



# Minutes

Ordinary Meeting of Council

Tuesday, 23 May 2017

V2

Held in the

Moriac Community Centre

Newling Reserve, 830 Hendy Main Road, Moriac

Commencing at 6.00pm

**Council:**

Cr Brian McKitterick (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 MORIAC COMMUNITY CENTRE, NEWLING RESERVE, 830 HENDY MAIN ROAD, MORIAC  
ON TUESDAY 23 MAY 2017 COMMENCING AT 6.00PM

**PRESENT:**

Cr Brian McKitterick (Mayor)  
Cr David Bell  
Cr Libby Coker  
Cr Martin Duke  
Cr Clive Goldsworthy  
Cr Rose Hodge  
Cr Carol McGregor  
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  
Communications Officer – Kate Fowles  
Team Leader Governance – Daniella Vasiloski  
Coordinator Corporate Planning – Danielle Foster  
Manager Finance – John Brockway  
Manager Information Management – Neil McQuinn  
Manager Planning & Development – Bill Cathcart  
Team Leader Local Laws – Shaun Barling

54 members of the public

2 members of the press

**OPENING:**

**Cr Brian McKitterick 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 Martin Duke 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:**

Cr Margot Smith

**Council Resolution**

**MOVED Cr Rose Hodge, Seconded Cr Libby Coker**

That an apology be received from Cr Margot Smith.

CARRIED 8:0

**CONFIRMATION OF MINUTES:**

**Council Resolution**

**MOVED Cr Clive Goldsworthy, Seconded Cr Rose Hodge**

That Council note the minutes of the Ordinary meeting of Council held on 26 April 2017 as a correct record of the meeting.

CARRIED 8:0

**LEAVE OF ABSENCE REQUESTS:**

Nil.

**CONFLICTS OF INTEREST:**

Nil.

## **PRESENTATIONS:**

Cr Libby Coker acknowledged the passing of Stan Stott (Anglesea town cryer) Melva's husband and ex Shire Person of the Year recipient and remembers him for his contribution in the community. Stan will be sadly missed by the community of Anglesea.

## **PUBLIC QUESTION TIME:**

### **Questions with Notice:**

Council considered a question taken on notice from previous Council meeting held on 26 April 2017:

Question received from Laura Connor of Torquay.

### **Question: Council Resources**

I would be interested to know which members of our community would Cr Heather Wellington consider worthy of spending Council resources on?

Cr Heather Wellington responded:

I am sorry I was not present to respond to this question when it was asked of me at the April meeting of Council.

I do not make judgements about the 'worth' of individuals, groups or communities in my role as a councillor. I consider that is a pejorative concept that has no place in local government resource allocation decisions. When I prioritise proposals to spend ratepayers' money, I start from the principle that Council should work within its scope of responsibilities. That is a fundamental proposition. It is inappropriate, misleading and unfair for Council to collect rates for Council purposes and then spend them on purposes that are aligned with Councillors' individual social or political interests but fall outside the scope of Council's responsibilities. If a proposal for expenditure falls within our responsibilities, I then consider factors such as value for money and equity of investment, not the 'worth' of recipients.

In terms of what falls within our scope of responsibilities, we are responsible for planning and building regulation, roads maintenance, parking management, environmental and public health, support for local communities, waste management, recreation and culture and emergency management services. We provide facilities and infrastructure to support services in some of these areas. We share responsibility with other agencies for some of these services and facilities. We administer local laws.

Council has no mandate to lobby state or federal government on issues that do not have a clear nexus to the work of local government, no matter how passionately individual Councillors believe in them. The fact that a state or federal law has an impact on the health or wellbeing of people who live in our community is insufficient to justify Council lobbying outside its mandate. If we adopted that test, we would be lobbying on everything from health expenditure to NAPLAN. We were not elected, nor are we qualified, for that purpose. If a proposal for Council to spend ratepayers' money fits within its scope of responsibility, I then consider factors such as:

- Will the community receive value for money?
- Do specific districts or community groups within the Shire have special needs that require special attention?
- Are we being fair in our allocation decisions, between groups and communities?
- Are there special opportunities Council needs to take into account (e.g. Commonwealth or State grants that require matched funding etc.)?

My focus is entirely on value, purpose and equity, not on the 'worth' of individuals or communities. I believe we should work hard, efficiently and effectively within our mandate, and not extend beyond it to issues that are not relevant to our role.

Thank you for giving me the opportunity to respond to this question.

Question 1 and 2 asked by Brian and Sandra Tanner.

**Question 1: Flags**

Why has the Council not consulted and ignored the ratepayers prior to voting of the Rainbow flag?

Cr Brian McKiterick, Mayor responded:

The matter of the Rainbow Flag was included in the April meeting agenda as a Notice of Motion. There were various issues considered during the debate. Councillors discussed and debated the issue of consultation with the community when it considered the matter.

**Question 2: Flags**

Why has the Australian and Indigenous flags been relegated to the rear of Shire offices to be replaced by this unofficial and recognized flag?

Cr Brian McKiterick, Mayor responded:

There has been no change to how or where the Australian flag is flown at the Civic Centre in Torquay. There are two sets of flag poles at the Civic Centre in Torquay. Advice was sought from the Department of Premier and Cabinet regarding protocols for flying the Australian flag. The Department's advice was that regardless of height or location, the two sets of poles are considered to be separate flag precincts, and that the main entrance on the south side of the building would be considered the prominent position because it is the entrance where the majority of people come and go from.

Question 3 and 4 received from Geoff Winkler of Bellbrae.

**Question 3: NBN Co proposal for a "fixed wireless" facility at Bellbrae**

Since the last public meeting, what has Council done to assist CETAB, on behalf of the community, to get the information it needs to ensure a more equitable outcome for broadband provision in the greater Bellbrae area?

Ransce Salan – General Manger – Environment and Development responded:

Contact has been made with the consultants representing the NBN who have indicated they are willing to discuss this matter. A letter has now been sent asking if the information being sought by CETAB could be made available in the interests of the community.

**Question 4: NBN Co proposal for a "fixed wireless" facility at Bellbrae**

Can the Surf Coast Shire ensure that the NBN Co proposal for a planning permit for the installation of a 'fixed wireless' facility at Bellbrae, (with a focus on its likely effectiveness compared with its negative amenity impact), is assessed in a public council meeting?

Ransce Salan – General Manger – Environment and Development responded:

The State wide provisions with the Surf Coast Planning Scheme for a Telecommunications Facility are contained within clause 52.19. There is some scope for Council to consider the effectiveness the coverage as the planning Objectives under the Act have to be considered (when making decisions) which amongst other matters require:

- social and economic issues,
- benefit to the community and to
- balance present and future interests of Victorians

Mr Salan confirmed that it was the intention that the matter would be brought to Council.

Question 5 and 6 received from Andy McClusky of Lorne

**Question 5: Regarding Draft Budget 2017-18 and Road Management matters**

Surf Coast (Traffic Road Management Plan)  
Trucking Tourist and Heavy Vehicle Route Lorne (Erskine Falls Rd William St Lorne)

In the budget is there a Traffic Plan 2017-2021 for Lorne that insures that this road prevents vehicles losing control and loads on steep road gradients of Lorne?

Anne Howard – General Manger – Governance and Infrastructure responded:

Mr McKlusky has two questions tonight relating to road management matters. Both questions are about what Council has allowed for in the 2017/18 budget for road safety in Lorne. Council will take these questions on notice and treat these as a late submission to the draft budget 2017/18. The questions will be included in the agenda to the Hearing of Submissions committee meeting to be held on 30 May 2017.

**Question 6: Regarding Draft Budget 2017-18 and Road Management matters**

Surf coast (Budget 17- 18) - Road Management Plan - Upgrade of Otway Street Nature Reserve Pathway - Gateway to the Otway's Lorne

Where is in the budget for a long term progressive plan to upgrade Lorne and its drainage infrastructure to accommodate future growth of our township and fix past major drainage issues along Otway St and surrounds and does it cover the above for the Drainage and Civil Infrastructure for Lorne?

Response provided in question 5.

Question 7 and 8 received from Alison McAdam

**Question 7: Jan Juc Bus Terminus**

Will Council now support the removal of this bus terminus and push back against Public Transport Victoria if it insists on proceeding with the bus terminus in this location?

Anne Howard – General Manger – Governance and Infrastructure:

The two questions from Ms McAdam relate to item 7.1 of tonight's agenda. We will not have answers to these questions until Council has considered the petition. I anticipate that this will be at the next Ordinary meeting of Council. Therefore Council will need to take these questions on notice and respond to Ms McAdam after Council has fully considered the petition and made a decision.

**Question 8: Jan Juc Bus Terminus**

Who decides what happens next (Council or PTV), and what happens next?

Response provided in question 7.

Question 9 and 10 received from Adrian Schonfelder of Barrabool

**Question 9: Regarding Road Management Matters**

The number of trucks is increasing on our local roads causing deterioration and together with the increase of cycling creates more danger for motorists and pedestrians. Does the council acknowledge roads are needed to be wider to accommodate larger vehicles such as trucks, and cyclists. North of the Princes Highway Andersons, Ballanlea, Hendy Main, Honey's, Monahans and Reads Roads which are either too narrow, unsealed or both.

Will council adopt a new policy to commence sealing and widening the above mentioned roads given safety concerns and to lesson run off and environmental damage such as erosion to the roadsides and surrounding properties?

Anne Howard – General Manager – Governance and Infrastructure responded:

Council has a road hierarchy for the local road network which generally aligns with the traffic volumes and function, including expected use by heavy vehicles, cyclists and other different road users. Council acknowledges that roads need to be a different standard and width determined by this hierarchy. The volume and type of traffic on our road network can change over time and Council has a Road Network Management Plan for the sealed road network which uses multi-criteria assessment (includes consideration of road geometry, asset condition, operational performance, specific users and strategic performance) to review and prioritise necessary road upgrades. Council is currently developing a similar management plan for our unsealed road network.

#### **Question 10: Regarding Road Management Matters**

Cape Otway Road is very busy and dangerous and is classified as a Main Roads by VicRoads. Can the Council lobby the State Government to upgrade all Cape Otway Road from Princes Highway and to investigate improving safety at the intersection at the Moriac township?

Anne Howard – General Manger – Governance and Infrastructure responded:

Council understand that VicRoads is reviewing the intersection in the Moriac township although this may relate more to speed restrictions not necessarily hard infrastructure improvements. In addition to this, the recently announced State Budget some money to seal the shoulders and install safety barriers in the section of Cape Otway Rd between Princes Hwy and Moriac and this will be combined with some pavement maintenance repairs. It is planned on this section of road and delivered in 2017/18.

Question 11 received from Lorelle Sunderland

#### **Question 11: Public Transport and rail service at Moriac**

Many locals use Waurn Ponds railway station which was funded by the Brumby state Labor government. Given next year there will be a state election will the council support the local community in lobbying for a new railway station at Moriac considering a station did previously operate at Moriac?

Keith Baillie – CEO responded:

Council understands the growth anticipated in Moriac and the importance of determining how current and long term public transport needs will be met. Furthermore, the importance of developing public transport across our Shire is clearly identified in the draft Council Plan.

I would however highlight some important progress:

- Council and the G21 Region Alliance have been successfully advocating for an increase in infrastructure and services to the Warrnambool line.
- Recent state and federal budget commitments to the line duplication from Waurn Ponds to South Geelong, which is important for the development of this corridor.
- Council has raised Moriac's public transport needs and the potential reinstatement of the Moriac station with the Minister for Public Transport.
- Public Transport Victoria is aware of this issue and last year worked with the local community to consider public transport in Moriac.

Council will consider state election advocacy priorities in upcoming months and Moriac public transport can be further considered in that process.

#### **Questions without Notice:**

Question 1 and 2 asked by Glen Barton of Armstrong Greek.

#### **Question 1:**

If Council business really is only the three Rs (Roads, Rates and Rubbish), as stated from those opposing the Rainbow flag. Why does Council run programs like Youth Services, Toy Libraries, Events, Environment Leadership etc?

Keith Baillie, CEO responded:

Council makes an assessment on what its scope of operations are on a service by service basis. Council does consider each individual service and decides whether it should be involved and it does that as part of preparation of Council Plan which is currently out for discussion and also the Annual Budget. That is why Council assesses on a service by service basis.

**Question 2:**

If Council votes down motion made at last meeting, will that reduce confidence in the democratic process if an officially voted motion can be voted against, if Council don't like the outcome or if someone is on leave?

Keith Baillie, CEO responded:

I view the Council Chamber as the Parliament of our Shire. As long as we are following our Local Law Meeting Procedures the resolutions of Council at each of its meetings are substantial and certainly part of the democratic process. Last meeting, this meeting and our future meetings I believe would follow that process.

Question 3 and 4 asked by Tony Redden of Gnarwarre.

**Question 3:**

Why does Council think lobbying to Federal government about marriage equality falls within their responsibility?

Keith Baillie, CEO responded:

That's a determination that Council makes on an item by item basis. I'd be confident that Councillors considering these matters at Council meetings would take those things into account.

**Question 4:**

Why does Council think that marriage equality is more important issue on which to lobby to Federal government than other worthy issues such as supporting victims of paedophilia and euthanasia?

Keith Baillie, CEO responded:

That's a matter for the Councillors they can take into consideration in deciding which items to progress and which to not and I'm sure that they take that into consideration when voting in the Chambers as well.

**Council Resolution**

**MOVED Cr Heather Wellington, Seconded Cr Rose Hodge**

That Council moves the whole of Section 7 of the Agenda forward at this point in the Agenda for the benefit of the gallery present.

CARRIED 8:0

**Council Resolution**

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

That Council agree to suspend Section 14.6 of the Local Law No.2 Meeting Procedures under the Provisions of Part 7 and therefore consider an item of Urgent Business.

The mayor used his casting vote after the vote to result in carried 5:4.

CARRIED 5:4

Councillor *David Bell* called for division and votes were recorded as follows:

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Mayor McKiterick	Cr Bell	Nil
Cr Goldsworthy	Cr Coker	
Cr McGregor	Cr Duke	
Cr Wellington	Cr Hodge	

The mayor used his casting vote after the vote to result in carried 5:4.

CARRIED 5:4

**Council Resolution**

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

That Council agree to admit Late Petitions Received to be considered as an item of Urgent Business.

CARRIED 6:2

**Council Resolution**

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

That Council agree to admit a proposed motion by Cr Wellington in relation to the Rainbow Flag as an additional item to be considered as Urgent Business.

The mayor used his casting vote after the vote to result in carried 5:4.

CARRIED 5:4

Cr Wellington read the proposed motion at this point in the meeting before Council voted on whether to admit the proposed motion as an item of urgent business.



## 7.1 Petition Request - Removal and Relocation of Bus Terminus - Corner Strathmore Drive and Great Ocean Road, Jan Juc

**Author's Title:** Coordinator Design & Traffic

**General Manager:** Anne Howard

**Department:** Engineering Services

**File No:** F16/1090

**Division:** Governance & Infrastructure

**Trim No:** IC17/432

### Appendix:

1. Petition - Removal and Reallocation of Bus Terminus (D17/54843)

#### 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 petition requesting that the bus terminus at the corner of Strathmore Drive and Great Ocean Road is unsafe and should be removed, and instead, use the existing bus stop on Strathmore Drive between Strathcairn Road and Kenvarra Drive, Jan Juc.

The petition consists of 62 signatures.

### Recommendation

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

1. Receive and note the petition requesting that Council consider the removal and relocation of the bus terminus on the corner of Strathmore Drive and Great Ocean Road.
2. Refer the petition to the General Manager Governance and Infrastructure for consideration.
3. Require a report on the petition be presented to the 27 June 2017 Ordinary Council Meeting.

### Council Resolution

#### **MOVED Cr Carol McGregor, Seconded Cr Martin Duke**

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

1. Receive and note the petition requesting that Council consider the removal and relocation of the bus terminus on the corner of Strathmore Drive and Great Ocean Road.
2. Refer the petition to the General Manager Governance and Infrastructure for consideration.
3. Require a report on the petition be presented to the 27 June 2017 Ordinary Council Meeting.

CARRIED 8:0

## 7.2 Petitions Received - Regarding flying the Rainbow Flag for Marriage Equality

**Author's Title:** Acting Manager Community Relations      **General Manager:** Chris Pike  
**Department:** Community Relations      **File No:** F14/1807  
**Division:** Culture & Community      **Trim No:** IC17/494

### Appendix:

1. Petition - Against Flying the Rainbow Flag for Marriage Equality - Redacted (D17/54965)
2. Petition - Reconsider the decision to fly a Rainbow Flag outside the Shire offices - Redacted (D17/56865)
3. Petition - In Support of Flying the Rainbow Flag for Marriage Equality - Redacted (D17/57316)

### 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 note three petitions received regarding the flying of the Rainbow Flag in support of Marriage Equality.

This follows Council's decision made at the Ordinary Council meeting held 26 April 2017, Item 7.2 – IDAHOT Day Flag – NOM-132:

*That Surf Coast Shire Council flies the Rainbow Flag continuously from 17 May 2017 (IDAHOT Day) until formal acceptance of marriage equality by the Federal Government.*

- Petition 1 consists of 15 signatures and does not support Council's decision.
- Petition 2 consists of 22 signatures and does not support Council's decision.
- Petition 3 consists of 89 signatures and does support Council's decision.

### Recommendation

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

1. Receive and note the petitions regarding the flying of the Rainbow Flag in support of marriage equality.
2. Refer all petitions to the General Manager Culture and Community for consideration.
3. Require a report on all petitions to be presented to the 27 June 2017 Ordinary Council Meeting.

### Council Resolution

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

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

1. Receive and note the petitions regarding the flying of the Rainbow Flag in support of marriage equality.
2. Refer all petitions to the General Manager Culture and Community for consideration.
3. Require a report on all petitions to be presented to the 27 June 2017 Ordinary Council Meeting.

CARRIED 8:0

**7.3 Urgent Business - Two Late Petitions received regarding the flying of the Rainbow Flag for Marriage Equality**

Appendix 1: Petition - Against Flying the Rainbow Flag for Marriage Equality - Redacted (D17/59436).

**Petition to the Surf Coast Shire**

We are residents and/or ratepayers of the Surf Coast Shire.

We object to the Shire flying the Rainbow Flag in an attempt to influence the Australian Parliament's position on marriage equality.

We do not support the Shire using its facilities, which ultimately are owned by all members of our community, to promote the political or social views of individual councillors.

We are particularly upset that the flag is more prominent to people approaching the Surf Coast from Geelong than the Australian, Aboriginal and Shire flags. We believe that its prominent placement undermines the status of the Australian flag as a symbol of our national identity, the Aboriginal flag which recognises the original owners of the land on which we live and work and the Shire flag which is a unifying symbol of the identity of the Shire and all its communities.

**We petition the Shire to lower the Rainbow Flag immediately.**

Please note: this petition makes no comment on the issue of marriage equality. We are petitioning solely about the role of the Shire as our representative, the importance of the Shire not using our resources for political purposes that are outside its role and responsibilities and the importance of respecting the unifying symbols of the Australian, Aboriginal and Shire flags.

NAME	SIGNATURE	ADDRESS

Appendix 2: Petition - Reconsider the decision to fly a Rainbow Flag outside the Shire offices - Redacted (D17/61780).

1

Surf Coast Shire  
FILE NO: .....  
FOLIO: .....  
**25 MAY 2017**  
OFFICER: .....  
FILE COPY  DATE COPY

**Petition to the Surf Coast Shire (Winchelsea)**

We are residents and/or ratepayers of the Surf Coast Shire.

We object to the Shire flying the Rainbow Flag in an attempt to influence the Australian Parliament's position on marriage equality.

We do not support the Shire using its facilities, which ultimately are owned by all members of our community, to promote the political or social views of individual councillors.

We are particularly upset that the flag is more prominent to people approaching the Surf Coast from Geelong than the Australian, Aboriginal and Shire flags. We believe that its prominent placement undermines the status of the Australian flag as a symbol of our national identity, the Aboriginal flag which recognises the original owners of the land on which we live and work and the Shire flag which is a unifying symbol of the identity of the Shire and all its communities.

**We petition the Shire to lower the Rainbow Flag immediately.**

Please note: this petition makes no comment on the issue of marriage equality. We are petitioning solely about the role of the Shire as our representative, the importance of the Shire not using our resources for political purposes that are outside its role and responsibilities and the importance of respecting the unifying symbols of the Australian, Aboriginal and Shire flags.

NAME	SIGNATURE	ADDRESS

**Motion**

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

1. Receive and note the petitions regarding the flying of the Rainbow Flag in support of marriage equality.
2. Refer all petitions to the General Manager Culture and Community for consideration.
3. Require a report on all petitions to be presented to the 27 June 2017 Ordinary Council Meeting.

**Council Resolution**

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

That Council, in accordance with its Local Law No.2 Council Meeting Procedures and Common Seal:

1. Receive and note the petition against the flying of the Rainbow Flag in support of marriage equality.
2. Refer the petition to the General Manager Culture and Community for consideration.
3. Require a report on the petition to be presented to the 27 June 2017 Ordinary Council meeting.

CARRIED 7:1

## 7.4 Urgent Business – Councillor Motion regarding Rainbow Flag

### Motion

1. That Council immediately initiates a comprehensive process of consultation with the local community to determine whether Surf Coast Shire citizens support Council flying the rainbow flag or otherwise lobbying or attempting to influence the Australian Government on the issue of marriage equality.
2. That as part of the community consultation process, Council immediately:
  - a. writes to the not-for-profit business, trading and community associations that represent the various geographic communities located in the Shire to inquire:
    - i. about their general attitude to Council engaging in public commentary and/or lobbying about issues that are the specific legislative responsibility of the federal or state government and have no immediately obvious nexus with Council's roles or responsibilities;
    - ii. if they support Council engagement in such activities, how they suggest Council should identify priority topics; and
    - iii. whether they support Council flying the rainbow flag until the federal government approves marriage equality;
  - b. commissions a reputable and experienced third party to survey the community on the issues listed above, utilising a statistically valid sampling methodology similar to that used for the annual local government community satisfaction survey;
  - c. communicates in writing with all residents and ratepayers, inviting submissions on the issues listed above; and
  - d. holds a meeting to hear submissions in each ward of the Shire.
3. That the outcomes of the community consultation process, including information about the attitudes of different towns in the Shire, are reported at a public meeting of Council.
4. That Council immediately lowers the rainbow flag currently flying over the Shire offices in Torquay and does not raise it again on any Shire facility unless it resolves to do so following consideration of the results of the community consultation process described above.
5. That if Council resolves to fly the rainbow flag in the future, it identifies an appropriate location that does not result in the rainbow flag taking precedence over the Australian, Victorian and/or Indigenous flags.

### Rationale

A *mandate* is the authority granted by a constituency to act as its representative. Council's constituency is the entire Surf Coast Shire community.

Under section 51(xxi) of the *Commonwealth of Australia Constitution Act*, the Australian Parliament holds the power to legislate on marriage.

Council is established by State Government legislation. A Council mandate to act may arise because:

- the State Government has allocated Council a legislative or administrative power; or
- the local community has indicated an expectation that Council will act on a particular issue.

While Council has a role in advocating the interests of the local community, good governance requires it to advocate in accordance with community priorities, not the priorities or beliefs of individual councillors or of particular sections of the community in the absence of broad community support for such advocacy. It is entirely inappropriate for Council to purport to represent the local community on any issue unless there is a reasonable basis for concluding that the local community wishes to be represented in that way.

Council has always been proud of its community engagement practices. It is extremely uncharacteristic of Council to make significant decisions, such as flying a flag to attempt to force change in federal government policy and Australian law, without systematic community consultation to determine whether that action is supported by the local community. This is political, not social advocacy, and it is a highly divisive act unless there is clear community consensus to support it.

It has become very clear that there is deep division within the community about Council's recent decision to fly the rainbow flag continuously from 17 May 2017 (IDAHOT Day) until formal acceptance of marriage equality by the Federal Government. That division creates the necessary justification for Council to undertake a systematic process of community consultation to determine whether it should use Shire/community facilities for that purpose.

The purpose of community consultation is not to ask the Surf Coast Shire community whether it supports marriage equality or a change in Australian law. It is to ask the community whether it wishes the Shire to represent it in the way it is currently being represented, by flying a flag on its civic building.

Because the Shire offices are the 'town hall' for the entire Shire, Council should seek to understand the attitudes of different communities within the Shire, as well as of the overall Shire population.

Given the obvious propensity for community feedback on this issue to be skewed by groups with specific but not necessarily representative interests, it is appropriate to use a survey conducted by an independent agency in accordance with a statistically valid sampling methodology to test community views. This will provide an ideal vehicle, together with Council's usual methodologies of direct consultation and submissions processes, to determine local community views on this matter.

Council should not fly the rainbow flag from any Shire facility unless it confirms that there is a clear mandate from the local community to do so.

I commend this motion to Council.

Cr Heather Wellington

### Council Resolution

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

1. That Council immediately initiates a comprehensive process of consultation with the local community to determine whether Surf Coast Shire citizens support Council flying the rainbow flag or otherwise lobbying or attempting to influence the Australian Government on the issue of marriage equality.
2. That as part of the community consultation process, Council immediately:
  - a. writes to the not-for-profit business, trading and community associations that represent the various geographic communities located in the Shire to inquire:
    - i. about their general attitude to Council engaging in public commentary and/or lobbying about issues that are the specific legislative responsibility of the federal or state government and have no immediately obvious nexus with Council's roles or responsibilities;
    - ii. if they support Council engagement in such activities, how they suggest Council should identify priority topics; and
    - iii. whether they support Council flying the rainbow flag until the federal government approves marriage equality;
  - b. commissions a reputable and experienced third party to survey the community on the issues listed above, utilising a statistically valid sampling methodology similar to that used for the annual local government community satisfaction survey;
  - c. communicates in writing with all residents and ratepayers, inviting submissions on the issues listed above; and
  - d. holds a meeting to hear submissions in each ward of the Shire.
3. That the outcomes of the community consultation process, including information about the attitudes of different towns in the Shire, are reported at a public meeting of Council.
4. That Council immediately lowers the rainbow flag currently flying over the Shire offices in Torquay and does not raise it again on any Shire facility unless it resolves to do so following consideration of the results of the community consultation process described above.
5. That if Council resolves to fly the rainbow flag in the future, it identifies an appropriate location that does not result in the rainbow flag taking precedence over the Australian, Victorian and/or Indigenous flags.

The mayor used his casting vote after the vote to result in carried 5:4.

CARRIED 5:4

Councillor *Cr Rose Hodge* called for division and votes were recorded as follows:

<b><u>For</u></b>	<b><u>Against</u></b>	<b><u>Abstained</u></b>
Mayor McKiterick	Cr Bell	Nil
Cr Goldsworthy	Cr Coker	
Cr McGregor	Cr Duke	
Cr Wellington	Cr Hodge	

The mayor used his casting vote after the vote to result in carried 5:4.

CARRIED 5:4

**BUSINESS:**

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**1. OFFICE OF THE CEO**

**Nil**

## 2. GOVERNANCE & INFRASTRUCTURE

### 2.1 Project Budget Adjustments and Cash Reserve Transfers Report - May 2017

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

**Department:** Finance      **File No:** F16/1381

**Division:** Governance & Infrastructure      **Trim No:** IC17/493

#### Appendix:

1. Project Budget Adjustments and Cash Reserve Transfers Report - May 2017 (D17/54471)

#### 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 project Budget Adjustments and Cash Reserve transfers report for May will be tabled.

The purpose of this report is to receive and approve the Project Budget Adjustments and Cash Reserve Transfers report for May 2017.

#### Summary

The Project Budget Adjustments and Cash Reserve Transfers report for May 2017 will be presented at the meeting.

#### Recommendation

That Council approves the Project Budget Adjustments and Cash Reserve Transfers listed in the May 2017 report:

1. Allocating contribution funded project budgets (no cost to Council).
2. Ratify the transfer of \$18,458 to projects from the Accumulated Unallocated Cash Reserve approved by the Chief Executive officer.
3. Transferring a net of \$13,932 from projects to the Accumulated Unallocated Cash Reserve.
4. Transferring a net of \$128,505 to projects from the Adopted Strategy Reserve.
5. Transferring a net of \$98,689 from projects to the Asset Renewal Reserve.
6. Transferring a net of \$10,000 to projects from the Plant Renewal Reserve.
7. Transferring a net of \$45,000 to projects from the Aireys Inlet Units Reserve.
8. Transferring a net of \$9,136 from projects to the Main Drainage Reserve.
9. Transferring a net of \$29,200 from projects to the DCP Council Funds Reserve.
10. Transferring a net of \$240,000 to projects from the Waste Reserve.

#### Council Resolution

##### **MOVED Cr Rose Hodge, Seconded Cr Clive Goldsworthy**

That Council approves the Project Budget Adjustments and Cash Reserve Transfers listed in the May 2017 report:

1. Allocating contribution funded project budgets (no cost to Council).
2. Ratify the transfer of \$18,458 to projects from the Accumulated Unallocated Cash Reserve approved by the Chief Executive officer.
3. Transferring a net of \$13,932 from projects to the Accumulated Unallocated Cash Reserve.
4. Transferring a net of \$128,505 to projects from the Adopted Strategy Reserve.
5. Transferring a net of \$98,689 from projects to the Asset Renewal Reserve.
6. Transferring a net of \$10,000 to projects from the Plant Renewal Reserve.
7. Transferring a net of \$45,000 to projects from the Aireys Inlet Units Reserve.
8. Transferring a net of \$9,136 from projects to the Main Drainage Reserve.
9. Transferring a net of \$29,200 from projects to the DCP Council Funds Reserve.
10. Transferring a net of \$240,000 to projects from the Waste Reserve.

CARRIED 8:0

## **2.1 Project Budget Adjustments and Cash Reserve Transfers Report - May 2017**

### **Report**

#### ***Background***

Council receives a monthly Project Budget Adjustments and Cash Reserve Transfers report to authorise transfer of project budgets.

#### ***Discussion***

The proposed Project Budget Adjustments and Cash Reserve Transfers are outlined in the attachment.

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

The proposed Project Budget Adjustments and Cash Reserve Transfers are outlined in the attachment.

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

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

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

Not applicable.

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

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

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

Not applicable.

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

Not applicable.

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

Not applicable.

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

Not applicable.

#### ***Communication***

Not applicable.

#### ***Conclusion***

It is recommended that Council approve the Project Budget Adjustments and Cash Reserve Transfers for May 2017.

## 2.2 Review and Determination of Mayoral and Councillor Allowances

**Author's Title:** Manager Governance & Risk

**General Manager:** Anne Howard

**Department:** Governance & Risk

**File No:** F12/1924

**Division:** Governance & Infrastructure

**Trim No:** IC17/382

**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 formally determine the level of Mayoral and Councillor allowances for the duration of this term following a submissions process as prescribed in the Local Government Act 1989 (the Act).

### Summary

In accordance with section 74 of the Local Government Act 1989, a Council must review and determine the level of Councillor and Mayoral allowances within the period of 6 months after a general election or by the next 30 June, whichever is later.

Traditionally Surf Coast Shire Council has set the remuneration levels for the Mayor and Councillors at the upper limit of the Category 2 range currently \$76,521 and \$24,730 respectively. At the February 2017 Ordinary Council meeting Council initially reviewed and endorsed the level of allowances at the upper limit of the Category 2 range and resolved to invite public submissions under section 223 of the Local Government Act 1989 for consideration.

No submissions were received therefore it is recommended that Council adopts the remuneration levels as advertised.

### Recommendation

That Council:

1. Note that Council's intention to determine the level of Councillor and Mayoral allowances was advertised by public notice for the required 28 day submission period.
2. Note that no public submissions were received during the submission period.
3. Determine that the level of the Mayoral allowance and Councillor allowance be set at the upper limit of the Category 2 range, currently \$76,521 and \$24,730 respectively.

### Council Resolution

**MOVED Cr Rose Hodge, Seconded Cr David Bell**

That Council:

1. Note that Council's intention to determine the level of Councillor and Mayoral allowances was advertised by public notice for the required 28 day submission period.
2. Note that no public submissions were received during the submission period.
3. Determine that the level of the Mayoral allowance and Councillor allowance be set at the upper limit of the Category 2 range, currently \$76,521 and \$24,730 respectively.

CARRIED 8:0

## 2.2 Review and Determination of Mayoral and Councillor Allowances

### Report

#### **Background**

Mayoral and Councillor allowance levels are set by the Minister for Local Government, including periodic increases which are notified through the Victorian Government Gazette.

Remuneration is categorised by Council size and each category includes a range of figures within the category from which Councils set the remuneration for their term in office as per section 74(1) of the Local Government Act 1989 (the Act). Surf Coast Shire Council is classed within Category 2.

In accordance with section 74 of the Act, a Council must review and determine the level of Councillor and Mayoral allowances within the period of 6 months after a general election or by the next 30 June, whichever is later. Council therefore needs to set the remuneration level of Mayoral and Councillor allowances for the term of this Council.

#### **Discussion**

The most recent update to Mayoral and Councillor allowances was published by the Minister in the Victorian Government Gazette in November 2016 as follows:

*'In accordance with section 73B(4)(a) of the Local Government Act 1989, notice is hereby given that an adjustment factor of 2.5% applies to Mayoral and Councillor allowances.*

*In accordance with section 73B(4)(b) of the Local Government Act 1989, the new limits and ranges of Mayoral and Councillor allowances, adjusted in accordance with the adjustment factor, are:*

- *Category 1 Councillors: \$8,324–\$19,834 per annum Mayors: up to \$59,257 per annum*
- *Category 2 Councillors: \$10,284–\$24,730 per annum Mayors: up to \$76,521 per annum*
- *Category 3 Councillors: \$12,367–\$29,630 per annum Mayors: up to \$94,641 per annum*

*The new adjusted limits and ranges take effect on 1 December 2016'.*

Traditionally Surf Coast Shire Council has set the remuneration levels for the Mayor and Councillors at the highest level of the Category 2 range ie \$76,521 and \$24,730 respectively. Council initially reviewed and endorsed the levels in February 2017 and invited public submissions under section 223 of the Act by way of public notice in the *Surf Coast Times* and on Council's website. The submission period closed on 12 April 2017 and as no submissions were received Council is now in a position to determine the levels of remuneration for the term of this Council.

The adjustment factor notified by the Minister in the Victorian Government Gazette will continue to be applied as per that notice.

#### **Financial Implications**

Allowances are paid fortnightly into the banking institution of choice. Mayoral and Councillor allowances are catered for within Council's operational budget.

#### **Council Plan**

Theme 2 Governance  
Objective 2.2 High performing accountable organisation  
Strategy Nil

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

This report aligns with the requirements of section 74 of the Act.

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

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

Councillors are exempt from conflict of interest provisions in relation to determining Councillor and Mayoral allowances, as per section 79C.

## **2.2 Review and Determination of Mayoral and Councillor Allowances**

### ***Risk Assessment***

There are no risks associated with this report.

### ***Social Considerations***

Not applicable.

### ***Community Engagement***

Council has invited public submissions in relation to this decision in accordance with section 223 of the Act.

### ***Environmental Implications***

Not applicable.

### ***Communication***

Councillor allowances are reported to the Audit & Risk Committee, on Council's website and within Council's Annual Report.

### ***Conclusion***

By adopting the recommendation Council will be compliant with the requirements of the Act in relation to reviewing, advertising and determining the levels of Mayoral and Councillor allowances.

## 2.3 Review of Anglesea Landfill Future Use Options

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

**General Manager:** Anne Howard

**Department:** Business Improvement

**File No:** F16/1654

**Division:** Office of the CEO

**Trim No:** IC17/478

### Appendix:

1. Review of Anglesea Landfill future use options - Blue Environment - Final Report (D17/44597)

### 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 endorse the Anglesea Landfill Future Options Assessment - Final Report (appendix 1).

### Summary

Council engaged the consultants Blue Environment Pty Ltd to investigate and compare future options for the development, closure and rehabilitation of Anglesea landfill.

The landfill has airspace to last until between 2021 and 2024, depending on the effectiveness of waste reduction strategies and on-site efficiencies. The report investigates whether cost-savings could be achieved by closing the landfill earlier (in 2018) and sending wastes to alternative landfills.

Blue Environment considered the development, closure, rehabilitation and post-closure management of Anglesea landfill and compared this with the likely cost of transporting wastes to more distant landfills. The comparative analysis identifies potential alternative landfills and estimates the costs of transfer (where bulk-haul consolidation of loads will be more efficient), transport, and the expected gate fees at the different landfill sites. These costs were compared to the costs of continuing to operate the Anglesea landfill until it is full.

The report recommends that Council continue to develop and operate Anglesea landfill to use available capacity approved under the recently updated EPA licence, and work to extend the life of the site through greater diversion of materials and improved effective fill rates. This will deliver the best value outcome.

### Recommendations

That Council:

1. Receive and endorse the Anglesea Landfill Future Options Assessment - Final Report (appendix 1).
2. Affirm its intention to extend the Anglesea landfill according to EPA Waste Works Approval WA36709, and as already identified in the forward Capital Works Program and the Long Term Financial Plan.
3. Investigate, prioritise and implement waste reduction strategies in 2017/18:
  - diversion of clean fill
  - diversion of street sweepings
  - introduction of further pricing incentives, and
  - introduction of a Food Organics and Garden Organics (FOGO) collection service.
4. Write to the relevant Grampians Central West Waste and Resource Recovery Group (GCWWRRRC) and urge that it resolve to scheduling of the proposed Stonehaven landfill without delay.

## 2.3 Review of Anglesea Landfill Future Use Options

### Motion

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

That Council:

1. Receive and endorse the Anglesea Landfill Future Options Assessment - Final Report (appendix 1).
2. Affirm its intention to extend the Anglesea landfill according to EPA Waste Works Approval WA36709, and as already identified in the forward Capital Works Program and the Long Term Financial Plan.
3. Investigate, prioritise and implement waste reduction strategies in 2017/18:
  - diversion of clean fill
  - diversion of street sweepings
  - introduction of further pricing incentives, and
  - introduction of a Food Organics and Garden Organics (FOGO) collection service.
4. Write to the relevant Grampians Central West Waste and Resource Recovery Group (GCWWRRC) and urge that it resolve to scheduling of the proposed Stonehaven landfill without delay.

### Council Resolution

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

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

4. Write to the relevant Resource Recovery Group to encourage it to clarify timeframes in relations to Stonehaven.  
The amendment was put to the vote. The mayor used his casting vote after the vote to result in lost 4:5.

LOST 4:5

### Council Resolution

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

That Council:

1. Receive and endorse the Anglesea Landfill Future Options Assessment - Final Report (appendix 1).
2. Affirm its intention to extend the Anglesea landfill according to EPA Waste Works Approval WA36709, and as already identified in the forward Capital Works Program and the Long Term Financial Plan.
3. Investigate, prioritise and implement waste reduction strategies in 2017/18:
  - diversion of clean fill
  - diversion of street sweepings
  - introduction of further pricing incentives, and
  - introduction of a Food Organics and Garden Organics (FOGO) collection service.
4. Write to the relevant Grampians Central West Waste and Resource Recovery Group (GCWWRRC) and urge that it resolve to scheduling of the proposed Stonehaven landfill without delay.

CARRIED 8:0



## 2.3 Review of Anglesea Landfill Future Use Options

### Report

#### **Background**

Anglesea Landfill has been licensed by the Environment Protection Authority (EPA) and operating since 1974. Operations, development and rehabilitation undertaken at the site must conform to the Licence and EPA Best Practice Environmental Management guidelines.

The Anglesea Landfill Future Use Options Study (prepared by Fox-Lane Consulting and presented to Council in January 2012), recommended that Cell 2 be extended at a total cost of approximately \$4.3M, to prolong the life of the landfill until 2024.

An additional cell consisting of a piggyback liner over fresh waste and side wall liners on natural ground has been constructed in stages, with two stages remaining.

The Forward Capital Works Program and the Long Term Financial Plan identify \$2,368,697 of further capital expenditure over the next 4 years to achieve this 7 year extension.

But is this still the best approach when EPA requirements are becoming more stringent; favouring high volume, best practice landfill and diversion options?

After a competitive process, Council appointed Blue Environment Pty Ltd in February to refresh the 2012 study and recommend a best value plan, with stronger focus on:

- population and tonnage forecasts
- identification of alternative landfill options
- consideration of best practice diversion and transfer methodologies
- the impact on kerbside collection arrangements
- risk assessment of options
- capex and opex forecasts
- unit and total life costs (including sensitivity analysis), and
- social and environmental impacts

#### **Discussion**

The report analyses the following options in detail:

1. Extend the Anglesea landfill as currently planned, with 'business as usual' landfilling, and closure in 2021/22. It is assumed that landfilled waste will increase in direct proportion with the population.
2. Extend the Anglesea landfill as currently planned, and introduce waste reduction, diversion and efficiency measures to further extend its life to 2024/25.
3. Close the Anglesea landfill in 2017/18; continue with 'business as usual' practices, and transfer waste to Ravenhall landfill.
4. Close the Anglesea landfill in 2017/18; introduce waste reduction, diversion and efficiency measures, and transfer waste to Ravenhall landfill.

Modelling shows that maximising the life of the Anglesea landfill delivers best value and therefore option 2 is the most cost effective. Key waste reduction and diversion strategies for consideration include the:

- diversion of clean fill, demolition masonry and rubble, timber and garden organics, metals, and household recyclables
- introduction of a regular FOGO collection service (this could reduce household landfilled waste by 30-40% by weight)
- introduction of further pricing incentives
- introduction of a 'drop and sort' system for recovery of materials from inert household and commercial and industrial wastes, but the preference is for greater source separation by those using the facilities.

#### Landfill options post closure of Anglesea

All 4 options are based on eventually transferring waste to Ravenhall landfill (103km from Torquay, off the Western Freeway, west of Sunshine). This would require bulk haul and the construction of a best practice transfer station, probably in Torquay.

But bulk-haul may not be necessary if the proposed Stonehaven landfill (35km from Torquay, off the Hamilton Highway and 6 minutes from the Geelong Ring Rd) is commissioned.

## 2.3 Review of Anglesea Landfill Future Use Options

A timely decision by the Grampians Central West Waste and Resource Recovery Group, regarding the Stonehaven proposal, is critical to allow planning for the imminent closure of the Anglesea landfill.

2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25
Scheduling of Stonehaven landfill in the GCWRRRC Regional Implementation Plan			EPA and planning approvals				
			Final modelling of waste disposal options	Develop bulk transfer station (if required)			
							Anglesea landfill closure

### **Financial implications**

#### Long Term Financial Plan (LTFP)

Continuing to operate the Anglesea landfill until remaining capacity is filled is consistent with the current plan; its implementation is therefore already identified in the Forward Capital Works Program, and provided for in the LTFP.

<b>Forward Capital Works Program (General Capex)</b>	2017/18	2018/19	2019/20	2020/21
Anglesea Landfill - Extend Cell Side Wall Liner - Stage D	1,215,000			
Anglesea Landfill - Extend Cell Side Wall Liner - Stage E				1,153,697

#### Waste reduction

Reducing waste to landfill through the introduction of waste reduction and improved filling rates is a significant improvement opportunity that has the potential to save almost \$8M over 10 years.

	2018	NPV to 2027
Extend Anglesea landfill, business as usual operation, closure 2021/22	\$1,560,898	\$30,004,916
Extend Anglesea landfill, introduce waste reduction measures, closure 2024/25	\$1,238,301	\$22,184,502
Saving	\$322,597	\$7,820,414

#### Closing early

Closing early would cost Council about \$2.5M over 10 years and is not recommended.

	NPV to 2027
Extend Anglesea landfill as planned, business as usual operation to achieve closure 2021/22	\$30,004,916
Don't extend Anglesea landfill, business as usual operation, closure in 2017/18	\$32,570,177
Cost of closing early	(\$2,565,261)

#### Anglesea landfill post closure fees and charges

Unit costs for waste disposal will rise from less than \$100/t to approximately \$134/t when the Anglesea landfill closes and waste is disposed of elsewhere.

Further modelling, taking into account the waste reserve, the outcome at Stonehaven, the Anglesea Landfill Future Options Assessment - Final Report (2017), and EPA requirements, will be necessary to determine future waste fees and charges.

## 2.3 Review of Anglesea Landfill Future Use Options

### **Council Plan**

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

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

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

### **Policy/legal implications**

Introduction of the waste reduction strategies identified in recommendation 3 will require:

- a review of waste fees and charges
- the development of contracts for the processing of organics.

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

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

### **Risk assessment**

Analysis shows that there are fewer risks associated with extending the Anglesea landfill as planned, than with closing early.

Risks associated with extending the landfill as planned	Risks associated with early closure of the landfill
increased EPA requirements (unlikely given recent licence approval and updating of BPEM guidelines)	loss of control over gate fees and possible significant increases due to reduced competition as other landfills close
pollution from extended cell (less risk than existing cells, the new cell will meet EPA BPEM guidelines and be comparable to alternative sites)	development and EPA approval of a new master plan (possible additional requirements associated with the 'void', final contours, and rehabilitation)
	loss of control over transport costs, possible increases above CPI
	investment loss in the piggyback liner
	increased traffic
	lost opportunity to recoup rehabilitation and post-closure management costs
	Stonehaven may emerge as the cheapest option (removing the need for a bulk-haul transfer station)

### **Social considerations**

Refer to the triple bottom line (financial, social, and environmental) analysis tabulated in the conclusion.

### **Community engagement**

The development and successful implementation of a community engagement plan will crucial to realising the waste reduction measures identified in recommendation 3.

### **Environmental implications**

Refer to the triple bottom line (financial, social, and environmental) analysis tabulated in the conclusion.

### 2.3 Review of Anglesea Landfill Future Use Options

#### **Communication**

Communications, particularly regarding the introduction of a food organics and garden organics service, will be issued according to the community engagement plan.

#### **Conclusion**

Triple bottom line analysis confirms that maximising the life of the Anglesea landfill (option 2) is the best value strategy.

Option	Closure	Cost to 2027	Social	Environment
1. extend Anglesea landfill, business as usual operation	2021/22	\$141/t \$30M NPV	- odour and litter risk	- GH gas and leachate risk from final cell
2. extend Anglesea landfill, introduce waste reduction	2024/25	\$106/t \$22M NPV	+ organics diversion = reduced odour	+ organics diversion = less GH gas and leachate + organics to compost
3. don't extend, transfer to Ravenhall, business as usual operation	2017/18	\$164/t \$33M NPV	+ reduced traffic to Anglesea landfill + reduced odour and litter from Anglesea landfill - increased traffic to alternative landfill	+ alternative landfill = gas energy recovery (reduced net GH gas)
4. don't extend, transfer to Ravenhall, introduce waste reduction	2017/18	\$162/t \$30M NPV	+ reduced traffic to Anglesea landfill + reduced odour and litter from Anglesea landfill - increased traffic to alternative landfill	+ less leachate + organics to compost + alternative landfill = gas energy recovery (reduced net GH gas)

## 2.4 Reclassification of Council Roads

**Author's Title:** Strategic Asset Manager  
**Department:** Asset Management  
**Division:** Governance & Infrastructure

**General Manager:** Anne Howard  
**File No:** F16/199  
**Trim No:** IC17/83

**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 seek Council approval to proceed with the process to reclassify a number of public roads.

### Summary

As the Co-ordinating Road Authority (under the Road Management Act) Council is required to maintain a Register of Public Roads including, among other information, the classification of each road. A number of Council managed roads have been identified to be classified in an inappropriate hierarchy level within Council's Road Register. To have these reclassified it is required to firstly seek Council approval followed by undertaking a process to inform affected road users and provide an opportunity for public comment.

### Recommendation

That Council:

1. Proceed with the process to reclassify Council Managed roads as follows:
  - 1.1 Menzels Road (Ondit Road to End), Winchelsea from Access 2 to Access 3.
  - 1.2 Fishers Road (Horseshoe Bend Road to Minya Lane), Connewarre from Access 2 to Access 3.
  - 1.3 Coalmine Road (Camp Road to No. 2 Road), Anglesea from Collector to Access 2.
  - 1.4 Jinda Park Lane (House No. 90 to Paddy's Swamp Road), Bambra from Access 2 to Access 3.
  - 1.5 Brown Lane (Barwon Terrace to End), Winchelsea from Access 2 to Access 3.
  - 1.6 Rawsons Road (Gallaghers Road to End), Inverleigh from Access 2 to Access 3.
  - 1.7 Koenig Lane (Austin Street to Harding Street), Winchelsea from Access 2 to Access 3.
  - 1.8 Taylors Road (Considines Road to End), Modewarre from Access 2 to Access 3.
  - 1.9 Cape Otway Road Car Park (Wurdiboluc Reservoir), Winchelsea from Collector to Access 2.
2. Commence discussion to hand control of Coalmine Road to DELWP.
3. Delegate authority to the CEO to approve the transfer of management of Coalmine Road to DELWP if agreement between Council and DELWP regarding the management of the road is reached.

### Council Resolution

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

That Council:

1. Proceed with the process to reclassify Council Managed roads as follows:
  - 1.1 Menzels Road (Ondit Road to End), Winchelsea from Access 2 to Access 3.
  - 1.2 Fishers Road (Horseshoe Bend Road to Minya Lane), Connewarre from Access 2 to Access 3.
  - 1.3 Coalmine Road (Camp Road to No. 2 Road), Anglesea from Collector to Access 2.
  - 1.4 Jinda Park Lane (House No. 90 to Paddy's Swamp Road), Bambra from Access 2 to Access 3.
  - 1.5 Brown Lane (Barwon Terrace to End), Winchelsea from Access 2 to Access 3.
  - 1.6 Rawsons Road (Gallaghers Road to End), Inverleigh from Access 2 to Access 3.
  - 1.7 Koenig Lane (Austin Street to Harding Street), Winchelsea from Access 2 to Access 3.
  - 1.8 Taylors Road (Considines Road to End), Modewarre from Access 2 to Access 3.
  - 1.9 Cape Otway Road Car Park (Wurdiboluc Reservoir), Winchelsea from Collector to Access 2.
2. Commence discussion to hand control of Coalmine Road to DELWP.
3. Delegate authority to the CEO to approve the transfer of management of Coalmine Road to DELWP if agreement between Council and DELWP regarding the management of the road is reached.

CARRIED 8:0

## 2.4 Reclassification of Council Roads

### Report

#### **Background**

There are a number of roads within the Shire which should be considered for reclassification as they are currently classified at level which does not meet the classification description and does not align with the categorisation of other similar roads.

#### **Discussion**

The roads listed below are currently classified at a level requiring a higher level of service than officers deem necessary. In some cases the roads may have been previously designated an inappropriate hierarchy level while in some change of use have resulted in a reassessment of their hierarchy. This creates an anomaly in how we service these roads in comparison with similar roads, resulting in higher costs than necessary and potential community confusion due to the differing levels of service for what seem to be roads serving the same function. The aim of this report is to correct a number of these anomalies which have been identified. Furthermore as part of the review of Council's Road Management Plan a further review may identify additional roads which will require reclassification.

The roads currently identified and referred to in this report are listed below. Additional information on each road is available in Appendix 2.

Road Name	Description	Current Hierarchy	Proposed Hierarchy
Menzels Road	Ondit Road to End, Winchelsea	Access 2	Access 3
Fishers Road	Horseshoe Bend Road to Minya Lane, Connewarre	Access 2	Access 3
Coalmine Road	Camp Road to No. 2 Road, Anglesea	Collector	Access 2
Jinda Park Lane	House No. 90 to Paddy's Swamp Road, Bambra	Access 2	Access 3
Brown Lane	Barwon Terrace to End, Winchelsea	Access 2	Access 3
Rawsons Road	Gallaghers Road to End, Inverleigh	Access 2	Access 3
Koenig Lane	Austin Street to Harding Street, Winchelsea	Access 2	Access 3
Taylors Road	Considines Road to End, Modewarre	Access 2	Access 3
Cape Otway Road Car Park	Wurdiboluc Reservoir, Winchelsea	Collector	Access 2

Council does not formally have a process in place to alter the classification of a road however it is recommended that the following process outlined in Appendix 1 be followed.

It should be noted that Access 3 roads may include roads designated as Fire Access Tracks. In these cases Council continues to manage these roads in line with agreements with the CFA outside of it's responsibilities under Council's Road Management Plan

#### **Financial Implications**

In the case of roads being reclassified as Access 3 roads these will not require future maintenance or renewal funding.

#### **Council Plan**

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

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

Council has the ability to decrease the service level of Council managed roads.

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

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

#### **Risk Assessment**

Not applicable.

## **2.4 Reclassification of Council Roads**

### ***Social Considerations***

There may be ratepayers accessing these roads that are not supportive of Council's decision to alter the classification of some roads.

### ***Community Engagement***

Through the process listed under the discussion section of this report.

### ***Environmental Implications***

Not applicable.

### ***Communication***

Through the process listed under the discussion section of this report.

### ***Conclusion***

That Council support the recommendation to reclassify the aforementioned roads and the process detailed above.

## 2.4 Reclassification of Council Roads

### Appendix 1 – Proposed Process for altering Council’s Register of Public Roads

<b>Action</b>	<b>Detail</b>	<b>Authority</b>
Power to add a Road to Council’s Register of Public Roads	Through Development of new Subdivisions	Strategic Asset Manager
Power to add a Road to Council’s Register of Public Roads	Granted from other bodies or agencies	Council
Power to remove a Road from Council’s Register of Public Roads	Removal of any road	Council*
Power to alter the Classification of a Road	Increase the Classification of a road	Manager Engineering Services
Power to alter the Classification of a Road	Decrease the Classification of a road	Council*

\*To remove a road from Council’s Register of Public Roads or to decrease the Classification of a road the following process would be undertaken:

1. Need for change identified by Council Officer.
2. Report to Council seeking endorsement to proceed with process.
3. Inform abutting properties and notice in local paper. 3 week submission period.
4. If no submissions against changes Strategic Asset Manager to update Register of Public Roads (end of process).
5. If submissions against proposed changes Report to Council with recommendations.
6. Council to approve or not approve changes.
7. Strategic Asset Manager to update Register of Public Roads in line with Council decision.



## 2.4 Reclassification of Council Roads

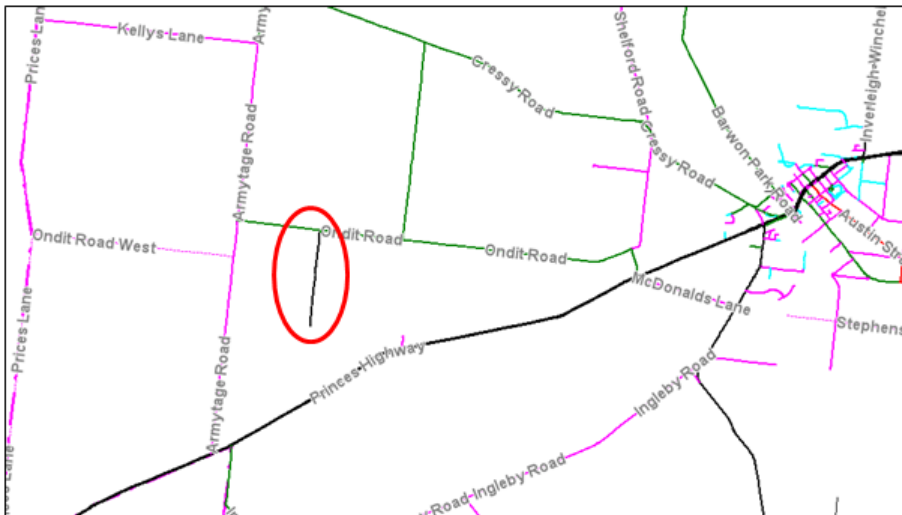
### Appendix 2 – Detailed Information on roads for consideration for reclassification

#### Menzels Road (Ondit Road to End), Winchelsea

1.7km lightly gravelled road in poor condition, Access to paddocks only, no residences. All paddocks have alternative access to other roads.

Furthermore the entry to the road has had an unlocked gate across at Ondit Rd for a number of years.

Reclassify from **Access 2 to Access 3**

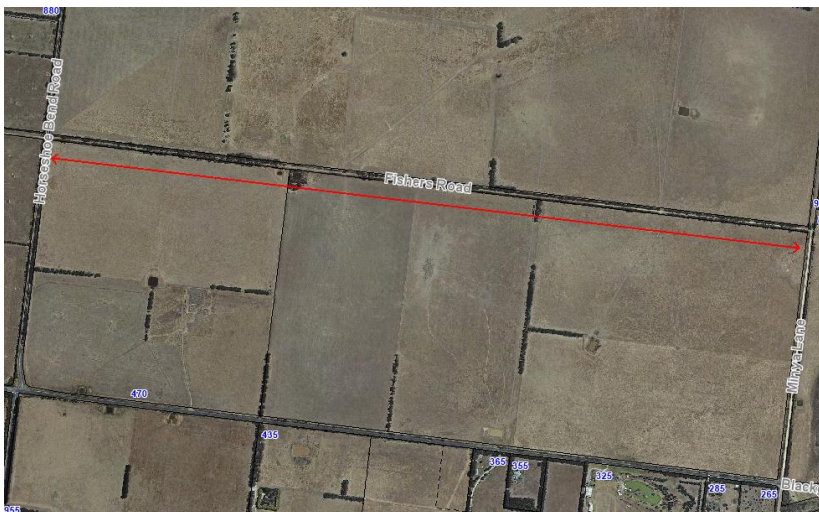
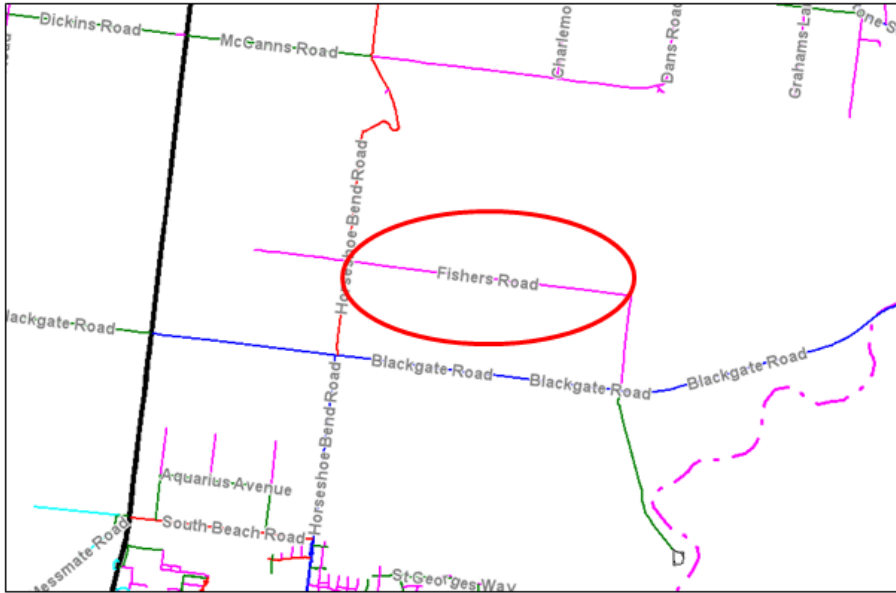


## 2.4 Reclassification of Council Roads

### Fishers Road (Horseshoe Bend Road to Minya Lane), Connewarre

1.5km lightly gravelled road in poor condition, Access to paddocks and 1 residence at east end which accesses via Minya Lane. All paddocks have alternative access to other roads.

Reclassify from **Access 2** to **Access 3**



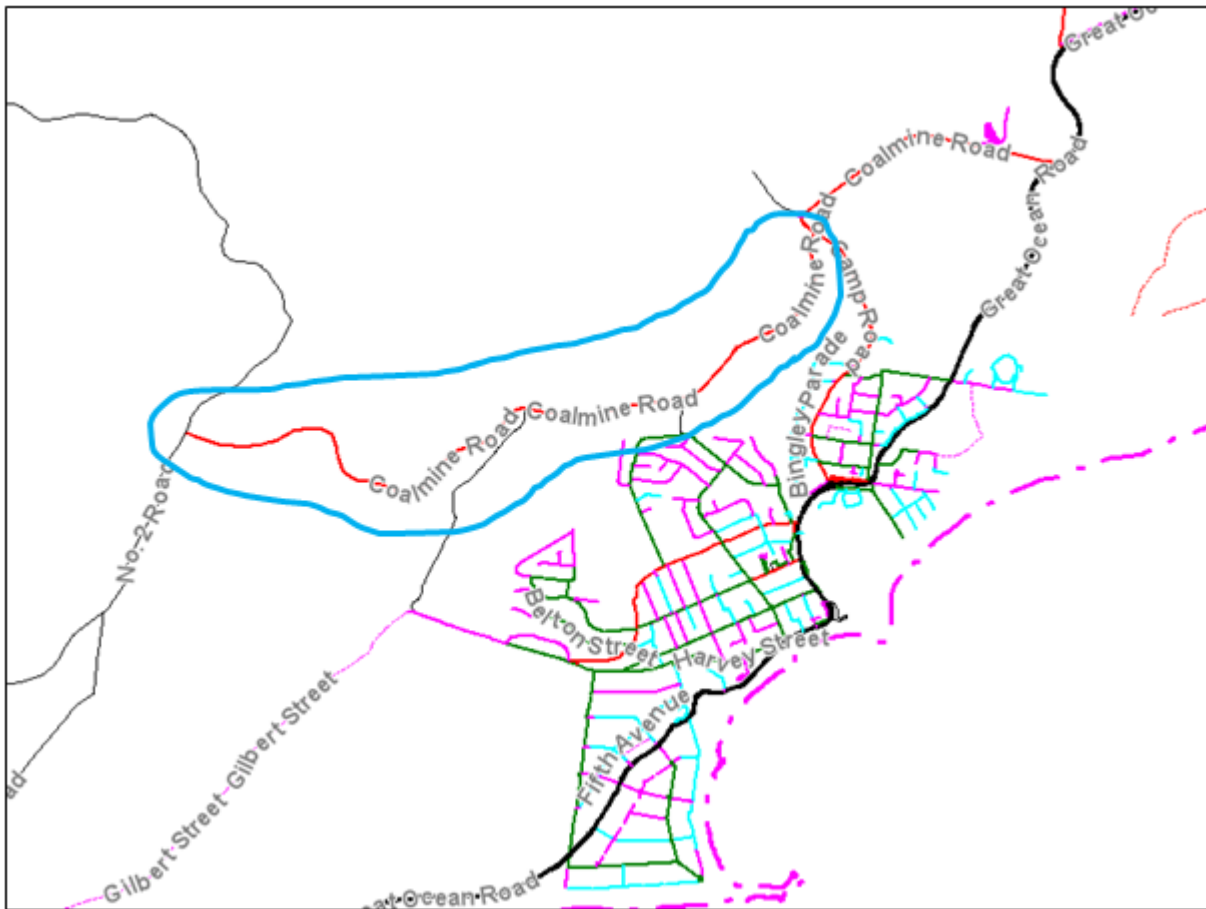
## 2.4 Reclassification of Council Roads

### Coalmine Road (Camp Roa to No. 2 Road), Anglesea

Good condition gravel road for the first 2.4 km from Camp Road. Gated and inaccessible at this point to No.2 Road at the request of DELWP due to concerns of road slippage from the Alcoa Mine. Only services old Alcoa side and links with DELWP forest road network as well as the Anglesea Riding Club at 720m from Camp Rd. Traffic counts less than 50 vehicles per day.

Reclassify from **Collector** to **Access 2**

Furthermore as this road does not access ratepayer property and is not on a government road reserve Council should look further to hand management to DELWP.

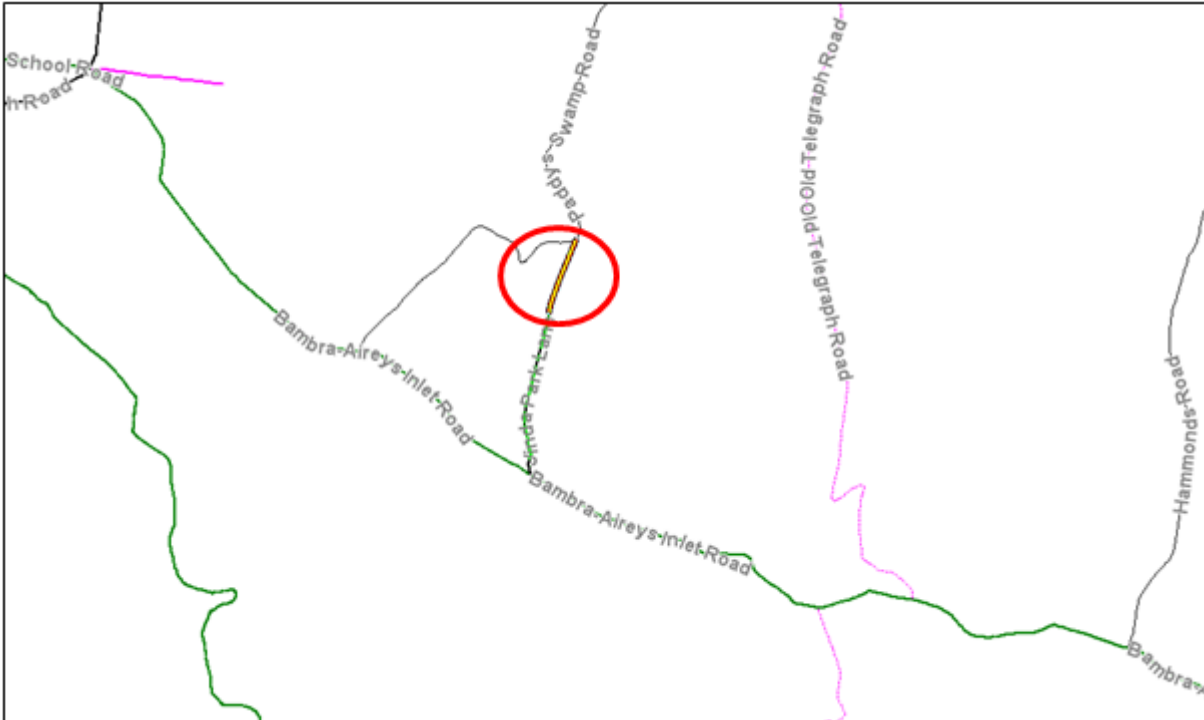


## 2.4 Reclassification of Council Roads

### Jinda Park Lane (House No. 90 to Paddy's Swamp Road), Bamba

745m lightly gravelled road in poor condition, No residence access. Has a sign stating "HVP Plantations No Entry – Private Property".

Reclassify from **Access 2** to **Access 3**

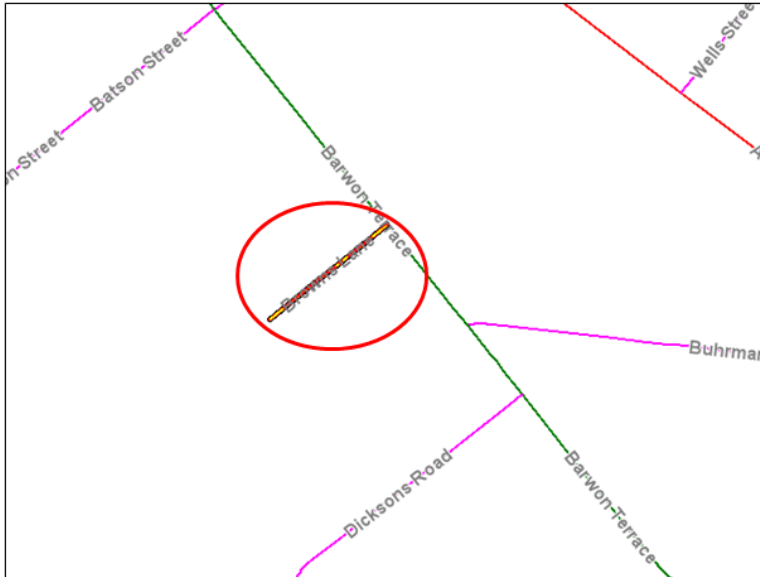


## 2.4 Reclassification of Council Roads

### Brown Lane (Barwon Terrace to End), Winchelsea

270m unconstructed grass track, Driveway access to single residence which has Barwon Terrace frontage.

Reclassify from **Access 2** to **Access 3**

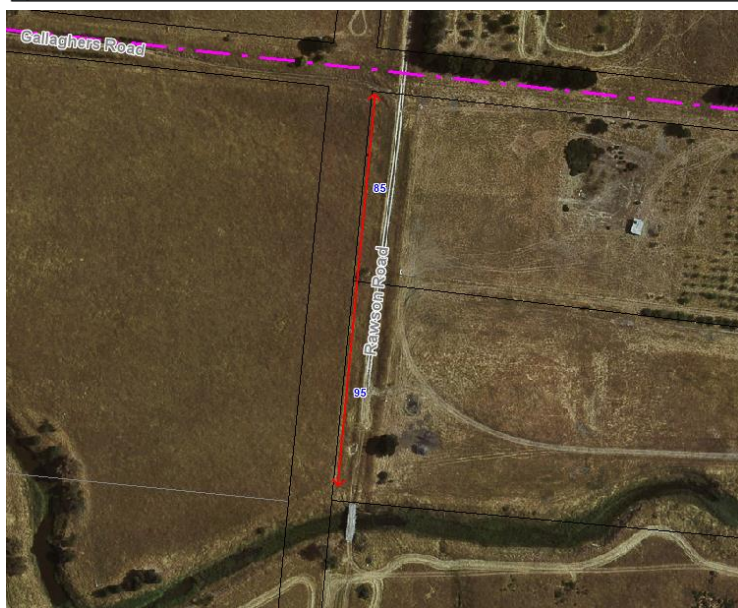
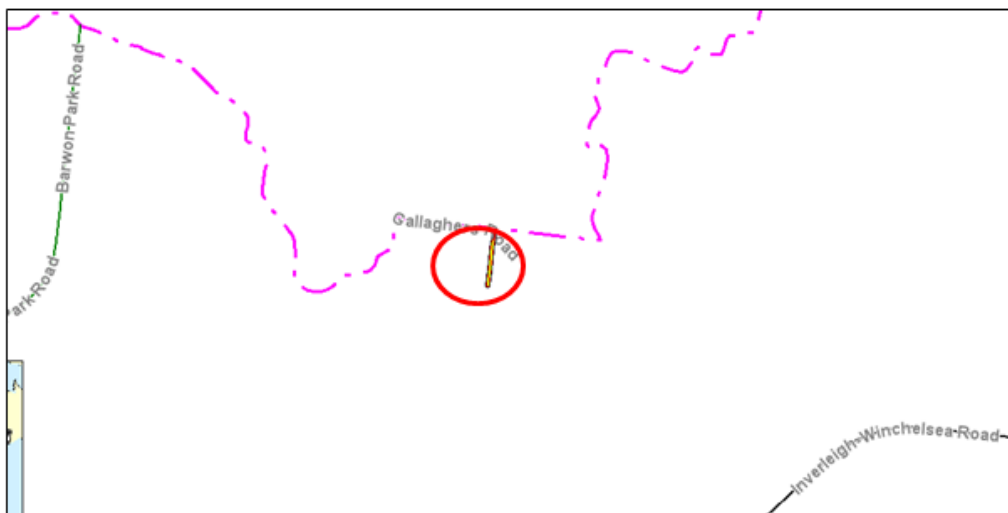


## 2.4 Reclassification of Council Roads

### Rawsons Road (Gallaghers Road to End), Inverleigh

200m unconstructed track, Services vacant properties.

Reclassify from **Access 2** to **Access 3**

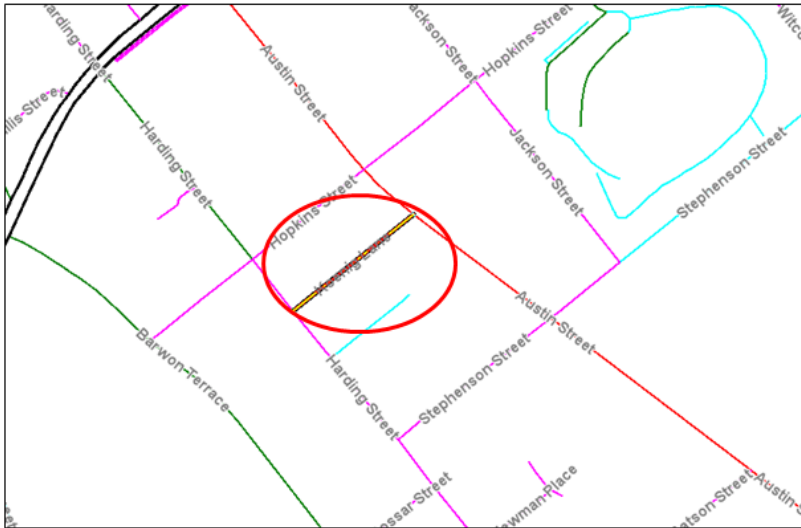


## 2.4 Reclassification of Council Roads

### Koenig Lane (Austin Street to Harding Street), Winchelsea

140m unconstructed track, Along rear of properties accessed by Hopkins Street.

Reclassify from **Access 2** to **Access 3**



## 2.4 Reclassification of Council Roads

### Taylor's Road (Considines Road to End), Modewarre

160m unconstructed track, Leading from Considines Rd to Lake Modewarre.

Reclassify from **Access 2** to **Access 3**



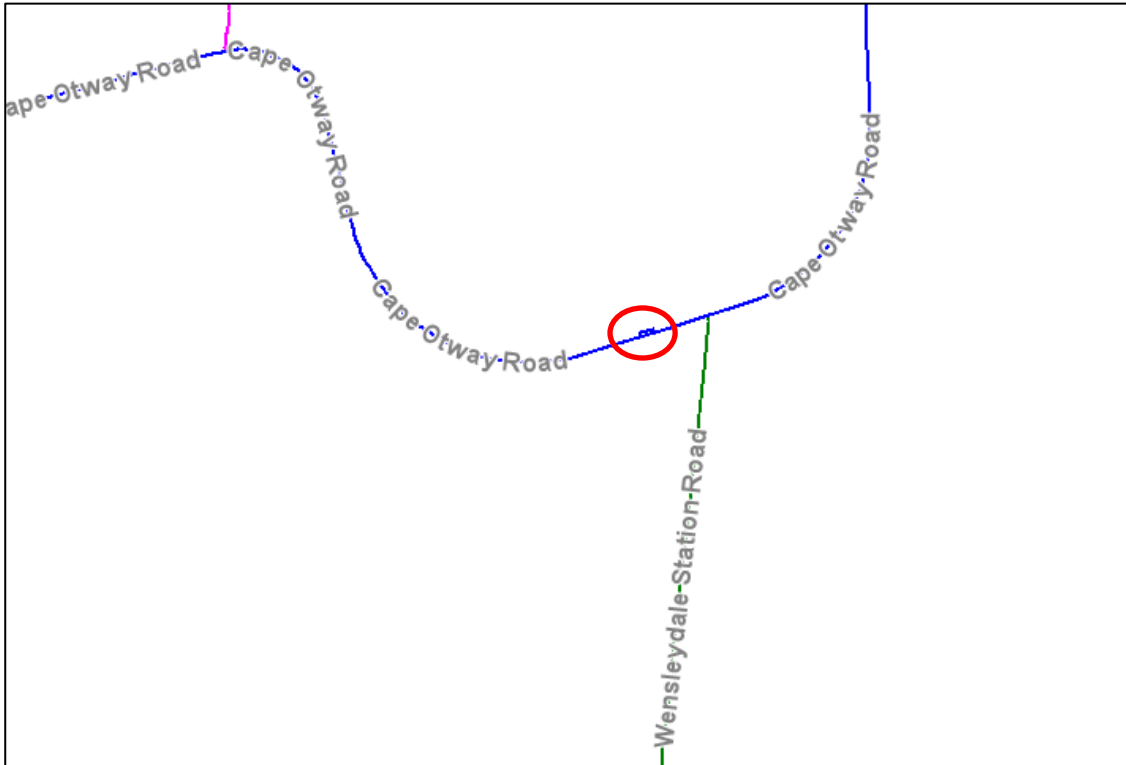


## 2.4 Reclassification of Council Roads

### Cape Otway Road Car Park (Wurdiboluc Reservoir), Winchelsea

Small car park at southern end of Wurdiboluc Reservoir. Was classified as a Collector as was being inspected as part of Cape Otway Road however should not be a Collector Road as does not meet the criteria.

Reclassify from **Collector** to **Access 3**



## 2.5 Digital Transformation Strategy

**Author's Title:** Strategic Initiatives Manager

**General Manager:** Anne Howard

**Department:** Governance & Infrastructure

**File No:** F16/1624

**Division:** Governance & Infrastructure

**Trim No:** IC17/289

### Appendix:

1. Digital Transformation Strategy (D17/49565)

### 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 Digital Transformation Strategy for consideration.

### Summary

In just over two decades the internet has become a major part of our everyday lives at both work and home. Completing transactions online has become second nature, with more and more of us going online for shopping, banking, information and entertainment. Local Government as a sector needs to keep up with the digital age and deliver online services as a matter of course.

Digital Transformation is happening around us and Surf Coast Shire needs to build its capability in this area to stay relevant to our community and customers. This report presents a Digital Transformation (DT) Strategy for Surf Coast Shire attached as Appendix 1.

The strategy is attached as and will be a digital interactive document. It outlines the vision, goal and strategic objectives for digital transformation along with a three year program for how it will be delivered. Digital transformation is a long term challenge for organisations and beyond the identified three year program there will be further programs of work required to ensure Council can stay relevant and deliver online services to its community and customers. These will be informed through the learnings, success and challenges of Phase 1 to be delivered over the next three years.

### Recommendation

That Council:

1. Endorse the Digital Transformation Strategy (Appendix 1).
2. Note the financial investment and potential benefits for the program have been incorporated into Council's draft Budget 2017-18 and Long Term Financial Plan.

### Council Resolution

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

That Council:

1. Endorse the Digital Transformation Strategy (Appendix 1) subject to:
  - a. incorporation of feedback from the Audit & Risk Committee meeting of 16 May 2017;
  - b. introduction of regular program updates being provided at Council briefings on a monthly basis and to the Audit and Risk Committee as a standing item at committee meetings.
2. Note the financial investment and potential benefits for the program have been incorporated into Council's draft Budget 2017-18 and Long Term Financial Plan.

CARRIED 8:0

## 2.5 Digital Transformation Strategy

### Report

#### **Background**

In just over two decades the internet has become a major part of our everyday lives at both work and home. Completing transactions online has become second nature, with more and more people going online for shopping, banking, information and entertainment. Online services tend to be quicker, more convenient and cheaper to use. Local Government as a sector needs to keep up with the digital age and deliver online services as a matter of course.

Federal and State Governments are also in the process of reviewing how they can deliver services online and look to the experience of the United Kingdom and others in this space.

Excerpt from the UK Government Digital Strategy:

*'Government has got to do better. By going digital by default, the government could save between £1.7 and £1.8 billion each year.*

***But this isn't just about saving money - the public increasingly expects to access services quickly and conveniently, at times and in ways that suit them. We will not leave anyone behind but we will use digital technology to drive better services and lower costs.***

***We will also need to embed digital skills into our organisational DNA, developing a culture that puts people's needs first so we plan and design our services around what users need to get done, not around the ways government want them to do it.'***

Digital transformation is happening and to stay relevant to its community and customers Surf Coast Shire Council needs to build its capability in this area. This report presents a Digital Transformation (DT) Strategy for Surf Coast Shire Council. The strategy established a foundation for change through technology and targets key areas important to the community and customers.

#### **Discussion**

There are a number of broader organisational reforms/ changes underway these include:

- People and Culture Strategy (including Purpose, Direction, Values and Behaviours)
- Activity Based Working
- Business Improvement and Service Reviews
- Program/ Project Management
- Financial Management.

The Digital Transformation Strategy is included as another business change under this broader group of activities.

A number of other Councils have commenced digital transformation including Brimbank and Casey and more broadly MAV and LGPro are providing overall guidance and supporting Councils in digital transformation. Brimbank have undergone a major rework of their web site designed to substantially improve customer access in regard to online forms and payments for a broad range of services.

The purpose of the strategy is to outline a clear direction and program of work for the next 3 years.

Whilst the average customer will spend only a small fraction of their online time interacting with the government, increasingly their expectation is that the government should provide an experience as efficient and seamless as that offered by their banks, utilities and favourite online stores.

This expectation will only grow as those other non-government entities continue to evolve, offering more sophisticated and engaging experiences and always accommodating current consumer technologies, such as mobile and other smart devices, and beyond. The challenge for the government is to stay ahead of this trend.

By engaging with customers online, activities can transform from being focussed on procedures and compliance to being focussed on quality of service. For example, when customers are able to complete dynamic forms online staff are released from spending time answering queries over the phone or at the counter, re-keying data or chasing errors. Their efforts shift to devising and implementing ways to improve services, monitoring them and providing new ones.

## 2.5 Digital Transformation Strategy

The Surf Coast Shire Digital Transformation Strategy aligns with the purpose and direction and enables us to help our community and environment to thrive.

Aligned with our Purpose and Direction Council is doing this:

- to improve our customer experiences and meet their expectations
- to build our capability and provide staff with the tools they need to 'do their best'
- to ensure financial viability into the future.

Surf Coast Shire Council is well placed to deliver a Digital Transformation program through building on its existing core systems to improve the customer experience and at the same time streamline its processes and systems.

The Digital Transformation Strategy is an interactive PDF document and is included as Appendix 1, and is summarised below.

**Project Vision:** Through technology Council will be easy to access and deal with, convenient, efficient and responsive.

**Goal:** Putting customers at the centre of what we do (customer first) and using technology to transform our business (digital by default).

### Strategic Objectives:

- improve Customer Experience: create a customer journey that is simple, clearer, faster; support service delivery excellence
- build Capability: create a contemporary workplace where people can do their best; provide accurate and timely data for decision making
- achieve Financial Outcomes: Contribute to Council's financial viability; streamlining processes, integrating and aligning systems

### This will be delivered by the following methods:

- Customer Centric: Customers get to tell us what is important to them
- Enabling Technologies: that are easy to implement, improve access for customers and tools for our staff
- Change Champions: responsible for embedding and realising the benefits of the business change
- Building Blocks: that enable us to comply, share, partner, lift and learn from others
- Project Priorities: Prioritise projects that deliver goals and benefits
- Governance: Senior Management engagement and oversight of all digital activities

### The benefits of the strategy include:

#### Customer Experience Improved

- improved understanding of customer/ needs and experiences
- increased access for the customer
- increased numbers of customers self-serving
- stronger customer first mindset

#### Building Capability

- ability to share and partner with others
- integrated data to assist decision making
- improved performance reporting
- digital by default mindset
- tools provided for people to do their best

#### Financial Outcomes Achieved

- streamlined operations (processes and systems) aligned to gain efficiencies
- reduced cost of service delivery
- mitigates growth costs in service delivery

Digital transformation is a long term challenge for organisations and beyond the identified three year program there will be further programs of work and investment required to ensure Council can stay relevant and deliver online services to its community and customers.

## 2.5 Digital Transformation Strategy

### **Financial Implications**

The budget for the three year program is estimated to be \$6.395 Million. This is outlined in more detail in the strategy and includes budget of \$1.270 Million allocated in the current 16/17 financial year. The main costs for the program cover the system costs for the three priority project areas along with the resourcing costs required to deliver the projects.

The strategy outlines how this investment will be allocated over 3 years recognising that a return on investment will not be immediate but occur over a period of time as the business efficiencies are realised with the introduction of new technology.

The strategy identifies three priority areas including Customer Access, Planning and Finance. The Planning Project is already funded under this year's budget and will be delivered by the end of 2017. The Finance and Customer Access projects are yet to be scoped in detail. The program has also identified a range of Quick Wins for 2017. Costs for these are either covered in the current budget or will be funded under the total program budget.

### **Council Plan**

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

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 2.2 High performing accountable organisation  
Strategy 2.2.1 Ensure the organisational structure is capable of delivering on the Council Plan

### **Policy/Legal Implications**

The Digital Transformation Strategy establishes the strategic direction for the three year program to June 2019.

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

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

### **Risk Assessment**

The strategy outlines a number of risks associated with implementing the Strategy along with identifying ways to mitigate against these risks. The risks generally include; not delivering the identified benefits to customers or the organisation; senior leadership not staying engaged and not enough staff engagement; lack of funding for the whole program and too many change activities occurring in the organisation.

Equally there are significant risks to the organisation if it doesn't implement a digital implementation strategy these include:

- not being able to meet State/ Federal Government requirements for delivering rate capping and expectations of providing digital services in the short term
- becoming less relevant to our community by not being able to deliver basic services and meet customer expectations
- Inefficiencies in the business by retaining outdated and unsupported systems and ineffective processes.

### **Social Considerations**

The Digital Transformation Strategy has a strong focus on improving the customer/ community experience when interacting with Council online. It is anticipated the likely benefits of improving community/ customer experiences are:

- a greater understanding of what the customer/ community want in relation to Digital Transformation
- increased access for customers to services and information
- customers being able to self-serve more on a range of services.

## **2.5 Digital Transformation Strategy**

### ***Community Engagement***

Engagement with the customer and the community is identified as one of the key pillars of the strategy by understanding what is important to both groups in regard to digital services. Council is then able to design services that meet their needs. The Digital Transformation Strategy is an internally focussed document and has not included any external engagement activities in its development. Once adopted there will be a number of engagement activities put in place including Customer Reference Panel/s and a staff reference group.

Some staff engagement activities have been undertaken during the development of the strategy particularly areas that are undertaking digital transformation work/ projects to ensure alignment.

### ***Environmental Implications***

There are no real environmental impacts on the environment, although one of the likely benefits to the digital transformation strategy is a reduction in the use of paper.

### ***Communication***

A Communications and engagement plan will be developed for the release of the strategy once it has been considered by Council. It is intended that the strategy will be released on Councils intranet and internet for anyone interested in accessing it.

### ***Conclusion***

Digital Transformation is happening and to stay relevant to its community and customers Surf Coast Shire needs to build capability in this area. This report presents a Digital Transformation (DT) Strategy for Surf Coast Shire. The strategy is attached as a digital interactive document. It outlines the vision, goal and strategic objectives for digital transformation along with a three year program for how it will be delivered.

Digital transformation is a long term challenge for organisations and beyond the identified three year program there will be further programs of work required to ensure Council can stay relevant and deliver online services to its community and customers.

## 2.6 Sale of Council Land, Winchelsea

**Author's Title:** Property & Legal Services Officer

**General Manager:** Anne Howard

**Department:** Governance & Risk

**File No:** F17/597

**Division:** Governance & Infrastructure

**Trim No:** IC17/322

**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:**

### Purpose

The purpose of this report is to seek Council's in-principle support to sell Council property located at 42 Harding Street, Winchelsea. The objective of the sale of the land would be to assist the establishment of an ambulance station in Winchelsea.

### Summary

Council has a number of parcels of land in Winchelsea, some of which have been held by Council to facilitate community outcomes and others are already ready for divestment, where Council has determined that it has no future use for the land.

Council has been contacted recently by Ambulance Victoria in order to locate a site in Winchelsea for their service. The property located at 42 Harding Street, Winchelsea, is currently not utilised by Council and has no future service need identified. This site has been identified as a suitable location by Ambulance Victoria. A new ambulance station will be of benefit to Winchelsea and the district and facilitating land for this development will assist in achieving a valuable community outcome.

Officers are recommending that Council provide support for the sale of this property to Ambulance Victoria (subject to statutory processes), at a priced based upon market valuation, for the purposes of establishing an ambulance station.

### Recommendation

That Council:

1. Affirm its willingness to sell 42 Harding Street, Winchelsea, Certificate of Title Volume 9828 Folio 343 to Ambulance Victoria for the purpose of establishing an ambulance station for Winchelsea and district.
2. Agree that the price for sale of the land should be based on current valuations.
3. Note the requirement of the Local Government Act 1989, that at the time of sale Council will hold a valuation shall not be more than six months old.
4. Issue a public notice of intention to sell the land and invite and consider public submissions in accordance with Section 189 and Section 223 of the *Local Government Act 1989*.
5. Agree that the net revenue from the sale will be transferred to the Accumulated Unallocated Cash Reserve to replenish funds contributing to the acquisition of land for the Eastern Reserve Masterplan, consistent with previous resolutions of Council that sale of excess land in Winchelsea should fund the Eastern Reserve extension acquisition.
6. Agree that a condition of the Contract of Sale will be that if the land is subdivided within five years of Council selling the land, then Council is to be given the first right to buy back the land at the sale price plus indexation reflecting market changes, without creating any obligation on Council to do so.
7. Authorise the Chief executive Officer to execute the contract and associated sale documents on Council's behalf.

## 2.6 Sale of Council Land, Winchelsea

### Council Resolution

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

That Council:

1. Affirm its willingness to sell 42 Harding Street, Winchelsea, Certificate of Title Volume 9828 Folio 343 to Ambulance Victoria for the purpose of establishing an ambulance station for Winchelsea and district.
2. Agree that the price for sale of the land should be based on current valuations.
3. Note the requirement of the Local Government Act 1989, that at the time of sale Council will hold a valuation shall not be more than six months old.
4. Issue a public notice of intention to sell the land and invite and consider public submissions in accordance with Section 189 and Section 223 of the *Local Government Act 1989*.
5. Agree that the net revenue from the sale will be transferred to the Accumulated Unallocated Cash Reserve to replenish funds contributing to the acquisition of land for the Eastern Reserve Masterplan, consistent with previous resolutions of Council that sale of excess land in Winchelsea should fund the Eastern Reserve extension acquisition.
6. Agree that a condition of the Contract of Sale will be that if the land is subdivided within five years of Council selling the land, then Council is to be given the first right to buy back the land at the sale price plus indexation reflecting market changes, without creating any obligation on Council to do so.
7. Authorise the Chief executive Officer to execute the contract and associated sale documents on Council's behalf.

CARRIED 8:0



## 2.6 Sale of Council Land, Winchelsea

### Report

#### **Background**

Details regarding the property:

- owned by Shire of Winchelsea since 1988
- originally all one parcel owned by the Church
- Council acquired the land from the Church to secure a site for the Senior Citizens and to potentially develop housing for elderly citizens (both established on land separate to this title)
- in 1995 Council built housing for the elderly at the corner of Hesse and Armytage Streets in Winchelsea
- Council considered the Sale of Land in 2002, however an objection was received from the Church on the basis that the Shire of Winchelsea gave a commitment to use the land for the development of housing for the elderly
- Councillors considered the sale of the land at Council Briefing in April 2015, however Councillors indicated a preference to retain the property for future community benefit rather than divest for purely financial gain
- the site is currently not utilised by Council
- vacant land next to Winchelsea Senior Citizens Club
- zoning – General Residential Zone – Schedule 1
- size 3170.91m<sup>2</sup>
- The Church of England Trustees own the property directly behind (31 Barwon Terrace)
- the current CIV is \$235,000 (not market valuation).

See map below of property and surrounds.



#### **Discussion**

The property is currently not utilised and no community use has been identified for the land. Officers consider this excess to Council's service needs.

Ambulance Victoria contacted Council seeking land in Winchelsea for the establishment of their service. Council have identified 42 Harding Street as an option and Ambulance Victoria has advised that the site meets their requirements.

## 2.6 Sale of Council Land, Winchelsea

Council has recently obtained a current market valuation from a qualified Valuer. The valuation for the property is \$455,000. Ambulance Victoria may obtain a separate valuation as part of its process. It is recommended sale price for the property be based on Council's valuation, taking into account any valuations provided by Ambulance Victoria and considering relevant matters directly impacting the sale of the land.

It is recommended that Council endeavour to sell the property mid to late 2017.

If the disposal is supported, the following process is required:

- Council resolution supporting the sale
- advertise Notice of Intention to sell the land in accordance with Section 223 of the Local Government Act 1989
- hold a hearing of submissions meeting if necessary
- instruct lawyers to draw Contracts, transfer paperwork and arrange settlement.

Officers are aware that there are a number of other sites in Winchelsea that are vacant or available through the open market. There will also be views about the location of an ambulance station relative to other community facilities such as those operated by Hesse Rural Health. Officers therefore sought further understanding from Ambulance Victoria as to why it views 42 Harding St as its preferred site. Ambulance Victoria provided the following information:

- in November 2016 the Victorian State Government announced funding of \$500million to support Service Delivery reforms over a five year period.
- part of the \$500M package includes employing 450 additional paramedics over the next three years as well as building 15 new branches across the state, on top of the 20 upgrade projects already underway.
- one of the areas identified as being in need was Winchelsea and ideally Ambulance Victoria should have had the land secured by now.
- the location of each Ambulance Branch is carefully considered and then selected to ensure that the best possible coverage of Ambulance Service is available for its local community in order to maintain the necessary response time performance in all areas
- Ambulance Victoria is very keen to secure 42 Harding Street, Winchelsea to build a new ambulance branch in order to provide better coverage and response times for the local community.
- the site itself falls within the ideal search zone identified by Ambulance Victoria's Strategic Department. The site at 42 Harding Street:
  - has been endorsed for location, access and egress
  - meets all preferred criteria, being:
    - a corner block
    - greenfield site
    - relatively flat land
    - close multiple access points to links directly to the Princes Freeway in any direction.
- Ambulance Victoria are also keen on the site because:
  - it is large enough for Ambulance Victoria requirements (minimum of 1,500m<sup>2</sup>)
  - it has all services readily available which would enable them to complete the new build within their delivery timelines.

Although Ambulance Victoria only requires a minimum of 1500 m<sup>2</sup> they wish to purchase the whole site given that it is only one Certificate of Title. Therefore a condition of the Contract of Sale will be if the land is subdivided in the future Council would have the first right to buy back the land, however Council has no obligation to buy it. It is proposed that this condition expire five years after sale to Ambulance Victoria to avoid unnecessary constraints beyond what is a reasonable period.

### **Financial Implications**

Costs associated with selling the land include Valuation of land, Land Registry, Legal and Real Estate Agent commission. If the sale proceeds it will provide a net revenue to Council.

Council needs to consider where any net revenue should be directed. In August 2015 Council considered the matter of acquiring land to facilitate the extension of Eastern Reserve Recreation Reserve. At that meeting Council resolved to progress with acquisition of the land on the basis that funds would come from three sources:

## **2.6 Sale of Council Land, Winchelsea**

1. Open Space Reserve (allocation of \$88,000).
2. Sale of land in Winchelsea that is surplus to council needs (anticipated revenue of \$550,000).
3. An allocation from the unallocated Case Reserve (up to an amount of \$312,000).

To ensure that Council had sufficient cash available to fund an acquisition at the approved cost (up to \$850,000) council allocated cash in advance of the revenue of the sales of land in Winchelsea, which has the effect of reducing council's unallocated cash. The sales of land to date is well below what Council anticipated in August 2015 and it is therefore recommended that the net revenue from the sale of 42 Harding Street, Winchelsea, be directed to the Accumulated Unallocated Cash Reserve to replenish the advance of cash drawn for the Eastern Reserve for the purpose of funding the acquisition of land for the second oval.

### ***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 – Section 189, 191 and 223
- Local Government Best Practice Guideline for the Sale, Exchange and Transfer of Land.

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

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

### ***Risk Assessment***

Risks to the process may include if ambulance Victoria request unreasonable conditions on the sale or through submissions from the community. The financial proceeds from the sale will assist with the acquisition of land for the second oval in Winchelsea. If the sale is not supported there may be a shortfall in funding compared to Council's previous intention and resolution.

### ***Social Considerations***

The recommendation to make this land available to facilitate the establishment of an Ambulance Branch in Winchelsea is expected to deliver a net benefit to the community.

### ***Community Engagement***

A public notice inviting submissions will be published in accordance with Section 223 of the Local Government Act 1989. No specific engagement is planned beyond this process.

### ***Environmental Implications***

Nil impacts identified.

### ***Communication***

As detailed under 'Community Engagement'.

### ***Conclusion***

The sale of the land is considered appropriate in order to provide the Winchelsea community with a local ambulance service and to generate revenue to assist with the acquisition of land required in the Eastern Reserve Master Plan.

## 2.7 Review of Council Delegations to CEO, Staff and Surf Coast Planning Committee

**Author's Title:** Manager Governance & Risk

**General Manager:** Anne Howard

**Department:** Governance & Risk

**File No:** F15/1076

**Division:** Governance & Infrastructure

**Trim No:** IC17/520

### Appendix:

1. S5 Instrument of Delegation - From Council to CEO (D16/81461)
2. S6 Instrument of Delegation - Council to Council Staff (D16/100258)
3. C5 Instrument of Delegation - Council to Surf Coast Planning Committee (D16/81462)

### 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 the instruments of delegation from Council to the Chief Executive Officer, Council to members of Council staff, and Council to the Surf Coast Planning (Section 86) Committee for Council's approval, pursuant to Sections 98(6) and 86(6) of the Local Government Act 1989 (the Act).

### Summary

The Act enables Council to delegate functions, duties or powers, other than exemptions under sections 86(4) and 98(1), to the CEO, Council staff and special committees established under Section 86.

A full review of all delegations to the CEO, staff and the Surf Coast Planning Committee was carried out by Council in early 2016 when Council subscribed to the Maddocks delegations update service. The instruments of delegation were formally adopted by Council in June and July 2016.

All delegations made by Council under Sections 86 and 98 must be reviewed within 12 months of a general election as per Sections 98(6) and 86(6) of the Act and accordingly a full review has taken place.

Further updates to the legislation and regulations have been incorporated into the documents attached, along with other changes associated with minor organisational restructuring. There is no change to Council's instrument of delegation to the CEO.

The instruments of delegation from Council to the CEO (S5), direct to Council staff (S6) and the Surf Coast Shire Planning Committee (C5) are therefore presented for Council's adoption.

## 2.7 Review of Council Delegations to CEO, Staff and Surf Coast Planning Committee

### Recommendation

That Council:

1. Note that a review of the instruments of delegation from Council to the Chief Executive Officer, Council to staff, and Council to the Surf Coast Planning Committee has been undertaken in accordance with Sections 98(6) and 86(6) of the Local Government Act 1989.
2. Adopt the instrument of delegation from Council to the member of Council staff holding, acting in or performing the position of Chief Executive Officer (S5) as shown at Appendix 1.
3. Adopt the instrument of delegation from Council to members of Council staff (S6) as shown in Appendix 2.
4. Adopt the instrument of delegation from Council to the Surf Coast Planning Committee (C5) as shown at Appendix 3.
5. Authorise the Chief Executive Officer to execute the instruments of delegation outlined above by affixing the Common Seal of Council in accordance with Local Law No. 2 Council Meeting Procedures and Common Seal.
6. Authorise the Mayor to additionally sign the instrument of delegation from Council to the Chief Executive Officer (S5) in order for this to be fully executed.
7. Approve the instruments of delegation to come into force immediately upon execution.
8. Approve that on the coming into force of each instrument of delegation, the previous delegations from Council to the Chief Executive Officer, Council to staff, and Council to the Surf Coast Planning Committee are revoked.

### Council Resolution

#### **MOVED Cr Libby Coker, Seconded Cr David Bell**

That Council:

1. Note that a review of the instruments of delegation from Council to the Chief Executive Officer, Council to staff, and Council to the Surf Coast Planning Committee has been undertaken in accordance with Sections 98(6) and 86(6) of the Local Government Act 1989.
2. Adopt the instrument of delegation from Council to the member of Council staff holding, acting in or performing the position of Chief Executive Officer (S5) as shown at Appendix 1.
3. Adopt the instrument of delegation from Council to members of Council staff (S6) as shown in Appendix 2"subject to inclusion of the following condition in relation to Section 178A(3) as follows:
  1. Prior to making a decision the CEO must:
    - (i) Consult with the Mayor
    - (ii) Provide all Councillors 48 hours' notice of the intention to make an in-principle decision
4. Adopt the instrument of delegation from Council to the Surf Coast Planning Committee (C5) as shown at Appendix 3.
5. Authorise the Chief Executive Officer to execute the instruments of delegation outlined above by affixing the Common Seal of Council in accordance with Local Law No. 2 Council Meeting Procedures and Common Seal.
6. Authorise the Mayor to additionally sign the instrument of delegation from Council to the Chief Executive Officer (S5) in order for this to be fully executed.
7. Approve the instruments of delegation to come into force immediately upon execution.
8. Approve that on the coming into force of each instrument of delegation, the previous delegations from Council to the Chief Executive Officer, Council to staff, and Council to the Surf Coast Planning Committee are revoked.

CARRIED 8:0

## **2.7 Review of Council Delegations to CEO, Staff and Surf Coast Planning Committee**

### **Report**

#### ***Background***

The Local Government Act 1989 (the Act) enables Council to delegate functions, duties or powers, other than exemptions under sections 86(4) 98(1) of the Act, to the Chief Executive Officer, Council staff and special committees established under Section 86.

Pursuant to Sections 98(6) and 86(6) of the Act, Council must review all delegations made by Council under Section 98(1) and Section 86, within a period of 12 months after a general election. This statutory review was carried out in 2013 following the previous year's election.

#### ***Discussion***

Further to the statutory process in 2013, a thorough review of all delegations was completed in early 2016 and Council formally adopted the updated instruments of delegation in June and July 2016.

Further updates to the legislation and regulations have been received by Maddocks which have now been incorporated into the documents attached, along with other changes associated with minor restructuring.

The instruments of delegation from Council to the CEO (S5), Council to staff (S6) and the Surf Coast Planning Committee (C5) are therefore attached for Council's adoption.

The main changes are summarised below:

Council to CEO (S5) – no change.

Council to Council staff (S6) – changes relating to titles, legislation and regulations (specifically the Planning and Environment Act 1987, Road Management Act 2004, Planning and Environment (Fees) Regulations 2016, Road Management (General) Regulations 2016 and Road Management (Works and Infrastructure) Regulations 2015).

Council to the Surf Coast Planning Committee (C5) – minor changes to the Planning and Environment Act 1987 ie the duty to consider the number of objectors in considering whether use or development may have significant social effect.

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

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

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

Theme	2 Governance
Objective	2.2 High performing accountable organisation
Strategy	Nil

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

Section 86(6) of the Act states that 'The Council must review any delegations to a special committee in force under this section within the period of 12 months after a general election'.

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

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

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

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

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

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

## **2.7 Review of Council Delegations to CEO, Staff and Surf Coast Planning Committee**

### ***Social Considerations***

Not applicable.

### ***Community Engagement***

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

### ***Environmental Implications***

There are no environmental implications arising from this report.

### ***Communication***

Changes to the current delegations will be communicated internally.

### ***Conclusion***

By carrying out a review of its instruments of delegation from Council to the CEO, staff and the Surf Coast Planning Committee, Council will ensure compliance with legislation and provide a clear framework that ensures that staff and the Planning Committee are aware of and acting within their designated levels of authority.

### 3. ENVIRONMENT & DEVELOPMENT

#### 3.1 Quarterly Program Status Report - January to March 2017

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

**Department:** Program Management Office **File No:** F17/287

**Division:** Environment & Development **Trim No:** IC17/316

**Appendix:**

1. Program Management Office - Program Status Report - Capital Projects - 31 March 2017 (D17/44659)
2. Program Management Office - Program Status Report - Operational Projects - 31 March 2017 (D17/44660)

**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 note the Quarterly Program Status Report for the January to March 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 January to March 2017 quarter.

#### **Council Resolution**

**MOVED Cr Rose Hodge, Seconded Cr David Bell**

That Council note the Program Status Report for the January to March 2017 quarter.

CARRIED 8:0



### 3.1 Quarterly Program Status Report - January to March 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 for each project.

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).

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	
			\$'000	%
Capital	14,966	22,455	7,490	50.05
Operational	1,922	3,617	1,695	88.19
<b>TOTAL</b>	<b>16,888</b>	<b>26,072</b>	<b>9,184</b>	<b>54.38</b>
	<b>Historically high figure</b>	<b>Significant increase</b>		

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

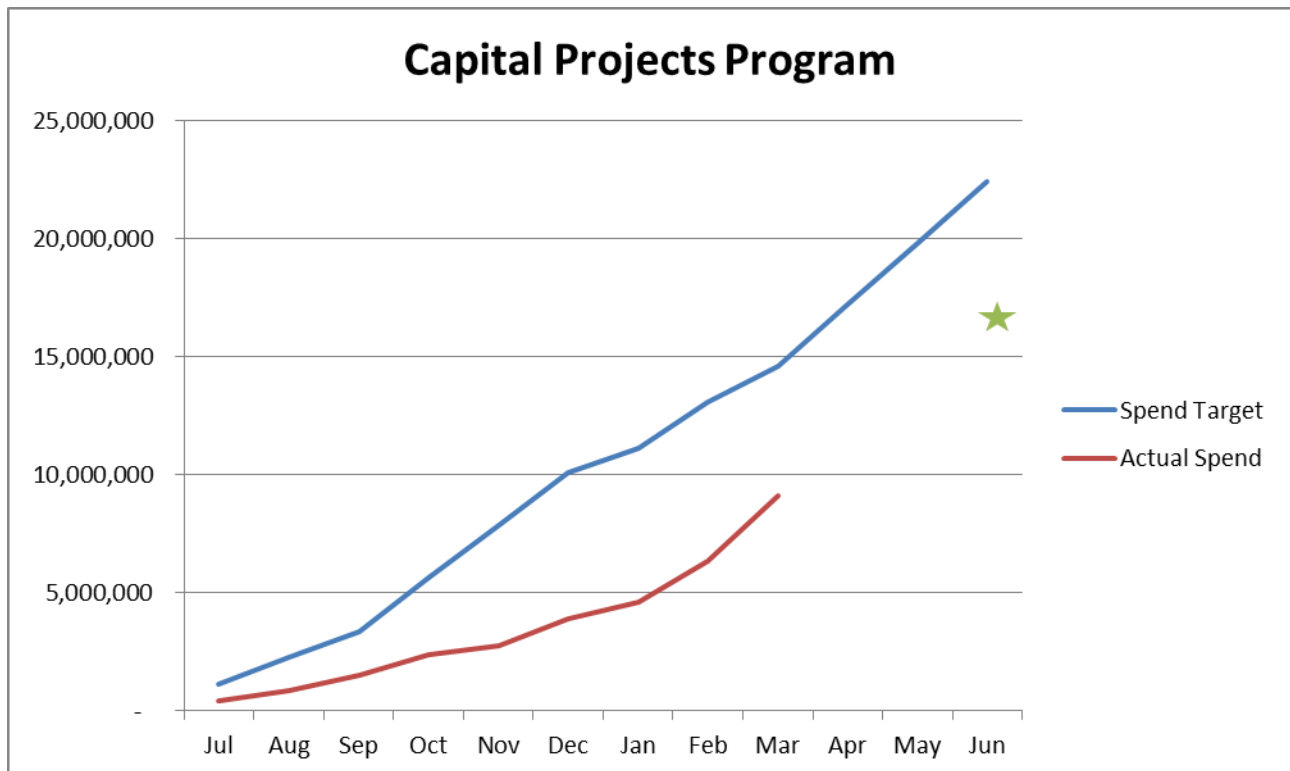
Quarter	Percentage (%) of annual spend
June to September 2016	15
October to December 2016	30
January to March 2017	20
April to June 2017	35

### 3.1 Quarterly Program Status Report - January to March 2017

The process to develop the 2017/18 budget, including the Program, has identified that the anticipated year end program spend will be \$19.81m. This will be less than the target of \$26.07m.

**Discussion**

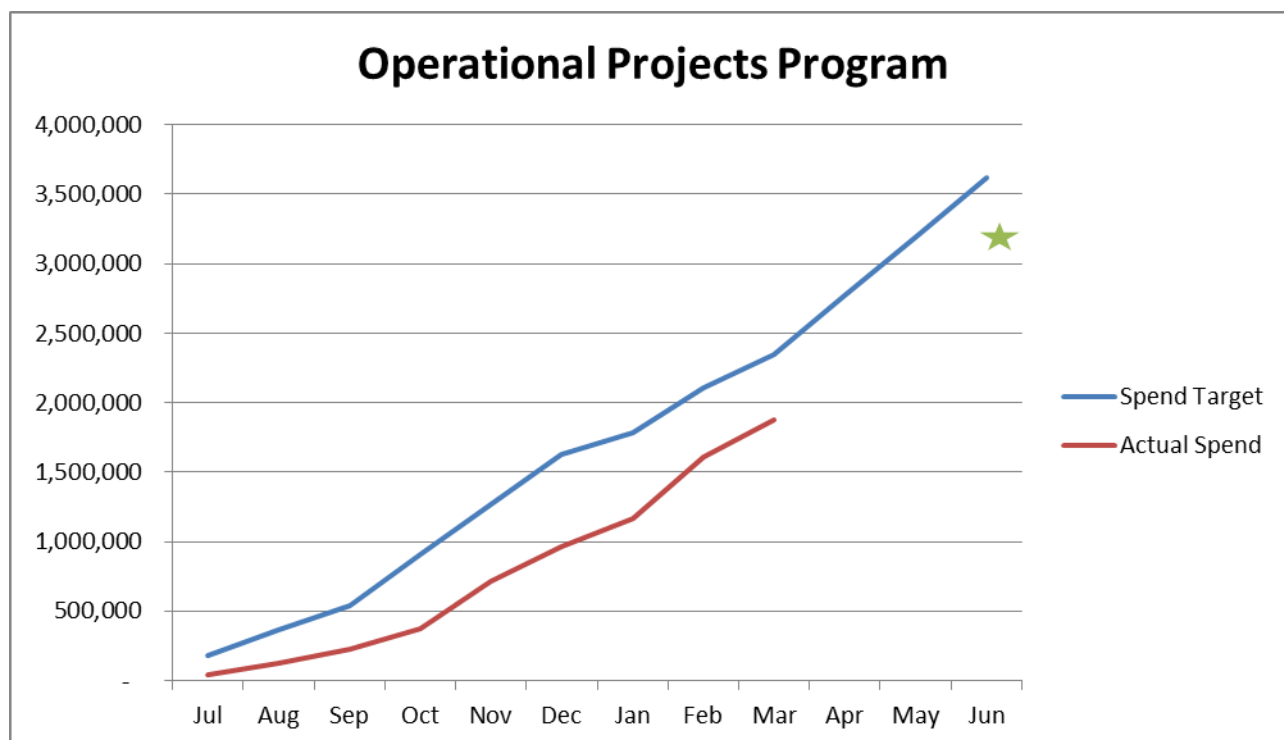
Spend for the Capital Project Program at 31 March was \$9.11m representing 62% of the projected Year to Date (YTD) spend of \$16.60m and 41% of the full year target of \$22.45m. During the budget process Councillors were provided were an anticipated year end Capital spend target based on progress to date. This anticipated Capital spend is \$16.68m. Spend target and actual spend YTD at 31 March is presented in the graph that follows. The anticipated spend is also represented in the chart below, denoted by a green star.



In addition to actual spend; \$8.73m has been committed by contract for capital projects. This indicates that projects have been mobilised however this is not a direct indication of spend that is guaranteed in this financial year as some commitments are spread over multi-year projects.

Spend for the Operational Project Program at 31 March was \$1.88m representing 80% of the projected YTD spend of \$2.35m and 52% of the full year target of \$3.70m. During the budget process Councillors were provided were an anticipated year end Operational spend target based on progress to date. This anticipated Operational spend is \$3.13m. Spend target and actual spend YTD at 31 March is presented in the graph that follows. The anticipated spend is also represented in the chart below, denoted by a green star.

### 3.1 Quarterly Program Status Report - January to March 2017



In addition to actual spend; \$0.41m has been committed by contract for operational projects. This indicates that projects have been mobilised however is not a direct indication of spend that is guaranteed in this financial year as some commitments are spread over multi-year projects.

The graphs above indicate that spend is tracking below target. In the last quarter a number of challenges impacting delivery have been encountered including the following:

- recent tender outcomes have not been favourable, particularly for road related projects. There is currently very strong competition for work in this sector, both public and private
- project completion times are being impacted on projects where we are reliant on external asset owners to complete pre work i.e. VicRoads approvals for Surf Coast Hwy / Beach Rd signalisation.

The budget development process for 2017/18 has identified that Program spend for 2016/17 will be below the target reported to Council on 6 September 2016 however it is anticipated to exceed the historically high figure of \$16.8m achieved in 2015/16. Officers are implementing the action plan presented to Council on 7 February 2017 to maximise delivery of the Program for 2016/17.

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.

### 3.1 Quarterly Program Status Report - January to March 2017

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.

#### ***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.

#### ***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 is tracking behind targeted spend for the January to March quarter. The budget development process for 2017/18 has identified that Program spend for 2016/17 is anticipated to reach \$19.81m, below the target reported to Council on 6 September 2016, however would exceed the historically high figure of \$16.8m achieved in 2015/16. Officers continue to implement the action plan presented to Council on 7 February 2017 to maximise delivery of the Program for 2016/17.

### 3.2 C122 - Customer Focused Planning Scheme Review - Local VicSmart Provisions

**Author's Title:** Statutory Planner

**General Manager:** Ransce Salan

**Department:** Planning & Development

**File No:** F16/451

**Division:** Environment & Development

**Trim No:** IC16/896

#### Appendix:

1. Schedule (Amended) to Clause 35.07 (FZ) (D17/49228)
2. Schedule 2 (Amended) to Clause 43.02 (DDO) (D17/49229)
3. Schedule 4 (Amended) to Clause 43.02 (DDO) (D17/49230)
4. Schedule 6 (Amended) to Clause 43.02 (DDO) (D17/49231)
5. Schedule 9 (Amended) to Clause 43.02 (DDO) (D17/49232)
6. Schedule 15 (Amended) to Clause 43.02 (DDO) (D17/49242)
7. Schedule to Clause 94 - Local VicSmart Provisions (D17/49233)
8. Schedule 1 to Clause 95 - IN3Z - Local VicSmart Provisions (D17/49234)
9. Schedule 2 to Clause 95 - RDZ1 - Local VicSmart Provisions (D17/49235)

#### 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 request the Minister for Planning to authorise the preparation and exhibition of Planning Scheme Amendment C122.

#### Summary

A review of recent planning permit activity has identified that the majority of applications are generated by a limited number of clauses (zone and overlay triggers) within the Surf Coast Planning Scheme. Targeted streamlining through an amendment to the planning scheme has the potential to make small but material reductions in the number of applications received annually and allow for a meaningful number of applications to be determined more quickly through local VicSmart applications. This will make it easier to undertake development within Surf Coast for straightforward matters. The scope of change to the planning scheme envisaged by this amendment has been recently reduced after the State VicSmart classes were expanded significantly by Amendment VC135 on 27 March 2017. That amendment has surpassed a number of matters previously considered for inclusion as local VicSmart classes.

#### Recommendation

That Council:

1. Seek Ministerial authorisation to prepare Amendment C122 to introduce a number of additional exemptions for minor matters and a range of local VicSmart application types.
2. Place Amendment C122 on public exhibition for one month following authorisation.
3. Receive a further report following community consultation and Hearing of Submissions at a future Council Meeting.

#### Council Resolution

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

That Council agree that 3.2 C122- Customer Focused Planning Scheme Review – Local VicSmart Provisions be deferred to a future meeting.

CARRIED 8:0

### 3.2 C122 - Customer Focused Planning Scheme Review - Local VicSmart Provisions

#### Report

##### **Background**

The purpose of this project is to review the Surf Coast Planning Scheme with the aim of reducing complexity and improving efficiency. As an outcome of this review it is proposed to amend the Surf Coast Planning Scheme to:

- provide additional exemptions from the requirement for a planning permit
- introduce local VicSmart provisions for a simpler process for specified application types.

##### **Discussion**

The customer focussed planning scheme review is being undertaken to identify policy neutral improvements to the Surf Coast Planning Scheme.

The key tasks of the review are to:

1. Map the permit triggers for the schedules to the overlays and provide recommendations as to how the number of applications could be reduced without impacting on the objectives of the overlays or schedules.
2. Identify improvements, including:
  - identify where exemptions to the planning controls can be introduced within the schedules to the overlays
  - identify where exemptions from public notice could be introduced to stream line the planning process further with sensitivity as to how this and other reform initiatives would be justified against the Council Plan
  - identify where application types could be included as local Vic Smart applications and what information requirements would be listed to achieve this.

##### Inputs

A review of planning permit applications made in 2014-15 found that the following clauses of the planning scheme were each generating more than 5% of applications (>25 applications per annum) in that time period:

Zone/Overlay	Clause	Provision	%
General Residential	32.08-2	Subdivision of land	9.3
	32.08-4	Two or more dwellings on a lot	5.8
Farming	35.07-1	Use	5.1
	35.07-4	Buildings and works	8.8
Environmental Significance Overlay Schedules 4 and 5 (Aireys Inlet to Eastern View)	42.02-2	Buildings and works, subdivision and vegetation removal	9.8
Design and Development Overlay Schedules 1, 2, 5, 6, 7, 8, 13, 14, 16, 20, 21, 22 and 23 (Torquay – Jan Juc)	43.02-2	Buildings and works	14.2
Neighbourhood Character Overlay Schedules 1, 2 and 3 (Aireys Inlet to Eastern View, Lorne and Anglesea)	43.05-2	Buildings and works	33.9
Bushfire Management Overlay	44.06-1	Buildings and works	6.9
All other Zone triggers			21.2
All other Overlay triggers			37.4
Particular Provision triggers			19.4

It should be noted that as a planning permit may be triggered by more than one clause the total percentage is about 170%. For 1041 applications within the time period there were 1876 permit triggers; with as many as eight permit triggers for a single application.

There is likely to be an overlap of permits triggered particularly by ESO4/5 and NCO1 and the BMO, but it is estimated that approximately 75% of applications derive from these eight triggers. This information provides a guide for focussing efforts to achieve significant gains in efficiency. Further inputs have come internally from staff within the Planning and Development Department and from a workshop with external stakeholders.

### 3.2 C122 - Customer Focused Planning Scheme Review - Local VicSmart Provisions

#### Reducing permit triggers

There are limited opportunities to meaningfully reduce permit triggers. The content of zones and overlays is determined by the State controlled Victoria Planning Provisions (VPP) and local planning permit triggers or exemptions may only be introduced by schedules where the VPP zone or overlay allows for these to be written in.

#### *General Residential Zone*

There is no scope to reduce the 15% of applications under the General Residential Zone (GRZ) as exemptions cannot be scheduled in to the GRZ; irrespective these permit triggers are for significant matters which are appropriately assessed through the permit process.

#### *Farming Zone*

The Farming Zone (FZ) does allow for the scheduling of a number of permit trigger thresholds:

- the floor area above which a permit is required to extend a dwelling, construct an outbuilding to a dwelling or extend the area of an agricultural building where these are associated with Section 2 uses (i.e. a dwelling on a lot below the minimum lot size)
- the land where earthworks triggers apply
- the minimum setback of buildings from roads, boundaries and other dwellings.

The schedule to the FZ presently defaults to the State maximums for the floor area triggers and all land is subject to the earthworks triggers (earthworks which alter the rate of flow or discharge point of water across a property boundary or increase the discharge of saline groundwater). The present scheduled setbacks are:

- 100m from a Road Zone Category 1
- 40m from a Road Zone Category 2
- 20m from any other road
- 5m from a boundary
- 100m from a dwelling not in the same ownership.

The basis for the FZ schedule is found in the LPPF with the Municipal Framework plan at Clause 21.01-4 identifying as a key strategic direction for the Shire

*To recognise that rural landscape vistas are highly valued for their contribution to the amenity and liveability of rural areas.*

Further Clause 21.06 Rural Landscape has an objective:

*To protect and maintain open and uncluttered rural landscapes, including vistas from main road corridors.*

*To recognise the importance of maintaining the visual landscape qualities of the Great Ocean Road environs both for residents and visitors to the coast.*

This is implemented by:

*In considering any application for a non-agricultural land use and/or development apply the following development principles:*

- *buildings should be of modest scale and nestle into the landscape*
- *buildings should be subservient to the landscape so as not to detract from its visual qualities*
- *proposals should include net gain environmental outcomes*
- *development should be self-sufficient in the provision of infrastructure and associated costs.*

*Applying permit triggers in the schedules to the rural zones for buildings within road setback areas to minimise the visual impact of development along main and tourist access roads.*

In this context, to achieve the stated objectives it is considered that the current setbacks are appropriate and should be retained without alteration. It is considered, however, that there is scope to increase the size of extensions to a dwelling and domestic outbuildings which may be constructed without a planning permit. It is recommended that the schedule be amended to:

### 3.2 C122 - Customer Focused Planning Scheme Review - Local VicSmart Provisions

Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres).	All land, other than land adjoining the Great Ocean Road	200
	Land adjoining the Great Ocean Road	100
Maximum floor area for which no permit is required to construct an out-building associated with a dwelling (square metres)	All land, other than land adjoining the Great Ocean Road	200
	Land adjoining the Great Ocean Road	100

If the building setbacks specified by the schedule are achieved, an extension to a dwelling or outbuilding of 200m<sup>2</sup> is unlikely to prejudice the rural landscape, particularly long range vistas and the sense of openness. The permit trigger is proposed to be maintained at 100m<sup>2</sup> for land adjacent the Great Ocean Road in recognition of the importance attached to this corridor including the road's State and National heritage listing.

#### *Environmental Significance Overlay*

Environmental Significance Overlay (ESO) Schedules 4 and 5 apply to the townships of Aireys Inlet, Fairhaven, Moggs Creek and Eastern View and trigger a planning permit for all buildings and works, native vegetation removal and fencing. The buildings and work trigger doubles up with the permit requirement within the Neighbourhood Character Overlay (NCO) Schedule 1, therefore introducing even a complete exemption for buildings and works would not reduce the number of applications. The decision guidelines of ESO4 and ESO5 include considerations relevant to development therefore a permit trigger under these overlays is necessary.

ESO4 and ESO5 are also being reviewed and proposed to be amended by Amendment C96. This amendment focusses on the protection of identified biodiversity assets within township areas. The amendment proposes to replace 6 overlays (ESO3, ESO4, ESO5, VPO1, VPO2 and VPO3) in the townships with a single new ESO4. In light of this amendment, which has recently been to a Panel hearing, it is not proposed to undertake further amendments to these ESO schedules.

#### *Design and Development Overlay*

Many of the schedules to the Design and Development Overlay (DDO) which apply in Torquay and Jan Juc cover land in commercial and industrial zones (Schedules 2, 5, 6, 7, 16 and 23). A DDO is also applied to the commercial zoned land within other townships (Schedule 4 – Lorne, Schedule 9 – Anglesea, Schedule 15 – Aireys Inlet). The zones also trigger a permit and the respective DDO is used to introduce local design objectives and requirements. The Commercial 1 Zone includes an exemption for:

- An alteration to an existing building façade provided:
  - the alteration does not include the installation of an external roller shutter
  - at least 80 per cent of the building facade at ground floor level is maintained as an entry or window with clear glazing.

It is proposed that this exemption be replicated in the DDO schedules which apply to land zoned Commercial 1 (C1Z) for ground floor facades to enable alterations to shop fronts (such as changing the location of a doorway) without requiring a planning permit under the zone or overlay. This is likely to result in a small reduction in applications.

The schedules (20, 21 and 22) which apply to the residential areas in Torquay and Jan Juc were largely applied by Amendment C66 in 2014. Amongst other things this amendment implemented the *Torquay-Jan Juc Neighbourhood Character Study & Vegetation Assessment (2006)* and *Torquay-Jan Juc Neighbourhood Character Study Review (2012)*.

Feedback was received during internal and external consultation that the permit trigger within Schedules 20, 21 and 22 to construct a building when the garage is not setback behind the front wall of the dwelling by at least 1.0m was viewed as providing limited value in achieving preferred character outcomes. Within the 2 year period reviewed, 11 applications (~1.1%) were required only due to this permit trigger and don't represent a significant processing burden. An improvement has been made to the schedules by Amendment C102 (on 12/2/2015) to clarify that the trigger only applies to a new garage or carport to avoid a permit being required to construct a building where the relationship of garage to dwelling is a pre-existing situation.



### 3.2 C122 - Customer Focused Planning Scheme Review - Local VicSmart Provisions

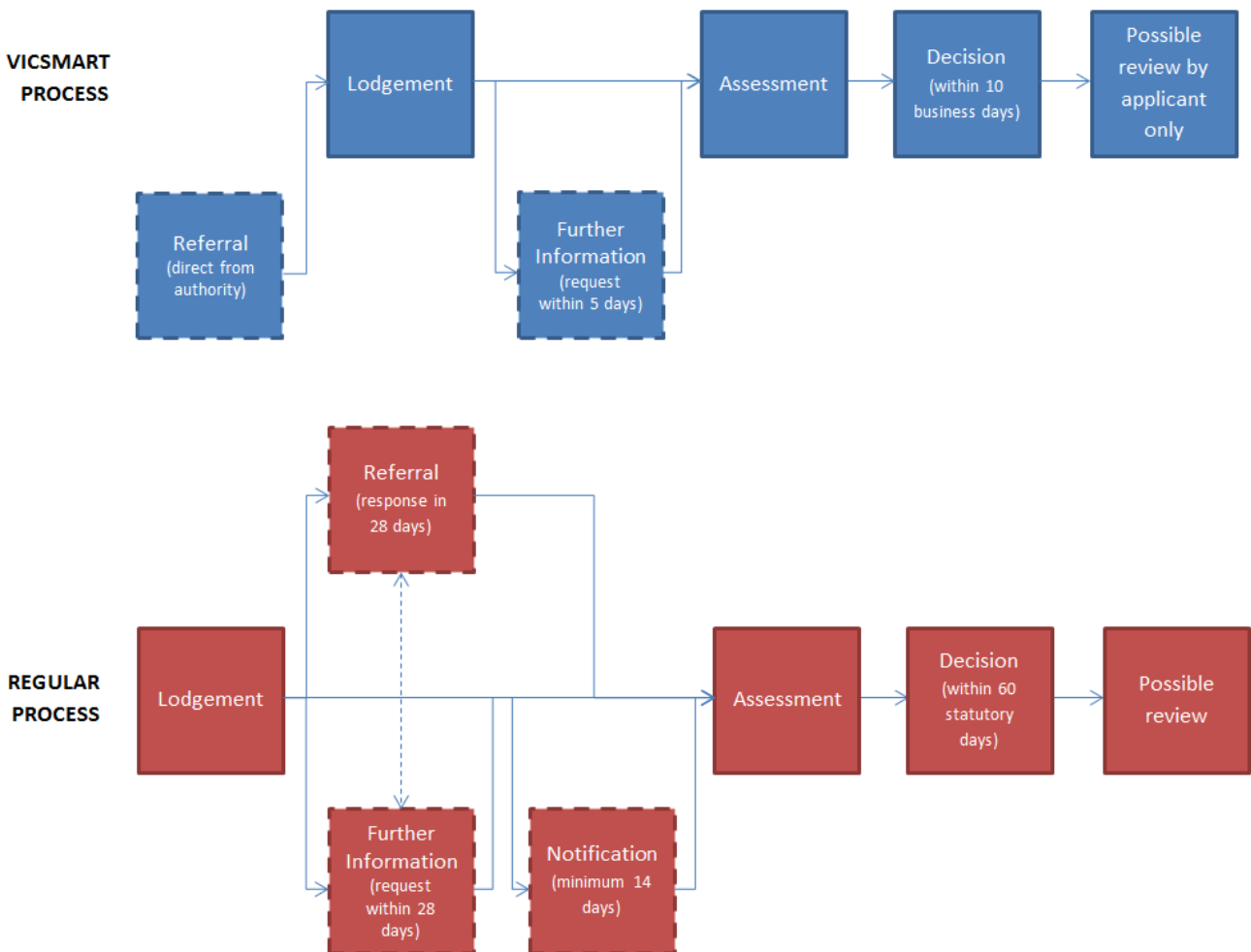
It is considered that it would be inappropriate to remove this permit trigger without undertaking further strategic assessment.

#### *Neighbourhood Character Overlay*

Over a third of all applications are for a permit under the NCO which is applied to the coastal townships of Aireys Inlet-Fairhaven, Lorne and Anglesea (Schedules 1, 2 and 3 respectively). The VPP NCO triggers a planning permit for all buildings and works other than for outdoor swimming pools and for an outbuilding normal to a dwelling, which may be triggered under a schedule. Each of the three schedules does require a permit for these developments and are relevant to achieving the preferred neighbourhood character. The VPP NCO does not allow a schedule to exempt other specified buildings and works; therefore there is no scope to reduce the number of permit requirements under this overlay. However there is potential to consider using local VicSmart provisions for some application types.

#### Local VicSmart

VicSmart is a streamlined planning permit process which aims to determine applications within 10 business days of lodgement. A simple comparison with the regular application process is provided by the following graphics:



### 3.2 C122 - Customer Focused Planning Scheme Review - Local VicSmart Provisions

Steps	Regular permit process	VicSmart process
Requesting further information under s.54 of the Act	If the request is made within 28 days of receiving the application, the statutory clock stops and returns to zero when the information is received.	If the request is made within five days of receiving the application, the statutory clock stops and returns to zero when the information is received.
Giving notice of the application under s.52 of the Act	Yes. If the responsible authority considers giving notice is necessary.	No. The giving of notice is not required.
Referring the application under s.55 of the Act	Yes. If required, the applicant can submit written consent with the application or council can refer the application after it has been received.	No. If required, written consent from a referral authority must be submitted with the application.
Matters to be considered when assessing the application	Full assessment against the requirements of s.60 of the Act, SPPF, LPPF and local provisions.	Only assessed against the VicSmart decision guidelines.
Deciding the application	Council (or delegate).	Chief Executive Officer (or delegate).
Third party review rights	Yes. Unless specifically exempt in the planning scheme.	No. Only an applicant has a right of review.
Applicant review against failure to decide	60 calendar days after lodgement. Applicant may apply for a review if no decision is made within time.	10 business days after lodgement. Applicant may apply for a review if no decision is made within time.

VicSmart is implemented by Clauses 90 to 95 of the planning scheme. The VicSmart provisions don't trigger a permit; permits are triggered in the usual way by the zones, overlays and particular provisions. Clauses 92 and 94 specify which classes of application are VicSmart. Clause 92 specifies a range of applications which are State VicSmart, in other words they are VicSmart in all planning schemes across the State (in the VPP) and can't be varied by the local scheme. This includes (not set out in full):

- subdivision to realign a boundary in all residential, commercial, industrial and rural zones
- subdivision of land into lots each containing an existing building or car parking space in all residential (other than LDRZ), commercial and industrial zones
- subdivide land into two lots which doesn't include a vacant lot in all residential (other than LDRZ), commercial and industrial zones
- subdivide land into two lots above the minimum lot size in the rural zones
- construct a building or works with a cost of less than \$1,000,000 in all industrial zones including land covered by a Design and Development Overlay
- construct a building or works with a cost of less than \$500,000 in all commercial, special use and comprehensive development zones including land covered by a Design and Development Overlay
- construct a building or works with a cost of less than \$500,000 in the Farming Zone (with some qualifiers)
- construct a building or works with a cost of less than \$250,000 in the Rural Living and Rural Conservation zones (with some qualifiers).
- construct a fence in an overlay
- remove, destroy or lop one tree in an overlay
- subdivision and various buildings and works in the Heritage Overlay

### 3.2 C122 - Customer Focused Planning Scheme Review - Local VicSmart Provisions

- construct a carport, garage, pergola, verandah, deck, shed or similar structure or rainwater tank in the Environmental Significance Overlay, Significant Landscape Overlay, Design and Development Overlay, Neighbourhood Character Overlay and Salinity Management Overlay
- display a sign in all commercial and industrial zones
- reduce the required car parking by no more than 10 spaces
- reduce the loading bay requirements.

As a result Council already processes a number of VicSmart applications. Clause 94 enables local VicSmart application types to be scheduled to allow more application types to fall within the VicSmart process. A schedule may specify any application under a zone, overlay or particular provision. Where a proposal has more than one permit trigger, each trigger must be classed as VicSmart for the application to fall in to the VicSmart process.

The State classes were expanded significantly by Amendment VC135 on 27 March 2017 and this amendment has surpassed a number of matters considered for inclusion as local VicSmart classes.

Inherently VicSmart is intended for straight-forward applications. For an application class to be suitable for VicSmart it must be unlikely that the grant of a permit for the proposed use or development will cause material detriment (relevant to the permit trigger) to any person given the removal of objection and third party review rights.

It is proposed that the following matters be scheduled as local VicSmart classes of application:

Zone	Application purpose
<b>Industrial 3</b>	Use land for industry or warehouse for a purpose without adverse amenity potential*.
<b>Farming</b>	<p>Construct buildings and works associated with a single dwelling where the setbacks of the FZ are met.</p> <p>Construct an extension or alteration to an existing building associated with a single dwelling which doesn't meet the setbacks of the FZ where the setback is not reduced.</p> <p>Construct an extension or alteration to an existing building associated with extensive animal husbandry or crop raising which doesn't meet the setbacks of the FZ where the setback is not reduced.</p>
Overlay	
<b>Design and Development Schedule 1 (Torquay)</b>	Construct a building which is more than 7.5 metres above ground level and not exceeding 8.0 metres above ground level.
<b>Design and Development Schedules 20, 21 and 22 (Torquay)</b>	Construct a new garage or carport associated with one existing dwelling on a lot that is not setback from the street at least 1 metre further than the wall of the dwelling.
<b>Neighbourhood Character Overlay Schedules 1, 2 and 3 (Aireys Inlet to Moggs Creek, Lorne and Anglesea)</b>	Alter an existing building where the gross floor area and height above ground are not increased.

### 3.2 C122 - Customer Focused Planning Scheme Review - Local VicSmart Provisions

<b>Salinity Management</b>	Construct a building or carry out works associated with one dwelling on a lot connected to reticulated sewerage.
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<b>Land Subject to Inundation</b>	Construct a building or carry out works.
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#### Particular Provision

<b>Clause 52.29</b>	Create or alter access to a road in a Road Zone, Category 1.
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**Land Adjacent to a Road Zone, Category 1, or a Public Acquisition Overlay for a Category 1 Road**

\* An industrial or warehouse use which is not listed with a Note 1 or 2 in Clause 52.10 or exceeds the threshold distance specified in Clause 52.10 and is not within 30m of residential zoned land.

#### **Financial Implications**

The project is being undertaken within operational budgets.

The proposed introduction of additional permit exemptions and local VicSmart provisions will make the process of developing or establishing a new business in Surf Coast easier for some matters; reducing the associated costs and encouraging investment. It is also likely to reduce the cost to Council of providing planning services, by eliminating some applications and allowing a streamlined process for others. Reducing workloads also allows planning staff to determine the remaining applications more thoroughly and efficiently.

#### **Council Plan**

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

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

An amendment to the planning scheme will be prepared and processed in accordance with the requirements of the *Planning and Environment Act 1987*.

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

The officer is an owner of property within Aireys Inlet and as a result has the potential to benefit from the proposed VicSmart application classes. It is considered that the officer does not have a direct or indirect conflict of interest pursuant to s.77A(4) as the interest could not reasonably be regarded as capable of influencing any actions or decisions of the relevant person in relation to the matter and s.77A(5) as the interest is held as a resident, ratepayer or voter and does not exceed the interests generally held by other residents, ratepayers or voters.

#### **Risk Assessment**

There are no perceived risks associated with the preparation and exhibition of an amendment which will be undertaken in accordance with the requirements of the *Planning and Environment Act 1987*.

#### **Social Considerations**

The proposed amendment would reduce "red tape" for people wishing to undertake a range of straight-forward matters, but it would also remove any third party involvement, including the right to appeal Council's decision. As the range of proposed exemptions and local VicSmart applications are targeted to matters which are unlikely to cause material detriment to neighbouring properties or the broader community it is considered that there is unlikely to be adverse social impacts. Local VicSmart applications are still subject to a merits assessment by Council planning officers which includes consideration of social impacts (where relevant to the permission required).

### **3.2 C122 - Customer Focused Planning Scheme Review - Local VicSmart Provisions**

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

Early engagement was undertaken in the first quarter of 2016 at an external stakeholder workshop (with representatives from the planning and building industries and community interest groups) which informed the preparation of the proposed local VicSmart provisions.

Recently the draft local VicSmart and new exemption provisions have been shared with key community groups (such as 3228, AIDA, Friends of Lorne, tourism and traders organisations) to gauge community reaction before proceeding with the planning scheme amendment. At the time of preparing this report no comments have been received.

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

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

There are no perceived environmental implications associated with the project or the preparation and exhibition of the amendment.

#### ***Communication***

Notice will be given of the amendment in accordance with the legislative requirements of the *Planning and Environment Act 1987*.

#### ***Conclusion***

A review of recent planning permit activity has identified that the majority of applications are generated by a limited number of clauses (zone and overlay triggers) within the Surf Coast Planning Scheme. Targeted streamlining has the potential to make small but material reductions in the number of applications received annually and allow for a meaningful number of applications to be determined more quickly through local VicSmart applications. This will make it easier to undertake development within Surf Coast for straightforward matters.

### 3.3 Planning Scheme Amendment C119 - 7, 7A and 7B Walker Street Torquay - Adoption

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

**General Manager:** Ransce Salan  
**File No:** F16/1536  
**Trim No:** IC17/263

**Appendix:**

1. Clause 21.08 (D17/29567)
2. Schedule to Clause 45.01 (D17/29568)
3. Schedule to Clause 61.03 (D17/29573)
4. Explanatory Report (track changes) (D17/49450)
5. Area to be deleted from PAO2 (D17/29596)

**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 a submission received to Surf Coast Planning Scheme Amendment C119 and adoption of the amendment.

#### Summary

Amendment C119 applies to land at 7, 7A and 7B Walker Street and proposes to remove the Public Acquisition Overlay (PAO2) applicable to this land.

The Amendment is required as a result of this overlay no longer being required as determined within the Torquay Town Centre Car Parking and Access Strategy Review 2016.

Amendment C119 was placed on public exhibition from 12 January 2017 to 17 February 2017 and one submission was received from a Torquay resident. As a result of discussions held with the submitter, the submission was withdrawn, subject to minor changes being made to the Explanatory Report. Council is now able to consider the adoption of the Planning Scheme Amendment.

#### Recommendation

That Council:

1. Having considered the submission to Amendment C119, adopt the amendment with minor changes to the Explanatory Report as shown in Appendix 4.
2. Submit the adopted amendment to the Minister for Planning for approval.

#### Council Resolution

**MOVED Cr Rose Hodge, Seconded Cr David Bell**

That Council:

1. Having considered the submission to Amendment C119, adopt the amendment with minor changes to the Explanatory Report as shown in Appendix 4.
2. Submit the adopted amendment to the Minister for Planning for approval.

CARRIED 8:0

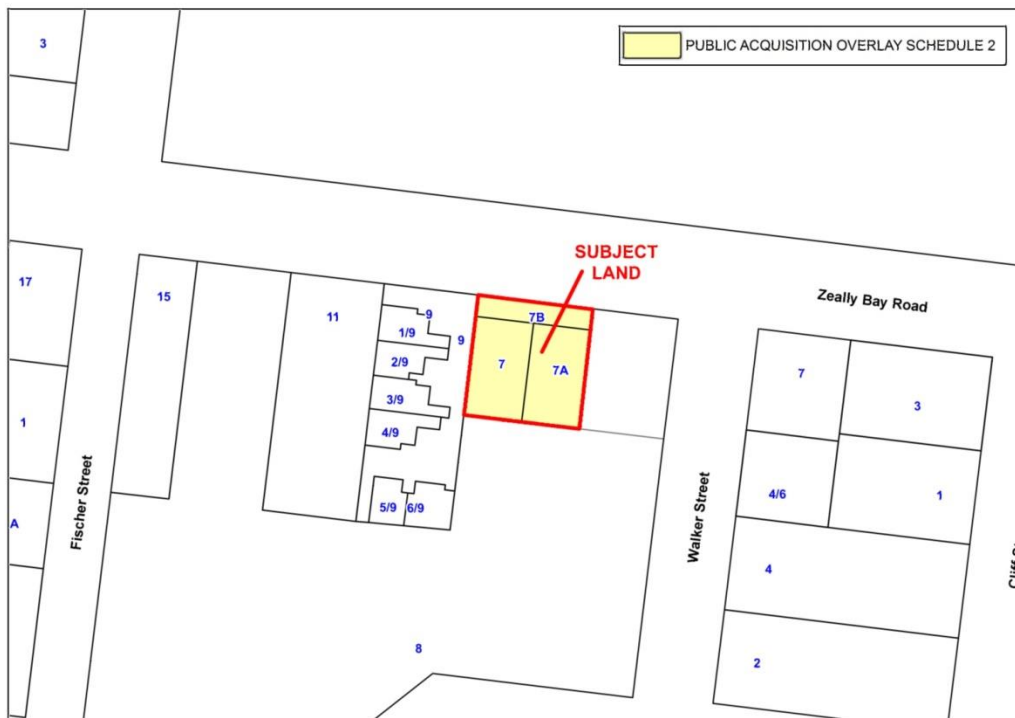
### 3.3 Planning Scheme Amendment C119 - 7, 7A and 7B Walker Street Torquay - Adoption

#### Report

#### **Background**

Amendment C119 proposes to remove the Public Acquisition Overlay (PAO2) from land at 7, 7A and 7B Walker Street, Torquay. (Refer Figure 1).

**Figure 1 – Subject Land**



The current PAO2 was applied in accordance with the previous '*Torquay Town Centre Parking and Access Strategy 2011-16*,' (2011) which recommended the public acquisition of the land for car parking purposes.

Council at its meeting held on 13 September 2016 resolved to prepare a planning scheme amendment to remove the PAO2 from the subject land. '*Torquay Town Centre Access and Parking Strategy Review 2016-2021*' demonstrated that public car parking could be delivered more cost efficiently without purchasing additional private land. Consequently the land within the PAO2 area is no longer required for public car parking.

#### **Discussion**

Amendment C119 was placed on public exhibition from 12 January 2017 to 17 February 2017 and one (1) submission was received from a resident of Torquay.

The submission raises concerns about removing the PAO for the acquisition and construction of land by Council to provide a public car park with 25 spaces. It was assumed by the submitter that Council was relying on publicly available car spaces on privately owned land to fulfil car parking requirements in the town centre. The submission highlights that the exhibited Explanatory Report for the Amendment states that the '*Torquay Town Centre Access and Parking Strategy Review 2016-2021* (2016) recommends the removal of the PAO on the basis that 'alternative options' (both on public and private land) for the provision of car parking within the town centre can potentially be implemented, and that these 'alternative options' can "provide sufficient spaces to meet forecast car parking demand up to 2036 in a more cost efficient manner".

#### Officer Comment

The land covered by the current PAO is capable of providing only 25 car spaces. The '*Torquay Town Centre Access and Parking Strategy Review 2016-2021* (2016) demonstrated that sufficient public car parking can be provided in a more cost effective manner elsewhere in the Torquay Town Centre.

### **3.3 Planning Scheme Amendment C119 - 7, 7A and 7B Walker Street Torquay - Adoption**

A total of 82 additional car spaces could be accommodated across five locations being:

- The Esplanade - Road reserve widening and construction of 60 degrees angle parking – 12 additional car spaces
- Cliff Street - Construction of 90 degrees angle parking on the east side - 14 additional car spaces
- Zeally Bay Road Taylor Park frontage - Pave and seal - 10 additional car spaces
- Payne Street - 60 degree format - approximately 20 additional car spaces, and
- Bristol Road - Road widening to provide indented car parking - 26 additional car spaces.

There is an advantage of providing car parking on public land as the cost of acquisition is removed from project costs which results in more car parking spaces being purchased for the same contribution.

Car spaces on private land constructed as part of future development will contribute to car parking provision in the centre, but are considered as additional to the spaces on public land constructed by Council.

Discussions were held between the submitter and Council officers and the submission has now been withdrawn. A condition of withdrawal of the submission is that minor changes be made to the Explanatory Report to clarify that the removal of PAO2 is based on Council delivering public parking on existing public land and is not reliant on the provision of private car parking on private land. Draft changes have been made to the Explanatory Report (refer Appendix 4) to accommodate the concerns of the submitter. These minor changes to the Explanatory Report do not compromise the integrity of the overall amendment and do not materially change it.

Since the submission has been withdrawn and there are no further submissions to the amendment, Council is in the position to adopt Amendment C119 and forward the adopted Amendment to the Minister for approval, with changes to the Explanatory Report as shown in Appendix 4.

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

The amendment is funded within the Strategic Planning budget for 2016/2017 financial year.

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

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

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

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

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

A change has been made to the amendment in the manner requested by the submitter.

#### ***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 adopting the amendment and submitting it to the Minister for Planning for final approval.

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

The removal of PAO2 from the subject land will remove the need for land acquisition costs resulting in a benefit to the community.

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

The Amendment was exhibited in accordance with the legislative requirements of the *Planning and Environment Act 1987*.



### **3.3 Planning Scheme Amendment C119 - 7, 7A and 7B Walker Street Torquay - Adoption**

Under delegation, the Minister for Planning granted an exemption from the requirements of section 19(2) and 19(3) of the *Planning and Environment Act 1987*, to publish notices of the amendment in the local newspaper and the Government Gazette. Notices of the amendment were sent to the affected landowners as it is considered that they may be materially affected by the amendment. The amendment was also published on Council's website.

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

There are no environmental implications associated with the amendment.

#### ***Communication***

The landowners will be notified of Council's decision.

#### ***Conclusion***

Having considered the merits of the amendment, the submission received and grounds for withdrawal of the submission, it is recommended that Council adopt the amendment with changes to the Explanatory Report and submit it to the Minister for Planning for approval.

### 3.4 Planning Permit Application 16/0353 - 82-84 Mountjoy Parade, Lorne

**Author's Title:** Statutory Planner  
**Department:** Planning & Development  
**Division:** Environment & Development  
**General Manager:** Ransce Salan  
**File No:** 16/0353  
**Trim No:** IC17/392

**Appendix:**

1. Officer Report (D17/49255)
2. Application Plans (D16/87144)
3. Planning Report (D16/82024)
4. Traffic/Parking Report (D16/82033)

**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 determine Planning Permit Application 16/0353 for 82-84 Mountjoy Parade Lorne.

#### Summary

82-84 Mountjoy Parade Lorne is presently developed by a single storey building, setback from the street, which is used as a tavern, including large forecourt and deck within the street setback. An application has been received to redevelop the property with a four storey building, including basement car park. The new building would accommodate two side by side taverns at ground floor and two apartments on each of the second and third floors. The third floor apartments each have a rooftop deck with spa. The application includes increasing the maximum number of patrons permitted across the taverns to 360 (an increase of 178 above the limit of the existing tavern) and reducing standard car parking and loading bay requirements.

A Senior Statutory Planner has made an assessment of the application and recommends that it be supported with a notice of decision to grant a permit issued. The matter has been referred to Council to decide the application as it represents a significant proposal for the Lorne township.

The application proposes to provide residential parking onsite but seeks a waiver of 71 car parking spaces associated with the sought after increase in tavern patron numbers. Policy for Lorne supports waiving patron parking but residential and staff parking should be provided onsite. The application hasn't proposed any staff parking, but the applicant has committed to amending the proposal to provide an additional two car parking spaces on site for staff parking and request that this be imposed by condition of any permit that is granted.

The proposed size of licensed premises (360 patrons) is a significant increase and represents a substantial late night licensed premises, with the two tenancies proposed to operate initially as one premises. There is an increase in the potential for the amenity of the area to be impacted with this proposed increase in the intensity of activity, particularly with residential use being introduced to the upper levels of the proposed building. It is recommended that a moderation of patron numbers is appropriate.

#### Recommendation

That council having caused notice of Planning Application No. 16/0353 to be given under Section 52 of the *Planning and Environment Act 1987* and having considered all the matters required under Section 60 of the *Planning and Environment Act 1987* decides to Grant a Notice of Decision to Grant a Permit under the Surf Coast Planning Scheme in respect of the land known and described as Lot 2 L/P 141746 commonly known as 82-84 MOUNTJOY PARADE, LORNE for the Construction of a four storey building including a basement car park, two taverns and four dwellings and which exceeds the height and plot ratio requirements of Schedule 4 to the Design and Development Overlay; use for the sale and consumption of liquor (on-premises licence associated with the use of tavern); to reduce the car parking requirements of Clause 52.06 and to waive the loading bay requirements of Clause 52.07 of the Surf Coast Planning Scheme in accordance with the plans received by the Responsible Authority on 6 September 2016, subject to the following conditions:

### 3.4 Planning Permit Application 16/0353 - 82-84 Mountjoy Parade, Lorne

#### USE AND DEVELOPMENT

##### **Acoustic report**

1. Concurrent with the plans required by Condition 3, a qualified acoustic expert must prepare an acoustic report and a copy must be provided to the Responsible Authority, that details the noise attenuation measures (physical and/or managerial) required to ensure that the residential amenity of surrounding residential use, including on the subject land, is not materially impacted, including compliance with the requirements of the *Guidelines: Noise from Industry in Regional Victoria*, EPA Publication 1411 and *State Environment Protection Policy (Control of Music Noise from Public Premises) No. N-2* (SEPP N-2). The report must consider, but is not limited to, noise from:
  - a) Mechanical plant and equipment;
  - b) Delivery and waste collection operations;
  - c) Recorded or live musical entertainment from the licensed premises;
  - d) Patrons;
  - e) Preparation and clean up activities.

The recommendations of the acoustic report must be approved by Council in writing and once approved implemented to the satisfaction of the Responsible Authority prior to the completion of the development.

##### **Acoustic compliance testing**

2. Within one (1) month of the occupation of the commercial premises, acoustic testing shall be undertaken by a suitably qualified professional to assess compliance with the requirements of the endorsed acoustic report required by condition 1, the *Guidelines: Noise from Industry in Regional Victoria*, EPA Publication 1411 and *State Environment Protection Policy (Control of Music Noise from Public Premises) No. N-2* (SEPP N-2). The assessment shall be provided to the responsible authority within one (1) month of completion of testing and shall include recommendations, if required, to achieve compliance. Any rectification recommendations must be implemented to the satisfaction of the responsible authority within one (1) month of the responsible authority's approval of the acoustic testing, unless an alternative timeframe is agreed in writing with the responsible authority.

#### DEVELOPMENT

##### **Amended plans required for endorsement**

3. Before the 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 with the application but modified to show:
  - a) The spa and roof deck balustrade at the penthouse levels set in one metre from the north and south property boundaries without further reducing the front setback.
  - b) At least 10 car parking spaces within the basement which must meet the Design Standards of Clause 52.06-8 of the planning scheme unless otherwise agreed by the responsible authority. These spaces must be provided without increasing the height or volume of the building, other than an increase in the volume of the basement.
  - c) The designation of car spaces to each tenancy.
  - d) The location of service ducts.
  - e) The location of external plant and equipment including but not limited to service units for heating, cooling and hot water, solar panels, service shafts, ventilation systems, waste chute, service metres, car park mechanical exhaust and ventilation which is to be located and designed so as not to be visually prominent from the public realm or neighbouring properties. Where visible the plant shall be appropriately screened.
  - f) A schedule of external materials, finishes and colours incorporating colour samples. External colours should be neutral and muted to assist in visually blending the building with the surrounding natural landscape.
  - g) Details of the acoustic attenuation measures recommended in the acoustic report required by condition 1.
  - h) Waste storage facilities in accordance with the endorsed waste management plan required by Condition 4(b).

### 3.4 Planning Permit Application 16/0353 - 82-84 Mountjoy Parade, Lorne

4. Concurrent with the plans required by Condition 3:
- a) A construction management plan (three copies) to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must address the following matters:
- i) Measures to minimise the impact of construction vehicles arriving at, queuing, and departing from the land;
  - ii) Measures to accommodate the private vehicles of workers/ tradespersons;
  - iii) Details of the location of all construction equipment and facilities, including delivery points, storerooms, toilets, temporary offices and workers' facilities;
  - iv) Noise attenuation measures to be put in place to protect the amenity of nearby residents during construction having regard to the EPA Guidelines on Construction and Demolition Noise;
  - v) Measures to minimise the generation and dispersal of dust;
  - vi) Details of a 24 hour hotline for access to a contact person or project manager accountable for the project and compliance with the CMP;
  - vii) Arrangements for waste collection and other services to be provided during construction.
  - viii) Protection of adjoining land, including public land.
  - ix) Protection of water quality;
  - x) Protection of existing infrastructure, landscaping and adjoining land.

Once endorsed the plan must be implemented to the satisfaction of the Responsible Authority during the carrying out of the development.

- b) A waste management plan (three copies) to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must address the following matters:
- i) Details of the anticipated volumes of wastes and recycling that will be generated and how this is determined.
  - ii) Precise details of the quantity, size and type of bins that will be provided for waste and recycling proposal.
  - iii) A plan detailing adequate bin storage for the prescribed number of bins.
  - iv) A plan detailing adequate bin collection space for the prescribed number of bins, with both suitable space for placement and access/egress for collection vehicles.
  - v) The standard coloured waste and recycling bins nominated for use.
  - vi) The times of collection and the names of person who will be responsible for collection of the waste in accordance with the approved waste management plan including ensuring that collection does not adversely affect the amenity of the area.

Once endorsed the plan must be implemented to the satisfaction of the Responsible Authority.

#### **Noise policy guidelines**

5. Noise levels emanating from the premises must not exceed those required to be met under *Guidelines: Noise from Industry in Regional Victoria, EPA Publication 1411* and *State Environment Protection Policy (Control of Music Noise from Public Premises) No. N-2 (SEPP N-2)*

#### **Maximum building height - RL**

6. The maximum building height must not exceed RL 20.10 (central rooftop wall) and RL19.90 (spa balustrade) in accordance with the endorsed plans and to the satisfaction of the responsible authority.

#### **Surveyor's certificate**

7. A written statement from a licensed surveyor must be submitted for approval to the responsible authority confirming that the building will not exceed the levels specified on the endorsed plans. The statement shall be submitted to the responsible authority at completion of the frame of the building.

### **3.4 Planning Permit Application 16/0353 - 82-84 Mountjoy Parade, Lorne**

#### ***Car park***

8. Before the occupation of the development 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
  - Drained
  - Line marked to indicate each car space and all access lanes to the satisfaction of the responsible authority.
- Car spaces, access lanes and driveways must be kept available for these purposes at all times.

#### ***Mechanical car parking***

9. A warning light must be installed and maintained on the entrance to the car lift to alert an incoming vehicle that the lift is currently in operation, to the satisfaction of the responsible authority.
10. The mechanical car parking equipment must be routinely serviced and maintained to the satisfaction of the responsible authority to ensure satisfactory access to all car spaces and to prevent any adverse effect on adjoining land by the emission of noise.

#### ***Amenity***

11. The development must be completed and maintained to the satisfaction of the responsible authority so that the amenity of the area is not detrimentally affected through the:
- Appearance of any buildings, works or materials;
  - Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;
  - Presence of vermin.

#### ***Rooftop appurtenances***

12. No equipment, services, architectural features or structures of any kind, including telecommunication facilities, other than those shown on the endorsed plans shall be permitted above the roof level of the building unless otherwise agreed to in writing by the Responsible Authority.

#### ***Alteration to endorsed plans***

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

#### ***Expiry***

14. This development allowed by this permit will expire if one of the following circumstances applies:
- The development is not started within two years of the date of this permit
  - The development is not completed within four years of the date of this permit
- The responsible authority may extend the periods referred to in accordance with the provisions of the *Planning and Environment Act 1987*.

### **USE**

#### ***Cancellation/amendment of existing permits***

15. Before the use starts Planning Permit Number 09/0220 must be cancelled.

#### ***Plan required for endorsement***

16. Before the use starts a plan to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The plan must show:
- The area of the site licensed for the sale and consumption of liquor under each licence.
  - The licensed area to be divided into Indoor, Terrace and Footpath.
  - A seating and bar layout plan for each licensed premises.

#### ***Patron numbers***

17. During a pre-booked function a maximum of 180 patrons are permitted per premises. No more than 12 pre-booked functions with more than 120 patrons may occur per premises per calendar year, except with the written consent of the responsible authority. A written record of functions must be maintained and made available for viewing by the responsible authority on request.

### **3.4 Planning Permit Application 16/0353 - 82-84 Mountjoy Parade, Lorne**

18. Except as provided for by Condition 17, the maximum number of patrons permitted on the premises at any one time is:
- a) Tavern 1 – Total of 120, with a maximum within each area of:
    - i) Indoors – 90
    - ii) Terrace – 30
    - iii) Footpath – 16
  - b) Tavern 2 – Total of 120, with a maximum within each area of:
    - i) Indoors – 90
    - ii) Terrace – 35
    - iii) Footpath – 16

#### **Hours**

19. Except with the written consent of the responsible authority the serving of liquor may operate only between the following hours:
- a) Indoor and Terrace Areas
    - i) Sunday – Between 10.00am and 1.00am the following day
    - ii) Good Friday and Anzac Day – Between 12 noon and 11.00pm
    - iii) On any other day – Between 7.00am and 1.00am the following day
  - b) Footpath Area
    - i) On any day – Between 12 noon and 10.00pm

Where the requirements of the endorsed acoustic report required by condition 1 differ from these requirements, the more restrictive requirement will apply.

#### **Live musical entertainment**

20. Live musical entertainment must cease by 12 midnight. Where the requirements of the endorsed acoustic report required by condition 1 differ from this requirement, the more restrictive requirement will apply.

#### **Hours to be displayed**

21. The hours of operation shall be clearly displayed in a prominent position on the exterior window of the premises and also within the interior of the licensed premises.

#### **Layout**

22. Tables and chairs must be placed in position on the licensed premises so as to be available for at least 30% of patrons attending the premises at any one time.

#### **Footpath area**

23. The predominant activity carried out within the licensed footpath area must be for the consumption of meals prepared on the premises. The consumption of liquor within the footpath area must only be in conjunction with a meal. All patrons must be seated.
24. The Footpath (alfresco dining) Area must be managed and maintained at all times, so that it presents in a clean and tidy manner with no detrimental impact to the surrounding area, to the satisfaction of the responsible authority.

#### **Regulation of delivery times**

25. Deliveries to and from the site (including waste collection) must only take place between the hours of:
- a) 7.00am and 8.00pm Monday to Saturday
  - b) 9.00am and 7.00pm Sunday and Public Holidays

To the satisfaction of the responsible authority.

Where the requirements of the endorsed acoustic report required by condition 1 differ from these requirements, the more restrictive requirement will apply.

#### **Amenity**

26. The operator of this permit shall take reasonable steps to advise patrons that they should minimise their noise when leaving the environs of the premises in order to protect the amenity of the surrounding residential area.

### 3.4 Planning Permit Application 16/0353 - 82-84 Mountjoy Parade, Lorne

#### **Surveillance**

27. The Licensee shall install and maintain a surveillance recording system able to clearly identify individuals, which shows time and date and provides continuous images of all entrances and exits. A copy of the recorded images must be available upon request for immediate viewing or removal by Victoria Police or a person authorised in writing by the Director of Liquor Licensing, or otherwise retained for at least one month. The positioning of cameras is to be to the satisfaction of the Licensing Inspector.

#### **Expiry**

28. This use allowed by this permit will expire if one of the following circumstances applies:
- The use is not started within two years after the completion of the development allowed by this permit.
  - The use is discontinued for a period of two years.
- The responsible authority may extend the periods referred to in accordance with the provisions of the *Planning and Environment Act 1987*.

#### **Note Consistency with building plans**

Any plan approved under the Building Act and Regulations must not differ from the endorsed plan forming part of this Permit.

#### **Note Heritage Victoria**

The applicant is advised to contact Heritage Victoria in relation to any proposed works to the carriageway easement at 76-80 Mountjoy Parade, which is included on the Victorian heritage register. Potentially Heritage Victoria may also require documentation on methods of safeguarding the significant Lorne Cinema building during excavation and construction.

#### **Council Resolution**

**MOVED Cr Clive Goldsworthy, Seconded Cr Martin Duke**  
**COUNCILLOR MOTION:**

That council having caused notice of Planning Application No. 16/0353 to be given under Section 52 of the *Planning and Environment Act 1987* and having considered all the matters required under Section 60 of the *Planning and Environment Act 1987* decides to Grant a Notice of Decision to Grant a Permit under the Surf Coast Planning Scheme in respect of the land known and described as Lot 2 L/P 141746 commonly known as 82-84 MOUNTJOY PARADE, LORNE for the Construction of a four storey building including a basement car park, two taverns and four dwellings and which exceeds the height and plot ratio requirements of Schedule 4 to the Design and Development Overlay; use for the sale and consumption of liquor (on-premises licence associated with the use of tavern); to reduce the car parking requirements of Clause 52.06 and to waive the loading bay requirements of Clause 52.07 of the Surf Coast Planning Scheme in accordance with the plans received by the Responsible Authority on 6 September 2016, subject to the following conditions:

#### **USE AND DEVELOPMENT**

##### **Acoustic report**

- Concurrent with the plans required by Condition 3, a qualified acoustic expert must prepare an acoustic report and a copy must be provided to the Responsible Authority, that details the noise attenuation measures (physical and/or managerial) required to ensure that the residential amenity of surrounding residential use, including on the subject land, is not materially impacted, including compliance with the requirements of the *Guidelines: Noise from Industry in Regional Victoria*, EPA Publication 1411 and *State Environment Protection Policy (Control of Music Noise from Public Premises) No. N-2* (SEPP N-2). The report must consider, but is not limited to, noise from:
  - Mechanical plant and equipment;
  - Delivery and waste collection operations;
  - Recorded or live musical entertainment from the licensed premises;
  - Patrons;
  - Preparation and clean up activities.

### 3.4 Planning Permit Application 16/0353 - 82-84 Mountjoy Parade, Lorne

The recommendations of the acoustic report must be approved by Council in writing and once approved implemented to the satisfaction of the Responsible Authority prior to the completion of the development.

#### **Acoustic compliance testing**

2. Within one (1) month of the occupation of the commercial premises, acoustic testing shall be undertaken by a suitably qualified professional to assess compliance with the requirements of the endorsed acoustic report required by condition 1, the *Guidelines: Noise from Industry in Regional Victoria, EPA Publication 1411 and State Environment Protection Policy (Control of Music Noise from Public Premises) No. N-2 (SEPP N-2)*. The assessment shall be provided to the responsible authority within one (1) month of completion of testing and shall include recommendations, if required, to achieve compliance. Any rectification recommendations must be implemented to the satisfaction of the responsible authority within one (1) month of the responsible authority's approval of the acoustic testing, unless an alternative timeframe is agreed in writing with the responsible authority.

#### **DEVELOPMENT**

##### **Amended plans required for endorsement**

3. Before the 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 with the application but modified to show:
  - a) The spa and roof deck balustrade at the penthouse levels set in one metre from the north and south property boundaries without further reducing the front setback.
  - b) At least 10 car parking spaces within the basement which must meet the Design Standards of Clause 52.06-8 of the planning scheme unless otherwise agreed by the responsible authority. These spaces must be provided without increasing the height or volume of the building, other than an increase in the volume of the basement.
  - c) The designation of car spaces to each tenancy.
  - d) The location of service ducts.
  - e) The location of external plant and equipment including but not limited to service units for heating, cooling and hot water, solar panels, service shafts, ventilation systems, waste chute, service metres, car park mechanical exhaust and ventilation which is to be located and designed so as not to be visually prominent from the public realm or neighbouring properties. Where visible the plant shall be appropriately screened.
  - f) A schedule of external materials, finishes and colours incorporating colour samples. External colours should be neutral and muted to assist in visually blending the building with the surrounding natural landscape.
  - g) Details of the acoustic attenuation measures recommended in the acoustic report required by condition 1.
  - h) Waste storage facilities in accordance with the endorsed waste management plan required by Condition 4(b).
4. Concurrent with the plans required by Condition 3:
  - a) A construction management plan (three copies) to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must address the following matters:
    - i) Measures to minimise the impact of construction vehicles arriving at, queuing, and departing from the land;
    - ii) Measures to accommodate the private vehicles of workers/ tradespersons;
    - iii) Details of the location of all construction equipment and facilities, including delivery



### 3.4 Planning Permit Application 16/0353 - 82-84 Mountjoy Parade, Lorne

- points, storerooms, toilets, temporary offices and workers' facilities;
- iv) Noise attenuation measures to be put in place to protect the amenity of nearby residents during construction having regard to the EPA Guidelines on Construction and Demolition Noise;
- v) Measures to minimise the generation and dispersal of dust;
- vi) Details of a 24 hour hotline for access to a contact person or project manager accountable for the project and compliance with the CMP;
- vii) Arrangements for waste collection and other services to be provided during construction.
- viii) Protection of adjoining land, including public land.
- ix) Protection of water quality;
- x) Protection of existing infrastructure, landscaping and adjoining land.

Once endorsed the plan must be implemented to the satisfaction of the Responsible Authority during the carrying out of the development.

- b) A waste management plan (three copies) to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must address the following matters:
  - i) Details of the anticipated volumes of wastes and recycling that will be generated and how this is determined.
  - ii) Precise details of the quantity, size and type of bins that will be provided for waste and recycling proposal.
  - iii) A plan detailing adequate bin storage for the prescribed number of bins.
  - iv) A plan detailing adequate bin collection space for the prescribed number of bins, with both suitable space for placement and access/egress for collection vehicles.
  - v) The standard coloured waste and recycling bins nominated for use.
  - vi) The times of collection and the names of person who will be responsible for collection of the waste in accordance with the approved waste management plan including ensuring that collection does not adversely affect the amenity of the area.

Once endorsed the plan must be implemented to the satisfaction of the Responsible Authority.

#### **Noise policy guidelines**

- 5. Noise levels emanating from the premises must not exceed those required to be met under *Guidelines: Noise from Industry in Regional Victoria, EPA Publication 1411* and *State Environment Protection Policy (Control of Music Noise from Public Premises) No. N-2* (SEPP N-2)

#### **Maximum building height - RL**

- 6. The maximum building height must not exceed RL 20.10 (central rooftop wall) and RL19.90 (spa balustrade) in accordance with the endorsed plans and to the satisfaction of the responsible authority.

#### **Surveyor's certificate**

- 7. A written statement from a licensed surveyor must be submitted for approval to the responsible authority confirming that the building will not exceed the levels specified on the endorsed plans. The statement shall be submitted to the responsible authority at completion of the frame of the building.

#### **Car park**

- 8. Before the occupation of the development the area(s) set-aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:

### 3.4 Planning Permit Application 16/0353 - 82-84 Mountjoy Parade, Lorne

- 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
  - d) Drained
  - e) Line marked to indicate each car space and all access lanes to the satisfaction of the responsible authority.
- Car spaces, access lanes and driveways must be kept available for these purposes at all times.

#### **Mechanical car parking**

9. A warning light must be installed and maintained on the entrance to the car lift to alert an incoming vehicle that the lift is currently in operation, to the satisfaction of the responsible authority.
10. The mechanical car parking equipment must be routinely serviced and maintained to the satisfaction of the responsible authority to ensure satisfactory access to all car spaces and to prevent any adverse effect on adjoining land by the emission of noise.

#### **Amenity**

11. The development must be completed and maintained to the satisfaction of the responsible authority so that the amenity of the area is not detrimentally affected through the:
  - a) Appearance of any buildings, works or materials;
  - b) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;
  - c) Presence of vermin.

#### **Rooftop appurtenances**

12. No equipment, services, architectural features or structures of any kind, including telecommunication facilities, other than those shown on the endorsed plans shall be permitted above the roof level of the building unless otherwise agreed to in writing by the Responsible Authority.

#### **Alteration to endorsed plans**

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

#### **Expiry**

14. This development allowed by 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

The responsible authority may extend the periods referred to in accordance with the provisions of the *Planning and Environment Act 1987*.

#### **USE**

##### **Cancellation/amendment of existing permits**

15. Before the use starts Planning Permit Number 09/0220 must be cancelled.

##### **Plan required for endorsement**

16. Before the use starts a plan to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The plan must show:
  - a) The area of the site licensed for the sale and consumption of liquor under each licence.
  - b) The licensed area to be divided into Indoor, Terrace and Footpath.
  - c) A seating and bar layout plan for each licensed premises.

### 3.4 Planning Permit Application 16/0353 - 82-84 Mountjoy Parade, Lorne

#### **Patron numbers**

17. The maximum number of patrons permitted on the premises at any one time is:

- a) Tavern 1 – Total of 180,
- b) Tavern 2 – Total of 180,

#### **Hours**

18. Except with the written consent of the responsible authority the serving of liquor may operate only between the following hours:

- a) Indoor and Terrace Areas
  - i) Sunday – Between 10.00am and 1.00am the following day
  - ii) Good Friday and Anzac Day – Between 12 noon and 11.00pm
  - iii) On any other day – Between 7.00am and 1.00am the following day
- b) Footpath Area
  - i) On any day – Between 12 noon and 10.00pm

Where the requirements of the endorsed acoustic report required by condition 1 differ from these requirements, the more restrictive requirement will apply.

#### **Live musical entertainment**

19. Live musical entertainment must cease by 12 midnight. Where the requirements of the endorsed acoustic report required by condition 1 differ from this requirement, the more restrictive requirement will apply.

#### **Hours to be displayed**

20. The hours of operation shall be clearly displayed in a prominent position on the exterior window of the premises and also within the interior of the licensed premises.

#### **Layout**

21. Except during a pre-booked function, tables and chairs must be placed in position on the licensed premises so as to be available for at least 25% of patrons attending the premises at any one time. A written record of pre-booked functions must be maintained and made available for viewing by the responsible authority on request.

#### **Footpath area**

22. The predominant activity carried out within the licensed footpath area must be for the consumption of meals prepared on the premises. The consumption of liquor within the footpath area must only be in conjunction with a meal. All patrons must be seated.

23. The Footpath (alfresco dining) Area must be managed and maintained at all times, so that it presents in a clean and tidy manner with no detrimental impact to the surrounding area, to the satisfaction of the responsible authority.

#### **Regulation of delivery times**

24. Deliveries to and from the site (including waste collection) must only take place between the hours of:

- a) 7.00am and 8.00pm Monday to Saturday
- b) 9.00am and 7.00pm Sunday and Public Holidays

To the satisfaction of the responsible authority.

Where the requirements of the endorsed acoustic report required by condition 1 differ from these requirements, the more restrictive requirement will apply.

### 3.4 Planning Permit Application 16/0353 - 82-84 Mountjoy Parade, Lorne

#### **Amenity**

25. The operator of this permit shall take reasonable steps to advise patrons that they should minimise their noise when leaving the environs of the premises in order to protect the amenity of the surrounding residential area.

#### **Surveillance**

26. The Licensee shall install and maintain a surveillance recording system able to clearly identify individuals, which shows time and date and provides continuous images of all entrances and exits. A copy of the recorded images must be available upon request for immediate viewing or removal by Victoria Police or a person authorised in writing by the Director of Liquor Licensing, or otherwise retained for at least one month. The positioning of cameras is to be to the satisfaction of the Licensing Inspector.

#### **Expiry**

27. This use allowed by this permit will expire if one of the following circumstances applies:
- a) The use is not started within two years after the completion of the development allowed by this permit.
  - b) The use is discontinued for a period of two years.

The responsible authority may extend the periods referred to in accordance with the provisions of the *Planning and Environment Act 1987*.

#### **Note Consistency with building plans**

Any plan approved under the Building Act and Regulations must not differ from the endorsed plan forming part of this Permit.

#### **Note Heritage Victoria**

The applicant is advised to contact Heritage Victoria in relation to any proposed works to the carriageway easement at 76-80 Mountjoy Parade, which is included on the Victorian heritage register. Potentially Heritage Victoria may also require documentation on methods of safeguarding the significant Lorne Cinema building during excavation and construction.

CARRIED 8:0

### 3.4 Planning Permit Application 16/0353 - 82-84 Mountjoy Parade, Lorne

#### Report

##### **Background**

82-84 Mountjoy Parade Lorne is presently developed by a single storey building, setback from the street, which is used as a tavern, including large forecourt and deck within the street setback. An application has been received to redevelop the property with a four storey building, including basement car park. The new building would accommodate two side by side taverns at ground floor and two apartments on each of the second and third floors. The third floor apartments each have a rooftop deck with spa. The application includes increasing the maximum number of patrons permitted across the taverns to 360 (an increase of 178 above the limit of the existing tavern) and reducing standard car parking and loading bay requirements.

##### **Discussion**

The attached officer's report includes a detailed description of the proposal, site context, planning controls and applicable policy. This discussion is effectively a peer review of the key issues analysed in that assessment.

The key issues are:

- whether the proposed development provides an acceptable level of car parking
- whether the scale (patron numbers) of the licensed premises is acceptable.

##### Car parking

Car parking requirements are at Clause 52.06 of the Surf Coast Planning Scheme. The purposes of Clause 52.06 are:

*To ensure that car parking is provided in accordance with the State Planning Policy Framework and Local Planning Policy Framework.*

*To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.*

*To support sustainable transport alternatives to the motor car.*

*To promote the efficient use of car parking spaces through the consolidation of car parking facilities.*

*To ensure that car parking does not adversely affect the amenity of the locality.*

*To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.*

Clause 52.06 applies to

- a new use; or
- an increase in the floor area or site area of an existing use; or
- an increase to an existing use by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use.

The number of car parking spaces for a use is specified by Table 1 to the clause. The parking requirement specified by Table 1 must be provided on the site or a permit is required to reduce the number of car parking spaces (including to zero) or to provide the parking on another site. In calculating the number of spaces:

*"Where an existing use is increased by the measure specified in Column C of Table 1 for that use, the car parking requirement only applies to the increase, provided the existing number of car parking spaces currently being provided in connection with the existing use is not reduced."*

### 3.4 Planning Permit Application 16/0353 - 82-84 Mountjoy Parade, Lorne

The parking requirement for the proposal is:

Land Use	Rate	Measure	Proposal	Requirement
Dwelling	1	To each one or two bedroom dwelling, plus	None	8 spaces
	2		4 three bedroom	
	1	To each three or more bedroom dwelling (with studies or studios that are separate rooms counted as bedrooms) plus For visitors to every 5 dwellings for developments of 5 or more dwellings	N/A	
Tavern	0.4	To each patron permitted	178 increase in patron numbers	71 spaces
Total				79 spaces

The application proposes a car lift accessed basement accommodating 8 car parking spaces allocated to the residential use. Therefore the statutory parking requirement for the proposed new dwelling (4) use will be satisfied onsite. No parking is proposed onsite for the new tavern and expanded patronage.

No car parking is provided on site associated with the existing use and development. The previous permit granted to use the land for a tavern (PP 09/0220) also approved a reduction in parking requirements. At the time the permit was granted (3/12/2009) a permit was required to use the land for a tavern and the parking requirement was based on the area of the use, at the rate of 30 spaces per 100sqm of lounge floor area available to the public, amounting to a requirement for 66 spaces which were waived. Prior to use as a tavern the land was used as a restaurant, which based on the parking rates of the day, generated a parking demand of 90 spaces. Therefore the tavern was considered to have less of a demand.

PP 09/0220 was subsequently amended on 26/8/2010 to increase the area of the tavern (by occupying an adjacent tenancy on the same site). This increase in floor area required a further waiver of 27 spaces, a total waiver of 93 spaces or 3 more than the prior restaurant use. It was considered that parking demand would not increase as patron numbers were not being altered. The permit was amended on 14/11/2012 to increase operating hours and on 9 September 2016 to include an area of the footpath within the liquor license area. This amendment did not increase the maximum number of patrons (182) permitted. At the time of this decision the parking rate within Clause 52.06 had been amended to the present rate based on patron numbers, therefore there was no additional parking requirement. Based on 182 patrons the current parking requirement is 72 spaces.

The matter for determination is whether a reduction of 71 spaces associated with the proposed expanded use of the land for tavern is acceptable.

Clause 52.06-6 specifies:

*“Before granting a permit to reduce the number of spaces, the responsible authority must consider the following, as appropriate:*

- *The Car Parking Demand Assessment.*
- *Any relevant local planning policy or incorporated plan.*
- *The availability of alternative car parking in the locality of the land, including:*
  - *Efficiencies gained from the consolidation of shared car parking spaces.*
  - *Public car parks intended to serve the land.*
  - *On street parking in non residential zones.*
  - *Streets in residential zones specifically managed for non-residential parking.*
- *On street parking in residential zones in the locality of the land that is intended to be for residential use.*
- *The practicality of providing car parking on the site, particularly for lots of less than 300 square metres.*
- *Any adverse economic impact a shortfall of parking may have on the economic viability of any nearby activity centre.*
- *The future growth and development of any nearby activity centre.*

### 3.4 Planning Permit Application 16/0353 - 82-84 Mountjoy Parade, Lorne

- *Any car parking deficiency associated with the existing use of the land.*
- *Any credit that should be allowed for car parking spaces provided on common land or by a Special Charge Scheme or cash-in-lieu payment.*
- *Local traffic management in the locality of the land.*
- *The impact of fewer car parking spaces on local amenity, including pedestrian amenity and the amenity of nearby residential areas.*
- *The need to create safe, functional and attractive parking areas.*
- *Access to or provision of alternative transport modes to and from the land.*
- *The equity of reducing the car parking requirement having regard to any historic contributions by existing businesses.*
- *The character of the surrounding area and whether reducing the car parking provision would result in a quality/positive urban design outcome.*
- *Any other matter specified in a schedule to the Parking Overlay.*
- *Any other relevant consideration.”*

A car parking demand assessment (Cardno, 19 July 2016) has been provided with the application. The assessment states that previous case studies indicate parking generation for taverns vary from 0.15 spaces/patron to 0.30 spaces/patron and on this basis submits that the true parking demand is likely to be 0.2 spaces per patron. Using this rate the additional patron numbers would generate a demand for 35 spaces or a total of 72 spaces for the two premises. In addition to the patron parking requirement, the assessment states that there is likely to be a peak staff parking demand of up to 5 staff spaces per tavern, for a total demand of 82 spaces. The existing tavern is identified as having a demand for 41 spaces based on these assumptions. The above assessment of true demand accounts for the nature of Lorne as a tourist town and likelihood of patrons walking to a tavern as a drinking destination. It is noted that the standard car parking rates of Clause 52.06 account for both patron and staff parking demand.

The assessment expresses the opinion that the parking impact on the area surrounding the site is anticipated to be acceptable for the following reasons:

- *during extreme peak periods parking supplies are often saturated, patrons are likely to look elsewhere or alter their behaviour to avoid these peaks*
- *patronage will largely comprise holiday makers with a high proportion walking to the site*
- *most of the township is within walking distance*
- *if public parking isn't available proximate to the venue patrons will look elsewhere*
- *parking should be considered on a precinct basis and the proposed development is unlikely to draw new patrons to the precinct but potentially lead to a redistribution of existing demand*
- *for most of the year parking is underutilised and outside of peak periods patronage is likely to be below the allowed maximum.*

Applicable local policy is found at Clause 21.10 Lorne Strategy. This clause identifies that key issues for the town are:

- *Heavy reliance on public car parking due to a lack of parking spaces on private land, particularly peak parking in the commercial area which coincides with high levels of foreshore activity.*
- *The intrusiveness of constructed parking areas on the visual and environmental sensitivity of the foreshore.*

In response to these issues the objective is set:

*“To achieve an appropriate balance between the provision of car parking spaces and maintaining environmental and amenity values.”*

With the following strategies:

- *Ensure that sufficient on-site car parking is provided to meet the needs of residents and employees.*
- *Encourage customer car parking to be available to the public at all times, whether on public or private land.*

Implementation is by:

- *Requiring provision for on-site residential and staff parking for new developments while varying the requirement for off-site customer parking within the Central Retail Core. [emphasis added]*

### 3.4 Planning Permit Application 16/0353 - 82-84 Mountjoy Parade, Lorne

The above policy position reflects:

- a centre based approach to parking is appropriate in an activity centre
- visitors to the activity centre will often make multi-destination trips
- it is impractical and inefficient use of land to meet parking demand onsite for each use
- patrons are unlikely to utilise onsite parking which is usually accessed by rear lanes
- occupation of public parking within and proximate to the centre by residents and employees will reduce the viability of the centre.

The proposed development does provide residential parking but does not provide for any on-site staff parking. The applicant's car parking assessment identifies likely demand for 5 staff parks per tavern and whilst this is an existing situation for the current tavern there is an increasing unmet demand with the proposed additional tavern.

The failure to provide for any staff car parking onsite is contrary to the above stated policy position. The absence of any staff parking will require this demand to be absorbed by public parking and it is likely that this demand will be spread across the day, evening and night periods and coincide with daily peaks within the activity centre. The applicant's parking assessment identifies approximately 375 public parking spaces within the central area within walking distance of the site and *"It is noted that parking within the town centre is generally time restricted between 9:00am and 6:00pm, but unrestricted during the evening. Parking beyond the centre of town is typically unrestricted."* The assessment has not considered opportunities for staff parking which will often need to seek out unrestricted parking and therefore potentially pushing this parking demand into residential areas beyond the town centre.

There have been relatively few applications for significant development within the central retail core and no decisions of the Tribunal which consider car parking in this area. Identified planning permits within the past 15 years include:

- Planning Permit 02/0491 for 32-40 Mountjoy Parade for six shops and eight dwellings used as a motel. Twenty car parking spaces provided onsite, including 10 spaces provided for the shops, requiring a reduction of 49 spaces
- Planning Permit 02/0492 for 64-66 Mountjoy Parade. Development of two shops and four two bedroom dwellings over two levels. Four car parking spaces provided onsite. Reduction of approximately 8 spaces
- Planning Permit 03/0191 for 114 and 116-118 Mountjoy Parade for a restaurant (334 patrons), shop and 7 dwellings. 10 onsite car parking spaces with 3 provided for staff parking. Reduction of 94 spaces
- Planning Permit 04/0066 for 82-84 Mountjoy Parade for a three storey building containing a restaurant and six dwellings. 7 car parking spaces to be provided onsite, including one for the commercial premises. This permit expired February 2014
- Planning Permit 14/0453 for 52 Mountjoy Parade. Change of use to licensed restaurant and to construct a cool room and car parking. Two staff parking spaces onsite and reduction of 37 spaces
- Planning Permit 15/0098 for 96 Mountjoy Parade. The permit allows an extension of an existing building containing a restaurant. The area of the restaurant is being increased but not patron numbers; therefore there is no additional parking demand for this use under Clause 52.06
- Planning Permit 15/0331 for 46 and 46B Mountjoy Parade. Development of extensions to the existing building. Two existing onsite car parking spaces maintained. Reduction of 11 spaces for new development.

This brief history indicates that generally commercial developments along Mountjoy Parade have been provided with some onsite staff parking in addition to residential parking. It is considered appropriate that this proposal provide a comparable contribution to staff parking.

In this issue being raised with the permit applicant's they have committed to providing at least 2 onsite staff parking spaces. It has been expressed that the options for doing so are:

- to provide dependent car parking stackers, where a vehicle drivers onto the lower level of the stacker which then drops into a pit and another vehicle can then drive onto the upper level. For the lower vehicle to leave the upper level must be clear. At least two stackers would be provided and allocated to residential parking so that both vehicles are under the control of the one occupier



### 3.4 Planning Permit Application 16/0353 - 82-84 Mountjoy Parade, Lorne

- alterations to the parking layout, including removal/reduction of the offices and vehicle turntable/s to facilitate access.

The applicant hasn't amended the application plans and seeks conditional approval. It has been stated that these modifications can be made without changing the above ground volume of the building or by increasing building height. On balance it is considered that the provision of at least 2 staff parks would deliver an acceptable outcome.

#### Patron Numbers

The site presently operates as a tavern under an on-premises licence with a capacity of 182 patrons. Under the conditions of the permit (09/0220) tables and chairs must be in place for at least 75% of the patrons attending the premises.

The application proposes to increase patron numbers to a maximum of 360 across the two tenancies, with the two potentially operated as a single premises. It has been submitted that pursuant to building controls the standing capacity is 699 and seated capacity is 278 based on floor area or 600 males and 200 females based on toilet provision.

Patron capacity based on area derives from Table D1.13 of the Building Code of Australia (BCA) Volume 1 which provides rates for a range of uses including for a "bar". The table specifies the area per person for bar standing area as 0.5m<sup>2</sup> and for other areas as 1.0m<sup>2</sup>. The area excludes lifts, stairways, ramps and escalators, corridors, hallway, lobbies and the like, service ducts and the like and sanitary compartments or other ancillary uses. The number derived from the table is a guide for applying other aspects of the BCA rather than a mandatory requirement and there may be other suitable means of assessing capacity.

Based on the areas available to patrons, assumed capacity under the BCA has been calculated (with the assistance of the Acting Municipal Building Surveyor) to be:

	Standing (per 0.5m <sup>2</sup> )			Seated (per 1.0m <sup>2</sup> )		
	Lounge	Terrace	Total	Lounge	Terrace	Total
Tavern 1	134	62	196	67	31	98
Tavern 2	134	70	204	67	35	102
Total	268	132	400	134	66	200

Therefore it is likely that the size of the premises are adequate to accommodate the proposed maximum of 360 patrons. The difference between these calculations and those provided by the applicant haven't been reconciled, but given both exceed the proposed 360 this is unlikely to be critical. However there is still a relevant issue as to whether the increased scale of the licensed premises is acceptable.

The decision guidelines of clause 52.27 Licensed premises include:

- the impact of the number of patrons on the amenity of the surrounding area
- the cumulative impact of any existing licensed premises and the proposed licensed premises on the amenity of the surrounding area.

The officer's report has addressed consideration of these decision guidelines in detail, concluding that a lesser maximum number of patrons and a mix of seated and standing capacity, represents the appropriate balance for this proposal. Expanding on this analysis, guidance on the assessment of cumulative impact is provided by Planning Practice Note 61- Licensed Premises – Assessing Cumulative Impact (June 2015) (PPN61). These state:

*The guidelines may be used for any planning application that would benefit from their use; however they should be used for all applications for a new or expanded licensed premises that:*

- will be licensed and open after 11pm; and*
- is in an area where there is a cluster of licensed premises.*

This site is within a cluster of licensed premises and will be licensed until 1am for most days of the week. PPN61 notes the following prompts for consideration:

### 3.4 Planning Permit Application 16/0353 - 82-84 Mountjoy Parade, Lorne

#### **Seating ratios: What is the ratio of seating to standing?**

*Premises that provide little or no seating are associated with excessive alcohol consumption and potential for increased violence. Patrons from these venues are therefore more likely to have an adverse impact on the surrounding area.*

#### **Meals: Are meals served or is food available?**

*Venues that serve food or meals are shown to be less at risk of excessive alcohol consumption. This does not include venues that only serve basic snacks.*

#### **Management: How will the venue manage patrons entering and leaving the venue, including security and queuing?**

*Management of patrons entering and leaving a venue can have a significant impact on the amenity of the area due to potential patron noise, anti-social behaviour and public disturbance. Other management issues are assessed as part of an application for a liquor licence rather than the planning permit process.*

#### **Music: Will the proposal feature background, live or recorded music?**

*The way music is played and the hours it is played can influence the type and number of patrons attending the venue, the level and type of alcohol consumption, and the potential impacts on local amenity.*

#### **Capacity and hours: What is the proposed capacity and what are the operating hours?**

*Proposed capacity levels and operating hours may add to existing cumulative impact problems in the area, due to the release of a large number of patrons onto the street at closing time.*

#### **Transport and car parking: What type of transport and car parking is provided?**

*The availability of transport for use by patrons to and from the venue can impact on the amenity of the surrounding area. There may be additional amenity issues resulting from patrons waiting for a taxi or travelling on foot.*

*The location and availability of car parking can impact the dispersal patterns and behaviour of patrons. Car parks with poor lighting or natural surveillance may place patrons at a high risk of violence.*

It also provides the following guidance:

*Late-night trading hours for licensed premises have been associated with increased harm including violence. Licensed premises open after 11pm are considered a greater risk to the surrounding area. Reduced trading hours may therefore reduce the risks of late-night alcohol-related harm.*

*Licensed premises with a patron capacity over 200 may pose a greater risk of alcohol-related harm and result in a negative cumulative impact.*

The application submits that for most of the time the premises will operate as a restaurant, preparing and serving meals, until about 9:30pm. From this time until closing the premises would operate as a tavern, possibly packing away some tables and chairs to increase standing area. Live music entertainment may be provided when in tavern mode or pre-recorded music will be provided. It has also been expressed that the maximum capacity of 360 is to accommodate larger functions.

The assessment within the officers' report is supported as:

- a maximum capacity of 360 could see a significant number of people leaving the premises at closing time
- after 9:30pm the focus of the use will be alcohol consumption and entertainment rather the serving of meals
- the provision of musical entertainment may encourage patrons stay on the premises until closing

### **3.4 Planning Permit Application 16/0353 - 82-84 Mountjoy Parade, Lorne**

- at times closing will coincide with the closing of the Lorne Hotel, the other significant venue within the town (on some days the hotel may close at 3am), leading to large numbers of patrons potentially dispersing at the same time
- Lorne has limited public transport/taxi service to disperse departing patrons
- Lorne also has limited police resources to respond to issues arising from patrons departing the premises, particularly if involving a large number of patrons.

However it is considered that the proposed capacity of 360 patrons (180 per premises) would be appropriate for pre-booked functions for a limited number of occasions per year. A pre-booked function is more likely to be a managed event with patrons having some relationship to each other. It is also recommended that when live musical entertainment is provided that this cease an hour before closing to facilitate patrons departure being more spread over that hour. It is possible that the acoustic assessment recommends an earlier finish to comply with SEPP N-2 and further limitations on the use to manage amenity impacts.

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

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

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

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

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

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

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

The objections received to the application raise a number of matters which may be classed as social impacts including the impact of the development on the coastal character of the area; amenity impacts from waste collection, deliveries and vehicle movements; car parking pressure and land use conflict.

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

Public notice of the application has been carried out in accordance with the requirements of the *Planning & Environment Act 1987*. Two objections have been received and must be considered:

##### **1. Lorne Cinema, Theatre and Retail Complex 76-80 Mountjoy Parade Lorne**

- inconsistent with the coastal character of the area.
- overdevelopment of the site & lack of vegetation
- detrimental impact on amenity arising from waste collection and conflict with pedestrian and vehicle traffic
- the development does not provide a dedicated loading bay and the proposed use of on street facilities will disrupt traffic
- the proposal to access the site via the 3m wide carriageway easement does not comply with relevant planning requirements
- inadequate car parking response considering significant waiver required
- potential land use conflict arising from Accommodation and Tavern use.

##### **2. Stay at Lorne Pty Ltd 25 Smith Street Lorne**

- inconsistent with the coastal character of the area.
- lacks respectful articulation to upper levels and integration with adjoining site to south

### **3.4 Planning Permit Application 16/0353 - 82-84 Mountjoy Parade, Lorne**

- lacks meaningful response to heritage listed cinema
- design response in no way *'improves the character'*
- overdevelopment of the site & lack of vegetation.

Each of these issues has been addressed in detail in the attached officer's report. In summary, it must be recognised that the site is zoned for commercial development and use. The zone and DDO4 anticipate a more intense level of development as can be seen in the existing pattern of development within the commercial area of Mountjoy Parade. It is impractical on small commercial lots such as the subject site to require dedicated loading bays or the bulk of car parking. It is quite normal in strip shopping centres for these facilities to be shared by the centre. Other matters, such as waste collection, are appropriately managed by condition.

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

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

#### ***Communication***

In accordance with the requirements of the Act a copy of Council's decision will be provided to the applicant and objectors by mail.

#### ***Conclusion***

As with all planning permit applications, a decision on this application requires a balancing of policy objectives. Redevelopment generates economic activity, increases accommodation within the township, provides additional commercial opportunities and makes a new contribution to the urban fabric and vitality of the town centre. It may also exacerbate parking congestion during peak periods or expand parking pressure into surrounding residential areas and lead to additional amenity impacts. Council's decision should aim to achieve a net community benefit.

It is recommended that this has been achieved, subject to conditions. Some of these conditions restrict the use relative to what the application has sought.

### 3.5 Council Submission to State Government - Rezoning of Barwon Water Site - 69B Harvey Street, Anglesea

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

**General Manager:** Ransce Salan  
**File No:** F17/657  
**Trim No:** IC17/384

**Appendix:**

1. Draft Planning Report - 69B Harvey Street (D17/46615)

**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 inform Council of a proposed Ministerial Amendment to rezone part of the disused Barwon Water basin at 69B Harvey Street, Anglesea from Public Use Zone 1 (Service and Utility) to General Residential Zone 1 and to outline the key points to be included in Councils submission to the amendment.

#### Summary

The newly formed Fast Track Government Land Service has prepared an amendment to the Surf Coast Planning Scheme to rezone the disused water basin at 69B Harvey Street, Anglesea from Public Use Zone (Service and Utility) to General Residential Zone Schedule 1.

The amendment does not affect the current Significant Landscape Overlay applying to the site but seeks to apply a Design and Development Overlay Schedule 19 (DDO19) and Neighbourhood Character Overlay Schedule 3 (NCO3), consistent with adjoining residential land.

The amendment will be placed on public exhibition from 1 May 2017 to 9 June 2017 and the community and Council will have an opportunity to make a submission to the amendment. The public exhibition process is being run by Fast Track Government Land Service at the direction of the Minister for Planning and all submissions will be referred to the standing Government Land Standing Advisory Committee, which will then report back to the Minister.

It is considered appropriate that the overlay schedules being applied to the site should address some of the relevant issues raised in previous Amendment C108 in relation to future development of the site.

#### Recommendation

That Council:

1. Note the proposed rezoning and application of overlay schedules to 69B Harvey Street, Anglesea.
2. Resolve to make a submission to the amendment on the basis of the following inclusions in the Design and Development Overlay Schedule and Neighbourhood Character Overlay:
  - 2.1 New setback provisions and decision guidelines to ensure a new dwelling or building on the site addresses both street frontages.
  - 2.2 Control of fencing abutting the secondary street frontage and clear decision guidelines outlining how the frontage is to be managed.

#### Council Resolution

**MOVED Cr Libby Coker, Seconded Cr Carol McGregor**

That Council:

1. Note the proposed rezoning and application of overlay schedules to 69B Harvey Street, Anglesea.
2. Resolve to make a submission to the amendment on the basis of the following inclusions in the Design and Development Overlay Schedule and Neighbourhood Character Overlay:
  - 2.1 New setback provisions and decision guidelines to ensure a new dwelling or building on the site addresses both street frontages.
  - 2.2 Control of fencing abutting the secondary street frontage and clear decision guidelines outlining how the frontage is to be managed.

CARRIED 8:0

### 3.5 Council Submission to State Government - Rezoning of Barwon Water Site - 69B Harvey Street, Anglesea

#### Report

##### **Background**

Barwon Water owns a disused utility site at 69B Harvey Street, Anglesea which is currently zoned Public Use Zone with a Significant Landscape Overlay Schedule 3. The site has an overall area of 6,650 square metres and is bounded by Harvey Street to the south, Parker Street to the north and Sparrow Avenue to the east. The site currently consists of 7 lots ranging in size from 907sqm to 1012sqm. The site contains a pumping station and a water supply basin which has had the concrete lining removed and has been partially filled (currently approximately 75% filled). The site also contains an office, shed, ATCO hut and telecommunications tower.

##### **Map of subject site**



In 2016 Barwon Water requested that the Surf Coast Shire prepare Amendment C108 to the Surf Coast Planning Scheme, which was a combined rezoning and planning permit for subdivision. Council abandoned the amendment at its meeting on 23<sup>rd</sup> August 2016 following the consideration of submissions received through the public exhibition period. The grounds for the abandonment were in relation to loss of amenity to neighbouring properties and the subdivision of the land into lots smaller than the minimum lot size of 800sqm applying to that precinct of Anglesea.

Barwon Water has now applied to the Minister for Planning, requesting that the Minister rezone the same land to General Residential but without the subdivision component. The Design and Development Overlay Schedule 19 and Neighbourhood Character Overlay Schedule 3 will also be applied to the site consistent with the surrounding area. The existing pump station on the site is proposed to be retained within the current Public Use Zone within a separate 241m<sup>2</sup> lot.

The Fast Track Government Land Service was created by the Minister for Planning to manage planning scheme changes relating to surplus government land. The purpose is to ensure that appropriate planning provisions are in place on government land, correcting anomalies and updating planning provisions. The Minister has also appointed a Government Land Standing Advisory Committee. The Committee provides independent advice on the planning proposal to the Minister for Planning.

##### **Discussion**

The amendment is to be placed on public exhibition by the Fast Track Government Land Service from 1 May to 9 June 2017. Council will have an opportunity during this time to make a submission to the amendment.

It is considered appropriate that the proposed amendment addresses some of the issues raised through the previous process for Amendment C108. Residents in the surrounding area were concerned about the urban design aspects of the future development on the land. As the lots all have frontage to both Harvey Street and Parker Street, there is potential for a less than ideal outcome in the interface between the secondary street and the rear of the properties.

### **3.5 Council Submission to State Government - Rezoning of Barwon Water Site - 69B Harvey Street, Anglesea**

Therefore it is proposed that Council's submission will request that the following matters be considered and addressed through the amendment documentation.

New provisions should be introduced into the NCO3 and DDO19 to address the potential issues that will arise from the lots having two street frontages, such as:

- new setback provisions and decision guidelines to ensure a new dwelling or building on the site addresses both street frontages without impacting on the dual streetscapes
- control of fencing abutting the nominated secondary street frontage and the need for clear decision guidelines outlining how this secondary frontage is to be managed.

Wording will be suggested generally in accordance with the provisions in the exhibited overlays to C108 which addressed these matters.

The submission will not raise any objection to the proposed rezoning of the land on the basis that the proposed rezoning previously received support from the community as submissions received to amendment C108 were advocating for this outcome. Submissions to Amendment C108 also supported rezoning the site from Public Use Zone to General Residential on the basis that the property was unsightly and has been disused for many years.

The proposed rezoning is consistent with Clause 21.11, 'Anglesea Strategy' and the Anglesea Structure Plan which identifies the site as having the potential to provide future residential land. The proposed rezoning to General Residential 1 Zone will be consistent with the surrounding zoning and is therefore considered appropriate.

Submissions to Amendment C108 opposed the proposed re-subdivision of the land that formed part of that amendment. The site currently contains 7 lots ranging in size from 907sqm to 1012sqm. General feedback through C108 highlighted that the current lot size was consistent with the surrounding area and Council policy but that the creation of lots below 800 square metres was not. Council abandoned the amendment on this basis. The current amendment does not include the re-subdivision element.

As the proposal is for a rezoning only, there is no opportunity in Council's submission to request the provision of footpaths, street trees or public open space which were requirements of the previous planning permit for subdivision. As no additional lots are being created, there is no requirement under the planning scheme or the Subdivision Act for a public open space contribution.

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

There are no financial costs associated with the preparation of a submission to the Advisory Committee.

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

Theme 5 Development and Growth

Objective 5.4 Transparent and responsive land use and strategic planning

Strategy Nil

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

Submissions must be lodged during the public exhibition process governed by provisions 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***

Not applicable.

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

Not applicable.

### **3.5 Council Submission to State Government - Rezoning of Barwon Water Site - 69B Harvey Street, Anglesea**

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

The Advisory Committee will place the amendment on public exhibition for a one month period commencing in May 2017 and will run an information session during exhibition and a public hearing following the close of the submission period.

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

Not applicable.

#### ***Communication***

All communication in relation to the amendment will be undertaken by the Fast Track Government Land Service/Advisory Committee.

#### ***Conclusion***

The proposed rezoning being prepared by the Minister for Planning seeks to rezone the land in accordance with Council policy and apply overlay schedules consistent with the surrounding area. Council's submission to the amendment will highlight the streetscape and character issues that are anticipated will arise as a result of the properties having two street frontages. The current schedules do not address this matter which may be problematic for the Responsible Authority when assessing individual applications for planning permits post rezoning of the site.



### 3.6 Winchelsea Recreational Vehicle (RV) Friendly Area Operational Arrangements

**Author's Title:** Coordinator Business & Tourism Strategy

**General Manager:** Ransce Salan

**Department:** Economic Development & Tourism

**File No:** F16/618

**Division:** Environment & Development

**Trim No:** IC17/477

**Appendix:**

1. Enterprise Risk Assessment: Winchelsea RV Friendly Area Year-Round Use, Barwon River Reserve (D17/54580)

**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 note the operational and budgetary factors required for an RV Friendly area at the Barwon River Reserve, Winchelsea under year-round and seasonal scenarios and consider the continuance of RVs on the designated area.

#### Summary

This report considers the appropriate operational arrangements and subsequent budgetary implications for an RV Friendly area in the Barwon River Reserve, Winchelsea under two scenarios:

- a year-round operational arrangement and subsequent budget requirements
- a seasonal operational arrangement between 1 December and 30 April and subsequent budget requirements.

The operational requirements and subsequent budget implications in this report have been guided by consultations with internal and external stakeholders and a risk assessment which analyses how identified risks may be reduced to a lower level.

In summary, the total costs for establishment and operation of a Winchelsea RV Friendly are \$9,570 if provided from 1 December to 30 April or \$19,470 if provided on a year-round basis in 2017/18. There is minimal comparative economic benefit in providing a year round overnight self-contained RV site.

The costs are higher for a year-round provision due to the additional operational arrangements recommended to reduce the risk level to medium due to a higher possibility of inundation during May to November.

For subsequent financial years, an allowance needs to be made in the budget to support the ongoing operational costs of \$6,070 or \$10,970 respectively.

Noting that consultation identified resident concern with loss of amenity to the area and a growing population in Winchelsea, it is recommended that the RV friendly area use be reviewed in May 2019.

### 3.6 Winchelsea Recreational Vehicle (RV) Friendly Area Operational Arrangements

#### Recommendation

That Council:

1. Note the report summarising the operational arrangements for the Winchelsea RV Friendly area.
2. Under Community Amenity Local Law 1 of 2011, designate the Barwon River Reserve, Winchelsea in the area between Mercer Street and the Railway Bridge to allow sleeping in self-contained recreational vehicles, self-contained caravans or self-contained motorhomes overnight for a maximum of 48 hours between 1 December and 30 April, commencing on 1 December 2017.
3. Pre-allocate \$9,570 in the 2017/18 Budget to support the implementation of operational arrangements of an RV Friendly area in the Barwon River Reserve and \$6,070 plus CPI annually in future budgets.
4. Review the designation of use in May 2019 with recommendations on whether to continue to allow an RV Friendly area in this location.

#### Council Resolution

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

That Council:

1. Note the report summarising the operational arrangements for the Winchelsea RV Friendly area.
2. Under Community Amenity Local Law 1 of 2011, designate the Barwon River Reserve, Winchelsea in the area between Mercer Street and the Railway Bridge to allow sleeping in self-contained recreational vehicles, self-contained caravans or self-contained motorhomes overnight for a maximum of 48 hours commencing on 1 August 2017.
3. Allocate \$19,470 in the 2017/18 Budget to support the implementation of operational arrangements of an RV Friendly area in the Barwon River Reserve and \$10,970 plus CPI annually in future budgets.
4. Evaluate the use of the site and provide a report with any relevant recommendations to Council in July 2019.

CARRIED 8:0

### **3.6 Winchelsea Recreational Vehicle (RV) Friendly Area Operational Arrangements**

#### **Report**

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

A report summarising a 12 month trial allowing self-contained and Recreational Vehicles (RVs) to stay short term in the Barwon River Reserve was provided to the April 2017 Council meeting.

At the meeting, the following Council Resolution was carried:

##### **Council Resolution**

##### **MOVED Cr Carol McGregor, Seconded Cr Libby Coker**

That Council:

1. Note the report summarising the Winchelsea RV Friendly trial.
2. Receive and note the minutes of the Winchelsea Monitoring Group February 2017 meeting.
3. Acknowledge the cessation of the Winchelsea RV Trial and monitoring group and the contribution of the community members.
4. Indicates its intention to designate the Barwon River Reserve, Winchelsea in the area between Mercer Street and the Railway Bridge to allow sleeping in self-contained recreational vehicle, self-contained caravans or self-contained motorhomes overnight for a maximum of 48 hours and on a year-round basis.
5. Notes that the site is subject to periodic river inundation and wet soil conditions at which time access to the site needs to be restricted.
6. Requests Officers to analyse appropriate operational arrangements and budgetary implications for this to occur and to report this back for consideration at the 23 May 2017 Council meeting.

CARRIED 8:0

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

This report considers the appropriate operational arrangements and subsequent budgetary implications for an RV Friendly area in the Barwon River Reserve, Winchelsea under two scenarios:

- a year-round operational arrangement and subsequent budget requirements
- a seasonal operational arrangement between 1 December and 30 April and subsequent budget requirements.

An estimate of the economic benefit for each scenario is also provided. This estimate is based on the frequency of RV's utilising the site during the trial period (while open) and average estimated visitor expenditure.

The operational arrangements have been guided by a number of factors including a risk assessment, internal and external stakeholder discussions and the nature of infrastructure permissible at the site. These factors are discussed below with a more detailed risk assessment included as an attachment.

The Corangamite Catchment Management Authority (CCMA) have provided in principle support for a continuation of an RV Friendly area provided that there is no significant capital works such as increasing the total area or elevation of hard stand areas. For this reason various other infrastructure measures have not been considered which might otherwise reduce the level of risk.

##### **Operational Arrangements**

There are two phases to consider in analysing required operational arrangements for the self-contained RV friendly site, being the establishment phase and operational phase.

The estimated costs stated in Table 1 below represent additional operational activity required to provide an RV Friendly area on either a seasonal or year-round basis. One-off costs are included in the 'Establishment' section and recurrent cost estimates are included in the 'Operational' section of the table. A description of each item is provided.

### 3.6 Winchelsea Recreational Vehicle (RV) Friendly Area Operational Arrangements

Establishment	1 December to 30 April	Year Round
Signs production & installation	\$2,500	\$2,500
Promotion	\$1,000	\$1,000
Flood mapping survey	N/A	\$0
Flood Level Indicator with text alert and light	\$0	\$5,000
<b>Sub-Total</b>	<b>\$3,500</b>	<b>\$8,500</b>
<b>Operational</b>		
Local Laws Enforcement	Existing operational budget	Existing operational budget
Public Amenities	Existing operational budget	Existing operational budget
Reserve Maintenance	\$4,540	\$6,000
Regular inspection to consider site status	\$1,380	\$3,450
Flood Level Indicator annual maintenance	\$0	\$1,050
Closure due to flooding	\$150	\$470
<b>Sub-Total</b>	<b>\$6,070</b>	<b>\$10,970</b>
<b>Total</b>	<b>\$9,570</b>	<b>\$19,470</b>
<b>Estimated Economic Benefit</b>	<b>\$14,400</b>	<b>\$24,700</b>

**Table 1:** Cost estimates to establish and support an RV Friendly Area on a year-round or seasonal basis

#### Establishment Phase

Table 1 indicates the establishment of the Winchelsea RV area will cost \$3,500 for seasonal use (1 December to 30 April) and \$8,500 for year-round use. The cost differentials are explained below.

**New Signage:** Both scenarios require new signage to be produced installed on site to direct visitors to the appropriate self-contained RV rest area, outline the conditions of use and communicate warnings. The new signage is an important factor in reducing risk and minimising inappropriate behaviour.

**Promotion:** Similar to signage, promotional information distributed by the Visitor Information Centres, websites and Wikicamps will be required regardless of the duration of use. This cost includes design and print factors of promotional material. It will form an important component in properly communicating the conditions of the site.

**Flood Mapping:** There are currently no measures in place to assess, monitor or respond to the RV Friendly area in the event of a flood warning for the Barwon River Reserve. A flood mapping survey can be done using internal resources to identify the normal and flood river levels and will not incur an additional cost. Discussions indicate that this would not be required for the seasonal scenario which would operate in a dryer period.

**Flood Level Indicator:** The flood mapping survey and flood level indicator are recommended for year-round scenario to reduce the risk profile as it is much more likely that inundation will occur in May to November period.

The flood level indicator provides a text message alert to council when the water reaches a certain level. A flashing light can also be added to notify people in the local area. A marker could then be set on a flood level indicator at a conservative level to allow officers and site users an appropriate amount of time to close and vacate the area.

This item forms the cost difference between the two operational scenarios and is estimated to cost \$5,000.

### 3.6 Winchelsea Recreational Vehicle (RV) Friendly Area Operational Arrangements

#### Operational Phase

The recurrent operational costs of a Winchelsea RV area are estimated at \$6,530 for seasonal use and \$10,970 for year-round use.

**Local Laws Enforcement & Public Amenity:** There are some 'business as usual' operational activities that already occur within the Barwon River Reserve. These activities will take place regardless of the area being designated an overnight self-contained RV rest area and as such are identified as 'existing operational budget' in Table 1. Public amenity includes aspects such as maintenance of public toilets, emptying of bins and servicing and maintaining the RV dump point near the Barwon Hotel.

**Reserve Maintenance:** This item includes an allowance for ground repairs, civil works and prevention of root compaction near large trees. It is higher for a year-round RV use as more repairs are anticipated due to increased use particularly when the ground is more likely to be wet over the May to November period.

**Regular Inspections:** Inspections of the RV Friendly area to monitor the condition of the site will be required on a weekly basis or after significant rain. If the ground is considered too wet, or during a year-round use, the flood level indicator is near the pre-determined mark, then the area will be closed for RV use. A regular assessment will then determine when conditions are suitable to allow the area to be re-opened. Due to the higher level of rainfall over the May to November period it is envisaged inspection of the site may intensify and therefore require more funding.

**Site Closure:** There may be times when the RV Friendly area needs to be closed due to a threat of inundation outside of regular work hours. An allowance has been made in both operational models for an after-hours call-out cost. Similar to the above it is envisaged the site may need to be closed more often in the May to November period.

#### Possible Additional Costs

It should be noted there are also a range of costs that have not been able to be quantified in this report including:

- **A potential increase to insurance premiums:** the RV Friendly area may have no impact on Council insurance premiums until a claim is made. The nature of the claim may have an associated increase in insurance premiums.
- **Lighting to illuminate RV signs at night:** this was recommended by Council's insurer as a part of the operational arrangements, however, it was not possible to confirm a cost estimate in time for this report and it is unclear whether illumination of a sign(s) overnight in this area would be accepted by local residents.
- **Monitoring potential Barwon River flood events:** this represents a new service that will divert staff from current duties. These hours are not currently included as a part of any officers' usual role and represents additional activity required by agreement of these areas. It is estimated that this may have a significant impact on staff time, particular for the year-round provision of an RV Friendly area. There is an estimated 300 hours in total of officer time required to support the year round RV Friendly area with 160 of these hours related to monitoring potential flood events.

In summary, the total costs for establishment and operation of a Winchelsea RV Friendly in 2017/18 are \$9,570 if provided from 1 December to 30 April and \$19,470 if provided on a year-round basis.

For subsequent financial years, an allowance needs to be made in budget to support the ongoing operational costs of \$6,070 or \$10,970 respectively.

An economic benefit to the Winchelsea community in providing an RV friendly area has been calculated based on the frequency of use monitored during the trial period. It is estimated that the RV Friendly area will provide an annual benefit of \$14,400 or \$24,700 on a seasonal or year-round basis respectively.

#### **Risk Assessment**

Prior to the RV Friendly trial, flooding of the area was identified as a risk. The RV Friendly trial period demonstrated the need to improve risk mitigation measures that were in place during the trial should it continue beyond the trial.

### 3.6 Winchelsea Recreational Vehicle (RV) Friendly Area Operational Arrangements

The risk assessment (attached) was used to analyse the type of operational arrangements that can contribute to a reduced risk profile.

The inherent risk rating in allowing an RV Friendly Area in this location is 'serious'. This assessment has been based on knowledge acquired from monitoring the area during the twelve month trial period.

As can be seen in Figure 1 below, two of the most effective means to reduce the risk to 'low' is to provide an RV Friendly area only during the dryer months of December to April or to install a boom-gate at the entrance of the reserve.

ANALYSE & EVALUATE				
Risk Source / Causal factor – what will or could cause this risk to occur?	Inherent risk rating	Hierarchy of Control	Controls – what controls will be needed to reduce the risk occurring?	Residual Risk Rating
1. Parking area is in a flood zone. If a flash flood occurs, advance warning may not be possible	Serious	Elimination	RV Parking permitted between December and April only.	Low
	Serious	Engineering	Boomgate at entrance to stop access when flooded or unsuitable for use	Low

Figure 1: Excerpt from the Risk Assessment of Winchelsea RV Friendly Area

Consultation during the trial period identified that community sentiment did not support any additional infrastructure such as bollards, chains or increase in hard stand areas. It is desirable to the community to keep the area natural and beautiful. A boom-gate would restrict access to the area for RVs and also for other users who may wish to access the site for picnics, fishing, walking. The CCMA may also object to the installation of a boom-gate.

There were times during the trial when non-RV users could access the site using gravel pathways to formalised car parking areas but the ground was too wet to support use of the RV area. For these reasons, a boom-gate is not recommended.

There are a range of administrative and engineering measures identified to reduce the risk to a 'medium' level. These measures have been included in the recommended operational arrangements above. A full copy of the risk assessment is included as an attachment.

#### Financial Implications

If RV usage of the Barwon River Reserve is to continue as it did during the trial period; with no establishment of a defined parking area, monitoring has shown that it will require a budget allocation for maintenance and improvements to the Barwon River Reserve.

In summary, the total costs for establishment and operation of a Winchelsea RV Friendly are \$9,570 if provided from 1 December to 30 April and \$19,470 if provided on a year-round basis in 2017/18. The costs are higher due to the additional operational arrangements recommended to reduce the risk level to medium due to a higher possibility of inundation during May to November period as well as a longer operation timeframe in general.

For subsequent financial years, an allowance needs to be made in budget to support the ongoing operational costs of \$6,070 or \$10,970 respectively.

There is currently no provision in the draft 2017/2018 budget to formalise an RV Friendly Parking Area in Winchelsea. If supported, the proposal represents the provision of a new service to be provided by Council.

#### Council Plan

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

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

### 3.6 Winchelsea Recreational Vehicle (RV) Friendly Area Operational Arrangements

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

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

The Department of Environment, Land, Water & Planning (DELWP) has no objection to making the area RV Friendly for an extended period and acknowledges Council is the Committee of Management. No further approval is required from DELWP and if Council chooses to proceed, it can utilise local laws to control the activity.

The Corangamite Catchment Management Authority (CCMA) have provided in principle support for a continuation of an RV Friendly area provided that there is no significant capital works such as increasing the total area or elevation of hard stand areas.

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

#### **Regulatory Considerations**

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

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

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

If there are significant concerns or complaints received by Council in relation to RV use of the site, then Council may remove the designation by resolution.

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

- Crown Land (Reserves) Act 1978.
- The Land Act 1958.
- The Local Government Act 1989.
- The Country Fire Authority Act 1958.
- The Occupational Health and Safety Act 2004.
- The Environment Protection Act 1997.

The definition of a Caravan Park under the Residential Tenancies Act 1997 means “an area of land on which movable dwellings are situated for occupation on payment of consideration, whether or not immovable dwellings are also situated there”. The Winchelsea RV Friendly area is therefore not defined as a Caravan Park under the Act and is not required to be registered as a caravan park.

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

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

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

The broader risks relating to the declaring an RV Friendly Area in Winchelsea has been well documented in previous Council Reports.

### **3.6 Winchelsea Recreational Vehicle (RV) Friendly Area Operational Arrangements**

A risk assessment is attached to this report as a means to assess the appropriate level of operational arrangements required and documents the level of risk, control measures and the inherent versus residual risk rating to Council by allowing an RV Friendly area in the Barwon River Reserve.

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

Monitoring has shown the positive impact on the perception that Winchelsea is friendly and welcoming by providing a space for RVs to stay overnight in the short term. It is expected that allowing continued use of the site will continue to provide a small boost to the local economy in terms of increased spend in the local shops and a perception that Winchelsea is welcoming to travellers. It is possible that this may grow over time.

There may be a point in future as the Winchelsea population grows when there is more pressure placed on the site from competing uses. At this point, it may no longer be appropriate to allow RV users to stay at this location.

Noting that consultation identified resident concern with loss of amenity to the area and a growing population in Winchelsea, it is recommended that the RV friendly area use be reviewed in 2019.

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

There has been significant community engagement conducted prior to and during the trial of the Winchelsea RV Friendly Area which has been well documented and reported to Council in previous reports.

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

Given the desire of the community for minimal infrastructure or changes to the Barwon River Reserve, and given this area has been used frequently by RV vehicles as a rest point it is considered that there are no environmental implications.

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

#### ***Communication***

When the recommendation is implemented, the proposal will be communicated via a Council media release, websites, on-site signage, Visitor Information Centres and Wiki-camps.

#### ***Conclusion***

The total cost for the establishment and operation of a Winchelsea RV Friendly area on the Barwon River Reserve is \$9,570 if provided from 1 December to 30 April and \$19,470 if provided on a year-round basis in 2017/18. These costs are currently not contained in the 2017 – 2018 budget.

For subsequent financial years, an allowance needs to be made in budget to support the ongoing operational costs of \$6,070 or \$10,970 respectively.

The year round scenario presents greater risk consideration for Council while estimates of additional economic benefit are minimal.

For this reason the seasonal operation scenario between 1 December and 30 April is recommended. It is also recommended the use of the site as a self-contained RV Friendly site is again reviewed in May 2019.



### 3.7 Petition Response to Requesting Creation of a Sanctuary at Point Impossible/Thompsons Creek

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

**General Manager:** Ransce Salan  
**File No:** F15/51  
**Trim No:** IC17/435

#### Appendix:

1. Final Petition - Sanctuary Point Impossible/Thompsons Creek Estuary - Redacted (D17/49907)

#### 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 respond to a petition requesting Council create a sanctuary at the Point Impossible/Thompsons Creek Estuary to protect migratory birds through the introduction of a no dog and no horse zone.

#### Summary

Point Impossible and the Thompsons Creek Estuary define part of the Surf Coast Shire's northern boundary. The Crown land foreshore within the Shire is managed by the Great Ocean Road Coast Committee (GORCC) and the adjoining foreshore to the north is managed by the City of Greater Geelong.

The petition is seeking a sanctuary at the Point Impossible/Thompsons Creek Estuary to protect migratory birds through the introduction of a no dog and no horse zone.

Council does not currently control dogs at Point Impossible as it is beyond the town boundary for the purposes of the designated restricted dog areas under the *Domestic Animal Act 1994*. Council's *Community Amenity Local Law* only controls horses on Council property and therefore is not able to be used to control Crown land in its current form. In addition, local laws are not to be used where there is other controlling legislation.

The *Crown Land Reserves (Torquay and Jan Juc Foreshore Reserve) Regulations 2009* cover the Point Impossible foreshore within the Shire and empower GORCC as the committee of management to control dog and horse access directly. Council is unable to duplicate existing state regulations through the introduction of new Council local laws applying to the same area. To do so is contrary to the Minister for Local Government's requirements for preparing local laws.

Council supports and will continue to support GORCCs Hooded Plover conservation efforts through local laws patrols within town boundaries during the nesting season and contributing to fox control.

#### Recommendation

That Council:

1. Note the petition has been received and properly considered.
2. Refer the petition to the Great Ocean Road Coast Committee (GORCC) as the manager of the land and the agency with the existing regulatory power to designate and enforce dog and horse controls at Point Impossible.
3. Advise GORCC of Council's support for the proposed dog and horse controls, as part of Council's commitment to protect wildlife breeding habitat.
4. Offer to support the GORCC, if it decides to implement changed dog and horse controls, by incorporating information on any new controls into Council's regulatory and engagement material.
5. Advise the petitioners of this report and Council's decision to refer on the petition to the GORCC.
6. Advise the City of Greater Geelong of the petition and its referral to the GORCC.

### **3.7 Petition Response to Requesting Creation of a Sanctuary at Point Impossible/Thompsons Creek**

#### **Council Resolution**

#### **MOVED Cr Rose Hodge, Seconded Cr Libby Coker**

That Council:

1. Note the petition has been received and properly considered.
2. Refer the petition to the Great Ocean Road Coast Committee (GORCC) as the manager of the land and the agency with the existing regulatory power to designate and enforce dog and horse controls at Point Impossible.
3. Advise GORCC of Council's support for the proposed dog and horse controls, as part of Councils commitment to protect wildlife breeding habitat.
4. Offer to support the GORCC, if it decides to implement changed dog and horse controls, by incorporating information on any new controls into Council's regulatory and engagement material.
5. Advise the petitioners of this report and Council's decision to refer on the petition to the GORCC.
6. Advise the City of Greater Geelong of the petition and its referral to the GORCC.

CARRIED 8:0

### 3.7 Petition Response to Requesting Creation of a Sanctuary at Point Impossible/Thompsons Creek

#### **Report**

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

Council received and noted a petition on 26 April 2017 requesting that Council create a Sanctuary at the Point Impossible/Thompsons Creek Estuary, with the current dog off-lead status replaced by a protection zone with No Dogs or Horses.

The Point Impossible/Thompsons Creek estuary and foreshore area provides habitat for many bird species including the Hooded Plover and Double-banded Plover listed in the petition. The Hooded Plover nests directly on the sand of ocean beaches and breeding success is compromised by disturbance or direct destruction by humans, dogs and horses.

The Point Impossible foreshore is Crown land for which GORCC has been appointed the committee of management by the Department of Environment, Land, Water and Planning. As Point Impossible is beyond the Torquay town boundary for the purposes of the *Community Amenity Local Law*, the foreshore at that location has not been designated as a No Dogs, Dogs on Leash or a Time Share area. Dogs are not prohibited and there are no requirements Council can impose. The foreshore to the north of Thompsons Creek is Crown land with the City of Greater Geelong (COGG) the appointed committee of management and dogs must be on-leash in that area managed by COGG.

Council's *Community Amenity Local Law* enables controls to be applied to horses that are on Council property. As the Point Impossible foreshore is not Council property the local law provisions cannot be applied.

The *Crown Land Reserves (Torquay and Jan Juc Foreshore Reserve) Regulations 2009\** sets the regulations applying to the use of the Crown land foreshore managed by GORCC. These regulations give GORCC the ability to set aside areas for the protection of fauna and to regulate the entry of dogs, horses and other animals. If GORCC uses its powers under the regulations to introduce dog and horse controls, Council Local Laws Officers will not be able to enforce the controls as they are not empowered to do so under the regulations.

Council is unable to introduce duplicate regulations covering the same field covered by state provisions. Under the *Local Government Act 1989* Schedule 8(2) (i) provides that a "*Local law must not - duplicate, overlap or conflict with other statutory rules or legislation*". Therefore Council is unable to introduce duplicate regulations controlling horse and dog access at Point Impossible.

The Crown land regulations allow any GORCC employee to implement the regulations i.e. they can direct a reserve user to leave if they have entered an area with a dog or horse where signage states this is prohibited/restricted and they can follow through with enforcement if they elect to take an enforcement approach. The appointed employee does not have to be an authorised officer.

*\*Crown Land Reserves (Torquay and Jan Juc Foreshore Reserve) Regulations 2009, Victorian Government Gazette 6 August 2009, pages 2135 to 2145*

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

As the manager of the land subject to the petition has the power to enforce the relevant and existing Crown land regulations, GORCC is the agency with the authority to handle the request to change dog and horse controls in this area. The regulations enable controls to be introduced at any time.

Torquay residents were included in a comprehensive study of the residents of 11 Victorian coastal towns and their attitudes towards dogs on beaches, leashing and wildlife conservation (Williams, K, Weston, S and Maguire, G, 2009\*\*). The study found the existence and awareness of regulations alone was not enough to encourage compliance. Barriers to compliance included some dog owners seeing no conflict between wildlife protection and unleashed dogs and dog owners not appreciating the impacts of dogs (particularly their own dogs) on wildlife. Potential strategies to improve compliance included improved communication around the threats of dogs to beach nesting birds and changing the social norms around leashing behaviour. These strategies involve ongoing and intensive community engagement.

### **3.7 Petition Response to Requesting Creation of a Sanctuary at Point Impossible/Thompsons Creek**

In recent years, Council local laws officers have undertaken non-regulatory patrols of Point Impossible during the Hooded Plover nesting season. The patrols supported GORCC's management and were an engagement opportunity to talk with people with off-leash dogs to let them know the Hooded Plovers were nesting and if they crossed to the COGG side of the estuary they would have to put their dog on a lead. While not required, Council will be proactive and continue non-regulatory patrols of Point Impossible during the Hooded Plover nesting season to assist in the protection of Hooded Plovers.

*\*\*Williams, K, Weston, S and Maguire, G, 2009, Birds and Beaches, Dogs and Leashes: Dog Owners' Sense of Obligation to Leash Dogs on Beaches in Victoria, Australia, Human Dimensions of Wildlife, March 2009.*

#### **Financial Implications**

If GORCC decides to introduce dog and horse controls on the Point Impossible foreshore there will be a minor cost to Council amending its online and published material around dog and animal controls to incorporate the changes to assist GORCCs implementation.

The patrols during Hooded Plover nesting over the past few seasons by Council's local laws officers has been a direct cost to Council. Point Impossible is not on the way to other regularly patrolled areas and is a round trip of approximately 1 hour including patrol time. Council has also covered the cost of two nights fox shooting for GORCC to target priority areas as required to protect Hooded Plover nests.

#### **Council Plan**

Theme 2 Governance  
Objective 2.4 Transparency in decision making and access to information  
Strategy 2.4.1 Communicate decisions clearly and in a timely manner.

Theme 2 Governance  
Objective 2.2 High performing accountable organisation  
Strategy 2.2.1 Ensure the organisational structure is capable of delivering on the Council Plan

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

The existence of state regulations covering dog and horse entry at Point Impossible has implications on Council's ability to introduce new controls under the *Local Government Act*.

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

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

#### **Risk Assessment**

There are risks around Council assuming responsibilities associated with land it doesn't own or manage if it takes on efforts to control dog and horse access at Point Impossible or if Council seeks to duplicate existing regulations empowering GORCC to do so.

#### **Social Considerations**

There have not previously been dog or horse controls on the Point Impossible foreshore within the Surf Coast Shire. Controls would be a significant change and would require an engagement/consultation strategy to be effective.

There is a dedicated group of community volunteers that assist GORCC with its Hooded Plover conservation efforts and the petition demonstrates a level of community support for changed dog and horse regulations. Support has not been tested via broad consultation.

#### **Community Engagement**

From time to time Council engages with residents on proposed changes to designated dog areas within townships. Possible changes to dog and horse regulations at Point Impossible have not been the subject of community engagement by Council.

#### **Environmental Implications**

Experience on the Mornington Peninsula where dogs were banned on beaches within the National Park in November 2016 saw eight Hooded Plover chicks survive the latest breeding season versus one the previous season. Although there are a number of factors that will impact on chick survival rates, dog and horse controls are likely to have a positive impact on chick survival rates.

### **3.7 Petition Response to Requesting Creation of a Sanctuary at Point Impossible/Thompsons Creek**

#### ***Communication***

GORCC officers are aware of the petition. Council and GORCC officers meet regularly to discuss operational issues including steps to assist the protection of the Hooded Plover. To date there has been not been wide community consultation on this specific petition. Council can expect that non-regulatory patrols of Point Impossible by local laws during the Hooded Plover nesting season will continue until a more appropriate action plan is enacted.

#### ***Conclusion***

The protection of Hooded Plovers and Double-banded plovers, along with the proper use of open space for dogs and horses are each important to Council. How these sometimes conflicting uses are managed can be complex and challenging. As the manager of the Point Impossible foreshore and with Crown land regulations enabling controls over the entry of dogs and horses, the responsibility for requests contained within the petition rest with GORCC.

Council should refer the petition to GORCC. If GORCC decides to implement changed dog and horse controls, Council can provide support by incorporating information on any new controls into Council's regulatory and engagement material and continue to undertake non-regulatory patrols of Point Impossible by local laws during the Hooded Plover nesting season.

#### 4. CULTURE & COMMUNITY

##### 4.1 Anglesea Cricket Club Changeroom Upgrade - Project Update

**Author's Title:** Recreation Planning Coordinator      **General Manager:** Chris Pike

**Department:** Recreation & Open Space Planning      **File No:** F15/1159

**Division:** Culture & Community      **Trim No:** IC17/431

**Appendix:**

1. Anglesea Cricket Club Changeroom Upgrade - Revised Concept (D17/55005)
2. Anglesea Cricket Club Letter - Request for Funding Support (D17/46216)

**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 consider options relating to a funding shortfall with the Anglesea Cricket Club Change Room Upgrade Project.

#### **Summary**

The Anglesea Cricket Club (ACC) submitted an Expression of Interest to upgrade their change room facility when projects were being considered for the 2016/17 Community Sports Infrastructure Fund (CSIF) through Sport and Recreation Victoria (SRV). Council prioritised the project, made application and was successful in securing \$70,000 toward a proposed \$130,000 project.

The project involved an upgrade to the existing change room facilities including redeveloped toilet amenities, disabled access and adequate change room facilities for both male & female participants and was included in Council's 2016/17 capital works delivery program.

When the project was initiated it was identified that it could not be delivered to budget due to inadequate contingency, inaccurate quotation and reduced in-kind and cash contribution available from the club. Council officers worked with all stakeholders including ACC, SRV and Cricket Australia to consider all available options to progress or abandon the project.

Consideration and attempts were made to reduce the scope, source a new commercial builder willing to utilise club member volunteer support to deliver the project and identify opportunities to increase the project income through fundraising, sponsorship and other potential funding sources. Stakeholders mutually agreed to a significantly reduced scope that included 2 x 20m2 change rooms with toilet and shower in each (1 with an accessible toilet) and DDA compliant access ramp to provide the best opportunity to progress the project.

Council officers utilise a Community Project Proposal Assessment Matrix to assess all community projects viability fairly against a number of weighted criteria. This project scores very strongly with 70 out of 100 which is in the top 5 highest ranking community projects across the Shire.

An independent cost estimate was secured which confirmed a new total project cost of \$166,000 (including \$141,000 construction, \$10,000 project management and \$15,000 contingency) that represents a \$71, 000 project shortfall.

The project requires this funding shortfall to be addressed to be able to proceed and ensure delivery prior to 31 December 2017 to meet the conditions of the SRV funding agreement.

Council could choose to abandon the project and return \$70,000 to the Victorian State Government, however this has reputational risk considerations from both funding partner and community and does not resolve the clubs change room issue.

#### **4.1 Anglesea Cricket Club Changeroom Upgrade - Project Update**

The Anglesea Cricket Club has 140 registered players including a junior female team. They are the only team in the Bellarine Peninsula Cricket Association without two change room facilities and they hire their own portable change room each season to ensure visiting teams and female juniors have a place to change.

The club has a long history of contributing to previous projects at the reserve including ground irrigation, recycled water, pavilion upgrades and practice net facilities. This has impacted the discretionary cash that they have available to complete this project.

Whilst the Cricket oval is in outstanding condition and is the envy of most clubs within the Geelong, Bellarine and Surf Coast districts the club room facility is out-dated and not able to cater for visiting clubs, players or the local community needs with only sub-standard amenities and just one change room facility.

#### **Recommendation**

That Council:

1. Pre-allocate \$38,000 from the 2017/18 budget as Council's increased contribution to the Anglesea Cricket Club Change Room Upgrade Project.
2. Allocate \$33,000 from the Open Space Reserve Fund for the Anglesea Cricket Club Change Room Upgrade Project.
3. Note the revised project budget is \$166,000 which includes \$141,000 for construction, \$10,000 for project management and \$15,000 for contingency.

#### **Council Resolution**

**MOVED Cr Libby Coker, Seconded Cr Rose Hodge**

That Council:

1. Pre-allocate \$38,000 from the 2017/18 budget as Council's increased contribution to the Anglesea Cricket Club Change Room Upgrade Project.
2. Allocate \$33,000 from the Open Space Reserve Fund for the Anglesea Cricket Club Change Room Upgrade Project.
3. Note the revised project budget is \$166,000 which includes \$141,000 for construction, \$10,000 for project management and \$15,000 for contingency.

CARRIED 8:0

#### 4.1 Anglesea Cricket Club Changeroom Upgrade - Project Update

##### Report

##### **Background**

The Anglesea Cricket Club (ACC) submitted an expression of interest to Council in August 2015 to upgrade their change room facilities when Council was considering potential projects to submit to the 2016/17 Community Sports Infrastructure Fund - Cricket Facilities Category. The project was prioritised and Council pre-allocated \$10,000 in the 2016/17 budget prior to submitting an application to Sport and Recreation Victoria (SRV) in October 2015.

The project involved an upgrade to the existing change room facilities including redeveloped toilet amenities, disabled access and adequate change room facilities for both male & female participants (Stage 1). The project was successful in securing a \$70,000 grant from SRV and included in Council's 2016/17 capital works delivery program, with income and expenditure identified as follows:

<b>Income</b>	<b>\$</b>	<b>Expenditure</b>	<b>\$</b>
SRV	70,000	Construction	89,750
Surf Coast Shire	10,000	Planning Advice	250
Anglesea Cricket Club Cash	20,000	In-Kind Support	30,000
Anglesea Cricket Club In-kind	30,000	Project Management	6,000
		Contingency	4,000
<b>Total</b>	<b>130,000</b>	<b>Total</b>	<b>130,000</b>

The project was developed prior to the introduction of Council's Program Management Office, however once the funding agreement was signed and a project charter meeting established it was identified that the cost estimate provided by the Club was inadequate to deliver the project.

The commercial builder aligned to the ACC that provided the original quotation for the project was no longer able to meet the cost estimate provided. A number of tradesman involved at the Club were going to assist with the build to boost the in-kind value to the project, however without the commercial builder being available to tender for the works this high level of voluntary support could not be achieved. It is not uncommon for SRV projects to benefit from high levels of in-kind voluntary support with program guidelines supporting claims of voluntary and in-kind expenses up to 50% of the total project cost.

Over a number of months the ACC unsuccessfully made attempts to source another commercial builder to deliver the project and failed in their attempt to increase the project income through fundraising or club sponsorship arrangements. The club had arranged a concept design through a local architect as an in-kind contribution to the project, which Council's project manager utilised to source new independent quotations that confirmed a shortfall in funding of \$71,000 to complete the project.

Officers have been liaising with SRV, Cricket Victoria and the Anglesea Cricket Club to explore options to progress or abandon the project. The project completion date as per the funding agreement with Sport and Recreation Victoria is 31 December 2017.

##### **Discussion**

The Anglesea Cricket Club (ACC) has a proud history of playing cricket and contributing towards the community dating back to the 1950's originally playing cricket on the foreshore on a small reserve which is now the location of the Anglesea Family Caravan Park and in 1973 moved to Ellimatta Recreation Reserve.

The club has been extremely successful on and off the field winning up to 20 Premierships from across all grades of cricket. The club has developed one of the most successful junior sports programs operating in the Geelong, Surf Coast and Bellarine districts with up to 8 Premierships. Milo Cricket and Women's Cricket are major components of the extremely successful junior sports program which have experienced significant growth during the past decade. The club is in a position of strength having up to 9 grades / levels of cricket which are highly competitive and community orientated and includes A, B, C, D grade cricket sides and a junior sports program consisting of 5 sides including a girl's junior Milo Cricket team. The club services over 140 playing members with a wider club membership of up to 400 people within the community.



#### 4.1 Anglesea Cricket Club Changeroom Upgrade - Project Update

The ACC submitted an Expression of Interest to Council when projects were being considered for submission to the 2016/17 Community Sports Infrastructure Fund (CSIF) through Sport and Recreation Victoria. Council prioritised the project, made application and was successful in securing \$70,000 toward a proposed \$130,000 total project cost.

The ACC change room upgrade project addresses a shortage in change facilities for senior and junior cricketers including a high number of junior female participants. Anglesea is the only club in the Bellarine Peninsula Cricket Association that does not have two change room facilities. For many years visiting clubs and girls at the junior levels have had to get changed behind a temporary curtain in the pavilion or in their cars. The club could no longer operate effectively to meet the most basic needs of competing teams so two years ago started hiring a small portable change facility (similar to a site hit) that is considered an inadequate permanent solution but better than not having any facilities available for visiting teams at all. The annual hire of this temporary change facility is \$3,000 per season that is fully funded by the ACC.

This project was initiated prior to the introduction of Council's project management framework, however a project manager was appointed to the project following the successful announcement and the change room upgrade was included in Council's 2016/17 capital works delivery program. The construction estimate at time of application was sourced by the club with a high level of in-kind support built in to deliver the best possible value for the club. Unfortunately the builder is no longer able to meet the cost estimate provided and the club have been unable to source a new commercial builder willing or available to help out the club and tender for the works.

In light of not being able to secure a commercial builder to support the Club, they were no longer in a position to commit \$30,000 in-kind or \$20,000 cash. The Club were now able to contribute \$10,000 cash (including \$5,000 from their very supportive local Bendigo Bank) and \$5,000 in-kind (detailed design/construction drawings) from a club aligned architect.

With this updated information following the first project charter meeting, officers implemented actions to test the future viability of the project that included the following:

Action	Comment
Reduce Scope	Several meetings held with key stakeholders including Sport and Recreation Victoria, Anglesea Cricket Club and Cricket Victoria. In principle support provided from all parties regarding a modest design that will meet club needs and still meet the activity schedule criteria in the funding agreement. Detailed design to be signed off by all stakeholders should project proceed.
Seek greater community contribution	The club were strongly encouraged by officers to increase their contribution and meet the \$20,000 as identified in the expression of interest submitted by the club. The club confirmed that their financial position would not allow them to contribute any further cash to the project due to their financial commitments approaching a new Cricket season (registration fees, balls, uniforms etc). The Club were able to attract \$5,000 from Bendigo Bank (confirmed in writing), \$5,000 cash and \$5,000 in-kind.
Explore other potential funding opportunities	The club explored other potential funding contribution/partners from the local community however were unable to secure any further contributions. A fundraising event was discussed by the club but did not progress due to limited available volunteer support. Officers have identified the Open Space Reserves Fund as a potential source of funding (up to \$33,000 in Reserve for Anglesea) as the project is identified in the Elimatta Reserve Master Plan 2007.

Officers have tested the project against the Community Project Proposal Assessment Matrix that provides a transparent and equitable viability assessment of community projects against a number of weighted criteria. The project scored 70 out of 100 which is considered high and is in the top 5 highest ranking community projects across the Shire.

#### 4.1 Anglesea Cricket Club Changeroom Upgrade - Project Update

Meetings were held with Anglesea Cricket Club, Cricket Victoria and SRV to present the options to progress or abandon the project and a reduced design scope was agreed by all parties. The concept design as attached at Appendix 1 identifies Stage 1 and future stages 2 and 3 which can be delivered when funds become available at a future time.

Stage	Design Scope
Stage 1	<ul style="list-style-type: none"> <li>• 2 x 20m2 Change rooms</li> <li>• 1 toilet and 1 shower in each change room (inclusive of 1 accessible toilet)</li> <li>• DDA compliant access ramp</li> </ul>
Stage 2	<ul style="list-style-type: none"> <li>• Toilet and storage upgrade</li> </ul>
Stage 3	<ul style="list-style-type: none"> <li>• Clubroom improvements and decking</li> </ul>

An independent cost estimate was secured by Council's project manager following stakeholder support of the reduced scope for stage 1. The cost estimate for construction came in at \$141,000 plus project management and contingency. This new proposed project budget including income and expenditure is summarised as follows:

Income	\$	Expenditure	\$
SRV	70,000	Construction (inc planning and in-kind)	141,000
Surf Coast Shire	10,000	Project Management	10,000
Anglesea Cricket Club Cash	5,000	Contingency	<u>15,000</u>
Anglesea Cricket Club In-kind	5,000		
Bendigo Bank	5,000		
Open Space Reserve Fund *	33,000		
Shortfall *	<u>38,000</u>		
<b>Total</b>	<b>166,000</b>	<b>Total</b>	<b>166,000</b>

\* Funding not yet confirmed.

The club has a long history of contributing funding to projects at the reserve which has impacted their discretionary cash available for this project, including:

- Clubroom upgrade (1994)
- Installed cricket pitch at Anglesea Primary School
- Installed 2 x synthetic wickets at Elimatta Reserve
- Supply of sand/grass sods for resurfacing developments
- Contribution to recycled watering system project
- Contribution to practice net redevelopment
- Installed sight screens and fencing
- Kitchen upgrade to meet minimum standards
- Portable change facility hire for visiting teams and female participants.

Whilst the Cricket oval is in outstanding condition and is the envy of most clubs within the Geelong, Bellarine and Surf Coast districts the clubrooms are out-dated and not able to cater for visiting clubs, players or the local community needs with only sub-standard amenities and just one change room facility.

#### **Financial Implications**

This report is recommending that a further \$71,000 be allocated to the project in addition to the \$10,000 already allocated. The funding sources for these additional funds is recommended as \$33,000 from the Open Space Reserves Fund and \$38,000 from Accumulated Unallocated Cash Reserves. This total allocation includes \$15,000 allocated as a contingency allowance, which if not required to complete the project will be returned to Council's cash reserves.

#### **Council Plan**

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

#### **4.1 Anglesea Cricket Club Changeroom Upgrade - Project Update**

Theme 4 Infrastructure  
Objective 4.2 Accessible and well maintained Council facilities  
Strategy 4.2.3 Ensure building codes are followed and improve accessibility.

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

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

There are no legal or policy implications arising from this report. It is noted that Council has a current funding agreement for this project with Sport and Recreation Victoria to be completed by 31 December 2017.

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

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

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

There is a reputation risk with the community and State Government if Council were to abandon this project. The club's change room facilities are inadequate and the issues relating to meeting the most basic needs of two participating cricket teams will not be resolved.

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

By funding this shortfall Council ensures the Anglesea Cricket Club provides adequate change room facilities for its players both male and female and opposition teams. The project is identified in the Elimatta Reserve Master Plan 2007.

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

A high level of engagement has been completed with key stakeholders in identifying options to progress this project including the Anglesea Cricket Club, Ward Councillors, Victorian State Government, Cricket Victoria and Department of Environment, Land, Water and Planning (DELWP).

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

No significant environmental implications arise from this report.

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

The Anglesea Cricket Club will be notified of the decision, as well as other project stakeholders.

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

It is recommended that the Anglesea Cricket Club is supported with some extra funding to be able to proceed with their change room upgrade project. By meeting the funding shortfall Council will be ensuring that Anglesea Cricket Club no longer remains the only Club in the Bellarine Peninsula Cricket Association without two change room facilities and club members will take great pride in welcoming visiting teams to Elimatta Reserve.

## 4.2 Council Involvement in Tennis Clubs - Review

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

**General Manager:** Chris Pike

**Department:** Business Improvement

**File No:** F16/870

**Division:** Office of the CEO

**Trim No:** IC17/465

### Appendix:

1. Service Review - Council Involvement in Tennis Clubs (D17/54138)

#### 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 the recommendations of the review into Council's involvement in tennis clubs.

### Summary

Council endorsed a review of its involvement in tennis clubs as part of the 2016/17 Business Improvement Program. The review objectives included:

- obtaining a better understanding of clubs' operations including membership and financial capacity
- understanding Council support provided to clubs
- making recommendations about Council's longer term involvement in tennis clubs and their associated facilities.

Council has 10 tennis clubs operating in the Shire on Council owned or managed courts. These clubs exhibit a varying level of financial capability and participation levels. Council provides support to these clubs through facility provision and capital improvements. Day to day operations of the clubs and facilities are generally managed by the clubs.

The G21 Regional Tennis Strategy was adopted by Council in July 2015. The Vision in the Strategy is that: By 2025 the G21 Region will be Victoria's fastest growing and most accessible region for tennis.

The sport, at a strategic level, receives strong guidance from Tennis Australia and locally through Tennis Victoria. These bodies provide guidance to clubs and Local Government to promote club and broader sport sustainability.

The review has included consultation with nine of the 10 tennis clubs, neighbouring Councils and representatives from Tennis Victoria. A full review of financial transactions associated with tennis clubs has been completed, as has a literature review of strategic documents from the sport's governing body, Tennis Australia (and their affiliate Tennis Victoria).

Local government has a strong role to play in the ongoing success of tennis clubs and the broader sport. A range of recommendations are provided in the attached report following the completion of this review. The recommendations intend to help tennis clubs to improve their financial sustainability, to ensure future renewal and improvement works are appropriately funded and to simplify public access to tennis facilities. These recommendations are strongly aligned to the G21 Regional Tennis Strategy and broader principles of Tennis Australia and Tennis Victoria.

### Recommendation

That Council adopt the recommendations contained in Appendix 1 - Service Review - Council Involvement in Tennis Clubs.

### Council Resolution

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

That Council adopt the recommendations contained in Appendix 1 - Service Review - Council Involvement in Tennis Clubs.

CARRIED 8:0

## 4.2 Council Involvement in Tennis Clubs - Review

### Report

#### ***Background***

Council currently has 18 separate tennis venues on its asset register, with 54 tennis courts across these venues. 10 of the 18 venues have clubs associated with them with the others acting as active recreation spaces only

Council is the asset owner and manager for all of these facilities and provides day to day support for building maintenance, facility insurance and some elements of court maintenance. The clubs, who typically hold exclusive use leases for the facilities, are generally responsible for other day to day costs including cleaning, utilities and the majority of court maintenance costs.

At a strategic level the G21 Regional Tennis Strategy was adopted by Council in July 2015.

The Strategy includes a Municipal Action Plan for all G21 Councils. Some key items in this action plan for the Surf Coast Shire Council include, amongst others:

- ongoing contribution of \$60,000 per annum to tennis related capital renewal projects
- retaining a minimum of four tennis courts in Winchelsea
- develop a policy that articulates Council's objectives for tennis coach use of community facilities
- consider amending Council's tenancy occupancy policies to incentivise Tennis Victoria affiliation and implementation of associated on and off court programs and initiatives
- decommission a range of rural tennis facilities due to lack of use.

Further to the strategic direction provided in the G21 Regional Tennis Strategy, strong direction, at a broader level, is provided by Tennis Australia and Tennis Victoria.

More detailed background information is provided in the attached report.

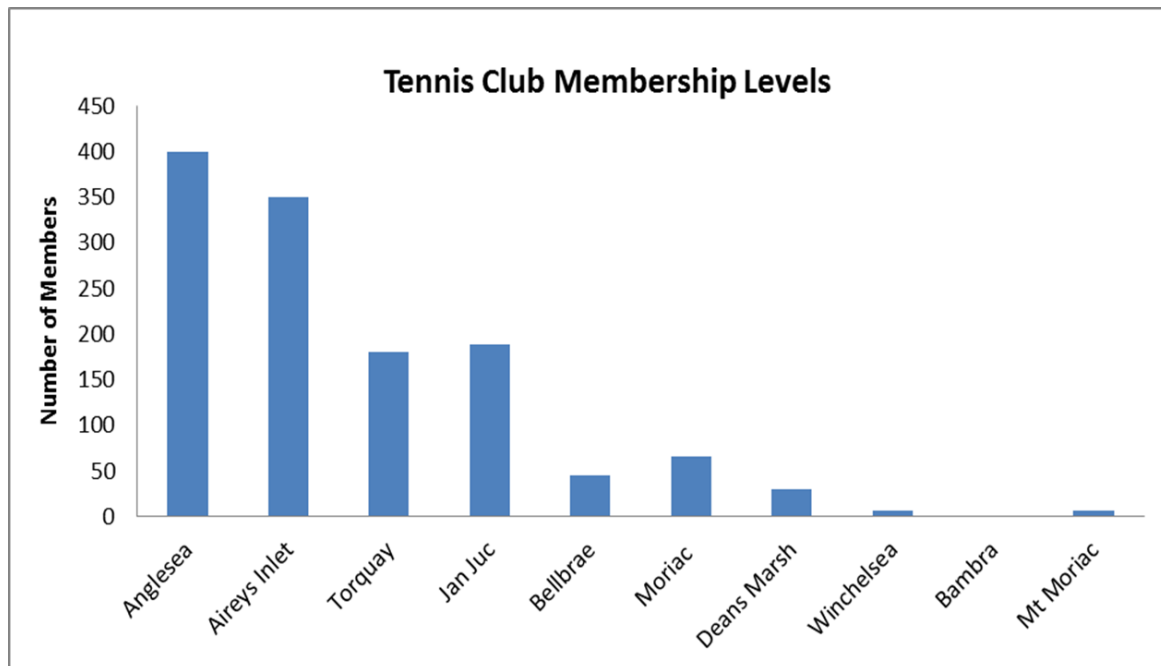
#### ***Discussion***

To understand the way the 10 clubs operate, their financial viability and their relationship with Council, a face to face survey was completed with club representatives. These discussions were held with seven of the 10 clubs with Deans Marsh and Bambra providing written responses while Aireys Inlet did not return various invitations to participate.

A summary level of detail regarding the tennis clubs is provided below. Greater detail is available in the attached report.

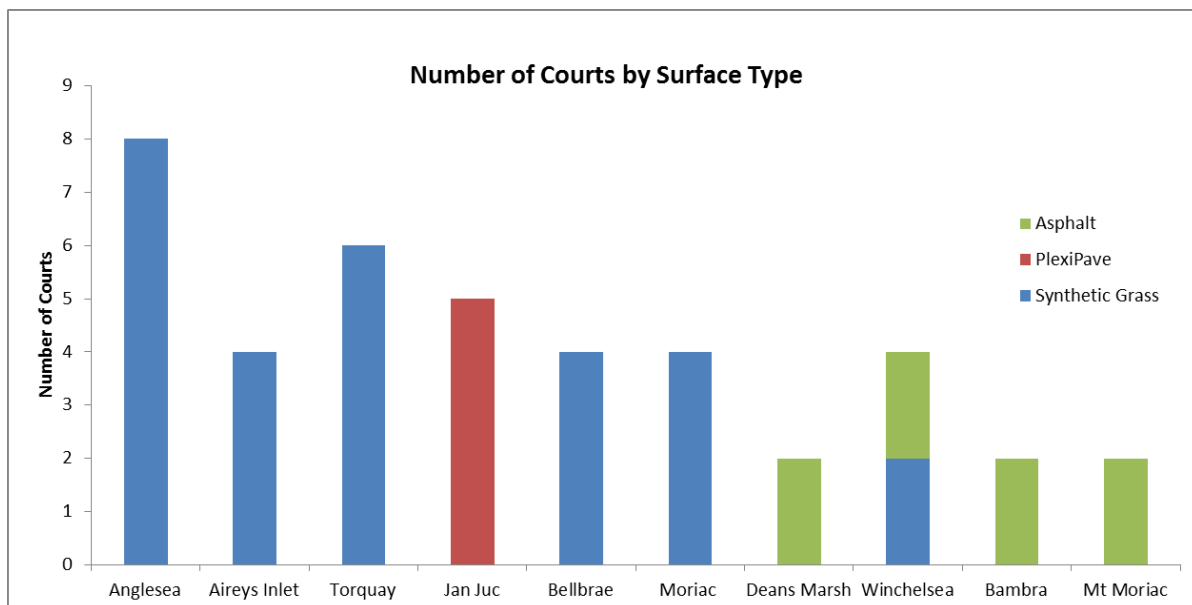
The chart below details the membership levels at each of the tennis clubs.

#### 4.2 Council Involvement in Tennis Clubs - Review



Anglesea and Aireys Inlet have very strong membership bases, a large majority of which are non-permanent residents. Membership numbers for Torquay and Jan Juc are relatively low compared to population and would be expected to have capacity to grow. Numbers at Bellbrae and Moriac are modest whilst there are only very small membership numbers at Winchelsea, Bimbra and Mt Moriac.

The chart below provides information about the court facilities available at each club.



An important piece of information received during the discussions with clubs was an understanding of the plans for the clubs at Torquay, Jan Juc and Bellbrae to merge into a single entity that would continue to operate out of all three venues. The intention is to create a more appealing offering for members relating to both facility access but also to competition numbers. These clubs are already strongly linked through a merged junior coaching and competition structure.

Clubs provided information regarding their own finances including an indication of financial position based on the clubs most recent financial year. Clubs finances are strongly linked to the size of their membership base with Anglesea the best financially performing club, though with profits still less than \$20,000 per annum.

## 4.2 Council Involvement in Tennis Clubs - Review

Other clubs profit levels were stable, which is not surprising considering their low level of revenue and expenditure. Clubs such as Torquay, Jan Juc and Bellbrae were able to generate modest profits between \$2,000 and \$5,000 per annum on average. Other smaller clubs not listed above do not generate any annual profit and generally live within their means.

Clubs with a larger membership base have capability to generate more revenue than other clubs through membership and other efforts. Currently only Anglesea and Aireys Inlet (anecdotally) have this capacity. A merged entity including Torquay, Jan Juc and Bellbrae should be able to reach this level if well managed. All other clubs do not currently have, nor are likely to have, a membership base that could see them operate as a more self-sufficient operation. A more self-sufficient club would see them be able to contribute strongly to the maintenance and asset renewal costs of the infrastructure used.

Clubs at Winchelsea, Mt Moriac and Bambra have very small membership bases and participation rates. These are traditionally strong rural tennis centres, though have faded in popularity, a common issue for small rural tennis clubs. Mt Moriac and Bambra are both within close proximity (within 5 - 10 minutes) to another club and are clearly losing potential members and players to these clubs (being Moriac and Deans Marsh). Neither clubs require large amounts of Council funding, though it would be prudent to consider membership and participation rates when considering future investment in these areas.

Winchelsea's population is anticipated to grow in the medium term. Currently there are two quality synthetic grass courts, two basic asphalt courts and very old, basic clubrooms. There are known health and wellbeing challenges in Winchelsea and Council may see a need to invest in facilities in Winchelsea to help attract participation as a way to addressing these health and wellbeing issues. This requires further investigation in the context of other investment priorities for the growth of the township.

Clubs at Moriac and Deans Marsh are showing reasonable levels of membership and participation based on the size of the towns. These clubs should be supported to help them grow and strengthen their positions. Over time these two clubs may increase in size to a point where they can become more self-sufficient.

Tennis coaching is seen, by the clubs and the governing bodies, to be a key action in the development of the sport, particularly for juniors. This was a strong message from the clubs spoken with as part of this project.

Within the shire, the coaches themselves are clearly dedicated to the sport and are heavily involved in the operation of the clubs including holding committee positions at Jan Juc and Aireys Inlet and running junior programs in Torquay, Jan Juc, Bellbrae, Anglesea and Aireys Inlet. The coaches clearly contribute to the popularity of the sport in the Shire, though do not contribute financially to the clubs, except through individual memberships.

There are examples of Coaches operating on tennis courts with no relation to the club. In this instance it would be appropriate that the coaches, who are deriving income from activities on public land, contribute to the ongoing maintenance and renewal of the tennis facilities. Where there is no relationship with the club, Council may elect to charge the coach directly using a mechanism based on State Government legislation for commercial use of Crown Land.

Free public access to tennis courts is not available at five of the facilities leased by tennis clubs. The attached report details a number of opportunities available to help make it easier for the general public to access tennis courts.

Recommendations in the attached report intend to help tennis clubs to improve their financial sustainability, to ensure future renewal and improvement works are appropriately funded and to simplify public access to tennis facilities. The recommendations are strongly aligned to the G21 Regional Tennis Strategy and broader principles of Tennis Australia and Tennis Victoria.

### ***Financial Implications***

Helping to build financial strength and capacity within the group of tennis clubs will reduce the pressure on Council to fully fund future renewal or upgrade works. This financial benefit is likely to be a medium term outcome.

## 4.2 Council Involvement in Tennis Clubs - Review

### **Council Plan**

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

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

### **Policy/Legal Implications**

There are no policy or legal implications associated with the recommendations in this report.

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

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

### **Risk Assessment**

The recommendations made in this report will be implemented in partnership with tennis clubs and Tennis Victoria. It is not expected that any substantial risks will eventuate as a result of these recommendations being adopted.

### **Social Considerations**

Council is committed to maintaining, enhancing and developing community and recreational facilities to improve community well-being. The recommendations in this review primarily aim to build capacity within the clubs to strengthen long term financial viability and participation in the sport.

### **Community Engagement**

The Clubs have been engaged through the review process.

### **Environmental Implications**

There are no environmental implications expected as a result of these recommendations.

### **Communication**

The Clubs have been engaged through the review process.

### **Conclusion**

Local government has a strong role to play in the ongoing success of tennis clubs and the broader sport. A range of recommendations are provided in the attached report following the completion of this review. The recommendations intend to help tennis clubs to improve their financial sustainability, to ensure future renewal and improvement works are appropriately funded and to simplify public access to tennis facilities. These recommendations are strongly aligned to the G21 Regional Tennis Strategy and broader principles of Tennis Australia and Tennis Victoria.



#### 4.3 Sport and Recreation Victoria - 2018/19 Community Sports Infrastructure Fund

**Author's Title:** Recreation Planning Coordinator      **General Manager:** Chris Pike  
**Department:** Recreation & Open Space Planning      **File No:** F17/633  
**Division:** Culture & Community      **Trim No:** IC17/430

**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 project proposals to be submitted to the 2018-19 Community Sports Infrastructure Fund, Sport and Recreation Victoria Grants.

#### Summary

The Department of Health and Human Services has an annual program for grant applications to support community facility development. The purpose of this program is to provide high quality, accessible community sport and recreation facilities across Victoria.

Funding is available under the following categories:

- Better Pools
- Major Facilities
- Small Aquatic Projects
- Minor Facilities
- Female Friendly Facilities
- Cricket Facilities
- Planning – Facility Feasibility, Recreation Planning or Female Participation Strategies.

Due to the high volume and backlog of community projects that fit the existing program guidelines it was decided not to seek expressions of interest for new project ideas. This approach aligns to Council's recently revised Non-Recurrent Grants Management Procedure (MPP-019).

Council is the applicant for these grants and a funding contribution is required from Council and/or community to apply. Council Officers have considered existing projects that meet the funding criteria for the program.

There is a limit to the number and value of applications in each category, therefore Council is required to prioritise project proposals for submission. Council is able to apply for:

- 1 application only under the Better Pools, Major Facilities and Small Aquatic Projects categories.
- 1 application only in the Planning category.
- Up to 3 projects from the Minor and Cricket Facilities categories (with a maximum of 2 applications from any single category).
- Up to 3 projects from the Female Friendly Facilities category.

Project proposals (Stage 1) are due by 7 June 2017 to be considered in competition with other projects from across Victoria and if successful, invited to submit a full application (Stage 2) by 11 September 2017.

Following an assessment of existing projects it is recommended that Council do not submit project proposals to the Better Pools, Major Facilities, Small Aquatic Projects or Planning categories as a high level of strategic underpinning is required to be successful and no projects are advanced enough in their planning to be considered project ready.

### 4.3 Sport and Recreation Victoria - 2018/19 Community Sports Infrastructure Fund

By submitting projects at this stage of the application process (Project Proposals), Council is not bound to proceed to the full application stage. Indeed it will make sense for Council to review its position in light of the feedback received from SRV at this first stage.

#### Recommendation

That Council:

1. Submit the following project proposals to the 2018-19 Community Sports Infrastructure Fund, Sport and Recreation Victoria Grants:
  - 1.1 Minor Facilities – Banyul Warri Fields, Yurrock Soccer Pitch and Lighting – Total project cost \$721,000 (including project management and contingency) consisting of Council \$621,000 (Developer contribution project allocation) and Sport and Recreation Victoria \$100,000.
  - 1.2 Minor Facilities – Stribling Reserve Lighting Upgrade – Total project cost \$400,485 (including project management and contingency), consisting of Federal Government \$200,000, Sport and Recreation Victoria (SRV) \$100,000, Council \$92,231 and Stribling Reserve Committee of Management/Lorne Football and Netball Club \$8,254.
  - 1.3 Female Friendly Facilities Category – Winchelsea Netball Pavilion Redevelopment – Total project cost \$600,000 (including project management and contingency) consisting of Council \$450,000, Sport and Recreation Victoria \$100,000 and Eastern Reserve Committee of Management/Winchelsea Football and Netball Club \$75,000.
  - 1.4 Cricket Facilities – Modewarre Cricket Club All Weather Practice Facility – Total project cost \$70,000 (including project management and contingency) consisting of Sport and Recreation Victoria \$35,000, Council \$15,000 and Modewarre Cricket Club \$8,000 (cash) and \$12,000 (in-kind).
2. Note that no Better Pools, Major Facilities, Small Aquatic or Planning Projects are advanced enough in their planning to be considered for application.
3. Note that should the existing application for the Stribling Reserve Lighting Upgrade project in the Country Football and Netball Program be successful the project will be withdrawn from the 2018/19 Community Sports Infrastructure Fund application process.
4. Note that should the existing application for the Winchelsea Netball Clubroom Redevelopment project in the Building Better Regions Fund be successful the project will be withdrawn from the 2018/19 Community Sports Infrastructure Fund application process.
5. Note that further advice will be provided to Council in August 2017 at the conclusion of the project proposal stage to determine which projects will proceed to the full application stage including the pre-allocation of funding in the 2018/19 budget.

### 4.3 Sport and Recreation Victoria - 2018/19 Community Sports Infrastructure Fund

#### Council Resolution

#### **MOVED Cr Martin Duke, Seconded Cr Carol McGregor**

That Council:

1. Submit the following project proposals to the 2018-19 Community Sports Infrastructure Fund, Sport and Recreation Victoria Grants:
  - 1.1 Minor Facilities – Banyul Warri Fields, Yurrock Soccer Pitch and Lighting – Total project cost \$721,000 (including project management and contingency) consisting of Council \$621,000 (Developer contribution project allocation) and Sport and Recreation Victoria \$100,000.
  - 1.2 Minor Facilities – Stribling Reserve Lighting Upgrade – Total project cost \$400,485 (including project management and contingency), consisting of Federal Government \$200,000, Sport and Recreation Victoria (SRV) \$100,000, Council \$92,231 and Stribling Reserve Committee of Management/Lorne Football and Netball Club \$8,254.
  - 1.3 Female Friendly Facilities Category – Winchelsea Netball Pavilion Redevelopment – Total project cost \$600,000 (including project management and contingency) consisting of Council \$450,000, Sport and Recreation Victoria \$100,000 and Eastern Reserve Committee of Management/Winchelsea Football and Netball Club \$75,000.
  - 1.4 Cricket Facilities – Modewarre Cricket Club All Weather Practice Facility – Total project cost \$70,000 (including project management and contingency) consisting of Sport and Recreation Victoria \$35,000, Council \$15,000 and Modewarre Cricket Club \$8,000 (cash) and \$12,000 (in-kind).
2. Note that no Better Pools, Major Facilities, Small Aquatic or Planning Projects are advanced enough in their planning to be considered for application.
3. Note that should the existing application for the Stribling Reserve Lighting Upgrade project in the Country Football and Netball Program be successful the project will be withdrawn from the 2018/19 Community Sports Infrastructure Fund application process.
4. Note that should the existing application for the Winchelsea Netball Clubroom Redevelopment project in the Building Better Regions Fund be successful the project will be withdrawn from the 2018/19 Community Sports Infrastructure Fund application process.
5. Note that further advice will be provided to Council in August 2017 at the conclusion of the project proposal stage to determine which projects will proceed to the full application stage including the pre-allocation of funding in the 2018/19 budget.

CARRIED 8:0

### 4.3 Sport and Recreation Victoria - 2018/19 Community Sports Infrastructure Fund

#### Report

#### **Background**

Council has submitted a range of projects to the Community Sports Infrastructure Fund in the past with a high level of success.

The recently revised Non-Recurrent Grants Management Procedure (MPP-019) was endorsed by the Executive Management Team on 8 March 2017 which details Council's approach to engaging with community groups on funding opportunities such as the Sport and Recreation Victoria Community Sports Infrastructure Fund.

Due to the high volume and backlog of community projects that currently fit the existing program guidelines it was decided not to seek expressions of interest for new project ideas, and refer any new community ideas to Council's Community Project Development Officer.

The Community Sports Infrastructure Fund (CSIF) application process is in two stages and the first stage includes a requirement to discuss project ideas with a Sport and Recreation Victoria representative before submitting a project proposal. This process provides a filter for projects to ensure that they have merit, align with the program objectives and are ready to proceed. The second stage includes an assessment of project proposals against other projects across Victoria and if successful is invited to submit a full application. The timelines and assessment process of the CSIF is as follows:

Program opens	30 March 2017
Project Proposals closing date (stage 1)	7 June 2017
Notifications of successful Project Proposals (to be invited to submit stage 2 full applications)	24 July 2017 onwards
Full Applications close date	11 September 2017
Funding Announcements and Notification of Outcomes	November 2017 onwards

#### **Discussion**

The Community Sports Infrastructure Fund provides grants for planning, building new, and improving existing facilities where communities conduct, organise and participate in sport and recreation. Funding is available under the following categories:

Category	Who can apply / objective	Maximum Grant	Total Project Cost	Funding Ratio (minimum)
<b>Better Pools *</b>	Available to Councils to provide high-quality aquatic leisure facilities through new or redeveloped aquatic leisure centres.	Up to \$3 million	No maximum total project cost	SRV \$1 : \$1 Local
<b>Major Facilities *</b>	Available to Councils to develop or upgrade major district and regional sport and recreation facilities.	Up to \$650,000	No maximum total project cost	SRV \$1 : \$1 Local
<b>Small Aquatic Projects *</b>	Available to Councils to improve and upgrade aquatic facilities, seasonal pools and develop new water play spaces.	Up to \$200,000	No maximum total project cost	SRV \$2 : \$1 Local
<b>Planning Category</b>	Funding is available for Council planning initiatives that focus on recreation or facility feasibility, regional planning or female participation strategies	Up to \$30,000 - \$50,000	No maximum total project cost	SRV \$2 : \$1 Local

\* Major Facilities, Better Pools and Small Aquatic Projects must allocate a minimum of 25 per cent of the requested grant amount to components that will improve energy or water efficiency and environmental sustainability.

#### 4.3 Sport and Recreation Victoria - 2018/19 Community Sports Infrastructure Fund

Council may submit one (1) application only for the maximum grant amount under the Better Pools, Major Facilities and Small Aquatic Projects categories. Council may submit one (1) application only in the Planning category.

Category	Who can apply / objective	Maximum Grant	Total Project Cost	Funding Ratio (minimum)
<b>Minor Facilities</b>	All sporting clubs & community groups to develop or upgrade community sport and recreation facilities – via Council.	Up to \$100,000	Up to \$1,000,000	SRV \$2 : \$1 Local
<b>Female Friendly Facilities*</b>	All sporting clubs & community groups that cater for traditional and non-traditional female sport to build new and upgrade existing, out-dated change facilities at sports clubs with a focus on promoting female and family friendly environments – via Council.	Up to \$100,000	No maximum total project cost	SRV \$2 : \$1 Local
<b>Cricket Facilities</b>	All cricket associations and local cricket clubs to upgrade and develop cricket specific club infrastructure including new buildings, grounds, and training facilities – via Council.	Up to \$100,000	No maximum total project cost	SRV \$2 : \$1 Local

\* Applications from emerging non-traditional female sports will be highly regarded.

Council can apply for the maximum grant amount of \$100K for up to three (3) projects from the Minor and Cricket Facilities categories, with a maximum of two (2) applications from any single category.

Council can apply for the maximum grant amount of \$100K for up to three (3) projects from the Female Friendly Facilities category.

The funding guidelines state that smaller projects that achieve the objectives of the Minor Facilities, Female Friendly Facilities and Cricket Facilities categories are encouraged and will be highly regarded. Consideration will be given to claiming in-kind expenses to a maximum of 50 per cent of the total project cost. Council must approve and underwrite any in-kind contribution.

As part of the introduction of the new community projects process all existing adopted masterplan projects have been screened and prioritised according to their potential to be leveraged under this funding program.

Following an assessment of our current projects list it is recommended that Council do not submit project proposals to the Better Pools, Major Facilities, Small Aquatic Project or Planning categories as a high level of strategic underpinning is required to be successful and no projects are advanced enough in their planning to be considered project ready.

The following table outlines all potential projects that have been considered against the 2018/19 CSIF criteria for each funding category. As with most grant programs the CSIF is highly competitive and project readiness along with concept designs, cost plans and all funding sources confirmed provide a greater chance of success at the project proposal stage. Projects that are listed as 'Project Ready' meet the mandatory documentation requirements and projects that are listed as 'Not Project Ready' require further planning to be considered eligible in their respective categories.

#### 4.3 Sport and Recreation Victoria - 2018/19 Community Sports Infrastructure Fund

Category	Project Ready	Future Projects / Not Project Ready
<b>Major Facilities</b>	Jan Juc Surf Lifesaving Redevelopment	Stribling Reserve Football and Netball Changeroom Upgrade
<b>Minor Facilities</b>	Stribling Reserve Lighting Upgrade Banyul Warri Fields Yurrock Pitch and Lighting Bellbrae Hall Extension	Elimatta Reserve Lighting Upgrade Mt Moriac Reserve Football Lighting Upgrade Barwon Valley Pony Club Clubroom Upgrade Barwon River Loop Winchelsea Deans Marsh Oval Drainage & Irrigation Anglesea Motor Yacht Club - Pavilion Upgrade Lorne Country Club Tennis Court Upgrade
<b>Cricket Facilities</b>	Modewarre Cricket Club: All Weather Practice Facility	Winchelsea Cricket Club Turf Wicket Torquay Cricket Club: Practice Facility Upgrade Hesse St Oval Irrigation Upgrade
<b>Female Friendly Facilities</b>	Winchelsea Netball Pavilion Redevelopment	Stribling Reserve Netball Pavilion Upgrade Modewarre Netball Pavilion Upgrade (with Tennis) Modewarre Netball Lighting Upgrade
<b>Planning</b>	Nil	Surf Coast Mountain Bike Strategy Regional Soccer Strategy Update (FFV) Torquay Bowls Club: Additional Green Feasibility

#### Recommended Project Proposals

##### 1. Banyul Warri Fields – Yurrock Pitch and Lighting

#### Category

Minor Facilities

#### Scope

This project includes the development of a third soccer pitch at Banyul Warri Fields, including drainage system, warm season turf/grass coverage, standard player shelters, fully enclosed black chain mesh fencing with high areas behind both goal ends, two standard soccer goals and netting plus 100 lux sports lighting to enable maximum use by our local and regional soccer clubs. Also included in the upgrade is a power upgrade to the site to enable full use of existing sports surfaces and the irrigation system.

#### Relevant Council Planning

This project is supported by the SCS Council Plan 2013-2017, SCS Recreation Strategy 2010, G21 Regional Football (Soccer Strategy), Torquay Community and Civic Precinct Mater Plan, G21 Physical Activity Strategy 2014, G21 Regional Growth Plan, G21 Regional Health and Wellbeing Plan, Surf Coast Shire Health and Wellbeing Plan and the Football Federation Victoria Strategic Plan 2012 - 2015.

#### Scale

The cost of this project is \$721,000 including the power upgrade and would consist of \$621,000 from Council (identified as a developer contribution project) and \$100,000 from SRV.

#### Officer's Comments

The third soccer pitch will enable Council to support the expanding growth in both male and female soccer and alleviate current scheduling conflicts to allow Galaxy United FC and Torquay Hockey Club increased training space. Sport and Recreation Victoria feedback indicated that this would not be a strong project in the Major facilities category and with Galaxy United FC spending more training session time in Geelong it would be difficult to demonstrate true regional benefit.

## 4.3 Sport and Recreation Victoria - 2018/19 Community Sports Infrastructure Fund

### 2. Stribling Reserve Lighting Upgrade

#### Category

Minor Facilities

#### Scope

Installation of 4 x light towers to replace the inadequate lighting at the Reserve including one temporary light tower as the previous light pole was removed due to OHS concerns.

#### Relevant Council Planning

This project is supported by the SCS Council Plan 2013-2017, SCS Recreation Strategy 2010, G21 Physical Activity Strategy 2014, G21 Regional Growth Plan, G21 Regional Health and Wellbeing Plan, Surf Coast Shire Health and Wellbeing Plan, Draft Stribling Reserve Masterplan 2017 and G21 AFL Barwon Regional Strategy 2012.

#### Scale

The total project cost is \$400,485 including SRV funding of \$100,000, a Federal Government contribution of \$200,000, a Lorne Football and Netball Club & Stribling Reserve Committee of Management contribution of \$8,254 and Council contribution of \$92,231.

#### Officer's Comments

This project is identified as a high priority action in the draft Stribling Reserve Masterplan. The light towers have been designed to meet the State Government *Community Sporting Facility Lighting Guidelines* including positioning, height and light spill requirements. The lights are 200 lux encouraging multi-use of the reserve for night football, community events space and a safe place for emergency service helicopters to land at night. The lux capacity can be set at different levels (i.e. 50, 100 and 200 lux) to suit the required activity and provides value for money with little cost difference to a maximum 100 lux capacity.

\*Note - This project was recently submitted under the Victorian Government Country Football Netball Program and Council is awaiting a funding announcement. If Council is notified prior to the 7 June that it is successful, the project will not be submitted as a project proposal to the CSIF program.

Sport and Recreation Victoria feedback confirmed that the Bellbrae Hall Extension would not be considered a strong project in the highly competitive Minor Facilities category due to the limited active participation outcomes.

### 3. Winchelsea Netball Pavilion Redevelopment

#### Category

Female Friendly Facilities

#### Scope

The development of a new Netball Pavilion at Eastern Reserve Winchelsea will provide increased participation opportunities for females ranging from junior primary school age (Netta Program) through to older adults who volunteer at the Winchelsea Football and Netball Club (WFNC).

The scope of works includes:

- Change rooms (home and visitor including shower cubicles and toilets)
- Netball Umpires change room
- Public toilet (accessible)
- Competition / Administration office
- First Aid/Trainer room
- Served (match day kiosk in the main pavilion)
- Spectator / Social Area (bi-folding walls between all rooms)
- Storage
- Sheltered viewing area

### **4.3 Sport and Recreation Victoria - 2018/19 Community Sports Infrastructure Fund**

#### Relevant Council Planning

This project is supported by the SCS Council Plan 2013-2017, SCS Recreation Strategy 2010, G21 AFL Barwon Football and Netball Strategy 2012, Eastern Reserve Master Plan 2015, G21 Physical Activity Strategy 2014, G21 Regional Growth Plan, G21 Regional Health and Wellbeing Plan, Surf Coast Shire Health and Wellbeing Plan, Growing Winchelsea Shaping Future Growth 2015, Netball Victoria Development Guidelines and Netball Australia National Facilities Policy.

#### Scale

The cost is \$600,000 for a modular/pre-fabricated construction based on an ERCOM and WFNC endorsed concept design. Funding would consist of \$100,000 from SRV, \$425,000 from Council and \$75,000 from the community (ERCOM and WFNC).

#### Officers' Comments

The proposed infrastructure aligns to Netball Victoria's Development Guidelines and has been designed in consultation with the WFNC and Eastern Reserve Committee of Management (ERCOM). The Winchelsea Netball Clubrooms are approximately 40m<sup>2</sup>, comprising of one main area with a small kitchenette which is significantly less than the minimum 100m<sup>2</sup> as recommended by the Netball Victoria Development Guidelines. There are no toilets, showers, office space, trainers room, storage or hot water. The clubrooms were transported from the local bowls club in the late 1970's when the club was operating with 30 members and the Club now has 200 members including:

- 4 x senior teams
- 3 x junior teams (U13, U15, U17)
- 50 x Netta / Net Set Go participants
- 35 x Junior Development Program
- 6 x coaches, 10 x umpires, 5 x Coordinators.

This project will ensure that the Winchelsea Football and Netball Club (WFNC) is able to provide fit for purpose facilities that meet the demands of their growing female junior and senior membership.

\* Note - This project was recently submitted under the Federal Government Building Better Regions Fund – Grant program and Council is awaiting a funding announcement. If Council is notified prior to the 7 June that it is successful, the project will not be submitted as a project proposal to the CSIF program.

### **4. Modewarre Cricket Club – All Weather Practice Facility**

#### Category

Cricket Facilities

#### Scope

The project will see the upgrade of the hard wicket section of the existing Modewarre Cricket Club Practice Net Facility. It includes a widening of the current concrete pad to support two hard cricket wickets, chain mesh fencing, soft netting and multi-purpose synthetic carpet with a floodlight to illuminate the area after hours during winter.

#### Relevant Council Planning

This project is supported by the SCS Council Plan 2013-2017, SCS Recreation Strategy 2010, G21 Physical Activity Strategy 2014, G21 Regional Growth Plan, G21 Regional Health and Wellbeing Plan, Surf Coast Shire Health and Wellbeing Plan and Mt Moriac Reserve Masterplan 2011.

#### Scale

The cost is \$70,000 including project management and contingency. Funding would consist of \$35,000 from SRV, \$8,000 cash / \$12,000 in-kind Modewarre Cricket Club and \$15,000 from Council to be pre-allocated from the 2018/19 Budget if invited to full application stage.

#### Officer's Comments

This project includes an upgrade of the existing practice nets which will improve the quality of cricket training and coaching for the Modewarre Cricket Club. The multi-use synthetic pad and lighting will allow for additional users in the community to utilise this space for recreation activities all year round.



### 4.3 Sport and Recreation Victoria - 2018/19 Community Sports Infrastructure Fund

#### **Financial Implications**

As the majority of the project proposals require matching funding, officers have been mindful to consider the impact on Council's long term financial plan. At the full application stage Council will need to consider its capacity to pre-allocate funding in 2018/19, which would currently total \$115,000 if each of the project proposals were invited to Stage 2 as detailed below:

Project	Surf Coast Shire	SRV	Comment/other
Yurrock Soccer Pitch and Lighting (\$721k)	\$621k (DCP commitment in 2018/19)	\$100k	-
Stribling Reserve Lighting Upgrade (\$400,485)	\$92,231 (already committed via resolution)	\$100k	\$200k (Federal election commitment) \$8,254 (Committee of Management confirmed)
Winchelsea Netball Clubroom Redevelopment (\$600k)	\$450k (would require \$100k pre-allocation in 2018/19 as \$350k already committed in 2017/18 budget)	\$100k	\$75k (Committee of Management and WFNC confirmed)
Modewarre Cricket Club All Weather Practice Facility (\$70k)	\$15k (would require 2018/19 budget pre-allocation)	\$35k	\$8k cash / \$12k in-kind (Modewarre Cricket Club confirmed)

When submitting projects at this stage of the application process, Council is not bound to proceed to the full application stage. Indeed it will make sense for us to review our position in light of the feedback received from SRV at this first stage. There are numerous scenarios ranging from none of our proposals being invited to proceed to full application, through to 100% success. Each will have different potential implications for Council's financial commitment.

With this in mind our messaging to clubs and groups will have to be very clear that Council will need to review its position prior to the full application stage.

#### **Council Plan**

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

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

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

There are no policy or legal implications

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

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

#### **Risk Assessment**

There is a reputational risk in not advertising an expression of interest for new project ideas. Officers have considered projects that were submitted through the expression of interest process in previous years and the recommended project proposals are considered Council's strongest projects in each funding category. Any new project ideas will be referred to Council's community Project Development Officer to be processed.

#### **Social Considerations**

The 2018-19 Community Sports Infrastructure Fund Program supports many of Council's objectives in meeting community aspirations, responding to changing community needs and supporting the growth of physical activity and participation across Surf Coast Shire.

### **4.3 Sport and Recreation Victoria - 2018/19 Community Sports Infrastructure Fund**

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

Community engagement has been targeted to specific clubs and groups whose projects are considered project ready and meet the funding criteria.

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

No environmental implications arise from this report.

#### ***Communication***

Community groups aligned to project proposals supported by Council to be submitted to the 2018/19 Community Sports Infrastructure Fund will be informed of the application detail.

#### ***Conclusion***

That Council:

1. Submit the following project proposals to the 2018/19 Community Sports Infrastructure Fund, Sport and Recreation Victoria Grants:
  - 1.1 Minor Facilities – Banyul Warri Fields, Yurrock Soccer Pitch and Lighting: Total project cost \$721,000 (including project management and contingency) consisting of Council \$621,000 (Developer contribution project allocation) and Sport and Recreation Victoria \$100,000.
  - 1.2 Minor Facilities – Stribling Reserve Lighting Upgrade: Total project cost \$400,485 (including project management and contingency), consisting of Federal Government \$200,000, Sport and Recreation Victoria (SRV) \$100,000, Council \$92,231 and Stribling Reserve Committee of Management/Lorne Football and Netball Club (community) \$8,254.
  - 1.3 Female Friendly Facilities Category – Winchelsea Netball Pavilion Redevelopment: Total project cost \$600,000 (including project management and contingency) consisting of Council \$450,000, Sport and Recreation Victoria \$100,000 and Eastern Reserve Committee of Management/Winchelsea Football and Netball Club (community) \$75,000.
  - 1.4 Cricket Facilities – Modewarre Cricket Club All Weather Practice Facility: Total project cost \$70,000 (including project management and contingency) consisting of Sport and Recreation Victoria \$35,000, Council \$15,000 and Modewarre Cricket Club \$8,000 (cash) and \$12,000 (in-kind).
2. Note that no Better Pools, Major Facilities, Small Aquatic or Planning Projects are advanced enough in their planning in this project proposal stage to be considered project ready.
3. Note that should the Stribling Reserve Lighting Upgrade project be successful through the Country Football and Netball Program the project will be withdrawn from the 2018/19 Community Sports Infrastructure Fund application process.
4. Note that should the Winchelsea Netball Clubroom Redevelopment project be successful through the Building Better Regions Fund the project will be withdrawn from the 2018/19 Community Sports Infrastructure Fund application process.
5. Note that further advice will be provided to Council in August 2017 at the conclusion of the project proposal stage to determine what projects will proceed to the full application stage and resolve on any pre-allocation of funding in the 2018/19 budget.

#### 4.4 Small Grants Program March 2017

**Author's Title:** Community Project Officer  
**Department:** Recreation & Open Space Planning  
**Division:** Culture & Community  
**General Manager:** Chris Pike  
**File No:** F16/1770  
**Trim No:** IC17/345

##### Appendix:

1. Small Grants Project Assessment List - April 2017 (D17/43030)

##### 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 allocate funding for the March 2017 round of the Small Grants Program.

#### Summary

The Surf Coast Shire Small Grants Program aims to support community groups, projects and local initiatives. It is a grassroots program which enables community strengthening and helps to build vibrant and healthy local communities within the Surf Coast.

The Small Grants Policy and Guidelines were recently reviewed and adopted by Council on the 28 February 2017. The most significant changes have been:

- portable equipment is recommended as eligible (club property/asset)
- capital items with a total project cost less than \$10,000 (subject to obtaining land owner/manager approval for appropriate standard of construction and installation method) are recommended as eligible.

\* Note: Total project cost must include a provision for contingency. Council will provide a project manager for any successful project on Council owned or managed land (does not apply to projects on private land).

A total of 30 applications were received in the March 2017 grants round. Eligible applications were assessed by Council Officers against the Small Grants Program selection criteria in the categories of 'Community Initiatives', 'Culture and Arts', 'Environment' and 'Recreation and Leisure'. A recommended project funding list has been developed for Council endorsement.

A total of 27 applications were recommended in the Small Grants Program, including 4 projects that included capital elements and 3 were assessed as ineligible (see appendix 1).

#### Recommendation

That Council:

1. Allocate funding for the March 2017 round of the Small Grants Program to the value of \$33,304.85 as per appendix 1.
2. Note that the Anglesea Community Garden Mosaic, Lorne Men's Shed Kitchen Rangehood Installation, Quay Residents Association Leisure Seating and Winchelsea Community House Play Equipment projects include capital elements and officers will provide assistance as required.

#### Council Resolution

**MOVED Cr Martin Duke, Seconded Cr Carol McGregor**

That Council:

1. Allocate funding for the March 2017 round of the Small Grants Program to the value of \$33,304.85 as per appendix 1.
2. Note that the Anglesea Community Garden Mosaic, Lorne Men's Shed Kitchen Rangehood Installation, Quay Residents Association Leisure Seating and Winchelsea Community House Play Equipment projects include capital elements and officers will provide assistance as required.

CARRIED 8:0

#### 4.4 Small Grants Program March 2017

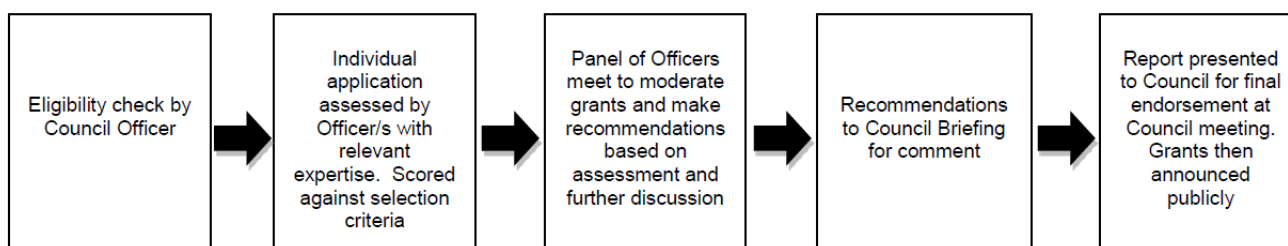
##### Report

##### **Background**

For a number of years Council has supported the Small Grants Program with two funding rounds held in September (Rnd 1) and March (Rnd 2) each year.

The Small Grants Program follows a formal application process in which applicants submit responses to key questions based around weighted selection criteria. The assessment process follows a documented internal procedure which is based on a quality assured grants management program.

The diagram below details the assessment process:



The Small Grants Program is a merit based grants process and does not aim to achieve equal distribution of funding across categories, as some categories are more popular than others.

All successful groups or their auspice agency are required to sign a small grant funding agreement confirming that they agree to set conditions of receiving funding. This agreement clearly outlines any special conditions which may relate to the provision of funds, for example obtaining appropriate public liability insurance or relevant permits. Successful groups are required to report on the outcomes of their grant within 12 months of receiving funding via a formal online grant acquittal process.

All grant applications are submitted online via Smarty Grants ([www.smartygrants.com.au](http://www.smartygrants.com.au)). This software collects, collates and stores grant applications year by year providing an easily accessible archive of community group Smarty Grant applications.

The Small Grants Policy and Guidelines were recently reviewed and adopted by Council on the 28 February 2017. The most significant changes have been:

- portable equipment is recommended as eligible (club property/asset)
- capital items with a total project cost less than \$10,000 (subject to obtaining land owner/manager approval for appropriate standard of construction and installation method) are recommended as eligible.

\* Note: Total project cost must include a provision for contingency. Council will provide a project manager for any successful project on Council owned or managed land (does not apply to projects on private land).

Funding is available for community-based projects or activities that:

- encourage and enable the participation of a wide variety of local residents
- address an important community need
- encourage and enable groups or individuals across the Shire to collaborate and share knowledge, skills and resources.

Projects not funded under the Small Grants Program include:

- capital items with a total project cost greater than \$10,000
- building maintenance works
- general administrative, wages or contracts
- projects funded under other programs supported by the Surf Coast Shire
- projects that have already commenced or already occurred
- projects that are part of curriculum-based activities in schools
- projects that are fundraising in nature (unless the project provides considerable community benefit)
- recurrent funding for ongoing projects or projects which have already been funded.

#### 4.4 Small Grants Program March 2017

##### Small Grants Program March 2017 Funding Round

Organisations ineligible to apply for a Small Grant include:

- individuals (applicants will need to approach an organisation to auspice the project)
- any Committees of the Surf Coast Shire Council including Advisory Committees, Committees of Management or Sub Committees
- organisations who have received a Surf Coast Shire Small Grant in the previous funding round.
- organisations that have not completed an Acquittal Report for a previously funded Surf Coast Shire Small Grant
- for profit or commercial organisations - unless the application can demonstrate that the proposed project or activity will have considerable tangible community benefit.

Funds are provided for projects and activities that fall into the following broad categories:

- Community Initiatives: Local partnerships that contribute to the wellbeing and quality of life of Surf Coast Shire residents
- Environment: Projects or activities that protect or enhance the local environment or work towards sustainability
- Culture and Arts: Community arts projects that support the development of quality arts initiatives and increase involvement in arts and culture by the community. Heritage projects that support participation, learning and recording of the cultural history of the Surf Coast Shire and its residents
- Recreation and Leisure: Innovative or new projects that promote recreation, physical activity and increase participation for all abilities.

##### **Discussion**

A total of 30 applications were received and 3 applications were assessed as ineligible. Following a thorough assessment process Council Officer's recommendation is to fund a total of \$33,304.85 to deliver 27 projects.

The breakdown of the 27 recommended projects by Ward is as follows:

- Torquay – 13
- Anglesea – 4
- Winchelsea – 5
- Lorne – 5

Appendix 1 lists the applications submitted across each of the four Small Grant categories – Community Initiatives, Environment, Culture and Arts, Recreation and Leisure, and the proposed funding for each project.

Of the 27 recommended projects, 4 projects include capital elements on Council owned or managed land. Council officer support will be provided to the following projects as required:

- Anglesea Community Garden Mosaic
- Lorne Men's Shed Kitchen Rangehood Installation
- Quay Residents Association Leisure Seating
- Winchelsea Community House Play Equipment.

A recommendation of the Small Grants Program review in 2010/11 was at the discretion of Council some projects that meet additional need may be considered for funding above the normal maximum of \$1,000 and up to \$5,000 (budget permitting).

For a project to be considered for additional funding it should demonstrate meeting additional criteria including:

- demonstrate a high evidence of need
- provide significant benefit to the community
- target a new audience
- provide a clear community capacity building outcome
- include and encourage participation by a wide range of key audiences
- the group managing the project needs to have a proven track record in managing projects, and have a well-developed project plan that illustrates appropriate expenditure and resourcing.

There are a total of 6 projects that have been recommended to receive a contribution greater than \$1,000.

#### 4.4 Small Grants Program March 2017

<b>Group/Organisation</b>	Lorne Historical Society Inc.
<b>Project</b>	"Display of Image Collection"
<b>Evidence of Need / Who will benefit</b>	With 5,000 digitised images in collection this equipment will ensure the entire collection is accessible and visible to visitors
<b>Participation:</b>	The project will be carried out by a sub-committee of the Lorne Historical Society to acquire and implement the technology and develop the interface.
<b>Proven Track record in managing similar projects</b>	Lorne Historical Society has demonstrated experience in managing similar projects effectively. They are a dynamic and constantly-evolving centre through the digital world.
<b>Appropriate expenditure and resourcing</b>	Purchase of a Smart TV, wall mount, Apple TV and HDMI cable to display large format images.
<b>Other comments</b>	The project has been fully costed with quotations supplied. The Shire has recently refurbished the space.
<b>Total amount of recommended funding</b>	\$2,915
<b>Group/Organisation</b>	U3A Torquay Inc.
<b>Project</b>	"Senior Computer Courses - iPads for Senior Beginners and Apps for Travellers"
<b>Evidence of Need / Who will benefit</b>	The iPad Pro is a robust larger iPad which will be used in two courses, 'iPad for Senior Beginners' followed by a course titled 'Apps for Travellers'
<b>Participation:</b>	There are over 400 Torquay U3A members between the ages of 50 and 91.
<b>Proven Track record in managing similar projects</b>	U3A have demonstrated experience in managing similar projects effectively and offer approximately 20 courses every term.
<b>Appropriate expenditure and resourcing</b>	Purchase an iPad Pro 128GB.
<b>Other comments</b>	The iPad Pro will enable members to learn to use some of the accessibility features that assist with poor vision and manual dexterity.
<b>Total amount of recommended funding</b>	\$1,299
<b>Group/Organisation</b>	The Wave Project Inc.
<b>Project</b>	"The Wave Project"
<b>Evidence of Need / Who will benefit</b>	The Wave Project aims to give young people the skills, confidence and self-efficiency they need to achieve their goals.
<b>Participation:</b>	The Wave Project is for young people aged 8-18 years, experiencing disadvantaged, mental health issues, social isolation and/or disabilities.
<b>Proven Track record in managing similar projects</b>	The project manager is a trained youth worker with over 10 years' experience supporting vulnerable young people. She has coordinated mentoring for young people disengaged from education and is currently a surf coach with Go Ride A Wave.
<b>Appropriate expenditure and resourcing</b>	Gear hire, volunteer training, printing, catering and first aid training.

#### 4.4 Small Grants Program March 2017

<b>Other comments</b>	The Wave Project involves surfing and peer-mentoring, in which children and young people spend up to 12 months learning to surf with support from local 'surf mentors' and professional surf instructors.
<b>Total amount of recommended funding</b>	\$2,784

<b>Group/Organisation</b>	Spring Creek Community House Inc.
<b>Project</b>	"Women's Sharing Shed – Torquay"
<b>Evidence of Need / Who will benefit</b>	Spring Creek Community House have established a Women's Shed program operating from an existing small shed at the rear of the property. The aim of the program is to provide an inclusive space where women can learn practical DIY skills, engage and connect with other women, and to encourage and empower women to gain independence and improve self-worth.
<b>Participation:</b>	Spring Creek Community House will manage the budget and a sub-committee of the board has been established. The shed will run regular workshops, seminars and events. Bunnings have offered to run workshops.
<b>Proven Track record in managing similar projects</b>	Spring Creek Community House has a proven track record overseeing the development and implementation of community programs.
<b>Appropriate expenditure and resourcing</b>	Purchase workbenches, tables, cupboards, tools and safety equipment.
<b>Other comments</b>	The Women's Sharing Shed Torquay is a new program at Spring Creek Community House.
<b>Total amount of recommended funding</b>	\$2,000

<b>Group/Organisation</b>	Quay Residents Association (Auspiced by SCEG)
<b>Project</b>	"Leisure Seating"
<b>Evidence of Need / Who will benefit</b>	Additional seating will ensure people can sit in comfort while viewing sporting activities. The seating will be close to the fitness stations which will encourage use of those facilities to support increased health and wellbeing outcomes.
<b>Participation:</b>	The Quay Residents Association will work in conjunction with SCS to install the seating.
<b>Proven Track record in managing similar projects</b>	The Quay Residents Association has a proven track record of managing grant projects. For example the 'Christmas Banner Sleeve' project.
<b>Appropriate expenditure and resourcing</b>	Purchase and installation of 2 bench seats at the Quay Reserve
<b>Other comments</b>	Junior sporting clubs will have increased seating when holding events and gatherings.
<b>Total amount of recommended funding</b>	\$2,000

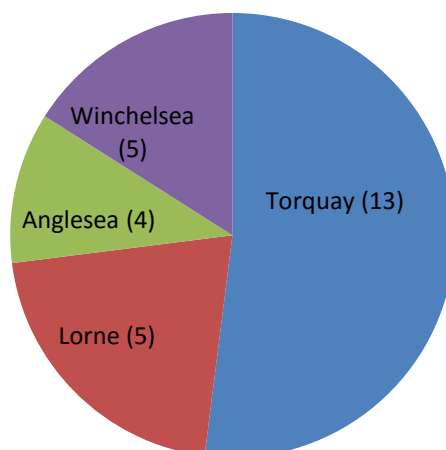
<b>Group/Organisation</b>	ParkRun Australia
<b>Project</b>	"Torquay ParkRun"
<b>Evidence of Need /</b>	This project is a free weekly community program open to all abilities for ages 4

#### 4.4 Small Grants Program March 2017

<b>Who will benefit</b>	years and older. Pre-registrations numbers are up to 180 prior to the program receiving Great Ocean Road Coast Committee (GORCC) consent to utilise the Surf Coast Walk.
<b>Participation:</b>	Open to all members of the community including volunteers who help with road marshalling.
<b>Proven Track record in managing similar projects</b>	ParkRun Australia operates 218 weekly parkrun events at locations throughout Australia. Each Saturday morning more than 32,000 participants run or walk at local parkrun programs. The programs are supported by over 2000 volunteers.
<b>Appropriate expenditure and resourcing</b>	Funding is for electronic equipment and software, first aid kit, flags, volunteer vests and tokens.
<b>Other comments</b>	The project was a late submission due to confirming land owner approval (GORCC). Consent has been provided by GORCC to trial the run for 3 months on the Surf Coast Walk leading into the peak season and if all goes well will continue. Waiting until the first round of the 2017/18 Small Grants Program will be too late for Parkrun to meet their trial period approval timeframe. The project has been established by a local volunteer Sarah O'Dwyer and demonstrates exceptional community benefit and provides positive health and wellbeing outcomes.
<b>Total amount of recommended funding</b>	\$2,400

Category (Number applications submitted)	Recommended Funding number	Recommend Funding amount
Arts and Culture (6)	6	\$7,333.85
Community Initiatives (13)	12	\$14,826.00
Environment (0)	0	\$0
Recreation and Leisure (11)	9	\$11,145.00
<b>Total requested (30)</b>	<b>27</b>	<b>\$33,304.85</b>

#### Funding Allocation by Ward - March 2017 (Total 27)





#### 4.4 Small Grants Program March 2017

There are 3 projects that have been assessed as ineligible:

<b>Group/Organisation</b>	Jan Juc Surf Lifesaving Club		
<b>Project Title</b>	"Youth Leadership Training"		
<b>Description</b>	Skills training for Youth Club Leaders		
<b>Category / Ward</b>	Recreation and Leisure / Torquay		
<b>Total Project Cost</b>	\$2,205	<b>Amount Sought</b>	\$1,000
<b>Comment</b>	<b>Ineligible</b> – Received funding in previous Small Grants round.		

<b>Group/Organisation</b>	Torquay Aquatic Sports Club		
<b>Project Title</b>	"We want to Swim, So we will build it"		
<b>Description</b>	Laptop and Software to start new club. Prepare, arrange and conduct public meeting to collate pledges for support toward; volunteer labour, trade skills and donations of materials and machinery for a future aquatic facility.		
<b>Category / Ward</b>	Recreation and Leisure / Torquay		
<b>Total Project Cost</b>	\$4,000	<b>Amount Sought</b>	\$750
<b>Comment</b>	<b>Ineligible</b> – Not incorporated, not auspiced, no insurance, not discussed with Council Officer		

<b>Group/Organisation</b>	Anglesea Golf Club		
<b>Project Title</b>	"Community Safety Awareness"		
<b>Description</b>	Safety warning signage for visitors to enter via main entrance for kangaroo viewing.		
<b>Category / Ward</b>	Anglesea		
<b>Total Project Cost</b>	\$2,010	<b>Amount Sought</b>	\$995
<b>Comment</b>	<b>Ineligible</b> – Project considered fundraising in nature. Club runs Kangaroo viewing tours for \$10 per person.		

#### **Financial Implications**

The total pool for two rounds of Small Grants funding for 2016/17 is \$75,000. The total funding allocation of recommended projects for Round 2 is \$33,304.85. The total funding allocation for Round 1 was \$33,448 which represents an \$8,247.15 underspend in the 2016/17 Small Grants Program.

#### **Council Plan**

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

Theme 3 Communities  
Objective 3.4 Building leadership and skills within the community  
Strategy 3.4.3 Provide funding opportunities to groups to improve and strengthen their communities.

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

The Small Grants Program supports Councils Plan (2013-2017) objectives of:

- Building leadership and skills within the Community.

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

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

#### **4.4 Small Grants Program March 2017**

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

All projects have been reviewed by Council's Risk Management Co-ordinator. Depending on the level of risk some applicants will be required to provide public liability insurance to the value of \$20,000,000 as a condition of receiving a funding grant.

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

The Small Grants Program offers support to new and existing community groups to undertake community strengthening activities and to contribute to the social and cultural wellbeing of the Surf Coast Shire. A diverse range of locally driven projects and activities will be delivered through the support of small grant funding. Many of these initiatives could not be delivered should they be unsuccessful in securing a small grant.

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

Engagement activities prior to the September round of grants include:

- media campaign including advertising in the Surf Coast Times, Winchelsea Star and Lorne Independent
- grants programs were promoted via Council Officer E-mail networks, word of mouth and the Community House and Men's shed networks
- smarty Grants generated email to past grant recipients
- direct email to previous grant recipients
- direct contact with potential grant recipients
- promotion via the Surf Coast Shire website, social media and intranet.
- promotion and assistance with Small Grants Program via the delivery of 4 grant workshop sessions in March 2017.

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

The Small Grants program often receives applications by local environment groups. There were no applications received under the 'Environment' category this round.

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

Following adoption at the 23 May, 2017 Council meeting, all applicants will receive a letter informing them of the outcome of their application.

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

The Small Grants Program is a positive community strengthening initiative that supports local groups to take action and contribute to the vibrant culture of their local community. The program involves significant collaboration with community given the high level of in-kind volunteer support involved in delivering each project.

A full list of recommended projects is attached (Appendix 1).

A celebration to recognise successful grant recipients will be held in Council Chambers on Thursday 8 June 2017 3:30pm. Ward Councillors will be invited to present certificates to successful applicants.

#### 4.5 Stribling Reserve Masterplan - Final Endorsement

**Author's Title:** Open Space Officer  
**Department:** Recreation & Open Space Planning  
**Division:** Culture & Community

**General Manager:** Chris Pike  
**File No:** F16/425  
**Trim No:** IC17/305

**Appendix:**

1. Final Stribling Reserve Masterplan (D17/54014)
2. Concept Designs - Stribling Reserve Pavilion (D17/15699)
3. Stribling Reserve Masterplan - Built form descriptions (D17/15541)
4. Stribling Masterplan Public Exhibition Response (D17/49363)
5. Stribling Reserve Masterplan- Proposed Funding Strategy (D17/54083 )

**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 adoption of the Stribling Reserve Masterplan.

#### **Summary**

The Stribling Reserve Masterplan project commenced in March 2016 with Council's endorsement of a community led project governance structure to ensure the plan closely reflects community aspirations. Community members had a lead role as project owner and held positions on the project control group (PCG). The PCG also included a number of Council officers and a representative from the Department of Environment, Land, Water and Planning (DELWP). The project charter was endorsed by the PCG in May 2016 and project activities commenced shortly after.

The development of the Masterplan involved:

- extensive community consultation via a number of channels
- engagement with key stakeholder groups
- needs and data analysis.

Key features of the plan include:

- improved facilities for females
- retaining the space as a 'village green'
- improving facilities for current and future sporting groups
- improved and additional facilities for community organisations
- provision of appropriate storage.

A Draft Masterplan was then released for public exhibition from 2 March 2017 until 23 April 2017. A total of 29 submissions (written and face to face) were received during this time which related to a range of issues such as the priorities for provision of female facilities, improved accessibility and car parking. Based on feedback received in the public exhibition period a number of minor changes were made to the plan with the support of the PCG.

The total estimated cost for the implementation of the masterplan is approximately \$3m. Council contributions to the reserve will be considered via the annual budget processes, however there is currently no annual allocation within Council's Long Term Financial Plan specifically for Recreation and Open Space projects.

#### 4.5 Stribling Reserve Masterplan - Final Endorsement

##### Recommendation

That Council:

1. Adopt the Stribling Reserve Masterplan as per Appendix 1.
2. Note the proposed funding strategy for the Stribling Reserve Masterplan as per Appendix 5.
3. Note the success of the innovative project governance model and acknowledge the members of the Lorne community that contributed to the development of the Stribling Reserve Masterplan, in particular the participants in the Project Control Group.
4. Consider the inclusion of an annual allocation for Recreation and Open Space Projects in Council's Long Term Financial Plan during the preparation of the 2018/19 Budget.

##### Council Resolution

**MOVED Cr Clive Goldsworthy, Seconded Cr David Bell**

That Council:

1. Adopt the Stribling Reserve Masterplan as per Appendix 1.
2. Note the proposed funding strategy for the Stribling Reserve Masterplan as per Appendix 5.
3. Note the success of the innovative project governance model and acknowledge the members of the Lorne community that contributed to the development of the Stribling Reserve Masterplan, in particular the participants in the Project Control Group.
4. Consider the inclusion of an annual allocation for Recreation and Open Space Projects in Council's Long Term Financial Plan during the preparation of the 2018/19 Budget.

CARRIED 8:0

## 4.5 Stribling Reserve Masterplan - Final Endorsement

### Report

#### **Background**

Stribling Reserve is home to the Lorne Football, Cricket and Netball sporting teams involved in local competitions and is used by Lorne P-12 school during school hours. The reserve is Crown land temporarily reserved for cricket and public recreation and the State Government has delegated management responsibilities to Surf Coast Shire as the Committee of Management. Council has subsequently delegated some of these management responsibilities to the Stribling Reserve Section 86 Committee of Management.

A Stribling Reserve Masterplan was endorsed by Council in 2001; however several emerging issues have been identified at the reserve which are not addressed in that plan. Council allocated \$50,000 in the 2015/2016 budget for a review and renewal of the existing masterplan. This amount did not include project management and contingency costs as the project was initiated prior to the formalisation of Council's project management framework.

At their March 2016 meeting Council endorsed a governance model which would allow for a community led Council partnership model. The rationale for this was:

- that community members would have better access to resources within the Lorne community to undertake the masterplan process
- that community members understand the needs of the community and are better placed than council to engage with the local community.

At their February 2017 meeting Council resolved to exhibit the Draft Masterplan for public feedback.

#### **Discussion**

The process to develop the Masterplan included reviewing existing infrastructure and community usage rates, reviewing forward usage and population projections, interviews with key users and engagement with the broader community. The Draft Masterplan seeks to develop a vision for Stribling Reserve over the next 30 years. It also recognises that many of the medium to long term strategic directions for Stribling Reserve need to be determined through other planning processes such as the future Lorne Structure Plan and the Lorne Open Space Precinct Plan. The timing of both of these plans is still to be determined.

Community consultation to date has identified key areas of required improvements that have been included in the draft masterplan:

- improved facilities for females
- retaining the space as a 'village green'
- improving facilities for current and future sporting groups
- improved and additional facilities for community organisations
- provision of appropriate storage.

Consultation identified interest in further establishing the reserve as a community hub, potentially by consolidating other community uses (currently in other buildings within Lorne) on the site. This would require an expansion of the existing pavilion. The Draft Masterplan enables Council, the Committee for Lorne and the Stribling Reserve Section 86 Committee to test the feasibility and level of support for such a proposal during the life of the plan.

The Masterplan has a number of prioritised actions. Some of these are recommended to be completed in the shorter term (within three years) with the balance recommended for implementation in the longer term (three to ten years). The implementations of proposed actions included in the Masterplan are all subject to securing internal and external funding. The masterplan is attached at Appendix 1.

A number of options have been explored for an upgrade to the pavilion. These include a small extension of the current building on a single storey to allow for improved changing facilities and community spaces. Other options explored extending the building to a second storey. These have been developed to help inform future decision-making rather than committing to a particular design or form.

These drawings have been developed as an in-kind contribution from Lorne community members. These illustrative drawings are a high level concept only and are attached as Appendix 2. Further information about these concept drawings has also been provided at Appendix 3.

#### 4.5 Stribling Reserve Masterplan - Final Endorsement

The Draft Masterplan was on public exhibition from 2 March 2017 to 23 April 2017. A total of 29 submissions were received, with 11 being written submissions and 18 via a face to face listening post. The key feedback related to car parking, improvements in accessibility and the priority for female friendly facilities. A summary of the submissions as well as the response to these submissions is included at Appendix 4.

The Department of Environment, Land, Water and Planning (DELWP) were supportive of the project and participated in the project control group. They have also provided conditional support for the Masterplan, pending Council endorsement.

##### **Financial Implications**

The total project cost of developing the masterplan was budgeted at \$50,000; however this did not include project manager cost or contingency as the project budget commenced prior to the endorsement of Council's project delivery framework. To date the expenditure on the project equates to \$32,348 with a further \$9,160 committed. The project is currently on budget.

The total estimated cost for the implementation of the masterplan is approximately \$3m. Council contributions to the reserve will be considered via the annual budget processes, however there is currently no annual allocation within Council's Long Term Financial Plan for Recreation and Open Space projects. Funds will also need to be sought from a range of external sources including community and government. A proposed funding strategy has been developed that identifies the most likely funding source for each of the actions as attached at Appendix 5. These figures need to be validated via future detailed designs.

In addition there would be, as yet unknown, costs associated with the concept of a pavilion extension if it were to be considered feasible and relevant in the longer-term.

##### **Council Plan**

Theme 1 Environment

Objective 1.4 Protect public open space and green belts

Strategy 1.4.1 Review Surf Coast Shire Open Space Strategy.

Theme 2 Governance

Objective 2.5 Enhanced community engagement

Strategy 2.5.2 Provide opportunities for all members of the community to engage with Council on issues that matter to them.

Theme 3 Communities

Objective 3.4 Building leadership and skills within the community

Strategy 3.4.1 Support people to build their community leadership and develop their skills.

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

There are strict legislative requirements relating to the governance of activities managed by Councils (*Local Government Act 1989*) and to delegated Committees of Management for Crown Land (*Crown Land Reserves Act 1978*). They must relate to the appropriate uses of Crown Land in accordance with its reservation.

No buildings or structures can be created and no works can be undertaken without the written approval of the Minister for Environment. Accordingly, a representative of DELWP was a member of the project control group and ensured that the direction and content of the masterplan was in accordance with the Minister's requirements and with the original gazetted reservation of the land.

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

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

##### **Risk Assessment**

There were a number of key risks associated with this project and a risk register was maintained in order to ensure these were appropriately mitigated.

One of the key risks related to the effectiveness of community engagement in the development of the Masterplan. A thorough community engagement process was enacted to ensure that community members had the opportunity to participate in the development of the Masterplan. This engagement plan effectively mitigated this risk.

#### **4.5 Stribling Reserve Masterplan - Final Endorsement**

Moving forward, there are key risks relating to the Masterplan and these risks have been discussed with the Project Control Group and EMT. They will continue to be monitored:

- there is a risk relating to the delivery of elements within the Masterplan. External funding is likely to be required to implement the Masterplan. There is a risk that it will be difficult to deliver elements in the Masterplan without attracting external funding. However, it is important to acknowledge that masterplans are developed to guide future improvements rather than act as a committed list of items that will be delivered
- there is currently no dedicated annual Council allocation to funding masterplan actions. The lack of this allocation constrains Council's ability to secure medium to long term external funding
- the existing Lorne Strategy Review or Structure Plan was developed in 2004 and could be due for renewal in the next few years. There is a risk that future directions in any new Structure Plan may impact on the Stribling Reserve Masterplan. Accordingly, the Masterplan will need to be structured in a manner that enables it to be responsive to future high level strategic directions.

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

iD Consulting projects that the Lorne community will continue to age and that there will be a small increase of 276 people between 2011 and 2036, most of who will also come from older segments of the community. The Committee for Lorne have set out a strategic objective to grow the population to 1500 permanent residents by 2025, with the focus being on encouraging young families to settle in Lorne.

The Masterplan has been developed in order to support the community aspiration and current work being undertaken with regard to increasing the population and attracting more residents in working age cohorts. Determining feasibility and specific details related to achieving the Committee for Lorne's strategic population objective are beyond the scope of this Masterplan and will need to be resolved by other strategic processes, in particular any future revision of the current Lorne Structure Plan.

Approximately 5% of adults, particularly those aged between 18 and 30, participate in team sports such as AFL, soccer and cricket. More adults, about 14%, volunteer in sport and recreation related activities. A significant ongoing issue for Lorne and other smaller communities in the Surf Coast Shire is the ability to attract and retain locally based players in their local sporting teams.

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

Extensive community engagement was undertaken during the course of the project. This has included:

- direct mail out to neighbours of Stribling Reserve (324 households)
- online communication activities
- electronic communication via community networks
- open invitation listening post in Stribling Reserve during a major football game
- inclusion in the Surf Coast Times
- inclusion on the Surf Coast Shire external website
- information provided via Lorne P-12 College.

In addition the public exhibition period coincided with the Easter holidays (1 April to 17 April 2017) which was designed to maximise local engagement on the draft masterplan. Of the 29 submissions, 11 were written and 18 were received via a face to face listening post.

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

Stribling Reserve is in a Bushfire Management Overlay. A review of State Government GIS mapping shows that there is no Aboriginal heritage, rare and threatened flora and fauna or noxious pest plants and animals. The major environmental concerns relate to poor site drainage and stormwater management and to the visual amenity impacts of any future activities that are undertaken on Stribling Reserve. Concern has been raised by neighbours about the potential visual impact of any two-storey pavilion at Stribling Reserve.

#### ***Communication***

All people who made a submission in the public exhibition period will be provided a copy of the final Masterplan as well as a response to their submission. The Masterplan and responses to the submissions will also be made available via [www.surfcoastconversations.com.au](http://www.surfcoastconversations.com.au).

#### ***Conclusion***

The Masterplan for the Stribling Reserve was developed in partnership with the community. The Masterplan responds to issues and aspirations raised by the community. Stribling Reserve plays an important role in the Lorne and surrounding community. The Masterplan sets a long term direction for the reserve to be able to fulfil this role. It guides Council in improving the reserve and strengthens Council's position in attracting external funds to implement elements in the Masterplan.

#### 4.6 Community Project Development - May 2017 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:** IC17/429

**Appendix:**

1. Community Project Development Process – May 2017 (D17/53443)
2. Community Project Master List - May 2017 (D17/45693)

**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 May 2017 Community Project Development update.

#### Summary

Recommendations relating to the remaining two community project proposals referred for detailed investigation in the December 2016 to February 2017 quarter are provided for Council consideration, including:

- CPP03: Lorne Historical Society Front Façade Upgrade – Stage 1. Recommendation – Progress
- CPP04: Winchelsea Scouts and Tennis Shared Facility. Recommendation – Do not progress.

Investigations for the four community project proposals (CPP05-08) referred for detailed investigation in February 2017 are progressing well with expected completion by June 2017.

The Community Project Proposal Master List includes 43 outstanding project proposals presented in a prioritised order of highest to lowest when assessed via a Community Project Proposal Priority Assessment Matrix. Four of the highest ranked proposals from the master list have been recommended to proceed to detailed investigation stage.

#### Recommendation

That Council:

1. Adopt the Community Project Development Process as attached at Appendix 1.
2. Refer the Lorne Historical Society Front Façade Upgrade (Stage 1) project to Council's 2017/18 budget process with a proposed Council contribution of \$15,000 plus project management costs.
3. Do not progress the Winchelsea Scout and Tennis Shared Facility project as it is not considered viable at this time.
4. Return the \$10,000 project budget for the design of the Winchelsea Scout and Tennis Shared Facility to the Accumulated Unallocated Cash Reserve.
5. Refer the following priority project proposals from the Community Project Proposal Master List to the Community Project Development Officer for investigation:
  - 5.1 Anglesea Men's Shed re-purpose / re-fit of storage / meeting space
  - 5.2 Wurdale Hall Reserve History Board
  - 5.3 Lorne Skate Park Shelter
  - 5.4 Torquay Hill Top Reserve (The Quay) – Vegetation Barrier.



#### 4.6 Community Project Development - May 2017 Update

##### **Council Resolution**

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

That Council:

1. Adopt the Community Project Development Process as attached at Appendix 1.
2. Refer the Lorne Historical Society Front Façade Upgrade (Stage 1) project to Council's 2017/18 budget process with a proposed Council contribution of \$15,000 plus project management costs.
3. Do not progress the Winchelsea Scout and Tennis Shared Facility project as it is not considered viable at this time.
4. Return the \$10,000 project budget for the design of the Winchelsea Scout and Tennis Shared Facility to the Accumulated Unallocated Cash Reserve.
5. Refer the following priority project proposals from the Community Project Proposal Master List to the Community Project Development Officer for investigation:
  - 5.1 Anglesea Men's Shed re-purpose / re-fit of storage / meeting space
  - 5.2 Wurdale Hall Reserve History Board
  - 5.3 Lorne Skate Park Shelter
  - 5.4 Torquay Hill Top Reserve (The Quay) – Vegetation Barrier.

CARRIED 8:0

## 4.6 Community Project Development - May 2017 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 before being referred to the annual budget process.

The Community Project Officer worked on a total of six endorsed projects in the May quarter including two projects outstanding from the February quarter (CPP03 and CPP04):

- CPP03: Lorne Historical Society Front Façade Upgrade
- CPP04: Winchelsea Scouts and Tennis Shared Facility
- 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.

#### **Discussion**

##### Community Project Development Process

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.

On 4 April 2017, Council was briefed on the process that includes two key Council decision points that will be presented in a quarterly report to Council. The first decision point is for Council to select a number of prioritised proposals to progress to detailed investigation stage. The second decision point is for Council to consider officer recommendations (following detailed investigation) that a proposal should either progress or not progress. This report seeks Council endorsement of this Community Project Development Process as attached at appendix 1.

##### Prioritised Community Project Proposals for Further Investigation (November 2016)

The key findings and recommendations relating to the community project proposals Lorne Historical Society Front Façade Upgrade (CPP03) and Winchelsea Scouts and Tennis Shared Facility (CPP04) are as follows:

CPP-03	Lorne Historical Society Front Facade Upgrade – PROGRESS
<b>Background Info</b>	<ul style="list-style-type: none"> <li>• Project idea to upgrade the façade of the Lorne Historical Society building in Mountjoy Pde opposite the VIC</li> <li>• Lorne Historical Society view façade as unappealing, detracting from streetscape and impacting on facility visits</li> <li>• Alternative usage and / or redevelopment of site has been subject of discussion in various forums but likely to be long term</li> </ul>
<b>Engagement</b>	<ul style="list-style-type: none"> <li>• Meetings with Lorne Historical Society representatives and Lorne Ward Councillor</li> </ul>
<b>What we know</b>	<ul style="list-style-type: none"> <li>• Cost for total project is estimated at \$100-\$120K but community would accept staged project</li> <li>• Community estimate for Stage 1 is \$50K to upgrade façade with timber cladding and etched panels</li> <li>• Independent costing (via Torquay Building Service PL) provides revised aesthetic upgrade (design intent consistent) for estimated \$40K</li> </ul>
<b>Potential partners</b>	<ul style="list-style-type: none"> <li>• Recent investment interest has strengthened proposal including partnership with Lorne Lions Club (as a Centennial Project with delivery by end of 2017)</li> <li>• Community proposal to have October fundraising event to raise cash and potential for in-kind works (local materials and services)</li> </ul>

#### 4.6 Community Project Development - May 2017 Update

	<ul style="list-style-type: none"> <li>Council (facility renewal and capital)</li> </ul>
<b>Recommendation</b>	<ul style="list-style-type: none"> <li>Progress the Lorne Historical Society Front Façade Upgrade (Stage 1) and refer the project to Council's 2017/18 budget process as a community submission with a Council contribution of \$15,000 plus project management.</li> <li>Note a Stage 1 funding strategy (CPP03) has been recommended with a Council contribution of \$15,000 plus project management towards a \$40,000 - \$50,000 project.</li> </ul>

CPP-04	Winchelsea Scouts and Tennis Shared Facility – NOT PROGRESS
<b>Background Info</b>	<ul style="list-style-type: none"> <li>Project idea to redevelop the existing site at Hesse St where the current Winchelsea Tennis Club is located with a shared Tennis/Scout Hall.</li> <li>Council has \$10,000 allocated to the design of the shared facility in the 2016/17 budget.</li> </ul>
<b>Engagement</b>	<ul style="list-style-type: none"> <li>Meetings with Winchelsea Scouts, Winchelsea Tennis, VicScouts representatives and Winchelsea Ward Councillors</li> </ul>
<b>What we know</b>	<ul style="list-style-type: none"> <li>Winchelsea 1st Scouts have merged with Modewarre 1st Scouts; no apparent local demand to resurrect Scouts in Winchelsea;</li> <li>VicScouts focus is on growth areas of Geelong and Melbourne and Barwon Region Scouts Commissioner proposes that it is not likely to be until 2020 before a focus will be on recruiting leaders and participants in Winchelsea</li> <li>VicScouts have identified possible partnership with Winchelsea PS and will pursue further as per timeframes above</li> <li>VicScouts have interest in investigating use of Winchelsea Leisure Centre in lieu of or as an interim to a new Scout facility on private or public land</li> <li>4 Gosney St still for sale and VicScouts to review with intent to resolve ASAP</li> <li>Winchelsea Tennis Club has 8 - 10 members and 25 juniors participating in a summer season Hotshots program.</li> <li>Potential to increase asset life through renewal.</li> </ul>
<b>Potential funding partners</b>	<ul style="list-style-type: none"> <li>VicScouts</li> <li>Winchelsea Tennis Club</li> <li>Council (facility renewal and capital)</li> </ul>
<b>Recommendation</b>	<ul style="list-style-type: none"> <li>Not progress the Winchelsea Scout and Tennis Shared Facility project (CPP04).</li> <li>Note the project is considered not viable and will be removed from the Community Project Master List. A revised proposal may be considered in the future but would be resubmitted through the community project process.</li> <li>Note the detailed investigation has confirmed that the funds allocated toward the design of the Winchelsea Scout and Tennis Shared Facility is no longer required.</li> <li>Return Council's commitment of \$10,000 toward the design of the Winchelsea Scout and Tennis Shared Facility to Accumulated Unallocated Cash Reserves.</li> </ul>

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

On 28 February 2017, Council resolved a further four community proposals to progress to detailed investigation including:

- 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.

## 4.6 Community Project Development - May 2017 Update

Investigations for project proposals CPP05 - 08 are progressing well with expected investigation completion by June 2017. Recommendations on these proposals will be presented to Council as soon as the investigations are complete.

### New Community Project Proposals Received

The Community Project Proposal Master List currently includes 43 outstanding project proposals including 25 new proposals since the 1 November 2016. A summary of activity includes:

- 13 proposals were registered in the period 1 November 2016 to 31 January 2017
- 12 proposals were registered via the new on-line portal during the period 1 February to 20 April 2017.

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

The Community Project Proposal Master List presents outstanding project proposals in prioritised order following a Recreation and Open Space Planning Department assessment against a project priority assessment matrix. Four of the highest ranked project proposals from the master list have been recommended to proceed to the detailed investigation stage including:

1. Anglesea Men's Shed re-purpose / re-fit of storage / meeting space (score 75)
2. Wurdale Hall Reserve History Board (score 72)
3. Lorne Skate Park Shelter (score 69)
4. Torquay Hill Top Reserve (The Quay) – Vegetation Barrier (score 67).

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

### **Financial Implications**

This report confirms that the Lorne Historical Society Front Façade Upgrade Proposal (CPP03 - Stage 1 only) should progress and be referred to Council for future funding consideration. A Stage 1 funding strategy prepared for this project recommends a Council contribution of \$15,000 plus project management towards a \$40,000 - \$50,000 project.

Council allocated \$10,000 toward the design of the Winchelsea Scout and Tennis Shared Facility as Vic Scouts had proposed to fund the development to grow their local scout group. Following detailed investigation of the project with Vic Scouts and local Scouts representatives it was recognised that membership and participation rates had declined and the project proposal was mutually considered not viable to progress. As the funds are no longer required it is recommended that Council return the commitment of \$10,000 toward the design of the Winchelsea Scout and Tennis Shared Facility to Accumulated Unallocated Cash Reserves.

### **Council Plan**

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

Theme 3 Communities  
Objective 3.3 Preservation of peaceful, safe and healthy environments  
Strategy 3.3.4 Support a wide-range of community groups to improve community wellbeing

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

### **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.

## **4.6 Community Project Development - May 2017 Update**

### ***Risk Assessment***

The detailed investigation of the Lorne Historical Society Front Façade Upgrade (CPP03) proposal provides clarity for Council regarding the scope and confirms that a Stage 1 proposal is considered viable to progress as a project. The proposal applicant is aware that investigations have been able to confirm feasibility only and that the proposal will be referred to Council for future project funding consideration.

The proposal applicants for the Winchelsea Scouts and Tennis Shared Facility (CPP04) are aware of the detailed investigation outcome and that there will be a recommendation to Council that the proposal does not progress but that a revised proposal may be considered in the future.

### ***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.

### ***Environmental Implications***

There are no impacts to the environment.

### ***Communication***

A Community Project Development page is now 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. Four of the highest ranked proposals form the Community Project Proposal Master List have been recommended to proceed to detailed investigation stage.

#### 4.7 Review of Council Support of Surf Lifesaving

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

**General Manager:** Chris Pike

**Department:** Business Improvement

**File No:** F17/285

**Division:** Office of the CEO

**Trim No:** IC17/350

**Appendix:**

1. Review of Council support of Surf Lifesaving - Executive Summary (D17/44523)
2. Future of Surf Lifesaving in Surf Coast Shire Strategy 2016 (D16/103225)

**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:**

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**Purpose**

The purpose of this report is to endorse the 'Review of Council Support of Surf Lifesaving – Executive Summary' (appendix 1).

**Summary**

The Future of Surf Life Saving in Surf Coast Shire Strategy, adopted by Council in February 2016, identifies surf lifesaving as central to the culture, experience and community of Surf Coast Shire, but fails to provide clear guidance in relation to the level of support provided by Council. The Review of Council Support of Surf Lifesaving supplements the existing strategy, responds to its shortcomings, and provides clarification and guidance regarding Council's future support of surf lifesaving.

The surfing lifestyle largely contributes to the Surf Coast Shire being one of the fastest growing local government areas in Victoria. The population is forecast to reach nearly 45,000 by 2031, and over 1.8 million visitors spend \$500M annually in the municipality. This surging growth is driving demand for increased facilities and programs. Council exists to help the community and environment to thrive, and supporting Surf Life Saving Clubs to meet these shared challenges is consistent with the Council Plan and broad community expectation.

The following recommendations are cognisant of the fact that surf lifesaving is both a legitimate sport and an emergency management activity; and the principles that Council exists to support its community and volunteers (including lifesaving clubs), whilst the State Government is responsible for facilities and prescribed activities on coastal Crown land (including professional lifeguarding services).

## 4.7 Review of Council Support of Surf Lifesaving

### Recommendations

That Council:

1. Endorse the 'Review of Council Support of Surf Lifesaving – Executive Summary (appendix 1).
2. Liaise with the Municipal Association of Victoria to convene and lead an advocacy taskforce, consisting of affected Councils and Agencies, to lobby for the State Government to recognise and assume its responsibility to adequately resource professional lifeguard services provided on coastal Crown land.
3. Support and nurture surf lifesaving in the Surf Coast Shire by:
  - 3.1. Note the importance of surf lifesaving Clubs in supporting the growing community and visitor economy.
  - 3.2. Deeming that Surf Coast Shire surf lifesaving club requests for contributions to renew and upgrade their clubhouses are eligible for Council support up to an amount of 5% of the total project value or \$250,000 (exclusive of GST) whichever is the lesser.
  - 3.3. Considering requests for financial contributions for clubhouse renewals and upgrades via Council's annual budget process.
  - 3.4. Encouraging Surf Life Saving Club participation in Council's small grant program.
4. Note that funding requests for clubhouse redevelopments have been received from Jan Juc Surf Life Saving Club and Anglesea Surf Life Saving Club for consideration in the 2017/18 budget process.
5. Note that this position may provide a basis for the consideration of funding requests in relation to other facilities on land not managed or owned by Council and these requests will be assessed individually and on merit.

### Council Resolution

#### **MOVED Cr Libby Coker, Seconded Cr David Bell**

That Council:

1. Endorse the 'Review of Council Support of Surf Lifesaving – Executive Summary (appendix 1).
2. Liaise with the Municipal Association of Victoria to convene and lead an advocacy taskforce, consisting of affected Councils and Agencies, to lobby for the State Government to recognise and assume its responsibility to adequately resource professional lifeguard services provided on coastal Crown land.
3. Support and nurture surf lifesaving in the Surf Coast Shire by:
  - 3.1. Note the importance of surf lifesaving Clubs in supporting the growing community and visitor economy.
  - 3.2. Deeming that Surf Coast Shire surf lifesaving club requests for contributions to renew and upgrade their clubhouses are eligible for Council support up to an amount of 5% of the total project value or \$250,000 (exclusive of GST) whichever is the lesser.
  - 3.3. Considering requests for financial contributions for clubhouse renewals and upgrades via Council's annual budget process.
  - 3.4. Encouraging Surf Life Saving Club participation in Council's small grant program.
4. Note that funding requests for clubhouse redevelopments have been received from Jan Juc Surf Life Saving Club and Anglesea Surf Life Saving Club for consideration in the 2017/18 budget process.
5. Note that this position may provide a basis for the consideration of funding requests in relation to other facilities on land not managed or owned by Council and these requests will be assessed individually and on merit.

CARRIED 8:0

## 4.7 Review of Council Support of Surf Lifesaving

### Report

#### **Background**

In 2015, Council collaborated with GORRC; the Department of Environment, Land, Water and Planning; Regional Development Victoria; and the Department of Justice and Regulation to develop a strategy to guide the future provision, use, management and investment in surf lifesaving in the Surf Coast Shire.

On 23 February 2016, Council resolved to:

- endorse the Future of Surf Lifesaving in Surf Coast Shire strategy 2016
- receive a progress report on implementation of the strategy within 12 months to assist Council in firming up its policy position in relation to surf lifesaving.

On 13 December 2016, Council initiated a review of Council support of surf lifesaving as part of its 2016/17 Business Improvement Program. The report addresses the shortcomings in the Future of Surf Lifesaving in Surf Coast Shire strategy, and will assist in resolving the following outstanding matters:

- Jan Juc Surf Life Saving Club's 2016 funding request to Council, seeking a contribution to their clubhouse redevelopment
- Life Saving Victoria's request for funding certainty regarding the professional lifeguarding service they provide for GORCC at nominated surf beaches in the municipality (Council executed a 'contribution agreement' for the 2016/17 season only).

#### **Discussion**

The 'Future of Surf Lifesaving in Surf Coast Shire strategy 2016':

- identifies surf lifesaving as central to the culture, experience and community of Surf Coast Shire
- commits Council to supporting and nurturing surf lifesaving
- fails to quantify or provide clear guidance in relation to Council's support of surf lifesaving

The 'Review of Council Support of Surf Lifesaving – Executive Summary' responds to the second point of Council's 23 February 2016 resolution (refer to 'background' above), and provides assistance to firm up Council's policy position in relation to surf lifesaving. The report makes the following findings:

In relation to Recommendation 2:

- DELWP are responsible for coastal Crown land (defined as land within 200m of the high tide mark)
- Council has no responsibility or obligation regarding facilities or prescribed activities conducted on coastal Crown land (with the exception of Bells Beach Reserve)
- in a rate-capped environment, Council is challenged to adequately resource its own responsibilities, let alone those of the State Government and other agencies
- the State acknowledges the crucial role played by LSV in drowning prevention and delegates emergency management responsibilities (including professional lifeguarding) to them
- the vast majority of rescues and preventative actions relate to visitors to the municipality.

In relation to Recommendation 3:

- well designed and accessible surf lifesaving facilities are valuable community assets that can ease the pressure on Council to provide the same (particularly relevant in the high growth localities of Torquay and Jan Juc), and greatly enhance the beach experience of all visitors
- surf lifesaving is a legitimate sport and activity that promotes community health and wellbeing and strongly complements Council's responsibility to do the same
- surf lifesaving clubs are embedded in the Shire's culture and enhance the municipality's reputation as the Home of Australian Surfing
- Council support of surf lifesaving is consistent with the Council Plan and the endorsed Future of Surf Life Saving in Surf Coast Shire strategy
- surf lifesaving participation rates are higher than for any other sport in the municipality, and strong population growth will only increase the demand for surf lifesaving services and facilities
- surf lifesaving clubhouse redevelopment projects score highly on Council's Community Project Assessment Matrix, and but for the question of land ownership, qualify strongly for budget consideration
- Council currently supports numerous other clubs operating on non-Council owned land (these clubs receive support when SLSCs don't, simply because Council manages the land)



#### 4.7 Review of Council Support of Surf Lifesaving

- contemporary facilities are crucial to generating operational income and a trading profit, and are therefore fundamental to the financial sustainability and independence of SLS clubs (no reliance on recurrent Council support)
- SLS clubs are increasingly moving towards paid administrative positions, and contemporary facilities provide job growth both during construction, and afterwards in the hospitality field
- Council's current support of surf lifesaving is only 'average' (compared to other Councils), despite the municipality's reputation as the Home of Australian Surfing
- all Victorian Councils with a beach frontage provide some form of financial support to lifesaving clubs (capital contributions are the most common form of support), and
- large capital contributions represent 'good value' when annualised over the life of the asset and the associated benefits are taken into account.

The surfing lifestyle largely contributes to the Surf Coast Shire being one of the fastest growing local government areas in Victoria. The population is forecast to reach nearly 45,000 by 2031, and over 1.8 million visitors spend \$500M annually in the municipality. This surging growth is driving demand for increased facilities and programs. Council exists to help the community and environment to thrive, and supporting Surf Life Saving Clubs to meet these shared challenges is consistent with the Council Plan and broad community expectation.

#### **Financial implications**

The following table provides a snapshot of Council's historical support of surf lifesaving and identifies proposed future contributions:

	Actual					Proposed
	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18
Professional lifeguarding services	\$39,286	\$47,293	\$53,477	\$51,645	\$53,969	\$55,318
% increase		20%	13%	-3%	4%	2%
Capital contribution		\$240,000				\$500,000
Community grant	\$1,000	\$1,568	\$3,000		\$1,000	
<b>Total</b>	<b>\$40,286</b>	<b>\$288,862</b>	<b>\$56,477</b>	<b>\$51,645</b>	<b>\$54,969</b>	<b>\$555,318</b>

Jan Juc SLSC and Anglesea SLSC are both seeking a \$500,000 contribution from the 2017/18 budget for their \$5M clubhouse redevelopments.

On 30 March 2017, Life Saving Victoria provided a written quote to Council, requesting a contribution to the 2017/18 professional lifeguard service of \$55,318 (representing a 2.5% CPI increase from the 2016/17 season).

Note that:

- Jan Juc's funding request will be referred to the 2017/18 budget process as a community submission, to a maximum of \$250,000
- Anglesea SLSC funding request for their clubhouse redevelopment has been received as a community submission and will be considered through the 2017/18 budget process, to a maximum of \$250,000
- Council's annual contribution to professional lifeguard services will reduce to zero, if the State Government assumes its responsibilities on coastal Crown land
- a \$250,000 capital contribution to a clubhouse redevelopment, when annualised over the life of the building equates to \$4,200pa.

#### **Council Plan**

Theme 3 Communities

Objective 3.3 Preservation of peaceful, safe and healthy environments

Strategy 3.3.4 Support a wide-range of community groups to improve community wellbeing

#### 4.7 Review of Council Support of Surf Lifesaving

Theme	3 Communities
Objective	3.3 Preservation of peaceful, safe and healthy environments
Strategy	3.3.6 Maintain, enhance and develop community and recreational facilities to improve community wellbeing.
Theme	3 Communities
Objective	3.4 Building leadership and skills within the community
Strategy	3.4.3 Provide funding opportunities to groups to improve and strengthen their communities.
Theme	5 Development and Growth
Objective	5.2 Encourage sustainable economic development and growth
Strategy	5.2.3 Support and grow Surf Coast Shire's key industry sectors of Surfing, Tourism, Retail, Agriculture and Construction.

##### ***Policy/legal implications***

Future surf lifesaving club redevelopment requests for funding will be assessed according to Council's Community Project Assessment Matrix.

Council will lead an advocacy taskforce to strongly lobby for the State Government to recognise and assume its responsibility to adequately resource professional lifeguarding services provided on coastal Crown land.

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

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

##### ***Risk assessment***

Misinterpreting Council's strong commitment to surf lifesaving is the major risk associated with this project, possibly giving rise to negative public opinion and reputational damage. The recommendations contained in this report seek to provide clarity and certainty regarding Council's, and the State Government's support of surf lifesaving.

##### ***Social considerations***

The 'Review of Council support of surf lifesaving – Final report' identifies the considerable social benefits provided by surf lifesaving clubs, to a large and diverse cross-section of the community.

This report with recommendations are specifically focused on surf life saving clubs. However, it will open the door for Council to consider contributions to other clubs on coastal land. The difference though will be the relative merits of these other proposals (e.g. Anglesea Motor Yacht Club). Critical to the recommendation that Council supports investment in SLSCs is the social value that they provide to the community - big membership numbers, lots of community connection, fostering volunteering, highly valued by the broader community. The same case could be made for the Anglesea Motor Yacht Club but to a far lesser extent, although with a total project cost estimate of approximately \$400k a 5% Council contribution equates to a more modest \$20,000.

##### ***Community engagement***

Significant community engagement was undertaken during the development of the 'Future of Surf Lifesaving in Surf Coast Shire Strategy', providing social, environment, and community context for this 'Review of Council support of surf lifesaving'.

Surf Life Saving Clubs, Great Ocean Road Coast Committee (GORCC) and State Government departments were comprehensively engaged in the research phase of this project, as identified in the stakeholder engagement plan endorsed by Council.

##### ***Environmental implications***

The 23 February 2016 Council report to adopt 'The Future of Surf Life Saving in Surf Coast Shire Strategy' identified the natural coastal environment as highly valued. Council is the planning authority for any Surf Life Saving Club redevelopment proposals.

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

The Community Communication Plan consists of:

- Life Saving Victoria attending a Council Briefing session
- informing key stakeholders of the report findings and Council recommendations in advance of the Council meeting
- issuing a media release following the Council meeting.

#### **4.7 Review of Council Support of Surf Lifesaving**

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

The 'Review of Council support of surf lifesaving – Executive Summary' supplements 'The Future of Surf Life Saving in Surf Coast Shire' strategy, and should be read in conjunction with it.

The report provides clear guidance regarding Council's future support of surf lifesaving.

Surf Coast residents believe that local and state governments have a role to play in the funding of essential surf lifesaving services, including facilities, equipment and lifeguards. Council has subscribed to this belief for many years by annually contributing to professional lifeguarding services, and by sponsoring the Fairhaven clubhouse redevelopment in 2013/14.

But the introduction of the 'Fair Go Rates System' and the loss of large, non-competitive Victorian Government funding has altered the landscape, and forced Council to critically analyse its core responsibilities and budget demands.

The report recommendations are cognisant of the fact that surf lifesaving is both a legitimate sport and an emergency management activity; and the principles that Council exists to support its community and volunteers (including lifesaving clubs), whilst the State is responsible for facilities and prescribed activities on coastal Crown land (including professional lifeguarding services).

**5. MINUTES**

**Nil**

## 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:** IC17/441

**Appendix:**

1. Assembly of Councillors - 240 Portreat Road Bellbrae – 19 April 2017 (D17/48982)
2. Assembly of Councillors - Council Briefing – 26 April 2017 (D17/52866)
3. Assembly of Councillors - Council Briefing – 2 May 2017 (D17/52969)
4. Assembly of Councillors - Council Briefing – 9 May 2017 (D17/55521)
5. Assembly of Councillors - Councillor Only Time – 9 May 2017 (D17/55503)

**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. 240 Portreat Road Bellbrae – 19 April 2017.
2. Council Briefing – 26 April 2017.
3. Council Briefing – 2 May 2017.
4. Council Briefing – 9 May 2017.
5. Councillor Only Time – 9 May 2017.

### **Council Resolution**

#### **MOVED Cr Clive Goldsworthy, Seconded Cr David Bell**

That Council receive and note the Assembly of Councillors records for the following meetings:

1. 240 Portreat Road Bellbrae – 19 April 2017.
2. Council Briefing – 26 April 2017.
3. Council Briefing – 2 May 2017.
4. Council Briefing – 9 May 2017.
5. Councillor Only Time – 9 May 2017.

CARRIED 8:0

## 7. CLOSED SECTION

### **Council Resolution**

#### **MOVED Cr Rose Hodge, Seconded Cr Martin Duke**

That Council pursuant to section 89(2)(h) other matters, section 89(2)(d) contractual matters and section 89(2)(f) legal advice of the Local Government Act 1989, close the meeting to members of the public at 8.51pm to resolve on matters pertaining to the following items:

- 8.1 Assemblies of Councillors.
- 8.2 Tender 16/688 - Clearance of Public Bins and Street Cleaning.
- 8.3 Winchelsea Common Management Issues.
- 8.4 Queens Baton Relay - Council Selected Nomination Program.
- 8.5 Review of Council Support of Surf Lifesaving.

CARRIED 8:0

### **Council Resolution**

#### **MOVED Cr David Bell, Seconded Cr Rose Hodge**

That Council agree to adjourn the meeting for a short break. The meeting adjourned at 8:51pm and reconvened at 8:55pm.

CARRIED 8:0

### **Council Resolution**

#### **MOVED Cr David Bell, Seconded Cr Rose Hodge**

That:

1. The resolution and report pertaining to Confidential item 8.1, 8.2, 8.4 and 8.5 remain Confidential.
2. The resolution and report pertaining to Confidential item 8.3 remain Confidential except for resolutions 3 and 4 to be made public once landowners have been advised.
3. Council opened the meeting to the public at 9.03pm.

CARRIED 8:0

**Close:** There being no further items of business the meeting closed at 9.04pm.