing for. Although there is no recorded speeding problems at this location the speed of vehicles on Quay Boulevard will be monitored and if required traffic calming measures will then be considered. Appropriate measures may include speed humps or road narrowings.

## **2.2 Response to Petition - Regarding Safer Pedestrian, Cyclist and Motorist Routing on Centreside Drive, Merrijig Drive, Quay Boulevard and the Quay Oval, Torquay**

4. A pinchpoint at Merrijig Drive and Scott St is not considered to be desirable as the existing road width in Scott St is only 2 traffic lanes wide and to narrow the intersection as proposed would mean making this road one way which is not feasible. Also, the problem is only a perceived problem and officers consider that the current alignment and entry to Scott Street will not make this an attractive shortcut and so our preference is to wait until the roads are complete and then monitor traffic volumes and assess if any traffic calming is needed.
5. The Merrijig Drive and Fisher Street intersection is currently operating as a staggered T intersection and does provide some confusion to drivers and queuing at peak times, although there is no accident history. In several years' time, when Fischer St connects to South Beach Road, this will reduce the volume of traffic coming down Merrijig Drive and likely reduce delays at this intersection. Council has also recently commissioned a road safety audit along Fischer Street which includes this intersection and the results of this audit will be presented in the next month and if any changes are recommended at this intersection these will be referred to our future road safety program.
6. Widening of Merrijig Drive between Fischer Street and Manuka Street (rear of new shopping centre) to accommodate more traffic towards the rear car park is not considered appropriate. This section of road already has two clear traffic lanes (6.5m carriageway with indented parking on both sides) and to widen this is unnecessary and would serve no purpose. The widening would also result in a loss of on-street parking and relocation of a street light with little benefit for the outlay.

### ***Financial Implications***

The only financial implications is the referral of two potential business cases for consideration on the future capital works program.

### ***Council Plan***

Theme 1 Community Wellbeing  
Objective 1.3 Improve community safety  
Strategy 1.3.1 Understand community safety issues and needs, and design an appropriate local response

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

The current road layout accords with the approved development plan for the area and is considered to be suitable based on traffic modelling undertaken by the developer's consultants. If there are speeding or accident issues that arise in the future then these will be monitored by our design and traffic section and referred for consideration under our road safety program

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

The General Manager of Governance & Infrastructure is a resident of Fischer Street, which is the subject of the petition, and so has a conflict by close association. No other officer has any conflict of interest.

### ***Risk Assessment***

The concerns raised by the petition relate to traffic speed and volumes and review of these has confirmed that the current risk at this location is not significant but requires monitoring at two locations which will be undertaken as part of the regular traffic monitoring of our road network.

### ***Social Considerations***

The community concerns raised through the petition have been investigated and of the six issues raised, two will involve referral to our future capital works program and two others will be monitored as part of our traffic management program.

### ***Community Engagement***

The community have engaged Council on their concerns through the petition and several meetings and detailed investigation has been made in response.

### ***Environmental Implications***

The proposed works relate to the existing road network and potential changes provide minimal impact to the environment.

## **2.2 Response to Petition - Regarding Safer Pedestrian, Cyclist and Motorist Routing on Centreside Drive, Merrijig Drive, Quay Boulevard and the Quay Oval, Torquay**

### ***Communication***

The head petitioner will be informed of Council's decision.

### ***Conclusion***

Council has carefully investigated and considered the six traffic issues raised through the petition and in response it is proposed to:

- Refer two matters for consideration on Council's future capital works program
- Monitor two of the issues through traffic volume and speed surveys
- Not support any action on two of the issues following investigation.

### 2.3 Council Plan 2013 - 2017 – Final Progress Report - 30 June 2017

**Author's Title:** Coordinator Governance & Corporate Planning      **General Manager:** Anne Howard

**Department:** Governance & Risk      **File No:** F16/850

**Division:** Governance & Infrastructure      **Trim No:** IC17/772

**Appendix:**

Nil

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

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

Yes

No

**Reason:** Nil

**Status:**

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

Yes

No

**Reason:** Nil

**Purpose**

The purpose of this report is to present the final progress on delivery of the Council Plan 2013 – 2017 strategies and measures for 2016 – 2017.

**Summary**

This report marks the completion of the final year's reporting against the Council Plan strategies and measures adopted by Council in June 2015 following a mid-term review.

December 2016 year-to-date performance against Council Plan strategies and measures was reported to Council in February 2017 and a full report will be included in the Surf Coast Shire Annual Report 2016 – 2017.

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

Status	Strategies		Measures	
	No.	%	No.	%
Work in progress (refer #1 below)	34	36	17	20
Met or exceeded	54	58	56	66
Not met	3	3	11	13
No action planned 2016 – 17	3	3	1	1
<b>Total</b>	<b>94</b>	<b>100</b>	<b>85</b>	<b>100</b>

#1 A review of the strategies identified as “work in progress” at 30 June 2017 has confirmed that these will continue to be delivered through the priorities identified in the Council Plan (incorporating the Health and Wellbeing Plan) 2017 – 2021.

**Recommendation**

That Council receive and note the Council Plan 2013 – 2017 final progress report for strategies and measures for the 2016 – 2017 year.

**Council Resolution**

**MOVED Cr Carol McGregor, Seconded Cr Margot Smith**

That Council receive and note the Council Plan 2013 – 2017 final progress report for strategies and measures for the 2016 – 2017 year.

CARRIED 8:0



## 2.3 Council Plan 2013 - 2017 – Final Progress Report - 30 June 2017

### Report

#### Background

This is the final progress report to Council against the Council Plan 2013 – 2017 strategies and measures for the 2016 – 2017 financial year.

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

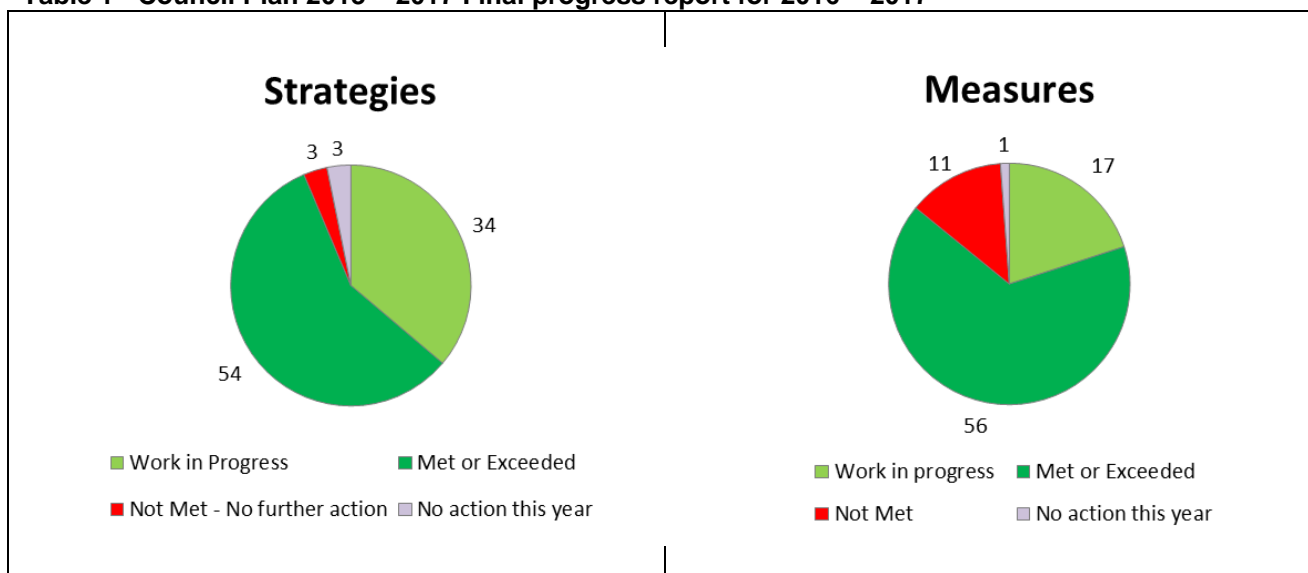
Annual performance against Council Plan strategies and measures is required to be reported in the Annual Report each year in accordance with the Local Government (Planning and Reporting) Regulations 2015.

#### Discussion

The end of year Council Plan 2013 – 2017 performance results for 2016 – 2017 are detailed in the following tables.

Additional performance reporting requirements including outcomes delivered through the Health and Wellbeing Plan 2013 – 2017 and service performance requirements from the Local Government (Planning and Reporting) Regulations 2015 will be incorporated into the Annual Report 2016 – 2017.

**Table 1 - Council Plan 2013 – 2017 Final progress report for 2016 – 2017**



**Table 2 – Summary table**

Status indicator	Work in progress #1	Met or exceeded	Not met	No action planned 2016 -17	Total
<b>Strategies</b>	34	54	3	3	<b>94</b>
<b>Measures</b>	17	56	11	1	<b>85</b>

#1 A review of the strategies identified as “work in progress” at 30 June 2017 has confirmed that these will continue to be delivered through the priorities identified in the Council Plan (incorporating the Health and Wellbeing Plan) 2017 – 2021.

### 2.3 Council Plan 2013 - 2017 – Final Progress Report - 30 June 2017

**Table 3 - Strategies where “No action planned 2016 – 2017”**

Objective	Strategy	Action	Comment
3.2 Quality services allocated according to need	3.2.2 Determine the best method to meet residents' home and community care needs in light of national aged care reform	3.2.2.1 Develop a health and wellbeing profile and related service map for Lorne	To be completed in the first half of 2018
3.4 Building leadership and skills within the community	3.4.2 Support people to participate in community life	3.4.2.1 Redevelop Council's community leadership program	Review and redevelopment not required
4.3 Enhance key rural and coastal roads and transport options	4.3.5 Identify a corridor of land for a potential future heavy vehicle by-pass for Winchelsea	4.3.5.1 Consider broader issue of by pass as part for Growing Winchelsea project	No further action proposed on a by-pass as Growing Winchelsea Strategy placed it in the beyond 10 year plan

**Table 4 - Strategies where actions identified as “not met”**

Objective	Strategy	Action	Comment
2.3 Long term financial viability	2.3.1 Identify and pursue new sustainable revenue sources to address the imbalance between rate and non-rate revenue sources	2.3.1.1 Prepare a report on alternative revenue streams	Is now being completed as part of Business Improvement plan
2.4 Transparency in decision making and access to information	2.4.4 Ensure Council meetings are held across the Shire	2.4.4.1 Hold three Council meetings outside Torquay	Only 2 off site meetings were held during 2016 - 2017. These were held in Lorne July 2016 and Moriac May 2017.
2.4 Transparency in decision making and access to information	5.4.7 Complete a strategic planning framework for land use planning	5.4.7.1 Deliver strategic framework plan by June 2017	Not required until completion of the Rural Hinterland Strategy

**Table 5 - Comments where targets for measures identified as “no action planned 2016 - 2017”**

Objective	Measure	Target	Comment
5.4 Transparent and responsive land use and strategic planning	5.4.4 Clear policy position to maintain green belts in the Municipal Strategic Statement (MSS)	Target = Complete rural hinterland strategy; Timeframe = by 30 June 2016; Reported = quarterly	Awaiting completion of the Rural Hinterland Strategy and Permanent Town boundaries projects.

### 2.3 Council Plan 2013 - 2017 – Final Progress Report - 30 June 2017

**Table 6 - Comments where targets for measures identified as “not met”**

Objective	Measure	Target	Comment
2.3 Long term financial viability	2.3.2 Council's debt servicing ratio is below 80%	Target = <60%; Timeframe = annually; Reported = quarterly	Will be below 80% at end of Financial year
2.4 Transparency in decision making and access to information	2.4.3 Number of Council meetings held outside Torquay	Target = 3; Timeframe = annually; Reported = quarterly	Only 2 offsite meetings were held. Moriac May 2017 & Lorne July 2016.
3.4 Building leadership and skills within the community	3.4.3 Value of grants provided to groups via the Small Grants Program	Target = \$45,000 per round (2 rounds per year); Timeframe = annually; Reported = quarterly	24 x Applications funded for total of \$33,448. 27 x Applications funded for total of \$33,304.85. Total Annual funding \$66,752.12
4.3 Enhance key rural and coastal roads and transport options	4.3.4 Length of road rehabilitations undertaken across the shire	Target = 50km; Timeframe = annually; Reported = annually	No asset handovers to date for road rehabilitation works
5.1 Protect productive farmland and support rural business	5.1.1 Number of rural businesses assisted with grant applications.	Target = 2; Timeframe = annually; Reported = quarterly	No rural businesses have been assisted with grant applications. A Ship to Shed program connecting Surf Coast to China was promoted which generated some interest but no applications.
5.1 Protect productive farmland and support rural business	5.1.2 Deliver Rural Hinterland Strategy	Target = Complete rural hinterland strategy; Timeframe = 30 June 2016; Reported = annually	Procurement completed and consultant appointed.
5.2 Encourage sustainable economic development and growth	5.2.4 Percentage growth of Surf Coast Shire economy.	Target = Economic growth exceeds 3% (measured in February); Timeframe = annually; Reported = quarterly	Growth of economy for Surf Coast (GRP Growth Rate) is measured as 2.54% on a five year average from 2010-2015 and 0.31% to year end 2014/15 (source: calculation based on NIEIR June 2016). The current GRP five year average growth rate sits above both G21 (1.5%) and Regional Victoria (0.5%) respectively.
5.3 Develop and grow sustainable year round tourism	5.3.3 Number of enquiries to Visitor Information Centres.	Target = 309,126 visitor enquiries; Timeframe = annually; Reported = quarterly	Total visitor enquiries equalled 251,113 for 2016 - 2017 consisting of 230,648 walk-ins and 20,465 phone calls. Of interest is that internet use at each VIC is estimated as follows: Lorne 1,675 users (min). Anglesea 1,525 users (min). Torquay

### 2.3 Council Plan 2013 - 2017 – Final Progress Report - 30 June 2017

Objective	Measure	Target	Comment
			1,450 users (min).
5.3 Develop and grow sustainable year round tourism	5.3.6 Number of Surf Coast Shire businesses engaged with Great Ocean Road Tourism.	Target = 5% increase pa on 2013 base (396); Timeframe = Annually; Reported = quarterly	Latest figures provided by GORRT indicated 285 businesses. A 30% reduction in engagement since last report. This includes 219 'levy' paying businesses and 66 'non levy'
5.4 Transparent and responsive land use and strategic planning	5.4.1 Percentage satisfaction for land use planning related measures.	Target = 55%; Timeframe = Annually; Reported = quarterly	Community Perception of services does not match the quantified improvements in planning services achieved over the last 12 months.
5.4 Transparent and responsive land use and strategic planning	5.4.2 Percentage completion of strategic planning work program	Target = 70%; Timeframe = Annually; Reported = quarterly	Volume of private planning scheme amendments supported by Council was significant to support one off development opportunities

**Table 5 – Final progress for Council Plan strategies and measures**

Themes & Objective	Strategies			Measures			
<b>Environment</b>							
1.1 Preserve and enhance the natural environment	3	1			4		
1.2 Pursue alternative energies		2			1	1	
1.3 Leadership in innovative environmental practices	3	2			1	3	
1.4 Protect public open space and green belts	1				1		
<b>Governance</b>							
2.1 Robust risk management framework and processes		4			4		
2.2 High performing accountable organisation	1	4			2	8	
2.3 Long term financial viability		1	1		1		1
2.4 Transparency in decision making and access to information	2	2	1		1	2	1
2.5 Enhanced community engagement	4	4			2		
2.6 Advocate on behalf of our community		4			2	2	
<b>Community</b>							
3.1 Communities that plan for, and recover from, disasters.	1	4			4		
3.2 Quality services allocated according to need	2	2		1		3	
3.3 Preservation of peaceful, safe and healthy environments	2	4			2	3	
3.4 Building leadership and skills within the community	1	1		1	1	1	1
<b>Infrastructure</b>							
4.1 Allocation of infrastructure according to need		3			1		
4.2 Accessible and well maintained Council facilities	5	1			3	2	
4.3 Enhance key rural and coastal roads, and transport options	4	2		1		4	1
<b>Development &amp; growth</b>							
5.1 Protect productive farmland and support rural business		2			1		2
5.2 Encourage sustainable economic development and growth	1	3			1	5	1
5.3 Develop and grow sustainable year round tourism	3	5			6	2	
5.4 Transparent and responsive land use and strategic planning	1	3	1		1	2	1
<b>December year-to-date</b>	<b>63</b>	<b>30</b>		<b>1</b>	<b>62</b>	<b>22</b>	<b>1</b>

## 2.3 Council Plan 2013 - 2017 – Final Progress Report - 30 June 2017

Themes & Objective	Strategies				Measures			
End of year	34 #1	54	3	3	17	56	11	1

### Notes:

#1 A review of the strategies identified as “work in progress” at 30 June 2017 has confirmed that these will continue to be delivered through the priorities identified in the Council Plan (incorporating the Health and Wellbeing Plan) 2017 – 2021.

### Legend

Work in progress#1	Met or exceeded	Not met	No action planned 2016 -17

### Financial Implications

There are no additional costs associated with reporting the performance.

### Council Plan

Theme 5 High Performing Council

Objective 5.2 Ensure that Council decision-making is balanced and transparent and the community is involved and informed

Strategy Nil

### Policy/Legal Implications

This report complies with the Local Government Act 1989 and Local Government (Planning and Reporting) Regulations 2015.

### Officer Direct or Indirect Interest

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

### Risk Assessment

There is a reputational risk to Council if it does not comply with its legislative obligations.

### Social Considerations

Ensuring performance against strategies and measures is reported ensures transparency and public accountability.

### Community Engagement

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

### Environmental Implications

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

### Communication

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

### Conclusion

This report provides information on Council’s performance in delivering against the 2013 - 2017 Council Plan strategies and measures endorsed by Council in August 2016, for noting.

### 3. ENVIRONMENT & DEVELOPMENT

#### 3.1 Program Status Report - April to June Quarter 2017

**Author's Title:** Manager Program Management Office **General Manager:** Ransce Salan

**Department:** Program Management Office **File No:** F17/189

**Division:** Environment & Development **Trim No:** IC17/925

**Appendix:**

1. 2016-17 Program Status Report - CAPITAL - 30 June 2017 (D17/95253)
2. 2016-17 Program Status Report - OPERATIONAL - 30 June 2017 (D17/95250)

**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

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#### **Purpose**

The purpose of this report is to receive and note the Program Status Report for the April to June 2017 quarter.

#### **Summary**

The Program Status Report provides an overview of the Program, progress of overall delivery and the status of time, cost and scope for each capital and operational project. This information provides a flag for risks to individual project delivery and the overall Program. The report attachments reflect changes to the Program that have been approved by Council including new projects, changes to project budgets, scope or time, and projects that have been completed or cancelled. This report is provided to Council quarterly.

#### **Recommendation**

That Council note the Program Status Report for the April to June 2017 quarter.

#### **Council Resolution**

**MOVED Cr Margot Smith, Seconded Cr Carol McGregor**

That Council note the Program Status Report for the April to June 2017 quarter.

CARRIED 8:0

### 3.1 Program Status Report - April to June Quarter 2017

#### Report

##### **Background**

The Program Management Office (PMO) has responsibility to provide leadership, support and analysis for best practice project management, including standardising and building Surf Coast Shire Council's project management capability and methods. The PMO has responsibility to support successful delivery of Council's program of projects with the right approach and level of resources.

The Program Status Report is intended to provide a high level analysis to Executive Management Team and Council on progress of the overall program of capital and operational projects, provide a point of accountability for project managers to provide accurate status information including time, cost and scope, and for project sponsors to identify how they are addressing any risks to project delivery.

Each project in the Program Status Report is reported on monthly by the relevant project manager for status, and therefore risk to time, cost and scope. Status is reported to Executive Management Team monthly, and to Council quarterly. The status of each project is detailed in Appendix 1 (Capital Projects) and Appendix 2 (Operational Projects)

The quarterly profile for 2016/17 spend is based on historical trend:

Quarter	Percentage (%) of annual spend
June to September 2016	15
October to December 2016	30
January to March 2017	20
April to June 2017	35

A spend target was established for the 2016/17 program based on:

- the program allocation made by Council in the 2016/17 Budget
- PLUS carry forwards from 2015/16
- LESS
  - Multi-year project funding that is planned to be expended in future years
  - Projects awaiting outcomes, such as grant or project partners preparedness, or high external risk i.e. subject to VCAT
  - Project funding in the process of being accumulated
  - Land transactions
  - Project contingency (from 2016/17 onwards).

In 2016/17 projects are being reported 'Life to Date' therefore multi-year project reporting will include actual spend from years prior and future allocation per Council resolutions for the total project budget.

Project budgets are reported excluding contingency. Contingency funds for each project are centralised in a separate account to be drawn on as requested by the project sponsor and reviewed / approved by the PMO.

Spend targets for the 2016/17 Program, including post-budget adjustments, were presented to Council on 6 September 2016. The difference between the 2015/16 year-end actual spend and 2016/17 target is detailed below, and shows a significant increase in the Program to be delivered.

Program	Actual 2015/16 \$'000	Spend Target 2016/17 \$'000	Increase		Anticipated Spend (March 2017)
			\$'000	%	\$'000
Capital	14,966	22,455	7,490	50.05	16,680
Operational	1,922	3,617	1,695	88.19	3,130
TOTAL	16,888	26,072	9,184	54.38	19,810

### 3.1 Program Status Report - April to June Quarter 2017

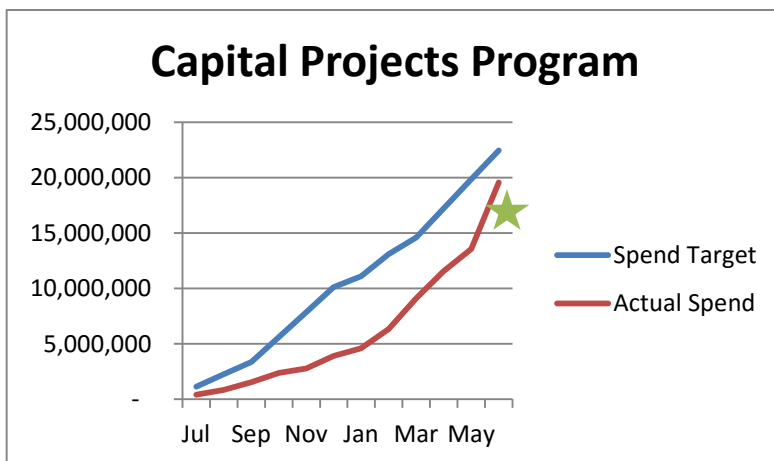
The table above includes an 'Anticipated Spend' column that was reported to Council in March 2017. At this point in time Program spend was behind target for year to date. Anticipated Spend was established in conjunction with estimating the carry forward for the 2017/18 budget.

A range of initiatives to increase the rate of projects delivery were implemented in early 2017 including:

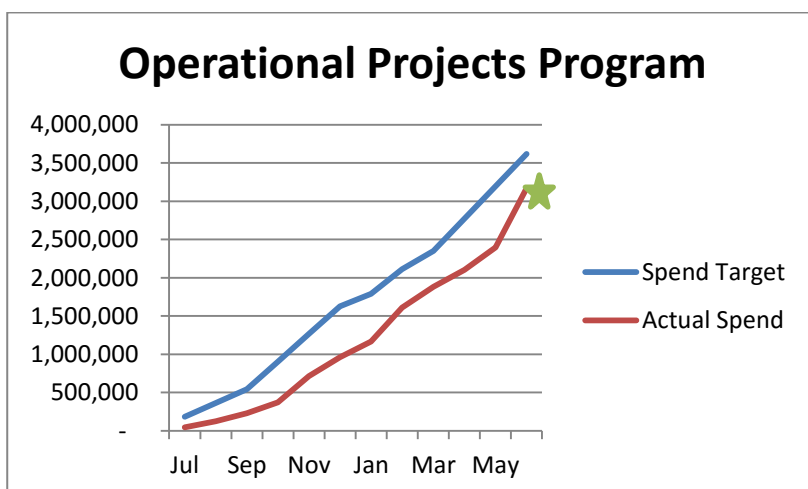
- in line with Council's project management resourcing model, analysis of project management requirements for the program and recruitment of four additional project managers using project budget allocations made for this purpose
- confirmation of timing for significant project value (>\$200K) to confirm or re-profile the spend target
- using Sponsor Support Fund to provide support for 2016/17 project charter development where sponsors have significant project load
- using Sponsor Support Fund to provide support for 2017/18 project proposal development so that sponsors stay focussed on current program delivery
- continuing support from the Program Management Office to embed the Project Delivery Framework and ensure roles, accountability and responsibilities are clear
- targeted project health checks to identify where changes can be made to ensure project delivery.

#### Discussion

Spend for the Capital Project Program at 30 June 2017 is represented in the graph below. The green star represents 'Anticipated Spend' reported to Council in March 2017.



Spend for the Operational Project Program at 30 June 2017 is represented in the graph below. The green star represents 'Anticipated Spend' reported to Council in March 2017.





### 3.1 Program Status Report - April to June Quarter 2017

The table below indicates that in the final quarter of 2016/17 there was a significant uplift in project delivery and associated spend. The spend of \$6.76m in June was a combination of small number of high value payments and a large number of medium value payments. This made a significant contribution to the end of year result.

	Capital \$m	Operational \$m	Total \$m
<b>Spend 30 June 2017</b>	19.55	3.17	22.71
<b>Spend during June</b>	5.99	0.77	6.76
<b>Value under contract</b>	5.15	0.22	5.67

The table below shows the Spend Target adjusted for savings, cancelled and deferred projects. Following this adjustment over 90% of spend was achieved for capital and operational projects, and the overall Program. Savings do not include contingency as this allocation is not included in planned expenditure.

Program	Original Spend Target 2016/17	Savings	Temporary Staff Position Salaries Unspent	Cancelled or Deferred	Total Savings / Cancelled / Deferred	Original Spend Target adjusted for Savings / Cancelled / Deferred	Actual Spend 30 June 2017	Actual Spend as % of Original Spend Target adjusted for Savings / Cancelled / Deferred
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	%
Capital	22,455	927	0	173	1,100	21,355	19,547	91.5%
Operational	3,617	306	183	23	512	3,105	3,168	102.0%
<b>TOTAL</b>	<b>26,072</b>	<b>1,233</b>	<b>183</b>	<b>196</b>	<b>1,612</b>	<b>24,460</b>	<b>22,715</b>	<b>92.9%</b>

A statement of Capital Works by category for annual budget, YTD budget and actual budget is included in the quarterly Finance Report to Council.

Project variations and new projects, including reserve movements, are reported to Council each month in a separate report prepared by the Finance Department (the Transfer Table).

#### **Financial Implications**

The financial implications of the status of cost for the overall program are considered by Council on a project-by-project request basis via the monthly Finance Report. This provides transparency for variations to project budgets for additional allocations or acknowledgement of projects completed under budget with savings returned to source.

#### **Council Plan**

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

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

Theme 2 Governance  
Objective 2.2 High performing accountable organisation  
Strategy 2.2.3 Increase capability in analysing and managing contentious issues.

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

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

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

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

### **3.1 Program Status Report - April to June Quarter 2017**

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

Project risk assessments are prepared, monitored and reviewed as part of project initiation and delivery. Any risk associated with the status of time, cost and scope for each project will be managed by the Project Sponsor in conjunction with the governance group for the project, and subject matter experts where relevant. The requirement for data on time, cost and scope for each project to be provided by project managers on a regular basis supports the discipline of status reporting, including management of risk, and early identification / resolution of issues.

The risks associated with delivery of the Program in 2016/17 were addressed via a range of initiatives detailed under the 'Discussion' heading of this report.

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

Any significant social issues associated with the status of time, cost and scope for each project will be managed by the Project Sponsor in conjunction with others participating in governance for the project, and other subject matter experts where relevant. There are no significant social considerations arising directly from this report.

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

Community communications and engagement plans are prepared, monitored and reviewed as part of project initiation and delivery when relevant. Any emerging issues that require communications and engagement due to variations in time, cost and scope for each project will be managed by the Project Sponsor in conjunction with others participating in governance for the project, and other subject matter experts where relevant. Project delivery supports Council's Communications and Community Engagement Strategy 2015-2018 and complies with Council policy where relevant.

There are no significant community engagement requirements arising directly from this report.

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

Environmental implications of individual projects are considered in the 'Identify' and 'Initiation' and 'Planning' phases as part of project approach and scope. Environmental deliverables may be specified as part of the project outcomes and benefits. Project delivery complies with Council policy where relevant. There are no significant environmental implications arising directly from this report.

#### ***Communication***

Comments or questions from Council or community arising from this report will be communicated to the relevant Project Sponsor or Program Management Office and responded to.

#### ***Conclusion***

The Program for 2016/17 was tracking behind targeted spend in the first half of the financial year. A number of initiatives were implemented to increase the delivery rate of projects to work towards the 2016/17 target including applying increased resources in line with Council's project management resourcing model. The actual spend achieved was 92.9% of the target following adjustments for savings, cancelled and deferred projects.

### 3.2 Planning Scheme Amendment C121 - Bells Beach Hinterland Review

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

**General Manager:** Ransce Salan  
**File No:** F16/1611  
**Trim No:** IC17/532

**Appendix:**

1. Submissions - Redacted (D17/88647)
2. Summary of Submissions (D17/92047)
3. Explanatory Report (D17/92008)
4. Rural Landscape Policy (D17/92034)
5. Coastal Development Policy (D17/92027)
6. Schedule to the Rural Conservation Zone (D17/92040)
7. Zone Map (D17/47599)
8. Significant Landscape Overlay Schedule 1 (D17/92044)
9. SLO1 Mapping Bells (D17/52868)
10. VPO1 Deletion Mapping (D17/52864)
11. SLO1 Mapping Anglesea (D17/52867)
12. VPO1 Deletion Mapping (D17/52862)

**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

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#### Purpose

The purpose of this report is to consider submissions received to Amendment C121 and resolve to refer the submissions and amended exhibition documents to an independent Panel pursuant to Part 8 of the Planning and Environment Act 1987.

#### Summary

Planning Scheme Amendment C121 implements and builds on the recommendations of the *Surf Coast Planning Scheme Review Report 2014*, the *Bells Beach Taskforce Report* and *Bells Beach Surfing Recreation Reserve Coastal Management Plan 2015*. The amendment implements the strategic land use directions of these reports by updating local policy, zone and overlays in the *Surf Coast Planning Scheme* to better recognise the importance of Bells Beach and its hinterland. The amendment improves the operation of the *Significant Landscape Overlay Schedule 1 (SLO1)* and *Coastal Development Policy* applying to the hinterland and coastal rural land within the viewshed of the Great Ocean Road.

The amendment was publicly exhibited from 18 May 2017 to 19 June 2017. A total of 43 submissions were received, summarised as follows:

- Twenty six (26) supported the amendment, or supported stronger protection of Bells Beach and its hinterland. A number of these submissions felt the amendment was not strong enough and suggested further and more prescriptive changes. There was strong objection raised to any kind of tourist or commercial development in the area.
- Two (2) submissions were from referral authorities who either supported or did not object to the amendment.
- Ten (10) submissions objected to the amendment on the grounds that the proposed changes are too onerous and restrictive to landowners;
- Three (3) submissions objected to their property or part of their property being rezoned from *Farming Zone* to *Rural Conservation Zone*. It was submitted that there is no strategic justification for the rezoning and that the land isn't within the Bells Beach hinterland. One submitter expressed that the zone change will impede the ongoing management and growth of their farm;
- Two (2) objected to the amendment applying to the Lorne hinterland and highlighted that this area should be subject to its own review with tourism activities encouraged.

### 3.2 Planning Scheme Amendment C121 - Bells Beach Hinterland Review

#### Recommendation

That Council:

1. Receive and note the submissions received to Amendment C121.
2. Request the Minister for Planning appoint an independent Panel pursuant to Part 8 of the Planning and Environment Act 1987 to consider submissions to Amendment C121.
3. Endorse the amended mapping and wording changes made following exhibition of Amendment C121 as Council's position to present to the Independent Panel, being:
  - 3.1 Delete the exhibited zoning maps, 19 and 22.
  - 3.2 Amend the exhibited Clause 42.03-1 through the modification of Map 1 to exclude any land not covered by the schedule.
  - 3.3 Insert clear strategic direction for tourist developments in the Bells Beach area into the 'Tourism Strategy' consistent with the exhibited version of the 'Rural Landscape Policy'.

#### Council Resolution

**MOVED Cr David Bell, Seconded Cr Martin Duke**

That Council:

1. Receive and note the submissions received to Amendment C121.
2. Request the Minister for Planning appoint an independent Panel pursuant to Part 8 of the Planning and Environment Act 1987 to consider submissions to Amendment C121.
3. Endorse the amended mapping and wording changes made following exhibition of Amendment C121 as Council's position to present to the Independent Panel, being:
  - 3.1 Delete the exhibited zoning maps, 19 and 22.
  - 3.2 Amend the exhibited Clause 42.03-1 through the modification of Map 1 to exclude any land not covered by the schedule.
  - 3.3 Insert clear strategic direction for tourist developments in the Bells Beach area into the 'Tourism Strategy' consistent with the exhibited version of the 'Rural Landscape Policy'.

CARRIED 8:0

### 3.2 Planning Scheme Amendment C121 - Bells Beach Hinterland Review

#### Report

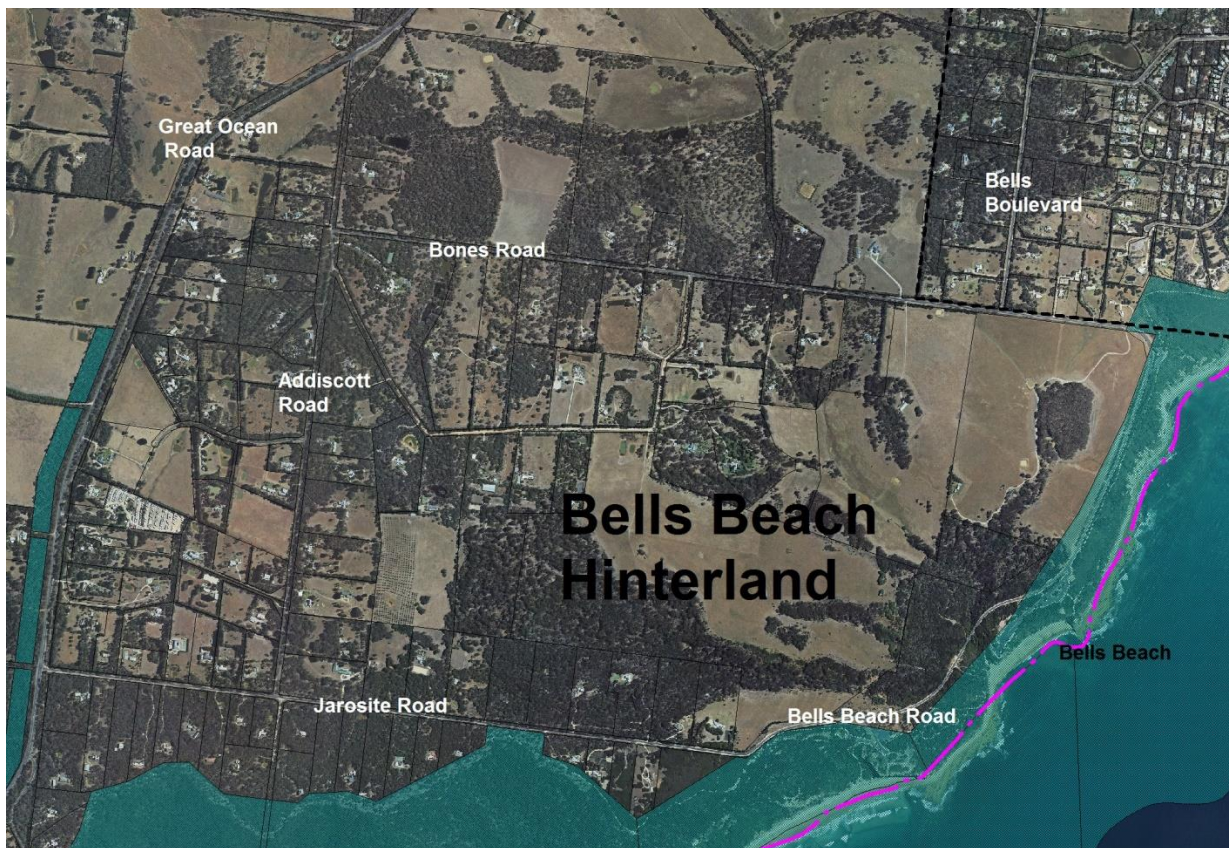
##### **Background**

Amendment C121 has been prepared by the Surf Coast Shire to better protect Bells Beach and its hinterland. The changes to the strategies, policies, zone and overlay provisions within the Surf Coast Planning Scheme aim to improve decision making tools and provide greater clarity around the significance of Bells Beach and hinterland.

Amendment C121 builds on the strategic directions of the *Surf Coast Planning Scheme Review 2014* and the recommendations and community sentiment captured through the *Bells Beach Task Force Report* and *Coastal Management Plan (CMP)* prepared for the Bells Beach Surfing Recreation Reserve in 2015.

The *Surf Coast Planning Scheme Review 2014* included an analysis of the current controls covering the Bells Beach hinterland. The review report confirmed opportunities to improve land use planning tools around Bells Beach through strengthening and extending the controls beyond the viewshed to cover the broader 'Bells Beach area'.

The amendment identifies the 'Bells Beach area' or 'hinterland' as being all land visible when traveling to the reserve from Bones, Addiscott and Jarosite Road. It also includes all land bounded by these roads and visible from the reserve itself, all carparks and viewing areas within the reserve and the southern end of Bells Boulevard, refer to map 1.

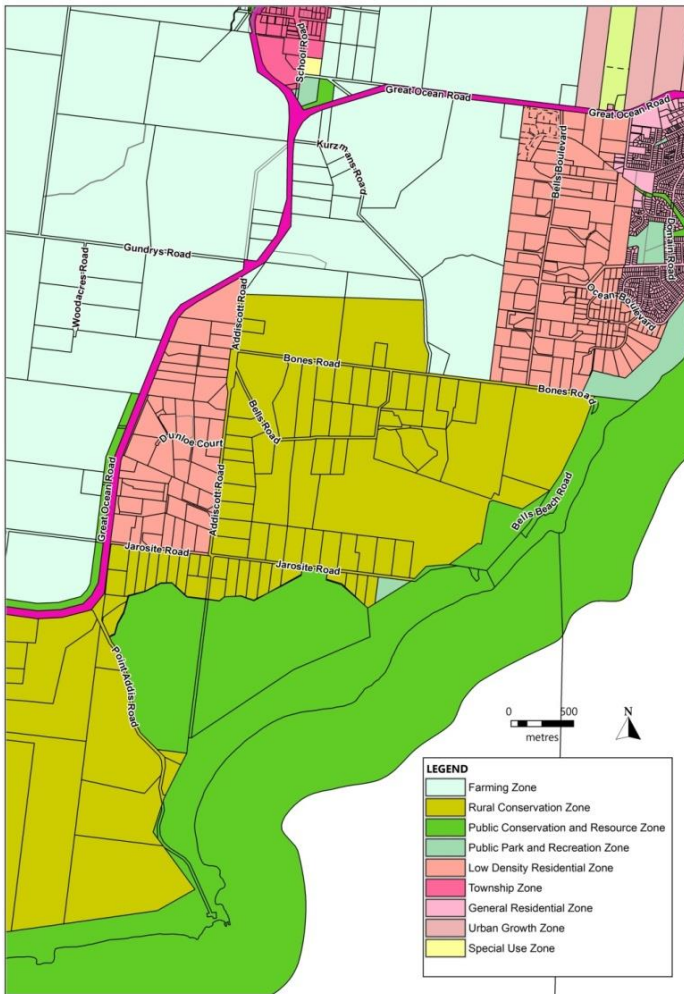


**Map1: Bells Beach hinterland**

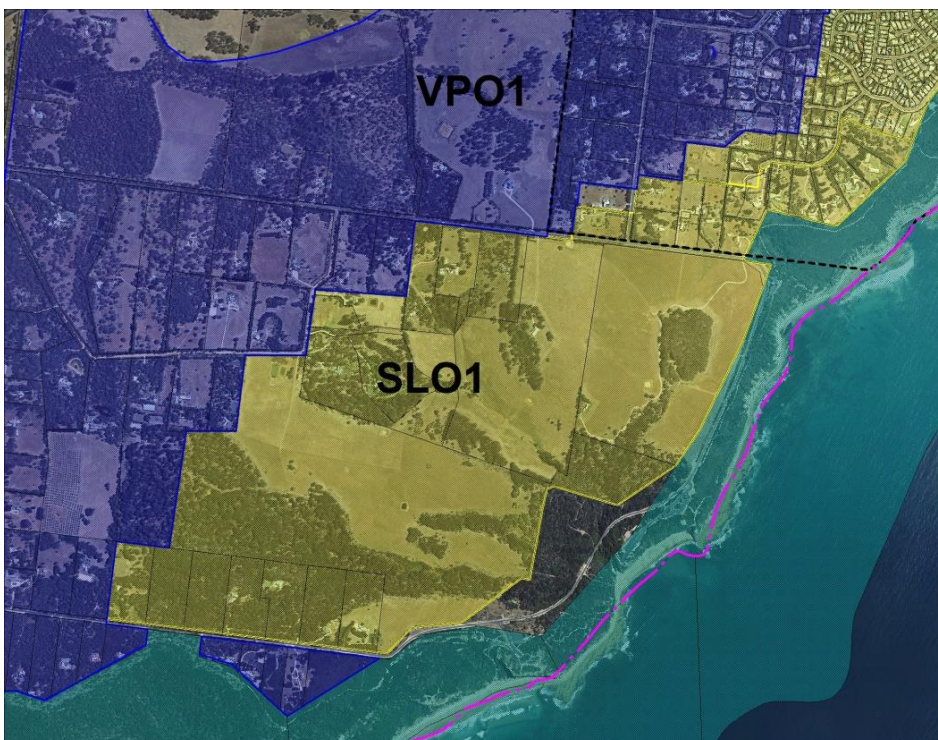
The hinterland is not defined by a hard edge but will vary depending on a person's position within the landscape at any given time. When travelling by car the glimpses of the hinterland will be fleeting but when walking along the Surf Coast Walk the hinterland will come in and out of view, sometimes screened by vegetation or topography and other times open and expansive. The private land that is deemed to have the highest landscape value in the Bells Beach area is covered by a *Significant Landscape Overlay Schedule 1 (SLO1)* and beyond this area the land is zoned either *Rural Conservation Zone* or *Low Density Residential Zone* with a *Vegetation Protection Overlay Schedule 1 (VPO1)*. Map 2 shows the current zoning within the hinterland and map 3 shows the current extent of the SLO1 and VPO1.



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Map 2: Zoning map in the Bells Beach hinterland



Map 3: SLO1 and VPO1 in the Bells Beach hinterland

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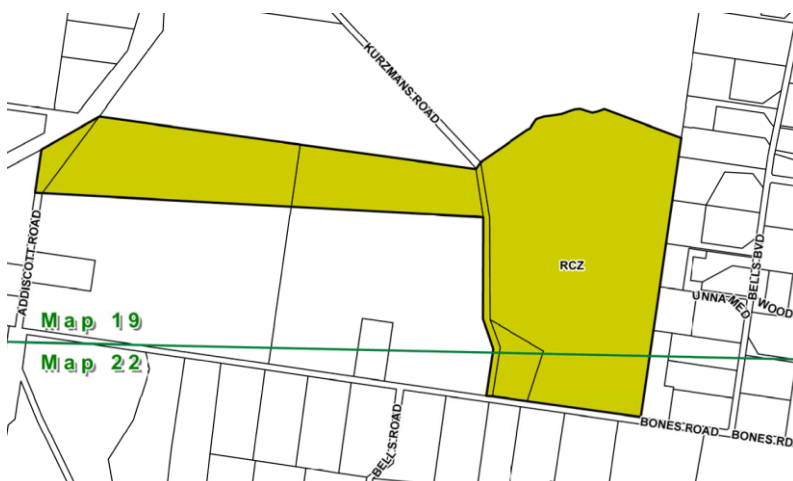
The amendment extends the SLO1 to cover five additional properties within the hinterland based on a viewshed analysis that was undertaken as part of the preparation of the amendment. One property is located in Bones Road and the other 4 are located in Jarosite Road, shown in map 4.



**Map 4: Extension of the SLO1 through C121**

The amendment also seeks to rezone 2 properties fronting onto Bones Road from *Farming Zone* to *Rural Conservation Zone*. Both of these properties are located to the north of Bones Road and are the only properties within the hinterland not presently zoned *Rural Conservation Zone*. One of these properties is a large parcel of land with sections of cleared land that is used for grazing. There is a dwelling on this property. The other is a small property of 2.5ha that is covered in native vegetation with the exception of the house site.

The amendment also proposes to rezone the rear of 2 additional properties fronting onto Bones Road from *Farming Zone* to *Rural Conservation Zone* to apply a consistent zoning across these sites. Currently the rear of those properties are zoned *Farming Zone*. Both properties graze stock on the cleared land towards the rear and the land close to Bones Road is heavily vegetated. Map 5 shows the proposed rezoning.



**Map 5: Rezoning through C121**

### 3.2 Planning Scheme Amendment C121 - Bells Beach Hinterland Review

The Acting Minister for Planning on 2 February 2017 wrote to Council advising of the Minister's support for Council's proposed amendment to the planning scheme to "protect this iconic coastal area with its significant environmental, landscape and cultural values. More than ever we need to manage tourism and other forms of development in this sensitive location". The Acting Minister also offered the assistance of officers from the Department of Environment, Land, Water and Planning (DELWP) in the development of the amendment. Accordingly, Council officers have worked with planning officers from the DELWP Regional Office who have assisted in the drafting of the amendment as appended to this report.

#### Discussion

The amendment was publicly exhibited from 18 May 2017 to 19 June 2017. A total of 43 submissions were received with 28 supporting and 15 objecting. The submissions are provided at Appendix 1.

Support for the amendment relates to the ongoing protection of the Bells Beach hinterland for its highly significant landscape and environmental values. Those supporting the amendment wish to see a prohibition on most development, particularly tourist or commercial developments. A number of submitters highlighted the uncertainty produced by Clause 10 of the *State Planning Policy Framework* (SPPF) which seeks to find a balance between different objectives within the planning scheme. The submitters believe that the natural environment should take precedence over all other factors when considering an application in the Bells Beach hinterland. It was also highlighted that the 'Tourism Strategy' within the Local Planning Policy Framework (LPPF) needs clearer direction in relation to tourist facilities in the hinterland i.e. that they will not be supported.

Opponents to the amendment are concerned with the restrictive nature of the controls. A number of landowners expressed that the current controls are sufficient and the lack of over development currently existing in the area is testimony to this. There are families in the area that have lived or have had a connection to Bells Beach for many years or generations. They have an affinity with the area and wish to see it protected. These submitters outlined a fear that the revised controls could prevent them from making minor changes to their property due to their prescriptive nature.

Two landowners that are currently zoned *Farming* (FZ) and proposed to be rezoned to *Rural Conservation Zone* (RCZ) through the amendment oppose the rezoning. The submissions highlighted that the *Planning Scheme Review 2014* (the foundation for the amendment) did not recommend rezoning the land. This review referred to the 'Bells Beach area' as land west of the SLO boundary and covered by the RCZ. The submitter's land is located west of the SLO1 but is not covered by the RCZ. It is argued that because the properties are not currently zoned RCZ they are not within 'the hinterland' or 'Bells Beach area'.

Two landowners in Bones Road have 2 zones on their property; the front of the site is RCZ and the rear is FZ. Both landowners oppose the proposed rezoning of the rear of their properties to RCZ. One submitter highlighted that the rezoning could have a negative impact on their future plans for the property. The cleared part of the site (away from Bones Road) is grazed and used for stock breeding and they wish to continue and possibly expand these activities. They consider the Farming Zone to be a more suitable zone for the northern part of their property which is accessed from the Great Ocean Road, opposite the Adventure Park site at the corner of Gundrys Road.

A detailed summary of each submission is provided at Appendix 2. The key issues and officer response are summarised below:

Issue	Officer response
<b>Support for the amendment – planning controls should be stronger</b>	
27 submissions were received in support of the amendment. There was strong support for protecting the reserve and broader area but a number of submissions sought more stringent controls with uses such as tourist establishments or commercial enterprises prohibited.	There is support from many landowners for stronger controls and these landowner wish for the area to stay as is with very little or no change. This sentiment is echoed by other visitors and users of the reserve.  Prohibited uses are located in zones and cannot be prohibited through the Local Planning Policy Framework (local strategies and policies) if the zone permits an application to be made. C121 seeks to provide clearer guidance for decision making and provide definite policy direction whilst not prohibiting uses.



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Issue	Officer response
<p>It was submitted that the 'Tourism Strategy' should also include wording in relation to tourist establishments in the hinterland.</p>	<p>Recommendation: Modify the 'Tourism Strategy' to provide consistent wording and policy direction relating to tourist establishments. The wording should be similar to the wording in the exhibited version of the 'Rural Landscape Policy'.</p> <p>Refer submissions and revised wording to Panel.</p>
<b>The planning controls proposed are too restrictive</b>	
<p>10 submitters objected to the strengthening of the controls in the hinterland on the basis that the current controls are adequate and adding further restrictions is unfair and onerous. It is submitted that all development irrespective of its scale could be interpreted as prohibited under the changes.</p> <p>Submitters located outside the SLO1 objected to the mapping within the schedule showing their property.</p>	<p>The submitters opposing the amendment feel some development is acceptable provided it is designed in a sensitive manner. These landowners have expressed that they have been custodian of the Bells hinterland for many years and generations and feel it is unfair that they must preserve their land unchanged in perpetuity for the good of the wider community.</p> <p>Divergent views have been expressed in submissions regarding future development. The consistent viewpoint is that dramatic change or change that scars the landscape or environment is not acceptable. Completely prohibiting tourist establishments is inconsistent with the planning scheme but clear guidance for decision makers is a compromise for all parties. The need for guidance in the assessment of development proposals was highlighted by the Victorian Civil and Administrative Tribunal in the appeal <i>McNaughton v Surf Coast Shire Council</i> in 2016 which proposed group accommodation at 130 Bells Road.</p> <p>Submitters request that the mapping contained within the SLO1 exclude their property as they are not affected by the overlay. This is considered logical and the mapping should be amended to exclude all land outside the overlay area.</p> <p>Recommendation: Amend map 1 to the SLO1 to only show land covered by the schedule. Refer amended mapping and submissions to Panel.</p>
<b>Rezoning land from Farming Zone to Rural Conservation Zone</b>	
<p>3 submissions (from 4 different landowners) objected to the rezoning of land from Farming Zone (FZ) to Rural Conservation Zone (RCZ). Two landowners are impacted across the entire property. The other 2 landowners are already covered by the RCZ with the greatest extent of their property (fronting onto Bones Road) in this zoning. The amendment seeks to rezone the rear portion of their site.</p> <p>The submissions contend that the land is not within the Bells Beach area (or hinterland) although the sites are located a little over 800m from the reserve.</p> <p>It is submitted that the most appropriate zoning for the site should be part of a wider study that reviews all rural land</p>	<p><u>Rezoning the entire property from FZ to RCZ</u></p> <p>The primary function of the Rural Conservation Zone is to 'protect and conserve rural land for its environmental features and attributes'. The zone contains a schedule which specifically outlines the values associated with Bells beach and the hinterland. The RCZ covers all other land in the Bells Beach area (beyond the settlement boundary).</p> <p>The purpose of the Farming Zone is to protect land for agricultural production and to encourage the growth of farming industries. The zone enables the consideration of many activities that are prohibited under the RCZ. More intensive tourism opportunities can be considered under this zone compared with the RCZ.</p> <p>It is considered that the rezonings proposed in C121 are not the primary driver for the amendment and can be considered separately, if required, following the completion of the Hinterland Futures Strategy.</p> <p>Recommendation: Submissions supported. Refer submissions to Panel with Council's revised position that the rezonings be removed from the amendment pending the outcomes of the</p>

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Issue	Officer response
<p>Shire wide. Council is in the process of undertaking this work through the 'Hinterland Futures Project'.</p> <p><u>Rezoning the entire property from Farming Zone to Rural Conservation</u> Two submitters are impacted by their entire property being rezoned. These submitters oppose the rezoning on the grounds that there is no strategic justification to rezone the properties. It is submitted that the <i>Planning Scheme Review 2014</i> defined the hinterland as being all land covered by either the SLO1 or the RCZ. Neither of these controls apply to their land therefore their properties are not within the hinterland and shouldn't be hindered by the controls.</p> <p><u>Rezoning the rear part of the property from FZ to RCZ</u> Two landowners are impacted by the rear of their property being rezoned from FZ to RCZ. As above the submissions express that there is no justification for the rezoning. One of the submitters seeks to extend the farming enterprise currently being undertaken within the portion of land zoned FZ and feels that this zone is the most suitable zone for these purposes.</p>	<p>Hinterland Futures Strategy.</p> <p><u>Rezoning the rear portion of the property from FZ to RCZ</u> The amendment seeks to remove the split zoning across 2 properties and apply a consistent zoning across the site. The retention of the Rural Conservation Zone along Bones Road is important to ensure the biodiversity values and landscape values remain the current focus for land use planning. The rear of the land is not visible from Bones Road and therefore the application of the RCZ in this part of the site is not an important consideration for the amendment.</p> <p>Recommendation: Submission supported. Refer submissions to Panel with Council's revised position that the rezonings be removed from the amendment pending the outcomes of the Hinterland Futures Strategy.</p>
<b>Support tourist establishments in the Lorne hinterland</b>	
<p>Two submitters requested that tourist activities in the Lorne hinterland should be encouraged and strategically reviewed.</p>	<p>Lorne has not been specifically investigated as part of this amendment.</p> <p>Recommendation: Submission not supported. Review policy applying to Lorne as part of the future review of the Lorne Structure Plan/Lorne Strategy Review.</p>

#### **Financial Implications**

Sufficient funds are available within the project budget should the amendment proceed to a panel.

#### **Council Plan**

Theme 1 Environment  
Objective 1.1 Preserve and enhance the natural environment  
Strategy Nil

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

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

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

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

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

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

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

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

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

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

Amendment C121 seeks to provide clearer tools and a stronger policy direction to guide decision-making for applications in the Bells Beach Hinterland. An independent panel hearing will enable all submissions to be objectively evaluated prior to Council making a final decision on the amendment.

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

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

- sending notices to affected landowners
- placing notices 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 1 August 2017. Five submitters presented to the Committee.

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

Amendment C121 seeks to enhance the protection of significant vegetation and habitat within the hinterland of Bells Beach.

#### ***Communication***

All submitters were invited to attend and present at the Hearing of Submissions conducted on 1 August 2017. Submitters will be advised of Council's decision on the amendment following the 22 August 2017 Council meeting.

Submitters will also be contacted by Planning Panels Victoria following the appointment of a panel.

#### ***Conclusion***

Amendment C121 is consistent with State and Local policy in the Surf Coast Planning Scheme. The strengthening of controls in the Bells Beach hinterland, to protect this internationally significant area, has been supported by the Minister for Planning.

The merits of the amendment and suggested mapping and wording changes can be further tested through a panel process. It is therefore recommended that Council seek the appointment of a panel by the Minister for Planning to consider all unresolved submissions.

### 3.3 15/0434- 210 Jarosite Road, Bells Beach

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

**General Manager:** Ransce Salan

**Department:** Planning & Development

**File No:** 15/0434

**Division:** Environment & Development

**Trim No:** IC17/790

**Appendix:**

1. CFA Referral Response - 210 Jarosite Road, Bells Beach (D17/84946)
2. Updated Biodiversity Assessment - 210 Jarosite Road, Bells Beach (D17/84954)
3. Amended Plans TP6 - Final Set - 210 Jarosite Road Bells Beach (D17/56130)
4. Bushfire Management Statement - 210 Jarosite Road, Bells Beach (D17/84957)

**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

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#### **Purpose**

The purpose of this report is to determine a position on Planning Permit Application 15/0434 seeking to use and develop the land with a dwelling and tennis court and vegetation removal at 210 Jarosite Road, Bells Beach.

#### **Summary**

The site is located at 210 Jarosite Road, Bells Beach and is zoned Rural Conservation Zone. It is subject to a Bushfire Management Overlay and Vegetation Protection Overlay – Schedule 1. Council is currently in the process of exhibiting an Amendment which seeks to apply a Significant Landscape Overlay to the land (Amendment C121).

The 1.6 ha site is heavily vegetated, is accessed through a meandering path from Jarosite Road and contains a shed and a cleared area.

It is proposed to develop a double storey dwelling on the land. The dwelling is contemporary in design and has a maximum height of 7.55 metres, with a chimney element protruding 1.6 metres above this height. A tennis court is located to the north of the dwelling.

Public notification of the application has been undertaken and two objections have been lodged with Council. The objections are from the adjoining property owners and the following concerns have been raised:

- visibility/prominence from adjoining properties and the public realm
- height (protrudes above the tree canopy)
- character (in the context of the scale of the development)
- visual impact on the coastal landscape
- impacts on flora and fauna (esp. given the proximity to the Iron Bark Basin)
- misleading schematics (trees are shown on the plans but there are few scattered trees greater than 3m in height)
- the proposal is an over development of the site
- the proposal is unnecessarily high
- the proposal is insufficiently set back on the land
- the proposal is inconsistent with planning overlays particularly with respect to construction above the tree line canopy
- the proposal is inconsistent with the original purpose of the subdivision of the land along the west side of Jarosite Road, namely to protect the public reserve, now National Park, along the rear boundaries of the allotments.

The applicant has erected some poles on site to indicate the location of the development and to show its height.

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The application has been referred to the Department of Environment, Land, Water and Planning (DELWP) for comment on the vegetation removal. The Department has consented to the application subject to conditions.

The application was also referred to the Country Fire Authority (CFA) for advice. The CFA have consented to the application, subject to conditions.

Internal referrals to Council's Infrastructure and Environmental Health departments have been undertaken and neither department has objected to the application.

An appeal has been lodged against Council's failure to decide this application within 60 statutory days, as such Council can only determine the position it will take at the upcoming Victorian Civil and Administrative Tribunal (VCAT), rather than determine the application.

#### **Recommendation**

That Council having considered all matters required under Section 60 of the Planning and Environment Act 1987 determines to pursue approval at the Victorian Civil and Administrative Tribunal for the Use and Development of a Dwelling and Vegetation Removal at 210 Jarosite Road, Bells Beach subject to the following conditions:

#### Amended plans

1. Before the use and development starts, amended plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans submitted to Council on 21/12/2016 but modified to show:
  - a) a schedule of external materials, finishes and colours incorporating colour samples including the roof colour. External colours should be neutral and muted to assist in visually blending the building with the surrounding natural landscape;
  - b) location of the open grassed, vegetated or garden area referred at condition 4 that is clear of the building and septic system. The area must be selected in consultation with an appropriately qualified biodiversity consultant to ensure that the vegetation identified as being retained is not compromised;
  - c) a turning area for vehicles to exit the site forwards.

#### Endorsed plans

2. The use and development as shown on the endorsed plans must not be altered without the written consent of the responsible authority.

#### Waste water

3. Unless otherwise approved in writing by the Responsible Authority the onsite wastewater management system must comply with the Land Capability Assessment – Report No. 94914 by Structure Pty Ltd dated 2 May 2016.
4. Backwash water from the swimming pool must not be discharged directly to the septic system or the stormwater system. Backwash water must be discharged to a separate open grassed, vegetated or garden area - well clear of the building, septic system and stormwater outfall. In the event of disposal of the entire pool volume, disposal to land is not permitted, and must be done using a licensed waste contractor to the satisfaction of the Responsible Authority.
5. Stormwater run-off must be diverted away from the effluent dispersal field/s to the satisfaction of the Responsible Authority.

#### Building height

6. The maximum building height, excluding chimney, must not exceed 7.55 metres in accordance with the endorsed plans and to the satisfaction of the responsible authority.
7. A written statement from a licensed surveyor shall be submitted for approval to the responsible authority confirming that the:
  - a) buildings have been set out in accordance with the endorsed plan; and

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- b) roof levels will not exceed the roof levels specified on the endorsed plan.

The statement shall be submitted to the responsible authority at completion of the frame of the building.

#### Access

8. Prior to the commencement of the use, the area(s) set-aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
- constructed;
  - properly formed to such levels that they can be used in accordance with the plans;
  - surfaced with an all-weather-seal coat, gravel or crushed rock; drained;
- to the satisfaction of the responsible authority.

#### Dwelling conditions

9. Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
10. The dwelling must be connected to a reticulated sewerage system or if not available, the waste water must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.
11. The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for firefighting purposes.
12. The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.

#### Conditions Required by Country Fire Authority

13. The Bushfire Management Plan at point 7, pages 16, 17, 18 (of the bushfire management statement prepared by South Coast Bushfire Consultants dated 20 December 2016, version 4) must be endorsed to form part of the permit and must not be altered without the written consent of the CFA and the Responsible Authority.
14. The bushfire mitigation measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defensible space, water supply and access, must be maintained to the satisfaction of the responsible authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.

#### Conditions required by the Department of Environment, Land, Water and Planning

15. Before the works start, the permit holder must advise all persons undertaking the vegetation removal or works on site of all relevant permit conditions and associated statutory requirements or approvals.
16. To offset the removal of 0.366 hectares of native vegetation, the permit holder must secure a native vegetation offset, in accordance with the Permitted clearing of native vegetation – Biodiversity assessment guidelines [DEPI 2013] and Native vegetation gain scoring manual [DEPI 2013] as specified below:
- a general offset of 0.228 biodiversity equivalence units with the following attributes:
  - be located within the Corangamite Catchment Management Authority boundary or Surf Coast Shire municipality have a strategic biodiversity score of at least 0.431.
17. Before any native vegetation is removed, evidence that the required offset for the project has been secured must be provided to the satisfaction of the responsible authority. The offset evidence can be:
- A security agreement signed by both parties, to the required standard, for the offset site or sites, including a 10 year offset management plan; and/or
  - An allocated credit extract from the Native Vegetation Credit Register.

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18. A copy of the offset evidence will be endorsed by the responsible authority and form part of this permit. Within 30 days of endorsement of the offset evidence by the responsible authority, a copy of the endorsed offset evidence must be provided to the Department of Environment, Land, Water and Planning.
19. In the event that a security agreement is entered into as per condition 3, the applicant must provide the annual offset site condition report to the responsible authority by the anniversary date of the execution of the offset security agreement, for a period of 10 consecutive years. After the tenth year, the landowner must provide a report at the reasonable request of a statutory authority.
20. Unless otherwise agreed in writing by the Country Fire Authority and the Department of Environment, Land, Water and Planning, offsets must not be located within the 150 metre BMO assessment area in accordance with the Planning for Bushfire Victoria, Guidelines for Meeting Victoria's Bushfire Planning Requirements [CFA 2012].
21. Before the vegetation removal starts, the boundaries of all vegetation to be removed and retained must be clearly marked on the ground with tape or temporary fencing to the satisfaction of the responsible authority.
22. There must be no temporary or permanent storage of any materials, vehicles or equipment within areas identified for the retention of native vegetation. All storage sites must be restricted to existing cleared areas, and must not adversely impact on native vegetation, including the root zones of existing trees. Such sites must not be located on or near erodible surfaces, surface water runoff areas or areas infested with weeds.

#### Expiry

23. This permit will expire if one of the following circumstances applies:
  - a) The development is not started within two years of the date of this permit
  - b) The development is not completed within four years of the date of this permit
  - c) The use is not started within two years after the completion of the development
  - d) The use is discontinued for a period of two years.
24. The Responsible Authority may extend the period for commencement of the development if a request is made in writing before the permit expires or within six months afterwards.
25. The Responsible Authority may extend the period in which the development must be completed if the request for an extension of time is made in writing within twelve months after the permit expires and the development or stage started lawfully before the permit expired.

Note: A Septic Tank Application (Install/Alter) must be submitted and approved before any works are undertaken onsite.

#### Council Resolution

##### **MOVED Cr Margot Smith, Seconded Cr Martin Duke**

That Council having considered all matters required under Section 60 of the Planning and Environment Act 1987 determines to pursue approval at the Victorian Civil and Administrative Tribunal for the Use and Development of a Dwelling and Vegetation Removal at 210 Jarosite Road, Bells Beach subject to the following conditions:

#### Amended plans

1. Before the use and development starts, amended plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans submitted to Council on 21/12/2016 but modified to show:
  - a) a schedule of external materials, finishes and colours incorporating colour samples including the roof colour. External colours should be neutral and muted to assist in visually blending the building with the surrounding natural landscape;

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- b) location of the open grassed, vegetated or garden area referred at condition 4 that is clear of the building and septic system. The area must be selected in consultation with an appropriately qualified biodiversity consultant to ensure that the vegetation identified as being retained is not compromised;
- c) a turning area for vehicles to exit the site forwards.

#### Endorsed plans

2. The use and development as shown on the endorsed plans must not be altered without the written consent of the responsible authority.

#### Waste water

3. Unless otherwise approved in writing by the Responsible Authority the onsite wastewater management system must comply with the Land Capability Assessment – Report No. 94914 by Structure Pty Ltd dated 2 May 2016.
4. Backwash water from the swimming pool must not be discharged directly to the septic system or the stormwater system. Backwash water must be discharged to a separate open grassed, vegetated or garden area - well clear of the building, septic system and stormwater outfall. In the event of disposal of the entire pool volume, disposal to land is not permitted, and must be done using a licensed waste contractor to the satisfaction of the Responsible Authority.
5. Stormwater run-off must be diverted away from the effluent dispersal field/s to the satisfaction of the Responsible Authority.

#### Building height

6. The maximum building height, excluding chimney, must not exceed 7.55 metres in accordance with the endorsed plans and to the satisfaction of the responsible authority.
7. A written statement from a licensed surveyor shall be submitted for approval to the responsible authority confirming that the:
  - a) buildings have been set out in accordance with the endorsed plan; and
  - b) roof levels will not exceed the roof levels specified on the endorsed plan.

The statement shall be submitted to the responsible authority at completion of the frame of the building.

#### Access

8. Prior to the commencement of the use, the area(s) set-aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
  - a) constructed;
  - b) properly formed to such levels that they can be used in accordance with the plans;
  - c) surfaced with an all-weather-seal coat, gravel or crushed rock; drained;to the satisfaction of the responsible authority.

#### Dwelling conditions

9. Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
10. The dwelling must be connected to a reticulated sewerage system or if not available, the waste water must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.
11. The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for firefighting purposes.
12. The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.



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#### Conditions Required by Country Fire Authority

13. The Bushfire Management Plan at point 7, pages 16, 17, 18 (of the bushfire management statement prepared by South Coast Bushfire Consultants dated 20 December 2016, version 4) must be endorsed to form part of the permit and must not be altered without the written consent of the CFA and the Responsible Authority.
14. The bushfire mitigation measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defensible space, water supply and access, must be maintained to the satisfaction of the responsible authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.

#### Conditions required by the Department of Environment, Land, Water and Planning

15. Before the works start, the permit holder must advise all persons undertaking the vegetation removal or works on site of all relevant permit conditions and associated statutory requirements or approvals.
16. To offset the removal of 0.366 hectares of native vegetation, the permit holder must secure a native vegetation offset, in accordance with the Permitted clearing of native vegetation – Biodiversity assessment guidelines [DEPI 2013] and Native vegetation gain scoring manual [DEPI 2013] as specified below:
  - a general offset of 0.228 biodiversity equivalence units with the following attributes:
  - be located within the Corangamite Catchment Management Authority boundary or Surf Coast Shire municipality have a strategic biodiversity score of at least 0.431.
17. Before any native vegetation is removed, evidence that the required offset for the project has been secured must be provided to the satisfaction of the responsible authority. The offset evidence can be:
  - A security agreement signed by both parties, to the required standard, for the offset site or sites, including a 10 year offset management plan; and/or
  - An allocated credit extract from the Native Vegetation Credit Register.
18. A copy of the offset evidence will be endorsed by the responsible authority and form part of this permit. Within 30 days of endorsement of the offset evidence by the responsible authority, a copy of the endorsed offset evidence must be provided to the Department of Environment, Land, Water and Planning.
19. In the event that a security agreement is entered into as per condition 3, the applicant must provide the annual offset site condition report to the responsible authority by the anniversary date of the execution of the offset security agreement, for a period of 10 consecutive years. After the tenth year, the landowner must provide a report at the reasonable request of a statutory authority.
20. Unless otherwise agreed in writing by the Country Fire Authority and the Department of Environment, Land, Water and Planning, offsets must not be located within the 150 metre BMO assessment area in accordance with the Planning for Bushfire Victoria, Guidelines for Meeting Victoria's Bushfire Planning Requirements [CFA 2012].
21. Before the vegetation removal starts, the boundaries of all vegetation to be removed and retained must be clearly marked on the ground with tape or temporary fencing to the satisfaction of the responsible authority.
22. There must be no temporary or permanent storage of any materials, vehicles or equipment within areas identified for the retention of native vegetation. All storage sites must be restricted to existing cleared areas, and must not adversely impact on native vegetation, including the root zones of existing trees. Such sites must not be located on or near erodible surfaces, surface water runoff areas or areas infested with weeds.

#### Expiry

23. This permit will expire if one of the following circumstances applies:

### 3.3 15/0434- 210 Jarosite Road, Bells Beach

- a) The development is not started within two years of the date of this permit
- b) The development is not completed within four years of the date of this permit
- c) The use is not started within two years after the completion of the development
- d) The use is discontinued for a period of two years.

24. The Responsible Authority may extend the period for commencement of the development if a request is made in writing before the permit expires or within six months afterwards.

25. The Responsible Authority may extend the period in which the development must be completed if the request for an extension of time is made in writing within twelve months after the permit expires and the development or stage started lawfully before the permit expired.

Note: A Septic Tank Application (Install/Alter) must be submitted and approved before any works are undertaken onsite.

CARRIED 6:2

#### Division

Cr Heather Wellington called for division, voted on which was as follows:

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Cr McKitterick	Cr Bell	Nil
Cr Coker	Cr McGregor	
Cr Duke		
Cr Goldsworthy		
Cr Smith		
Cr Wellington		

The motion was CARRIED 6:2

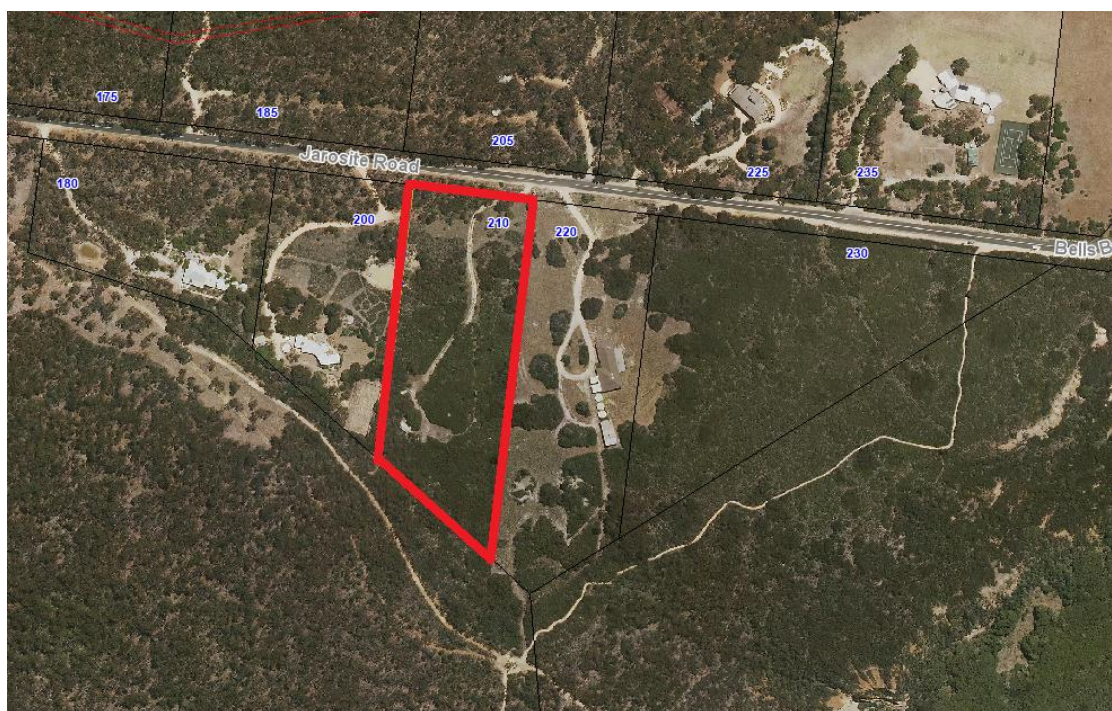
### 3.3 15/0434- 210 Jarosite Road, Bells Beach

#### Report

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

##### Site and Surrounding Area

The application proposes to develop the land at 210 Jarosite Road, Bells Beach with a double storey dwelling and tennis court and associated removal of native vegetation. The site is currently heavily vegetated, as can be seen in the aerial image below. It is currently developed with a shed and a cleared area, which is accessed via a meandering access track.



Aerial image of the site and surrounding area (site highlighted in red). Source: Council's GIS

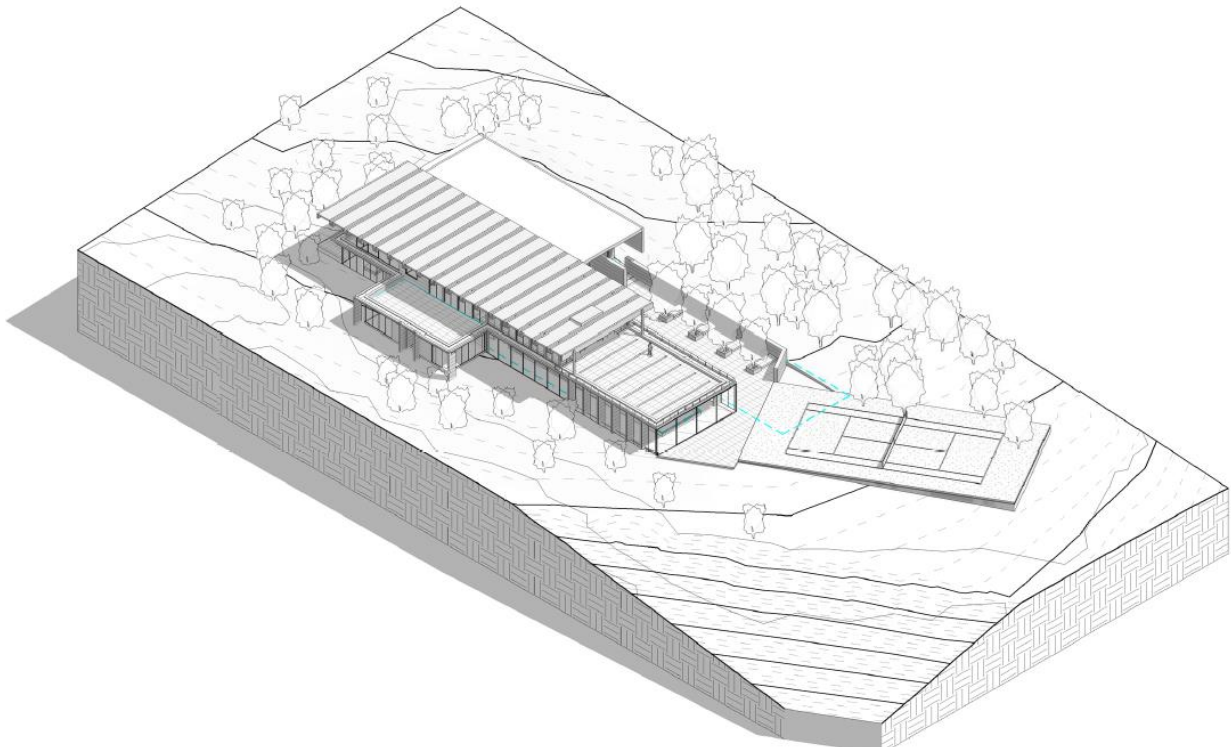
##### Proposal

It is proposed to develop a substantial double storey dwelling on the land, which includes large terrace areas, a swimming pool, living areas, four bedrooms, a gym, music room, theatre and garaging for five vehicles. The dwelling is contemporary in design and has a maximum height of 7.55 metres, with a chimney element protruding 1.6 metres above this height. A tennis court is located to the north of the dwelling. The development which is proposed can be seen in the images below.

**3.3 15/0434- 210 Jarosite Road, Bells Beach**



Aerial/ Context Photo. Source: Council Officers.



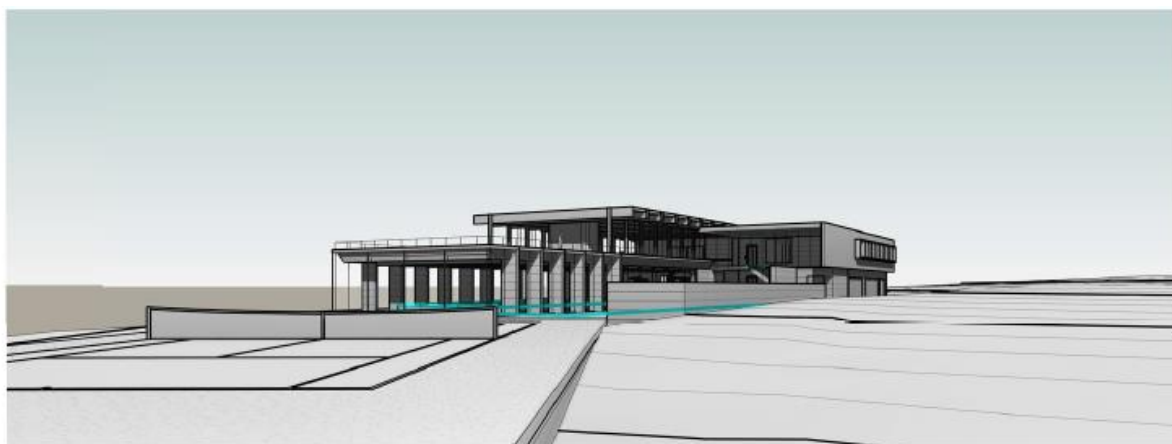
Site Plan. Source: Application documents



### 3.3 15/0434- 210 Jarosite Road, Bells Beach



North East 3D View. Source: Application documents



North West 3D View. Source: Application documents

It is noted that during the processing of the application the plans have been amended. The plans on which Council is making a decision are the plans which were received by Council on 21 December 2016.

#### Referrals

The application has been referred as follows:

Section 55 Referrals	Advice/ Response
Department of Environment, Land, Water and Planning (DELWP)	Consent with conditions
Country Fire Authority (CFA)	Consent with conditions

Council has previously been advised that there was a discrepancy between the referral advice from DELWP and the CFA. Ultimately, the issue has been resolved with DELWP supporting the vegetation removal proposed with a BAL 40 rating and the CFA supporting a BAL 40 rating for the development.

Internal Council Referrals	Advice/ Response
Infrastructure Department	Consent with conditions
Environmental Health Department	Consent with conditions

#### Public Notification

Public notification of the application has been undertaken twice, as a result of changes made to the plans. Notice was undertaken by way of a sign on site and notices to nearby land owners.

As a result of public notification procedures two objections have been lodged with Council. The concerns raised by objectors are summarised as follows:

- visibility/prominence from adjoining properties and the public realm
- height (protrudes above the tree canopy)

### 3.3 15/0434- 210 Jarosite Road, Bells Beach

- character (in the context of the scale of the development)
- visual impact on the coastal landscape
- impacts on flora and fauna (esp. given the proximity to the Iron Bark Basin)
- misleading schematics (trees are shown on the plans but there are few scattered trees greater than 3m in height)
- the proposal is an over development of the site
- the proposal is unnecessarily high
- the proposal is insufficiently set back on the land
- the proposal is inconsistent with planning overlays particularly with respect to construction above the tree line canopy
- the proposal is inconsistent with the original purpose of the subdivision of the land along the west side of Jarosite Road, namely to protect the public reserve, now National Park, along the rear boundaries of the allotments.

#### Zoning and Overlays

The site is located in the Rural Conservation Zone and is subject to the Bushfire Management Overlay and Vegetation Protection Overlay – Schedule 1.

A Planning Permit is triggered for this application pursuant to the following clauses of the Surf Coast Shire Planning Scheme:

- Clause 35.06-1 – Use and development of a dwelling
- Clause 44.06-1 – Buildings and works within a Bushfire Management Overlay
- Clause 42.02-2 – Native vegetation removal
- Clause 52.17 – Native vegetation removal.

#### Planning Policy Framework

The following policies are relevant to the consideration of this application:

Clause 11.05-1 – Coastal settlement;  
Clause 11.07-1 – Regional planning;  
Clause 11.07-2 – Peri-urban areas;  
Clause 11.09-4 – Environmental assets;  
Clause 12.01-1 – Protection of biodiversity;  
Clause 12.01-2 – Native vegetation management;  
Clause 12.02-1 – Protection of coastal areas;  
Clause 12.02-2 – Appropriate development of coastal areas;  
Clause 12.02-6 – The Great Ocean Road region;  
Clause 12.04-2 – Landscapes;  
Clause 13.05 – Bushfire;  
Clause 21.01-2 – Key issues and influences;  
Clause 21.03-1 – Environmental assets;  
Clause 21.03-3 – Environmental risks;  
Clause 21.06 – Rural landscape;  
Clause 22.01 – Rural tenement policy.

#### Particular Provisions

Clause 52.17 – Native vegetation  
Clause 52.47 – Planning for bushfire  
Clause 52.48 – Bushfire protection: exemptions.

#### Planning Scheme Amendments

Amendment C121 – Bells Beach Hinterland Review

The amendment proposes to modify planning policy, zone and overlay provisions that apply to the Bells Beach hinterland. The purpose of the amendment is to better recognise the importance of the local landscape and the environmental and cultural role of Bells Beach.

The amendment also proposes to make changes to the planning policy framework.

### 3.3 15/0434- 210 Jarosite Road, Bells Beach

Public exhibition of the amendment has been finalised and a number of submissions received. Shortly, Council will consider a report which recommends referring the amendment to a Panel.

In planning terms, the amendment is not considered to be a “seriously entertained planning proposal” as it has not reached an advanced stage in the planning process. The amendment has not been considered by an Independent Panel and has not been put to Council for a resolution. The application is set down for a VCAT hearing in mid-October and it is considered that the amendment will not be considered to be a “seriously entertained planning proposal” during the hearing. As a result, an assessment against the amendment has not been undertaken.

#### **Discussion**

The site is located in the Rural Conservation Zone which seeks to *protect and enhance natural resources and the biodiversity of the area and to encourage development and use of land which is consistent with sustainable land management and land capability practices, and which takes into account the conservation values and environmental sensitivity of the locality.*

Council has a Tenement Policy – Clause 22.01– which seeks to guide the development of dwellings in the Rural Conservation Zone. In Table 1 within Clause 22.01 the site falls within the identified “Jarosite Road, Bells Beach” locality which recognises the site as a separate tenement. Having established that the lot is recognised as a separate tenement, the application must then be assessed against the zone, overlays and planning policy framework.

The decision guidelines within the zone have been addressed as follows:

- The land is capable of accommodating the use and development and Council’s Environmental Health Unit has not raised any concerns about the ability for wastewater associated with the land to be treated onsite;
- While the development results in the removal of vegetation from the land, it is reasonable to expect that a dwelling would be located on the land given the separate tenement status of the lot. It is noted that the dwelling has been redesigned to achieve a higher BAL rating and to lessen vegetation removal on the land and the dwelling was moved to the north to avoid the removal of *Nodding Baeckea* as it is understood that there are specific offsets for this species which may be difficult to source. Ultimately, DELWP have supported the vegetation removal proposed setting out that:
  - *The revisions to the proposal have addressed the objectives of Clause 52.17 and VPO1 by minimising impacts to native vegetation;*
  - *The applicant has utilised existing cleared or degraded areas where possible, to reduce impacts on more intact vegetation;*
  - *The Bushfire Attack Level (BAL) rating has been increased to BAL40 which has decreased the defensible space required;*
  - *The Land Capability Assessment indicates wastewater can be contained within the development footprint, notwithstanding the siting and alignment of the development has altered.*

In light of this assessment, it is considered that the development respects the environmental and biodiversity qualities of the site;

- Adjoining properties are used for residential purposes and it is not expected that the proposed dwelling would have an adverse impact on adjoining land uses. It is noted that the dwelling will have a visual impact when viewed from adjoining properties, but it is not considered that an argument can be sustained that the development of the site should be limited to single storey scale. The development will project above the tree line when viewed from adjoining properties;
- There are no agricultural values on the land or on adjoining properties;
- The materials to be used in the construction of the dwelling have not been specified. A condition within the recommendation requires materials and colours to be chosen to respect the environmental setting;
- It is not considered that the dwelling and vegetation removal will have an unreasonable impact on the landscape. Important issues in the assessment of this application relate to the protection of environmental and landscape values, with Clause 21.06-2, with Clause 21.06-3 specifically seeking to *avoid any development within the viewshed of the Bells Beach Surfing Recreation Reserve.* It is

### 3.3 15/0434- 210 Jarosite Road, Bells Beach

noted that the dwelling would be located within a cluster of dwellings which are visible in the distance from various viewpoints, including along Bones Road and in the Wave Car Park, however a site inspection reveals that the development would not be visible from the Bells Beach Surfing Recreation Reserve, including the beach and car parking areas. The visual impact of the development from the north east can be seen in the image below:



Height poles and viewing platform circled in red and green respectively. This photo was taken from Bones road near the Wave Car Park. Source: Officer photo.

In light of the above, it is considered that the application is consistent with the Rural Conservation Zone. It is also considered that the development is appropriate having regard to Clause 12.04-2 – Landscapes and Clause 21.06– Rural landscapes. It is not expected that the dwelling will be a dominant element in the landscape, but will provide for an additional dwelling within an area where dwellings are a common element within the landscape. The treed hillside will continue to provide for an attractive landscape element in the broader experience for those visiting the area and using the Bells Beach Recreational Reserve.

The fact that the dwelling will be visible within the landscape is not considered sufficient reason to refuse the application. The dwelling will not form a major element in the view and it is not expected that the dwelling will be more dominant than the broader vegetated setting in which it is located. The distance involved from key viewing points such as Bones Road and the Wave Car Park are such that the visual impact of the dwelling when viewed from long distances is minimised.

As noted above, the site is located in Vegetation Protection Overlay – Schedule 1. DELWP is a determining referral authority for vegetation removal within this overlay. Given DELWP's support for the application it is considered that the application is consistent with the purpose and decision guidelines of the Vegetation Protection Overlay. Vegetation removal has been minimised and confined to the areas of the site with lower environmental values.

DELWP's support for the application is also considered to reflect that an appropriate response to Clause 52.17 – Native Vegetation has been achieved and the development has been sited to minimise the impacts of native vegetation removal on biodiversity. In light of this, it is considered that the development is responsive to the following policies:

- Clause 11.09-4 – Environmental assets;
- Clause 12.01-1 – Protection of biodiversity;
- Clause 12.01-2 – Native vegetation management;
- Clause 21.03-1 – Environmental assets.

The site is located within the Bushfire Management Overlay and has been supported by the CFA such that it is considered that the purpose and decision guidelines of the overlay are met. Permit conditions within the recommendation ensure that bushfire risk is appropriately addressed. The development provides a positive response to Clause 13.05– Bushfire and Clause 21.03-3 – Environmental Risk.



### **3.3 15/0434- 210 Jarosite Road, Bells Beach**

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

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

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

Theme 1 Environment  
Objective 1.1 Preserve and enhance the natural environment  
Strategy Nil

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

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

There are no legal implications for Council in making this decision. The application will be considered against the provisions of the Surf Coast Shire Planning Scheme and the requirements of the *Planning and Environment Act 1987*.

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

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

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

There are no notable risks associated with making a decision on this application.

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

The concerns of objectors are relevant, as is the impact of the development on the experience within the Bells Beach Recreation Reserve.

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

Public notification of the application was undertaken in accordance with the requirements of the *Planning and Environment Act 1987*.

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

The impact on the environment will be an important consideration for Council when making a decision on this application.

#### ***Communication***

All parties will be advised of Council's decision.

#### ***Conclusion***

It is recommended that Council support the application subject to the conditions outlined in the recommendation at the upcoming VCAT hearing.

### 3.4 Torquay Town Centre Project - Public Exhibition

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

**General Manager:** Ransce Salan

**Department:** Planning & Development

**File No:** F16/1453

**Division:** Environment & Development

**Trim No:** IC17/895

**Appendix:**

1. Torquay Town Centre Project - Draft Strategic Investment Facilitation Plan (D17/91738)
2. Torquay Town Centre Project - Draft Urban Design Framework (D17/92634)

**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 present to Council the draft documents prepared for the Torquay Town Centre Project and consider exhibition.

#### **Summary**

Council, in partnership with Regional Development Victoria, is undertaking the Torquay Town Centre Project to create a clear vision for the Torquay Town Centre and to guide its future development. There are two primary outputs from the project:

- Strategic Investment Facilitation Plan (SIFP)
- Urban Design Framework (UDF).

Consultants, Hansen Partnership, in collaboration with Essential Economics and the Martyn Group, have prepared the draft SIFP and UDF.

It is recommended that the draft SIFP and UDF be placed on public exhibition for one month with a variety of community engagement activities and communication to encourage feedback including open houses, direct mail out, social media and Council's website.

#### **Recommendation**

That Council place the draft Torquay Town Centre Strategic Investment Facilitation Plan and Urban Design Framework on public exhibition for a period of one month.

The Chief Executive Officer advised Council that officers had amended the recommendation.

#### **Amended Recommendation**

That Council place the draft Torquay Town Centre Strategic Investment Facilitation Plan and Urban Design Framework on public exhibition for a period of six weeks.

#### **Council Resolution**

##### **MOVED Cr Martin Duke, Seconded Cr Clive Goldsworthy**

That Council place the draft Torquay Town Centre Strategic Investment Facilitation Plan and Urban Design Framework on public exhibition for a period of six weeks.

CARRIED 8:0

### 3.4 Torquay Town Centre Project - Public Exhibition

#### Report

##### **Background**

Council, in partnership with Regional Development Victoria, is undertaking the Torquay Town Centre Project to create a clear vision for the Torquay Town Centre and to guide its future development. There are two primary outputs from the project:

- Strategic Investment Facilitation Plan (SIFP)
- Urban Design Framework (UDF)

The purpose of the SIFP is to provide an investment attraction plan that will stimulate new development and drive job creation in the Town Centre. Many of the recommendations in the SIFP are addressed through the UDF.

The UDF provides guidance on matters including:

- A vision and principles for growth in the Town Centre;
- Streetscape improvements;
- Private development controls (eg. land use, building heights, setbacks, materials);
- Access, movement and parking; and
- Wayfinding and strengthening connections between the Town Centre and other places of interest in Torquay (eg. Taylor Park, the Foreshore, other shopping precincts).

Consultants, Hansen Partnership, in collaboration with Essential Economics and the Martyn Group, have prepared the draft SIFP and UDF. Both documents are attached as appendices to this report.

##### **Discussion**

The draft SIFP reinforces the role for the Torquay Town Centre as the highest new order activity centre in the Surf Coast Shire, and thus an important focus for investment, jobs and economic activity. Recommendations of the SIFP are based around 6 key objectives, which were developed in consultation with the community and stakeholders:

1. The Essence of Torquay.
2. A People Friendly Place.
3. Expand the Footprint.
4. Productive Use of Space.
5. The 18 Hour Centre.
6. Collaborative Development.

The draft UDF builds on a number of recommendations in the SIFP and is based around 13 Key Directions:

- A Town Centre for a population of 30,000
- Diversify activity in the Town Centre
- Create a network of great public 'people' spaces
- Retain and enhance an informal coastal character
- Support more local jobs
- Improve pedestrian connections
- Resolve and minimise the impacts of traffic movement
- Increase Town Centre awareness and connect the parts
- Introduce playfulness
- Strengthen the northern edge
- Embrace the foreshore
- Enhance local biodiversity and resilience
- Provide enhanced sustainable transport opportunities

The Vision is expressed as:

*'The Torquay Town Centre is the 'heart' of a town which not only fostered global Australian Surf Culture but also forms the start of the Great Ocean Road – this makes it a truly special place. It is also the focus of a rapidly growing population and will evolve to provide the services, facilities and jobs current and future residents deserve. This local access will support a focus on sustainable development in keeping with the values of the local community. The Town Centre will inevitably change but it will do so in a positive way, which allows it to truly become a 'people' place.*

### 3.4 Torquay Town Centre Project - Public Exhibition

*New development and upgrades to the public spaces within the Centre will provide a higher level of amenity for people and a greater connection to the coastal environment. It will provide an increasing diversity of uses, and will be the focal point for entertainment and social activity, not just for local residents but also the broader region. New initiatives will see the Town Centre increasingly reflect the historic association the town has with creative entrepreneurs who will add vibrancy to the area.*

*A series of high quality public spaces throughout the Centre will allow people to gather and will reflect both the strength of local community connections and the informal, and slightly irreverent 'surf' character. While its tourism role will continue to be important in delivering local jobs, its role as the 'heart' of the Torquay community will be of the utmost importance.'*

Some of the major actions recommended in the UDF include:

- Reorienting the focus of the Town Centre towards the foreshore rather than towards the Surf Coast Highway.
- Modifying traffic movements around the Town Centre to create a more pedestrian friendly environment, including realigning Gilbert Street as "one way" with traffic able to travel from west to east (ie. towards the foreshore) and installing signals at the intersection of Bristol Road and the Surf Coast Highway.
- Creation of a town square in Cliff Street and streetscape upgrades to the existing laneway between Gilbert Street and Bristol Road (alongside the Torquay Pharmacy).
- Preparation of plans for streetscape beautification works on Gilbert Street, and additional landscape planting throughout the Town Centre more widely.
- A number of new pedestrian crossings throughout the Town Centre and over The Esplanade to the foreshore.
- Encouragement for basement parking or rear parking as part of new development proposals.
- Formalising or reconfiguring areas of public parking along Zeally Bay Road, Gilbert Street and The Esplanade to increase capacity.
- Establishing a Design Review Panel to consider new development applications in the Town Centre.
- Creating a 'Town Centre Design Guide' to identify a palette of preferred materials and finishes, vegetation, street furniture, etc.
- Facilitating small business opportunities and medium density housing on the north side of Bristol Road in the vicinity of Torquay Village (this would change previous policy which recommended rezoning this area to Commercial 1 to a point much further west towards the Surf Coast Highway).
- Expanding the commercial extent of the Town Centre through the rezoning of land north of Anderson Street, west of Pearl Street and east of The Esplanade.
- Identifying land east of Pearl Street for long term commercial expansion. Not supporting further residential subdivision in this area.
- Introducing new building height and setback requirements throughout the Town Centre, ranging from 2 storey in Gilbert Street, 3 and 4 storey in most of the Centre and up to 5 storeys in specific areas where impacts on view lines can be minimised.

#### **Financial Implications**

The budget for the Torquay Town Centre Project comprises a funding contribution from Regional Development Victoria of \$40,000 and a Council contribution of \$50,000. Implementation, including a planning scheme amendment, streetscape and other works will be part of the next phase and would need to be costed as detailed plans are developed.

#### **Council Plan**

Theme	4 Vibrant Economy
Objective	4.1 Support the creation and retention of jobs in existing and new businesses to meet the needs of a growing community
Strategy	4.1.4 Plan for industrial and commercial zones in growing communities
Theme	3 Balancing Growth
Objective	3.2 Ensure infrastructure is in place to support existing communities and provide for growth
Strategy	Nil
Theme	4 Vibrant Economy
Objective	4.3 Strengthen the vitality of town centres
Strategy	4.3.1 Identify and support the economic and social drivers of town centres within the shire

### **3.4 Torquay Town Centre Project - Public Exhibition**

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

Adopting the Torquay Town Centre SIFP and UDF will create a new policy direction for growth and development within the Torquay Town Centre.

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

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

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

No risks associated with public exhibition of the draft SIFP or UDF have been identified.

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

Torquay-Jan Juc has experienced rapid population growth in recent years which is expected to continue. As part of planning for this growth, the Torquay Town Centre Project considers the future role and development of the Town Centre. This Project is intended to facilitate investment in order to provide the services, facilities and job opportunities that are required for the growing population. It also aims to create a pedestrian focussed environment, oriented towards the foreshore, which is consistent with the coastal, beach character of Torquay.

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

The draft documents were prepared with input from various stakeholders and the community via the following consultation activities:

- Community survey (over 350 responses) – January/February 2017
- Walking tour with traders, developers and other stakeholders – 22 February 2017
- Community drop in session – 22 February 2017
- Stakeholder workshop – 26 April 2017
- Community workshop – 26 April 2017.

Background information on the project has been available on Surf Coast Conversations and there have also been a number of media releases and social media posts providing information and updates on the project.

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

The recommendations for increased landscaping in the Centre and improving links with the foreshore and Taylor Park would have a positive impact on the local environment.

#### ***Communication***

The following activities are planned as part of the public exhibition process:

- Direct mail out to all landowners and occupiers within the study area and the proposed extension area
- Direct email to all persons previously registered as interested parties to the Torquay Town Centre Project
- Advertisement in the Surf Coast Times and The Echo on two occasions
- Two open house consultation sessions on Thursday 7 September 2017
- Update on Surf Coast Conversations webpage
- Social media updates.

#### ***Conclusion***

Having received the draft reports for the Torquay Town Centre Project from the consultants it is considered appropriate that Council now place them on public exhibition for a period of one month and seek submissions from the community and interested parties.

### 3.5 Planning Scheme Amendment C123 and Planning Permit Application 17/0207 - 3-5 Loch Ard Drive Torquay

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

**General Manager:** Ransce Salan  
**File No:** F17/978  
**Trim No:** IC17/817

**Appendix:**

1. C123 Explanatory Report (D17/88929)
2. Draft Planning Permit 17/0207 (D17/90633)
3. Proposed Plans 3-5 Loch Ard Drive, Torquay (D17/75836)

**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

The purpose of this report is to consider Planning Scheme Amendment C123 and Planning Permit Application 17/0207 for land at 3-5 Loch Ard Drive, Torquay and to request the Minister for Planning to authorise the preparation of the amendment.

#### Summary

Council has received a request on behalf of Geld Investments Pty Ltd to consider a combined planning scheme amendment (C123) and planning permit application (17/0207) pursuant to Section 96A of the *Planning and Environment Act 1987*. The proposal seeks to rezone land at 3-5 Loch Ard Drive, Torquay from General Residential Zone Schedule 1 to Commercial 1 Zone and to develop the land for four commercial premises, a dwelling and associated car parking.

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

#### Recommendation

That Council:

1. Seek Ministerial authorisation to prepare combined Planning Scheme Amendment C123 and Planning Permit Application 17/0207 for land at 3-5 Loch Ard Drive, Torquay.
2. Place the combined amendment and permit application on public exhibition for a period of one month following receipt of Ministerial authorisation.

#### Council Resolution

**MOVED Cr David Bell, Seconded Cr Martin Duke**

That Council:

1. Seek Ministerial authorisation to prepare combined Planning Scheme Amendment C123 and Planning Permit Application 17/0207 for land at 3-5 Loch Ard Drive, Torquay.
2. Place the combined amendment and permit application on public exhibition for a period of one month following receipt of Ministerial authorisation.

CARRIED 8:0

### 3.5 Planning Scheme Amendment C123 and Planning Permit Application 17/0207 - 3-5 Loch Ard Drive Torquay

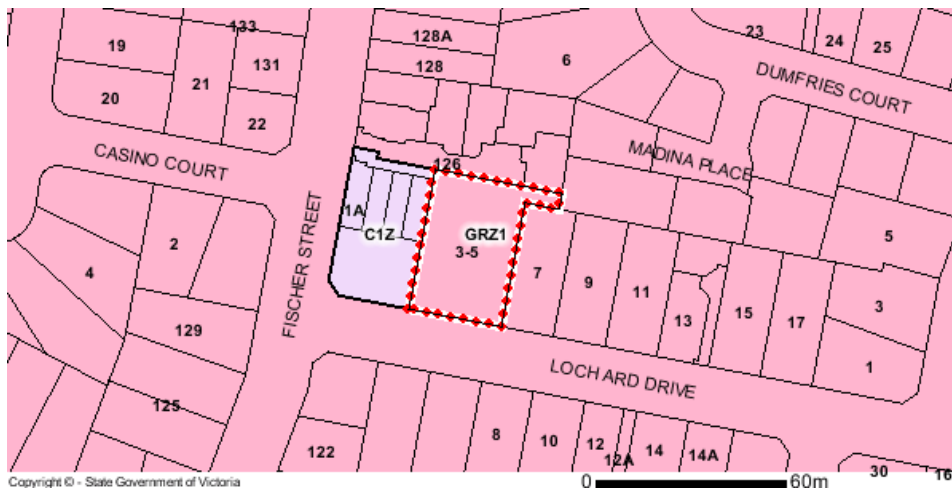
#### Report

#### **Background**

Council has received a request on behalf of Geld Investments Pty Ltd (the proponent) to consider a combined planning scheme amendment (Amendment C123) and planning permit application (Application No. 17/0207) pursuant to Section 96A of the *Planning and Environment Act 1987*. The proposal seeks to rezone land at 3-5 Loch Ard Drive, Torquay from General Residential Zone Schedule 1 (GRZ1) to Commercial 1 Zone (C1Z) and to develop the land for four commercial premises, a dwelling and associated car parking.

#### **Discussion**

The application seeks to facilitate the development of a currently vacant site adjacent to the existing local activity centre on the corner of Loch Ard Drive and Fischer Street. It is proposed to construct four commercial premises with a combined retail floor area of 460m<sup>2</sup> and an upper level, five bedroom dwelling. The development would be an extension of the existing commercial development and car parking at 1 Loch Ard Drive.



The history of the site can be summarised as follows:

- 3-5 Loch Ard Drive previously formed one parcel with 1 Loch Ard Drive and was zoned 'Local Business Zone' under the old format Surf Coast Planning Scheme. The site was identified as a 'Local Business Area' in the 1992 Torquay/Jan Juc Structure Plan and 1996 Comprehensive Strategy Plan for Torquay/Jan Juc, servicing the Wombah Park area. The centre is shown as a 'Local Activity Centre' on the Torquay-Jan Juc Framework Map at Clause 21.08.
- A planning permit for the construction of eight commercial premises was issued in 1990. Four premises (stage 1 of the development) were constructed on land which, following subdivision, is now contained within 1 Loch Ard Drive. Construction of the remaining four premises (stage 2) intended for the balance land (3-5 Loch Ard Drive) never proceeded.
- Both 1 and 3-5 Loch Ard Drive were zoned Residential 1 Zone upon gazettal of the New Format Planning Scheme in 2000, despite the commercial use of the land and its designation as a Local Business Centre in strategic plans.
- 1 Loch Ard Drive was rezoned to Business 1 Zone (now the Commercial 1 Zone) in 2010 in recognition of its commercial use. No. 3-5 Loch Ard Drive remained within the residential zone and is currently zoned GRZ1.

The rezoning to C1Z is required to facilitate the commercial use and development of the land as originally envisaged. Under the GRZ1 the options for commercial use are restricted, as shop and office are prohibited uses.

The key issues to be resolved through the planning scheme amendment process include:

- Whether there is sufficient strategic support for the proposal and whether the proposal is consistent with the applicable planning controls and relevant State and local planning policies.

### **3.5 Planning Scheme Amendment C123 and Planning Permit Application 17/0207 - 3-5 Loch Ard Drive Torquay**

- Whether the proposal is consistent with the retail strategy and adopted activity centre hierarchy for Torquay-Jan Juc, and whether the proposal would have any detrimental economic impacts on other activity centres in Torquay, in particular the Torquay CBD and the Torquay North Neighbourhood Activity Centre.
- Whether the proposal would cause any unreasonable amenity impacts on adjoining and surrounding residential properties.
- Whether the proposal would result in acceptable traffic and parking outcomes.

A preliminary assessment of the application has been undertaken and it is considered that the small level of additional retail and commercial floor space in this location is unlikely to have a detrimental impact on the performance and role of other activity centres in Torquay, in particular the Torquay CBD and the Torquay North Neighbourhood Activity Centre. The proposal is generally consistent with the objectives and strategies of the relevant State and Local planning policies (refer to the Explanatory Report at Appendix 1 for a strategic assessment of the amendment).

The information submitted with the application is sufficient, subject to the provision of an economic impact assessment, to proceed to public exhibition of the proposal in order to invite comments from relevant authorities and potentially affected residents. A detailed assessment of the merits of the proposal and any issues raised in submissions will take place following public exhibition.

#### ***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 3 Balancing Growth  
Objective 3.3 Strengthen township boundaries and support unique township character  
Strategy 3.3.2 Encourage in-fill development and direct growth to designated areas

Theme 4 Vibrant Economy  
Objective 4.1 Support the creation and retention of jobs in existing and new businesses to meet the needs of a growing community  
Strategy 4.1.4 Plan for industrial and commercial zones in growing communities

#### ***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 provided in Appendix 1.

#### ***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 have a number of social benefits, including direct and indirect employment opportunities, a modest contribution to the economic growth of Torquay-Jan Juc, provision of an increased offer of retail and commercial services within a local catchment, and provision of much needed commercial spaces for small local businesses. It will make efficient use of land by allowing for commercial development adjacent to an established local activity centre in an area that is easily accessible by vehicle, public transport, walking and cycling.



### **3.5 Planning Scheme Amendment C123 and Planning Permit Application 17/0207 - 3-5 Loch Ard Drive Torquay**

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

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

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

The site does not contain any environmental assets and is not subject to any environmental hazards.

#### ***Communication***

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

- Notice to affected landowners and adjacent owner/occupiers
- Notice to Prescribed Ministers and referral authorities
- Notices in the Surf Coast Times and Government Gazette

The amendment will be available for viewing on the Department of Environment, Land, Water and Planning and Council websites and at Council's customer service counter.

#### ***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 Planning Scheme Amendment C123 and Planning Permit Application 17/0207 and exhibit the combined amendment and permit application for a period of one month following receipt of Ministerial authorisation.

Cr Heather Wellington advised her intention to abstain from the debate and voting on item 3.6 Planning Permit Application 17/0106 - 1435 Anglesea Road, Bellbrae, due to her involvement in assisting submitters to prepare their cases to object to the application and wishes to avoid any perception of apprehension of bias.

### 3.6 Planning Permit Application 17/0106 - 1435 Anglesea Road, Bellbrae

**Author's Title:** Statutory Planner

**General Manager:** Ransce Salan

**Department:** Planning & Development

**File No:** 17/0106

**Division:** Environment & Development

**Trim No:** IC17/910

**Appendix:**

1. Report (D17/50760)
2. Plans (D17/50775)
3. Officers Report (D17/94071)
4. Submitters List (D17/93645)

**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

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#### **Purpose**

The purpose of this report is to determine Planning Permit Application 17/0106 for 1435 Anglesea Road, Bellbrae.

#### **Summary**

The land at 1435 Anglesea Road is zoned for farming and is currently developed by a dwelling and associated outbuildings. An application has been received seeking approval for the use and development of the land for a telecommunications facility comprising of a 46m high tower (including antennae) and associated ground level buildings within a 10m m x 10m compound. The facility will form part of the NBN network.

The application was placed on public notification and 64 objections and 1 letter of support were received with the primary concerns relating to 1) coverage (53 submissions), 2) visual impact (23 submissions), 3) lack of need (6 submissions), 4) property values (6 submissions) and 5) health impacts (4 submissions).

The purpose of the planning scheme particular provision for Telecommunication Facilities at clause 52.19 seeks (inter alia) to encourage telecommunications networks consistent with the objectives of section 4 of the Planning and Environment Act 1987. In this context, providers should consider the need for a telecommunications network and associated infrastructure. In this instance, the need has not been contended by either the permit applicant or the objecting parties.

The particular provision triggers a permit for buildings and works associated with the construction of a telecommunication facility; the use elements are triggered under the Farming Zone. In assessing the application, the decision making criteria is thus limited.

Put simply, the matters that may be considered in assessment an application for a telecommunication facility are confined to those set out in the decision guidelines under the Farming Zone (clause 35.07) and the particular provision at clause 52.19. While there have been a number of concerns raised by objecting parties in relation to this application, it is of consequence that of those raised, visual impact is the only matter that is a planning ground that may be considered under the decision guidelines of clause 35.07 and 52.19. Concerns raised in relation to coverage are not relevant planning considerations and as such should not be considered as reasonable grounds for Council not to support the application. The remaining concerns, while they are of obvious importance to the objecting parties, may not be considered other than in the context mentioned above.

### 3.6 Planning Permit Application 17/0106 - 1435 Anglesea Road, Bellbrae

The application has been assessed and is considered to meet the relevant provisions of the Surf Coast Planning Scheme as set out in the appended officer's report. The matter has been referred to Council to determine the application.

#### Recommendation

That Council determine to issue a Notice of Decision to Grant a Permit for the Use and Development of the Land for a Telecommunications Facility subject to the following conditions:

#### Endorsed Plans

1. The use and development as shown on the endorsed plans must not be altered without the written consent of the responsible authority.

#### Expiry

2. This permit will expire if one of the following circumstances applies:

- a) The use and development is not started within two years of the date of this permit
- b) The development is not completed within four years of the date of this permit
- c) The use is discontinued for a period of two years or more

The Responsible Authority may extend the period for commencement of the development if a request is made in writing before the permit expires or within six months afterwards.

The Responsible Authority may extend the period in which the development must be completed if the request for an extension of time is made in writing within twelve months after the permit expires and the development or stage started lawfully before the permit expired.

#### Council Resolution

##### **MOVED Cr Clive Goldsworthy, Seconded Cr Margot Smith**

That Council determine to issue a Notice of Decision to Grant a Permit for the Use and Development of the Land for a Telecommunications Facility subject to the following conditions:

#### Endorsed Plans

1. The use and development as shown on the endorsed plans must not be altered without the written consent of the responsible authority.

#### Expiry

2. This permit will expire if one of the following circumstances applies:

- a) The use and development is not started within two years of the date of this permit
- b) The development is not completed within four years of the date of this permit
- c) The use is discontinued for a period of two years or more

The Responsible Authority may extend the period for commencement of the development if a request is made in writing before the permit expires or within six months afterwards.

The Responsible Authority may extend the period in which the development must be completed if the request for an extension of time is made in writing within twelve months after the permit expires and the development or stage started lawfully before the permit expired.

LOST 3:4

#### Division

Cr Heather Wellington called for division, voted on which was as follows:

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Cr McKitterick	Cr Bell	Cr Wellington
Cr Goldsworthy	Cr Coker	
Cr Smith	Cr Duke	
	Cr McGregor	

The motion was LOST 3:4

### **3.6 Planning Permit Application 17/0106 - 1435 Anglesea Road, Bellbrae**

#### **Report**

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

The land at 1435 Anglesea Road is zoned for farming and is currently developed by a dwelling and associated outbuildings. An application has been received to develop the land for a telecommunications facility comprising of a 46m high tower (including antennae) and associated ground level buildings within a 10m m x 10m compound. The facility will form part of the NBN network.

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

A detailed assessment of the application against the relevant provisions of the Surf Coast Planning Scheme is contained in the attached officer's report.

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

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

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

Theme 3 Balancing Growth  
Objective 3.2 Ensure infrastructure is in place to support existing communities and provide for growth  
Strategy 3.2.6 Advocate for supporting infrastructure

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

The application will be assessed against relevant provisions of the Surf Coast Planning Scheme in accordance with the requirements of the *Planning and Environment Act 1987*.

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

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

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

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

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

The objections received against the application raise matters which may be classed as social impacts including the impact of the development on visual amenity.

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

Public notice of the application has been carried out in accordance with the requirements of the *Planning and Environment Act 1987*. Sixty four objections and one letter of support were received. A list summarising the concerns has been appended to this report.

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

There are no foreseen environmental implications in approving or refusing the proposed use and development.

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

In accordance with the requirements of the Act, a copy of Council's decision will be provided to the applicant and objecting parties (and other submitters as relevant) by mail.

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

As with all planning permit applications, a decision on this application requires a balancing of policy objectives. The facility will provide the infrastructure needed for the fixed wireless component of the National Broadband Network (NBN) which is an upgrade to Australia's existing telecommunications network.

There has been concern raised by objecting parties about the appropriateness of the site with respect to visual amenity and suitable coverage in particular. The visual impact is considered to meet the relevant tests of the scheme and while coverage must be considered by the provider in designing the broader network, it is not a planning consideration. It is, however, noted that the application information suggests that a greater number of properties will be serviced by the tower in its proposed location. Council's decision should aim to achieve a net community benefit. It is recommended that this has been achieved subject to conditions.

### 3.7 Environment and Rural Advisory Panel Councillor Representatives

**Author's Title:** Resilient Communities Officer  
**Department:** Environment & Community Safety  
**Division:** Environment & Development

**General Manager:** Ransce Salan  
**File No:** F17/106  
**Trim No:** IC17/932

**Appendix:**

1. Environment and Rural Advisory Panel - Terms of Reference - Amended July 2017 (D17/73069)

**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**

The purpose of this report is to appoint three Councillors as representatives on Council's Environment and Rural Advisory Panel.

#### **Summary**

To appoint three Councillors as representatives on Council's Environment and Rural Advisory Panel.

#### **Recommendation**

That Council appoint Councillor ..., Councillor ... and Councillor ..., as representatives on Council's Environment and Rural Advisory Panel to help ensure continued Councillor engagement in the Environment and Rural Advisory Panel process.

#### **Council Resolution**

##### **MOVED Cr Martin Duke, Seconded Cr Libby Coker**

That Council appoint Councillor Carol McGregor, Councillor David Bell and Councillor Libby Coker, as representatives on Council's Environment and Rural Advisory Panel to help ensure continued Councillor engagement in the Environment and Rural Advisory Panel process.

CARRIED 8:0

### 3.7 Environment and Rural Advisory Panel Councillor Representatives

#### **Report**

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

The Environment and Rural Advisory Panel was formed in 2014 to replace two former Council committees - the Rural Community Advisory Committee and the Environment Community Advisory Committee. A new format was developed for the Panel that involved facilitated workshops on specific environmental and/or rural topics directly related to Council priorities. At the conclusion of the Panel's first 12 months, a review was undertaken, which determined the format was productive for Council and rewarding for Panel members and should therefore continue. It was also determined that an Expression of Interest (EoI) process would be undertaken to open the Panel up for new members on an annual basis. It is also important to note that in the review, Councillor involvement in the workshops was highlighted as an important and appreciated element of the Panel process.

Over 2016 – 2017, the 15 member Panel participated in four workshops on the topics of:

1. Towards Environmental Leadership Program.
2. Hinterland Futures, including local food, (combined with Council's Tourism Reference Group).
3. Renewable Energy (combined with Council's Renewable Energy Taskforce).
4. Feedback on the Draft Council Plan 2017-2021 and an annual review of the ERAP process.

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

At the 25 July Council Meeting, Council endorsed the updated Terms of Reference and appointed 10 new Panel members. It was also recommended in the 25 July Council Meeting report to nominate and appoint three Councillors as representatives on the Panel; however, three Councillors were not nominated for inclusion.

An internal reference group has determined the proposed list of topics for 2017/18 based on strategic objectives outlined in the Council Plan 2017 – 2021 and priorities for the next 12 months. Topics that the Panel may consider are:

- Reducing single-use plastic in the shire (scheduled for 16 August 2017)
- Resource re-use: organic waste diversion pilot
- Managing pest plants and animals
- Rural Hinterland Strategy and Local food Program: feedback on final drafts
- Building community resilience to emergencies/fire management in the Shire
- An emerging priority topic under Council's Towards Environmental Leadership Program.

Alternative topics could also be considered if agreed by Council and the panel. Workshops will be scheduled for August and October in 2017, and February and April in 2018.

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

There is no budget allocation for the Panel in the 2017/18 budget. The cost of operating the Panel can be funded in the current budget and within existing staff hours.

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

Theme 2 Environmental Leadership  
Objective 2.2 Improve the re-use of resources  
Strategy 2.2.3 Review and expand Plastic Wise Program

Theme 2 Environmental Leadership  
Objective 2.3 Support local food production  
Strategy 2.3.1 Develop and implement a local food program in partnership with community

Theme 3 Balancing Growth  
Objective 3.1 Retain and enhance rural land for appropriate and sustainable uses  
Strategy 3.1.3 Effectively manage pests, plants and animals on Council land

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

Not applicable.

### **3.7 Environment and Rural Advisory Panel Councillor Representatives**

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

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

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

It is possible that the panel won't deliver meaningful, relevant and timely advice to Council or the panel may feel that their advice is not being properly considered by officers and Council. This risk is mitigated by ensuring that well planned, designed and facilitated sessions are delivered and properly evaluated.

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

Councillor involvement in the workshops has been noted as an important and appreciated element. The workshops will continue to be planned in such a way that they are a meaningful and rewarding process for all participants; it is also expected that new, productive and ongoing social networks will continue to be formed among the Panel members as a result of the workshop series.

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

It is important to note that while having appointed Councillors will help ensure continued Councillor engagement in the Panel, the workshop will remain open to all Councillors to attend should they wish to participate for a particular topic of interest.

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

It is expected that the ultimate outcomes of the workshops are on-ground environmental, social and economic improvements. There are no direct environmental impacts from the workshops themselves.

#### ***Communication***

Appointed Councillors will receive all relevant communications relating to the Environment and Rural Advisory Panel workshop series, including workshop invitations, briefing materials, workshops summaries and Panel advice. As mentioned above, while appointed Councillors will receive ongoing communications regarding the workshop series, workshops remain open for all to attend. All Councillors will be notified via the Councillors Digest of upcoming workshop topics to ensure they have the option to attend a workshop should they wish to.

#### ***Conclusion***

The Environment and Rural Advisory Panel will assist Council to deliver on its commitments relating to environmental and rural issues outlined in the Council Plan 2017 – 2021 (incorporating the Health and Wellbeing Plan). Appointing three Councillors will help to ensure continued Councillor engagement in the Environment and Rural Advisory Panel process.

#### 4. CULTURE & COMMUNITY

##### 4.1 MAV State Council Motions - 20 October 2017

**Author's Title:** Manager Community Relations

**General Manager:** Chris Pike

**Department:** Community Relations

**File No:** F16/839

**Division:** Culture & Community

**Trim No:** IC17/906

**Appendix:**

Nil

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

**Status:**

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

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

Yes

No

Yes

No

**Reason:** Nil

**Reason:** Nil

#### **Purpose**

To adopt Council's motions for the Municipal Association of Victoria (MAV) State Council Meeting on 20 October 2017.

#### **Summary**

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

Two relevant issues for Surf Coast Shire which could also be considered important for other municipalities are the banning of the free distribution of single use plastic bags and advocating against the requirement to recognise land under roads as assets.

Banning free distribution of single use plastic bags aligns strongly with Surf Coast Shire's Towards Environmental Leadership vision. The Local Government sector is well placed to advocate together on this issue.

Recognising land under roads as assets is a sector wide issue. Councils are expected to recognise all land under roads acquired after June 2008 as an asset. No clear guidelines have been provided on how councils should go about recognising these assets. The amount of research to identify and recognise these assets will be significant and is likely to cost Surf Coast Shire approximately \$40,000.

#### **Recommendation**

That Council put the following motions to the MAV State Council Meeting on 20 October 2017:

1. That the MAV advocate to the State Minister for Energy, Environment and Climate Change to create regulations to establish controls over the 'free' distribution of lightweight plastic shopping bags by Victorian Retailers (similar to the action taken in TAS, SA, the ACT and the NT), using the State Government's existing authority under Section 71 of the Environment Protection Act.
2. That the MAV, on behalf of Victorian Councils, advocate to the State Government to remove the recommendation for councils to recognise Land Under Roads acquired before 30 June 2008 as assets.

#### **Council Resolution**

##### **MOVED Cr Libby Coker, Seconded Cr Margot Smith**

That Council put the following motions to the MAV State Council Meeting on 20 October 2017:

1. That the MAV advocate to the State Minister for Energy, Environment and Climate Change to create regulations to establish controls over the 'free' distribution of lightweight plastic shopping bags by Victorian Retailers (similar to the action taken in TAS, SA, the ACT and the NT), using the State Government's existing authority under Section 71 of the Environment Protection Act.
2. That the MAV, on behalf of Victorian Councils, advocate to the State Government to remove the recommendation for councils to recognise Land Under Roads acquired before 30 June 2008 as assets.

CARRIED 8:0



## 4.1 MAV State Council Motions - 20 October 2017

### Report

#### **Background**

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

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

At the State Council meeting on 7 May 2017, Surf Coast Shire Council put forward the following motion:

1. That the MAV continue to advocate to the State Government to appropriately fund infrastructure and services that are a state government responsibility but which are delivered by local government including school crossing supervisors, the State Emergency Service, surf life-saving and marine rescue services.

This motion was considered at the May State Council Meeting along with the motions by other Victorian municipalities, and the motion was carried.

#### **Discussion**

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

#### Motion 1

It is estimated that almost 4 billion lightweight plastic shopping bags are used in Australia each year. Plastic shopping bags have various negative impacts on the environment including harm to wildlife and marine fauna and decreased visual amenity through litter.

The State Government already has the regulatory power to address this problem. In 2006, the Environment Protection Act 2006 was amended to allow for regulations prohibiting the free distribution of lightweight plastic shopping bags by Victorian retailers in the course of a retail transaction. To date, no regulations have been made.

The ACT, South Australia, the Northern Territory and Tasmania are already regulating single use plastic shopping bags. Victoria should do the same. Legal advice obtained by Surf Coast Shire Council indicates that the State Government is already 'covering the field' regarding regulation of plastic bags, through its 2006 amendments to the Environment Protection Act, thereby precluding local government from regulating plastic bags.

Woolworths and Coles are phasing out single use plastic bags in 2018. This announcement by two of the largest Australian retailers gives this issue significant impetus and is likely to have attracted the attention of State and Federal Governments.

#### Motion 2

In December 2007, the Australian Accounting Standards Board issued a standard that requires each local government and government department to:

- Make a final election whether to recognise Land Under Roads (LUR) acquired before 1 July 2008 as an asset; and
- Recognise all LUR acquired after 30 June 2008 as an asset.

In December 2014 the State Government department – Department of Transport, Planning and Local Infrastructure (DTPLI) – communicated that the deadline for recognition of LUR to the end of the 2017-18 financial year, recognising that the additional work required to determine fair value for all LUR is substantial.

No clear guidelines have been provided on how councils should go about recognising these assets. The amount of research to identify and recognise these assets will be significant and costly.

It is expected that the value of LUR assets will be discounted by 95% on council's asset registers because the land cannot generally be disposed of, and consequently there is usually no readily available market and/or identifiable acquisition cost. The cost of valuing these assets outweighs any benefits, material or otherwise.

#### 4.1 MAV State Council Motions - 20 October 2017

##### **Financial Implications**

The amount of research to identify and recognise Land Under Road assets will be significant and is likely to cost Surf Coast Shire approximately \$40,000.

##### **Council Plan**

Theme 2 Environmental Leadership  
Objective 2.2 Improve the re-use of resources  
Strategy Nil

Theme 5 High Performing Council  
Objective 5.2 Ensure that Council decision-making is balanced and transparent and the community is involved and informed  
Strategy Nil

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

Advocating via the MAV is a way to influence Government policy. The Local Government Act 1989 articulates that a role of a Council includes; "advocating the interests of the local community to other communities and governments".

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

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

##### **Risk Assessment**

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

##### **Social Considerations**

There are no significant social considerations in this report. Many Surf Coast community members are passionate the environment and motion 1 is likely to align with their values.

##### **Community Engagement**

The motions identified in this report are influenced by previous community engagement on other topics such as the Council Plan incorporating the Health and Wellbeing Plan and the Towards Environmental Leadership project.

##### **Environmental Implications**

Motion 1 calling for a ban on the free distribution of single use plastic bags will deliver positive outcomes for the environment.

##### **Communication**

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

##### **Conclusion**

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

#### 4.2 Community Project Development - August 2017 Quarterly Update

**Author's Title:** Community Project Development Officer      **General Manager:** Chris Pike

**Department:** Recreation & Open Space Planning      **File No:** F16/1580

**Division:** Culture & Community      **Trim No:** IC17/730

**Appendix:**

1. Community Project Proposal Master List (D17/78975)

**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**

The purpose of this report is to receive the August 2017 Community Project Development recommendations.

#### **Summary**

Recommendations relating to community project proposals referred for detailed investigation in the February 2017 and May 2017 quarters are provided for Council consideration, including:

- CPP05: Jan Juc Pre School Expansion of Play Space. Recommendation – Progress (but without area expansion)
- CPP06: Ellimatta Reserve Anglesea Football Training Lights Upgrade. Recommendation – Progress (as considered at Council Meeting 25 July 2017)
- CPP07: Stribling Reserve Stadium Ventilation Proposal. Recommendation – Progress
- CPP08: Mt Moriac Reserve Equestrian Clubroom Redevelopment. Recommendation – Progress
- CPP09: Anglesea Men's Shed re-purpose / re-fit of storage / meeting space. Recommendation – Progress
- CPP10: Wurdale Hall Reserve History Board. Recommendation – Progress
- CPP12: Torquay Hilltop Reserve – Vegetation Barrier. Recommendation – Progress.

Investigation on proposal CPP11 - Lorne Skate Park Shelter (referred in May 2017) is progressing well with expected completion by September 2017.

The Community Project Proposal Master List currently includes 33 outstanding project proposals. The total number of projects has been reduced following a review that resulted in eight proposals being referred on or resolved. The seven highest ranked proposals from the Master List have been recommended to proceed to detailed investigation stage.

## 4.2 Community Project Development - August 2017 Quarterly Update

### Recommendation

That Council:

1. Allocate \$6,820 including contingency and project management from the Accumulated Unallocated Cash Reserve to the Jan Juc Pre School Expansion of Outdoor Space Project (CPP05).
2. Note that Council resolved on the 25 July 2017 to submit the Ellimatta Reserve Anglesea Football Training Lights Upgrade Proposal (CPP06) to the Sport and Recreation Victoria 2017/18 Country Football Netball Grant Program, with a Council contribution of \$165,000 (pre-allocated from the 2018/19 Annual Budget).
3. Allocate \$45,000 including contingency and project management from the 2017/18 Building Asset Renewal program to the Stribling Reserve Stadium Ventilation Proposal (CPP07) to complete Stage 1 priority works to address OHS risk
4. Refer Stribling Reserve Stadium Ventilation Proposal (CPP07) Stage 2 with a cost estimate of \$115,000 including project management and contingency to Council's project prioritisation and budget processes including consideration for future grant opportunities alongside other eligible projects.
5. Refer the Mt Moriac Reserve Equestrian Clubroom Redevelopment Proposal (CPP08) to Council's project prioritisation and budget processes including consideration for future grant opportunities alongside other eligible projects.
6. Allocate \$2,800 from Council's Project Partnership Fund towards base cost and contingency and \$2,800 from Council's Community Project Support Fund for project management toward the Anglesea Men's Shed Storage Space Repurpose Project (CPP09).
7. Affirm support for the Anglesea Men's Shed's application to the Federal Government's Stronger Communities Program for \$15,000 towards their storage space repurpose project.
8. Refer the Wurdale Hall Reserve History Board Proposal (CPP10) to Council's Small Grants Program (September 2017) as a grant ready and eligible project.
9. Note that the Torquay Hilltop Reserve Vegetation Barrier Proposal (CPP12) is considered high risk and with a total budget of \$8,130 including contingency and project management will be funded directly from Council's 2017/18 Recreation and Open Space Planning budget.
10. Refer the following seven priority project proposals from the Community Project Proposal Master List to the Community Project Development Officer for investigation:
  - 10.1 Deep Creek Reserve Tennis Court multi-use area
  - 10.2 Mt Moriac Reserve Oval No.1 - nets behind the goals
  - 10.3 Quay Reserve – shelter over BBQ area
  - 10.4 Freshwater Creek Reserve – recommissioning of the old Tennis Club pavilion
  - 10.5 Anglesea Recreation and Sports Club – power connection for a security and fire sprinkler system
  - 10.6 Anglesea Recreation and Sports Club – boat platform to new water level
  - 10.7 Anglesea Netball Club – Relocation of two netball shelters
11. Allocate \$1000 from the Accumulated Unallocated Cash Reserve to investigate vegetation offset requirements as part of the consideration of Anglesea Netball Club – Relocation of two netball shelters.

### Council Resolution

#### **MOVED Cr Martin Duke, Seconded Cr Margot Smith**

That Council:

1. Allocate \$6,820 including contingency and project management from the Accumulated Unallocated Cash Reserve to the Jan Juc Pre School Expansion of Outdoor Space Project (CPP05).
2. Note that Council resolved on the 25 July 2017 to submit the Ellimatta Reserve Anglesea Football Training Lights Upgrade Proposal (CPP06) to the Sport and Recreation Victoria 2017/18 Country Football Netball Grant Program, with a Council contribution of \$165,000 (pre-allocated from the 2018/19 Annual Budget).
3. Allocate \$45,000 including contingency and project management from the 2017/18 Building Asset Renewal program to the Stribling Reserve Stadium Ventilation Proposal (CPP07) to complete Stage 1 priority works to address OHS risk
4. Refer Stribling Reserve Stadium Ventilation Proposal (CPP07) Stage 2 with a cost estimate of \$115,000 including project management and contingency to Council's project prioritisation and budget processes including consideration for future grant opportunities alongside other eligible projects.
5. Refer the Mt Moriac Reserve Equestrian Clubroom Redevelopment Proposal (CPP08) to Council's project prioritisation and budget processes including consideration for future grant opportunities

## 4.2 Community Project Development - August 2017 Quarterly Update

alongside other eligible projects.

6. Allocate \$2,800 from Council's Project Partnership Fund towards base cost and contingency and \$2,800 from Council's Community Project Support Fund for project management toward the Anglesea Men's Shed Storage Space Repurpose Project (CPP09).
7. Affirm support for the Anglesea Men's Shed's application to the Federal Government's Stronger Communities Program for \$15,000 towards their storage space repurpose project.
8. Refer the Wurdale Hall Reserve History Board Proposal (CPP10) to Council's Small Grants Program (September 2017) as a grant ready and eligible project.
9. Note that the Torquay Hilltop Reserve Vegetation Barrier Proposal (CPP12) is considered high risk and with a total budget of \$8,130 including contingency and project management will be funded directly from Council's 2017/18 Recreation and Open Space Planning budget.
10. Refer the following seven priority project proposals from the Community Project Proposal Master List to the Community Project Development Officer for investigation:
  - 10.1 Deep Creek Reserve Tennis Court multi-use area
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  - 10.7 Anglesea Netball Club – Relocation of two netball shelters
11. Allocate \$1000 from the Accumulated Unallocated Cash Reserve to investigate vegetation offset requirements as part of the consideration of Anglesea Netball Club – Relocation of two netball shelters.

CARRIED 8:0

## 4.2 Community Project Development - August 2017 Quarterly Update

### Report

#### **Background**

The Community Project Development Officer exists to improve Council's ability to respond to an increasing number of community project ideas and to ensure that projects seeking Council support and / or funding are appropriately assessed, scoped and prioritised.

The Community Project Officer has worked on a total of eight endorsed projects in the May - August quarter including four projects outstanding from the February - May quarter:

- CPP05: Jan Juc Pre School Expansion of Play Space
- CPP06: Ellimatta Reserve Anglesea Football Training Lights Upgrade
- CPP07: Stribling Reserve Stadium Ventilation Proposal
- CPP08: Mt Moriac Reserve Equestrian Clubroom Redevelopment
- CPP09: Anglesea Men's Shed re-purpose / re-fit of storage / meeting space
- CPP10: Wurdale Hall Reserve History Board
- CPP11: Lorne Skate Park Shelter
- CPP12: Torquay Hilltop Reserve – Vegetation Barrier.

#### **Discussion**

##### Prioritised Community Project Proposals for Further Investigation (referred in February 2017)

The key findings and recommendations relating to the following community project proposals referred by Council in February 2017 for detailed investigation are found below:

- CPP05: Jan Juc Pre School Expansion of Play Space
- CPP06: Ellimatta Reserve Anglesea Football Training Lights Upgrade
- CPP07: Stribling Reserve Stadium Ventilation Proposal
- CPP08: Mt Moriac Reserve Equestrian Clubroom Redevelopment.

CPP05	Jan Juc Pre School Expansion of Play Space – PROGRESS <i>(swing installation without the proposed area expansion)</i>
<b>Proposal Description</b>	<ul style="list-style-type: none"> <li>• Investigate works scope, costs, risks associated with expansion of pre-school outdoor space to enable installation of a double swing (new swing has been in storage since 2014).</li> <li>• Include assessment of existing space to determine possible swing configuration / rearranging of play areas without need for outdoor space expansion.</li> </ul>
<b>Background Info</b>	<ul style="list-style-type: none"> <li>• Petition received by Council from Jan Juc Pre-school Parents Advisory Group requesting expansion of pre-school outdoor space to enable swing installation.</li> </ul>
<b>Engagement</b>	<ul style="list-style-type: none"> <li>• Meetings with Jan Juc Preschool Parents Advisory Group, Preschool staff, relevant Council staff including Early Years staff, works contractors.</li> </ul>
<b>What we know</b>	<ul style="list-style-type: none"> <li>• Existing outdoor play area meets facility guidelines (for m2 per child) without area expansion.</li> <li>• Outdoor space area expansion results in encroachment into Council owned Public Open Space (POS).</li> <li>• Best practice for any loss of POS - community consultation - or risk reputational damage if challenged and at a time when Council's Property &amp; Legal Services Officer (Governance and Risk Department) is soon to commence a remediation works program to remove private encroachments on Council land.</li> <li>• During discussions with Pre School staff and Parents Advisory Group, past Council encroachments into POS (as recently as 2014 with building extension) were questioned.</li> <li>• Also title boundary anomaly discovered - half of Pre School site is on Council freehold land at 10-11 Wattle Crt (zoned Residential) and half on Council freehold land (POS zoned PPRZ). Would make sense to apply for a title amendment, with a boundary realignment creating the one title zoned Residential. May be possible to square up boundary across the small piece of land in question, without addressing it in isolation as part of the resolution to the swing placement issue. This process may take 12-18 months.</li> </ul>

## 4.2 Community Project Development - August 2017 Quarterly Update

	<ul style="list-style-type: none"> <li>Advice from Council's Aged &amp; Family Manager is for a quick resolution to this issue if possible.</li> <li>Investigation presented 2 options to the Pre School staff and parents (1) installing swing within existing space or (2) expanding play area into POS.</li> <li>Option 1 could be completed (pending Council resolution on proposal support and funding) within short time frame (potentially September 2017 school holidays) and at a cost of \$8320 (including project management and contingency).</li> <li>Option 2 included expanding the footprint which has impact on budget, time, staff PM resources and risk with a cost estimate of \$15,400 (including project management and contingency) and a likely timeline of 12 – 14 months.</li> <li>Pre School Parents Advisory Group have indicated support for Option 1 due to the short time frame and as they have other projects that they wish to progress. Parents Advisory Group has confirmed a contribution of \$1500 (no GST).</li> </ul>
<b>Potential funding partners</b>	<ul style="list-style-type: none"> <li>Jan Juc Pre School Parents Advisory Group (confirmed \$1500)</li> <li>Council (capital).</li> </ul>
<b>Officer Summary / Recommendation</b>	<ul style="list-style-type: none"> <li>Total Project Cost is \$8320 + GST (including PM and contingency) to install double swing within existing outdoor area. <i>(Note: swing was purchased in 2014 and has been stored at Council Depot since then. Installation is considered a priority.)</i></li> <li>Parents Advisory Group has confirmed a contribution of \$1500 (no GST) toward project base cost.</li> <li>Opportunity for Council contribution of \$6820 + GST (including PM and contingency) from Accumulated Unallocated Cash Reserve as this resolves an incomplete installation of a previously purchased asset.</li> <li>Refer resolution of the historical site boundary anomaly to Council's Property &amp; Legal Services Officer.</li> </ul>
<b>CPP06</b>	<b>Ellimatta Reserve Anglesea Football Training Lights Upgrade – PROGRESS</b> <i>(refer to Council resolution of 25 July 2017 for 2017/18 Country Football Netball Grant Program)</i>
<b>Proposal Description</b>	<ul style="list-style-type: none"> <li>Preliminary design and costing required to achieve sports lighting infrastructure to meet club needs and also to be complaint with AFL guidelines for community club level competition.</li> </ul>
<b>Background Info</b>	<ul style="list-style-type: none"> <li>Testing of floodlighting by Council and independently for G21 AFL Barwon Regional Strategy - lux levels poor / failing to meet minimum facility guidelines (lowest SCS rating).</li> <li>Recycled lighting infrastructure with type/quantity of lights inadequate. Poles of insufficient height/location resulting in overall poor lighting provision and performance.</li> </ul>
<b>Engagement</b>	<ul style="list-style-type: none"> <li>Meetings with Anglesea Football Club, relevant Council officers, industry experts, AFL Victoria, funding bodies.</li> </ul>
<b>What we know</b>	<ul style="list-style-type: none"> <li>Club seeking consistent ground illumination with default 50 lux (AFL standard for training) with ability to switch to 100 lux (allowing compliance for club night competition).</li> <li>Sport and Recreation Victoria and AFL Victoria strongly encourage lighting capacity to 150 lux to optimize spectator experience.</li> <li>Preliminary Design Report (IrwinConsult) consistent with the SRV Sports Facility Lighting Guidelines recommends new taller poles, control switches, switchboard modification and 2 luminaire options (2000W metal halide lamps or 1270W LEDs)</li> </ul>

## 4.2 Community Project Development - August 2017 Quarterly Update

	<ul style="list-style-type: none"> <li>Preliminary Opinion of Cost for the 150 lux metal halide option (incl all materials, services, detailed design, site allowances, escalations, contingencies and PM is \$280,000 +GST.</li> <li>150 lux LED option is \$355,000 +GST (environmental benefit using less power but financial cost to Council. Ongoing cost benefit for club as cheaper to run).</li> <li>Service Manager prefers metal halide option due to low cost benefit ratio to upgrade to LED.</li> <li>Grant ready and considered strong application by SRV for 2017/18 Country Football Netball Grant Program with potential for works to be delivered in 2018/19.</li> </ul>
<b>Potential funding partners</b>	<ul style="list-style-type: none"> <li>Sport and Recreation Victoria (Country Football Netball Grants)</li> <li>Anglesea Football Club (club have pledged \$15,000 excl GST)</li> <li>Council (capital)</li> </ul>
<b>Officer Summary/ Recommendation</b>	<ul style="list-style-type: none"> <li>Total Project Cost for 150 lux metal halide option (incl all materials, services, detailed design, site allowances, escalations, contingencies and PM is \$280,000 +GST with 150,lux LED option at \$355,000 +GST.</li> <li>Anglesea Football Club confirmation of \$15,000 excl GST contribution</li> <li>Proposed external grant (CFN Program) of \$100,000 excl GST</li> <li>Funding shortfall is \$165,000 (metal halide) and \$240,000 (for LED)</li> <li><i>As per the Council recommendation in the 25 July 2017 Council report for the 2017/18 Country Football Netball Program</i> <ul style="list-style-type: none"> <li>Note that Council resolved on the 25 July 2017 to submit the Ellimatta Reserve Anglesea Football Training Lights Upgrade Proposal (CPP06) to the Sport and Recreation Victoria 2017/18 Country Football Netball Grant Program, with a Council contribution of \$165,000 (pre-allocated from the 2018/19 Annual Budget).</li> <li>Note that officers will discuss sports ground lighting with the Renewable Energy Task Force, seeking direction for future sports lighting projects.</li> </ul> </li> </ul>

CPP07 Stribling Reserve (Lorne) Stadium Ventilation Proposal – PROGRESS	
<b>Proposal Description</b>	<ul style="list-style-type: none"> <li>Investigate several issues within the Stribling Reserve Stadium including unacceptably high internal temperatures, high humidity, lack of any building ventilation and the regular formation of condensation which drips from the roof sheeting onto the floor.</li> </ul>
<b>Background Info</b>	<ul style="list-style-type: none"> <li>Previous inspections of the roof structure have determined that there are no roof leaks which may have resulted in the water dripping on floor.</li> <li>Ongoing issues with high humidity and heat (preventing use on some days) and also condensation from ceiling dripping onto floor in line with the clear/ translucent sheeting (causing unsafe sports surface).</li> </ul>
<b>Engagement</b>	<ul style="list-style-type: none"> <li>Meetings with Stribling Reserve Committee of Management, relevant Council staff, consultants, Lorne Ward Councillor</li> </ul>
<b>What we know</b>	<ul style="list-style-type: none"> <li>Stribling Reserve Masterplan (2017) Action 13 – ‘repairs required re stadium ventilation’.</li> <li>Stadium heat / humidity data collected by Stribling Reserve COM was very useful data for investigation.</li> <li>GHD were engaged to prepare a feasibility report that investigated heat loads within the stadium and provided viable solutions to heat, humidity and condensation issues.</li> <li>Some preliminary costings were included in GHD report and additional QS / cost reporting obtained from Zinc Cost Management on structural building and electrical works identified in the feasibility report.</li> </ul>



## 4.2 Community Project Development - August 2017 Quarterly Update

	<ul style="list-style-type: none"> <li>• Analysis of original building construction / design found that perimeter walls only insulated to 2.2m from floor level. Remaining 5m to ceiling remains uninsulated despite plan specification for full height insulation.</li> <li>• Roof is insulated except for translucent roofing sheet panels. Condensation gathers on these clear panels and drips onto the floor. Users required to frequently mop floor before periods of use.</li> <li>• Roof ridge vent may provide some ventilation but without make up air openings in walls this would be ineffective.</li> <li>• Heat gain through lack of ventilation and inadequate insulation would result in excessive temperatures / humidity and may result in some condensation on ceiling particularly where there is no ceiling insulation (at clear panels).</li> <li>• 3 options provided in report – all options of similar budget but most cost effective option is for building modifications (replacement dual roof clear sheeting would have greatest effect in addressing condensation and also insulating walls to full height to assist temperature control) and also powered roof ventilation units with make up air openings in walls. Cost estimate for this option is \$160,000 excl GST (including contingency and PM).</li> <li>• Requires staging of works with Stage 1 \$45,000 excl GST (incl PM and contingency) to remove and dispose of existing clear roof sheeting panels and to replace with a viable dual roof clear sheeting product (supply and install). This is deemed to be the priority and required immediately to eliminate the risk condensation problem (with water dripping onto an indoor playing surface).</li> <li>• Council's 2017/18 building asset renewal program confirmed contribution of \$45,000 excl GST for replacement roof sheeting component of project (Stage 1 works)</li> <li>• Stage 2 has a budget of \$115,000 excl GST for required works to address heat, humidity and lack of ventilation. Stage 2 works include powered roof ventilation units, make up air openings in walls, roof access system, electrical works and wall insulation works.</li> </ul>
<b>Potential funding partners</b>	<ul style="list-style-type: none"> <li>• Council (capital / asset renewal)</li> </ul>
<b>Officer Summary / Recommendation</b>	<ul style="list-style-type: none"> <li>• Total Project Cost is \$160,000 excl GST (including PM and contingency).</li> <li>• Council's 2017/18 building asset renewal program has capacity to fund \$45,000 excl GST to replace translucent roofing sheet panels to address condensation dripping issue (Stage 1 works).</li> <li>• Opportunity for Council to refer Stage 2 / final works (\$115,000 including PM and contingency) to Council's project prioritisation and budget processes to provide an effective solution to the risk of high temperatures, high humidity and lack of ventilation within the Stribling Reserve Stadium.</li> </ul>

<b>CPP08</b>	<b>Mt Moriac Reserve Equestrian Clubroom Redevelopment – PROGRESS GRANT READY PROJECT</b>
<b>Proposal Description</b>	<ul style="list-style-type: none"> <li>• To prepare a concept design and preliminary cost report for the redevelopment of the Mt Moriac Reserve Equestrian Clubroom Facility</li> </ul>
<b>Background Info</b>	<ul style="list-style-type: none"> <li>• Previous concept provided high quality facility but with unrealistic budget.</li> <li>• The 3 equestrian clubs collaborated to determine specific group and facility needs with consideration to a more modest design that still provides a practical, accessible and functional building layout.</li> </ul>
<b>Engagement</b>	<ul style="list-style-type: none"> <li>• Meetings with Barwon Valley Pony Club, Western District Quarter Horse Association, Working Equitation Geelong and also relevant Council staff, consultants.</li> </ul>

## 4.2 Community Project Development - August 2017 Quarterly Update

<p><b>What we know</b></p>	<p>Combined membership total across the 3 equestrian clubs using Mt Moriac Reserve is 220. The average percentage of members across the 3 clubs that are Surf Coast Shire residents is 70%, with remaining membership spread <b>across</b> other G21 Councils.</p> <ul style="list-style-type: none"> <li>• Terry Atchison Architect was engaged to meet with the groups collectively and to prepare a sketch concept for a new one level, continuous building to replace separate building structures which are at the end of their asset life.</li> <li>• A total budget guide of \$650-\$700K (including a build cost of approx \$500-\$550K) was provided to guide the concept design, scale and detail.</li> <li>• Clubs reviewed a draft concept and recommended some functional layout changes without impact on building footprint size.</li> <li>• Zinc Cost Management (Quantity Surveyor) was engaged to prepare a Cost Report to confirm preliminary budget and an opinion of probable cost was also obtained from Torquay Building Services.</li> <li>• Total Project Cost estimate including design, permits, cost escalations, contingencies, project management and building cost is considered to be \$750,000 excl GST.</li> <li>• Clubs in principle combined contribution of \$50,000 (excl GST).</li> <li>• Project is grant ready – most likely program is Community Sports Infrastructure Fund (SRV) Minor Facilities (\$100,000) leaving a potential shortfall / Council contribution of \$600,000 (incl contingency and PM).</li> <li>• Other funding opportunities include the SRV - CSIF Major Facilities for a multi component \$1.3m project (Mt Moriac Masterplan Stage 2 - Equestrian Facility, Football &amp; Netball Lighting, Tennis / Netball Clubroom Extension) with a potential state government grant of \$650,000 offering a better funding outcome for Council across numerous masterplan projects. SRV feedback queried the strength of an application under this category. Potential grant opportunity under Building Better Regions Fund (as per recently funded Winchelsea Netball Facility Upgrade)</li> </ul>
<p><b>Potential funding partners</b></p>	<ul style="list-style-type: none"> <li>• Sport and Recreation Victoria</li> <li>• Building Better Regions Fund</li> <li>• Equestrian Clubs</li> <li>• Council (capital)</li> </ul>
<p><b>Officer Summary / Recommendation</b></p>	<ul style="list-style-type: none"> <li>• Current building condition and layout is not fit for purpose.</li> <li>• Council to note that the Mt Moriac Reserve Equestrian Clubroom Redevelopment Proposal is grant ready and that it should be considered for the next available and relevant Sport and Recreation Victoria grant round (2019/20) with a proposed Council contribution of \$600,000 (including contingency and project management costs).</li> <li>• Note the Mt Moriac Reserve Equestrian Clubroom Redevelopment Proposal (CPP08) is grant ready and should be referred to Council's project prioritisation and budget process that aligns to the Sport and Recreation Victoria 2019-20 Community Facility Funding Program (opening 2018) with a proposed Council contribution of \$600,000.</li> </ul>

### Prioritised Community Project Proposals for Further Investigation (referred in May 2017)

The key findings and recommendations relating to the following community project proposals referred by Council in May 2017 for detailed investigation are found below:

- CPP09: Anglesea Men's Shed re-purpose / re-fit of storage / meeting space
- CPP10: Wurdale Hall Reserve History Board
- CPP12: Torquay Hilltop Reserve – Vegetation Barrier.

Investigation on proposal CPP11 - Lorne Skate Park Shelter (referred in May 2017) is progressing well with expected completion by September 2017.

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CPP09	Anglesea Men's Shed Storage Area Repurpose– PROGRESS
<b>Proposal Description</b>	<ul style="list-style-type: none"> <li>Men's Shed proposing to reconfigure potentially vacated storage areas – extend community room, creating private meeting space + relocate welding area.</li> </ul>
<b>Background Info</b>	<ul style="list-style-type: none"> <li>Anglesea Bowls Club have 2 storage spaces within the adjacent Men's Shed.</li> <li>Anglesea Men's Shed proposal to repurpose these spaces if the Bowls Club redevelopment can accommodate all storage needs of the Bowls Club.</li> </ul>
<b>Engagement</b>	<ul style="list-style-type: none"> <li>Meetings with Anglesea Men's Shed, Anglesea Bowls Club, relevant Council staff, consultants</li> </ul>
<b>What we know</b>	<ul style="list-style-type: none"> <li>To enable progress on this proposal, the Bowls Club &amp; Men's Shed have reached an agreement on the establishment of a new stand-alone Bowls Club shed to be built beside the new Bowls Club pavilion. Men's Shed to make a cash contribution to this new shed construction so that the space currently used for storage in the Men's Shed by the Bowls Club can be repurposed for Men's Shed use.</li> <li>Quotes have been obtained for this new stand-alone shed to be built at the same time as the new Bowls Club building – PM to be separate to Bowls Club construction.</li> <li>For this CPP09 proposal, structural advice and cost estimate by Torquay Building Services (i.e. removing and adding a wall, reconfiguring spaces, relocating welding area).</li> <li>Total cost for reconfiguring store areas is \$33,600 excl GST (including PM and contingency)</li> <li>Men's Shed have confirmed a \$10,000 cash / \$3,000 in kind contribution as leverage for a Rnd 3 Stronger Communities Grant (seeking \$15,000 excl GST) with the EOI due 7 Aug 2017 (in principle letter of support has been forwarded to Men's Shed to enable them to meet this deadline but pending Council Meeting resolution 22/8/17). Requested Council contribution from 2017/18 is \$5600 excl GST. Grant agreement requires works to be delivered by end June 2018.</li> <li>Alternative DHS grant application for \$15,000 excl GST due May 2018, with likely works timeline of Jan-June 2019.</li> </ul>
<b>Potential funding partners</b>	<ul style="list-style-type: none"> <li>Round 3 Stronger Communities Grant</li> <li>DHS Men's Shed Grant</li> <li>Anglesea Men's Shed</li> <li>Council (capital)</li> </ul>
<b>Officer Summary / Recommendation</b>	<ul style="list-style-type: none"> <li>Total Project Cost is \$33,600 excl GST (including PM and contingency)</li> <li>Men's Shed contribution of \$10,000 cash / \$3,000 in kind.</li> <li>To enable leverage funding of \$15,000 excl GST to be sought from Round 3 Stronger Communities Program, an in-principle letter of support has been provided to the Men's Shed to accompany their EOI submission for this program (closed 7 August 2017). This letter of support is conditional on Council resolution 22 August 2017 in support of this proposal.</li> <li>There is an opportunity for a Council contribution towards this project to address a funding shortfall with potential funding from Council's 2017/18 budget of \$2,800 from Council's Project Partnership Fund (towards project base cost and contingency) and \$2,800 from Council's Community Project Support Fund (for project management).</li> </ul>
CPP10	Wurdale Hall Reserve History Board – PROGRESS - Refer to Small Grants
<b>Proposal Description</b>	<ul style="list-style-type: none"> <li>Investigate design, construction and installation of a freestanding double sided community information and history board at a suitable location within the Wurdale Hall Reserve including summary of information content / design.</li> </ul>

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<b>Background Info</b>	<ul style="list-style-type: none"> <li>• Priority project of the Wensleydale Rural Community Group (WRCG) and broader community support demonstrated.</li> <li>• With Stage 1 of the Wurdale Hall Reserve Landscape Concept complete, this project is one of the outstanding Stage 2 items.</li> <li>• Previous unsuccessful application to Council's Small Grants Program considered not eligible. New guidelines make this proposal now relevant for this program.</li> </ul>
<b>Engagement</b>	<ul style="list-style-type: none"> <li>• Meetings with Wensleydale Rural Community Group</li> </ul>
<b>What we know</b>	<ul style="list-style-type: none"> <li>• WRCG are working with Winchelsea Historical Society and local families regarding sign content.</li> <li>• Site meeting has confirmed location of an information board with shelter over it at the front of the reserve.</li> <li>• Collaboration with Winchelsea Men's Shed regarding construction of information board (with in kind contribution of \$1,000 towards base cost for board construction labour).</li> <li>• WRCG confirmation of contribution of cash (\$900) and kind (\$500).</li> <li>• Total project cost (including in kind) expected to be \$5400 so group would be seeking a Council contribution to project of \$3000 (which includes \$2190 towards base cost, allows for a \$270 contingency and PM of \$540)</li> </ul>
<b>Potential funding partners</b>	<ul style="list-style-type: none"> <li>• Wensleydale Rural Community Group</li> <li>• Winchelsea Men's Shed</li> <li>• Council Small Grants Program</li> </ul>
<b>Recommendation</b>	<ul style="list-style-type: none"> <li>• Refer this eligible project proposal to Council's Small Grant Program (September 2017) for consideration.</li> </ul>

CPP12	Torquay Hilltop Reserve – Vegetation Barrier – PROGRESS
<b>Proposal Description</b>	<ul style="list-style-type: none"> <li>• Community request to address issue of 'runaway' balls (from open kick-about area and basketball pad) running down the open grass slope of Hill Top Reserve via a vegetation barrier to trap balls.</li> <li>• Aim - to prevent balls and kids entering the busy Fischer St below.</li> </ul>
<b>Background Info</b>	<ul style="list-style-type: none"> <li>• Previous community request for traffic calming along Fischer St and also site meetings to discuss pedestrian safety in this area as well as potential solutions to address 'runaway' balls</li> </ul>
<b>Engagement</b>	<ul style="list-style-type: none"> <li>• Meetings with residents, Quay Reserve Residents Association representatives, relevant Council staff</li> </ul>
<b>What we know</b>	<ul style="list-style-type: none"> <li>• Consultation with nearby property owners and reserve users, Quay Resident Association representatives, Open Space Operations, Recreation and Open Space Planning about suitable location and type of planting for maximum effectiveness.</li> <li>• Development of a landscape sketch plan proposing planting along lower and side edges of reserve with aim to trap balls but not to create visual barrier or to impact on open space available for ball sports.</li> <li>• Community information including sketch plan to be displayed on site in August 2017, letterbox drop to nearby residents and email residents via Quay Residents Association email list.</li> <li>• Proposal is low risk and low complexity.</li> </ul>
<b>Potential funding partners</b>	<ul style="list-style-type: none"> <li>• Council (capital)</li> </ul>

## 4.2 Community Project Development - August 2017 Quarterly Update

### Officer Summary / Recommendation

- Project budget is \$8130 (including contingency and PM)
- Issue is considered a high risk.
- Opportunity to fund directly from 2017/18 operational budgets.

### Reviewing of the Community Project Proposals Master List

Following a review of each item in the Community Project Proposal Master List, involving various Council Service Managers, the total number of projects has been reduced by 8 proposals resulting in a revised total of 33 outstanding community project proposals on the master list. The proposals removed have either been referred to relevant Council service areas or programs or have been resolved in some way, with no further action required by the Community Project Development Officer. The list of projects that have been referred or resolved can be found in D17/78975 provided as an attachment to this report.

### New Community Project Proposals Received

32 new project proposals (at an average rate of 4 per month) have been submitted since 1 November 2016, 19 of which have been registered via Council's new on line registration process since 1 February 2017. As each new project proposal is submitted on line, it is assessed by the Community Project Development Officer together with relevant Council service area officers. The Community Project Proposal Priority Assessment Matrix determines where the proposal sits in priority order within the Master List.

### Prioritised Community Project Proposals for Further Investigation (August to November 2017 Quarter)

The Community Project Proposal Master List currently includes 33 outstanding project proposals presented in a prioritised order of highest to lowest when assessed against a priority assessment matrix.

The seven highest ranked proposals from the master list have been recommended to proceed to detailed investigation stage including:

1. Deep Ck Res Tennis Crt multi-use area (score 64)
2. Mt Moriac Res Oval 1 nets behind goals (score 64)
3. Quay Reserve – shelter over BBQ area (score 62)
4. Freshwater Ck Res old Tennis Clubroom – Recommission (score 60)
5. Anglesea Recreation & Sports Club – power (security / sprinklers) (score 60)
6. Anglesea Recreation and Sports Club – boat platform to new water level (score 60)
7. Anglesea Netball Club – Relocation of 2 netball shelters (score 60)

Each of the above project proposals has a HIGH rating (60+).

Recommendations or progress relating to these projects will be presented to Council in the next quarterly Community Project Development report in November 2017 or earlier if investigations are complete.

### Investigation Costs

A budget allocation of \$1000 is required to allow for the investigation of proposal number 7 above (expected fee for vegetation assessment which would be required to determine if any vegetation offsets would be required due to impact of relocation of shelters to east side of court 2)

### **Financial Implications**

The following project proposals include financial recommendations:

- Jan Juc Pre School  
Allocate \$6,820 including contingency and project management from the Accumulated Unallocated Cash Reserve to the Jan Juc Pre School Expansion of Outdoor Space Proposal (CPP05).
- Stribling Ventilation  
Allocate \$20,000 including contingency and project management from the Accumulated Unallocated Cash Reserve to the Stribling Reserve Stadium Ventilation Proposal (CPP07) to complete Stage 1 priority works with a remaining Stage 2 budget of \$115,000 including project management and contingency to be referred to Council's project prioritisation and budget processes.
- Anglesea Men's Shed  
Allocate \$2,800 from Council's Project Partnership Fund towards base cost and contingency and \$2,800 from Council's Community Project Support Fund for project management toward the Anglesea Men's Shed Storage Space Repurpose Proposal (CPP09).

## 4.2 Community Project Development - August 2017 Quarterly Update

- Torquay Hilltop Reserve  
Note that the Torquay Hilltop Reserve Vegetation Barrier Proposal (CPP12) is considered high risk and with a total budget of \$8,130 including contingency and project management will be funded directly from Council's operational budget.
- Anglesea Netball Shelters  
Allocate \$1000 from the Accumulated Unallocated Cash Reserve for the required investigation of priority project proposal number 7 (Anglesea Netball Club – Relocation of two netball shelters).

### **Council Plan**

Theme 1 Community Wellbeing  
Objective 1.1 Support people to participate in and contribute to community life  
Strategy 1.1.1 Develop and implement a program to support communities of place and interest, and to provide opportunities for them to identify and achieve their community aspirations

Theme 3 Balancing Growth  
Objective 3.2 Ensure infrastructure is in place to support existing communities and provide for growth  
Strategy 3.2.6 Advocate for supporting infrastructure

### **Policy/Legal Implications**

There are no policy or legal implications relating to this proposal.

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

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

### **Risk Assessment**

The detailed investigation of the Jan Juc Pre School Outdoor Space Proposal (CPP05)) provides clarity for Council regarding the risk associated with expanding the current Pre School outdoor space into Council freehold land zoned Public Purposes Recreation Zone (PPRZ). This report also recommends that Council should progress action to resolve the historical site boundary anomaly.

The recommendations related to the Ellimatta Reserve Anglesea Football Training Lights Upgrade Proposal (CPP06) address risk associated with sports lighting that does not meet minimum lighting guidelines recommended for football training.

The recommendations related to the Stribling Reserve Stadium Ventilation Proposal (CPP07) addresses risk to participants using the sports stadium and experiencing excessive heat and humidity as well as safety risk associated with condensation dripping onto the stadium floor from the ceiling.

The recommendations related to the Mt Moriac Reserve Equestrian Clubroom Redevelopment Proposal (CPP08) addresses the issue of a building that is beyond its' asset life and requires replacement with a building that is fit for use.

The recommendations related to the Anglesea Men's Shed re-purpose / re-fit of storage / meeting space Proposal (CPP09) addresses issues of a group outgrowing the capacity of their current facility and also to relocate a welding area into a more suitable contained space.

The recommendations related to the Torquay Hilltop Reserve – Vegetation Barrier Proposal (CPP12) provides a solution to an issue of 'runaway' balls (from open kick-about area and basketball pad) running down the open grass slope of Hill Top Reserve. The recommendations aim to prevent balls and children (chasing balls) entering the busy Fischer St below the reserve.

### **Social Considerations**

The Community Project Development Officer role and process is aimed at creating partnerships, providing support and feedback to community project ideas, facilitating community strengthening and supporting prioritised projects to get to a project ready stage.

### **Community Engagement**

Regular and ongoing communication and engagement with community is undertaken during the assessment of project proposals and during proposal investigation and scoping stage.

## **4.2 Community Project Development - August 2017 Quarterly Update**

### ***Environmental Implications***

There are no impacts to the environment.

### ***Communication***

A Community Project Development page is available on Council's website, providing information about the process for registering community project proposals. A link to the new on-line Community Project Proposal Registration Form is available from the webpage.

All proposal applicants are contacted following a proposal registration to clarify project details. Further engagement is undertaken with applicants for those proposals that are referred for detailed investigation.

Quarterly reports are presented to Council with recommendations relating to proposals that have been endorsed for detailed investigation. This reporting process also resolves on project proposals to be referred for detailed investigation in the next quarter.

### ***Conclusion***

A Community Project Development Process has been established to provide transparency in how new community project proposals are registered, assessed and prioritised for investigation. The process will support the Community Project Development Officer to create partnerships, provide support and feedback to community project ideas, facilitate community strengthening and support prioritised projects to get to a project ready stage. Seven of the highest ranked proposals from the Community Project Proposal Master List have been recommended to proceed to detailed investigation stage.

### 4.3 Winchelsea Independent Living Units - Transfer

**Author's Title:** Manager Business Improvement      **General Manager:** Chris Pike  
**Department:** Business Improvement      **File No:** F15/1059  
**Division:** Environment & Development      **Trim No:** IC17/769

**Appendix:**

Nil

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

Yes

No

**Reason:** Nil

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

Yes

No

**Reason:** Nil

#### Purpose

The purpose of this report is to consider the transfer of Council's Winchelsea independent living units to Hesse Rural Health (HRH).

#### Summary

Council owns five independent living units in Winchelsea on the corner of Hesse St and Armytage St. Council has a liability associated with these units due to terms included in the Residence Contracts associated with the units. Council also incurs annual costs through ownership responsibilities such as maintenance and renewal.

A report was provided to Council in June 2017 regarding the potential transfer of the Council owned units in Winchelsea to HRH. That report had the following recommendations:

- Determine to cease providing housing services in Winchelsea if agreement can be reached with a suitable alternative provider.
- Commence the process to transfer the Council owned units in Winchelsea to HRH as per the terms contained within this report.
- Notify the public of Council's intention to transfer the units to HRH.
- Receive a report following the public notification period to consider its options at that stage of the process.

Following this recommendation HRH have reaffirmed their interest in acquiring the units and confirmed they will continue to deliver the service for the current tenants.

Officers have provided public notification of the intended transfer, seeking community feedback, through the Winchelsea Star and the Surf Coast Times. No feedback was received following this process.

Accordingly it is now recommended that Council resolve to transfer the units to HRH in accordance with the following terms, previously identified in the June 2017 report:

- Council will transfer the five units and the land they sit on to HRH
- HRH will accept all contractual responsibility associated with the units
- HRH commit to the ongoing rights of the residents in accordance with their existing contracts
- HRH will pay to Council \$189,000.



### 4.3 Winchelsea Independent Living Units - Transfer

#### Recommendation

That Council:

1. Note that no community feedback was received on the proposed transfer of Council's Winchelsea independent living units to Hesse Rural Health.
2. Proceed to transfer the Winchelsea independent living units to Hesse Rural Health in accordance with the following terms:
  - Council will transfer the five units and the land they sit on to Hesse Rural Health
  - Hesse Rural Health will accept all contractual responsibility associated with the units
  - Hesse Rural Health commit to the ongoing rights of the residents in accordance with their existing contracts
  - Hesse Rural Health will pay to Council \$189,000
3. Authorise the Chief Executive Officer to execute the transfer.
4. Place net revenue from the transfer into the Accumulated Unallocated Cash Reserve.

#### Council Resolution

**MOVED Cr Heather Wellington, Seconded Cr Carol McGregor**

That Council:

1. Note that no community feedback was received on the proposed transfer of Council's Winchelsea independent living units to Hesse Rural Health.
2. Proceed to transfer the Winchelsea independent living units to Hesse Rural Health in accordance with the following terms:
  - Council will transfer the five units and the land they sit on to Hesse Rural Health
  - Hesse Rural Health will accept all contractual responsibility associated with the units
  - Hesse Rural Health commit to the ongoing rights of the residents in accordance with their existing contracts
  - Hesse Rural Health will pay to Council \$189,000
3. Authorise the Chief Executive Officer to execute the transfer.
4. Place net revenue from the transfer into the Accumulated Unallocated Cash Reserve.

CARRIED 8:0

### 4.3 Winchelsea Independent Living Units - Transfer

#### **Report**

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

Council owns five independent living units in Winchelsea on the corner of Hesse St and Armytage St. The units are traditionally tenanted under Licenses in accordance with the Retirement Villages Act (RVA) 1986. There are currently three units with Licenses under this Act, with one other occupied under a standard Residential Tenancies Act Lease and the last unit recently vacated.

Under the RVA there is a charge on the land (and registered on the land title), in favour of the residents, that protects the investment made by the residents. Residents, with Licenses under the RVA, made an Ingoing Contribution when signing their agreement. In accordance with their contracts the Licensees / residents are eligible for 90% of the market value upon vacating the units. Based on recent valuations, Council has a liability for remaining tenanted units of \$567,000, which is increasing with the growth in the Winchelsea real estate market. This liability is based on a current market valuation of \$210,000 per unit.

A report was provided to Council in June 2017 to discuss a potential transfer of these Council owned assets to Hesse Rural Health (HRH).

That report contained the following recommendations for Council:

- Determine to cease providing housing services in Winchelsea if agreement can be reached with a suitable alternative provider.
- Commence the process to transfer the Council owned units in Winchelsea to HRH as per the terms contained within this report.
- Notify the public of Council's intention to transfer the units to HRH.
- Receive a report following the public notification period to consider its options at that stage of the process.

This report seeks to address the actions undertaken to address these recommendations.

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

Following the Council adoption of the recommendations in June 2017 the following actions have been undertaken:

- HRH have reaffirmed their interest in acquiring the units and confirmed they will continue to deliver the service for the current tenants.
- Notices were placed in the Winchelsea Star (4 and 11 July 2017) and the Surf Coast Times (6 July 2017) to notify the public of the intended transfer.

No comments or questions were raised by the public between the notices being published and the closing date of 20 July.

In addition to the above, and prior to the June 2017 meeting agenda being made public, Council officers met with the current tenants of the Winchelsea Units to update them on the progress of the project. Within these meetings the tenants were provided with an opportunity to provide comment about the transfer at the time and also with the public as part of the public notice period. The residents, who officers have been in constant contact with over the past two years, have not identified any issues with the transfer. All residents currently utilise HRH services and value them highly as a service provider.

Following these actions being completed it is now recommended that Council resolve to transfer the units to HRH in accordance with the following terms, which were identified in the June 2017 report:

- Council will transfer the five units and the land they sit on to HRH
- HRH will accept all contractual responsibility associated with the units
- HRH commit to the ongoing rights of the residents in accordance with their existing contracts
- HRH will pay to Council \$189,000.

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

The financial terms associated with the asset transfer are provided in the Discussion section of this report. Whilst the asset value being transferred is in excess of the consideration being received it is seen to be a fair deal as Council will avoid future operational, maintenance and renewal expenditure associated with the assets.

### **4.3 Winchelsea Independent Living Units - Transfer**

#### **Council Plan**

Theme 5 High Performing Council  
Objective 5.4 Ensure the community has access to the services they need  
Strategy 5.4.2 Conduct service reviews to identify best service delivery model

Theme 5 High Performing Council  
Objective 5.1 Ensure Council is financially sustainable and has the capability to deliver strategic objectives  
Strategy 5.1.4 Build on relationships with agencies and key stakeholders for the benefit of the community

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

Before a Council can sell land, it is required to undertake a public submission process and obtain a valuation. Section 191(3) of the Local Government Act states that this does not apply if the transfer (with or without consultation) is to (amongst others) a public hospital. HRH comes within the statutory definition of a public hospital so the proposed transfer to it is exempt from the requirements of Section 189 of the Local Government Act.

As the existing residence contracts meet the Retirement Villages Act 1986 (RVA) it is important to understand any requirements under the RVA that need to be met. The RVA does not place obligation on owners of retirement villages on the sale of the freehold, however, provisions of the RVA apply to protect the residents. Section 29(5) of the RVA deems that the charge on the land (and registered on title) in favour of the residents, which protects their ongoing contributions, is not affected by a change in ownership. Consumer Affairs Victoria (who administers the register of retirement villages in Victoria) need to be informed of the transfer and the new owner details. This will be a responsibility for HRH on or after the transfer.

Solicitors have been appointed by Council to manage the documentation associated with the asset transfer.

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

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

#### **Risk Assessment**

Council officers strongly believe that Council is not the most suitable provider of housing services in the Shire. With this, it is recommended that there is no need to retain these assets in the future. The transfer of assets to a reputable local community service provider, who has committed to honouring the existing residents contracts, is seen to have minimal risks.

#### **Social Considerations**

The ongoing wellbeing of the existing residents has been the number one priority for Council through this project. HRH are fully committed to the existing residents and will ensure that all of their existing rights are maintained. The existing residents have current relationships with HRH and trust them to be a reputable service provider. Council is satisfied that its social priorities will be met with this proposed transfer.

#### **Community Engagement**

Notwithstanding that there is no statutory obligation for public consultation it is recommended that Council still adhere to the general principles set out in the *Local Government Best Practice Guide for the Sale, Exchange and Transfer of Land*. Council has notified the community of its intention to transfer the land and assets to HRH by way of public notice.

No community feedback was received following this public notice process.

#### **Communication**

See Community Engagement above.

### **4.3 Winchelsea Independent Living Units - Transfer**

#### ***Conclusion***

Council officers strongly believe that Council is not the most suitable provider of housing services in the Shire. It is acknowledged that the service is valuable and should continue to be provided by a suitable alternate provider. HRH are excited about the opportunity to be responsible for these assets and the associated service into the future. HRH are committed to the ongoing wellbeing of the existing residents which is Council's main priority in this project.

Whilst the estimated value of assets proposed to be transferred is greater than the consideration being received it is seen to be a fair deal as Council will avoid future operations, maintenance and renewal expenditure associated with the assets. It is also an opportunity for Council to simplify its operations.

Council has not received any feedback from the community following a public notice process. As such, it is recommended that that Council resolve to transfer the units to Hesse Rural Health in accordance with the terms identified in the Discussion section of this report.

Cr David Bell declared a Conflicting Personal Interest in item 4.4 Proposal to Licence Council Land - 6 Great Ocean Road, Aireys Inlet (Anderson Roadknight Hall and Car Park) – Market under section 79B of *the Local Government Act 1989* due to owning and operating a market within the Shire. Cr David Bell requested Council approves him from being exempt from voting on the item.

#### **Council Resolution**

##### **MOVED Cr Martin Duke, Seconded Cr Libby Coker**

That Council approve Cr David Bell from being exempt from voting on item 4.4 Proposal to Licence Council Land - 6 Great Ocean Road, Aireys Inlet (Anderson Roadknight Hall and Car Park) - Market.

CARRIED 8:0

Cr David Bell left the meeting at 7:09pm.

#### **4.4 Proposal to Licence Council Land - 6 Great Ocean Road, Aireys Inlet (Anderson Roadknight Hall and Car Park) - Market**

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

**General Manager:** Chris Pike

**Department:** Recreation & Open Space Planning

**File No:** F17/844

**Division:** Culture & Community

**Trim No:** IC17/745

#### **Appendix:**

1. Notice of Intention to Licence Council Land - 6 Great Ocean Road, Aireys Inlet - Anderson Roadknight Hall and Carpark (D17/92528)

#### **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**

The purpose of this report is to consider entering into a Licence Agreement with Libby Waldren PR trading as 'Aireys Inlet Market' at the Anderson Roadknight Memorial Hall and carpark (6 Great Ocean Road, Aireys Inlet) for the Aireys Inlet Market (Market).

#### **Summary**

The Aireys Inlet Market has been operating for 10+ years without a Council licence agreement, rather an annual booking directly with the Anderson Roadknight Reserve Section 86 Committee of Management (CoM). There have been long standing concerns from a section of the local business community regarding several arrangements relating to the Aireys Inlet Market.

There has been a recent change in ownership of the private market and Libby Waldren PR has submitted a proposal to the Committee of Management to hold a market on 14 occasions in 2017/18.

In the absence of policy, officers advertised intent to licence Council land for the purpose of a market. An interim 12 month licence arrangement is proposed while other policies are prepared and endorsed by Council. These policies will establish a consistent framework for various commercial uses of Council property including markets.

A public notice was published in the Surf Coast Times on Thursday 8 June 2017. Council wrote to 27 tenants of local businesses at the top and bottom shops and followed this up with a further letter box drop with 14 businesses open at the time to receive a copy of the public notice and submission form to provide comment.

A total of 103 submissions were received with 94 favourable of the market, highlighting the contribution to local tourism and local economy and supporting a local community initiative as the key themes. A total of nine submissions raised concerns such as low hall hire fee provides a commercial advantage, the number of

#### **4.4 Proposal to Licence Council Land - 6 Great Ocean Road, Aireys Inlet (Anderson Roadknight Hall and Car Park) - Market**

stall holders creates increased competition for local traders and the market frequency is targeted at peak season with no markets offered in low season (July, August, September).

Through this public notice process three key issues emerged that all relate to competitive neutrality principles and if addressed as conditions within the licence agreement will reflect a more level playing field for all commercial operators within the Aireys Inlet community:

- Hall Hire Fee – an independent commercial valuation of the market proposal considered 20 comparison markets on public land and recommends a \$300 hire fee per market.
- Number of Stall Holders – There is currently no cap on the number of stalls per market and therefore capping the number of stall holders at 50 is appropriate for the size of the licence area and consistent with the number of stalls over an extended period.
- Market Frequency - With no competing bookings for the site/facility and a change to paying a commercial valuation hire fee that is inclusive of peak season, the proposed dates are considered appropriate for a 12 month interim licence.

#### **Recommendation**

That Council:

1. Enter into a 12 month interim Licence Agreement with Libby Waldren PR to hold 14 markets at the Anderson Roadknight Hall as per the dates in the public notice attached at Appendix 1 at a rate of \$300 plus GST per market (\$4,200 per annum) inclusive of outgoings.
2. Note that officers will liaise with Libby Waldren PR during the term of the licence agreement to ensure compliance with its conditions.
3. Note that officers are developing policies to establish a consistent framework for commercial uses of Council property (including markets) and that these policies will enable Council to consider licence requests in the future.

#### **Council Resolution**

##### **MOVED Cr Clive Goldsworthy, Seconded Cr Libby Coker**

That Council:

1. Enter into a 12 month interim Licence Agreement with Libby Waldren PR to hold 14 markets, with a maximum of 50 stalls per market, with at least 90% coming from the G21 region, at the Anderson Roadknight Hall as per the dates in the public notice attached at Appendix 1 at a rate of \$300 plus GST per market (\$4,200 per annum) inclusive of outgoings.
2. Note that officers will liaise with Libby Waldren PR during the term of the licence agreement to ensure compliance with its conditions.
3. Note that officers are developing policies to establish a consistent framework for commercial uses of Council property (including markets) and that these policies will enable Council to consider licence requests in the future.

CARRIED 7:0

Cr David Bell returned to the meeting at 7:26pm.

#### 4.4 Proposal to Licence Council Land - 6 Great Ocean Road, Aireys Inlet (Anderson Roadknight Hall and Car Park) - Market

##### Report

##### **Background**

The Aireys Inlet Market has been operating for 10+ years without a Council licence agreement, rather an annual booking directly with the Anderson Roadknight Reserve Section 86 Committee of Management (CoM). There have been long standing concerns from a section of the local business community regarding several arrangements relating to the Aireys Inlet Market.

Due to a recent change in ownership of the private market, the Section 86 CoM have requested Council approval for 14 markets in 2017/18 with a Committee recommended booking fee of \$150 per market. The current market fee per day is \$95 + GST.

In the absence of policy, officers advertised intent to licence Council land for the purpose of a market. An interim 12 month licence arrangement is proposed while other policies are prepared and endorsed by Council. These policies will establish a consistent framework for various commercial uses of Council property including markets.

A public notice was published in the Surf Coast Times on Thursday 8 June 2017. Council wrote to 27 tenants of local businesses at the top and bottom shops and followed this up with a further letter box drop with 14 businesses open at the time to receive a copy of the public notice and submission form to provide comment.

A total of 103 submissions were received with 94 favourable of the market, highlighting the contribution to local tourism and local economy and supporting a local community initiative as the key themes. A total of nine submissions raised concerns such as low hall hire fee provides a commercial advantage were not favourable of the market raising concerns that such as a low hall hire fee provides a commercial advantage, the number of stall holders creates increased competition for local traders and the market frequency is too heavily weighted in peak season with no market held during July, August and September (low season).

No planning permit is required and therefore officers have mirrored the planning permit process with a Hearing of Submissions held 1 August 2017. Six people spoke to their submissions with three supporting the market (including the applicant) and three against. Each of the three submissions against the market highlighted that they support the market, however the operational model does not reflect a level playing field to other commercial businesses within the Shire.

##### **Discussion**

With the change in ownership, the Section 86 Committee have received a booking request for the purpose of a market from applicant Libby Waldren PR and have requested Council approval for 14 markets in 2017/18. The proposed market dates are as follows:

2017						2018					
Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
			8	4,12	10,31	7,14,21,28	11	11	1	13	10

The market is exempt from a planning permit as the land is zoned public use zone schedule 6 (PUZ6) and the use is consistent with the Local Government purpose for this zone (regardless of being a privately run market).

A list of key issues identified in submissions against the market; summary of considerations and officer comment is provided below:

Issue	Considerations	Officer Comment
Hall hire fee provides commercial advantage to the market operator	<p>Previous hall hire fee for 14 markets was \$95 (per market) and Committee of Management is recommending a hire fee of \$150 per market.</p> <p>An independent commercial valuation of the market considered 20 market comparisons all on public land with rentals ranging from \$250 - \$500 per market. The valuation recommends a licence fee of \$300 plus GST per market (inclusive of outgoings), based on 14 markets per annum (\$4,200 plus GST annually).</p>	<p><i>The methodology applied to the commercial valuation is considered the most appropriate with a direct comparison to 20 other markets operating on public land.</i></p> <p><i>Increasing the hire fee from \$95 to \$300 per market reflects a 216% increase in the hall hire fee contributing to a level playing field for local traders.</i></p>

#### 4.4 Proposal to Licence Council Land - 6 Great Ocean Road, Aireys Inlet (Anderson Roadknight Hall and Car Park) - Market

Number of market stalls creates increased competition for local traders	<p>Currently there is no cap on the number of stalls per market.</p> <p>Stall numbers have consistently been between 50 – 60 stalls per market for the past 3 years.</p>	<i>Capping the number of stalls at 50 would be considered appropriate for the size of the licence area and consistent with the market operation over an extended period.</i>
Market frequency is too focussed on peak season	<p>The market operates on Sunday's for 14 markets per year from 9am – 1pm which equates to 56 hours per annum.</p> <p>The market operates on 6 weekends in peak season (Dec, Jan) and aligns to public holiday weekends throughout the year.</p> <p>There have been no identified competing bookings for use of the facility on market days. Maximising use of community buildings is likely to be a key feature of policy work that will establish a consistent framework for various commercial uses of Council property including markets.</p> <p>The market applicant has indicated that they do not wish to create competition for the local traders during the quieter winter months, however the market complements the town's capacity to manage and service the much larger summer population.</p> <p>Some local traders have indicated that they would support one market per month.</p>	<i>With no competing bookings for the site/facility and paying a commercial valuation hire fee that is inclusive of peak season, the proposed dates are considered appropriate for a 12 month interim licence.</i>
Local Stall Holder Priority	<p>Applicant suggests that 90% of the stall holders come from within a 100km catchment radius (G21 region).</p> <p>Three current stall holders are Melbourne based, however the product that they are offering cannot be sourced locally.</p>	<i>Limiting the number of stall holders outside the G21 region would be considered appropriate.</i>

#### **Financial Implications**

An independent commercial valuation of the market proposal has considered the peak season dates and recommends a \$300 per market (\$4,200 per annum) licence fee. Based on the previous fees for the market at \$95 per market this reflects a 216% increase significantly contributing to a level playing field for local traders.

It is recommended that this licence fee be returned to the Anderson Roadknight Hall Committee of Management to be re-invested back in to the facility for the benefit of the local Aireys Inlet community.

#### **Council Plan**

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

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

Local Government Act 1989

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

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



#### **4.4 Proposal to Licence Council Land - 6 Great Ocean Road, Aireys Inlet (Anderson Roadknight Hall and Car Park) - Market**

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

The perception regarding the use of a Community Hall for a commercial activity (although exempt from a planning permit and considered an appropriate use).

Part of the proposal included car parking spaces to be made available to stall holders for the market. It is recommended that the car park area not be included in the licenced area to ensure that public safety is prioritised.

All hall hirers must have their own public liability insurance, this would be the responsibility of the market operator.

Stall holders are currently responsible for removing all of their own rubbish/waste. Surf Coast Shire event organisers are required to pay the full cost of extra waste bins and removal if required.

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

The Aireys Inlet market has overwhelming support from the local community as evidenced by the weight of favourable responses through the public notice process.

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

A public notice was published in the Surf Coast Times on Thursday 8 June 2017. Council wrote to 27 tenants of local businesses at the top and bottom shops and followed this up with a further letter box drop with 14 businesses open at the time to receive a copy of the public notice and submission form to provide comment.

A total of 103 submissions were received with 94 favourable of the market and 9 raising concerns. As no planning permit is required, officers have mirrored the planning permit process with a Hearing of Submissions held 1 August 2017. Six people spoke to their submissions with three supporting the market (including the applicant) and three against.

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

Aireys Inlet is classified as a high risk area in Council's Code Red and Extreme Fire Danger Preparedness Policy and Procedure and therefore all services after 10am at the Anderson Roadknight Hall will be cancelled on Extreme and Code Red Fire Danger Days.

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

The outcome of this decision will be communicated to the Section 86 Anderson Roadknight Hall Committee of Management, all users of the facility and all 103 submitters to the public notice.

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

Council is moving forward with its policy work that involves the management of all commercial uses across Council owned and managed land. A public notice process has explored the community views of this market proposal and helped understand the impacts on local traders.

It is recommended that rather than continuing with the existing hire arrangement, that Council enter into a formal Licence Agreement due to the commercial nature of the market and to ensure that both parties and the community have certainty as to costs, dates and usage of the hall and surrounding area. It is recommended that the term of the Licence Agreement be 12 months.

#### 4.5 Review - Joint Use Agreements

**Author's Title:** Manager Business Improvement

**General Manager:** Chris Pike

**Department:** Business Improvement

**File No:** F17/462

**Division:** Environment & Development

**Trim No:** IC17/734

**Appendix:**

1. Joint Use Agreements - Review Recommendations - August 2017 (D17/79825)

**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 for Council to note the work completed on the review into Joint Use Agreements and to endorse the recommendations (including guiding principles) arising from this work.

#### Summary

A review into Council's contractual involvement in a range of shared-use sports facilities in the Shire has been completed.

The review sought to provide Council with the following outcomes:

- A full understanding of its obligations under the various agreements including commentary on the difference between each of the agreements.
- An understanding of Council's investment in these facilities relative to current community use
- Development of a set of guiding principles to inform future Joint Use Agreements.
- A clear recommendation about Council's ongoing involvement in these facilities.

The arrangements currently in place demonstrate a high level of community benefit, particularly with the very well utilised facilities in Torquay and Lorne.

The current agreements in place, though delivering similar outcomes, are inconsistent in nature. These inconsistencies can be attributed to the broad period of time in which these individual agreements have been developed.

Current expenditure levels on these facilities are relatively minor, though Council has a clear exposure to future liability through renewal and other capital works requirements. Recommendations are provided to better inform and prepare Council for this future expenditure.

A set of guiding principles has been included in this report which can inform decisions about Council's involvement in future agreements. These decisions may include the continuation of the agreement for the Winchelsea Leisure Time Centre and the proposed Torquay North Multi-Purpose Stadium.

Recommendations and the guiding principles can be found, along with a summary level of detail for the agreements, in Appendix 1.

#### Recommendation

That Council:

1. Note the work completed on the review into Joint Use Agreements.
2. Adopt the review recommendations listed in Appendix 1.

#### Motion

**Moved Cr Clive Goldsworthy, Seconded Cr Carol McGregor**

That Council:

1. Note the work completed on the review into Joint Use Agreements.
2. Adopt the review recommendations listed in Appendix 1.

The motion LAPSED because no vote was taken

#### 4.5 Review - Joint Use Agreements

##### **Amendment to the Motion**

##### **MOVED Cr Heather Wellington**

Cr Heather Wellington moved an amendment to the original motion as follows:

2. Adopt the review recommendations listed in Appendix 1 removing those parts that relate to the Winchelsea Primary School and the Winchelsea Leisure Time Centre.

The motion LAPSED for want of a seconder

##### **Suspension of Standing Orders**

##### **Council Resolution**

##### **MOVED Cr Heather Wellington, Seconded Cr Clive Goldsworthy**

That Council suspend Standing Orders.

CARRIED 8:0

##### **Resumption of Standing Orders**

##### **Council Resolution**

##### **MOVED Cr Margot Smith, Seconded Cr Libby Coker**

That Council resume Standing Orders.

CARRIED 8:0

##### **Defer item to another meeting**

##### **Council Resolution**

##### **MOVED Cr Clive Goldsworthy, Seconded Cr Heather Wellington**

That Council agree that item 4.5 Review - Joint Use Agreements be deferred to the Ordinary Council Meeting 26 September 2017.

CARRIED 8:0

## 4.5 Review - Joint Use Agreements

### Report

#### **Background**

A review into the various Joint Use Agreements Council has with the Department of Education and Training (DET) and School Councils was supported by Council as part of the 2016/17 Business Improvement program.

These Agreements cover a number of shared-use sports facilities in the Shire and range in age from one to 30 years old. Agreements have been developed between Council and the following parties as follows:

- The Minister for Education and Torquay Primary School Council for the Torquay College Stadium
- The Minister for Education and the Surf Coast Secondary College Council for the Surf Coast Secondary College Sports Hall and the Civic Precinct Outdoor Sporting Precinct
- The Lorne Higher Elementary School Council for Stribling Reserve (Centre and Outdoor Facilities) (note: this agreement has expired)
- Winchelsea Primary School Council for the Winchelsea Leisure Time Centre.

#### **Discussion**

Council will be faced with some important decisions in the short term relating to sporting facilities it shares with the DET. These decisions will relate to the following:

- Renegotiating the expired agreement for DET use of Council facilities at Stribling Reserve
- The continuation of Council's involvement in the Winchelsea Leisure Time Centre
- The operating model for the proposed Surf Coast Multi-purpose Indoor Stadium in Torquay.

Prior to these decisions being made it was important to fully understand Council's current agreements relating to joint use facilities. A review was undertaken to obtain this understanding. The review sought to provide Council with the following outcomes:

- A full understanding of its obligations under the various agreements including commentary on the difference between each of the agreements.
- An understanding of Council's investment in these facilities versus current community use
- Development of a set of guiding principles to inform future Joint Use Agreements.
- A clear recommendation about Council's ongoing involvement in these facilities.

To help deliver these objectives we engaged with a number of key stakeholders including:

- Winchelsea Primary School Principal
- Surf Coast Secondary School Principal
- DET staff
- Council sport and recreation staff
- Council finance, risk and insurance staff.

A summary of the existing agreements, including key terms and identified issues, can be found in the presentation at Appendix 1.

The review identified a range of findings including numerous opportunities for improvement. The key findings are listed below:

- Facilities in Torquay and Lorne experience a substantial amount of community use.
- The facility in Winchelsea has relatively low utilisation with weekly karate classes and roller derby training (Colac based) being the only regular users outside of the Winchelsea primary school.
- Council has limited current involvement in the facility at Winchelsea, though, according to the agreement, Council should be a strong participant in a Committee of Management (CoM) for the facility operation.
- The facility at Winchelsea is in poor condition and requires a level of investment from Council and DET to improve the asset to an appropriate standard.
- The agreement for the Winchelsea facility expires in 2021 and Council will need to consider if the community requires it to have ongoing involvement in this facility past this date.
- Council pays for building insurance for the Winchelsea facility to ensure that the facility can be rebuilt if there were to be a significant event impacting the structure. DET cannot guarantee this through their insurance policy where they have prohibitively high insurance excesses. Council should seek contribution from the School for this insurance cost.

#### 4.5 Review - Joint Use Agreements

- The facility at Torquay College is being managed well with involvement of both Council and the School in a CoM. However, more rigour should be put into the asset management, particularly the development of a building renewal program so future liabilities can be understood.
- The agreement for the facility at Surf Coast Secondary College is relatively new and, although the day to day operation of the facility is being well managed, there are a number of elements of the agreement that are not being delivered, as follows:
  - There is a requirement to develop a rolling 5 year capital works / renewal program, this has not been developed. As a result neither the DET nor Council are aware of its future renewal obligations.
  - There is a requirement for operational costs to be shared by both parties for a range of expense items such as utilities, grounds and facility maintenance and insurance. This is not currently done, though it is expected that this would largely be a cost neutral result for both parties.
- The agreement for DET's use of Council facilities at Stribling Reserve has expired and needs to be renewed. The renewal of this agreement had been put on hold pending the Lorne P-12 schools demerger from the Aireys Inlet Primary School.

To help Council with its upcoming work on joint use agreements a set of guiding principles has been developed. These guiding principles, listed in the presentation at Appendix 1, are a key outcome for this review. The guiding principles consider Council's organisational vision, purpose and direction and also aim to build on the learnings to come from the issues raised above.

A range of recommendations have been made to address the key review findings. The recommendations can be found in the presentation attached as Appendix 1 to this report.

#### **Financial Implications**

Adoption of the recommendations in this report will not have immediate financial implications. However, it will result in a better understanding of Council's future financial commitments associated with its involvement in these facilities.

#### **Council Plan**

Theme        5 High Performing Council  
Objective    5.4 Ensure the community has access to the services they need  
Strategy     5.4.2 Conduct service reviews to identify best service delivery model

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

Adoption and implementation of these recommendations will result in improved compliance with legal obligations under the three current joint use agreements.

#### **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 associated with the adoption of these recommendations.

#### **Social Considerations**

Council continues to consider the infrastructure needs of its growing community. Sharing facilities with the DET is a cost effective way for the community to have access to great facilities. The adoption of the recommendations in this report will ensure that Council continues to plan for, protect and maximise the use of community facilities for the benefit of the community.

#### **Community Engagement**

Key stakeholders have been engaged as part of this review work.

#### **Environmental Implications**

There are no environmental implications associated with the adoption of these recommendations.

#### **4.5 Review - Joint Use Agreements**

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

Key stakeholders have been engaged as part of this review work. Communication with these partnership stakeholders will be ongoing to ensure the joint use facilities are efficiently and effectively managed.

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

Council officers have completed a review into Council's contractual involvement in a range of shared-use sports facilities in the Shire. The review identified a number of key findings including a range of opportunities for improvement. A set of guiding principles has been included in this report which will inform decisions about Council's involvement in future agreements. A range of recommendations has been made to address these key review findings. The recommendations can be found in the presentation attached as Appendix 1 to this report.

#### 4.6 Geelong Regional Library Corporation Contribution 2017/18

**Author's Title:** Manager Community Relations

**General Manager:** Chris Pike

**Department:** Community Relations

**File No:** F15/797

**Division:** Culture & Community

**Trim No:** IC17/792

**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**

The purpose of this report is to authorise the Chief Executive Officer to pay Surf Coast Shire's contribution to the Geelong Regional Library Corporation (GRLC) in 2017/18.

#### **Summary**

Surf Coast Shire Council is one of four member councils of the GRLC. Each member council contributes financially to the GRLC to fund the delivery of fixed and mobile library services in each municipality.

GRLC provide one fixed library and mobile library services in five townships across Surf Coast Shire. Surf Coast Shire has representation on the GRLC board and a strong working relationship with the corporation.

An agreement is in place between all four member councils which sets the conditions for the operation of the GRLC. The current agreement was signed by all member councils in 2009. Member council's financial contribution is defined in the agreement and is apportioned to each council based on usage of library services in each municipality.

This report is being considered by Council as Surf Coast Shire's 2017/18 GRLC contribution has been calculated, based on usage, to be \$685,706 excluding GST. This is above the Chief Executive Officer's delegated authority limit of \$600,000.

Surf Coast Shire's 2017/18 GRLC contribution has already been included in Council's adopted budget.

#### **Recommendation**

That Council:

1. Note that library services are provided to the community through the Geelong Regional Library Corporation Agreement 2009 and that Council's contributions are set as per the conditions of the agreement.
2. Note that Council's contribution to the Geelong Regional Library Corporation in 2017/18 is \$685,706 which exceeds the Chief Executive Officer's delegated authority limit.
3. Note that Council's contribution is included in the 2017/18 Budget which provides transparency of the cost of this service to the community.
4. Authorise the Chief Executive Officer to pay Council's contribution for 2017/18.
5. Authorise the Chief Executive Officer to pay future contributions to Geelong Regional Library Corporation, in accordance with the Geelong Regional Library Corporation Agreement 2009 provided that this amount is consistent with Council's annual budget allocation for this purpose.

#### 4.6 Geelong Regional Library Corporation Contribution 2017/18

##### **Council Resolution**

##### **MOVED Cr Margot Smith, Seconded Cr Libby Coker**

That Council:

1. Note that library services are provided to the community through the Geelong Regional Library Corporation Agreement 2009 and that Council's contributions are set as per the conditions of the agreement.
2. Note that Council's contribution to the Geelong Regional Library Corporation in 2017/18 is \$685,706 which exceeds the Chief Executive Officer's delegated authority limit.
3. Note that Council's contribution is included in the 2017/18 Budget which provides transparency of the cost of this service to the community.
4. Authorise the Chief Executive Officer to pay Council's contribution for 2017/18.
5. Authorise the Chief Executive Officer to pay future contributions to Geelong Regional Library Corporation, in accordance with the Geelong Regional Library Corporation Agreement 2009 provided that this amount is consistent with Council's annual budget allocation for this purpose.

CARRIED 8:0



## 4.6 Geelong Regional Library Corporation Contribution 2017/18

### **Report**

#### ***Background***

Surf Coast Shire has been a member Council of the GRLC since its inception in 1997. The current agreement was signed by the four member councils in 2009.

The current GRLC agreement confirms the conditions by which the corporation is governed and managed including how member council contributions are calculated.

Member council financial contributions are apportioned based on usage which is calculated by combining the number of loans and visits to fixed and mobile services in each municipality.

Council has included the 2017/18 GRLC contribution of \$685,706 exclusive of GST in the adopted budget.

The GRLC has a proven track record of successfully delivering library services to Surf Coast Shire and other member councils. Surf Coast Shire is represented on the GRLC board and has a strong working relationship with the corporation.

The GRLC was recently ranked as the highest ranking public library service in Victoria by an independent assessment of the Public Libraries Victoria Network. The report was prepared by I & J Management Services which ranked the public library network across 10 key indicators.

#### ***Discussion***

The GRLC deliver library services across Surf Coast Shire and the region. There is a fixed library service in Torquay and the mobile service stops weekly in Aireys Inlet, Anglesea, Deans Marsh, Lorne and Winchelsea.

Council is aware of the 2017/18 GRLC contribution and accounted for it in Council's budget. This report seeks to further formalise that Council approves the expenditure as it is above the Chief Executive Officer's delegated authority of \$600,000.

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

The 2017/18 GRLC contribution is included in Council's budget. The 2017/18 contribution is approximately a 1% increase to the previous year based on an increase in usage relative to other GRLC member councils.

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

Theme	5 High Performing Council
Objective	5.2 Ensure that Council decision-making is balanced and transparent and the community is involved and informed
Strategy	Nil

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

Surf Coast Shire's membership of GRLC is confirmed in the 2009 agreement which was approved by the Minister responsible for administering the *Local Government Act 1989*.

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

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

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

This report aims to deliver clarity and transparency by having Council separately approve and authorise expenditure by the Chief Executive Officer above the delegated authority. It mitigates against the risk of ambiguity or a lack of transparency.

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

Libraries deliver significant social benefit to Surf Coast Shire communities. The high standard of performance by GRLC provides excellent social opportunities across Surf Coast Shire. The recent increased usage in Surf Coast Shire library services is an indication that people value these services.

#### **4.6 Geelong Regional Library Corporation Contribution 2017/18**

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

The development of Council's 2017/18 budget was the subject of community engagement through information sessions, an online submission process and an opportunity for community members to participate in a Council Hearing of Submission session. The GRLC contribution was included in the draft budget and was not the subject of a high level of positive or negative feedback.

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

There are no significant environmental implications associated with this report.

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

The 2017/18 GRLC contribution was communicated through Council's budget communication and engagement process from April to June 2017.

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

This report seeks to endorse Council's 2017/18 GRLC contribution. This transparent approach ensures this significant expenditure is separately identified and approved because it is above the Chief Executive Officers delegated authority. Communities in Surf Coast Shire can expect to receive high quality library services delivered by GRLC in 2017/18.

#### 4.7 Submission for Future Reform to Support Older Australians

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

**General Manager:** Chris Pike

**Department:** Aged & Family Services

**File No:** F16/1233

**Division:** Culture & Community

**Trim No:** IC17/903

**Appendix:**

1. Submission - An integrated care at home program - Surf Coast Shire Council Response (D17/90920)

**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 consider Council's submission made in response to the Federal Government's *Future Reform – an integrated care at home program to support older Australians* discussion paper.

#### **Summary**

A submission in response to the discussion paper on the *Future Reform – an integrated care at home program to support older Australians* has been developed. The submission highlights the need for the Aged Care Reform program to consider the specific needs of rural and remote communities and that the Australian Government ensures that these communities continue to have access to a basic level of service, whether that is through block funding or individualised funding.

The due date for submissions is 21 August 2017, the day before the next Council Meeting and so officers provided a copy of the proposed submission for Councillors' information at the 15 August Councillor briefing session. The submission will have been lodged by the time this agenda item is considered and so the officer recommendation is for Council to ratify that submission (attached at Appendix 1).

#### **Recommendation**

That Council ratify the submission made in response to the Federal Government's *Future Reform – an integrated care at home program to support older Australians* discussion paper as per Appendix 1.

#### **Council Resolution**

**MOVED Cr Libby Coker, Seconded Cr Martin Duke**

That Council ratify the submission made in response to the Federal Government's *Future Reform – an integrated care at home program to support older Australians* discussion paper as per Appendix 1.

CARRIED 8:0

## 4.7 Submission for Future Reform to Support Older Australians

### **Report**

#### ***Background***

The care at home system currently supports around one million older Australians each year. The majority of services are funded by the Commonwealth Government through the Home Care Packages Program (\$1.5 billion in 2015-16) and the home support programs (\$2.4 billion in 2015-16). From July 2018, there will be a national home support program across all states and territories.

The Australian Government recognises that older Australians want better choices and improved access to services which will enable them to continue to live active and healthy lives in their communities.

#### ***Discussion***

The discussion paper seeks views on how future reform can best support older Australians to remain living at home and in their communities. The Australian Government will use feedback inform government decisions on an integrated 'care at home' program. The MAV will also be providing a submission on behalf of local government.

Key issues for Surf Coast include:

- concerns over the increase in assessment wait times for clients requiring a higher level of support
- ensuring older residents still have timely access to quality services
- ensuring the viability of services that support clients only requiring a low level of care, with a suggestion of block funding to ensure viability of the market in rural and remote areas
- the roll out of individualised care needing to be closely monitored by the Government to ensure a viable market establishes in rural and remote areas, and clients are not left without a service
- concerns for clients with differing levels of complexity, leading to vulnerability and being at risk, falling through the gaps in a competitive market.

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

Not Applicable.

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

Theme 1 Community Wellbeing

Objective 1.1 Support people to participate in and contribute to community life

Strategy 1.1.1 Develop and implement a program to support communities of place and interest, and to provide opportunities for them to identify and achieve their community aspirations

#### ***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***

The Submission highlights the need to consider rural and remote community's needs, in the provision of services for older Australians.

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

Not Applicable.

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

Not Applicable.

#### ***Communication***

Not Applicable.

#### ***Conclusion***

It is prudent for Council to assist the Federal Government in understanding the To seek Council's support for the Submission on the discussion paper on the *Future reform – an integrated care at home program to support older Australians*.

#### 4.8 Kurrabee Myaring Community Centre Project Update

**Author's Title:** Project Manager  
**Department:** Program Management Office  
**Division:** Environment & Development

**General Manager:** Chris Pike  
**File No:** F15/606  
**Trim No:** IC17/907

**Appendix:**

Nil

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

Yes

No

**Reason:** Nil

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

Yes

No

**Reason:** Nil

#### **Purpose**

The purpose of this report is to provide an update on the Kurrabee Myaring Community Centre Project including consideration of an additional \$100,000 allocation of contingency funds.

#### **Summary**

The Kurrabee Myaring Community Centre Project is Council's largest project in recent years with a total budget of \$6.775 million. Lyons Construction was awarded the construction contract in September 2016.

The project is progressing well. It is nearly at 'lock up' stage and is on track to be completed and open by the end of January 2018. However, the construction timeline cannot afford delays. Operational planning is well advanced with an Expression of Interest process currently open for potential partnering organisations, supported by an information session on 30 August 2017. Kindergarten enrolments for 2018 have been very encouraging with 44 children enrolled in the 4 year old program and 33 children in the 3 year old program.

The remaining project contingency allocation is low (\$46,317) and so, as a precaution, it is recommended that this be increased by \$100,000 for the remaining months of construction and fit out. This proactive measure will manage the risk of a delay which would impact the start of the kinder term.

There are currently no plans to spend the additional funds and if they are not required will be returned, along with any other unspent funds, to the Accumulated Unallocated Cash Reserve at the time of project closure.

#### **Recommendation**

That Council:

1. Note the progress of the Kurrabee Myaring Community Centre Project
2. Allocate \$100,000 of additional contingency funds to the project budget from the Accumulated Unallocated Cash Reserve, in order to mitigate the risk of delays should the funds be required.
3. Note that any unspent project funds will be returned to the Accumulated Unallocated Cash Reserve at the completion of the project.

#### **Council Resolution**

**MOVED Cr Clive Goldsworthy, Seconded Cr Martin Duke**

That Council:

1. Note the progress of the Kurrabee Myaring Community Centre Project
2. Allocate \$100,000 of additional contingency funds to the project budget from the Accumulated Unallocated Cash Reserve, in order to mitigate the risk of delays should the funds be required.
3. Note that any unspent project funds will be returned to the Accumulated Unallocated Cash Reserve at the completion of the project.

CARRIED 8:0

## 4.8 Kurrabee Myaring Community Centre Project Update

### Report

#### **Background**

The Kurrabee Myaring Community Centre Project is Council's largest for some years at \$6.775 million. When complete it will provide kinder and occasional care places, maternal and child health and other allied health services, multi-purpose community spaces including rooms for youth programs and activities.

In September 2016 Lyons Construction was awarded the construction contract.

#### **Discussion**

The construction of the Kurrabee Myaring Community Centre Project is required to be completed and operational by the end of January 2018 in order to commence providing kindergarten services for the 2018 school year.

The construction is 60% progressed and is on schedule to be completed by Christmas 2017. Key work completed or underway includes:

- Structural & civil works
- Internal fit out of walls
- Services rough in including electrical, hydraulic & mechanical
- External cladding, windows and rammed earth walls
- Car park construction.

The timeline for completion of the centre in time for licensing and opening is tight. With the building nearing 'lock up' stage the major risks to this timeline, such as weather and interdependencies with the adjacent Quay 2 development, have been managed. The remaining timing risks are delays caused by unforeseen requirements to alter the design (e.g. an essential service requirement missed in the design or documentation process or arising from licensing agency feedback).

In addition, there has been significant operations planning undertaken including:

- Liaison with licensing bodies in preparation for site visits in January
- Appointment of key staff including the kinder teacher
- Accepting kinder enrolments for 2018
- A communications campaign to promote the centre to the community and service providers
- Discussions with allied health service providers and the preparation for an Expression of Interest process for regular bookings of the consulting suites and multi-purpose spaces
- Service integration planning.

#### **Financial Implications**

The total budget for the project is \$6.775m.

The project contingency budget has now been reduced from \$563,830 to \$46,317 due to factors including:

- Requirement to alter site levels to match surrounding developments
- Request to contractor for the use of overtime onsite to keep the project on time
- Design revisions from tender to construction phase
- General construction contract variations that have arisen during the construction of the centre
- Additional consultancy services required during construction phase
- Enhanced Optic Fibre IT infrastructure to connect the building back to the head office.

It is recommended that an additional \$100,000 to be added to the project budget to boost contingency funds. This proactive measure avoids the scenario of an exhaustion of existing contingency funds and a project delay while officers wait for the next available Council meeting to seek extra funds. Such a delay would impact the start of the kinder term which is an undesirable outcome.

The requested allocation is precautionary and if unused will be returned, along with any other unspent funds, to the Accumulated Unallocated Cash Reserve at the time of project closure.

#### **Council Plan**

Theme	3 Balancing Growth
Objective	3.2 Ensure infrastructure is in place to support existing communities and provide for growth
Strategy	Nil

#### **4.8 Kurrabee Myaring Community Centre Project Update**

Theme 1 Community Wellbeing  
Objective 1.4 Provide support for people in need  
Strategy 1.4.1 Work in partnership with community and agencies to improve young people and their families' access to the services and support they need

##### ***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***

Addressed above.

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

Officers are focused on completing the project on time to enable the facility to be available to the community in 2018.

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

Not applicable.

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

Not applicable.

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

Communications on the progress of the project will continue as per the Communications and Engagement Plan.

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

The Kurrabee Myaring Community Centre Project is progressing well and is on track to open at the end of January 2018. The building is close to 'lock up' stage and kinder enrolments have been very encouraging. It is recommended that Council take the precaution of allocating additional funds to the project budget to provide sufficient capacity to complete the project as planned. If not required, the funds will be returned to the Accumulated Unallocated Cash Reserve.

## 5. MINUTES

### 5.1 Section 86 Committee Minutes

**Author's Title:** Administration Officer

**General Manager:** Anne Howard

**Department:** Governance

**File No:** F17/285

**Division:** Governance & Infrastructure

**Trim No:** IC17/870

**Appendix:**

1. Planning Committee Meeting Minutes – 10 July 2017 (D17/88805)
2. Hearing of Submissions Minutes - 1 August 2017 (D17/90440)

**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:

1. Planning Committee Meeting - 10 July 2017.
2. Hearing of Submissions - 1 August 2017.

### **Council Resolution**

#### **MOVED Cr Clive Goldsworthy, Seconded Cr Libby Coker**

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

1. Planning Committee Meeting - 10 July 2017.
2. Hearing of Submissions - 1 August 2017.

CARRIED 8:0



## 6. ASSEMBLIES OF COUNCILLORS

### 6.1 Assemblies of Councillors

**Author's Title:** Administration Officer

**General Manager:** Anne Howard

**Department:** Governance

**File No:** F17/285

**Division:** Governance & Infrastructure

**Trim No:** IC17/766

**Appendix:**

1. Assembly of Councillors - Council Briefing - 18 July 2017 (D17/86833)
2. Assembly of Councillors - Council Briefing - 25 July 2017 (D17/85081)
3. Assemble of Councillors - Council Briefing - 1 August 2017 (D17/89414)

**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 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:

1. Council Briefing - 18 July 2017.
2. Council Briefing - 25 July 2017.
3. Council Briefing - 1 August 2017.

### **Council Resolution**

#### **MOVED Cr Clive Goldsworthy, Seconded Cr Margot Smith**

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

1. Council Briefing - 18 July 2017.
2. Council Briefing - 25 July 2017.
3. Council Briefing - 1 August 2017.

CARRIED 8:0

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

### 7.1 Joint Letter from Growing Winchelsea Inc - Request to fund works in Growing Winchelsea Plan

**Author's Title:** Executive Assistant

**General Manager:** Anne Howard

**Department:** Governance & Infrastructure

**File No:** F17/597

**Division:** Governance & Infrastructure

**Trim No:** IC17/819

#### Appendix:

1. Joint letter - Growing Winchelsea Inc. - Redacted (D17/86736)

#### 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 present to Council the joint letter received from Growing Winchelsea Inc dated 21 July 2017.

#### Summary

The joint letter requests Council consider that proceeds from the sale of Council land to Ambulance Victoria be allocated to the Growing Winchelsea Plan, and not directed to a future purchase of a second oval.

#### Recommendation

That Council:

1. Receive and note the joint letter from Growing Winchelsea Inc.
2. Refer the letter to the 26 September 2017 Council Meeting.

#### Council Resolution

**MOVED Cr Clive Goldsworthy, Seconded Cr Heather Wellington**

That Council:

1. Receive and note the joint letter from Growing Winchelsea Inc.
2. Refer the letter to the 26 September 2017 Council Meeting.

CARRIED 8:0

## Suspension of Standing Orders

### Council Resolution

#### **MOVED Cr Clive Goldsworthy, Seconded Cr Margot Smith**

That Council suspend Standing Orders.

CARRIED 8:0

## Resumption of Standing Orders

### Council Resolution

#### **MOVED Cr Libby Coker, Seconded Cr Carol McGregor**

That Council resume Standing Orders.

CARRIED 8:0

## 8. CLOSED SECTION

### Council Resolution

#### **MOVED Cr Clive Goldsworthy, Seconded Cr Libby Coker**

That Council pursuant to section 89(2)(h) other matters, section 89(2)(d) contractual matters and section 89(2)(e) proposed developments 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 Confidential Assemblies of Councillors**
- 8.2 Release of Contract Information**
- 8.3 Development Opportunity Update**

CARRIED 8:0

### Council Resolution

#### **MOVED Cr Martin Duke, Seconded Cr Margot Smith**

That:

1. The resolution and report pertaining to Confidential items 8.1 and 8.3 remain Confidential.
2. The resolution pertaining to Confidential item 8.2 be made public and the report remain Confidential.
3. Council open the meeting to the public at 8:24pm.

CARRIED 8:0

## 8.2 Release of Contract Information

### Council Resolution

#### **MOVED Cr Clive Goldsworthy, Seconded Cr Martin Duke**

That Council release the following contractual information to the public in order to increase transparency and openness:

1. **Contract 16-669** Anglesea Bowling Club Redevelopment – Design and Construct, awarded to MKM Constructions Pty Ltd for the lump sum price of \$870,450 (excluding GST).
2. **Contract 16-688** Clearance of Public Bins and Street Cleaning, awarded to Cleanaway Pty Ltd.
3. **Contract T17-011** Kerbside Garden Organics Receiving and Processing, awarded to Corio Waste Management Pty Ltd on a schedule of rates basis.
4. **Contract T17-012** Provision of Traffic Management Services. Schedule of rates contracts awarded to Go Traffic Pty Ltd and West Traffic Pty Ltd.

CARRIED 8:0

**Close:** There being no further items of business the meeting closed at 8:24pm.