



Agenda

Ordinary Meeting of Council
Tuesday, 25 July 2017

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

Commencing at 6.00pm

Council:

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

AGENDA FOR THE ORDINARY MEETING OF SURF COAST SHIRE COUNCIL
TO BE HELD IN THE COUNCIL CHAMBERS, 1 MERRIJIG DRIVE, TORQUAY
ON TUESDAY 25 JULY 2017 COMMENCING AT 6.00PM

PRESENT:

OPENING:

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

PLEDGE:

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

APOLOGIES:

CONFIRMATION OF MINUTES:

Recommendation

That Council note the minutes of the Ordinary meeting of Council held on 27 June 2017 as a correct record of the meeting.

LEAVE OF ABSENCE REQUESTS:

CONFLICTS OF INTEREST:

Note to Councillors and Officers

Declaration of Interest

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

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

A person has a direct interest if:

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

A person has an indirect interest if the person has:

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

Disclosure of Interest

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

PRESENTATIONS:

PUBLIC QUESTION TIME:

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1. OFFICE OF THE CEO

Nil

2. GOVERNANCE & INFRASTRUCTURE

2.1 Project Budget Adjustments and Cash Reserve Transfers Final 2016 - 2017 Report

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

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

Division: Governance & Infrastructure **Trim No:** IC17/771

Appendix:

1. Final Project Budget Adjustments and Cash Reserve Transfers Report for 2016 - 2017 (D17/83900)

Officer Direct or Indirect Conflict of Interest:

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

Yes

No

Reason: Nil

Status:

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

Yes

No

Reason: Nil

Purpose

The purpose of this report is to receive and approve the final Project Budget Adjustments and Cash Reserve Transfers report for 2016 – 2017.

Summary

The final Project Budget Adjustments and Cash Reserve Transfers report for 2016 – 2017 is attached.

Recommendation

That Council:

1. Ratifies the unbudgeted expenditure items listed in the final Project Budget Adjustments and Cash Reserve Transfers for 2016 - 2017 report funded from the following reserves:
 - 1.1. Accumulated Unallocated Cash Reserve \$19,764
 - 1.2. Asset Renewal Reserve \$2,101.
2. Approves the Project Budget Adjustments and Cash Reserve Transfers listed in the final Project Budget Adjustments and Cash Reserve Transfers for 2016 – 2017 report:
 - 2.1. Allocating grant and contribution funded project budgets (no cost to Council).
 - 2.2. Ratify the transfer of \$12,000 to projects from the Asset Renewal Reserve approved by the Chief Executive Officer.
 - 2.3. Transferring a net of \$4,723 to projects from the Accumulated Unallocated Cash Reserve (funds movement <\$5,000)
 - 2.4. Transferring a net of \$141,498 from projects to the Accumulated Unallocated Cash Reserve (funds movement >\$5,000)
 - 2.5. Transferring a net of \$6,266 from projects to the Asset Renewal Reserve
 - 2.6. Transferring a net of \$101,808 from projects to the Waste Reserve.
3. Approves the Project Closures and return of funds to source listed in the final Project Budget Adjustments and Cash Reserve Transfers for 2016 – 2017 report:
 - 3.1. Accumulated Unallocated Cash Reserve \$236,459
 - 3.2. Asset Renewal Reserve \$162,094
 - 3.3. Waste Reserve \$35,325
 - 3.4. DCP Council Funds \$8,455
 - 3.5. Plant Replacement Reserve \$3,880
 - 3.6. Adopted Strategy Reserve \$7,436.
4. Approves the return of Contingency on closed projects to funding source listed in the final Project Budget Adjustments and Cash Reserve Transfers for 2016 – 2017 report:
 - 4.1. Accumulated Unallocated Cash Reserve \$40,130
 - 4.2. Asset Renewal Reserve \$49,250
 - 4.3. DCP Council Funds Reserve \$2,500
 - 4.4. Waste Reserve \$7,520.

2.1 Project Budget Adjustments and Cash Reserve Transfers Final 2016 - 2017 Report

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 Final Project Budget Adjustments and Cash Reserve Transfers for 2016 - 2017.

2.1 Project Budget Adjustments and Cash Reserve Transfers Final 2016 - 2017 Report

**APPENDIX 1 FINAL PROJECT BUDGET ADJUSTMENTS AND CASH RESERVE TRANSFERS
REPORT FOR 2016 - 2017**

Final 2016 - 2017 Project Budget Adjustments and Cash Reserve Transfers Report

Request for Funds Transfer

No Cost to Council

This table reflects changes to project budgets through consolidation of project delivery, additional income or budget adjustments directly to projects

Account	Project Name	Comment	Project Budget \$	Project Cost \$	Variation \$
8007	FREEZA Project (income)	Additional Funds received for FREEZA Program	(24,400)	(24,667)	267
8007	FREEZA Project	Additional Funds received for FREEZA Program	38,826	39,093	(267)
8370	HACC Bushfire Heatwave Preparation (income)	Additional Funds received for Bushfire Heatwave Preparation Program	0	(295)	295
8370	HACC Bushfire Heatwave Preparation	Additional Funds received for Bushfire Heatwave Preparation Program	19,254	19,549	(295)
8523	Engage Program (income)	Additional Funds received for Engage Program	(44,000)	(46,666)	2,666
8523	Engage Program	Additional Funds received for Engage Program	58,655	61,321	(2,666)
8574	Spring Creek Precinct Structure Plan (income)	Spring Creek Precinct Structure Plan additional funds received for project.	(116,281)	(174,678)	58,397
8574	Spring Creek Precinct Structure Plan	Spring Creek Precinct Structure Plan additional funds received for project.	117,734	176,131	(58,397)
8576	Aireys Inlet Master Plan (income)	Contribution from Dept Education and Training for school oval component of master plan	0	(4,000)	4,000
8576	Aireys Inlet Master Plan	Scope includes school oval component of master plan	10,000	14,000	(4,000)
8717	Public Safety Infrastructure	Scope has been reduced	257,940	195,400	62,540
8717	Public Safety Infrastructure (income)	Grant funds provided are less than first estimated to match scope	(230,540)	(168,000)	(62,540)
8724	Irrigation Project Winchelsea Golf Course (income)	Grant funding received	0	(67,500)	67,500
8724	Irrigation Project Winchelsea Golf Course	Grant funding received	0	67,500	(67,500)
9534	Torquay Indoor Stadium	Consolidate scope from two accounts for same project	20,000	17,561	2,439
8747	Surf Coast Multi-Purpose Indoor Stadium	Consolidate scope from two accounts for same project	30,000	32,439	(2,439)
9082	Building Renewal (income)	Insurance income for renewal project	0	(10,492)	10,492
9082	Building Renewal	Insurance claim scope	247,681	258,173	(10,492)
8631	Remediation of Land	Consolidate balance of funds for Remediation of Land to MT Moriac Rehabilitation as both projects supporting same scope including stockyard relocation to Paraparap.	100,900	43,843	57,057
9226	Mt Moriac Rehabilitation Stage 1	Consolidate balance of funds for Remediation of Land to MT Moriac Rehabilitation as both projects supporting same scope including stockyard relocation to Paraparap.	16,365	73,422	(57,057)
9554	Footpath Renewal Program (income)	Stribling Reserve Contribution to Footpath	0	(1,465)	1,465
9554	Footpath Renewal Program	Stribling Reserve Contribution to Footpath	160,000	161,465	(1,465)
9489	Grenville Oval OR02	Scope for spraying and seeding removed. This scope to be added to Landscaping Deferred.	536,650	523,895	12,755
9564	Landscaping Deferred	Spraying and seeding for Grenville Oval surrounds added to scope	62,224	74,979	(12,755)

Account	Project Name	Comment	Project Budget \$	Project Cost \$	Variation \$
9660	Road Reinstatement for Powercor Projects (income)	Funding received from Powercor	0	(238,778)	238,778
9660	Road Reinstatement for Powercor Projects	Road reinstatement works following Powercor works	0	238,778	(238,778)
9671	Stribling Reserve Sports Lighting Upgrade (income)	Grant funding received	0	(90,000)	90,000
9671	Stribling Reserve Sports Lighting Upgrade	Grant funding received	0	90,000	(90,000)
Grand Total			1,261,008	1,261,008	0

Ratification of CEO Authorised transfers

Asset Renewal Reserve

Account	Project Name	Comment	Project Budget \$	Project Cost \$	Variation \$
9558	IT Asset Renewal - Tape Unit Replacement	Urgent replacement of tape unit for daily backups.	125,400	137,400	(12,000)
Grand Total			125,400	137,400	(12,000)

Ratification

Accumulated Unallocated Cash Reserve

Account	Project Name	Comment	Project Budget \$	Project Cost \$	Variation \$
8709	Sport and Rec Officer at SCS and Recreation Centre	Scope completed. Final internal costs exceeded budget.	45,000	45,146	(146)
8628	Statutory Planning Resources - Growth in Applications & Reducing Backlog	Scope completed. Final internal costs exceeded budget.	168,000	174,217	(6,217)
8620	Anglesea Futures Program Support and Anglesea River	Scope completed. Final internal costs exceeded budget.	20,000	24,084	(4,084)
9361	Building and Open Space Design	Scope completed. Funds expended exceeded budget.	16,790	17,665	(875)
9542	Small Drainage Works	Scope completed. Funds expended exceeded budget.	28,570	28,865	(295)
9499	The Esplanade Kerb and Sealing Stage 1	Scope completed. Funds expended exceeded budget.	24,708	25,673	(965)
9525	Anglesea Tennis Courts Synthetic Surface	Scope completed. Funds expended exceeded budget.	122,676	125,477	(2,801)
8531	Growing Winchelsea Placemaking Strategy	Scope completed. Funds expended exceeded budget.	0	675	(675)
8626	ANZAC Day Contribution	Scope completed. Funds expended exceeded budget.	7,000	10,000	(3,000)
8641	Winchelsea Community House Occasional Care Shade Sail	Scope completed. Final internal costs exceeded budget.	23,000	23,306	(306)
8576	Aireys Inlet Master Plan	Budget shortfall identified.	14,000	14,400	(400)
Grand Total			469,744	489,508	(19,764)

Ratification

Asset Renewal Reserve

Account	Project Name	Comment	Project Budget \$	Project Cost \$	Variation \$
9000	Unsealed Road Renewal	Scope completed. Funds expended exceeded budget.	750,000	750,966	(966)
9555	Kerb Renewal	Scope completed. Final internal costs exceeded budget.	24,210	25,345	(1,135)
Grand Total			774,210	776,311	(2,101)

Funds Movement < \$5,000

Accumulated Unallocated Cash Reserve

Account	Project Name	Comment	Project Budget \$	Project Cost \$	Variation \$
8482	Roadside Weeds and Pests Management Program (income)	Grant estimate \$24K however grant received \$23314	(24,000)	(23,314)	(686)
8654	Digital Transformation - Payroll Upgrade	Configuration testing identified a number of bugs therefore delays in completion and continuation of project management required.	35,000	37,000	(2,000)
9525	Anglesea Tennis Courts Synthetic Surface (income)	Budget to be reduced for reduced contribution.	(8,000)	(7,720)	(280)
9448	Lorne Men's Shed (income)	Project Complete - no further income	(20,800)	(20,000)	(800)
8741	G21 Regional Hockey Strategy (income)	Correction to Budget	(10,000)	(9,043)	(957)
Grand Total			(27,800)	(23,077)	(4,723)

Funds Movement > \$5,000

Accumulated Unallocated Cash Reserve

Account	Project Name	Comment	Project Budget \$	Project Cost \$	Variation \$
8617	Domestic Animal Management Plan Review	Additional funds required to undertake communications and engagement and continuation of project management support	30,000	37,215	(7,215)
8556	Health and Wellbeing Officer (Two Years Only)	Savings due to staff vacancies.	53,000	42,110	10,890
9329	Transport and Drainage Design	Funds not required to complete scope	130,560	119,345	11,215
9488	Torquay Precinct Pathways (income)	Error in prior year carry forward	(117,000)	(187,483)	70,483
9499	The Esplanade Kerb and Sealing Stage 1 (income)	Insurance income received for prior year claim.	0	(20,745)	20,745
8645	Council Election 2016 (income)	Election Fines received higher than budget	(25,000)	(60,380)	35,380
Grand Total			71,560	(69,938)	141,498

Funds Movement > \$5,000

Asset Renewal Reserve

Account	Project Name	Comment	Project Budget \$	Project Cost \$	Variation \$
9001	Sealed Road Renewal (income)	Vic Roads contribution to Winchelsea pathway works - works completed	(238,892)	(245,158)	6,266
Grand Total			(238,892)	(245,158)	6,266

Funds Movement > \$5,000

Waste Reserve

Account	Project Name	Comment	Project Budget \$	Project Cost \$	Variation \$
9521	Anglesea Landfill Road Construction	Project nearing completion. \$101,808 can be returned to Waste Reserve. Balance of approx. \$20K unspent funds on account will carry forward to complete scope.	220,000	118,192	101,808
Grand Total			220,000	118,192	101,808

Projects Closed

Accumulated Unallocated Cash Reserve

Account	Project Name	Comment	Project Budget \$	Project Cost \$	Variation \$
8031	Torquay Town Centre Parking Strategy / Precinct Plan	Scope complete and project closed. Savings can be returned to source.	6,005	0	6,005
8553	Torquay NW Stormwater Masterplan	Project cancelled, project to be closed. Savings can be returned to source.	2,671	0	2,671
8555	Infocouncil Updates	Scope complete and project closed. Savings can be returned to source.	2,500	1,680	820
8572	Storage Pods Stribling Reserve Stadium	Scope complete and project closed. Savings can be returned to source.	44,868	44,768	100
8575	Torquay Plastic Bag Free	Scope complete and project closed. Savings can be returned to source.	10,000	8,453	1,547
8578	Lorne Stribling Reserve Master Plan	Scope complete and project closed. Savings can be returned to source.	43,440	41,822	1,618
8581	Aireys Inlet School Rec Reserve Master Plan	Scope complete and project closed. Savings can be returned to source.	400	0	400
8603	Aged Care Reform Implementation Planning	Scope complete and project closed. Savings can be returned to source.	30,000	29,982	18
8609	Business Continuity Exercise	Scope complete and project closed. Savings can be returned to source.	7,000	5,860	1,140
8613	Condition and Valuation audits - Road Network	Scope complete and project closed. Savings can be returned to source.	116,000	89,336	26,664
8616	Development of the Council Plan 2017-2021	Scope complete and project closed. Savings can be returned to source.	138,000	134,162	3,838
8623	Review Community Developer Levy Process (Business Analysis)	Scope complete and project closed. Savings can be returned to source.	20,000	7,796	12,204
8629	Visitor Information Centre Technology Improvements	Scope complete and project closed. Savings can be returned to source.	10,000	9,209	791

Account	Project Name	Comment	Project Budget \$	Project Cost \$	Variation \$
8630	Audio Visual and Static Foyer Communications Equipment	Scope complete and project closed. Savings can be returned to source.	6,000	5,043	957
8631	Remediation of Land	Scope complete and project closed. Savings can be returned to source.	43,843	43,843	0
8634	Resolution of Land Encroachment Issues	Scope complete and project closed. Savings can be returned to source.	73,000	52,939	20,061
8636	Projection and Sound Equipment for the Globe Theatre	Scope complete and project closed. Savings can be returned to source.	30,500	27,135	3,365
8646	Valuation Services for Insurance Purposes	Scope complete and project closed. Savings can be returned to source.	42,000	19,468	22,532
8650	Solar Improvement Program - Council Civic Offices	Scope complete and project closed. Savings can be returned to source.	136,111	132,668	3,443
8652	Attunga Drive subdivision Tree Planting	Scope complete and project closed. Savings can be returned to source.	9,091	8,883	208
8655	Livestock Salesyard Market Analysis Geelong	Scope complete and project closed. Savings can be returned to source.	10,000	9,091	909
8701	Planning Scheme Amendment C115 Aldi (privately funded)	Scope complete and project closed. Savings can be returned to source.	14,501	907	13,594
8701	Planning Scheme Amendment C115 Aldi (privately funded) (income)	Scope complete and project closed. Budgeted income not received offset by savings in expenditure budget.	(13,197)	(2,061)	(11,136)
8702	Planning Scheme Amendment - C106 Barwon Water (privately funded)	Scope complete and project closed. Savings can be returned to source.	14,564	6,725	7,839
8702	Planning Scheme Amendment - C106 Barwon Water (privately funded) (income)	Scope complete and project closed. Budgeted income not received offset by savings in expenditure budget.	(13,761)	(6,951)	(6,810)
8706	Planning Scheme Amendment c113 - 85 Geelong Road, Torquay (privately funded)	Scope complete and project closed. Savings can be returned to source.	18,261	15,571	2,690
8706	Planning Scheme Amendment c113 - 85 Geelong Road, Torquay (privately funded) (income)	Correct Error in March Report.	(21,749)	(14,455)	(7,294)
8715	Traffic Mgt Study Torquay Community and Civic Precinct	Scope complete and project closed. Savings can be returned to source.	21,000	10,410	10,590
9086	Facility Signage Program	Scope complete and project closed. Savings can be returned to source.	19,000	17,736	1,264
9184	Public Lighting Upgrade Program	Scope complete and project closed. Savings can be returned to source.	15,000	14,170	830
9389	Office Furniture	Scope complete and project closed. Savings can be returned to source.	38,300	36,603	1,697
9482	Spring Creek Design and Ancillary Works (Connecting Our Community Project)	Scope complete and project closed. Savings can be returned to source.	20,000	19,968	32
9505	Polwarth Oval Sports Lighting Upgrade	Scope complete and project closed. Savings can be returned to source.	8,190	3,750	4,440
9541	Kargnum Crescent, Winchelsea - Erosion Works	Scope complete and project closed. Savings can be returned to source.	57,860	20,083	37,777

Account	Project Name	Comment	Project Budget \$	Project Cost \$	Variation \$
9545	Shire Hall Precinct Landscaping	Scope complete and project closed. Savings can be returned to source.	23,050	22,665	385
9557	Tree Trimming (pre Reseal) Program	Scope complete and project closed. Savings can be returned to source.	76,000	23,876	52,124
9567	Memorial Hall Anglesea - Air Conditioning Installation	Scope complete and project closed. Savings can be returned to source.	36,000	32,861	3,139
9606	Anglesea Riverbank Masterplan Stage 3	Scope complete and project closed. Savings can be returned to source.	11,000	6,400	4,600
9608	Bellbrae Hall Detailed Design	Scope complete and project closed. Savings can be returned to source.	12,000	1,343	10,657
9609	Jan Juc Creek Masterplan Zone 2	Scope complete and project closed. Savings can be returned to source.	4,500	3,750	750
Grand Total			1,121,948	885,489	236,459

Projects Closed

Asset Renewal Reserve

Account	Project Name	Comment	Project Budget \$	Project Cost \$	Variation \$
9001	Sealed Road Renewal	Scope complete and project closed. Savings can be returned to source.	620,000	605,444	14,556
9225	Drainage Renewal	Scope complete and project closed. Savings can be returned to source.	115,000	97,935	17,065
9554	Footpath Renewal	Scope completed. Funds expended exceeded budget.	161,465	160,684	781
9558	IT Other Equipment Renewal	Scope complete and project closed. Savings can be returned to source.	137,400	136,860	540
9083	Park Furniture Renewal	Scope complete and project closed. Savings can be returned to source.	133,512	132,680	832
9444	Soft Playing Surface and Irrigation Renewal	Scope complete and project closed. Savings can be returned to source.	100,000	99,856	144
9276	Nature Reserve and Community Garden Renewal	Scope complete and project closed. Savings can be returned to source.	49,780	45,461	4,319
9116	Facility Fencing Renewal (Bob Pettit Reserve)	Scope complete and project closed. Savings can be returned to source.	66,500	65,159	1,341
9351	Bike Park Renewal	Scope complete and project closed. Savings can be returned to source.	23,750	21,188	2,562
9023	Structure Renewal	Scope complete and project closed. Savings can be returned to source.	135,000	134,923	77
9575	McIntyre Road Culvert Crossing for Fire Access	Scope complete and project closed. Savings can be returned to source.	19,660	10,187	9,473
9576	Aireys Inlet / Fairhaven Drainage Upgrades	Scope complete and project closed. Savings can be returned to source.	23,600	17,243	6,357
9577	Gnarwarre Tennis Courts	Scope complete and project closed. Savings can be returned to source.	40,860	12,508	28,352
9578	Spring Creek Tennis Courts Resurfacing	Scope complete and project closed. Savings can be returned to source.	70,922	68,785	2,137
9579	Aireys Inlet Reserve playground Renewal	Scope complete and project closed. Savings can be returned to source.	140,000	117,626	22,374
9580	Bob Pettit Reserve Pavilion Playground Renewal	Scope complete and project closed. Savings can be returned to source.	59,190	54,908	4,282
9051	IT Desktop Equipment Renewal	Scope complete and project closed. Savings can be returned to source.	100,000	72,673	27,327
9084	Playground Equipment Renewal	Scope complete and project closed. Savings can be returned to source.	64,000	57,004	6,996
9082	Building Renewal	Scope complete and project closed. Savings can be returned to source.	258,173	245,594	12,579
Grand Total			2,318,812	2,156,718	162,094

Projects Closed

Waste Reserve

Account	Project Name	Comment	Project Budget \$	Project Cost \$	Variation \$
9590	Lorne Big Belly Bins and Locks	Scope complete and project closed. Savings can be returned to source.	252,676	252,623	53
9598	Winchelsea Big Belly Bins	Scope complete and project closed. Correction required. June transfer requested reduction to \$13,636 ex contingency however was reduced to this amount including unused contingency. Spend is \$13,636 of original budget \$17,200 ex contingency.	11,036	13,636	(2,600)
9618	Anglesea Landfill Future Use Options	Scope complete and project closed. Savings can be returned to source.	30,000	25,000	5,000
9028	Winchelsea Transfer Station - Seal Entry	Scope complete and project closed. Savings can be returned to source.	77,140	44,268	32,872
Grand Total			370,852	335,527	35,325

Projects Closed

DCP Council Funds

Account	Project Name	Comment	Project Budget \$	Project Cost \$	Variation \$
9595	Regional Bike Routes Horseshoe Bend Road	Scope complete and project closed. Savings can be returned to source.	27,500	24,225	3,275
9474	Bike Lane Across Spring Creek / GOR PC04	Scope complete and project closed. Savings can be returned to source.	313,478	311,564	1,914
9489	Grenville Oval OR02	Scope complete and project closed. Savings can be returned to source.	523,895	520,629	3,266
Grand Total			864,873	856,418	8,455

Projects Closed

Plant Replacement Reserve

Account	Project Name	Comment	Project Budget \$	Project Cost \$	Variation \$
9045	Light Fleet Replacement	Error in prior month transfer with project closed returning \$446 to the reserve.	353,524	353,690	(166)
9003	Heavy Plant Replacement	Scope complete and project closed. Savings can be returned to source.	730,000	725,954	4,046
Grand Total			1,083,524	1,079,644	3,880

Projects Closed

Adopted Strategy Reserve

Account	Project Name	Comment	Project Budget \$	Project Cost \$	Variation \$
9248	Pathways Ancillary Works	Scope complete and project closed. Savings can be returned to source.	19,050	17,383	1,667
9547	Barwon Terrace Path - Willis Street to Pool	Scope complete and project closed. Savings can be returned to source.	86,538	85,769	769
9488	Torquay Precinct Pathways	Scope complete and project closed. Savings can be returned to source.	5,000	0	5,000
Grand Total			110,588	103,152	7,436

**Projects Closed
 Contingency**

Account	Project Name	Comment	Project Budget \$	Project Cost \$	Variation \$
8708	Contingency Operational Program	Contingency on closed projects returned to the Accumulated Unallocated Reserve.	70,500	49,500	21,000
9602	Contingency Renewal	Contingency on closed projects returned to the Asset Renewal Reserve.	168,818	119,568	49,250
9594	Contingency DCP Council Funds	Contingency on closed projects returned to the DCP Council Funds Reserve.	133,621	131,121	2,500
9591	Contingency Other Capital Projects	Contingency on closed projects returned to the Accumulated Unallocated Reserve.	108,925	89,795	19,130
9593	Contingency Waste	Contingency on closed projects returned to the Waste Reserve.	659,390	651,870	7,520
Grand Total			1,141,254	1,041,854	99,400

2.2 Project Budget Adjustments and Cash Reserve Transfers - July 2017

Author's Title: Coordinator Management Accounting **General Manager:** Anne Howard
Department: Finance **File No:** F17/954
Division: Governance & Infrastructure **Trim No:** IC17/770

Appendix:

1. Project Budget Adjustments and Cash Reserve Transfers - July 2017 (D17/82697)

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 present for Council approval the Project Budget Adjustments and Cash Reserve Transfers report for July 2017.

Summary

The project Budget Adjustments and Cash Reserve transfers report for July is attached.

Recommendation

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

1. Noting that transfers in Table 1 are at no cost to Council.
2. Transferring a net of \$6,132 to projects from the Accumulated Unallocated Cash Reserve.
3. Transferring a net of \$45,000 to projects from the DCP Council Funds Reserve.

2.2 Project Budget Adjustments and Cash Reserve Transfers - July 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 July 2017.

2.2 Project Budget Adjustments and Cash Reserve Transfers - July 2017

APPENDIX 1 PROJECT BUDGET ADJUSTMENTS AND CASH RESERVE TRANSFERS - JULY 2017

July Project Budget Adjustments and Cash Reserve Transfers Report

Request for Funds Transfer

No Cost to Council

Account	Project Name	Comment	Project Budget \$	Project Cost \$	Variation \$
9614	Stony Creek Bridge Renew	Council contribution to overall project to replace 3 damaged structures to come from 9023 Structure Renewal account.	10,000	55,000	(45,000)
9023	Structure Renewal Program	Council contribution to overall project to replace 3 damaged structures to come from 9023 Structure Renewal account.	119,450	74,450	45,000

Funds Movement > \$5,000

Accumulated Unallocated Cash Reserve

Account	Project Name	Comment	Project Budget \$	Project Cost \$	Variation \$
8605	Aged and Family Strategy Implementation	Installation of solar on Youth Shipping Container.	29,272	35,404	(6,132)

Reserve Transfers

DCP Council Funds Reserve

Account	Project Name	Comment	Project Budget \$	Project Cost \$	Variation \$
New	Surf Coast Hwy to KMCC Pathway Link (PC02)	Request for funds to construct a missing link in the Torquay North pathway network consistent with an identified DCP project. Desirable to undertake now in conjunction with the Kurrabee Myaring Community Centre car park works to deliver cost efficiencies. Project funds include \$2,500 contingency.	0	45,000	(45,000)

2.3 Quarterly Report Outlining Councillor Allowances and Expenses - 1 April 2017 to 30 June 2017

Author's Title: Manager Governance & Risk

General Manager: Anne Howard

Department: Governance & Risk

File No: F11/786

Division: Governance & Infrastructure

Trim No: IC17/729

Appendix:

1. Councillor Allowances and Expenses Report - 1 April to 30 June 2017 (D17/77143)

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 Councillor allowances and expenses paid during the period from 1 April to 30 June 2017.

Summary

In order to ensure the highest levels of transparency and accountability, Council has resolved to make Councillor allowances and expenses available to the public through a quarterly statement reported at Ordinary Council meetings which is also published on Council's website.

Accordingly a report covering Councillor allowances and expenses for the period from 1 April 2017 to 30 June 2017 is attached.

It should be noted that some payments eg travel costs are included at the time they are paid out rather than when incurred, therefore figures quoted may include expenses from outside this reporting period. End of year receipting is still currently in progress and the figures in this report may therefore vary to those appearing in Council's final annual report.

Recommendation

That Council:

1. Note the attached summary of Councillor allowances and expenses for the period 1 April 2017 to 30 June 2017 (Appendix 1).
2. Publish the summary on Council's website.

2.3 Quarterly Report Outlining Councillor Allowances and Expenses - 1 April 2017 to 30 June 2017

Report

Background

The Local Government Act 1989 provides that the Mayor and Councillors are paid an allowance and provided with appropriate tools and support to enable them to properly undertake their statutory obligations.

The provision of efficient communications equipment, reimbursement of official travel and telephone expenses and, if applicable, child care expenses is generally provided by municipalities across the state in order to assist Councillors to maximise their responsibilities.

The Local Government Act 1989 requires that Councils must adopt and maintain a policy in relation to the reimbursement of expenses for Councillors. Council has therefore adopted the Councillors Entitlements (Facilities & Expenses) Policy which sets out the level of resources and support that are provided to Councillors to enable them to effectively discharge their official duties.

The policy also sets out the procedures that apply in circumstances where Councillors require reimbursement of expenses incurred, and those circumstances where prior approval is required. A copy of the policy is available on Council's website.

Discussion

The attached report outlines Councillor allowances and expenses that have been paid during the period from 1 April to 30 June 2017 in the following categories:

- **Councillor Allowances** includes statutory allowances for the Mayor and Councillors
- **Parking Costs** includes reimbursement of parking fees whilst on official business
- **Travel Expenses** includes public transport costs and reimbursement to Councillors for kilometres travelled in their private vehicles associated with Council related travel
- **Motor Vehicle** includes costs associated with use of the mayoral vehicle
- **Mobile Phone** includes the costs associated with official Councillor mobile phone usage
- **Internet** includes cost of official internet provision and usage.

Any contributions that are paid by Councillors towards phone and internet usage are also included in the report.

Council resolved to report allowances and expenses on a quarterly basis and to post on Council's website to increase transparency and accountability. This is in addition to other reporting requirements such as the requirement to report in Council's annual report.

It should be noted that some payments eg travel costs are included at the time they are paid rather than when incurred, therefore figures quoted may include expenses from outside the reporting period. End of year receipting is still currently in progress and the figures in this report may therefore vary to those appearing in Council's final annual report.

Financial Implications

Councillor allowances and expenses are covered within Council's operational budget.

Council Plan

Theme 2 Governance
Objective 2.4 Transparency in decision making and access to information
Strategy Nil

Policy/Legal Implications

The Local Government (Planning and Reporting) Regulations 2014 require Councils to disclose in the Annual Report the details of allowances and expenses for each Councillor, divided into certain defined categories. Council is exceeding this requirement by making quarterly disclosures at the Ordinary meeting and posting these on the website.

Officer Direct or Indirect Interest

There are no conflicts of interest associated with this report.

2.3 Quarterly Report Outlining Councillor Allowances and Expenses - 1 April 2017 to 30 June 2017

Risk Assessment

Not applicable.

Social Considerations

Not applicable.

Community Engagement

Not applicable.

Environmental Implications

Not applicable.

Communication

The quarterly reports would be published on Council's website in addition to being included on the Ordinary Council meeting agenda.

Conclusion

Quarterly reporting of Councillor allowances and expenses provides an opportunity for transparency and openness in relation to these costs.

2.3 Quarterly Report Outlining Councillor Allowances and Expenses - 1 April 2017 to 30 June 2017

APPENDIX 1 COUNCILLOR ALLOWANCES AND EXPENSES REPORT - 1 APRIL TO 30 JUNE 2017



Surf Coast Shire											
Councillor Payment Summary between 01 April 2017 to 30 June 2017											
Councillor	Allowances (\$)	Expenses Reimbursed				Items Provided			Contributions By Councillors (\$)	Period	Year to Date
		Parking (\$)	Phone (\$)	Travel (\$)	Motor Vehicle (\$)	Mobile Phone (\$)	Internet (\$)	Total (\$)		Total (\$)	
Cr Brian McKitterick *	19,337	-	-	-	3,065	525	41	90	-	22,878	62,885
Cr Carol McGregor	6,249	-	-	2,875	-	251	95	-	-	9,471	23,928
Cr Clive Goldsworthy	6,249	-	-	2,088	-	592	82	-	-	9,011	24,624
Cr David Bell	6,249	-	-	-	-	101	95	-	-	6,446	18,372
Cr Heather Wellington	6,249	-	-	-	-	200	79	-	-	6,528	22,836
Cr Libby Coker	6,249	-	-	-	-	426	95	-	-	6,770	18,850
Cr Margot Smith	6,249	-	-	1,483	-	181	96	-	-	8,010	22,227
Cr Martin Duke	6,249	-	-	-	-	240	41	-	-	6,530	18,329
Cr Rose Hodge	6,249	-	-	268	-	373	95	120	-	6,866	18,658
Total	69,331	-	-	6,714	3,065	2,890	721	210	-	82,510	230,709

Notes:

Year to date period commences 03/11/2016 and concludes 30/06/2017 to reflect term of current Councillors.

* Mayor Cr Brian McKitterick (08/11/2016 - 31/03/2017)

Contributions by Councillors are towards mobile phone and internet expenditure.

End of financial year 2016-17 receipting is still in progress, and final numbers in annual report may vary as a result.

2.4 Sale of Council Land - 42 Harding Street, Winchelsea

Author's Title: Property & Legal Services Officer

General Manager: Anne Howard

Department: Governance & Risk

File No: F17/597

Division: Governance & Infrastructure

Trim No: IC17/725

Appendix:

1. Ambulance Victoria Brochure (D17/78527)

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 seek Council's direction regarding the sale of Council property located at 42 Harding Street, Winchelsea to the Department of Health and Human Services for the establishment of an ambulance station.

Summary

At Council's Meeting of 23 May 2017 Council resolved to:

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.

A public notice was published in the Surf Coast Times on 1 June 2017 and the Winchelsea Star on 6 June 2017 with submissions closing at 4pm Thursday 29 June 2017. Further to the public notice Council wrote to 38 neighbouring properties regarding the proposal.

Council received two submissions and one submitter was heard by the Hearing of Submissions Committee Meeting on Tuesday 4 July 2017. A summary of the submissions can be found in the discussion section of this report.

Council received a joint letter from Growing Winchelsea Incorporated that stated that it had no objection to the sale of the land for the purpose of an ambulance station, however requesting the revenue from the sale be utilised in Winchelsea for initiatives that are within the Growing Winchelsea Plan.

2.4 Sale of Council Land - 42 Harding Street, Winchelsea

Recommendation

That Council

1. Sell 42 Harding Street, Winchelsea, Certificate of Title Volume 9828 Folio 343, to the Department of Health and Human Services to establish an ambulance station for Winchelsea and district.
2. Agree that the price for sale of the land should be based on current valuation.
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. Authorise the Chief Executive Officer to execute the contract and associated sale documents on Council's behalf.
5. Affirm that its decision to sell 42 Harding Street, Winchelsea, infers no position or pre-determined position in relation to planning or other approvals.

2.4 Sale of Council Land - 42 Harding Street, Winchelsea

Report

Background

At its 23 May 2017 Ordinary meeting, Council resolved to:

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

Discussion

- A public notice was published in the Surf Coast Times on 1 June 2017 and the Winchelsea Star on 6 June 2017.
- Council also wrote to 38 neighbouring properties inviting submissions.
- Submissions closed at 4pm Thursday 29 June 2017, two submissions were received.
- A summary of the submissions is as follows:
 - Support Ambulance station coming to Winchelsea
 - Oppose the site proposed
 - An Ambulance station at the site would be an impediment to the local neighbouring residents
 - Preferred location – Shire owned land on the highway (325 Mousley Road, Winchelsea) or vacant land for sale next to doctor's surgery (33 Willis Street, Winchelsea)
 - Preference for the Harding Street property to be utilised for future community use with the growth of Winchelsea or elderly living units
- One submitter spoke in support of their submission at the Hearing of Submissions Committee Meeting on Tuesday 4 July 2017.
- Note that Council received a joint letter from Growing Winchelsea Incorporated supporting the sale of the land, however requesting the revenue be utilised in Winchelsea in accordance with the Growing Winchelsea Plan.

Issues

Ambulance Victoria has provided the following advice regarding the concerns raised in the submissions.

325 Mousley Road is not suitable for the following reasons:

- Isolated location on western edge of township, limiting the desired interaction between paramedics and community;
- Services need to be developed, power, water and sewer;
- Potential to incur substantial developmental contributions;
- Significant VicRoads approval risk that may trigger specific changes to access the Princes Highway as has been experienced on other developments. These changes may include:
 - Slow down lane
 - Traffic Lights
 - Upgrade and sealing of access road, drainage and other civil works
 - Industrial subdivision required.

2.4 Sale of Council Land - 42 Harding Street, Winchelsea

Impediment to the local neighbouring residents:

Location of an Ambulance Branch will not affect local and adjacent residences in accordance with procedures and protocols. Please see attached brochure answering standard questions raised by community members.

Ambulance Victoria also considered co-location with the hospital however this did not eventuate as they did not provide sites for them to consider. Ambulance Victoria's preference is not to be co-located with hospitals as emergency incidents do not normally occur at the hospital, but out in the community.

Note that Council received a joint letter from Growing Winchelsea Incorporated supporting the sale of the land, however requesting the revenue from the sale be utilised in Winchelsea in accordance with the Growing Winchelsea Plan. This matter has been addressed by the Council resolution of 23 May 2017.

Financial Implications

Revenue from the sale will be allocated according to the Council resolution of 23 May 2017.

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

The price will be determined in accordance with a current Valuation.

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 include if Ambulance Victoria request unreasonable conditions on the sale. 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 was published in the Surf Coast Times on 1 June 2017 and the Winchelsea Star on 6 June 2017 with submissions closing at 4pm Thursday 29 June 2017. Further to the public notice Council wrote to 38 neighbouring properties regarding the proposal.

A submitter spoke in support of their submission at a Hearing of Submissions Committee Meeting on 4 July 2017.

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.

2.4 Sale of Council Land - 42 Harding Street, Winchelsea

APPENDIX 1 AMBULANCE VICTORIA BROCHURE



Ambulance Victoria responds to over 1,000 cases every day.

The location of each ambulance branch is carefully selected to ensure the best coverage of ambulance services for the community.

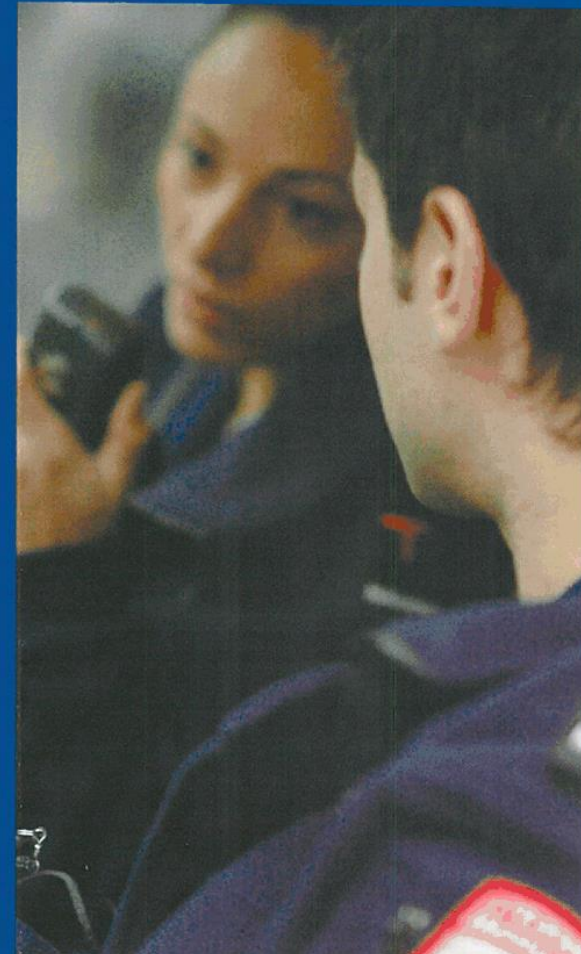
When introducing a new branch we are sensitive to its effects on the neighbourhood and take into account a number of factors to minimise any disturbance to the community.

This brochure answers common questions regarding the introduction of an ambulance branch into your community.



Ambulance Victoria

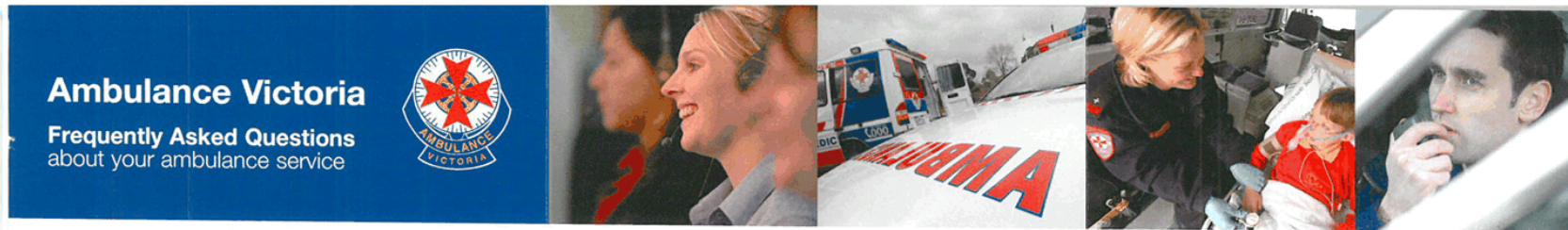
Frequently Asked Questions
about your ambulance service



Partners for life

If you have any further questions please call 9840 3500
or visit our website at www.ambulance.vic.gov.au

Ambulance Membership 1800 64 84 84



Ambulance Victoria

Frequently Asked Questions about your ambulance service

PARAMEDICS

Q. How many people will work at the branch?

A. There are two paramedics per ambulance vehicle. There are two shift changes a day which occur at 7am and 5pm. Additionally there may be a visiting supervisor in attendance, mainly during business hours.

Q. How many other (staff) vehicles will be attending the branch?

A. Up to six staff vehicles may be present at any one time.

Q. Will there be many visitors?

A. Visitors to any ambulance branch are minimal in number and will generally only be ambulance personnel. We do not permit tours or school groups to visit the branch.

VEHICLES

Q. How many ambulance vehicles will be stationed at the branch?

A. There will be one or two ambulance vehicles working from the branch.

Q. Will the vehicles impact on the surrounding car parking facilities?

A. No, all vehicles attending the branch will be parked on the branch grounds or in designated parking areas.

Q. What vehicle movements will there be?

A. This varies from day to day dependent upon how many cases the paramedics are called to attend.

Very often paramedics do not return to the branch in between call outs but go directly to the next case.

Q. Will vehicles be driving at high speed in the street?

A. Even in urgent situations, paramedics are trained to approach all situations with caution and in a safe manner and as such will take all appropriate care while driving.

NOISE

Q. Why do ambulances have to drive at speed with lights and sirens?

A. Every minute that goes by not only decreases the chances of surviving a major medical emergency such as a cardiac arrest but also affects a patient's quality of recovery. It is therefore essential that paramedics, who are highly trained in helping to save lives, reach patients as quickly as possible.

The lights and sirens on ambulance vehicles are used for approximately half of all cases. The sirens are generally turned on only when necessary to warn other road users, once the vehicle has left the branch. Sirens are generally not used in residential streets especially at night. Ambulance lights can be used independently of the sirens.

Q. How often will I hear the sirens at the branch?

A. Unlike fire stations, ambulance branches do not have a continuous siren. No other activities at the branch will have a major noise impact on the surrounding area. Only normal household noise will be generated by activities at an ambulance branch eg washing machines, television, telephone.

Q. Is there a public address (PA) system which will be heard in the surrounding area?

A. No, ambulance branches do not have PA systems. Paramedics are contacted by hand-held radios and pagers.

Q. What will happen at night?

A. There will be less activity at the branch during the night as the call out rate decreases. Paramedics at the branch during the night are waiting until they get called to a new case.

FACILITIES / BRANCH

Q. Will patients be brought to the branch?

A. No, patients are transported directly to hospital. Only paramedics and other ambulance personnel will be present at the branch.

Q. How will the environment be affected?

A. Medical waste is mostly left at hospitals with a designated medical waste bin at the branch for small amounts of waste. These bins are regularly emptied.

Ambulance vehicles may be washed down at the branch when necessary but no contaminants will be washed into drains.

FURTHER ENQUIRIES

Q. Who can I speak to if I have any further questions?

A. Please call our head office in Doncaster on 9840 3500 and ask for the Property Services Manager.

Please do not contact paramedics directly at the branch as this can hinder their ability to respond to call outs.

Q. Can I go to the branch if I have an emergency?

A. No, you must contact triple zero (000) in an emergency.

Q. Who do I speak to about planning permit issues?

A. You will need to contact your local council who deal with all planning permit issues.

2.5 Traffic and Pedestrian Strategy for The Esplanade and Bell Street, Torquay

Author's Title: Project Design Engineer

General Manager: Anne Howard

Department: Engineering Services

File No: F16/1136

Division: Governance & Infrastructure

Trim No: IC17/600

Appendix:

1. Draft Report - Traffic and Pedestrian Strategy - The Esplanade and Bell Street, Torquay (D17/66539)
2. Presentation - Traffic and Pedestrian Strategy - The Esplanade and Bell Street, Torquay (D17/79023)

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 consider 'The Esplanade and Bell Street Traffic and Pedestrian Strategy' and Action Plan.

Summary

To meet the demands of continued growth in events, traffic, pedestrian and cyclists on The Esplanade and Bell Street, an independent strategy and costed action plan has been developed. This report seeks to balance the needs of the various user groups with regards to pedestrian connectivity, traffic flow and road safety while considering options to support international cycling events in precinct. The Cadell Evans Great Ocean Road Race event particularly requests that an infrastructure free road corridor be maintained on The Esplanade from Zeally Bay Road to north of Price Street.

The Traffic and Pedestrian Strategy for The Esplanade and Bell Street has been prepared in consultation with key stakeholders including Council's Engineering Services, Strategic Planning, Economic Development, Vic Roads and Visit Victoria, and provides independent analyses of the precinct to respond to pressures in demand over the next ten years.

Council's current Road Safety Strategy, Torquay Town Centre Parking and Access Strategy, Surf Coast Pathway Strategy and an analysis of VicRoads records of reported (casualty) crashes for the last five years in the precinct has been taken into consideration when developing the Strategy and action plan.. The development of the strategy has been overseen by a steering committee including key internal partners, as well as in consultation with the consultant currently undertaking a review of the Torquay Town Centre Parking and Access Strategy in order to link the two strategies.

The Traffic and Pedestrian Strategy for The Esplanade and Bell Street incorporates the following key elements:

- A Strategic goal for the precinct to provide an environment where traffic movement is secondary to pedestrian accessibility and cycling (in line with Vic Roads Smart Roads policy).
- A clear, prioritised action plan to achieve this goal.
- Detailed cost implications associated with the proposed action plan to allow for future planning and targeted external funding applications.
- The report considers the comparative benefits of removable and permanent infrastructure. Permanent infrastructure (i.e. concrete construction) will have a negative impact on the future of international cycling events in the precinct. To remove and replace infrastructure on an annual basis will, however, have a notable yearly financial impact for Council (\$5,500 per pedestrian island).

2.5 Traffic and Pedestrian Strategy for The Esplanade and Bell Street, Torquay

Recommendation

That Council:

1. Receive the draft report 'The Esplanade and Bell Street Traffic and Pedestrian Strategy'.
2. Receive 'The Esplanade and Bell Street Traffic and Pedestrian Strategy' Action Plan.
3. Seek community feedback on 'The Esplanade and Bell Street Traffic and Pedestrian Strategy and Action Plan' as part of public consultation relating to the 'Torquay Town Centre Parking and Access Strategy Review' scheduled for August.
4. Endorse the concept of installing removable islands on The Esplanade within the key sprint section of the Cadel Evans race taking into account the annual financial implications.
5. Endorse the concept of installing a flat top roundabout with a small central raised section on the intersection of Zeally Bay Road and The Esplanade.
6. Authorise officers to lodge and pursue TAC community grant funding application to be submitted in August 2017 to deliver high priority actions in 2018-19 assuming matched Council Funding up to a value of \$100,000.
7. Authorise the Chief Executive Officer to sign funding agreements on behalf of Council for any application that is successful.

2.5 Traffic and Pedestrian Strategy for The Esplanade and Bell Street, Torquay

Report

Background

With strong growth in population and visitation, the type and volume of traffic in central Torquay is changing. The Esplanade and Bell Street as a key beach and entertainment precinct will need to adapt to ensure sustainable access and amenity can be maintained into the future. If growth continues in line with data projections (population of between 25,000 and 28,000 by 2040) maintaining cars as the dominant mode of transport to this precinct will be unlikely to be viable in the long term.

Under current conditions, Council receives numerous requests each year for pedestrian and traffic related improvements on The Esplanade and Bell Street. A review of the precinct by Council's Design and Traffic team undertaken in 2015 identified a number of issues, particularly in relation to safe pedestrian access. Increasing traffic volumes and pedestrian movements in the area are further exacerbating these issues. In 2016/17, as part of the road safety program, it was agreed to install a pedestrian island at the intersection of The Esplanade and Anderson Street to address one such issue. Furthermore, the Torquay Town Centre Parking and Access Strategy commissioned in 2016 by Council's Strategic Planning department recommended pedestrian improvements at the intersections of Gilbert Street and Zeally Bay.

The Esplanade and Bell Street are also routes for annual cycling events that begin and pass through Torquay. Most notable is the Cadel Evans Great Ocean Road Race. The Esplanade stages a Sprint section, which finishes near Anderson Street. The event organisers have requested maintaining a road corridor free of infrastructure to allow this event to proceed.

Balancing the various needs of different user groups of the precinct is becoming increasingly challenging particularly given the continuing growth in events, traffic, pedestrian and cyclists. As such it was considered an opportune time to review how the precinct operates and a report was commissioned to develop an independent strategy and costed action plan to improve pedestrian connectivity, traffic flow and road safety in the precinct over the next ten years while considering options to support international cycling events and growing events in precinct. It was also considered critical that a strategy be put in place to set direction for the precinct in the long term.

Discussion

The Traffic and Pedestrian Strategy for The Esplanade and Bell Street will deliver a number of important amenity and safety benefits for this critical residential and visitor precinct. It also will provide clear direction on management of the precinct to support a growing traffic, cyclist and pedestrian movements and sets clear priorities for targeting appropriate funding applications over the next ten years.

One of the key issues identified within the precinct is a lack of appropriate pedestrian and cyclist facilities. The Traffic and Pedestrian Strategy aims to provide an environment where traffic movement is secondary to pedestrian accessibility and cycling. This will also support setting a long term vision for the precinct.

The report recommends appropriate infrastructure while seeking to minimise the potential for congestion and proposes:

- a future roundabout at Zeally Bay Rd with zebra crossings to allow safe pedestrian crossing on legs
- a zebra crossing at the intersection with Gilbert Street with a central pedestrian island to reduce potential delays
- a zebra crossing at Price Street and Anderson Street with a central pedestrian island incorporated
- zebra crossings on the existing roundabout at Bell Street
- pedestrian outstands at other critical crossing locations
- green cycle lane treatment at key intersections.

The report recommendations in the vicinity of Gilbert Street and Zeally Bay Road will be directly impacted by the current review of the Torquay Town Centre Precinct Parking and Access Strategy. The report allows for potential tie in with One-way traffic movement in Gilbert Street (eastbound) and with pedestrian connection with Coulson Lane.

2.5 Traffic and Pedestrian Strategy for The Esplanade and Bell Street, Torquay

One of the critical points under consideration is the impact of infrastructure upgrades for key cycling events within the precinct. In order to deliver the recommended actions, it will be necessary to install new infrastructure in the carriageway and retain existing pedestrian islands at the priority locations. 'Visit Victoria' indicate that any additional road furniture within the road pavement on The Esplanade north of Price Street would have an impact on safety during the sprint section of the Cadel Evans Great Ocean Road and may require the relocation of the event.

Research into alternative options has led to a consultant recommending that we consider removable rubber island infrastructure with either granitic sand infill or landscaping cells. Research suggests this could be delivered while maintaining good visual amenity. However, the long term cost implications of annual removal and replacement of infrastructure is high.

Financial Implications

The long term total cost to implement all of the proposed actions recommended under this strategy is \$1,076,000. There are a number of potential grant and funding opportunities which could be applied for to support delivering these actions including the 'Transport Investing in Regions Initiative' and TAC Community and Local Government grants.

To deliver only the proposed high priority actions under the strategy would have a total cost to Council of \$220,000.

In 2017/18 financial year there is a \$46,000 allocation under the 'Local Area Traffic Management, Parking and Pedestrian Improvements' budget which will allow delivery of the high priority low cost actions covered within this strategy. These would include the installation of Sharrows (linemarking) on existing roundabout approaches, implementation of 40km/hr area and the installation of a zebra crossing and pedestrian island at the intersection with Anderson Street. There has also been a funding application made under the 'Transport Investing in Regions Initiative' to support installing the green cycle lane treatment recommended in this strategy, with partial funding allocated under the budget listed above.

One of the key discussion points in this report is around the issue of removable infrastructure. If Council wishes to provide an infrastructure free corridor to support the Cadel Evans Great Ocean Road and other future events in the precinct, it will be necessary to install removable infrastructure north of Price Street. The annual cost implication of removal and replacement of such infrastructure each year is as follows:

- Removable islands at Gilbert Street, Anderson Street and Price Street would have an annual cost of \$17,500 for removal and replacement each year to support event. Council could negotiate to seek funding from event organisers to partially fund.
- Removable roundabout would have an annual cost of \$7,500 for removal and replacement each year. An alternative option would be to install a flat top roundabout with a central raised segment. This would both support cycling events and allow the safety benefits identified to be achieved.
- Removable infrastructure is expected to have a shorter lifespan and require replacement approximately every 10 years. The cost of replacement of a removable island pair at current market value is \$5,000. (i.e. \$15,000). Concrete infrastructure has an expected lifespan of 30 years with a replacement cost of \$10,000 every 30 years.

Council Plan

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

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

Theme 4 Infrastructure
Objective 4.1 Allocation of infrastructure according to need
Strategy 4.1.2 Utilisation of community demographics to determine future infrastructure needs.

2.5 Traffic and Pedestrian Strategy for The Esplanade and Bell Street, Torquay

Policy/Legal Implications

Under the Road Management Act, Council has a responsibility to provide a road network which is 'as safe for road users as is reasonably practicable'. Current pedestrian volumes crossing the Esplanade at key intersections warrant pedestrian crossing upgrades to meet standards under relevant Vic Roads and Australian standard guidelines (namely Anderson Street and Gilbert Street).

Officer Direct or Indirect Interest

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

Risk Assessment

No direct risk to Council, but aims to reduce the road safety risk in the precinct.

Social Considerations

Opportunity to improve road amenity and road safety in the precinct.

Community Engagement

Engagement has been undertaken with key stakeholders on significant points in the proposal: including cycling event organisers, Vic Roads and internal stakeholders.

As part of the review of the 'Torquay Town Centre Parking and Access Strategy' a community workshop was held. As these projects are closely linked information from this session including community feedback on the potential for pedestrian signals on the intersection of The Esplanade and Gilbert Street was taken into consideration during the development of this strategy.

Communication with the wider community is planned to be held after Council has had time to consider the strategy including long term implications and viability of the various options proposed. Communications are to be held at the same time as exhibition of the Torquay Town Centre parking and Access Strategy to allow the community to consider the two linked projects together.

Environmental Implications

Landscaping proposals incorporated into the report recommendations seek to improve environmental value and amenity in the precinct.

Communication

Media Releases and direct consultation with adjacent stakeholders. If adopted, the draft Strategy and Action Plan will be placed on exhibition and feedback invited. A number of communication techniques will be used to communicate details of individual projects, including posting on Council's website with links to Surf Coast Shire Conversations.

Conclusion

To support continuing growth and improve amenities in this central precinct, important infrastructure improvements are recommended on The Esplanade and Bell Street. The Traffic and Pedestrian Strategy provides a framework for the precinct where traffic movement is secondary to pedestrian accessibility and cycling in line with Vic Smart policy.

An Action Plan underpins the strategy, with options provided regarding flexibility of road furniture to support cycling events. A decision around Council's policy on removable infrastructure in this precinct is of critical importance to allow this important corridor to continue to develop and adapt to the demands of a growing population and visitation.

2.5 Traffic and Pedestrian Strategy for The Esplanade and Bell Street, Torquay

APPENDIX 1 DRAFT REPORT - TRAFFIC AND PEDESTRIAN STRATEGY - THE ESPLANADE AND BELL STREET, TORQUAY



TRAFFIC AND PEDESTRIAN STRATEGY

THE ESPLANADE AND BELL STREET TRAFFIC AND PEDESTRIAN STRATEGY

THE ESPLANADE AND BELL STREET, TORQUAY

22 JUNE 2017



THE ESPLANADE AND BELL STREET
TRAFFIC AND PEDESTRIAN STRATEGY

CLIENT: Surf Coast Shire Council

OBT JOB NUMBER: 17439



Suite 2.03, 789 Toorak Road
Hawthorn East VIC 3123

T: +61 3 9804 3610

W: obrientraffic.com

ABN 55 007 006 037

STUDY TEAM

Matt Harridge

Jemima Macaulay

Andrew O'Brien



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1 INTRODUCTION

1.1 INTRODUCTION

O'Brien Traffic has been engaged by Surf Coast Shire to develop a Traffic and Pedestrian Strategy for The Esplanade (Bell Street to Zeally Bay Road) and Bell Street, Torquay.

In the course of developing the Strategy:

- The study area has been inspected;
- Background information and data has been reviewed;
- A Road Safety Audit of the study area has been undertaken;
- Traffic and parking issues and opportunities have been identified;
- Recommendations to improve pedestrian safety and accessibility, traffic flow and road safety have been developed;
- A strategic plan, incorporating an action plan, for the management of pedestrian, cyclist and traffic movements has been developed.

1.2 THE STUDY AREA

The Esplanade and Bell Street are popular visitor precincts in Torquay.

The Esplanade runs along the Foreshore Reserve in Torquay. It provides access to the foreshore and beach, as well as being host to shops, restaurants, and businesses. Pedestrian activity is high and car parking is at a premium during summer.

Bell Street provides a connection between the Surf Coast Highway and The Esplanade. It is also host to shops, restaurants, and businesses, as well as night time venues and summer markets, and provides access to the Torquay Foreshore Caravan Park.

The Esplanade and Bell Street also form part of the route of a number of annual cycling events, including the Cadel Evans Great Ocean Road Race.

The location of The Esplanade and Bell Street is shown in **Figure 1**. The study area is highlighted.



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FIGURE 1: LOCATION OF THE STUDY AREA

2 STRATEGIC CONTEXT

2.1 FUTURE GROWTH

Torquay-Jan Jun is the main urban growth centre of Surf Coast Shire and one of the fastest growing areas in Victoria, with a population of 25-30,000 expected by 2040. During holiday periods, the population increases substantially with holidaymakers and overnight visitors.

The *Sustainable Futures Plan Torquay-Jan Jun 2040* establishes that most of the growth will occur in Torquay North. Armstrong Creek is also being developed, with residential lots currently for sale. Potential for even further growth in Torquay and surrounds is as yet unplanned.

With the growing population, there will be a significant increase in the number of people accessing the Torquay town centre and beaches.

Unchecked growth in traffic within The Esplanade and Bell Street corridor is not sustainable. Cycling, walking and public transport will therefore become increasingly significant modes of transport.

Planning for the transport corridor must give due consideration to these sustainable modes of transport.



2.2 VICROADS ROAD SAFETY STRATEGY

Victoria's Road Safety Strategy 2013-2022 aims for a future free of deaths and serious injuries on our roads. It is based on the Safe System philosophy which has four key elements:

- Safe roads
- Safe speeds
- Safe vehicles
- Safe people

2.3 COUNCIL STRATEGIES

2.3.1 Road Safety Strategy 2016-2021

The Road Safety Strategy 2016-2021 aims to *reduce the number of people killed as a result of road crashes in Surf Coast to zero and reduce serious injuries by 30%*.

The Strategy included the following actions in relation to pedestrian safety:

7.2 Provide improved pedestrian crossing facilities at high risk locations

7.3 Develop a clear Council policy around DDA compliance for footpath infrastructure..

2.3.2 Torquay Town Centre Parking and Access Strategy 2016-2021

The Torquay Town Centre Parking and Access Strategy 2016-2021 provides an integrated framework for car parking provision, access and movement in the Town Centre.

Of particular relevance to this study is the following recommendation for The Esplanade:

Provide traffic signals at The Esplanade/Gilbert Street intersection, redirect the pedestrian paths in the Foreshore Reserve to facilitate crossing on the northern side of Gilbert Street. Investigate the introduction of flat top speed controls in consideration of cycling activities."

Consideration was also given to provision of a roundabout at The Esplanade/Zeally Bay Road intersection, although this was not supported.

2.3.3 Review of Torquay Town Centre Parking and Access Strategy (current)

A review of the 2016-2021 Strategy is currently being undertaken by Hansen Partnership Pty Ltd in conjunction with Martyn Group.

Discussions with the Martyn Group indicate that the following actions, relevant to the Study Area, are being considered:

- One-way traffic movement in Gilbert Street (eastbound). (Note that this was a recommendation of the 2011-2016 Torquay Town Centre Parking and Access Strategy but was not supported by the 2016-2021 Strategy);
- Widening the southern footpath along Gilbert Street; and
- Pedestrian connection between Coulson Lane and The Esplanade.



2.3.4 Pathways Strategy (2012)

The Surf Coast Shire Pathways Strategy 2012 Review identified pathways for funding in the 10 Year Surf Coast Shire Works Program (Year 1 being 2012/13). Paths recommended for funding that are relevant to this study are as follows:

- Bell Street south, from caravan park (eastern) boundary to Surf Beach Drive – upgrade path to a 1.8m-2m wide concrete/asphalt shared path;
- Zeally Bay Road, The Esplanade to Coulson Avenue – 1.5-1.8m wide concrete/asphalt footpath; and
- Pride Street east, Bell Street to end existing path near Price Street - 1.5-1.8m wide concrete/asphalt footpath (completed).

2.4 PLANNING POLICY

The *Torquay-Jan Juc Strategy* at Clause 21.08 in the Surf Coast Planning Scheme provides strategic directions and actions in relation to transport and infrastructure. The following are of particular relevance to this Strategy:

- *Provide a linked network of walking and cycling paths throughout Torquay-Jan Juc, enabling direct access to all activity centres and to and through all areas of public open space.*
- *Develop The Esplanade in a manner that acknowledges its important role and function of providing access to the foreshore and being the visual link between the town and the coast.*

3 EXISTING CONDITIONS

3.1 ROAD FUNCTION AND CROSS SECTION

3.1.1 The Esplanade

The Esplanade (Zeally Bay Road to Bell Street) is a Major Council Road. It provides one traffic lane and a bicycle lane in each direction plus kerbside parking. On the western side of the street, kerbside parking is parallel. On the eastern side of the street, angle parking is provided south of Anderson Street and parallel parking north of Anderson Street.

A footpath is provided along the western side of the street and within the Foreshore Reserve on the eastern side.

Facilities to assist pedestrians crossing the The Esplanade are limited, comprising:

- A zebra crossing with a refuge island on The Esplanade just north of Price Street;
- Refuge islands south of Gilbert Street and north of Zeally Bay Road.

A roundabout is provided at the intersection of The Esplanade and Bell Street.

Aerial views of The Esplanade are provided in **Figure 2**.



a) Between Bell St and Price St



b) Between Anderson St and Gilbert St

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FIGURE 2: AERIAL PHOTOS OF THE ESPLANADE

The speed limit on The Esplanade is 50 km/h.

3.1.2 Bell Street

Bell Street is also a Major Council Road. It provides one traffic lane and a bicycle lane in each direction plus kerbside parking. Kerbside parking is a mixture of angle parking and parallel parking.

Footpaths are provided along both sides of Bell Street. Zebra crossings are provided just west of Munday Street and mid-block between Munday Street and Davidson Drive.

Roundabouts are provided at the intersections of Bell Street/The Esplanade and Bell Street/Davidson Drive/Rudd Avenue.

Aerial views of Bell Street are provided in **Figure 2**.



a) Between Rudd St and Munday St



b) Between Munday St and Price St

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FIGURE 3: AERIAL PHOTO OF SUBJECT SITE

The speed limit on Bell Street is 50 km/h.



3.2 TRAFFIC DATA

Traffic data for The Esplanade and Bell Street was provided by Surf Coast Shire and is summarised in **Table 1**.

LOCATION	DATE/DAY	DAILY TRAFFIC VOLUME	PEAK HOURLY TRAFFIC VOLUME	85 TH PERCENTILE SPEED
The Esplanade				
Bell St to Price Street	10-12-2014 Saturday	4,618	652	47.9
Price St to Anderson St	13-1-2016* Sunday	9,266	1,031	41.0
	3-8-2016 Sunday	4,441	662	48.0
Anderson St to Gilbert St	3-8-2016 Sunday	4,665	679	46.4
	26-3-2008* Wednesday	8,369	N/a	45.4
Gilbert St to Zeally Bay Rd	20-5-15 Sunday	5,695	844	47.5
Bell Street				
Surf Coast Hwy to Rudd Ave	4-2-2010 Sunday	5,487	1,363	40.7
Rudd Ave to Munday Street	18-4-2015 Saturday	N/a	583	N/a

* Note School holidays

TABLE 1: TRAFFIC VOLUME AND SPEED DATA FOR THE ESPLANADE AND BELL STREET

Traffic volumes on The Esplanade are typically 4-5,000 vehicles per day (vpd) during the off-peak season, doubling to around 8-10,000 vpd during peak holiday times. Vehicle speeds (85th percentile speeds) are typically 46-48km/h

The current traffic volumes on Bell Street (Rudd Avenue to The Esplanade) are expected to be less than 6,000 vpd.

3.3 PEDESTRIAN COUNTS

O'Brien Traffic commissioned pedestrian counts on The Esplanade at Gilbert Street on Saturday 8th April 2017 (Easter Saturday) between 11am and 2pm.

All pedestrian movements across The Esplanade within approximately 20m (north and south) of the Gilbert Street intersection were recorded during the survey period. Bicycle movements were also recorded. The survey results are provided in **Appendix A** and the peak pedestrian movements shown in **Figure 4**.

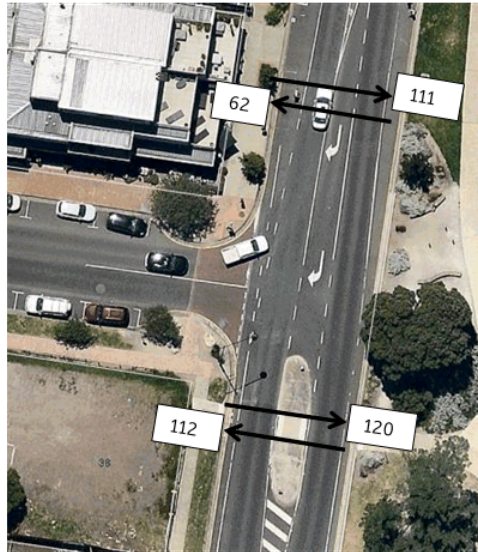


FIGURE 4: PEAK PEDESTRIAN MOVEMENTS ACROSS THE ESPLANADE AT GILBERT STREET, SATURDAY 15TH APRIL 2017 (EASTER SATURDAY), 1-2PM

3.4 CRASH DATA

Two crashes have been reported within the Study Area in the past five year period (up to October 2016). Both crashes occurred on Bell Street and resulted in 'other injury', as follows:

- Left turn side swipe crash on Bell Street, between Munday Street and Pride Street (2016); and
- U-turn crash on Bell Street at Munday Street (2012).

Review of crash data for previous years (2009 onwards) reveals a further three 'other injury' crashes in the study area:

- Pedestrian crash at The Esplanade/Price Street (2009);
- Left off carriageway on The Esplanade between Gilbert Street and Zeally Bay Road (2009); and
- Cross traffic crash at The Esplanade/Bell Street intersection (2011).

The locations of crashes are shown in **Figure 5**.

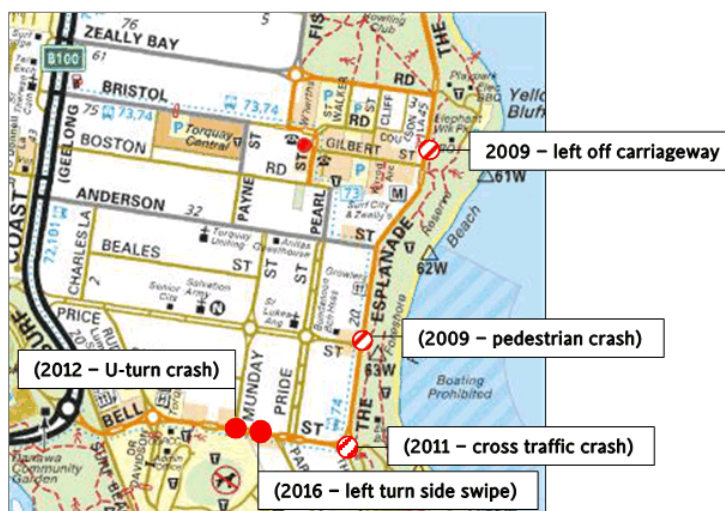


FIGURE 5: CRASH DATA FOR THE ESPLANADE AND BELL STREET

3.5 PUBLIC TRANSPORT

Bus routes 50 and 51 provide services between Geelong Station and Jan Juc. Both routes operate along Bell Street and The Esplanade south of Anderson Street.

A V-Line service between Geelong and Apollo Bay also stops in Torquay (but does not operate along Bell Street or The Esplanade).

3.6 CYCLING EVENTS

The Esplanade and Bell Street form part of the route of annual cycling events that begin and pass through Torquay.

The Cadel Evans Great Ocean Road Race includes elite men's and women's races plus a 'people's ride'. The elite races include a sprint section southbound on The Esplanade, finishing near Price Street.

The Great Ocean and Otway Classic starts and finishes at Elephant Walk Park and runs along The Esplanade, involving approximately 3,500 riders.

Discussions with Cycling Australia indicate that any additional road furniture within the road pavement on The Esplanade north of Price Street would have an impact on safety during the sprint section of the Cadel Evans Great Ocean Road Race.

4 ROAD SAFETY AUDIT

A Road Safety Audit of The Esplanade and Bell Street was undertaken and is provided in **Appendix B**.



The Road Safety Audit recommended numerous actions to improve safety for pedestrians, cyclists and vehicular traffic. The recommendations include:

- Provision of a pedestrian crossing facility on The Esplanade in the vicinity of Anderson Street;
- Improved pedestrian crossing facilities on Price Street (at The Esplanade), Pride Street (at Bell Street), The Esplanade/Bell Street intersection, and Bell Street/Surf Beach Drive;
- Improvements to bicycle facilities on The Esplanade and Bell Street;
- Numerous recommendations in relation to obstacles close to/within footpaths and damaged footpaths;
- A review of Tactile Ground Surface Indicators (TGSIs) in the Study Area;
- Numerous recommendations in relation to vegetation; and
- Recommendations in relation to road pavement surface condition and linemarking.

5 TRAFFIC AND PEDESTRIAN STRATEGY

5.1 APPROACH

The Traffic and Pedestrian Strategy aims to provide an environment where traffic movement is secondary to pedestrian accessibility and cycling.

Consistent with the VicRoads *SmartRoads* approach to managing the road network (including local roads), a Road Use Hierarchy gives priority based on mode of transport to help resolve competing demands for road space and priority of movement.

The proposed Road Use Hierarchy for The Esplanade and Bell Street is:

1. Pedestrians
2. Cyclists
3. Public Transport
4. Vehicles

The Strategy, based on the above Road Use Hierarchy, can be achieved through traffic calming measures, pedestrian priority treatments, and improved cycling infrastructure.

Over time, this approach would provide improved opportunities for walking and cycling and greater connection between the town centre and the foreshore.

To support the Strategy, road safety principles underpin an Action Plan, with consideration given to flexibility of road furniture to support cycling events.

5.2 KEY INITIATIVES

5.2.1 Gateway treatment at The Esplanade / Zeally Bay Road

Provision of a gateway treatment at the northern end of The Esplanade at Zeally Bay Road is desirable to mark the change in function of the road and transition to a lower speed environment (for southbound vehicles).



Two options for a gateway treatment have been considered as follows.

Roundabout

A roundabout could be provided at The Esplanade/Zeally Bay Road intersection which would physically slow vehicles on The Esplanade and provide a visual cue to the changed environment.

Provision of zebra crossings on the southern and western legs of the roundabout would improve the level of service and safety for pedestrians at this location. A zebra crossing is not proposed on the northern leg given the existing crossing facility approximately 15m north of Zeally Bay Road which would be maintained.

Bicycle movements would be catered for by the provision of bicycle sharrows on the northern and southern approach legs (see Section 5.2.4).

It is recommended that a roundabout at this location incorporate the entrance to the Torquay Play Park carpark and be designed to accommodate potential bus movements. It is noted that a roundabout would better facilitate right turn movements from Zeally Bay Road to The Esplanade.

While construction of a permanent roundabout would not be supported at this location by Cycling Australia, options for a removable roundabout could be considered. However, a removable roundabout would typically have a lifespan of only 3-5 years, therefore there would be ongoing cost implications. Options for removable roundabouts (and traffic islands) that can be installed/removed without impacting the road surface are available and could be further investigated.

Examples of removable rubber roundabouts are shown in **Figure 6**.



FIGURE 6: EXAMPLES OF A REMOVABLE RUBBER ROUNDABOUT

SIDRA intersection analysis has been undertaken to determine the likely traffic impact of a roundabout at this location, with zebra crossings on the southern and western legs. The results of the SIDRA analysis (based on peak traffic volumes and pedestrian counts provided by Council) are presented in **Table 2**. Note that the analysis has been undertaken with and without zebra crossings to demonstrate the impact of the zebra crossings on the roundabout.



OPTION	DEGREE OF SATURATION	AVERAGE DELAY (SEC)	95 TH PERCENTILE QUEUE LENGTH	
			VEHICLES	DISTANCE (M)
<i>Existing traffic volumes</i>				
Roundabout with zebra crossings on southern and western legs	0.50	5	4	26
Roundabout with no zebra crossings	0.45	5	4	26
<i>With future growth (10% growth)</i>				
Roundabout with zebra crossings on southern and western legs	0.58	5	5	31
Roundabout with no zebra crossings	0.51	5	5	31

TABLE 2: SIDRA ANALYSIS RESULTS FOR PROPOSED ROUNDABOUT AT THE ESPLANADE/ZEALLY BAY ROAD

The SIDRA results indicate that a roundabout with zebra crossings would operate satisfactorily, based on current (peak) traffic volumes and with 10% growth. While the provision of zebra crossings would reduce the capacity at the roundabout, they would have negligible impact on queue length and delay.

Linemarking Treatment

A linemarking treatment, similar to that provided along the main commercial street in Port Campbell, could be provided at the northern end of the study treatment (see **Figure 7**). While there would be no physical necessity for cars to reduce speed, the linemarking treatment would provide a visual cue that the road environment had changed.



FIGURE 7: LINE MARKING TREATMENT OF THE MAIN STREET THROUGH PORT CAMPBELL

The linemarking treatment could be provided over the section of road between Zeally Bay Road and the Coulson Lane pedestrian connection, a distance of approximately 80m.

Merits assessment of gateway treatment options

A merits based assessment of the gateway treatment options has been undertaken to determine which option would, on balance, provide a better outcome for the precinct.

A number of factors have been considered that are most relevant to this assessment as follows:

- Reduction in vehicle speeds;
- Impact on traffic flow (delays) along the Esplanade;
- Pedestrian connectivity (between the town centre and the foreshore);
- Impact on cyclists;
- Impact on public transport (bus movements);
- Visual impact (improved streetscape);
- Impact on cycling events;
- Maintenance;
- Road hierarchy – how each option supports the road hierarchy given in Section 5.1 (i.e. pedestrians first, cyclists second, public transport third, vehicles forth); and
- Safe systems assessment - the safe systems assessment is based on the Safe System approach to road safety. It considers each option based on the potential severity and likelihood of an incident occurring and recognising that people will make mistakes and have road crashes but the system should be forgiving and those road crashes should not result in death or injury.



For each factor, the options are ranked and a score provided with the highest value (3) for the best outcome and the lowest value (1) for the poorest outcome. The evaluation then considers the collective performance of each option.

Table 3 presents the merits assessment for the gateway treatment options.

ASSESSMENT CRITERIA	TREATMENT OPTION		
	ROUNDAABOUT	ROUNDAABOUT - REMOVEABLE	LINEMARKING TREATMENT
Reduction in vehicle speed	3	3	1
Impact on traffic flow	1	1	3
Pedestrian connectivity	3	3	1
Impact on cyclists	1	1	3
Impact on public transport	n/a	n/a	n/a
Visual impact	3	1	1
Impact on cycling events	1	3	3
Maintenance	3	1	2
Road Hierarchy	3	3	1
Safe system assessment	3	3	1
Total	21	19	16

TABLE 3: MERITS ASSESSMENT FOR GATEWAY TREATMENT OPTIONS ON THE ESPLANADE AT ZEALLY BAY ROAD

Based on the above assessment, a permanent roundabout is the preferred option for a gateway treatment on The Esplanade at Zeally Bay Road.

5.2.2 Pedestrian facility at The Esplanade / Gilbert Street

Pedestrian movement between the town centre and foreshore is highest around The Esplanade/Gilbert Street intersection. Desirably, provision for pedestrians would be improved at this location.

Development of any treatment needs to give consideration to the likely conversion of Gilbert Street to one way (eastbound) between The Esplanade and Pearl Street.

Traffic signals at The Esplanade/Gilbert Street intersection have previously been considered. While signals would improve safety and accessibility for pedestrians, they are not considered necessary for operation of the intersection (particularly if Gilbert Street becomes one-way). Pedestrian operated signals could be considered, desirably located on The Esplanade just north of Gilbert Street. However, it is understood that there is community concern regarding the visual impact of traffic signals along The Esplanade.

Alternatively, pedestrian safety and accessibility could be improved by provision of a



zebra crossing on The Esplanade. This could be provided immediately south of Gilbert Street at the existing refuge island.

If Gilbert Street is converted to one-way (eastbound), the existing right turn lane on The Esplanade would become redundant. The zebra crossing and refuge island could be relocated to north of Gilbert Street to better accommodate pedestrian movements (the pedestrian survey results indicate a high proportion of pedestrians currently cross The Esplanade north of Gilbert Street despite the refuge island being located on the south side of the intersection).

Given the width of The Esplanade, a zebra crossing should only be provided with a refuge island to increase pedestrian safety and minimise the impact on traffic flow (i.e. so that vehicles are required to give way to pedestrians on one traffic lane only). To minimise the impact of refuge islands on cycling events, consideration should be given to the provision of a removable island.

SIDRA intersection analysis has been undertaken to determine the likely traffic impact of the above options, that is pedestrian operated signals and a zebra crossing (north or south of Gilbert Street). The analysis is based on the peak traffic and pedestrian data given in Sections 3.2 and 3.3. The pedestrian volumes (counted over Easter) have been increased by a factor of 1.1 to represent the peak summer holiday period. The results are summarised in **Table 4**.

OPTION	DEGREE OF SATURATION	AVERAGE DELAY (SEC)	95 TH PERCENTILE QUEUE LENGTH	
			VEHICLES	DISTANCE (M)
<i>Existing traffic volumes</i>				
Pedestrian operated signals	0.67	11	10	68
Zebra crossing	0.56	8	5	31
<i>With future growth (10% growth)</i>				
Pedestrian operated signals	0.74	12	12	82
Zebra crossing	0.61	8	6	39

TABLE 4: SIDRA ANALYSIS RESULTS FOR PEDESTRIAN TREATMENT OPTIONS ON THE ESPLANADE AT GILBERT STREET

The SIDRA analysis indicates that the zebra crossing options would provide a better level of service to through traffic on The Esplanade than signals, with shorter delays and queue lengths.

Merits assessment of pedestrian facility options

A merits based assessment of the above options has been undertaken to determine which option would, on balance, provide a better outcome for the precinct.

A number of factors have been considered that are most relevant to this assessment as follows:



- Impact on traffic flow (delays) along the Esplanade;
- Pedestrian connectivity (between the town centre and the foreshore);
- Impact on cyclists;
- Impact on public transport (bus movements);
- Visual impact (improved streetscape);
- Impact on cycling events;
- Maintenance;
- Road hierarchy – how each option supports the road hierarchy given in Section 5.1 (i.e. pedestrians first, cyclists second, public transport third, vehicles forth); and
- Safe systems assessment - the safe systems assessment is based on the Safe System approach to road safety. It considers each option based on the potential severity and likelihood of an incident occurring and recognising that people will make mistakes and have road crashes but the system should be forgiving and those road crashes should not result in death or injury.

For each factor, the options are ranked and a score provided with the highest value (3) for the best outcome and the lowest value (1) for the poorest outcome. The evaluation then considers the collective performance of each option.

Table 5 presents the merits assessment for the pedestrian facility options.

ASSESSMENT CRITERIA	TREATMENT OPTION		
	PEDESTRIAN OPERATED SIGNALS	ZEBRA CROSSING (NORTH OR SOUTH OF GILBERT STREET)	
		PERMANENT ISLAND	REMOVABLE ISLAND
Impact on traffic flow	1	3	3
Pedestrian connectivity	1	3	3
Impact on cyclists	1	3	3
Impact on public transport	n/a	n/a	n/a
Visual impact	1	3	2
Impact on cycling events	3	1	3
Maintenance	1	3	2
Road Hierarchy	1	3	3
Safe system assessment	3	1	1
Total	12	20	20

TABLE 5: MERITS ASSESSMENT FOR GATEWAY TREATMENT OPTIONS ON THE ESPLANADE AT ZEALLY BAY ROAD



Based on the above assessment, a zebra crossing located either north or south of Gilbert Street (with a permanent or removable refuge island), is the preferred pedestrian facility for The Esplanade at Gilbert Street.

5.2.3 Other pedestrian facilities

The Esplanade

In addition to the proposed zebra crossings at Gilbert Street, zebra crossings are proposed at the following locations to improve accessibility between the town centre and the foreshore:

- South of Zeally Bay Road – on the southern leg of the proposed roundabout; and
- North of Anderson Street.

As discussed above, where zebra crossings are proposed, refuge islands should also be installed to increase pedestrian safety and minimise the impact on traffic flow.

To minimise the impact of the proposed pedestrian treatments on cycling events, consideration should be given to provision of removable refuge islands at the above locations.

Zebra crossings would also be provided on the side streets (Zeally Bay Road, Gilbert Street, Anderson Street, and Price Street) to give priority to pedestrians walking along The Esplanade.

South of Anderson Street, provision of kerb outstands with kerb ramps would assist pedestrians crossing midblock. Specifically, midblock kerb outstands are proposed at the following locations:

- between Anderson Street and Price Street; and
- between Price Street and Bell Street.

Provision of kerb outstands would result in the loss of 3 car spaces at each of the above locations.

In addition, future consideration should be given to the provision of kerb outstands on The Esplanade opposite the proposed Coulson Lane pedestrian link. While there is minimal pedestrian movement across The Esplanade at this location currently, pedestrian activity is likely to increase as the area is further developed.

Bell Street

The level of service and safety for pedestrians at the roundabouts on Bell Street at The Esplanade and Rudd Avenue/Davidson Drive could be improved by the provision of zebra crossings on each leg.

Pedestrians crossing Bell Street between Rudd Avenue and Munday Street are well catered for by the two existing zebra crossings with kerb outstands and refuge islands. However, no pedestrian crossing facilities are provided between Munday Street and The Esplanade.

Kerb ramps could be provided on Bell Street east of Park Lane and west of Pride Street to facilitate pedestrians crossing at this location. The kerb ramps should align with the



existing median island on Bell Street, where kerb ramps should also be provided to enable pedestrians to use the island as a refuge.

As identified in the Surf Coast Shire Pathways Strategy 2012 Review, the footpath on the southern side of Bell Street between the eastern boundary of the caravan park and Surf Beach Drive should be upgraded to a sealed path.

5.2.4 Bicycle facilities

Bicycle lanes are currently provided along both sides of Bell Street and The Esplanade within the study area. However much can be done to improve the facility for cyclists and increase conspicuity to other road users. The following actions are recommended:

- Provide well maintained bicycle lane lines, with two lane lines provided adjacent to parking spaces where possible;
- Provide bicycle logos within bicycle lanes at 200m intervals in accordance with AS 1742.9-2000;
- Provide bicycle lane signage in accordance with AS 1742.9-2000;
- Continue the bicycle lane on The Esplanade at the Price Street intersection;
- Provide coloured pavement treatment on bicycle lanes through intersections with side streets (see, for example **Figure 8**);
- Provide sharrows at the roundabouts on The Esplanade and Bell Street (including any new roundabout on The Esplanade at Zeally Bay Road). Sharrows can be used on the approach to roundabouts where a bicycle lane has terminated, and indicate that cyclists are to merge and share the lane with the vehicular traffic. An example of the use of sharrows is shown in **Figure 9**.



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FIGURE 8: EXAMPLE OF COLOURED PAVEMENT TREATMENT ON BICYCLE LANE AT INTERSECTION WITH A SIDE STREET



FIGURE 9: EXAMPLE OF BICYCLE TREATMENT AT A ROUNDABOUT – BICYCLE LANE TERMINATES ON THE APPROACH AND SHARROWS ARE PROVIDED IN THE TRAFFIC LANE TO INDICATE THAT CYCLISTS ARE TO MERGE AND SHARE THE TRAFFIC LANE

5.2.5 Seasonal speed limit

A reduced speed limit of 40km/h is proposed within the study area to reinforce the low speed environment.

5.2.6 Road Safety Audit recommendations

In addition to the above, the recommendations contained within the Road Safety Audit should be implemented as part of the Strategy.

5.2.7 Landscaping opportunities

The importance of The Esplanade as a tourist promenade should not be overlooked. Desirably landscape design elements would be introduced along The Esplanade and foreshore which would enhance amenity and contribute to creating a low speed, pedestrian friendly environment.

5.3 ACTION PLAN

An action plan has been developed to guide Council in implementing the Strategy. For each action, a cost estimate and priority (low, medium, high) is provided.

Concept plans have been developed and are provided in **Appendix C**.



ACTION	ESTIMATED CONSTRUCTION COST*	MAINTENANCE COST	PRIORITY
1. Install a roundabout at The Esplanade/Zeally Bay Road intersection, including lighting upgrade, with zebra crossings on the southern, western and eastern legs. The entrance to the Torquay Play Park car park would be incorporated into the eastern leg of the roundabout. Permanent islands Removable islands – central island and southern splitter island	\$650,000 \$630,000	Low High	Medium Medium
2. Implement a speed limit of 40km/h along The Esplanade (south of Zeally Bay Road) and Bell Street.	\$10,000	Low	High
3. Provide zebra crossings with refuge islands and lighting upgrade on The Esplanade at key locations as follows: 3.1 South of Gilbert Street at the existing refuge island, or North of Gilbert Street, if Gilbert Street is converted to one-way (eastbound) Removable refuge island Permanent refuge island 3.2 South of Anderson Street (minor road widening required) Removable refuge island Permanent refuge island	\$6,000 \$18,000 \$23,000 \$30,000 \$35,000	Low High Low High Low	High High High High High
4. Provide zebra crossings on each leg of the roundabouts, including lighting upgrades as necessary, at: 4.1 The Esplanade/Bell Street (including modification to kerb outstand on north-eastern corner) 4.2 Bell Street/Rudd Ave/Davidson Drive (including modification to kerb outstand on north-eastern corner)	\$20,000 \$20,000	Low Low	High High
5. Provide kerb outstands with kerb ramps at the following locations on The Esplanade: 5.1 Opposite the pedestrian link to Coulson Lane (for future consideration) 5.2 Mid-block between Price Street and Anderson Street 5.2 Mid-block between Anderson Street and Bell Street	\$20,000 \$20,000 \$20,000	Low Low Low	Low Low Low



6.	Provide zebra crossings, including lighting upgrades, on the following side streets:			
6.1	Zeally Bay Road at The Esplanade	\$6,000	Low	Medium
6.2	Gilbert Street at The Esplanade	\$6,000	Low	High
6.3	Anderson Street at The Esplanade, including refuge island	\$20,000	Low	Medium
6.4	Price Street at The Esplanade, including modifications to existing splitter island	\$15,000	Low	Medium
7.	Provide kerb ramps at the following locations:			
7.1	Bell Street (southern side) east of Park Lane, (northern side) west side of Munday Street, and on median island	\$5,000	Low	Low
7.2	Pride Street at Bell Street -east and west side and on splitter island.	\$3,000	Low	Medium
8.	Construct footpath on the southern side of Bell Street between the caravan park eastern boundary and Surf Beach Drive (approximately 300m).	\$66,000	Low	Medium
9.	Upgrade bicycle lanes along The Esplanade and Bell Street including lane lines, bicycle logos and signage in accordance with AS1742.9-2000. Provide coloured pavement treatment at intersections with side streets.	\$100,000	Medium	High
10.	Provide sharrows on each approach to the roundabouts at the following locations:			
10.1	The Esplanade/Bell Street	\$8,000	Low	High
10.2	Bell Street/Surf Beach Drive	\$8,000	Low	High
11.	Undertake a review of Tactile Ground Surface Indicators along The Esplanade and Bell Street	\$8,000	N/a	Medium
12.	Review provision of timber bollards in Bell Street, in particular:			
12.1	Remove timber bollards from median islands in Bell Street and provide reflectors on kerb	\$4,000	N/a	Medium
12.2	Remove timber bollards from departure side of Bell Street/Rudd Avenue/Davidson Drive roundabout	\$2,000	N/a	Medium
12.3	Review provision/ location of timber bollards at pedestrian crossing points along Bell Street	\$2,000	N/a	Medium
13.	Implement recommendations from the Road Safety Audit in relation to damaged footpaths, pavement condition, signage, hazards, linemarking, vegetation etc.	From annual maintenance budget	Low	Refer RSA
14.	Engage landscape architects to provide a concept design to enhance The Esplanade and foreshore area.	\$15,000	N/a	Low

* NOTE DOES NOT INCLUDE DESIGN COST, PROJECT MANAGEMENT COST OR CONTINGENCY



APPENDIX A

PEDESTRIAN SURVEY RESULTS

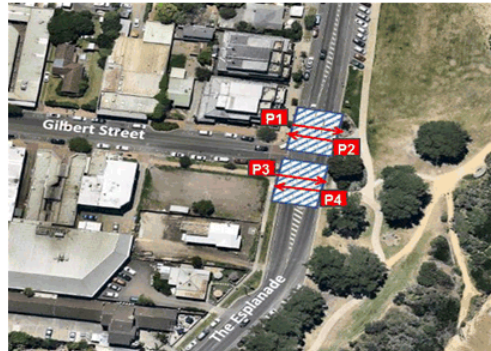


FIGURE A1: LOCATION OF PEDESTRIAN SURVEY

Absolute Value		Pedestrian Movements							
TIME		P1		P2		P3		P4	
		Ped	Bike	Ped	Bike	Ped	Bike	Ped	Bike
11:00	11:15	7	2	1	0	24	2	42	2
11:15	11:30	13	0	6	2	46	1	35	1
11:30	11:45	13	0	9	0	31	0	30	5
11:45	12:00	20	0	11	0	28	0	73	4
12:00	12:15	0	2	5	0	23	4	40	3
12:15	12:30	14	0	13	1	38	0	27	4
12:30	12:45	9	0	4	1	19	5	23	3
12:45	13:00	10	1	26	0	22	1	36	5
13:00	13:15	31	3	24	1	34	4	24	0
13:15	13:30	23	5	17	0	40	0	27	0
13:30	13:45	29	0	6	3	21	2	14	5
13:45	14:00	28	0	15	0	25	0	47	1

Absolute Value		Pedestrian Movements							
TIME		P1		P2		P3		P4	
		Ped	Bike	Ped	Bike	Ped	Bike	Ped	Bike
11:00	11:15	7	2	1	0	24	2	42	2
11:15	11:30	20	2	7	2	70	3	77	3
11:30	11:45	33	2	16	2	101	3	107	8
11:45	12:00	53	2	27	2	129	3	180	12
12:00	12:15	53	4	32	2	152	7	220	15
12:15	12:30	67	4	45	3	190	7	247	19
12:30	12:45	76	4	49	4	209	12	270	22
12:45	13:00	86	5	75	4	231	13	306	27
13:00	13:15	117	8	99	5	265	17	330	27
13:15	13:30	140	13	116	5	305	17	357	27
13:30	13:45	169	13	122	8	326	19	371	32
13:45	14:00	197	13	137	8	351	19	418	33

TABLE A1: PEDESTRIAN SURVEY RESULTS, SATURDAY 8TH APRIL 2017



APPENDIX B

ROAD SAFETY AUDIT



ROAD SAFETY AUDIT

EXISTING CONDITIONS ROAD SAFETY AUDIT
THE ESPLANADE AND BELL STREET, TORQUAY

18 MAY 2017



THE ESPLANADE AND BELL STREET,
TORQUAY

CLIENT: Surf Coast Shire Council

OBT JOB NUMBER: 17439



Suite 2.03, 789 Toorak Road
Hawthorn East VIC 3123

T: +61 3 9804 3610

W: obrientraffic.com

ABN 55 007 006 037

AUDITORS

Jemima Macaulay

Matt Harridge



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1	INTRODUCTION	1
2	FINDINGS, RECOMMENDATIONS & DECISION TRACKING	4
3	CONCLUSIONS	35
4	AUDIT STATEMENT	35



1 INTRODUCTION

1.1 SAFETY AUDIT DEFINITION & PURPOSE

Safety Audit is a formalised process to:

- Identify potential safety problems for road users and others affected by a road project; and
- Ensure that measures to eliminate or reduce the problems are fully considered.

It can be carried out at the following project stages:

- feasibility stage;
- preliminary design stage;
- detailed design stage; and
- pre-opening stage.

A road safety audit may also be conducted:

- for roadwork traffic management required during construction of significant projects; and
- on the existing road network.

This is an Existing Conditions Road Safety Audit.

1.2 THE AUDIT TEAM

The audit team comprised:

- Jemima Macaulay, Associate, O'Brien Traffic – Senior Road Safety Auditor; and
- Matt Harridge, Director, O'Brien Traffic – Senior Road Safety Auditor.

As part of this Road Safety Audit the site has been inspected Thursday 23rd February 2017.

Prior to this audit, the auditors have not had any involvement with the design or development of the audit area.

1.3 THE SITE AREA

The area for the audit is The Esplanade, between Zeally Bay Road and Bell Street, and Bell Street, between The Esplanade and Surf Beach Drive, as shown in **Figure 1**.



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FIGURE 1: LOCATION OF AUDIT AREA

1.4 REVIEW PROCESS & FORMAT

This audit has been carried out generally in accordance with Austroads Guide to Road Safety Part 6: Road Safety Audit (2009).

Section 4.8 C of the Guide (Pages 31 and 32) presents a useful indication of the level of risk and how to respond to it. An extract from this section of the Guide is included on the following page of this Audit Report.

The frequency of the risk (Table 4.1 of the Guide) and the severity of the risk (Table 4.2 of the Guide) can be used to select the risk category - Intolerable, High, Medium, Low (Table 4.3 of the Guide), and in turn this risk category can be used to suggest a treatment approach (Table 4.4 of the Guide).

Additionally we have included a 'Comment' risk category which is an issue of very low significance or an action that may be outside the scope of this road safety audit, but which may improve the overall design or be of wider significance.

The issues raised in the Audit are set out in tabular format in **Section 2**. Each issue raised is numbered for ease of reference. A recommendation for action follows the discussion of each issue.



Table 4.1: How often is the problem likely to lead to a crash?

Frequency	Description
Frequent	Once or more per week
Probable	Once or more per year (but less than once a week)
Occasional	Once every five or ten years
Improbable	Less often than once every ten years

Table 4.2: What is the likely severity of the resulting crash type?

Severity	Description	Examples
Catastrophic	Likely multiple deaths	High-speed, multi-vehicle crash on a freeway. Car runs into crowded bus stop. Bus and petrol tanker collide. Collapse of a bridge or tunnel.
Serious	Likely death or serious injury	High or medium-speed vehicle/vehicle collision. High or medium-speed collision with a fixed roadside object. Pedestrian or cyclist struck by a car.
Minor	Likely minor injury	Some low-speed vehicle collisions. Cyclist falls from bicycle at low speed. Left-turn rear-end crash in a slip lane.
Limited	Likely trivial injury or property damage only	Some low-speed vehicle collisions. Pedestrian walks into object (no head injury). Car reverses into post.

Table 4.3: The resulting level of risk

	Frequent	Probable	Occasional	Improbable
Catastrophic	Intolerable	Intolerable	Intolerable	High
Serious	Intolerable	Intolerable	High	Medium
Minor	Intolerable	High	Medium	Low
Limited	High	Medium	Low	Low

Table 4.4: Treatment approach

Risk	Suggested treatment approach
Intolerable	Must be corrected.
High	Should be corrected or the risk significantly reduced, even if the treatment costs is high.
Medium	Should be corrected or the risk significantly reduced, if the treatment cost is moderate, but not high.
Low	Should be corrected or the risk reduced, if the treatment cost is low.



1.5 DISCLAIMER

The findings and recommendations in this report are based on an examination of the road, and its environs, and the opinions of the audit team. However, it must be recognized that safety cannot be guaranteed since no road can be regarded as absolutely safe. Readers are urged to seek specific technical advice on matters raised and not rely solely on the report.

The auditors also point out that no guarantee is made that every deficiency has been identified. Further, if all the recommendations in this report were to be followed, this would not guarantee that the project is 'safe'; rather, adoption of the recommendations should improve the level of safety of the facility.

While every effort has been made to ensure the accuracy of the report, it is made available strictly on the basis that anyone relying on it does so at their own risk without any liability to members of the audit team or their respective organisations.

2 FINDINGS, RECOMMENDATIONS & DECISION TRACKING

The following table provides the:

- Review findings;
- Review recommendations; and
- Decision tracking form (for completion by the client/project manager).

Photographs that help highlight the issues are included in the table.



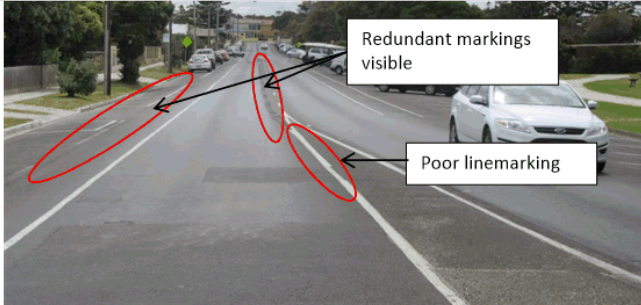
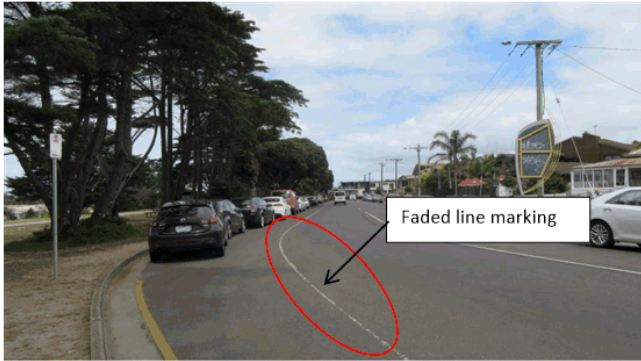
FINDINGS, RECOMMENDATIONS & DECISION TRACKING

Project title	The Esplanade (Zeally Bay Rd to Bell St) and Bell Street, Torquay	Review stage	Existing Conditions
Project manager	Aoife Corcoran	Designer	N/A
Road Safety Auditors	Jemima Macaulay, Associate, O'Brien Traffic Matt Harridge, Director, O'Brien Traffic		

Issue No.	Review Findings & Recommendations	Risk	CLIENT RESPONSE	
			Accept: Yes / No	Reasons / Comments
1	<p>Poor provision for pedestrians crossing The Esplanade between Price Street and Gilbert Street</p> <p>The Esplanade has a wide carriageway (approximately 13-15m wide) which pedestrians must negotiate to cross the road. Refuge islands are provided at Price Street, Gilbert Street and Zeally Bay Road to assist pedestrians. However there are no crossing facilities between Price Street and Gilbert Street, a distance of over 400m. Given the high pedestrian demand (particularly in the summer months), an additional pedestrian crossing facility should be provided, desirably close to Anderson Street.</p> <p>Recommendation 1: Provide a pedestrian crossing facility on The Esplanade in the vicinity of Anderson Street.</p>	Medium		
2	<p>Line marking</p> <p>Line marking on sections of The Esplanade is faded and redundant markings are visible, including where lines have been blacked out (see Photos 1 and 2). This may be confusing for motorists, particularly in dark, wet conditions.</p>	Low		




FINDINGS, RECOMMENDATIONS & DECISION TRACKING

Issue No.	Review Findings & Recommendations	Risk	CLIENT RESPONSE	
			Accept: Yes / No	Reasons / Comments
	 <p>Photo 1. Line marking on The Esplanade</p>  <p>Photo 2. Line marking on The Esplanade</p>			




FINDINGS, RECOMMENDATIONS & DECISION TRACKING

Issue No.	Review Findings & Recommendations	Risk	CLIENT RESPONSE	
			Accept: Yes / No	Reasons / Comments
	<p>At the zebra crossing near Price Street, pavement repair work has been undertaken near the refuge island and the zebra crossing marking has not been re-marked (see Photo 3). This may reduce conspicuity of the crossing for motorists.</p>  <p>Photo 3. Zebra crossing on The Esplanade near Price Street</p> <p>Redundant lane lines are also visible on Bell Street (See Photo 4).</p>			



FINDINGS, RECOMMENDATIONS & DECISION TRACKING

Issue No.	Review Findings & Recommendations	Risk	CLIENT RESPONSE	
			Accept: Yes / No	Reasons / Comments
	 <p>Photo 4. Redundant lane markings on Bell Street</p> <p>Recommendation 2: Remove redundant line marking on The Esplanade and Bell Street.</p> <p>Recommendation 3: Re-mark faded line marking on The Esplanade.</p> <p>Recommendation 4: Re-mark missing marking at the zebra crossing on The Esplanade at Price Street.</p>			
3	<p>Bicycle lanes on The Esplanade</p> <p>Bicycle lanes are provided along both sides of The Esplanade however the bicycle logos are typically very faded or non-existent and no 'Bicycle Lane' signage is provided. This reduces the conspicuity of the bicycle lanes to motorists and other road users.</p> <p>Currently the bicycle lanes end approaching the Price Street and Bell Street intersections (although this is not indicated by signage or pavement markings) (see Photo 5). Consideration should be given to bicycle treatments at these intersections.</p>	Medium		



FINDINGS, RECOMMENDATIONS & DECISION TRACKING

Issue No.	Review Findings & Recommendations	Risk	CLIENT RESPONSE	
			Accept: Yes / No	Reasons / Comments
	 <p>Photo 5. End of bicycle lane on The Esplanade approaching Bell Street</p> <p>Desirably the bicycle lanes should continue through the Price Street intersection, although this may require relocation of the bus stops and changes to the kerb outstand. At the roundabout at Bell Street, sharrows could be provided on each approach to the roundabout to indicate to all road users that cyclists are to share the traffic lane.</p> <p>The bicycle lane lines on the western side of The Esplanade at Gilbert Street are confusing as the redundant lines have not been removed (see Photo 6).</p>  <p>Photo 6. Redundant bicycle lane markings on The Esplanade at Gilbert Street</p>			



FINDINGS, RECOMMENDATIONS & DECISION TRACKING

Issue No.	Review Findings & Recommendations	Risk	CLIENT RESPONSE	
			Accept: Yes / No	Reasons / Comments
	<p>Recommendation 5: Mark/remark bicycle logos on The Esplanade at 200m intervals in accordance with AS 1742.9-2000.</p> <p>Recommendation 7: Provide bicycle lane signage in accordance with AS 1742.9 – 2000, including End Bicycle Lane signage where bicycle lanes end.</p> <p>Recommendation 8: Continue bicycle lane on The Esplanade through the Price Street intersection.</p> <p>Recommendation 9: Provide sharrows on each approach to the roundabout at The Esplanade/Bell Street intersection.</p> <p>Recommendation 10: Remove redundant lines on the western side of The Esplanade, north of Gilbert Street.</p>			
4	<p>Bicycle lane widths on The Esplanade</p> <p>Where The Esplanade bends (at Anderson Street and south of Gilbert Street), the bicycle lane on the inside of the curves narrow to less than 1.5m, which is less than the desirable width for an on-road bicycle lane.</p> <p>Recommendation 11: Review lane lines on The Esplanade around the bends at Anderson Street and south of Gilbert Street and increase the width of the bicycle lanes to minimum 1.5m.</p>	Medium		
5	<p>Bicycle lanes on Bell Street</p> <p>Bicycle lanes are provided along both sides of Bell Street, however bicycle logos are typically very faded or non-existent and no 'Bicycle Lane' signage is provided. This reduces the conspicuity of the bicycle lanes to motorists and other road users.</p> <p>Desirably both lane lines for the bicycle lanes should be marked adjacent to the parallel kerbside parking – at the eastern end of Bell Street (both sides) and the western end of Bell Street (northern side). This provides guidance for cyclists to provide clearance to car doors (and potential dooring incidents) and improves conspicuity of the bicycle lanes.</p>	Medium		


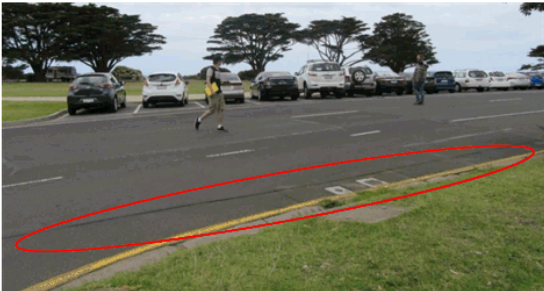


FINDINGS, RECOMMENDATIONS & DECISION TRACKING

Issue No.	Review Findings & Recommendations	Risk	CLIENT RESPONSE	
			Accept: Yes / No	Reasons / Comments
	<p>Currently the bicycle lanes end prior to the roundabout at Rudd Avenue/Davidson Drive, although there are no signs to indicated the end of the bike lanes. Sharrows could be provided on each approach to the roundabout to indicate to all road users that cyclists are to share the traffic lane.</p> <p>Recommendation 12: Mark/remark bicycle logos on Bell Street at 200m intervals in accordance with AS 1742.9-2000.</p> <p>Recommendation 13: Provide bicycle lane signage in accordance with AS 1742.9 – 2000.</p> <p>Recommendation 14: Mark both lanes lines for bicycle lanes adjacent to parallel kerbside parking on the eastern end of Bell Street (both sides) and the western end of Bell Street (northern side).</p> <p>Recommendation 15: Provide sharrows on each approach to the roundabout at the Bell Street/Rudd Avenue/Davidson Drive intersection.</p>			
6	<p>Pavement condition on The Esplanade</p> <p>On the western side of The Esplanade, there is a crack in the road pavement near the kerb which provides a poor riding surface for cyclists. At several locations pits are also located in the road pavement within the bike lane (see Photos 7 and 8). The uneven surface also coincides with the pedestrian crossing point south of Gilbert Street.</p>	Low		




FINDINGS, RECOMMENDATIONS & DECISION TRACKING

Issue No.	Review Findings & Recommendations	Risk	CLIENT RESPONSE	
			Accept: Yes / No	Reasons / Comments
	 <p>Photo 7. Poor surface condition on the western side of The Esplanade south of Gilbert Street.</p>  <p>Photo 8. Poor surface condition on the western side of The Esplanade south of Zeally Bay Road.</p> <p>Recommendation 16: Repair road pavement on the western side of the Esplanade to provide an even surface. Make surface flush around pits.</p>			




FINDINGS, RECOMMENDATIONS & DECISION TRACKING

Issue No.	Review Findings & Recommendations	Risk	CLIENT RESPONSE	
			Accept: Yes / No	Reasons / Comments
7	<p>Zebra Crossing on The Esplanade north of Price Street</p> <p>At the zebra crossing on The Esplanade north of Price Street, no pedestrian crossing signs are provided on the refuge island (see Photo 9). Provision of pedestrian crossing signs on the refuge island, facing each direction, would increase conspicuity of the crossing to approaching road users. There may be a benefit to traffic flow also, as motorists would only be required to give way to pedestrians on the crossing between the kerb and the refuge island (currently motorists must give way to pedestrians on the crossing on either side of the refuge island).</p>  <p>Photo 9. Zebra Crossing on The Esplanade north of Price Street</p> <p>Recommendation 17: Provide Pedestrian Crossing signs on the refuge island, facing each direction, at the zebra crossing on The Esplanade north of Price Street.</p>	Low		
8	<p>Splitter island in Price Street at The Esplanade</p> <p>The splitter island in Price Street at The Esplanade is set back from the intersection (presumably to accommodate vehicle turning movements) and does not provide a refuge</p>	Low		




FINDINGS, RECOMMENDATIONS & DECISION TRACKING

Issue No.	Review Findings & Recommendations	Risk	CLIENT RESPONSE	
			Accept: Yes / No	Reasons / Comments
	<p>for pedestrians crossing the street (see Photo 10). The kerb ramps on either side of Price Street direct pedestrians to walk around the front of the splitter island. Desirably the splitter island would include kerb ramps which align with the footpath along The Esplanade, and would provide a refuge for pedestrians crossing the street.</p>  <p>Photo 10. Splitter island on Price Street at The Esplanade</p> <p>Recommendation 18: Review design of the splitter island in Price Street at The Esplanade with a view to providing kerb ramps and a refuge for pedestrians crossing the street. Realign footpath kerb ramps on either side of Price Street to align with splitter/refuge island as necessary.</p>			
9	<p>Splitter island in Pride Street at Bell Street</p> <p>The splitter island in Pride Street at Bell Street has no kerb ramps making it difficult for mobility impaired pedestrians to cross (see Photo 11).</p>	Low		



FINDINGS, RECOMMENDATIONS & DECISION TRACKING

Issue No.	Review Findings & Recommendations	Risk	CLIENT RESPONSE	
			Accept: Yes / No	Reasons / Comments
	 <p>Photo 11. Splitter island on Pride Street at Bell Street</p> <p>Recommendation 19: Provide kerb ramps on splitter island in Pride Street at Bell Street. Align kerb ramps on the eastern and western side of Pride Street to align with kerb ramps on the splitter island.</p>			
10	<p>Provision for pedestrians crossing at The Esplanade/Bell Street roundabout</p> <p><i>Pedestrians Give Way</i> signs are provided on both sides of Bell Street at The Esplanade roundabout (see Photo 12). The signs are mounted above head height and are likely to be unnoticed by many pedestrians. It may be more effective to provide signage on a lower totem style pole or use pavement markings.</p> <p>Alternatively, consideration could be given to providing priority for pedestrians crossing at the intersection. Zebra crossings could be provided on each leg of the roundabout, set back approximately 6m from the circulating lane.</p>	Low		




FINDINGS, RECOMMENDATIONS & DECISION TRACKING

Issue No.	Review Findings & Recommendations	Risk	CLIENT RESPONSE	
			Accept: Yes / No	Reasons / Comments
	 <p>Photo 12. Pedestrians Give Way sign at The Esplanade/Bell Street roundabout</p> <p>Recommendation 20: Replace Pedestrians Give Way sign with signage on a totem style pole or pavement markings on Bell Street at The Esplanade.</p> <p>Recommendation 21: Consider provision of zebra crossings on each leg of The Esplanade/Bell Street roundabout.</p>			
11	<p>Walkway on the north-eastern corner of The Esplanade/Bell Street roundabout</p> <p>The timber walkway on the north-eastern corner of The Esplanade/Bell Street roundabout is damaged and could be a trip hazard (see Photo 13).</p>	Low		





FINDINGS, RECOMMENDATIONS & DECISION TRACKING

Issue No.	Review Findings & Recommendations	Risk	CLIENT RESPONSE	
			Accept: Yes / No	Reasons / Comments
	 <p>Photo 13. Damaged timber walkway on the northern side of The Esplanade at Bell Street Recommendation 22: Repair timber walkway on the north-eastern side of The Esplanade/ Bell Street roundabout.</p>			
12	<p>Obstacles on footpath along Bell Street</p> <p>At several locations along Bell Street, clothing racks and sign boards are placed on the footpath and are obstacles for pedestrians (see Photos 14 and 15).</p>	Low		




FINDINGS, RECOMMENDATIONS & DECISION TRACKING

Issue No.	Review Findings & Recommendations	Risk	CLIENT RESPONSE	
			Accept: Yes / No	Reasons / Comments
	 <p>Photo 14. Clothing rack on footpath, southern side of Bell Street</p>			
	 <p>Photo 15. A-frame sign board on footpath, southern side of Bell Street</p> <p>Recommendation 23: <i>Ensure goods/signs place on footpath are in accordance with Councils Local Laws.</i></p>			




FINDINGS, RECOMMENDATIONS & DECISION TRACKING

Issue No.	Review Findings & Recommendations	Risk	CLIENT RESPONSE	
			Accept: Yes / No	Reasons / Comments
13	<p>Garden strip adjacent to caravan park on southern side of Bell Street,</p> <p>Adjacent to the caravan park, on the southern side of Bell Street, the timber garden edge juts in and out from the fence line and is a potential trip hazard for pedestrians on the footpath (see Photo 16).</p>  <p>Photo 16. Timber garden strip adjacent to caravan park juts in and out from the fenceline, southern side of Bell Street</p> <p>Recommendation 24: <i>Redo timber garden edge adjacent to caravan park to provide a consistent edge parallel to the footpath, preferably within the fence line.</i></p>	Low		
14	<p>Step on footpath, northern side of Bell Street west of Munday Street</p> <p>On the northern side of Bell Street, west of Munday Street, a step is located outside the building on the footpath and is a potential trip hazard (see Photo 17). It is noted that the real estate agent places his advertising papers adjacent to the step during the day which may reduce the risk. Desirably the step would be removed, although this is unlikely to be feasible. Alternatively, pavement markings and/or reflective markings should be provided to increase conspicuity of the step.</p>	Medium		




FINDINGS, RECOMMENDATIONS & DECISION TRACKING

Issue No.	Review Findings & Recommendations	Risk	CLIENT RESPONSE	
			Accept: Yes / No	Reasons / Comments
	 <p>Photo 17. Step on footpath, northern side of Bell Street west of Munday Street <i>Recommendation 25: Provide pavement markings on each approach to the step and/or reflective markers on each edge of the step to increase its conspicuity.</i></p>			
15	<p>Footpath condition, southern side of Bell Street between Davidson Drive and Surf Beach Drive</p> <p>The gravel footpath along the southern side of Bell Street between Davidson Drive and Surf Beach Drive is rutted and has pit lids jutting out (see Photo 18), providing a poor surface for pedestrians. In addition a utility pole is located in near the middle of the path and may be difficult to see in poor light conditions.</p>	Low		




FINDINGS, RECOMMENDATIONS & DECISION TRACKING

Issue No.	Review Findings & Recommendations	Risk	CLIENT RESPONSE	
			Accept: Yes / No	Reasons / Comments
	 <p>Photo 18. Timber garden strip adjacent to caravan park juts in and out from the fenceline, southern side of Bell Street</p> <p>Recommendation 26: Seal footpath on the southern side of Bell street, between Davidson Drive and Surf Beach Drive.</p> <p>Recommendation 27: Provide reflective material on utility pole on southern side of Bell Street, between Davidson Drive and Surf Beach Drive to increase conspicuity in poor light conditions.</p>			
16	<p>Pedestrian crossing point on Bell Street east of Surf Beach Drive</p> <p>On the southern side of the pedestrian crossing point on Bell Street, east of Surf Beach Drive, a signpost is located on the path however the sign is missing (see Photo 19). The signpost is a potential hazard and should be removed. If the sign is replaced, it should be relocated closer to the plants.</p>	Low		




FINDINGS, RECOMMENDATIONS & DECISION TRACKING

Issue No.	Review Findings & Recommendations	Risk	CLIENT RESPONSE	
			Accept: Yes / No	Reasons / Comments
	 <p>Photo 19. Redundant sign post, southern side of Bell Street at Surf Beach Drive</p> <p>In addition, the kerb ramp on the northern side of the crossing does not align with the kerb ramps on the refuge island.</p> <p>Recommendation 28: Remove redundant signpost on south-eastern corner of Bell Street/ Surf Beach Drive, or replace sign and relocate closer to plants.</p> <p>Recommendation 29: Consider modifying kerb ramp on northern side of Bell Street, east of Surf Beach Drive, to align with kerb ramps on refuge island.</p>			
17	<p>Blind accesses, northern side of Bell Street</p> <p>Along the northern side of Bell Street, between Rudd Avenue and Munday Street, there are a couple of private properties with vehicular access to Bell Street that have no visibility to pedestrians approaching along the footpath (see Photo 20).</p>	Medium		




FINDINGS, RECOMMENDATIONS & DECISION TRACKING

Issue No.	Review Findings & Recommendations	Risk	CLIENT RESPONSE	
			Accept: Yes / No	Reasons / Comments
	 <p>Photo 20. Blind accesses along northern side of Bell Street</p> <p>Recommendation 30: Liaise with property owners to consider treatments to reduce potential for conflict between exiting vehicles and pedestrians, such as signage (eg. Look for Pedestrians) or speed humps in the driveway.</p>			
18	<p>Tactile Ground Surface Indicators (TGSIs)</p> <p>Where the footpath on the western side of The Esplanade crosses side streets, Tactile Ground Surface Indicators (TGSIs) are generally not provided. Similarly some crossing points along Bell Street don't have TGSIs. Where TGSIs are provided, there are often no directional indicators.</p> <p>At the bus stop on the western side of The Esplanade, north of Price Street, part of the directional indicator is missing (see Photo 21).</p>	Medium		





FINDINGS, RECOMMENDATIONS & DECISION TRACKING

Issue No.	Review Findings & Recommendations	Risk	CLIENT RESPONSE	
			Accept: Yes / No	Reasons / Comments
	 <p>Photo 21. Directional TGSIs partially missing at bus stop, western side of The Esplanade, north of Price Street</p> <p>Recommendation 31: Undertake a review of Tactile Ground Surface Indicators in the audit area and provide TGSIs as appropriate in accordance with Australian Standard AS1428.4.1:2009.</p>			
19	<p>Timber posts in median and at pedestrian crossing points in Bell Street</p> <p>At numerous locations along Bell Street, large timber bollards are located in median islands and at pedestrian crossing points (see, for example Photos 22 and 23). The timber bollards are a potential hazard if struck by an errant vehicle. The bollards in the median islands and on the departure side of the Bell Street/Davidson Street roundabout are particularly vulnerable to being struck.</p> <p>In addition, where the bollards are located at pedestrian crossing points, they can be a potential hazard to vision impaired pedestrians, particularly where they are located in the path of travel. See, for example, the bollard on the north eastern corner of Bell Street/Rudd Avenue intersection, as shown in Photo 22. (Note also, no TGSIs at this location).</p>	Medium		




FINDINGS, RECOMMENDATIONS & DECISION TRACKING

Issue No.	Review Findings & Recommendations	Risk	CLIENT RESPONSE	
			Accept: Yes / No	Reasons / Comments
	 <p>Photo 22. Timber posts in median islands along Bell Street</p>  <p>Photo 23. Timber posts at pedestrian crossing point, north eastern corner of Bell Street/Rudd Avenue</p> <p>Recommendation 32: Remove timber bollards from the Bell Street median islands and provide reflectors on kerb.</p> <p>Recommendation 33: Remove timber bollards from the departure side of the Bell</p>			




FINDINGS, RECOMMENDATIONS & DECISION TRACKING

Issue No.	Review Findings & Recommendations	Risk	CLIENT RESPONSE	
			Accept: Yes / No	Reasons / Comments
	<p><i>Street/Davidson Drive/Rudd Street roundabout.</i></p> <p>Recommendation 34: <i>Reconsider the provision/location of timber bollards at other pedestrian crossing points along Bell Street.</i></p>			
20	<p>Grasses adjacent to carriageway</p> <p>Where grasses are planted adjacent to the carriageway or in median islands, care should be given to ensure grasses don't compromise sight lines or reduce the conspicuity of pedestrian crossings. See, for example, on the south eastern corner of the Bell Street/Davidson Drive/Rudd Avenue roundabout (Photo 24) and at the zebra crossing on Bell Street west of Munday Street (Photo 25).</p>  <p>Photo 24. Grasses planted on the south eastern corner of the Bell Street/Davidson Drive/Rudd Avenue roundabout</p>	Low		





FINDINGS, RECOMMENDATIONS & DECISION TRACKING

Issue No.	Review Findings & Recommendations	Risk	CLIENT RESPONSE	
			Accept: Yes / No	Reasons / Comments
	 <p>Photo 25. Grasses planted in the median island at zebra crossing on Bell Street west of Munday Street</p> <p>Recommendation 35: <i>Trim/maintain grasses adjacent to carriageway to ensure good sightlines and visibility of pedestrian crossings/signs/traffic islands.</i></p>			
21	<p>Cracked/damaged footpath</p> <p>At numerous locations, cracks/damage to the footpath and recessed/protruding pit lids were observed, which are potential tripping hazards (see, for example, Photos 26 to 28).</p>	<i>Medium</i>		





FINDINGS, RECOMMENDATIONS & DECISION TRACKING

Issue No.	Review Findings & Recommendations	Risk	CLIENT RESPONSE	
			Accept: Yes / No	Reasons / Comments
	 <p>Photo 26. Cracked footpath on northern side of Bell Street, adjacent to No. 38-40</p>			
	 <p>Photo 27. Recessed pit lid on western side of The Esplanade, adjacent to No. 14A</p>			




FINDINGS, RECOMMENDATIONS & DECISION TRACKING

Issue No.	Review Findings & Recommendations	Risk	CLIENT RESPONSE	
			Accept: Yes / No	Reasons / Comments
	 <p>Photo 28. Broken footpath on western side of The Esplanade, adjacent to No. 24</p> <p>At other locations, potential trip hazards were observed adjacent to the footpath (see, for example Photos 29 and 30).</p>			
	 <p>Photo 29. Timber adjacent to the footpath is a potential trip hazard, western side of The Esplanade, adjacent to Zeally's Bar and Grill</p>			





FINDINGS, RECOMMENDATIONS & DECISION TRACKING

Issue No.	Review Findings & Recommendations	Risk	CLIENT RESPONSE	
			Accept: Yes / No	Reasons / Comments
	 <p>Photo 30. Drop off adjacent to footpath and broken driveway at No 25 The Esplanade</p> <p>Recommendation 36: Ensure the Shire's footpath maintenance program continues to repair footpaths, including the above locations. Areas adjacent to footpaths should also be maintained to reduce potential trip hazards.</p>			
22	<p>The Esplanade footpath crossing at Gilbert Street</p> <p>Where the footpath on the western side of The Esplanade approaches Gilbert Street, from both north and south, the concrete path terminates at a brick paved path in a staggered T-layout (see Photos 31 and 32). There are several potential trip hazards in this area with differences in levels between the concrete path, brick paving, adjacent gravel area and pit lids. Rocks located close to the path are also potential trip hazards.</p>	Low		




FINDINGS, RECOMMENDATIONS & DECISION TRACKING

Issue No.	Review Findings & Recommendations	Risk	CLIENT RESPONSE	
			Accept: Yes / No	Reasons / Comments
	 <p>Photo 31. Footpath on the western side of The Esplanade approaching Gilbert Street, facing north</p>			
	 <p>Photo 32. Footpath on the western side of The Esplanade approaching Gilbert Street, facing south</p>			





FINDINGS, RECOMMENDATIONS & DECISION TRACKING

Issue No.	Review Findings & Recommendations	Risk	CLIENT RESPONSE	
			Accept: Yes / No	Reasons / Comments
	<p>Recommendation 37: Provide smooth transition between concrete, brick and gravel surfaces. Ensure pit lids are even with surrounding surface. Remove rocks or relocate further from pedestrian path of travel.</p>			
23	<p>Broken post and rail fence on the western side of The Esplanade south of Gilbert Street</p> <p>The post and rail fence on the western side of The Esplanade, south of Gilbert Street, is broken and potential hazardous (see Photo 33). The rail is lying on the ground, partially on the footpath, and the bolt on the post is exposed and sticking out.</p>  <p>Photo 33. Broken post and rail fence on the western side of The Esplanade, south of Gilbert Street</p> <p>Recommendation 38: Repair broken post and rail fence on the western side of The Esplanade south of Gilbert Street, or remove.</p>	Medium		
24	<p>Overgrown Vegetation</p> <p>There are a number of private properties with vegetation overhanging the footpath (see, for example, Photos 34 to 36 in Appendix A). Overhanging vegetation reduces the usable</p>	Low		




FINDINGS, RECOMMENDATIONS & DECISION TRACKING

Issue No.	Review Findings & Recommendations	Risk	CLIENT RESPONSE	
			Accept: Yes / No	Reasons / Comments
	<p>width of the footpath, can be potentially hazardous (particularly at eye height) and may reduce visibility for cars exiting from driveways (see, for example, Photos 29 to 31).</p>  <p>Photo 34. Overhanging vegetation, southern side of Bell Street, west of The Esplanade</p>  <p>Photo 35. Overhanging vegetation, southern side of Bell Street adjacent to caravan park</p>			



FINDINGS, RECOMMENDATIONS & DECISION TRACKING

Issue No.	Review Findings & Recommendations	Risk	CLIENT RESPONSE	
			Accept: Yes / No	Reasons / Comments
	 <p>Photo 36. Overhanging vegetation at 18 The Esplanade</p> <p>Recommendation 39: <i>Contact property owners to ensure that overhanging vegetation is trimmed or removed.</i></p>			



3 CONCLUSIONS

Safety concerns have been identified in this Existing Conditions road safety audit, and it is considered that actions should be implemented to improve likely safety outcomes.

The issues identified in the audit need to be reviewed and necessary actions/changes made. Where recommended actions are not taken, this should be reported in writing providing reasons for that decision.

4 AUDIT STATEMENT

We certify that we have examined the specified road and environs to identify features that could be changed, removed or modified in order to improve safety. The problems identified have been noted in this report, together with recommendations, which should be studied for implementation.

Auditors

Handwritten signature of Jemima Macaulay in blue ink.

Jemima Macaulay
Associate
O'Brien Traffic

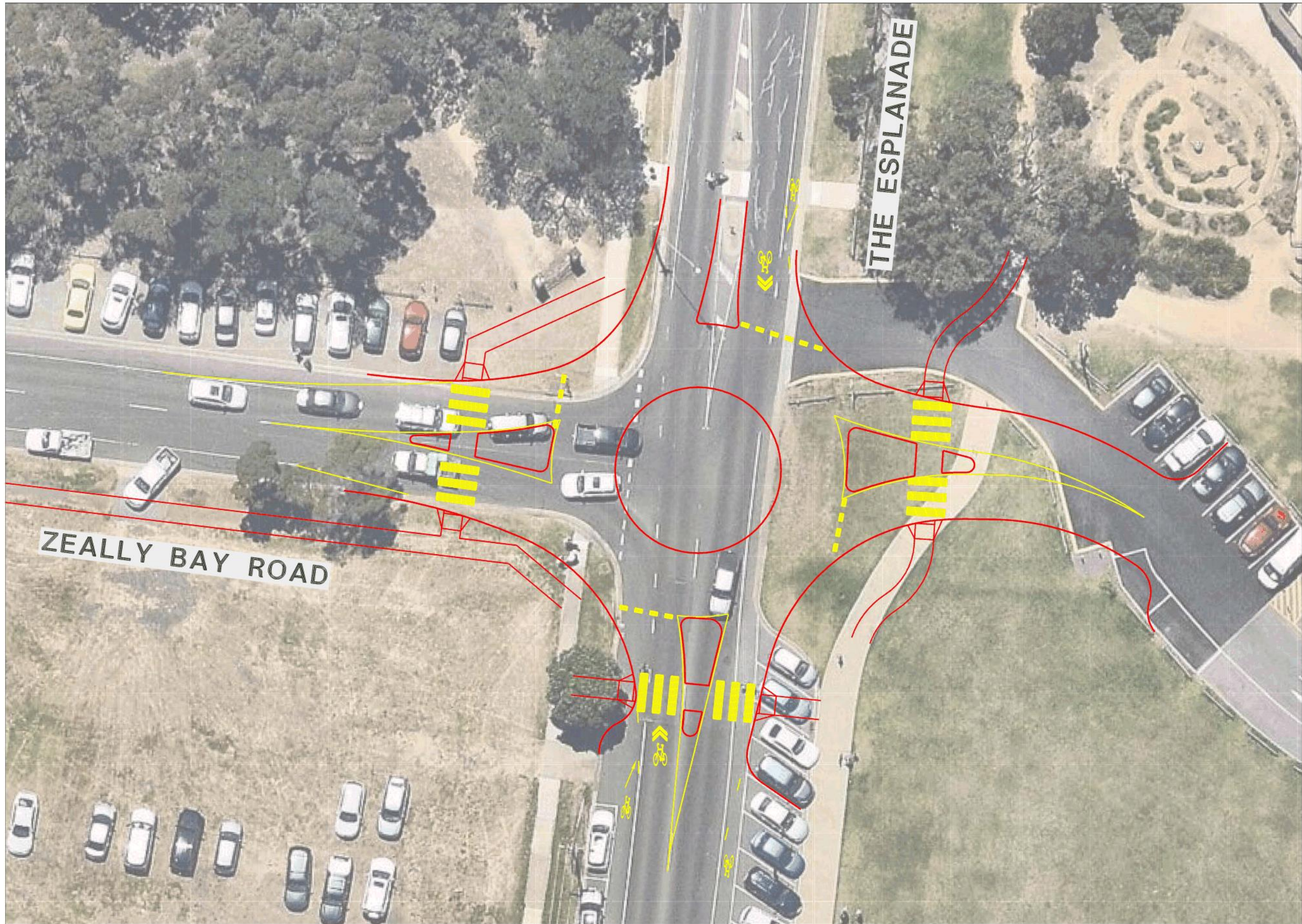
Handwritten signature of Matt Harridge in blue ink.

Matt Harridge
Director
O'Brien Traffic

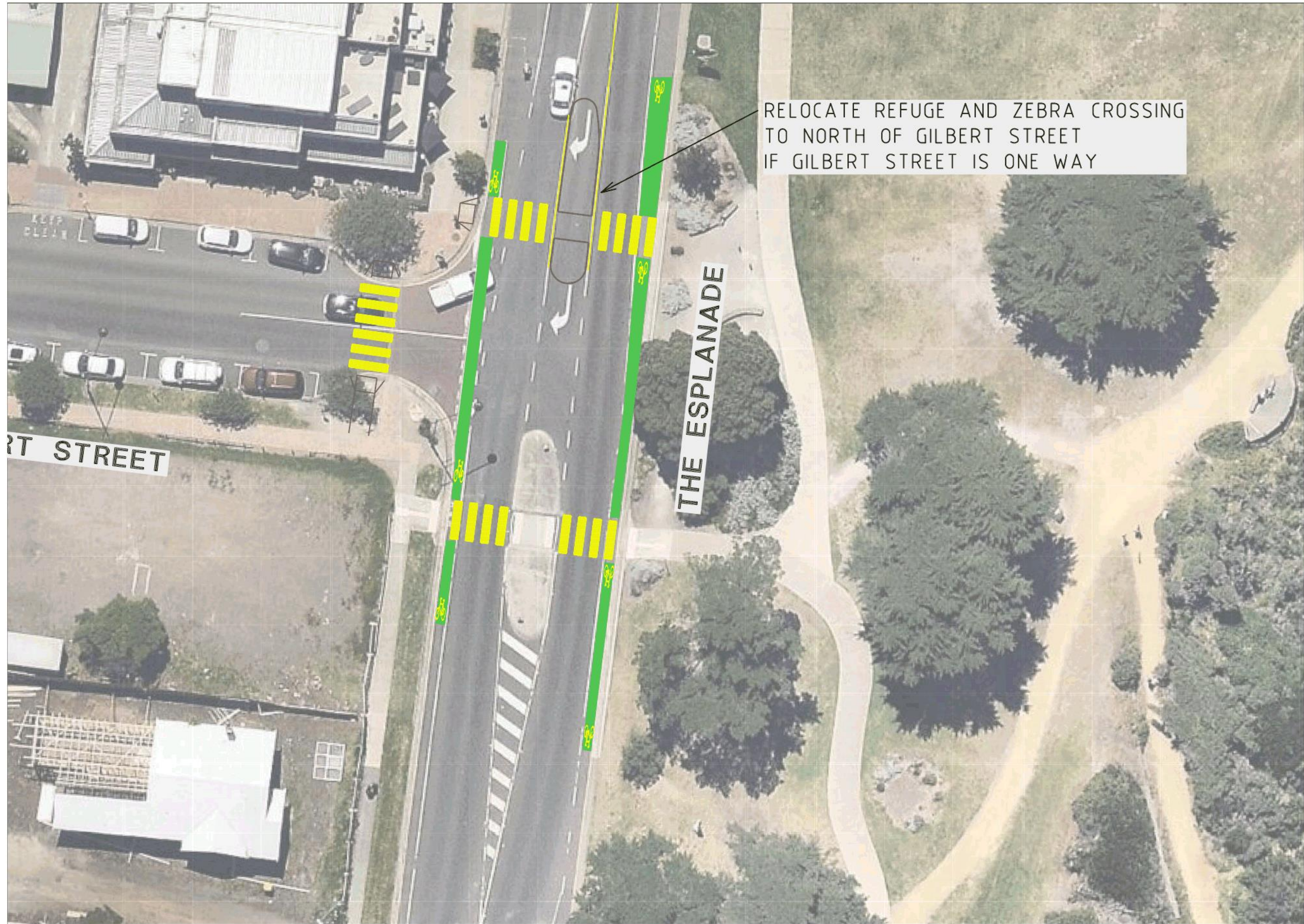


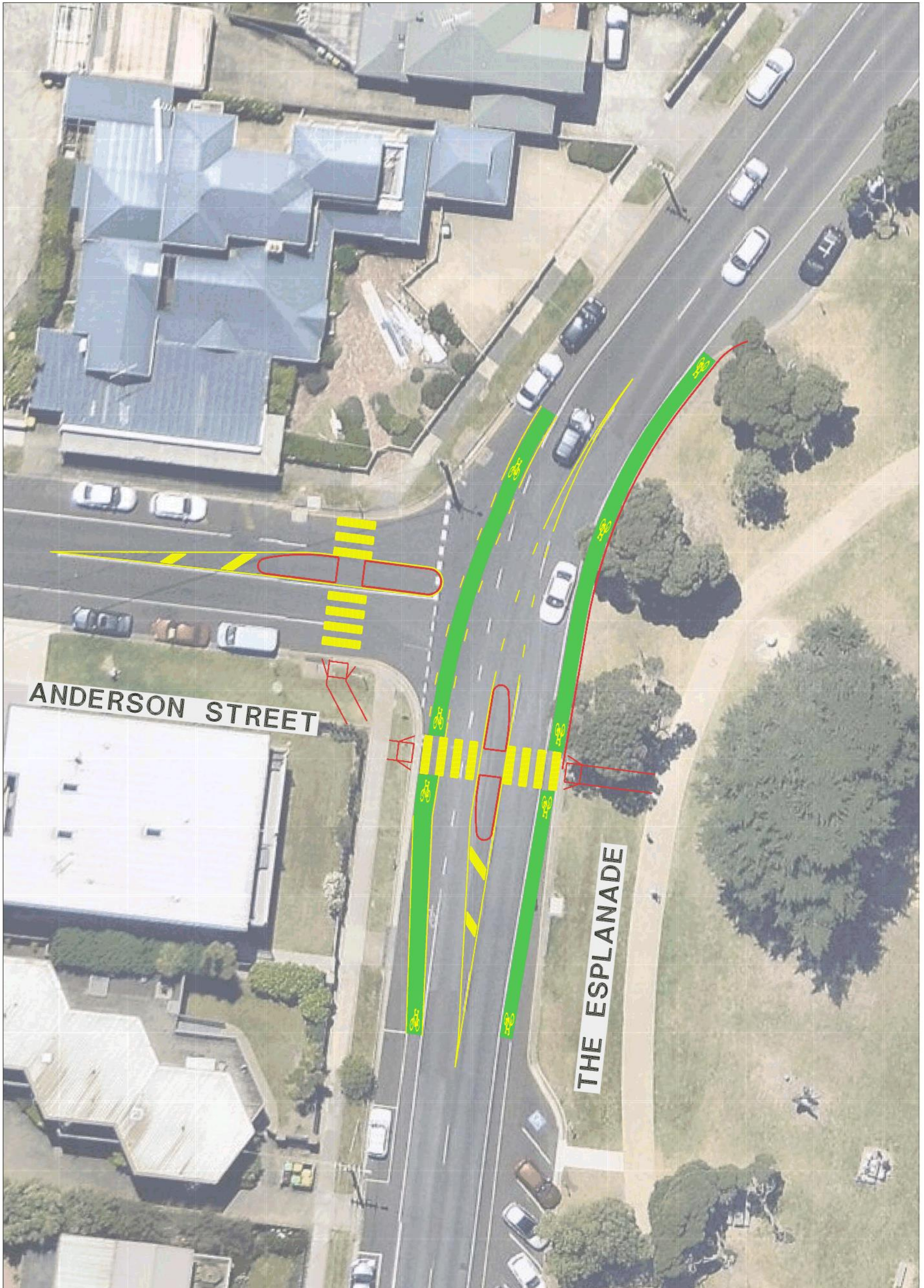
APPENDIX C

CONCEPT PLANS

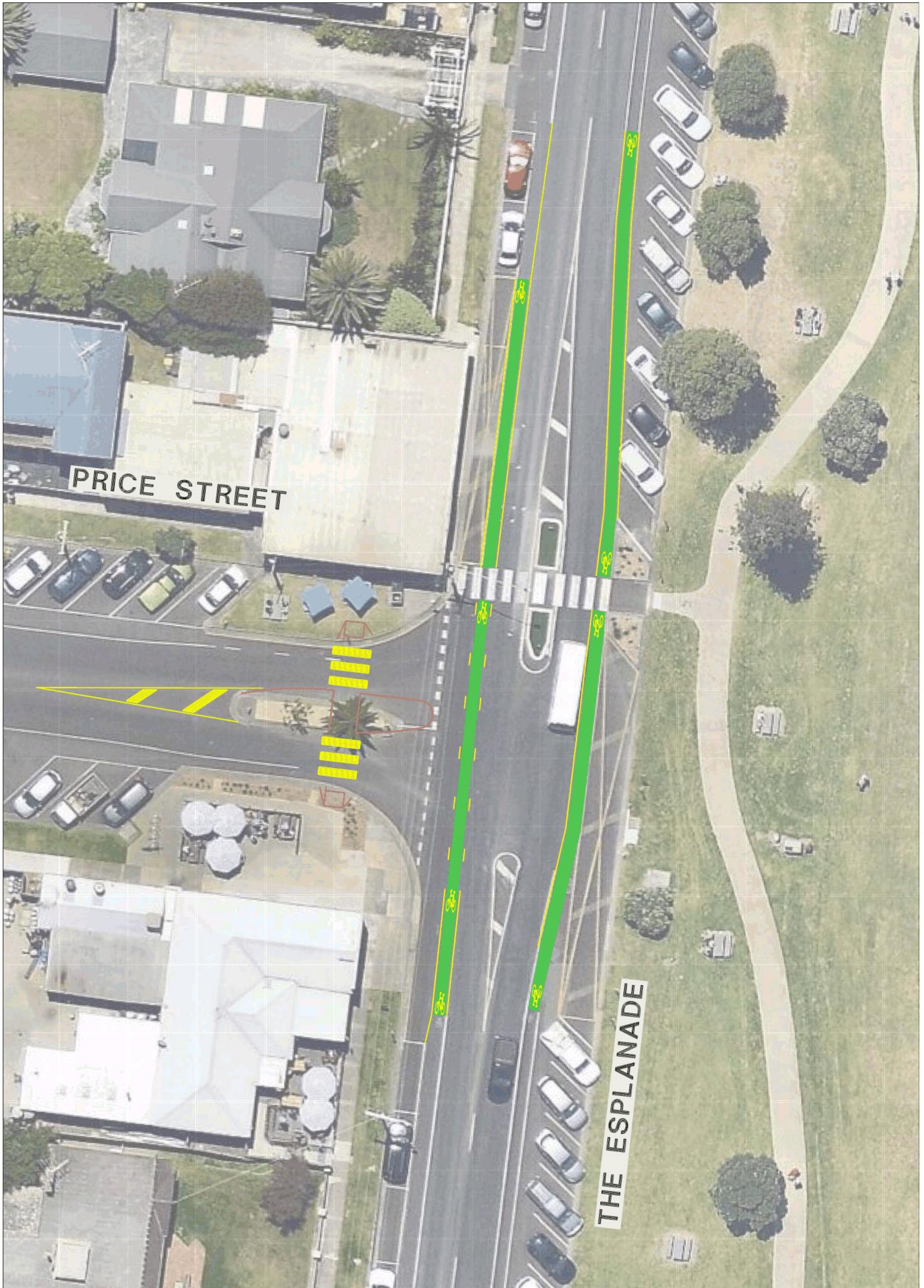




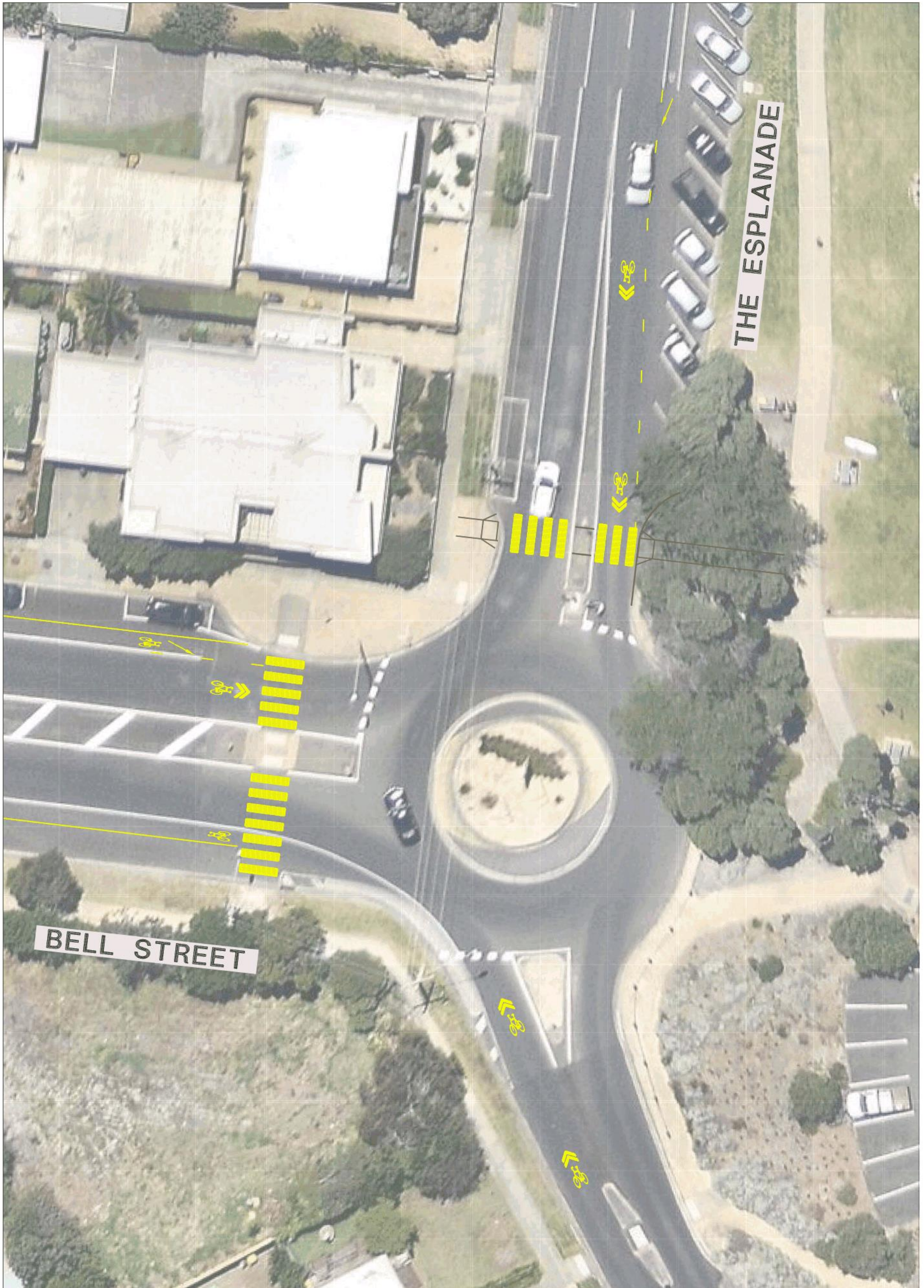


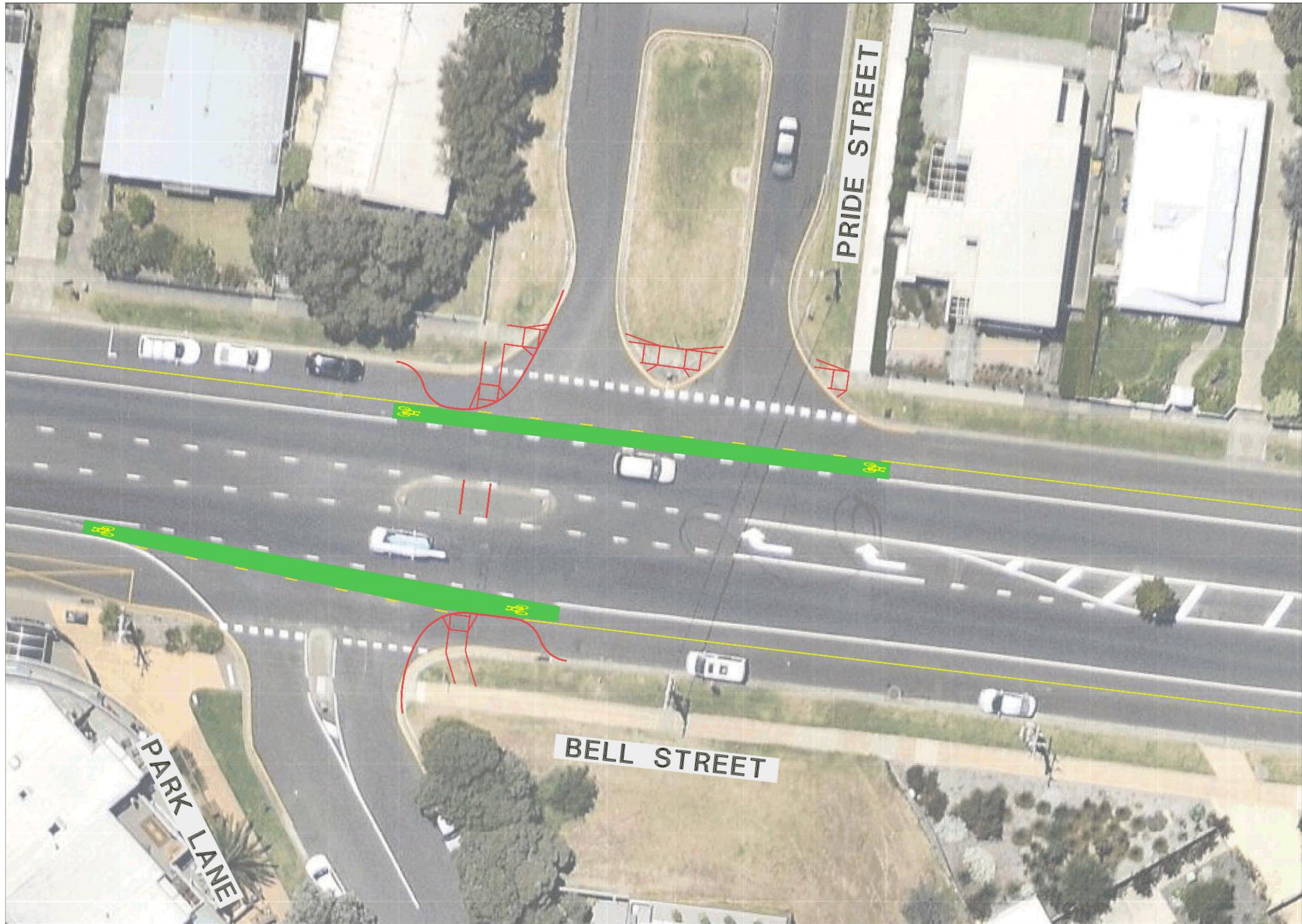




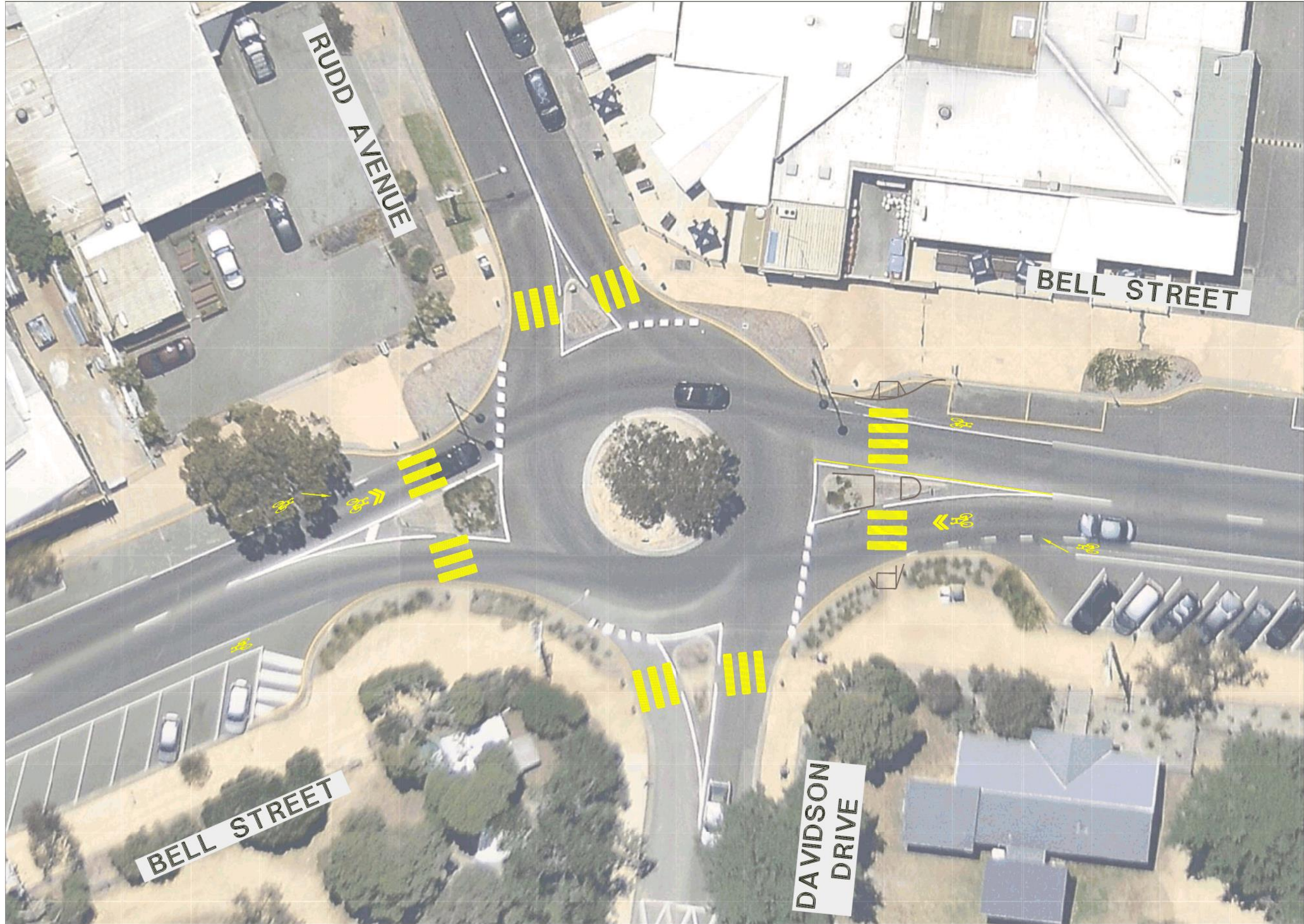












2.5 Traffic and Pedestrian Strategy for The Esplanade and Bell Street, Torquay

APPENDIX 2 PRESENTATION - TRAFFIC AND PEDESTRIAN STRATEGY - THE ESPLANADE AND BELL STREET, TORQUAY

Traffic and Pedestrian Strategy for The Esplanade and Bell Street





Strategy Context

- **With strong growth in population and visitation, the type and volume of traffic in central Torquay is changing.**
 - Population increase of more than 67 per cent between 2001 and 2013; growth in the surrounding regions such as Armstrong creek and growth in visitation.
 - 9,000 VPD at peak
- **The Esplanade and Bell Street as a key beach and entertainment precinct will need to adapt to ensure sustainable access and amenity can be maintained into the future.**
- **Currently reaching unsustainable level over the peak period with conflicts between the needs of pedestrians, traffic, cyclists and events.**
- **Opportune time to consider how the precinct can develop in a sustainable way to support the changing access priorities and pressures.**



Strategy Context

- **The current strategy looks at the short to medium term picture – How can the Esplanade and Bell Street grow/ adapt to meet the challenges over the next ten years and in line with community expectations concerns?**
- **The current strategy needs to also set a direction that will allow sustainable management of the precinct in the long term. How do we set the vision for this precinct– for example will the long term access to the beaches be by bus/ train & shuttle?**
- **If growth continues in line with data projections (population of between 25,000 and 28,000 by 2040) maintaining cars as the primary mode of transport to this precinct will be unlikely to be viable in the long term.**



Project Scope

In January a group of key internal Stakeholders met to agree the project scope including representatives from Engineering Services, Strategic Planning and Economic Development and it was planned to achieve the following:

Develop an independent strategy and costed action plan to facilitate improved pedestrian connectivity, traffic flow and road safety in the precinct over the next ten years.

Consider options to support international cycling events and growing events in precinct.

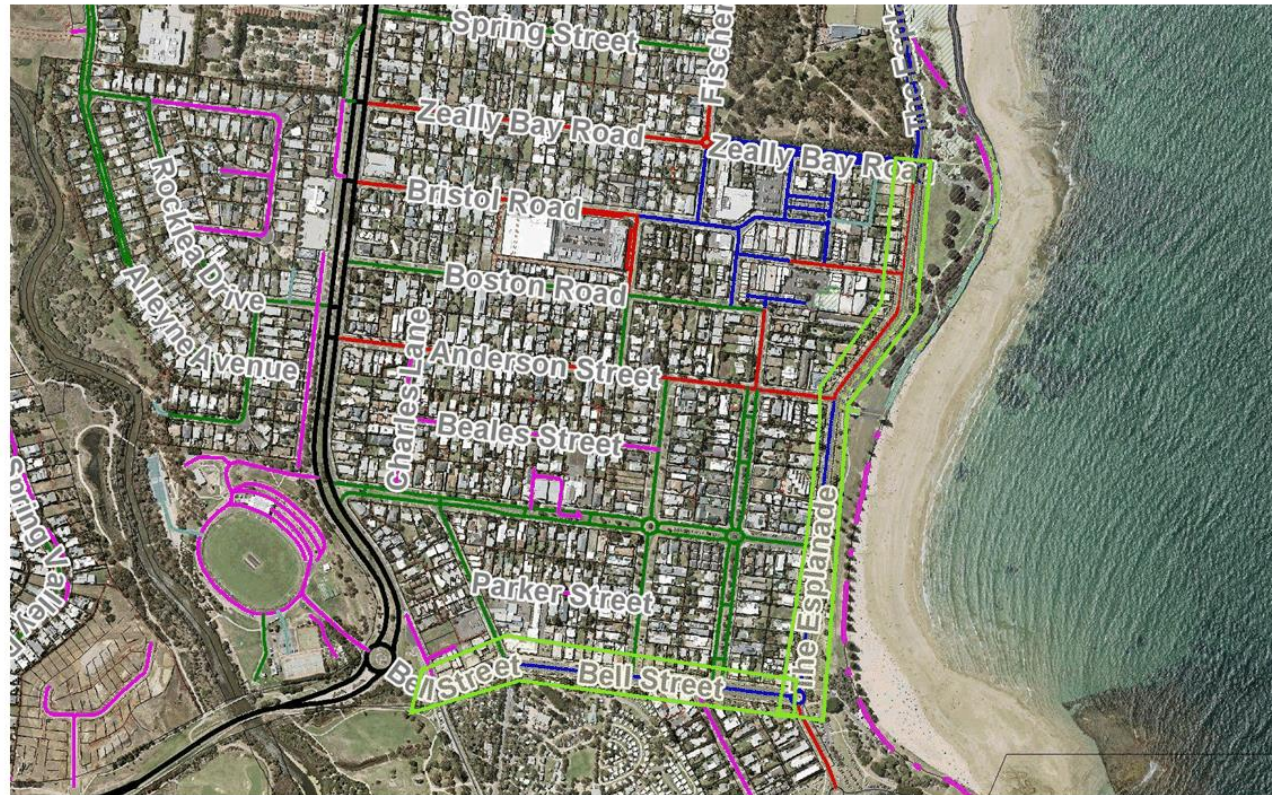
Traffic and Pedestrian Strategy for The Esplanade and Bell Street



Proposed Strategy

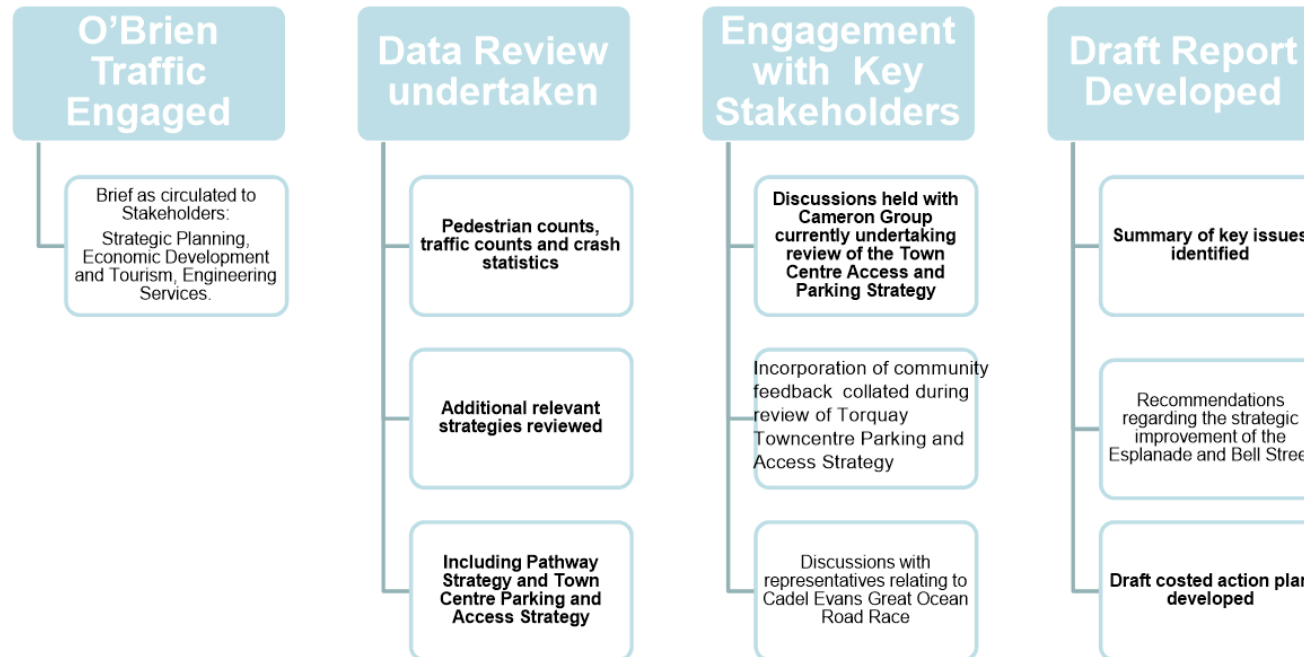
The Traffic and Pedestrian Strategy aims to provide an environment where traffic movement is secondary to pedestrian accessibility and cycling.

- Over time, this approach would provide improved opportunities for walking and cycling and greater connection between the town centre and the foreshore.





Actions Undertaken To Date

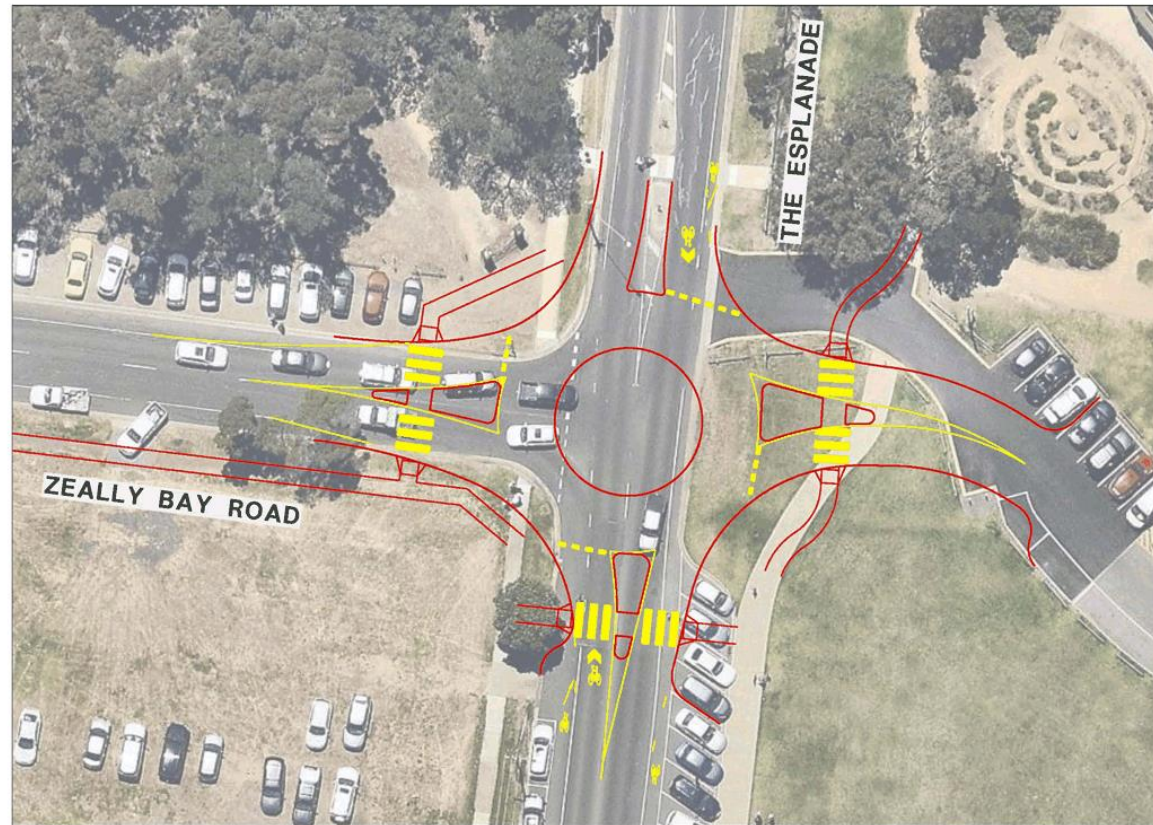




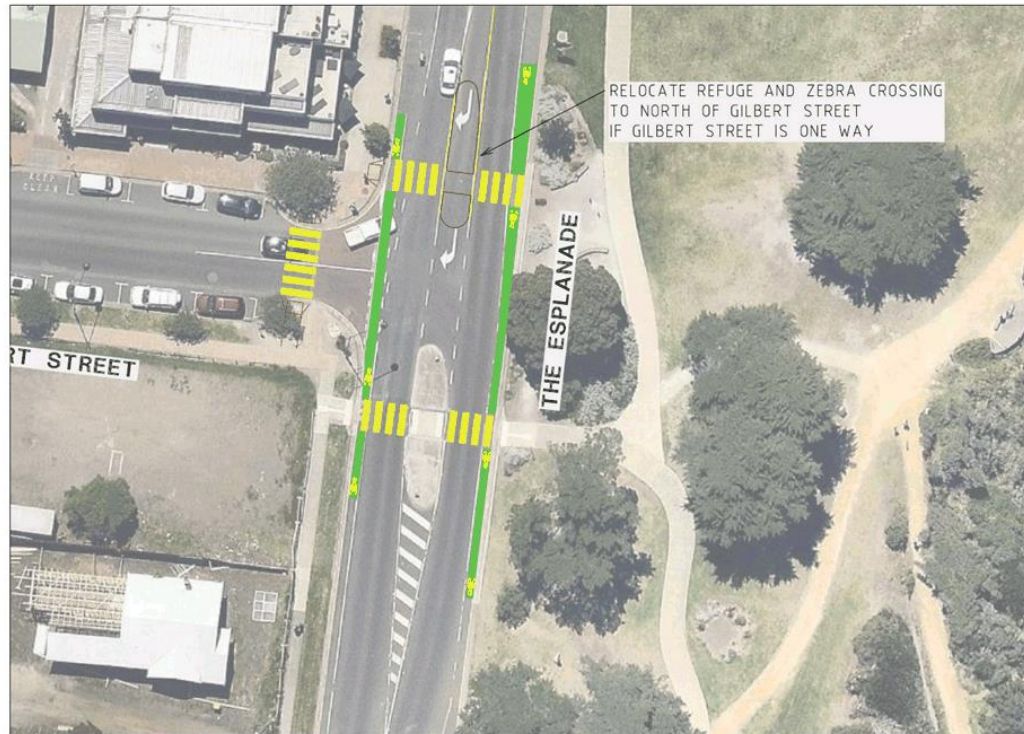
ACTION	ESTIMATED CONSTRUCTION COST*	MAINTENANCE COST	PRIORITY
1. Install a roundabout at The Esplanade/Zeally Bay Road intersection, including lighting upgrade, with zebra crossings on the southern, western and eastern legs. The entrance to the Torquay Play Park car park would be incorporated into the eastern leg of the roundabout. Permanent islands Removable islands – central island and southern splitter island	\$650,000 \$630,000	Low High	Medium Medium
2. Implement a speed limit of 40km/h along The Esplanade (south of Zeally Bay Road) and Bell Street.	\$10,000	Low	High
3. Provide zebra crossings with refuge islands and lighting upgrade on The Esplanade at key locations as follows: 3.1 South of Gilbert Street at the existing refuge island, or North of Gilbert Street, if Gilbert Street is converted to one-way (eastbound) Removable refuge island Permanent refuge island 3.2 South of Anderson Street (minor road widening required) Removable refuge island Permanent refuge island	\$6,000 \$18,000 \$23,000 \$30,000 \$35,000	Low High Low High Low	High High High High High
4. Provide zebra crossings on each leg of the roundabouts, including lighting upgrades as necessary, at: 4.1 The Esplanade/Bell Street (including modification to kerb outstand on north-eastern corner) 4.2 Bell Street/Rudd Ave/Davidson Drive (including modification to kerb outstand on north-eastern corner)	\$20,000 \$20,000	Low Low	High High
5. Provide kerb outstands with kerb ramps at the following locations on The Esplanade: 5.1 Opposite the pedestrian link to Coulson Lane (for future consideration) 5.2 Mid-block between Price Street and Anderson Street 5.2 Mid-block between Anderson Street and Bell Street	\$20,000 \$20,000 \$20,000	Low Low Low	Low Low Low

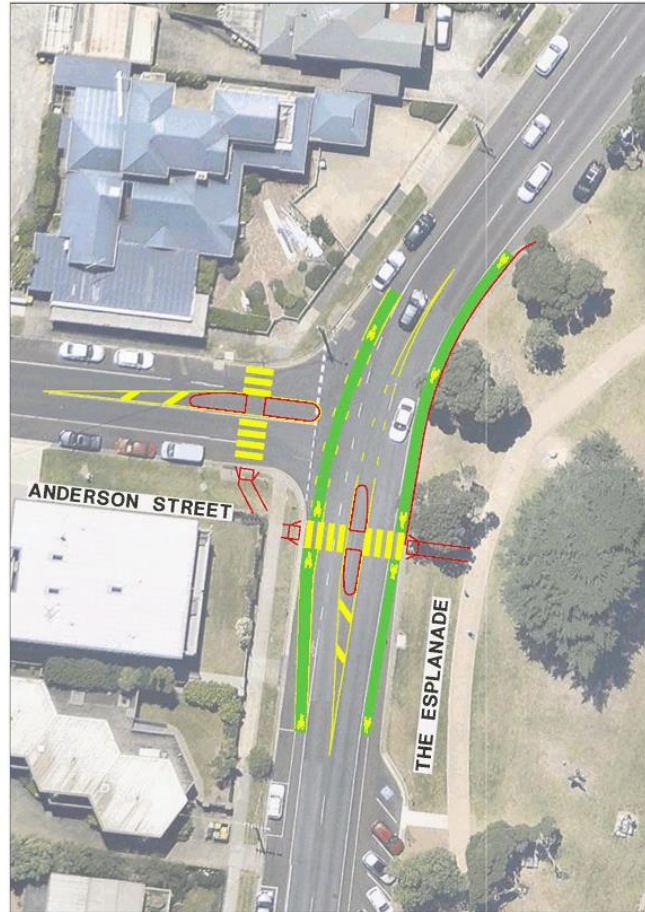
6.	Provide zebra crossings, including lighting upgrades, on the following side streets:			
6.1	<u>Zeally</u> Bay Road at The Esplanade	\$6,000	Low	Medium
6.2	Gilbert Street at The Esplanade	\$6,000	Low	High
6.3	Anderson Street at The Esplanade, including refuge island	\$20,000	Low	Medium
6.4	Price Street at The Esplanade, including modifications to existing splitter island	\$15,000	Low	Medium
7.	Provide kerb ramps at the following locations:			
7.1	Bell Street (southern side) east of Park Lane, (northern side) west side of <u>Munday</u> Street, and on median island	\$5,000	Low	Low
7.2	Pride Street at Bell Street -east and west side and on <u>splitter island</u> .	\$3,000	Low	Medium
8.	Construct footpath on the southern side of Bell Street between the caravan park eastern boundary and Surf Beach Drive (approximately 300m).	\$66,000	Low	Medium
9.	Upgrade bicycle lanes along The Esplanade and Bell Street including lane lines, bicycle logos and signage in accordance with AS1742.9-2000. Provide coloured pavement treatment at intersections with side streets.	\$100,000	Medium	High
10.	Provide <u>sharrows</u> on each approach to the roundabouts at the following locations:			
10.1	The Esplanade/Bell Street	\$8,000	Low	High
10.2	Bell Street/Surf Beach Drive	\$8,000	Low	High
11.	Undertake a review of Tactile Ground Surface Indicators along The Esplanade and Bell Street	\$8,000	N/a	Medium
12.	Review provision of timber bollards in Bell Street, in particular:			
12.1	Remove timber bollards from median islands in Bell Street and provide reflectors on kerb	\$4,000	N/a	Medium
12.2	Remove timber bollards from departure side of Bell Street/Rudd Avenue/Davidson Drive roundabout	\$2,000	N/a	Medium
12.3	Review provision/ location of timber bollards at pedestrian crossing points along Bell Street	\$2,000	N/a	Medium
12.	Implement recommendations from the Road Safety Audit in relation to damaged footpaths, pavement condition, signage, hazards, <u>linemarking</u> , vegetation etc.	From annual maintenance budget	Low	Refer RSA
13.	Engage landscape architects to provide a concept design to enhance The Esplanade and foreshore area.	\$15,000	N/a	Low

* NOTE DOES NOT INCLUDE DESIGN COST, PROJECT MANAGEMENT COST OR CONTINGENCY

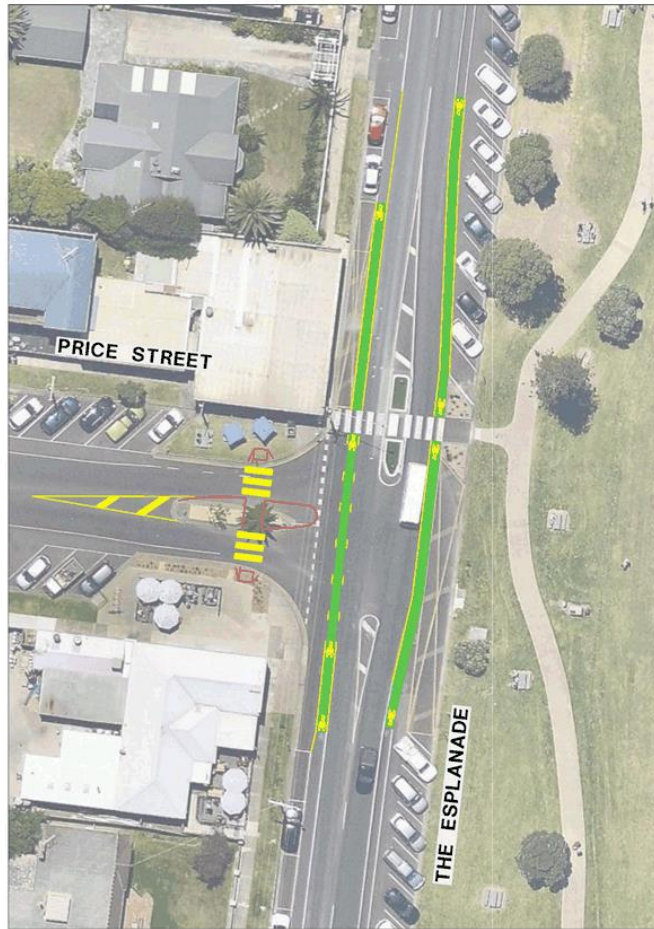






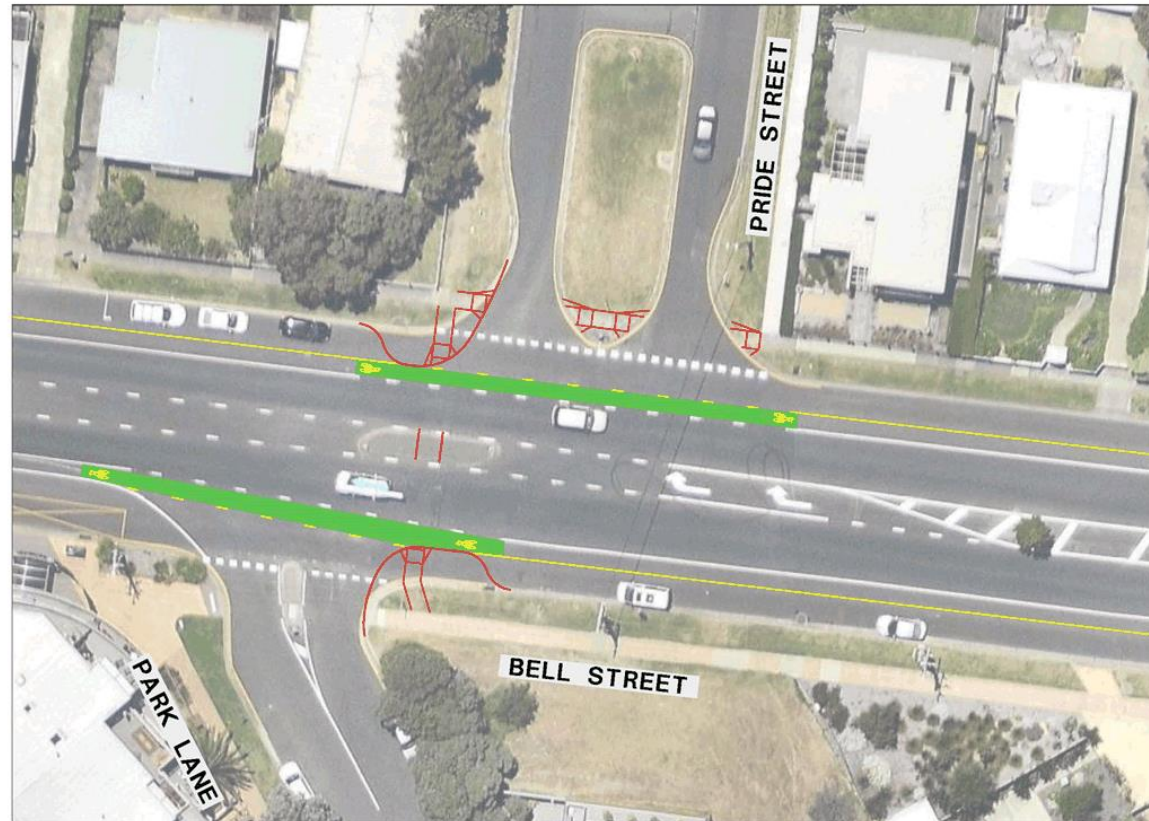




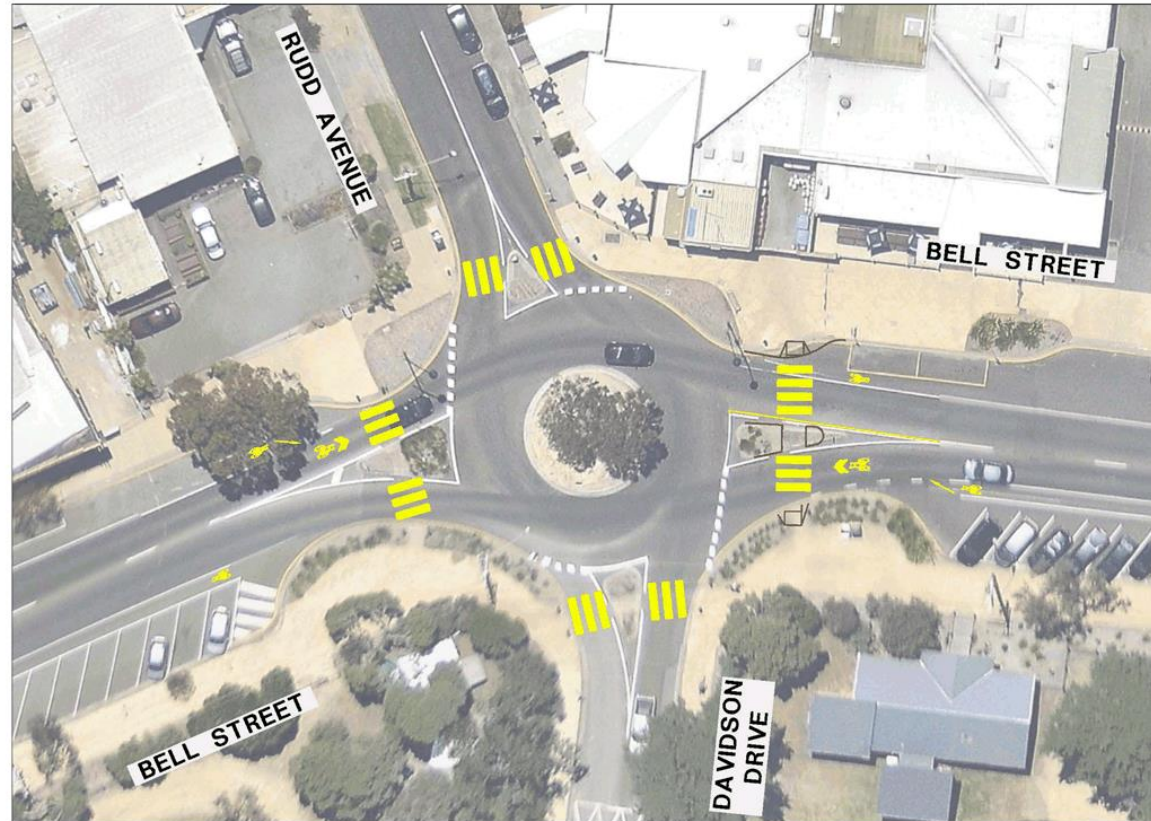














Financial Implications

- Long term cost to deliver all recommendations would be \$1,076,000.
- High priority actions under the strategy would have a total cost to Council of \$220,000.
- Potential grant opportunities which could be pursued include 'Transport Investing in Regions Initiative' and TAC Community and Local Government grants'.
- TAC grant closes in August 2017 offers up to \$100,000 funding if Council provides matched funding – total \$200,000.
- Next financial year there is a \$46,000 allocation under the 'Local Area Traffic Management, Parking and Pedestrian Improvements' budget.

Priority 1:
Recurrent Budgets

External Grant
Funding

Priority 2:
Funding Bids/
External Sources



Removable Versus Permanent Infrastructure

If Council wishes to provide an infrastructure free corridor to support the Cadel Evans Great Ocean Road and future potential events in the precinct it will be necessary to install removable infrastructure north of Price Street. The annual cost implication of removal and replacement of such infrastructure each year is as follows:

- Removable islands at Gilbert Street, Anderson Street and Price Street would have an annual cost of \$17,500 for removal and replacement each year to support event.
- Removable roundabout would have an annual cost of \$7,500 for removal and replacement each year. An alternative option would be a flat top roundabout.
- Removable infrastructure is expected to have a shorter lifespan and require replacement approximately every 10 years. The cost of replacement of a removable island pair at current market value is \$5,000. (i.e. \$15,000). Concrete infrastructure has an expected lifespan of 30 years with a replacement cost of \$10,000 every 30 years.



ANY QUESTIONS?



2.6 Place Naming Request - Jan Juc Shopping Centre and Bellbrae Oval

Author's Title: Manager Engineering Services

General Manager: Anne Howard

Department: Engineering Services

File No: F16/82

Division: Governance & Infrastructure

Trim No: IC17/607

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 seek Council direction regarding proposals to rename Jan Juc Shopping Centre as “Jan Juc Village” and name the oval at Bellbrae reserve as “Mary K Bell Oval.”

Summary

Council recently received the following two naming requests:

Jan Juc Village

Jan Juc traders have approached Council requesting the Jan Juc shopping precinct be renamed to “Jan Juc Village.” All traders have signed an agreement which supports the name change, and also agrees to pay for the cost of installation of new directional signage.

Naming of the oval at Bellbrae reserve as “Mary K Bell Oval.”

The original owner of the land before the reserve was created was Mary K Bell. Council has received a request from a resident to rename the oval as “Mary K Bell oval” in recognition of Mary Bell who originally owned the land the reserve was created on.

Council resolved at its 24 January 2017 Ordinary Meeting to issue a public notice, write to Jan Juc Traders and property owners abutting Bellbrae Reserve and invite submissions in accordance with Section 223 of the Local Government Act 1989. At the time of the submission period closing, only one submission was received which supported the renaming of the oval at Bellbrae reserve as “Mary K Bell Oval.”

Recommendation

That Council:

1. Declare that the Jan Juc shopping precinct be renamed to “Jan Juc Village.”
2. Declare that the oval at Bellbrae reserve be named “Mary K Bell Oval.”
3. Write to the Office of Geographic Names (OGN) advising of Council's declaration of points 1 and 2.
 - 3.1 Once Council receives formal approval from the Office of Geographic Names (OGN):
 - 3.1.1. Write to the resident who made the original request for the naming of the oval at Bellbrae reserve, and organise for signage to be installed; and
 - 3.1.2. Write to Jan Juc Traders advising how they can now arrange for the installation of new signage, and confirming the Jan Juc Traders are responsible for bearing all associated costs.
 - 3.1.3. Advise Emergency Services of the naming.

2.6 Place Naming Request - Jan Juc Shopping Centre and Bellbrae Oval

Report

Background

Council recently received the following two naming requests:

Jan Juc Village

Jan Juc traders have approached Council requesting the Jan Juc shopping precinct be renamed to "Jan Juc Village." All traders have signed an agreement which supports the name change, and also agrees to pay for the cost of installation of new directional signage.

Naming of the oval at Bellbrae reserve as "Mary K Bell Oval."

The original owner of the land before the reserve was created was Mary K Bell. Council has received a request from Christine Barr to rename the oval as "Mary K Bell oval" in recognition of Mary Bell who originally owned the land the reserve was created on.

Council resolved at its 24 January 2017 Ordinary Meeting to issue a public notice, write to Jan Juc Traders and property owners abutting Bellbrae Reserve and invite submissions in accordance with Section 223 of the Local Government Act 1989. At the time of the submission period closing, only one submission was received which supported the renaming of the oval at Bellbrae reserve as "Mary K Bell Oval."

Discussion

Jan Juc Village

During recent consultation with Jan Juc Traders, a request was received to rename the precinct as "Jan Juc Village." Council supports the renaming, and as such wishes to commence formal consultation with traders and the Jan Juc community by placing a public notice in local papers inviting submissions under Section 223 of the Local Government Act.

Nine Jan Juc Traders have signed an agreement which indicates support for the name change. Eight of these traders have also indicated support of funding installation of the new signage.

Naming of the oval at Bellbrae reserve as "Mary K Bell Oval."

Surf Coast Shire Heritage Study Stage 2B, July 2009:

Addiscot Homestead, 140 Bells Road, Bells Beach, has historical significance at a local level for its associations with John Calvert Bell (1861-1937), whose ownership of the property from 1905 witnessed its further development as a sheep grazing property and the construction of the surviving portion of the timber Late Victorian styled dwelling. Bell's contribution to farming and community life, including his term as Barrabool Shire Councillor between 1897 and 1901 prior to taking up Addiscot, appears to have been the basis for the change in the name of Jan Juc to Bellbrae in 1922. It was through a naming competition held by the Barrabool Shire where the name was selected, indicating the community's respect for J.C. Bell, then long term resident of Addiscot. J.C. Bell and family also have early and long term associations with the coastal reserve now known as Bells Beach. The Addiscot property originally fronted onto Bells Beach, with the narrow foreshore reserve privately leased to J.C. Bell as part of his Addiscot property from 1905 until soon after his death in 1940-41. The beach was the location for family seaside recreation in the early 20th century. Compulsory acquisition of further land from J.C. Bell's daughter, Mary K.A. Bell, in 1970 and 1971 brought about the reservation of the Bells Beach land as a National Park, with road access having been established since 1966, a year after the first annual Easter surf competition that was to become internationally renowned. Although there is debate as to whether the name of Bells Beach originates from William Bell (first Crown land purchaser of the Addiscot land) or from J.C. Bell and family, it was the latter family that have long term associations with the coastal reserve as part of their sheep grazing property and as their private beach until 1937.

Mary Kathleen Alexander (Girlye) Bell was born on 16 May 1894. She died in Geelong on 13 March 1978 and is buried beside John Wilson Bell at Mount Duneed Cemetery. She had lived at Addiscot with her father and later lived alone in a cottage nearby.

Financial Implications

There will be minor financial costs associated with the manufacture and installation of a new sign at Bellbrae reserve.

2.6 Place Naming Request - Jan Juc Shopping Centre and Bellbrae Oval

Council Plan

Theme 2 Governance
Objective 2.5 Enhanced community engagement
Strategy 2.5.2 Provide opportunities for all members of the community to engage with Council on issues that matter to them.

Policy/Legal Implications

The proposed names comply with relevant sections of the Geographic Place Names Guidelines developed under the Geographic Place Names Act. The naming proposals also comply with Council's Place Naming policy.

Officer Direct or Indirect Interest

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

Risk Assessment

Once formal registration or amendment of a location has occurred, Emergency Services will be advised of any changes. This minimises risk to the community in the event of an emergency.

Social Considerations

The community has been invited to provide input into proposed naming of these two features.

Community Engagement

Where the naming of features or renaming of roads is proposed, Council considers it important to consult with the community and provide an opportunity for input. Council has placed a public notice and written to affected parties inviting submissions under Section 223 of the Local Government Act.

Environmental Implications

Not applicable.

Communication

As outlined in *Community Engagement* above.

Conclusion

That Council declare to rename Jan Juc Shopping Centre as "Jan Juc Village" and name the oval at Bellbrae reserve as "Mary K Bell Oval" and commence the formal process to advise the Office of Geographic Names, Emergency Services, the Jan Juc Traders and the resident who initiated the Bellbrae reserve request.

2.7 Blackspot Funding Grant Opportunity

Author's Title: Project Design Engineer
Department: Engineering Services
Division: Governance & Infrastructure

General Manager: Anne Howard
File No: F16/1136
Trim No: IC17/774

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 purposes of this report are to:

1. Inform Council of the blackspot funding grant opportunities; and
2. Seek agreement from Council to pursue this grant in line with the recommendations of the 2016-2021 adopted Surf Coast Shire Road Safety Strategy.

Summary

VicRoads has approached Surf Coast Shire Council inviting Council to apply for 2018/19 grant funding at a number of blackspot/blacklength locations within the Surf Coast Shire managed local road network. Submissions to this program are due by 7 August 2017. Through adoption of the 2016-2021 Road Safety Strategy, Council committed to pursuing blackspot funding applications for projects that would address roads with high accident data (strategy action 1.1).

Based on detailed analyses of potential opportunities and discussions with VicRoads; blackspot funding submissions are recommended at the following locations:

- Intersection of Coombes Rd and Ghazepore Road – safety improvements including splitter islands, lighting and pavement widening to a value of \$140,000.
- Horseshoe Bend Rd from Fishers Road to Kalkarra Cr – one metre sealed shoulder widening on either side of road, guard fence and signage improvements to a value of \$690,000.
- Forest Rd from Gum Flats Road to Norton Road - One metre sealed shoulder widening on either side of road, guard fence, activated kangaroo warning signage and signage improvements to a value of \$670,000.
- William Street at Otway Street to Great Ocean Rd – Skid resistance improvement to high risk sections of road to a value of \$162,000.

If successful these projects would be fully funded through the blackspot funding program administered by VicRoads and have no requirement for a Council contribution. Council has had a good rate of success in achieving blackspot funding over the last two years. In 2017-18 Council successfully attracted funding of \$1,714,000 for shoulder widening works on Cape Otway Road.

Recommendation

That Council:

1. Authorise officers to lodge and pursue Blackspot funding applications for the following projects:
 - 1.1 Intersection of Coombes Rd and Ghazepore Road, estimated project cost of \$140,000;
 - 1.2 Horseshoe Bend Rd, Fishers Road to Kalkarra, estimated project cost of \$690,000;
 - 1.3 Forest Rd, Gum Flats Road to Norton Road, estimated project cost of \$670,000; and
 - 1.4 William Street, Otway Street to Great Ocean Rd estimated project cost of \$162.
2. Authorise the Chief Executive Officer to sign blackspot funding agreements on behalf of Council for any application that is successful.

2.7 Blackspot Funding Grant Opportunity

Report

Background

Council adopted the current Road Safety Strategy and Action Plan in July 2016. This strategy targets towards a zero death toll on roads within the Surf Coast Shire Council region. To achieve this it is vital that Council seek to address high accident locations across our network. One of the key opportunities for Council to seek funding for road safety improvements at high risk locations is through the Federal Blackspot Program. This was identified within the adopted strategy. VicRoads has recently approached Surf Coast Shire Council regarding this grant application for 2018/19 funding recommending that Council apply for a number of blackspot/blacklength locations within the Surf Coast Shire managed local road network.

Discussion

This blackspot program relies on a detailed assessment of accident hotspots and only funds projects that have a high benefit/cost ratio (fatality sites typically are high benefit) compared to other projects submitted across Australia. Council has been successful over the last two years in attracting \$3,814,000 of funding through this program.

The current grant funding proposal provides an excellent opportunity to address Council's highest risk locations and to tie in to works.

The locations considered for funding are key accident spots identified on our network both through the current five year accident data. The locations under consideration have also been raised by our community and Vic Police as key locations of concern and are as follows:

- Intersection of Coombes Rd and Ghazepore Road – high number of residents raising concern about the safety of the intersection. This proposal would look to introduce safety improvements including splitter islands, lighting and pavement widening to a value of \$140,000.
- Horseshoe bend Rd from Fishers Road to Kalkarra – One metre sealed shoulder widening on either side of road, guard fence and signage improvements to a value of \$690,000
- Forest Rd from Gum Flats Road to Norton Road – Residents and commercial truck operators have raised concern about the width of the seal and about kangaroo related accidents on a number of occasions. It is proposed that one metre sealed shoulder widening be provided on either side of road with guard fence, activated kangaroo warning signage and signage improvements to a value of \$670,000. This provides a good opportunity to tie into adjacent works.
- William Street at Otway Street to Great Ocean Rd – Vic Police have raised concern on a number of occasions about safety of this segment of road. This proposal would look to introduce Skid resistance improvement to high risk sections of road to a value of \$162,000

Financial Implications

If successful these projects would be fully funded by VicRoads with no requirement for a Council contribution.

Council Plan

Theme	1 Community Wellbeing
Objective	1.3 Improve community safety
Strategy	1.3.1 Understand community safety issues and needs, and design an appropriate local response.
Theme	5 High Performing Council
Objective	5.1 Ensure Council is financially sustainable and has the capability to deliver strategic objectives
Strategy	5.1.4 Build on relationships with agencies and key stakeholders for the benefit of the community
Theme	4 Vibrant Economy
Objective	4.1 Support the creation and retention of jobs in existing and new businesses to meet the needs of a growing community
Strategy	4.1.2 Investigate how the strategic road network impacts on commercial transport.

2.7 Blackspot Funding Grant Opportunity

Policy/Legal Implications

Under the Road Management Act, Council has a responsibility to provide a road network which is 'as safe for road users as is reasonably practicable'. Applying for this grant opportunity is one action under The Road Safety Strategy 2016-2021 which will help support this requirement.

Officer Direct or Indirect Interest

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

Risk Assessment

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

Social Considerations

The application is an opportunity to significantly improve road safety in the municipality.

Community Engagement

A communications plan and a community engagement plan would need to be developed for each individual project if successful to ensure all adjacent landholders and relevant stakeholders are engaged in the delivery of proposed works.

Environmental Implications

Any environmental impacts in regards to vegetation or tree removal or trimming will be carried out in consultation with Councils environment and planning department with any impacts kept to a minimum.

Communication

As per above a communications and community engagement plan will need to be developed for each individual project if successful, however it is envisaged that the local community will be consulted regarding the works via letter and in person via site meetings as required.

Conclusion

These blackspot funding grant opportunities would be in line with the recommended action plan from the Road Safety Strategy 2016-2021 which was developed in collaboration with key partners in VicRoads and Victoria Police. The locations identified for blackspot funding have been prepared through a detailed analysis of traffic crash data and provide an excellent opportunity for Council to upgrade high risk locations on our network.

3. ENVIRONMENT & DEVELOPMENT

3.1 Statutory Planning Fee Waiver and Rebate Policy SCS-028

Author's Title: Statutory Planner

General Manager: Ransce Salan

Department: Planning & Development

File No: F15/1626

Division: Environment & Development

Trim No: IC17/177

Appendix:

1. Council Policy SCS-028 - Statutory Planning Fee Waiver and Rebate - 25 July 2017 (D17/78422)

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 proposed Council Policy SCS-028 – Statutory Planning Fee Waiver and Rebate.

Summary

Planning regulation defines application fees and the circumstance when Council may apply its discretion to reduce or waive these fees. To date this discretion has been applied on an ad-hoc basis at the request of applicants, primarily when there is considered to be a community benefit. With recent fee increases there is also a risk the additional cost associated with planning fees may result in small scale community projects not being realised. A Council Policy would provide an equitable basis for the application of discretion in accordance with legislative requirements and can be clearly communicated to the public.

Recommendation

That Council:

1. Endorse the Statutory Planning Fee Waiver and Rebate Policy SCS-028.
2. Provide a rebate to eligible requests that meet the requirements of the policy on any application received on or after 13 October 2016.

3.1 Statutory Planning Fee Waiver and Rebate Policy SCS-028

Report

Background

Fees for most planning matters are prescribed by the *Planning and Environment (Fees) Regulations 2016* (the Regulations) and these regulations prescribe the circumstances where Council may waive or rebate those fees. To apply this discretion consistently and equitably it is appropriate to establish a policy.

Discussion

Planning fees recover a portion of the cost to Council of providing planning services. With the introduction of the Regulations on 13 October 2016 fees have increased significantly from previous levels; for example the permit application fee for undertaking development with an estimated cost less than \$10,000 has increased by 1080% (from \$102 to \$1102.10). Whilst more closely reflecting the cost to Council of assessing applications, these fees can be a significant burden, particularly for community groups seeking to develop facilities of public benefit, often using donated funds or government grants.

Section 47(b) of the *Planning and Environment Act 1987* (the Act) specifies that a planning permit application or application to amend a planning permit must be accompanied by the prescribed fee. Fee values are linked to the nature and complexity of the permission required.

The new planning Regulation 20 states in relation to waiving or rebating fees:

A responsible authority or the Minister may wholly or in part waive or rebate the payment of a fee, which the responsible authority or the Minister has received in connection with matters that do not relate to an amendment to a planning scheme, if—

- (a) an application is withdrawn and a new application is submitted in its place; or*
- (b) in the opinion of the responsible authority or the Minister the payment of the fee is not warranted because—*
 - (i) of the minor nature of the consideration of the matter decided or to be decided; or*
 - (ii) the requested service imposes on the responsible authority or the Minister (as the case may be) no appreciable burden or a lesser burden than usual for supplying that service; or*
- (c) in the opinion of the responsible authority or the Minister (as the case may be) the application or determination assists—*
 - (i) the proper development of the State, region or municipal district; or*
 - (ii) the proper development of part of the State, region or municipal district; or*
 - (iii) the preservation of buildings or places in the State, region or municipal district which are of historical or environmental interest; or*
- (d) the application relates to land used exclusively for charitable purposes.*

The Regulations therefore limit the discretion of Council to waive or rebate fees.

In addition to the prescribed fees, Council charges administrative fees for a range of matters associated with the processing of applications, including public notice and secondary consent applications (such as amendments to plans). As non-prescribed fees, full discretion is available to waive or rebate these fees, nevertheless it is appropriate for this discretion to be guided by policy for consistency.

Local Government comparison

A literature review has been undertaken of publicly available fee policies, with examples from Victoria and interstate identified. Commonly these policies, irrespective of jurisdiction, support waivers or rebates for community and charity groups. There are also examples of waiver support for applications related to the preservation of heritage places and policies which extend beyond planning fees (for example local law and land fill fees).

The most complete policy for planning fees based on Victorian legislation is that the City of Ballarat (CoB), with a policy which addresses most of the matters in regulation 20 and documents the process for applying for a waiver and delegation.

The policy of Mount Alexander Shire Council (MASC) applies only to community groups but also provides for waiver of fees for local laws, building permits and landfill in addition to planning. Glenelg Shire Council (GSC) has a policy which only deals with waiver of planning fees for applications under the Heritage Overlay relating to the preservation of historic places.

3.1 Statutory Planning Fee Waiver and Rebate Policy SCS-028

Regulation 20 matters

Withdrawn application

Applications may be withdrawn for many reasons; however the circumstance of an application being withdrawn and a new application being submitted in its place typically arises where the application process has revealed substantial issues with the proposal, either through the assessment of the planning officer, from a referral authority or from objections. An application may be amended, but a new application allows the matter to restart with a “clean slate” which is often appropriate where the new application is for a substantially modified proposal. Facilitating this by waiving the fee for the new application may result in a better outcome, resolve referral authority concerns or alleviate objections.

The CoB will waive the fee for any new application where it is made within six months of the first application being withdrawn. It is recommended that a varied approach be taken. Council, referral authorities and objectors may make a significant investment (including time and financial) in considering planning applications and these parties should not be prejudiced or disadvantaged by an applicant seeking to disrupt the normal planning process by making repeated applications; a practice which may be encouraged by removing the financial burden of fees.

It is recommended that the fee for a replacement application be rebated where the following applies:

- an application is withdrawn and a replacement application is made within six months; and:
 - the application is withdrawn before notice is given under section 52 of the Act, rebate 75% of the original application fee; or
 - the application is withdrawn after notice has been given under section 52 of the Act and before the commencement of a written assessment of the application by the planning officer, rebate 50% of the original application fee.
- in the opinion of the delegate (General Manager, Manager or Coordinator), the new application meaningfully addresses the issues which led to the original application being withdrawn.

If the replacement application fee is greater than the fee of the original application (from increased development cost, new permit triggers, etc), the difference must be paid by the applicant.

Minor nature of application or no appreciable or lesser burden

Any application generates an administrative burden for Council in the receipt, lodgement and assessment of the application and issuing of the decision. VicSmart applications cover many minor matters and are subject to lesser fees (maximum \$412.40). It is recommended that a waiver or rebate not be provided on the basis of a new permit application being of minor nature.

On occasion applications are withdrawn without having progressed far through the application process, typically after the planning officer has undertaken an initial assessment and identified significant hurdles to the application being approved. By the application being withdrawn early in the process the burden on Council is substantially reduced. The provision of a rebate can positively influence applicants in their decision to withdraw. It is recommended that a rebate be available for applications withdrawn before notice is given under section 52 of the Act with the rebate to be between 75% and 100% to be determined by the delegate (General Manager, Manager or Coordinator) based on the nature of the matter and the amount of work undertaken.

Recognising that there may be exceptional circumstances, it is further recommended that the policy provide scope for a rebate on withdrawing an application which have progressed past notice, where withdrawing the application will result in a material lesser burden on Council. For example, if not withdrawn the application is likely to proceed to VCAT and because of legal issues would require legal representation. For this category it is recommended that the delegation to approve a rebate be limited to the CEO and General Manager.

Proper development of the State, region or municipality

“Proper development” isn’t defined by the Regulations or the Act. The CoB approaches this as being development which is significant to the municipality with the discretion limited to the CEO. This is considered reasonable and it is recommended that the same approach be utilised for Surf Coast Shire.

3.1 Statutory Planning Fee Waiver and Rebate Policy SCS-028

Heritage places

There are many heritage places across the Surf Coast Shire which are protected by a Heritage Overlay. The Heritage Overlay has broad permit triggers which require, at times, planning permits for development which would otherwise be able to be undertaken without a planning permit. To support the preservation of heritage places, it is recommended that application fees be waived where:

- the permit is only triggered by the Heritage Overlay
- if applicable, the development consists of the demolition of non-original fabric
- the development is to restore or conserve the heritage attributes of a significant place.

This is consistent with the approach taken by GSC and a number of interstate authorities.

Charitable purposes

It is recommended that a fee waiver be provided for applications that relate to land used exclusively for charitable purposes if all of the following requirements are met:

1. The applicant must be:
 - (a) not-for-profit; and
 - (b) have a charitable purpose; and
 - (c) for the public benefit of the Surf Coast Shire community.A charity registered with the Australian Charities and Not-for-profits Commission (ACNC) is deemed to satisfy requirements (a) and (b);
2. The request to waive or reduce fees must set out the community benefit that will derive from the development/use
3. The application must meet all requirements in relation to the provision of information, including completion of forms and submission of plans and written documentation. Where applicable, this includes consent under the *Coastal Management Act 1995*;
4. There must be no unpaid debt owed to Council by the organisation
5. The application must not be for:
 - (a) Use of land or development with an estimated cost exceeding \$1,000,000; or
 - (b) Use of land for the sale and consumption of liquor or expansion of that use; or
 - (c) Land which is used for gambling or gaming.

The estimated cost threshold of \$1,000,000 is recommended as developments above this are likely to be significant in scale and liable to require a substantial resource commitment from Council to process those applications. Whilst the fee (\$3,277.70) is considerable it represents just 0.3% of the development cost (at \$1M). The greatest impact on project viability will arise for small developments; for example a non-residential development costing \$10,000 would have a fee of \$1,102.10 (11%).

It is recommended that waivers expressly not be provided for applications which facilitate or support gaming or gambling given the societal harm which can arise from these activities. It is considered that financial support by Council for these activities would be inconsistent with the *Council Plan 2017-2021* (Strategy 7 Reinforce policies to manage electronic gaming machines).

It is further recommended that waivers not be provided for applications to use or expand use for the sale and consumption of liquor. Noting however that a renewable limited licence (a common licence type for a club) does not require a planning permit. Whilst recognising that alcohol consumption is a broadly accepted element of social activities undertaken by clubs or groups, it is also a significantly more commercialised form of revenue raising and not of direct public benefit to the community. The *Council Plan* states:

However, there are other areas [of health and wellbeing] where the Surf Coast does not score as well, particularly in relation to alcohol use. People in the Surf Coast spend more on packaged liquor and at licensed premises than the Victorian average (VicHealth, 2012). As a holiday destination, the Surf Coast is at risk of being an environment of increased alcohol consumption. A number of actions will be undertaken to address these issues, as they are not confined to one cohort or situation.

Applications for premises which include the sale and consumption of liquor are more likely to receive objections based on amenity impacts from the consumption of alcohol and therefore are more likely to create an administrative burden on Council. Licensed facilities are also more likely to be used for purposes beyond a charitable purpose, such as for private functions, thereby going past the discretion afforded for land used exclusively for charitable purposes.

3.1 Statutory Planning Fee Waiver and Rebate Policy SCS-028

This exclusion would not prevent a waiver being provided for an application to use or develop land with an existing licenced premises where not expanding the licenced area. For example an existing licensed lifesaving club constructing a new storage area or training room would be eligible for a waiver if all other requirements are satisfied, unless the licenced area was being expanded to include the training room.

In addition to waiving application fees, it is recommended that administrative fees associated with public notice and secondary consent applications also be waived.

It should be noted that most developments for community groups on Council owned and managed land is undertaken by or on behalf of Council and therefore are exempt from requiring a permit under the applicable zone provisions or Clause 62.02-1 (developments undertaken by Council with an estimated cost of up to \$1,000,000). For example the development of sporting facilities and clubhouse buildings on open space reserves will typically not require a permit under the Public Park and Recreation Zone. This is reflected in the small number of applications received that fit within this category.

The most common circumstance of a charitable group requiring a planning permit will be those groups operating on coastal Crown land, such as lifesaving clubs. Use and development on coastal land will usually require consent under the *Coastal Management Act 1995* and pursuant to section 61(3) Council must not grant a permit unless that consent has been given. Therefore where an application is made without the consent having been received, Council may expend significant resources on a futile application if the consent is not then given. The consent should accompany the application to be eligible for a waiver.

There are two planning permit applications relating to land used for charitable purposes made since the introduction of the Regulations on 13 October 2016 which may be eligible for a waiver/rebate:

- 16/0520 – 90 South Beach Road, Torquay – Use and development of an education centre. A rebate request has been received from Catholic Education Melbourne, a registered charity; however the applicant was Now Architecture. The estimated cost of development is \$7.5 million (fee of \$8810.70; 0.12% of development cost). The application would not be eligible for a waiver under the policy due to not satisfying requirements 1 and 5(a).
- 16/0528 – 120 Great Ocean Road, Anglesea (Anglesea Motor Yacht Club) – Alterations and additions to the existing club house and removal of native vegetation. A request has been made to rebate the fee paid. The club isn't a registered charity, however it may meet the requirements of being not-for-profit, having a charitable purpose and of benefit to the community. The proposed development may be of benefit to the community and it has an estimated development cost of \$400,000 (fee of \$1456.70 – 0.36% of development cost). The application is to date not complete as consent under the Coastal Management Act has not been granted. The premises is currently licenced (Renewable Limited) and the application doesn't propose a permit required licence. The application would not presently be eligible for a waiver under the policy due to not satisfying requirement 3 and additional information would be required to support that requirements 1 and 2 are met.

As a rebate is a refund or reimbursement, a request may be received retrospective to the application being decided. It is recommended that retrospective requests on be considered for applications received after the introduction of the Regulations and in accordance with the policy.

Financial Implications

Planning fees are important revenue for offsetting the cost of providing planning services. The provision of waivers or rebates will reduce this revenue.

In 2016, 14 applications were withdrawn (2.4% of applications) with 7 receiving a full refund of fees of total value \$3,426. These applications were only reviewed in brief, but most receiving a refund were withdrawn early in the process before significant effort had been expended. All but one of these applications were made before fees increased in October, extrapolating to current fee values, total refunds would be in the order of \$8,670. None of the applications are known to have been replaced by a new application. Council's expenditure to process these applications through to determination will have varied depending on complexity, but the average cost to Council is about \$1,750 per application, or \$12,250 for the 7 applications that were refunded.

3.1 Statutory Planning Fee Waiver and Rebate Policy SCS-028

Current systems do not allow for reporting on fees being waived due to the application being of minor nature, of little burden, for proper development or preservation of heritage, however the Coordinator Statutory Planning has advised that this hasn't occurred to their knowledge other than for the above mentioned withdrawn applications (due to no appreciable burden).

A brief review of recent planning permit applications received from community groups has been undertaken and summarised in the following table. The fees recorded below do not include administrative charges, such as for public notice (\$126 for up to 15 properties, plus \$9 for each property over 15).

Year	Organisation	Reg. Charity?	Council Land?	Proposal	Est. Cost	Fee Paid	Current Fee
2013	Anglesea Community Garden	No	Yes	Shelter	\$5,000	Waived (\$102)	\$1,102.10
2014	Torquay Historical Society	Yes	No	Torquay War Memorial Upgrade	\$20,000	Waived (\$604)	\$1,102.10
2014	Lorne Surf Life Saving Club	Yes	No	Building Alterations	\$35,000	\$604	\$1,102.10
2014	Anglesea Surf Life Saving Club	Yes	No	Building Redevelopment	\$4M	\$1153	\$3,277.70
2015	ANGAIR	Yes	Yes	Propagation Centre	\$25,000	\$604	\$1,102.10
2015	Torquay Improvement Association	No	No	New Building	\$750,000	\$1066	\$2,118.80
2016	Anglesea Motor Yacht Club	No	No	Building Additions	\$400,000	\$1456.70	\$1486.00

Given the yearly variation in the number and nature of applications from community groups it is difficult to define the financial implication of providing consistent waivers under a policy; however a conservative yearly estimate is \$3,000 to \$10,000.

Based on the above history the total lost revenue from providing waivers or rebates is estimated to be between \$10,000 and \$20,000 per annum, however this would be offset in part by savings derived from not processing applications through to determination if they are withdrawn.

It is considered that the consistent application of a policy is more prudent than providing waivers or rebates on a case by case basis as presently occurs.

Organisations which wouldn't qualify for a fee waiver/rebate, may also obtain financial support from Council through other mechanisms such as the Small Grants program.

Council Plan

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

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

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 discretion to waive or rebate planning fees is limited by the Regulations. Regulation 21 requires that the decision to waive or rebate, including the matters considered, must be recorded in writing. A formal policy will assist in consistent compliance with legislative requirements.

3.1 Statutory Planning Fee Waiver and Rebate Policy SCS-028

Given the legislative basis and limitation on discretion to provide fee waivers and rebates, it is considered that a Council Policy is appropriate to manage the operational application of that discretion and to provide a clear process to be followed by applicants and internally.

Officer Direct or Indirect Interest

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

Risk Assessment

The adoption of a policy will reduce risk. In accordance with section 47 of the Act an application must be accompanied by the prescribed fee and the fee may only be rebated or waived in accordance with regulation 20 and a written record of the reason must be maintained. Failing to accord with these legislated requirements may invalidate an application and any decision of Council on the application if challenged by an aggrieved party.

Of the historical applications identified where a waiver or rebate has been provided at the time the application was made; only one of these included a written record of Council's reasons. This occurred in a period when there was less guidance in the legislation. The new regulations require a higher level of transparency and consistency. A policy will address both of these aspects and aid the robust application of legislation.

Social Considerations

The many community groups within the Shire contribute to the community wellbeing. Providing financial assistance through planning fee relief for community projects with public benefit is consistent with the Council Plan.

Community Engagement

The preparation of a policy which provides an equitable basis for providing waivers responds to occasional requests received from individuals for fee relief and from community groups for Council financial support for projects.

Environmental Implications

There are no anticipated environmental implications.

Communication

The policy will be made available on Council's website.

Conclusion

Planning legislation prescribes fees and limits the discretion of Council to provide waivers or rebates. With recent regulation changes the financial burden of making a planning permit application has increased significantly. Whilst this is important in supporting Council's provision of planning services it has the potential to prejudice the delivery of projects by community groups that are of public benefit for Surf Coast. It also emphasises the need for a consistent and equitable approach to applying Council's discretion. For these reasons it is recommended that a Council Policy for applying regulation 20 of the *Planning and Environment (Fees) Regulations 2016* be adopted.

3.1 Statutory Planning Fee Waiver and Rebate Policy SCS-028

APPENDIX 1 COUNCIL POLICY SCS-028 - STATUTORY PLANNING FEE WAIVER AND REBATE - 25 JULY 2017

COUNCIL POLICY



Statutory Planning Fee Waiver and Rebate	Document No:	SCS 028
	Approval Date:	
	Approved By:	
	Review Date:	
Responsible Officer: Manager Planning and Development	TRIM Reference #:	D17/78422
Authorising Officer:	Chief Executive Officer	

1. Purpose

This policy prescribes the circumstances where a statutory planning fee waiver or rebate may be applied.

2. Scope

This policy covers the waiving or rebating of prescribed fees pursuant to section 20 of the Regulations and associated statutory planning administrative fees.

It does not cover the waiving or rebating of prescribed fees pursuant to section 19 of the Regulations relating to amendment of a planning scheme or pursuant to section 12 of the *Subdivision (Fees) Regulations 2016*.

3. Application

This policy applies to Council, its employees and all applicants seeking a waiver or reduction of prescribed fees or statutory planning fees in relation to an application.

4. Basis

Regulation 20 of the Regulations specifies that:

A responsible authority or the Minister may wholly or in part waive or rebate the payment of a fee, which the responsible authority or the Minister has received in connection with matters that do not relate to an amendment to a planning scheme, if—

- (a) *an application is withdrawn and a new application is submitted in its place; or*
- (b) *in the opinion of the responsible authority or the Minister the payment of the fee is not warranted because—*
 - (i) *of the minor nature of the consideration of the matter decided or to be decided; or*
 - (ii) *the requested service imposes on the responsible authority or the Minister (as the case may be) no appreciable burden or a lesser burden than usual for supplying that service; or*
- (c) *in the opinion of the responsible authority or the Minister (as the case may be) the application or determination assists—*
 - (i) *the proper development of the State, region or municipal district; or*
 - (ii) *the proper development of part of the State, region or municipal district; or*
 - (iii) *the preservation of buildings or places in the State, region or municipal district which are of historical or environmental interest; or*
- (d) *the application relates to land used exclusively for charitable purposes.*

5. Definitions

Administrative fees: fees associated with the making and processing of an application, other than prescribed fees, such as for applying for secondary consent approval and the giving of public notice.

Application: an application made pursuant to section 47 or 72 of the Act or for any matter requiring the approval of the responsible authority under the Surf Coast Planning Scheme or a planning permit.

Charitable purpose: as defined by the Commonwealth *Charities Act 2013* -

- (a) the purpose of advancing health;
- (b) the purpose of advancing education;
- (c) the purpose of advancing social or public welfare;
- (d) the purpose of advancing religion;
- (e) the purpose of advancing culture;
- (f) the purpose of promoting reconciliation, mutual respect and tolerance between groups of individuals that are in Australia;
- (g) the purpose of promoting or protecting human rights;
- (h) the purpose of advancing the security or safety of Australia or the Australian public;
- (i) the purpose of preventing or relieving the suffering of animals;
- (j) the purpose of advancing the natural environment;
- (k) any other purpose beneficial to the general public that may reasonably be regarded as analogous to, or within the spirit of, any of the purposes mentioned in paragraphs (a) to (j);
- (l) the purpose of promoting or opposing a change to any matter established by law, policy or practice in the Commonwealth, a State, a Territory or another country, if:
 - (i) in the case of promoting a change--the change is in furtherance or in aid of one or more of the purposes mentioned in paragraphs (a) to (k); or
 - (ii) in the case of opposing a change--the change is in opposition to, or in hindrance of, one or more of the purposes mentioned in those paragraphs.

Delegated officer: an officer delegated by the Council or Chief Executive Officer, as appropriate, by an approved instrument of delegation, with the authority to waive or rebate a fee under regulation 20 of the Regulations.

Prescribed fee: a fee prescribed by the regulations

Responsible authority: Surf Coast Shire Council as the authority responsible for administering and enforcing the Surf Coast Planning Scheme.

Statutory planning fee: prescribed fees and administrative fees associated with the assessment and processing of an application

The Act: *Planning and Environment Act 1987*

The Regulations: *Planning and Environment (Fees) Regulations 2016*

6. Policy

It is policy to waive or rebate statutory planning fees if one or more of the following circumstances apply:

(a) An application is withdrawn and a new application is submitted in its place

Where an application is withdrawn and a replacement application is made within six months a rebate on the prescribed fee for the new application will be provided where the following apply:

1. In the opinion of the delegated officer, the new application meaningfully addresses the issues which led to the original application being withdrawn; and -
 - (a) the application is withdrawn before notice is given under section 52 of the Act, rebate 75% of the prescribed fee for the withdrawn application; or
 - (b) the application is withdrawn after notice has been given under section 52 of the Act and before the commencement of a written assessment of the application by the planning officer, rebate 50% of the prescribed fee for the withdrawn application.

If the prescribed fee of the new application is greater than the prescribed fee of the withdrawn application the difference in the fees must be paid in full.

Administrative fees will not be waived or rebated for this type of application.

- ### (b) In the opinion of the responsible authority the payment of the fee is not warranted because—
- (i) of the minor nature of the consideration of the matter decided or to be decided; or
 - (ii) the requested service imposes on the responsible authority no appreciable burden or a lesser burden than usual for supplying that service

Where an application under section 47 or 72 of the Act is withdrawn before notice is given under section 52 of the Act a rebate on the prescribed fee will be provided. The rebate will be between 75% and 100% of the prescribed fee at the discretion of the delegated officer, after considering the amount of work undertaken by Council on the application.

Where an application under section 47 or 72 of the Act is withdrawn after notice is given under section 52 of the Act a rebate on the prescribed fee may be provided at the discretion of the Chief Executive Officer or General Manager Environment and Development where satisfied that the withdrawal of the application will result in a lesser burden on Council resources.

Administrative fees will not be waived or rebated for this type of application.

- (c) **In the opinion of the responsible authority the application or determination assists—**
- (i) **the proper development of the State, region or municipal district; or**
 - (ii) **the proper development of part of the State, region or municipal district; or**
 - (iii) **the preservation of buildings or places in the State, region or municipal district which are of historical or environmental interest**

Proper development

At the sole discretion of the Chief Executive Officer, a waiver or rebate of statutory planning fees may be provided for an application to use or develop land which will deliver a significant community benefit for the State, G21 region or Surf Coast Shire.

Preservation of place of historical interest

A waiver of the prescribed fee will be provided for an application where:

1. The permit is only triggered by the Heritage Overlay; and
2. If applicable, the development consists of the demolition of only non-original fabric; and
3. The development is to restore or conserve the heritage attributes of a significant place.

Administrative fees will not be waived or rebated for this type of application.

- (d) **The application relates to land used exclusively for charitable purposes.**

A waiver of statutory planning fees will be provided for applications on land used exclusively for charitable purposes where all the following requirements are met:

1. The applicant must be an organisation which must :
 - (a) be not-for-profit; and
 - (b) have a charitable purpose; and
 - (c) be for the public benefit of the Surf Coast Shire.A charity registered with the Australian Charities and Not-for-profits Commission (ACNC) is deemed to satisfy requirements (a) and (b);
2. The request to waive or reduce fees must set out the community benefit that will derive from the development or use;
3. The application meets requirements in relation to the provision of information, including completion of forms and submission of plans and written documentation. Where applicable, this includes consent under the *Coastal Management Act 1995*;
4. There must be no unpaid debt owed to Council by the organisation;
5. The application must not be for:
 - (a) Use of land or development with an estimated cost exceeding \$1,000,000; or
 - (b) Use of land for the sale and consumption of liquor or expansion of that use; or
 - (c) Land which is used for gambling or gaming.

6. Procedure

In order for an applicant to be provided with a waiver or rebate, the applicant is required to complete the relevant sections of Form A attached to this policy. The timing for the submission of the request is to be as follows:

Request for waiver/rebate under regulation 20:		At the time of:
(a)	An application is withdrawn and a new application is submitted in its place	Making the new application
(b)	In the opinion of the responsible authority the payment of the fee is not warranted because— (i) of the minor nature of the consideration of the matter decided or to be decided; or (ii) the requested service imposes on the responsible authority no appreciable burden or a lesser burden than usual for supplying that service	Withdrawing the application
(c)	In the opinion of the responsible authority the application or determination assists— (i) the proper development of the State, region or municipal district; or (ii) the proper development of part of the State, region or municipal district; or (iii) the preservation of buildings or places in the State, region or municipal district which are of historical or environmental interest	Making the application
(d)	The application relates to land used exclusively for charitable purposes.	Making the application

The decision to waive or rebate fees will be made by the delegated officer. The decision will be recorded in accordance with regulation 21 of the Regulations. The decision will be recorded by the completion of Form B, a copy of which will be provided to the applicant and placed on the application file.

Any waiving or reduction of fees will be recorded for business unit financial reporting.

7. Records

Records shall be retained for at least the period shown below.

Record	Retention/Disposal Responsibility	Retention Period	Location
The matters taken into account and which formed the basis of the decision to waive or rebate the fee	Coordinator Statutory Planning	Permanent	HPRM

8. Attachments

- Form A – Request for fee waiver or rebate
- Form B – Determination of request for fee waiver or rebate

9. References

- Planning and Environment Act 1987
- Planning and Environment (Fees) Regulations 2016



Form A – Request for Fee Waiver or Rebate

Applicant Details

Name: _____
Company/Organisation: _____
Address: _____
Phone: _____ **Email:** _____

Subject Property

Address: _____
Application Number (if known): _____

Basis for requesting a fee waiver or rebate under regulation 20

Tick box

(a) **Application replaces a previously withdrawn application:**

Withdrawn application number: _____
Date application withdrawn: _____

(b) **Withdrawing application:**

(c) **The application assists the proper development of the State, G21 region or Surf Coast Shire:**
How does the application assist the proper development of the State, G21 region or Surf Coast Shire?
(attach additional pages if required)

(d) **Application assists the preservation of a building or place of historical interest:**

Heritage Overlay Schedule Number (if known): _____



Form A – Request for Fee Waiver or Rebate

(e) The application relates to land used exclusively for charitable purposes.

1. Is the organisation registered with the Australian Charities and Not-for-profits Commission?

Yes No

Charity ABN:

If yes provide ABN and proceed to 4

2. Is the organisation not-for-profit?

Yes No

3. What is the charitable purpose of the organisation? (attach additional pages if required)

4. What public benefit does the organisation provide to the Surf Coast Shire?
(attach additional pages if required)

5. What community benefit will the proposed use and/or development deliver?
(attach additional pages if required)

Please Note this form must be read in conjunction with regulation 20 of the *Planning and Environment (Fees) Regulations 2016* and the Council Policy – Statutory Planning Fee Waiver and Rebate.

DECLARATION

I declare that all the information in this request is true and correct.

Signed:

Dated:

Privacy Statement: The Surf Coast Shire considers that the responsible handling of personal information is a key aspect of democratic governance, and is strongly committed to protecting an individual's right to privacy. Council will comply with the Information Privacy Principles as set out in the Information Privacy Act, 2000. The information will not be disclosed to any other party unless Council is required to do so by law.



Form A – Request for Fee Waiver or Rebate

Office use only

Determination

Applicant:

Subject Property Address:

Application Number:

Approved:

Refused:

Reasons for decision:

Name of delegated officer:	
Position of delegated officer:	
Signed:	
Date:	

3.2 Submission on proposed Accommodation Planning Reforms

Author's Title: Statutory Planner

General Manager: Ransce Salan

Department: Planning & Development

File No: F11/730

Division: Environment & Development

Trim No: IC17/636

Appendix:

1. Surf Coast Shire Submission on Proposed Accommodation Reforms (D17/69474)
2. Existing Clauses (D17/72393)
3. Proposed Community Care Accommodation, Rooming House and Public Housing Provisions (D17/72395)

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 note the submission made on the Department of Environment, Land, Water and Planning reforms to Clauses 52.22, 52.23 and 52.24 of all planning schemes.

Summary

The Department of Environment, Land, Water and Planning have exhibited and sought feedback on proposed changes to planning provisions relating to community care accommodation and rooming houses and new provisions to facilitate public housing. Overall the proposed provisions are considered to be a positive change which refine, clarify and strengthen a number of existing controls which are important for facilitating accommodation for disadvantaged within the community. They also support the delivery of affordable housing by public authorities.

However there is concern about the consequence of replacing the shared housing provision with the proposed rooming house provision. A substantial proportion of housing stock within the Shire is used for short-term accommodation, either as a private holiday home for the property owners or for visitor accommodation. This use is able to occur without the need for a permit under the benefit of the shared housing exemption. The proposed changes would remove this exemption other than for rooming houses, resulting in the need for a permit to use the land for accommodation. This change would create a significant regulatory burden for Council through increased and more complex applications and greater enforcement. It is further considered to be inconsistent with community expectations.

A submission has been made outlining these concerns and advocating for a broader review of the accommodation provisions, including the definition of dwelling and provisions to provide for holiday house use within residential areas.

Recommendation

That Council note the submission made on the Department of Environment, Land, Water and Planning proposed reforms to Clauses 52.22, 52.23 and 52.24 of all planning schemes.

3.2 Submission on proposed Accommodation Planning Reforms

Report

Background

The Department of Environment, Land, Water and Planning (DELWP) has sought submissions on proposed new provisions to facilitate public housing, community care accommodation and rooming house accommodation. This consultation has occurred in advance of an amendment to the planning scheme.

Discussion

The State Planning Policy Framework identifies for all planning schemes the objective “*To promote a housing market that meets community needs*” with the strategy:

Ensure that the planning system supports the appropriate quantity, quality and type of housing, including the provision of aged care facilities, supported accommodation for people with disability, rooming houses, student accommodation and social housing. [Clause 16.01-1]

Specifically for crisis accommodation and community care units the objective is “*To encourage the establishment of crisis accommodation and community care units in residential areas and to ensure that their location is kept confidential*” to be achieved through the strategy:

Planning schemes must not:

- *Require a planning permit for or prohibit the use of a dwelling of up to 10 habitable rooms in a residential area as shared housing or crisis accommodation*
- *Identify the site of a community care unit or a dwelling used for crisis accommodation as having that use*
- *Require a permit for or prohibit the use of buildings for community care units (with accommodation for no more than 20 clients plus supervisory staff) in areas used mainly for housing. [Clause 16.02-2].*

These objectives and strategies are implemented through the particular provisions of Clauses 52.22 Crisis accommodation, 52.23 Shared housing and 52.24 Community care unit.

The Minister for Planning has requested DELWP to review and investigate reforms to the crisis accommodation, shared housing and community care unit provisions. The purpose of the review is described by DELWP as “*improve and clarify the provisions, introduce exemptions for the development of domestic scale establishments and continue the existing permit exemptions for land use.*”

Under the exhibited changes, current Clauses 52.22 and 52.24 will be replaced by a consolidated Clause 52.22 Community care accommodation. Under this revised clause a permit will not be required to use land for community care accommodation in specified residential and commercial zones subject to the conditions:

- *a condition opposite the use in the applicable zone table of uses must be met*
- *the use is funded or provided by or on behalf of a public authority including a public authority established for a public purpose under a Commonwealth Act*
- *no more than 20 persons are accommodated on the land. This does not include staff*
- *no more than 10 persons who are not residents may access support services provided on the land.*

A permit may still be required to develop a building for community care accommodation under another provision of the planning scheme (such as a Neighbourhood Character Overlay). However proposed Clause 52.22 creates an exemption from the notice and review provisions of the Act if the application is made by a public authority, in order to maintain the confidentiality of this type of accommodation. A new definition for community care accommodation is inserted at Clause 74 to clearly define the use.

Clause 52.23 Shared housing is proposed to be replaced by a new Clause 52.23 Rooming house. A new definition for rooming house is also inserted at Clause 74:

Land used to provide accommodation as a rooming house defined by the Residential Tenancies Act 1997. It must provide accommodation as a primary place of residence and include a shared entry, facilities and common areas including a kitchen and living area. It may include on site management.

Proposed Clause 52.23 provides that within specified residential and commercial zones a permit will not be required for a rooming house if all the following requirements are met:

- *a condition opposite the use in the applicable zone table of uses must be met*
- *the gross floor area of all buildings on the land is no more than 300 square metres*
- *no more than 12 persons are accommodated on the land*
- *no more than 8 bedrooms are provided.*

3.2 Submission on proposed Accommodation Planning Reforms

As with proposed Clause 52.22 a permit may be required for the construction of a building under other provisions but any application would be exempt from notice and review if the application was made by a public authority.

To facilitate the delivery of public housing, it is proposed to introduce new Clause 52.41. This clause will apply to the development of a dwelling by or on behalf of a public authority. Rather than creating an exemption from a permit to construct public housing it provides that:

An application to construct or extend two or more dwellings on a lot is exempt from a requirement to meet Clause 55 in a zone and a requirement, including a permit requirement, to provide car parking in the scheme if all of the following requirements are met:

- *the land is greater than 300 square metres*
- *a condition opposite the land use Dwelling in the zone table of uses is met*
- *not more than 10 dwellings are developed on the land*
- *the maximum building height specified in the zone or schedule to the zone is met*
- *the following standards set out in Clause 55 of this scheme or specified in the schedule to the zone must be met;*
 - *B6 street setback*
 - *B17 side and rear setbacks*
 - *B18 walls on boundaries*
 - *B19 daylight to existing windows*
 - *B20 existing north facing windows*
 - *B21 overshadowing existing open space*
 - *B22 overlooking.*

For the purpose of this clause the Clause 55 standards are mandatory requirements. The objectives and decision guidelines of Clause 55 do not apply.

As with the other proposed clauses, Clause 52.41 would make any application by a public authority for a dwelling exempt from notice requirements and review rights.

Overall, the proposed changes are supported. It is considered important that planning facilitate the provision of housing for disabled and disadvantaged people and the proposed changes are a refinement of long standing provisions within the planning scheme. The new provisions for rooming houses and public housing are also supported for contributing to the delivery of alternative forms of accommodation and greater housing affordability. The rooming house provision also better aligns the planning scheme with Building Regulations (a rooming house requires a Class 1b building permit), *Residential Tenancies Act 1987* and Residential Tenancies (Rooming House Standards) Regulation 2012.

However there is a significant concern about a consequence of removing the existing Clause 52.23 Shared housing exemption. Existing Clause 52.23 has a much broader scope than the proposed rooming house provision. Presently the clause provides that a permit is not required to use a building, including outbuildings normal to a dwelling to house a person or people if all the following requirements are met:

- *is in an area or zone which is used mainly for housing*
- *provides self-contained accommodation*
- *does not have more than 10 habitable rooms.*

Within Surf Coast Shire, the primary utilisation of this exemption is to allow houses within the towns to be used for holiday accommodation, either by the owners of the property or through rental to visitors.

The term dwelling is employed extensively throughout the planning scheme and a long term issue has been the terms role as a defined use of land and as a description of a building type. Clause 74 defines a dwelling as:

A building used as a self-contained residence which must include:

- a) a kitchen sink;*
- b) food preparation facilities;*
- c) a bath or shower; and*
- d) a closet pan and wash basin.*

It includes out-buildings and works normal to a dwelling.

The dual roles of this term can be seen in the operation of the General Residential Zone (GRZ). Under this zone the land may be used for the purpose of dwelling without need for a permit. However under the

3.2 Submission on proposed Accommodation Planning Reforms

buildings and works provisions of the zone, a permit may be required to construct a dwelling if the lot is less than 300m² and is required to construct two or more on a lot.

In the decision of the Tribunal in *Armato v Hepburn Shire* [2007] VCAT 603, Deputy President Gibson stated:

- “11 ...The definition of dwelling provides that it is a building used as a self-contained residence which must contain certain facilities. Residence means a place where people live or reside either permanently or for a considerable period of time.
- 12 It is important to remember that the definition of dwelling in clause 74 is a definition of a land use term and the inclusion of dwelling in tables of uses within various zones relates to the use of land for a dwelling not its development for a building. Buildings and works are separately controlled by zone and sometimes overlay provisions.
- 13 It is also important when considering whether the land is used as a dwelling not to be distracted by the form of buildings on the land. Just because there is a house on the land does not necessarily mean that it is being used as a dwelling. The house on the subject land may well be used as a residence in other circumstances, but it is not being so used at present. The use of land for planning purposes is not determined by the style of development but the purpose for which the land is actually used. Thus it is fallacious to say that because there is a house on the land ipso facto the land is being used as a dwelling.”

Where an accommodation building is not being used as a dwelling, as in a holiday house, it necessarily results that another use of land is occurring. In *Armato* the member commented:

- 25 I consider that the same reasoning is applicable to characterising land uses within the accommodation group. In my view, none of the defined land use terms included in the accommodation group readily covers the type of accommodation provided in the present case, namely a single house (or flat etc) which is used for the purpose of short term rental accommodation but which is not a residence in terms that no one lives or resides there permanently or for considerable periods of time. It is surprising that there is no specific definition that encompasses short term, single unit accommodation such as holiday houses and tourist accommodation like Holly Lodge. In these circumstances, such accommodation units must be characterised as “accommodation”. It is a situation where the separate, specific land use terms nested below accommodation in the accommodation group in Clause 75.01 do not “cover the field” of the head land use term.

The broad use of accommodation is a permit required use within the GRZ. However a permit for use is avoided under the exemption of Clause 52.23 as long as the requirements of that clause are met. With permanent occupancy as low as 30-40% within some of the coastal towns, this represents a significant proportion of housing stock most likely being used legally used for holiday/short-term accommodation without a permit under the benefit of Clause 52.23. DP Gibson commented in *Armato*:

- 57 In my view, if the government considers that tourist or short term accommodation should not have the benefit of the exemption from the need for a planning permit provided by Clause 52.23, then the Victoria Planning Provisions and all planning schemes should be amended accordingly. But based on the planning scheme as it is today, my conclusion is that where accommodation of any sort, including tourist or other short term accommodation, is of a domestic scale and meets the requirements of clause 52.23 in terms of being in an area or zone which is used mainly for housing, provides self-contained accommodation and does not have more than 10 habitable rooms, then under the operation of clause 52.23 it does not need a permit.

Under the proposed replacement of Clause 52.23 Rooming house would remove the exemption currently available. In the information supporting the proposed reforms DELWP have stated:

“VCAT have previously determined (*Armato v Hepburn Shire* [2007] VCAT 6031 and *Douglas v Mansfield* [2007] VCAT 828) that any land use included in the term accommodation (which includes uses such as boarding house, backpackers lodge, residential hotel, group accommodation and residential building) can ‘benefit’ from the exemption provided by the existing shared housing provisions. The draft provisions now address this issue and clarifies that the exemption only applies to a rooming house.”

3.2 Submission on proposed Accommodation Planning Reforms

Therefore this might be a deliberate change, but it is considered that the capture of holiday houses in the permit trigger “net” for accommodation is either an unintended outcome or an inappropriate change. The implications of removing the current Clause 52.23 and requiring a permit to use land as a holiday house are:

- Potentially increased complexity of applications and additional fees, depending on whether a proposed house is intended to be used as a dwelling or for holiday accommodation, including:
 - The need to verify how the proposed building is to be used
 - Requiring additional information on the proposed use
 - A broader range of objection grounds and matters to be considered in the assessment
 - Additional permit conditions to control use
- Additional planning permit applications when the use of land moves from dwelling to holiday accommodation
- Increased enforcement investigations and actions (i.e. when residents make complaints about noise from holiday makers)
- Disputes about existing use rights. Any land used without a permit under Clause 52.23 before the scheme was amended would have an established use right which would only expire if the land ceased being used that way for 2 years.

It is considered that there would be a significant regulatory burden for Council as a result of the proposed change. It is further considered that there is broad community acceptance that a house in a residential area may be used either as a dwelling or for holiday accommodation without the need for a planning permit. The change to remove boarding house, backpackers lodge, residential hotel, group accommodation and residential building from the broad umbrella of the exemption, however, is supported as these are seen as distinctly different forms of use from the single accommodation unit of a holiday house.

As a result a submission has been made raising these concerns with DELWP and advocating for a more thorough review of residential development provisions including:

- the definition of Dwelling be reviewed, in particular the use of this term to describe both a land use and a form of development (for example the inclusion of ‘dwelling’ within the definition of group accommodation and the permit requirements of the residential zones to construct two or more dwellings).
- specific provisions relating to holiday house and similar accommodation be introduced to facilitate reasonable use within residential areas.

The time available for the making of submissions (closed 16 June 2017) did not afford the opportunity to report to Council before providing the submission.

Financial Implications

There are no financial implications from the making of a submission.

Council Plan

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

Policy/Legal Implications

There are no policy or legal implications from making a submission.

Officer Direct or Indirect Interest

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

Risk Assessment

There are no risks associated with the making of a submission.

Social Considerations

There no social implications from making a submission.

3.2 Submission on proposed Accommodation Planning Reforms

Community Engagement

No engagement has been undertaken by Council given the time constraint on making a submission. The proposed reforms has been publicly exhibited for comment by DELWP at <https://www.planning.vic.gov.au/policy-and-strategy/planning-reform/reforms-to-public-and-shared-housing>

DELWP advise that after considering the consultation feedback the Minister may proceed to amend the planning scheme without further public notice.

Environmental Implications

There are no environmental implications from making a submission.

Communication

The submission has been communicated to DELWP electronically.

Conclusion

Proposed changes to Clauses 52.22, 52.23 and 52.24 are generally positive but there is potential for consequential impacts arising from the removal of shared housing provisions on use of houses for holiday accommodation, leading to an increased regulatory burden for Council and additional red tape and cost for the community. A submission on this has been made in response to the request for feedback.

3.2 Submission on proposed Accommodation Planning Reforms

APPENDIX 1 SURF COAST SHIRE SUBMISSION ON PROPOSED ACCOMMODATION REFORMS

Our Ref: BC/BS F11/730: D17/62556
Contact: Ben Schmied 5261 0600



2 June 2017

Andrew Grear
Executive Director
Planning, Building and Heritage

Email: planning.systems@delwp.vic.gov.au

1 Merrijig Drive
Torquay, Victoria

POST
PO Box 350, Torquay
Victoria 3228

PHONE
03 5261 0600

FAX
03 5261 0525

WEB
www.surfcoast.vic.gov.au

EMAIL
info@surfcoast.vic.gov.au

Dear Sir

Proposed planning reforms to facilitate public housing, community care accommodation and improving rules for rooming houses

I refer to the letter to Surf Coast Shire CEO Keith Baillie identifying proposed changes to planning schemes which are described as:

- Facilitation of public housing
- Community care accommodation (which supersedes community care unit and crisis accommodation)
- Rooming House which supersedes shared housing.

Thank you for providing the opportunity to provide comment in relation to the proposed changes.

Overall Surf Coast Shire Council supports the proposed reforms; however Council has a significant concern about an unintended consequence of the proposed changes to Clause 52.23 Shared housing which would see this replaced with the new Rooming house provisions. Specifically, this concern relates to the loss of the exemption afforded by Clause 52.23 to use a single dwelling (using the term as a description of the form of development) for non-residential accommodation, such as a holiday house or single tourist accommodation unit.

As a significant proportion of housing within the Surf Coast Shire is used to provide holiday accommodation, either by the owners of the land who reside elsewhere or for paying guests (holiday home rental), the proposed change would create a significant impact for Council in that they would now require a planning permit.

Short term accommodation uses do not fall within the planning scheme dwelling definition – “a building used as a self-contained residence” – by virtue of the fact that the use is not as a residence. Instead short term accommodation falls within the broader use term “Accommodation” which is a section 2, permit required use, in the residential zones. Presently the shared housing provisions of Clause 52.23 can, in most circumstances, be relied upon to exempt the use from requiring a permit.

This is a situation which was covered in depth by Deputy President Gibson in the decision of *Armato v Hepburn Shire* [2007] VCAT 603. In that decision DP Gibson commented:

25 *I consider that the same reasoning is applicable to characterising land uses within the accommodation group. In my view, none of the defined land use terms*

included in the accommodation group readily covers the type of accommodation provided in the present case, namely a single house (or flat etc) which is used for the purpose of short term rental accommodation but which is not a residence in terms that no one lives or resides there permanently or for considerable periods of time. It is surprising that there is no specific definition that encompasses short term, single unit accommodation such as holiday houses and tourist accommodation like Holly Lodge. In these circumstances, such accommodation units must be characterised as "accommodation". It is a situation where the separate, specific land use terms nested below accommodation in the accommodation group in Clause 75.01 do not "cover the field" of the head land use term.

In relation to the provision for Shared housing, she commented:

- 57 *In my view, if the government considers that tourist or short term accommodation should not have the benefit of the exemption from the need for a planning permit provided by Clause 52.23, then the Victoria Planning Provisions and all planning schemes should be amended accordingly. But based on the planning scheme as it is today, my conclusion is that where accommodation of any sort, including tourist or other short term accommodation, is of a domestic scale and meets the requirements of clause 52.23 in terms of being in an area or zone which is used mainly for housing, provides self-contained accommodation and does not have more than 10 habitable rooms, then under the operation of clause 52.23 it does not need a permit.*

It follows that Council's concern is that should the provisions of Clause 52.23 be amended so that it no longer covers housing used to provide short term holiday accommodation, that all housing within the Shire not being used as residences would require a permit for use as Accommodation. Given this is a significant proportion of housing within the Shire (up to 70% in a township like Lorne and Aireys Inlet) this would create a significant regulatory burden in increased planning permit applications, determination of existing use rights and enforcement.

It is believed that many other local government areas, in particular non-metropolitan Councils, would be similarly affected by these changes.

We advocate that there be a more thorough review of relevant residential development provisions before proceeding with the proposed reforms, including:

- The definition of Dwelling be reviewed, in particular the use of this term to describe both a land use and a form of development (for example the inclusion of 'dwelling' within the definition of group accommodation and the permit requirements of the residential zones to construct two or more dwellings).
- Specific provisions relating to holiday house and similar accommodation be introduced to facilitate reasonable use within residential areas.

If you have any enquiries concerning this matter please contact Ben Schmied on 5261 0600.

Yours sincerely



Ransce Salan
General Manager Environment and Development

3.2 Submission on proposed Accommodation Planning Reforms

APPENDIX 2 EXISTING CLAUSES

52.22

19/01/2006
VC37

CRISIS ACCOMMODATION

A permit is not required to use a building, including outbuildings normal to a dwelling, to house people and any dependants at times of personal emergency or crisis if the building meets all of the following requirements:

- Is in an area or zone which is used mainly for housing.
- Provides self contained accommodation.
- Does not have more than 10 habitable rooms.

52.23

04/02/2016
VC127

SHARED HOUSING

A permit is not required to use a building, including outbuildings normal to a dwelling, to house a person, people and any dependants or 2 or more people if the building meets all of the following requirements:

- Is in an area or zone which is used mainly for housing.
- Provides self contained accommodation.
- Does not have more than 10 habitable rooms.

Notes:

This provision does not exempt the development of land, including the construction of a building or the construction or carrying out of works and demolition.

Check whether an overlay also applies to the land.

Other requirements may also apply. These can be found at Particular Provisions.

52.24

29/10/2015
VC101

COMMUNITY CARE UNIT

A permit is not required to use a building for services funded by the Department of Health and Human Services which provide self contained accommodation for its clients if all of the following requirements are met:

- The building or buildings are in an area or zone which is used mainly for housing.
- No more than 20 clients plus supervisory staff are accommodated on the site.

3.2 Submission on proposed Accommodation Planning Reforms

APPENDIX 3 PROPOSED COMMUNITY CARE ACCOMMODATION, ROOMING HOUSE AND PUBLIC HOUSING PROVISIONS



Comments are invited on proposed changes to the *Victoria Planning Provisions* to clarify and improve permit exemptions for Community Care Unit, Crisis Accommodation and Shared Housing (rooming house) provisions.

Purpose

The Minister for Planning has requested the Department of Environment, Land, Water and Planning (DELWP) to review and investigate reforms to the crisis accommodation, shared housing and community care unit provisions in the *Victoria Planning Provisions* (VPP). The purpose of the review is to improve and clarify the provisions, introduce exemptions for the development of domestic scale establishments and continue the existing permit exemptions for land use.

Work to reform these particular provisions began in 2011. The review work included consultation with councils, the community and stakeholders. The Minister for Housing, Disability and Ageing has requested the review be continued and finalised. The department is working closely with the Department of Health and Human Services on the review.

Policy Context

The proposed reforms support State planning policies and broader government policy. The existing provisions are based on a long standing policy to exempt these special types of uses from permit requirements to reduce discrimination against disabled or disadvantaged people seeking housing and support the confidentiality of sensitive

accommodation such as housing for victims of domestic violence. One of the reasons for the exemption was to avoid objections to permit applications based on the physical, mental or social characteristics of the residents to be accommodated.

The State Planning Policy Framework (SPPF) and *Plan Melbourne* supports the supply of social housing and affordable housing. Rooming houses and community care units play an important role in providing inclusionary, social and affordable housing.

Plan Melbourne is Victoria's metropolitan planning strategy that defines the future shape of the city and state over the next 35 years. It integrates long-term land use, infrastructure and transport planning. It identifies that between 2015 and 2051 Melbourne is projected to grow from a population of 4.5 million to almost 8 million. In that time the total Victorian population will reach 10.1 million. A population increase will require another 1.6 million dwellings and contribute to an increase in demand for social and affordable housing.

The Victorian Government's housing strategy *Homes for Victorians* contains initiatives complementary to *Plan Melbourne* which demonstrate the Governments' state-wide commitment to increasing and renewing social housing



Department of Environment, Land, Water and Planning

stock. The strategy introduces a number of funded programs including the \$1 billion Social Housing Growth Fund, the \$185 million Public Housing Renewal Program, and the \$140 million Social Housing Pipeline.

Homes for Victorians states that:

Every Victorian deserves the safety and security of a home. Social housing provides homes to Victorians in need, and for many it gives them the foundation to stabilise other areas of their lives, and participate in education, work and the community. A healthy social housing system is critical in meeting the housing requirements of Victorians in need.

In response to the Royal Commission into Family Violence Report (March 2016), the Victorian Government has also committed \$152 million in funding over the next three years to implement Family Violence housing measures. Part of this funding will go toward construction of 180 new units of crisis accommodation and provision of 130 new social housing properties.

Plan Melbourne Direction 2.3 aims to increase the supply of social and affordable housing. Key policy areas include utilising government land to deliver additional social housing and streamlining decision-making processes for social housing proposals which will facilitate faster delivery of social housing projects with lower holding costs and greater planning certainty.

Background

Some councils and members of the community have raised concerns that rooming houses can be established in residential zones without a planning permit if the existing exemptions of clause 52.23 are met and a building permit for a class 1b building is obtained, requesting removal of permit exemptions or greater restrictions for the exemption thresholds. The draft reforms do not remove exemptions however the provisions and exemptions are clearer and thresholds are more restrictive.

In addition to the policy support the draft provisions address uncertainty about the extent of permit exemptions for these uses. VCAT determined (*Department of Human Services v Maribyrnong CC* [2008] and *Kingston CC v Wilson* [2015]) that the land use exemptions for crisis accommodation and shared housing in the VPP should be interpreted broadly to include any requirement in the planning scheme for development. The exemptions in the draft provisions apply only to use and development in the zone and particular provision. Other permit requirements in the planning scheme such as heritage, flooding and neighbourhood character overlays continue to apply.

Amendment VC127 to the VPP and planning schemes was gazetted in February 2016. It sought to address uncertainty about permit exemptions for shared housing by clarifying, via a note in the clause, that the exemption in clause 52.23 does not include development.

A recent VCAT decision (*Modo Project Builders Pty Ltd v Frankston CC* [2017] VCAT 390) in March 2017 considered that, regardless of the note introduced by Amendment VC127 the shared housing particular provision does not exempt a proposal from a permit requirement to develop land, or impose a requirement. It confirmed that a permit requirement for development may be specified elsewhere in the planning scheme.

The decision also noted:

"Lest it be thought that the this decision opens the door for uncontrolled development in cases where the proposal is a dwelling answering the description of shared accommodation for the purpose of clause 52.23 the Tribunal points out that all buildings must comply with the Building Code of Australia. The Code sets out development and performance standards that are similar to those set out in clause 54 of the planning scheme. These standards are commonly regarded as adequate to control development."

VCAT have previously determined (*Armato v Hepburn Shire* [2007] VCAT 6031 and *Douglas v Mansfield* [2007] VCAT 828) that any land use included in the term accommodation (which includes uses such as boarding house, backpackers lodge, residential hotel, group accommodation and residential building) can 'benefit' from the exemption provided by the existing shared housing provisions. The draft provisions now address this issue and clarifies that the exemption only applies to a rooming house.

Department of Environment, Land, Water and Planning



What do the draft provisions do?

Community care accommodation

It is proposed to replace the VPP particular provisions for Community Care Unit and Crisis Accommodation provisions with a new provision Community Care Accommodation.

A permit exemption is proposed for the use and development of community care accommodation where specific planning requirements that limit the scale and intensity development are met. The planning requirements align with building permit requirements that regulate the scale, height and setbacks for a single dwelling.

Summary of the proposed changes:

- New defined land use term, community care accommodation included in the land use, residential building.
- Amend the land use table in the Commercial 1 Zone, General Residential Zone, Low Density Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone, Rural Living Zone and Township Zone to make rooming house a section 1 (no permit required) use, if the requirements for permit exemption are met. The requirements of clause 55 (ResCode) apply in the residential zones if the requirements for development exemptions are not met.

The construction of a community care accommodation requires a building permit (Class 1b) assessed under Part 4 of the Building Regulations 2006 where the building is no more than 300 square metres in floor area, has no more than 12 people and meets specified requirements including setbacks, overlooking and overshadowing. Local schedules to residential zones are translated into the building regulations.

- Provide permit exemptions in specified zones for the use and development of community care accommodation where the following requirements are met:

- The community care accommodation is by or on behalf of a public authority including a public authority established for a public purpose under a Commonwealth Act.
- No more than 20 persons are accommodated on the site, not including staff.
- No more than 10 persons who are not residents may access support services provided on the land.

If the exemptions are not met the relevant requirements of the zone apply. The exemption only applies to the zone provisions. Other requirements of the planning scheme may apply including maximum building height requirements of the zone, schedule or requirements in an overlay such the Heritage Overlay.

- Provide exemptions from notice (advertising of an application) and review (review to the Victorian Civil and Administrative Appeals Tribunal) if the application is by or on behalf of a public authority including a public authority established for a public purpose under a Commonwealth Act.

Rooming houses

It is proposed to include a permit exemption for the use and development of a domestic scale rooming house in specified zones where requirements that limit the scale and intensity of the rooming house are met. The requirements align with building permit requirements that apply to single dwellings.

Summary of the proposed changes:

- Remove the land use terms shared housing and boarding house and introduce a new land use term, rooming house. This will clarify that the particular provision does not apply to other land uses such as backpackers' lodge or other forms of accommodation. The land use rooming house is included in the land use, residential building.
- Amend the land use table in the Commercial 1 Zone, General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone and Township Zone to make rooming house a section 1 (no permit required) use, if the requirements for permit exemption are met. Where the condition is not met a permit is required for the land use. The requirements of clause 55 (ResCode) apply in the residential zones if the requirements for development exemptions are not met.

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The construction of a rooming house requires a building permit (Class 1b) assessed under Part 4 of the Building Regulations 2006 where the building is no more than 300 square metres in floor area, has no more than 12 people and meet specified requirements such as setbacks, overlooking and overshadowing. Local schedules to residential zones are translated into the building regulations.

- Provide permit exemptions for use and development of a rooming house where the following exemptions are met.

Permit exemption to use land for a rooming house

- The gross floor area of all buildings on the land is no more than 300 square metres.
- No more than 12 people are accommodated.
- No more than 8 bedrooms.

Permit exemption to develop land for a rooming house

- No more than 8 bedrooms.
- The gross floor area of all buildings on the land is no more than 300 square metres.

If the exemptions are not met the relevant requirements of the zone apply. The exemption only applies to the zone provisions. Other requirements of the planning scheme may apply including maximum building height requirements of the zone, schedule or requirements in an overlay such the Heritage Overlay.

- Provide exemptions from notice (advertising of an application) and review (reviews to the Victorian Civil and Administrative Appeals Tribunal) if the application is by or on behalf of a public authority including a public authority established for a public purpose under a Commonwealth Act.
- Amend the car parking particular provision to include car parking requirements for rooming houses. A requirement of 2 car spaces for a rooming house of up to 8 bedrooms, inline with the building regulations for single dwellings.

Other proposed changes:

- Amend the State Planning Policy Framework, Clause 16.02-2 to retain and clarify the government's policy support for community care accommodation and rooming houses.
- Amend clause 52.43, live music and entertainment noise to include community care accommodation and rooming house in the definition of noise sensitive residential use.
- Amend clause 74 and the nesting diagrams and Clause 75 land use terms to include the new land uses and remove the land use terms hostel, nurses home and residential college. These uses may meet the rooming house definition or be an innominate use.

Alignment with other regulation

- Other regulations administer matters outside of the planning system such as health, hygiene, orderly operation and security of rooming houses.

- The draft definition for the new land use term of rooming house references the definition in the *Residential Tenancies Act 1987*. In addition operators are required to comply with the additional standards set out in the Residential Tenancies (Rooming House Standards) Regulation 2012. These standards include requirements for rooming house operation, privacy, security and amenity and requirements for shared spaces such as kitchens, laundries and bathrooms.
- Under the *Public Health and Wellbeing Act 2008*, operators of rooming houses must register the rooming house with the local council and meet minimum standards for health and hygiene.
- Other laws regulate amenity impacts in residential areas. These controls apply to all dwellings and residential buildings. Section 48A of the *Environment Protection Act 1970* regulates unreasonable noise from any residential premises. Councils enforce local laws to control noise, rubbish, unsightly premises and noisy machinery such as plant and equipment. Unreasonable noise and antisocial behaviour can be reported to the Police.
- The draft provisions will exempt the development of a domestic scale rooming house or community care accommodation in many circumstances where a single dwelling is also exempt. For example development is exempt where the land is in a residential zone, there are no other planning controls such as an overlay and the lot size is greater than 300 square metres. Existing building regulations require a Class 1



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building permit to construct or make additions to a dwelling, rooming house or community care accommodation.

Height, sighting and setback standards, similar to the VPP ResCode standards are reflected in the building permit requirements.

- The *Rooming House Operators Act 2016* came into operation in April 2017. It introduces greater regulation of rooming house operators. A key purpose of the Act is to foster professionalism of operators and protect tenants from exploitation. The Act requires new and existing operators to obtain a license and pass a 'fit and proper persons' test to operate a rooming house. The license scheme will be administered by the Business Licensing Authority, monitored and enforced by Consumer Affairs Victoria.

How do I provide feedback?

The Department of Environment Land Water and Planning seek your feedback on the draft provision. Your feedback will assist the Department of Environment Land Water and Planning (DELWP) to consider stakeholder and community views and any unintended consequences of the provisions. The Minister for Planning will consider feedback and may reform the Victoria Planning Provisions and all planning schemes under section 20(4) of the *Planning and Environment Act 1987*.

For more information on the proposed reforms, copies of the draft provisions and how to provide feedback visit <http://www.planning.vic.gov.au/policy-and-strategy/planning-reform/reforms-to-public-housing-and-shared-housing>.

Please provide feedback by Friday, 16 June 2017.

For more information please email planning.systems@delwp.vic.gov.au.

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52.22 **COMMUNITY CARE ACCOMMODATION**

XX/XX/20XX
VCXX

Purpose

To facilitate the establishment of community care accommodation.

To support the confidentiality of community care accommodation.

52.22-1 **Exemption from zone requirements**

XX/XX/20XX
VCXX

A permit requirement to use land for community care accommodation in the Capital City Zone, Activity Centre Zone, Commercial 1 Zone, General Residential Zone, Low Density Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone, Rural Living Zone and Township Zone does not apply if all of the following requirements are met:

- A condition opposite the use in the applicable zone table of uses must be met.
- The use is funded or provided by or on behalf of a public authority including a public authority established for a public purpose under a Commonwealth Act.
- No more than 20 persons are accommodated on the land. This does not include staff.
- No more than 10 persons who are not residents may access support services provided on the land.

A requirement, including a requirement for a permit, to develop community care accommodation, other than a maximum building height requirement, under the provisions of the General Residential Zone, Low Density Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone and Township Zone does not apply if the development is by or on behalf of a public authority including a public authority established for a public purpose under a Commonwealth Act.

52.22-2 **Exemption from notice and review**

XX/XX/20XX
VCXX

An application under any provision of the planning scheme for development of a community care accommodation is exempt from the notice requirements of section 52(1) (a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(2) of the Act if the application is by or on behalf of a public authority including a public authority established for a public purpose under a Commonwealth Act.

52.23 ROOMING HOUSE

XX/XX/20XX
VCXX

Purpose

To facilitate the establishment of domestic scale rooming houses.

52.23-1 Exemption from zone requirements

XX/XX/20XX
VCXX

A permit requirement to use land for a rooming house in the Capital City Zone, Activity Centre Zone, Commercial 1 Zone, General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone and Township Zone does not apply if all of the following requirements are met:

- A condition opposite the use in the applicable zone table of uses must be met.
- The gross floor area of all buildings on the land is no more than 300 square metres.
- No more than 12 persons are accommodated on the land.
- No more than 8 bedrooms are provided.

A requirement, including a requirement for a permit, to develop a rooming house, other than a maximum building height requirement, under the provisions of the General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone and Township Zone does not apply if all of the following requirements are met:

- No more than 8 bedrooms are developed on the land.
- The gross floor area of all buildings on the land is not more than 300 square metres.

52.23-2 Exemption from notice and review

XX/XX/20XX
VCXX

An application under any provision of the planning scheme for a rooming house is exempt from the notice requirements of section 52(1) (a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(2) of the Act if the application is by or on behalf of a public authority including a public authority established for a public purpose under a Commonwealth Act.



Comments are invited on proposed changes to the *Victoria Planning Provisions (VPP)* to facilitate the development of dwellings by public authorities by introducing a new particular provision.

Purpose

The Minister for Planning has requested the Department of Environment, Land, Water and Planning (DELWP) prepare draft changes to the VPP and all planning schemes to facilitate public housing development by or on behalf of a public authority. DELWP is working closely with the Department of Health and Human Services on reforms.

The draft provision proposes to limit the scope of permit assessment for specified dwelling applications and to exempt applications from the notice and review requirements of the *Planning and Environment Act 1987*.

The reforms will facilitate a quicker and more certain planning process for authorities that develop public housing while ensuring that the use of land for a dwelling is supported by the zoning of the land and specified amenity requirements such as setback, overlooking and overshadowing are complied with.

Policy context

There is a pressing need to increase the supply of social housing in Victoria. Victoria has the lowest proportion of public housing dwellings per capita of all states and there are more than 34,000 households on the Victorian Housing Register waiting list. As ageing public housing stock nears the end

of its economic life DHHS is faced with an extensive pipeline of redevelopment projects to increase and renew supply.

The State Planning Policy Framework contains strategies for housing choice (Clause 11.06) and housing affordability (Clause 16.01) which facilitate the supply of social and affordable housing.

Plan Melbourne 2017-2050 is the metropolitan planning strategy that defines the future shape of the city and state over the next 35 years. It integrates long-term land use, infrastructure and transport planning and sets out the strategy for supporting jobs and growth, while building on Melbourne's legacy of distinctiveness, liveability and sustainability.

Plan Melbourne identifies that between 2015 and 2051 Melbourne is projected to grow by 3.4 million people, from a population of 4.5 million to almost 8 million. In that time the total Victorian population will reach 10.1 million. A population increase of this magnitude will require another 1.6 million dwellings and contribute to a corresponding increase in demand for public housing.

Plan Melbourne Direction 2.3 aims to increase the supply of social and affordable housing. Key policy areas include utilising government land to deliver additional social housing and streamlining decision-making



Department of Environment, Land, Water and Planning

processes for social housing proposals which will facilitate faster delivery of social housing projects with lower holding costs and greater planning certainty.

The Victorian Government's housing strategy *Homes for Victorians* contains initiatives complementary to *Plan Melbourne* which demonstrate the Governments' state-wide commitment to increasing and renewing social housing stock. The strategy introduces a number of funded programs including the \$1 billion Social Housing Growth Fund, the \$185 million Public Housing Renewal Program, and the \$140 million Social Housing Pipeline.

In response to the Royal Commission into Family Violence Report (March 2016), the Victorian Government has also committed \$152 million in funding over the next three years to implement Family Violence housing measures. Part of this funding will go toward construction of 180 new units of crisis accommodation and provision of 130 new social housing properties.

All of these strategies and programs recognise that housing issues cut across many different policy areas and require whole of government action, with planning having a crucial role to play.

What does the draft provision do?

The draft provision streamlines public housing permit applications by limiting the scope of permit assessment and exempting applications from notice and review requirements where development of land for a dwelling is by or on behalf of a public authority.

While streamlining permit assessment the draft provision retains a number of key siting, building height and amenity measures as mandatory requirements.

Scope and application of this provision

The scope of the draft provision is restricted to:

- The development of land
- Dwellings, which may include dwelling extensions and alterations, and single dwellings, but not more than 10 dwellings
- Development by or on behalf of a public authority such as the Department of Health and Human Services. A municipal council is not a public authority.

The draft provision does not make requirements for land use

The draft provision does not change requirements to use land for a dwelling. For example a permit may still be required to use land for a dwelling subject to the applicable zone provision. In the Commercial 1 Zone the use of land for a dwelling does not require a permit so long as the condition that any frontage at ground floor level not exceed 2 metres is met. Where this condition is not met a permit for the use of land for a dwelling is required and the proposed exemptions from the requirements of Clause 55 and car parking would not apply.

The draft provision only relates to public housing that meets the definition of a dwelling in Clause 74, of the VPP. It does not provide exemptions for other types of accommodation uses.

The planning scheme does not regulate the ownership or tenure (such as rental) of a dwelling.

Exemption from assessment under Clause 55 (ResCode)

The draft provision proposes to exempt the requirement (where it exists in a zone) to assess an application for two or more dwellings on a lot against the requirements of Clause 55 and local schedules that vary the requirements of Clause 55.

Other requirements in a zone remain applicable. For example the General Residential zone includes requirements for front fences, maximum building heights, and minimum garden areas.

Exemption from car parking requirements

Applications within the scope of the draft provision are exempted from Car Parking (Clause 52.06) and Parking Overlay (Clause 45.09) requirements, including any schedule to these clauses. There is no requirement to provide car parking to the satisfaction of the responsible authority and the permit requirement for the provision of car parking does not apply.

This exemption does not prevent the developer of public housing from providing car parking to their satisfaction based on the projected needs of occupants and the location of the development relative to public transport.

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Requirements to meet the exemptions

For an application to be exempt from the Clause 55 assessment and car parking requirements of the scheme it must meet a number of specific requirements:

- The application must be for the development of a dwelling by or on behalf of a public authority.
- The land must be greater than 300 square metres. This minimum size applies to a single dwelling or two or more dwellings.
- A condition opposite the land use dwelling in a zone's table of uses must be met. The land use term dwelling may not be specifically listed in a zone table. It may be nested under the broader term of accommodation. Details on land use terms and their nesting are at Clause 74 and 75.
- Not more than 10 dwellings are developed on the land. Where a maximum building height is specified in a zone, or a schedule to the zone, the height must not be exceeded to access the exemptions. For example the Residential Growth Zone specifies a maximum building height of 13.5 metres, unless superseded by a schedule to the zone. Applications within the scope of the draft provision must be within this height to be exempt.
- Specified standards for height, siting and amenity must be met. While the draft provision exempts an application from Clause 55, selected standards from Clause 55 are still mandatory for an application to access the exemption. For exempt applications, these mandatory standards are not able to be reduced or varied by weighing them against Clause 55 objectives and decision guidelines.

Exemption from notice (advertising) and review (application to the tribunal)

The *Planning and Environment Act 1987* requires a responsible authority (usually council) to decide on whether to give notice of a permit application unless the planning scheme directs otherwise. In most circumstances the development of more than one dwelling requires notice.

The draft provision exempts notice for any application within the scope of the provision.

This applies where a permit is required by the planning scheme regardless of whether the application meets the exemptions from zone and car parking requirements. For example an application to develop public housing that meets the scope of the draft provision may require a permit if the application varies mandatory Clause 55 standards specified by the draft provision, or is on land where the zone or overlay require a permit to develop a dwelling.

In addition to the exemption from notice the draft provision includes an exemption from third party review of an application decision at the Victorian Civil and Administrative Tribunal (VCAT). A permit applicant may still apply for a review of a decision or conditions of a permit.

Application requirements

The draft provision sets application requirements that an application details how the construction meets the scope of the provision and how the development does or does not comply with the exemption requirements of the provision. A neighbourhood and site description and a design response is required.

How do I provide feedback?

The Department of Environment Land Water and Planning seek your feedback on the draft provision. Your feedback will assist the department to consider stakeholder views and any unintended consequences of the exemptions. The Minister for Planning will consider stakeholder feedback in deciding whether to introduce the reform to the Victoria Planning Provisions and all planning schemes under section 20(4) of the *Planning and Environment Act 1987*.

For more information on the proposed reforms, copies of the draft provisions and how to provide feedback visit <http://www.planning.vic.gov.au/policy-and-strategy/planning-reform/reforms-to-public-housing-and-shared-housing>.

Please provide comments by 5pm, Friday 16 June 2017.

For more information please email planning.systems@delwp.vic.gov.au.

Department of Environment, Land, Water and Planning



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52.41 FACILITATION OF PUBLIC HOUSING

XX/XX/20XX
VCXX

Purpose

To facilitate the development of dwellings by or on behalf of a State or Federal Government.

52.41-1 Scope

XX/XX/20XX
VCXX

This provision applies to the development of land for a dwelling by or on behalf of a public authority including a public authority established for a public purpose under a Commonwealth Act.

52.41-2 Exemption from zone and car parking requirements

XX/XX/20XX
VCXX

An application to construct or extend two or more dwellings on a lot is exempt from a requirement to meet Clause 55 in a zone and a requirement, including a permit requirement, to provide car parking in the scheme if all of the following requirements are met:

- The land is greater than 300 square metres.
- A condition opposite the land use Dwelling in the zone table of uses is met.
- Not more than 10 dwellings are developed on the land.
- The maximum building height specified in the zone or schedule to the zone is met.
- The following standards set out in Clause 55 of this scheme or specified in the schedule to the zone must be met;
 - B6 street setback.
 - B17 side and rear setbacks.
 - B18 walls on boundaries.
 - B19 daylight to existing windows.
 - B20 existing north facing windows.
 - B21 overshadowing existing open space.
 - B22 overlooking.

For the purpose of this clause the Clause 55 standards are mandatory requirements. The objectives and decision guidelines of Clause 55 do not apply.

52.41-3 Exemption from notice and review

XX/XX/20XX
VCXX

An application under any provision of the planning scheme for a dwelling is exempt from the notice requirements of section 52(1) (a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(2) of the Act if the application is by or on behalf of a public authority.

52.41-4 Application requirements

XX/XX/20XX
VCXX

An application must be accompanied by a report and plans detailing:

- How the construction of a dwelling is by or on behalf of a public authority.
- How the development complies or does not comply with the with the exemptions from zone requirements at Clause 52.41-2.
- A neighbourhood and site description and a design response.

3.3 Council Response to the Sustainable Agribusiness Strategy for the G21 Region

Author's Title: Coordinator Business & Tourism Strategy

General Manager: Ransce Salan

Department: Economic Development & Tourism

File No: F17/575

Division: Environment & Development

Trim No: IC17/777

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 provide comment to the City of Greater Geelong on the 'Sustainable Agribusiness Strategy for the G21 Region' report.

Summary

The City of Greater Geelong is seeking feedback on the draft 'Sustainable Agribusiness Strategy for the G21 Region' by Thursday 27 July.

Overall, the strategy is concise and the five priority areas create a good focus for the areas of opportunity within the regional agribusiness sector. Suggested feedback for each priority area has been provided for consideration in the table included in this report.

A short term plan addressing the more immediate needs of the Geelong Saleyards is still required to be completed by City of Greater Geelong as neither the Strategy nor the Livestock Market Analysis report by Mercado addresses this.

Council's position with regards to the City of Greater Geelong Saleyards is discussed as part of this report.

Recommendation

That Council:

1. Receive and note the draft Sustainable Agribusiness Strategy for the G21 region.
2. Endorse the comments contained in Table 2 relating to the Sustainable Agribusiness Strategy for the G21 Region for submission to the City of Greater Geelong.
3. Recommend to the City of Greater Geelong that:
 - 3.1 It temporarily re-establishes cattle sales in the Geelong Saleyards.
 - 3.2 In consideration of any decision regarding the future of the Geelong Saleyards that the Saleyards remain operational until an alternative approach is determined and operational that meets the needs of Peri-urban farmers.

3.3 Council Response to the Sustainable Agribusiness Strategy for the G21 Region

Report

Background

The City of Greater Geelong is seeking feedback on the draft 'Sustainable Agribusiness Strategy for the G21 Region' by Thursday 27 July.

The strategy will provide a framework to guide both private sector and government investment decisions and seeks to complement a range of other documents that have been created across various tiers of government, including the G21 group of Councils.

The strategy highlights agribusiness in the G21 region is a \$1 billion industry and employs 8,600 people directly which is significant to both the economy and community within the region. It also highlights the industry has changed over time.

Discussion

Overview

The strategy identifies the key strengths and growth opportunities in the agribusiness sector in the G21 region and outlines actions to support the industry.

It shows the “post farm-gate” sector, (eg. businesses involved in transport, food processing, farm inputs, agri-tourism, wholesaling, research and education), generates the majority of agribusiness employment in Greater Geelong (78%) while Surf Coast and Golden Plains shires are dominated by primary production (eg. farming of various types).

The strategy discusses the increasing number of lifestyle or peri-urban farms occupying the Surf Coast and Bellarine, and identifies larger scale production is progressively confined to a shrinking area to the region’s west.

Of interest is that 48% of farms have an annual turnover of less than \$50,000 and between them produce 4% of the value of our primary production. Conversely, 4% of farms have an annual turnover greater than \$1million each and produce 45% of the value within this sector.

A major opportunity to grow the agribusiness sector is to provide support and education to assist the high number of small farms to increase their turnover and value of production to the economy.

The Strategic Framework

There are 5 Priority areas and goals identified with supporting strategies & actions:

Table 1:

Priority	Goal
Grow our markets	Work together to grow our existing markets and initiate entry into new markets
Develop our people and their businesses	Build our people’s capability to add value to their business, their industry and their region
Encourage innovation and collaboration	Create an environment that encourages innovation and collaboration across the supply chain to improve productivity and attract investment
Build enabling infrastructure	Co-operate and advocate at a regional level to ensure appropriate infrastructure investment to facilitate industry growth
Implement the strategy	To ensure the efficient, effective and transparent implementation of the Strategy

3.3 Council Response to the Sustainable Agribusiness Strategy for the G21 Region

Comments to the Sustainable Agribusiness Strategy for the G21 Region

Overall, the five priority areas create a good focus on the areas of opportunity within the regional agribusiness sector. Suggested feedback for each pillar or priority area is provided below:

Table 2:

Priority	Comment
<p>1 – Grow Our Markets</p> <p><i>Goal: Work together to grow our existing markets and initiate entry into new markets</i></p>	<ul style="list-style-type: none"> Agree with this priority, goal, strategies and associated actions, however provide the following comment. <ul style="list-style-type: none"> <u>Action 3.2</u> “Investigate the opportunities and value of a collaborative export program for our producers” appears to be an overlap of actions contained in strategy 10 and 11 which focuses on export development and programs. This could be shifted to fit those strategy areas.
<p>2 – Develop our people and their businesses</p> <p><i>Goal: Build our people’s capability to add value to their business, their industry and their region</i></p>	<ul style="list-style-type: none"> Agree with this priority, goal, strategies and associated actions. The following changes are suggested: <ul style="list-style-type: none"> <u>Amend Action 7.1</u> to read “Council and G21 Agribusiness Group regularly update the agribusiness sector on funding programs, projects and events”. Training is included in Action 4.1 and not required in this Action. <u>Include an Action 8.3</u> – “Acknowledge and promote agribusiness that are undertaking landscape restoration for both agriculture, aesthetics and ecological outcomes.”
<p>3 – Encourage innovation and collaboration</p> <p><i>Goal: Create an environment that encourages innovation and collaboration across the supply chain to improve productivity and attract investment</i></p>	<ul style="list-style-type: none"> Agree with this priority, goal, strategies and the associated actions.
<p>4 – Build enabling infrastructure</p> <p><i>Goal: Co-operate and advocate at a regional level to ensure appropriate infrastructure investment to facilitate industry growth</i></p>	<ul style="list-style-type: none"> Agree with this priority, goal, strategies and associated actions. The following comments and changes are made and suggested: <ul style="list-style-type: none"> It is noted <u>Actions 13.1 & 13.2</u> support work commenced by Surf Coast Shire on the Hinterland Futures Strategy and provides regional support for the implementation of any identified actions. <u>Action 14.1r</u> Requires revision as improved understanding may not translate into planning approval. The acronym GMC needs explanation. <u>Action 15.1</u> “Investigate opportunities to rationalise and simplify the environmental health compliance requirements of State and Local Government for food production and sales” is not especially relevant to the Surf Coast Shire (and may be the case for other Council’s) as the EHO requirements in the Surf Coast Shire have been rationalised and simplified. Council administers food safety regulations under the Victorian Food Act 1984, and is done in a way to achieve an effective and customer focused outcome. <p>The Victorian Government Small Business Regulation Review is currently underway and is looking at ways to reduce the regulation burden on small business. This report is due to be released later in 2017 and the Action could be to implement its findings.</p> <ul style="list-style-type: none"> <u>Action 16</u> – Geelong Saleyards, Further detailed comments are provided below. <u>Action 17.5</u> “Advocate for the timely completion of the Drysdale Bypass and the extension of the Geelong Ring Road to the Bellarine Highway” – Surf Coast Shire is not able to form an

3.3 Council Response to the Sustainable Agribusiness Strategy for the G21 Region

	<p>opinion for or against this action.</p> <ul style="list-style-type: none"> • <u>Action 18.1</u> This Action fits very well with Surf Coast Shires desire to investigate water options in areas such as the Thomson Valley.
<p>5 – Implement the strategy <i>Goal: To ensure the efficient, effective and transparent implementation of the Strategy</i></p>	<ul style="list-style-type: none"> • Agree with this priority, goal, strategies and the associated actions.
<p>Geelong Saleyards</p>	<ul style="list-style-type: none"> • <u>Strategy 16</u> to “support the conclusions of the Mecardo report into the future of the Geelong Saleyards” should be supported and represents a high and immediate priority. • Council notes that the Mercado Livestock Market Channel Analysis (LMCA) report does not consider the needs of peri-urban farmers sufficiently. In particular, how these types of farmers may interact with a livestock exchange facility both now and into the future. <p>As the Mercado report is now complete, there are a number of actions that need to be included in this strategy to satisfy Surf Coast Shire Council that the future decisions being made in relation to the Geelong Saleyards properly consider the needs of ‘peri-urban farmers as follows:</p> <ul style="list-style-type: none"> • <u>Action 16.1</u> “Further pursue the options presented in the Mecardo report” is to be updated to include the following text “including a Peri-urban Exchange and Cooperative Saleyards model at the existing site or a suitable green fields site in the G21 region as these were the models supported by the Geelong Saleyards Advisory Committee.” • <u>Include an Action 16.2</u> “Acknowledge that the Geelong Saleyards model is not the solution to the challenge of providing a livestock exchange for the demographic existing now and into the future”. • <u>Include an Action 16.3</u> “Continue investigation into Colac Saleyards with a view to maximise the potential of the site to suit peri-urban farmers including a change in sale days.” • <u>Include an Action 16.4</u> “Support the continuation of a cross-region working group on the saleyards until a preferred model and transition plan is agreed on.” • <u>Include an Action 16.5</u> “Seek support from neighbouring Shires to contribute to the operation of a regional saleyard service.”

Short Term Plan for the Geelong Saleyards

A short term plan addressing the more immediate needs of the Geelong Saleyards is still required as neither the ‘Sustainable Agribusiness Strategy for the G21 Region’ nor the Mercado report address this.

Regarding the more immediate needs of the Geelong Saleyards project, in November 2016, part of Council’s resolution was to “Undertake necessary tactical works to re-open the existing Geelong Saleyards facility as soon as possible to cater for cattle and sheep”.

This action has not yet been achieved and has not been addressed in the Mercado Report or the Geelong Agribusiness Strategy. While sheep sales have re-commenced, cattle sales have not been provided since the Saleyards closure in 2016. A Cattle transit service was put in place in early 2017, however this has not been used to date. This is an indication that the service is not meeting needs of existing farming community and in particular peri-urban farmers.

3.3 Council Response to the Sustainable Agribusiness Strategy for the G21 Region

It is recommended that Council advocate to City of Greater Geelong that:

- It temporarily re-establishes cattle sales in the Geelong Saleyards.
- In consideration of any decision regarding the future of the Geelong Saleyards that the Saleyards remain operational until an alternative approach is determined and operational that meets the needs of Peri-urban farmers.

Financial Implications

Comments relating to the Sustainable Agribusiness for the G21 Region may have budget implications relating to future projects and will be addressed in line with usual budget processes.

In November 2016, Council resolved to “consider a proposal from the City of Greater Geelong for Surf Coast Shire Council to contribute to the operational funding of a regional saleyard service”. No proposal has yet been received.

Council Plan

Theme 3 Balancing Growth

Objective 3.2 Ensure infrastructure is in place to support existing communities and provide for growth

Strategy 3.2.6 Advocate for supporting infrastructure

Theme 4 Vibrant Economy

Objective 4.4 Support key industry sectors such as surfing, tourism, home-based, construction and rural businesses

Strategy 4.4.4 Develop and implement an agribusiness strategy

Policy/Legal Implications

Not applicable. Any suggested projects and actions included in the strategy would be further scoped and assessed at the time of implementation.

Officer Direct or Indirect Interest

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

Risk Assessment

There are no notable risks associated with providing comment on the Sustainable Agribusiness Strategy for the G21 region.

Social Considerations

Strategy 16 relating to the Geelong Saleyards could have a significant impact on the operations of the large number of peri-urban farmers that exist in the Surf Coast and neighbouring Councils.

Community Engagement

The strategy has been developed by the City of Greater Geelong through 1:1 Meetings & workshops (involving over 110 participants who provided stakeholder feedback) with those active in the Agribusiness Sector. While the project has been led by the City of Greater Geelong, Surf Coast and other G21 Councils participated on the project working group.

A draft 'Sustainable Agribusiness Strategy for the G21 Region' document has been released by the City of Greater Geelong and is currently open for community consultation until Thursday 27 July 2017.

Environmental Implications

Not Applicable.

Communication

A letter will be sent to the City of Greater Geelong summarising Council's comments on the Sustainable Agribusiness Strategy for the G21 Region is contained in the above table.

3.3 Council Response to the Sustainable Agribusiness Strategy for the G21 Region

Conclusion

Overall, Council considers that the five priority areas create a good focus on the areas of opportunity within the regional agribusiness sector. Suggested feedback for each priority area has been provided for consideration and approval by Council in the table included in this report.

A short term plan addressing the more immediate needs of the Geelong Saleyards is still required to be completed by City of Greater Geelong as neither this strategy nor the Mercado report addresses this.

It is recommended that Council advocate to City of Greater Geelong that:

- It temporarily re-establishes cattle sales in the Geelong Saleyards.
- In consideration of any decision regarding the future of the Geelong Saleyards that the Saleyards remain operational until an alternative approach is determined and operational that meets the needs of Peri-urban farmers.

4. CULTURE & COMMUNITY

4.1 Quarterly Advocacy Priorities Update Including 2018 State Election Program

Author's Title: Manager Community Relations **General Manager:** Chris Pike

Department: Community Relations **File No:** F16/839

Division: Culture & Community **Trim No:** IC17/757

Appendix:

1. July 2017- Advocacy Priorities - 2018 State Election Program (D17/82176)

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 affirm Council's advocacy priorities including nominating the priorities for the 2018 State Election Program.

Summary

Council advocating on behalf of communities is a core role and needs to be a continuous process. Council continues to have a long term view of advocacy and will use current and future advocacy opportunities to pursue benefits for the Surf Coast community.

Council is striving to be 'An innovative and flexible leader, a constructive partner that values the strengths of others'. Partnerships with government and non-government organisations are critical to this goal.

Having clearly defined priorities at all times is a feature of successful advocacy planning. Council recognises that there are many, ongoing advocacy opportunities that we should be ready for such as regional forums, funding rounds and state and federal budgets. To capitalise on these opportunities, Council is updating advocacy priorities on a quarterly basis.

The State Election will be held on 24 November 2018. Identifying priorities early will enable Council to effectively communicate priorities to key politicians and advisors to advance the priorities in our region and state in the lead up to the election.

Recommendation

That Council:

1. Confirm the current strategic advocacy priorities (with associated projects detailed in Appendix 1), as:
 - 1.1 Great Ocean Road Visitor Economy
 - 1.2 Towards Environmental Leadership
 - 1.3 Building our Future
 - 1.4 Community and Partner-Led Priorities
 - 1.5 Key Policy Campaigns
2. Identify the priorities for inclusion in the State Election Advocacy Program.
3. Develop and implement a State Election Advocacy Program to effectively advocate for these priorities to politicians, advisors, regional lobby groups and influential individuals and organisations.

4.1 Quarterly Advocacy Priorities Update Including 2018 State Election Program

Report

Background

Council is reliant on the actions of other levels of government to achieve its objectives which means advocacy is a critically important activity. Likewise, other levels of government are often reliant on partnerships with Council to achieve their objectives. The areas of mutual interest often include infrastructure, services and policy.

Council continues to be committed to attracting support from the State and Federal Government to deliver infrastructure, provide services and shift policy.

The re-elected Coalition Federal Government committed almost \$32 million to projects in Surf Coast Shire in 2016.

Recently the State Government passed legislation to ban the exploration and development of unconventional gas and acknowledged the commitment of Surf Coast Shire and community members to achieve this outcome.

Council has made two applications to the federal Building Better Regions Fund: 1) Torquay Active Transport Project – a multi-million project to create pathways and cycling routes through Torquay and Jan Juc and; 2) The Winchelsea Netball Pavilion upgrade. The outcomes of these funding applications are expected to be known soon.

The Mayor and Surf Coast Shire CEO have continued to meet with local politicians and Ministers at a state and federal level to advance support for Council's priorities.

Council recently advocated through the MAV that the State Government appropriately fund infrastructure and services that are a State Government responsibility but which are delivered by local government including school crossing supervisors, the State Emergency Service, surf life-saving and marine rescue services. This motion was supported at the MAV State Council meeting held in May

1. Council has been recently advocating for the Federal Government to continue to provide its share of enduring funding of 15 hours of kindergarten per week for all children in the year before primary school. Funding has been secured for the short term and Council remains committed to securing this funding for the long term future.

Discussion

Good advocacy planning with clearly articulated priorities will improve Council's chances of advocacy success. This approach will ensure our key spokespeople are prepared with relevant data and clear messages aimed at the right people.

Affirming advocacy priorities each quarter prepares Council to capitalise on many opportunities. The State Election will be held on 24 November 2018 and this brings a significant opportunity to gain support for Council priorities. It is also an opportunity to deepen understanding of how Surf Coast Shire can achieve government and opposition parties' objectives.

A Federal Election will be held prior to mid-2019 and could be called earlier. Affirming advocacy priorities now positions Surf Coast Shire well in preparation of the next Federal Election.

Other advocacy opportunities include frequent funding rounds and regular meetings with Ministers and Members of Parliament. This constant advocacy schedule requires planning and pre-work for major proposals including well developed business cases, project plans and grant applications.

Strong relationships need to exist at many levels including with elected representatives and candidates, advisory and campaign staff and organisations with mutual objectives. Council will continue to identify and build strong relationships with them to gain support for priorities.

It is very important to understand the government and major political party policy context when determining Council's advocacy priorities. The development of Council's advocacy priorities has included research into policy platforms of each of the major parties. Council priorities are more likely to be supported if they achieve the objective of government or parties in opposition.

4.1 Quarterly Advocacy Priorities Update Including 2018 State Election Program

Focussing Council's advocacy efforts on defined, key projects and issues does not diminish the importance of other projects and activities. They will be progressed through advocacy opportunities including but not limited to; meetings and conversations with politicians, advisors and government staff, advocating through the MAV and Australian Local Government Association (ALGA) and active representation at the G21 Regional Alliance.

Establishing the current advocacy priorities has included a review of Council's strategic planning work which is shaped by community input through specific engagement processes. The strategic plans considered included:

- Council Plan incorporating the Health and Wellbeing Plan
- Council policy positions
- Council strategies and master plans
- Local land use plans and township design frameworks
- Developer contribution plans

It is important to be clear with potential partners and stakeholders about Surf Coast Shire's priorities. To this end Surf Coast Shire has identified three strategic advocacy priorities:

1. Great Ocean Road Visitor Economy	2. Towards Environmental Leadership	3. Building our Future
We attract millions of visitors each year and the Great Ocean Road is a unique driver of our economy.	We recognise the Surf Coast's assets are built on our natural environment. We will pull our weight to address climate change and help reach the renewable energy target of 25% by 2020	We are growing rapidly and need to deliver facilities and services that make our communities great places to live.

A number of key projects sit within each advocacy priority (more detailed project information is in Appendix 1). The 2018 State Election Advocacy Program includes priorities which are aligned with government and opposition policies, contribute to the long term sustainability of Surf Coast Shire and are significant for the community and environment.



- State Election Priority

2. Great Ocean Road Visitor Economy

- | | |
|--|--|
| <p>3. Shipwreck Coast Master Plan Implementation</p> <p>5. Continued investment in Great Ocean Road renewal</p> <p>7. Great Ocean Road Gateway Experience</p> | <p>4. Growing Adventure Tourism – Surf Coast Trails</p> <p>6. Alcoa Site Regeneration - Anglesea</p> <p>8. Point Grey Redevelopment Lorne (Partner-led)</p> |
|--|--|

Towards Environmental Leadership




- | | |
|---|--|
| <p>9. Renewable Energy Microgrid</p> <p>10. Permanent Town Boundaries (policy)</p> | <p>Energy Efficient Streetlight Conversions</p> <p>11. Hinterland Futures Strategy</p> |
|---|--|

12. Building our Future







- | | |
|--|--|
| <p>13. Multipurpose Indoor Stadium – North Torquay</p> <p>15. Torquay Active Transport</p> <p>17. Winchelsea Netball Facilities upgrade</p> | <p>14. Stribling Reserve Redevelopment</p> <p>16. North Torquay Soccer Facilities</p> <p>18. Improved Phone and Internet Coverage</p> |
|--|--|

4.1 Quarterly Advocacy Priorities Update Including 2018 State Election Program

19. Community and Partner Led Priorities

- 20.  Barwon Park Fire Protection - Led by the National Trust
- 21.  Anglesea Motor Yacht Club Upgrade – Led by Anglesea Motor Yacht Club
- 22.  Surf Coast Surf Life Saving Club upgrades – Anglesea, Lorne and Torquay.

23. Key Policy Campaigns

- 24.  Policy partnership opportunity now
- 25.  Retaining Funding for Councils for Rural Access programs.
- 26.  Public transport improvements and Surf Coast Shire inclusion in future planning.
- 27.  Coastal agency and Great Ocean Road governance coordination.
- 28.  Sustainable future for emergency services.
-  Kinder funding for 15 hours access to continue.

The State Election Advocacy Program can evolve to include identifying and communicating small partnership opportunities to the State Government and opposition parties.

Two projects from the March 2017 priorities list are not included in this report. Partner-led Surf Life Saving Club (SLSC) developments are not included as some projects recently received funding and other SLS Clubs do not have projects scoped. The Energy Efficient Streetlight project is not included in this priority list as Council is delivering this project to realise significant energy savings.

Financial Implications

A successful advocacy program can deliver significant income to Council projects. In the event these advocacy priorities are funded, Council will need to consider how its financial contribution to these projects will impact on its capacity to deliver other capital projects in future budgets.

Consideration will need to be given to equity and the spread of projects across the shire. Council's cash position and the possibility of debt funding larger projects will also need to be considered.

Council Plan

Theme	5 High Performing Council
Objective	5.1 Ensure Council is financially sustainable and has the capability to deliver strategic objectives
Strategy	Nil

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

Policy/Legal Implications

The Local Government Act 1989 articulates that a role of a Council includes; “advocating the interests of the local community to other communities and governments”

A review of State and Federal Government policy continues to inform Council's advocacy program. Council's advocacy activities seek to influence government policy to deliver outcomes which benefit the Surf Coast community.

Officer Direct or Indirect Interest

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

4.1 Quarterly Advocacy Priorities Update Including 2018 State Election Program

Risk Assessment

Failure to determine clear advocacy priorities for action may limit Council's ability to achieve support for its priorities. A clear and ongoing advocacy plan with regularly updated priorities mitigates against this risk.

Social Considerations

Effective advocacy planning is a key ingredient in Council achieving support for its priorities. This increases the likelihood of Council achieving social benefits for the community.

Community Engagement

Previous community engagement activities have informed the choice of priorities. They are drawn from engagement conducted for the Council incorporating the Health and Wellbeing Plan, established master plans, developer contribution plans and other capital works planning exercises.

Environmental Implications

Council is committed to being an environmental leader and this is evident in the current advocacy priorities. Council has established the 25% by 2020 Taskforce which has led to the scoping of the Renewable Energy Microgrid project.

Communication

The adoption of the priorities will trigger the development and implementation of a State Election Advocacy Program including communication plans. The Mayor, Councillors and CEO will communicate these advocacy priorities with State and Federal Politicians at formal and informal engagement opportunities.

The State Election priorities will be communicated Council's communication channels and a media release will be issued with the aim of informing the wider community of Council's priorities.

Council will update the State Election Advocacy Program on a quarterly basis at ordinary Council meetings until November 2018.

Conclusion

The State Election in 2018 is a significant advocacy opportunity for Council. Affirming these priorities now and developing and implementing a State Election Advocacy Program is necessary for Council to achieve advocacy success. The Federal Election will happen within the next two years and preparing now will be valuable in advocating to Federal Government and parties in opposition in the lead up to this election.

While elections are important, Council will continue to take a long term view to its advocacy effort. The focus will continue to be on maintaining government relations, developing business cases for projects and capitalising on key opportunities to achieve benefits for the community.







4.1 Quarterly Advocacy Priorities Update Including 2018 State Election Program







APPENDIX 1 JULY 2017- ADVOCACY PRIORITIES - 2018 STATE ELECTION PROGRAM


Appendix 1 – Detailed Project Information – 2018 State Election Advocacy Priorities. July 2017

COUNCIL-LED PRIORITIES

 - State Election Priority
DCP = Developer Contributions Plan






Project	Description	Project Cost	Council Contribution
GREAT OCEAN ROAD VISITOR ECONOMY			
 Shipwreck Coast Master Plan <i>Partnership led priority</i>	Advocate on behalf of partner organisations to gain support for the implementation of the Shipwreck Coast Masterplan and improve visitor connections to Surf Coast Shire. Increasing visitation along the Great Ocean Road will benefit all of its communities and the region's economy.	\$174,000,000	Nil Partner Led
 Continued investment in Great Ocean Road renewal	Recent announcements from the State and Federal governments to invest in renewing the Great Ocean road will support the 5 million visitors per year. Funding needs to continue in road renewal to ensure it meets visitor expectation for future years.	As required	Not required. Govt infrastructure
 Great Ocean Road Gateway Experience	Creating a 'must do' destination at the beginning of the Great Ocean Road to frame and influence the visitor journey along the Great Ocean Road. This would be achieved through combination of various elements, including: <ul style="list-style-type: none"> • A Great Ocean Road Gateway experience • An enhanced Australian National Surfing Museum • A visitor transit hub and visitor centre 	TBC	\$50,000
 Growing Adventure Tourism – Surf Coast Trails	Complete the enhancement of the existing Surf Coast Walk to enable dual use by pedestrians and cyclists. Feasibility and design of Stage 2 of the Surf Coast Walk to extend the current trail from Fairhaven to Cumberland River, Lorne. Create elite or "epic" level mountain bike trails in the Lorne area and trails and trail head around Anglesea.	\$500,000	\$100,000
 Alcoa Site Regeneration – Anglesea	Consultation on the future use of the Alcoa site in Anglesea is continuing. Council is pursuing positive environmental and community outcomes for the site consistent with community aspirations put forward through the consultation.	TBC	TBC
 Point Grey Redevelopment Lorne <i>Partner led priority</i>	A Great Ocean Road Coastal Committee (GORCC) project to deliver new and improved community infrastructure and facilities including: <ul style="list-style-type: none"> • Redeveloping two existing buildings, including a stand-alone aquatic and angling clubroom • Improvement to public open spaces • New picnic and BBQ areas 	\$6,000,000	Nil Partner Led

Project	Description	Project Cost	Council Contribution
TOWARDS ENVIRONMENTAL LEADERSHIP			
 Renewable Energy Microgrid	Surf Coast Shire's 25% by 2020 Renewable Energy Taskforce has mapped out a plan to achieve the Victorian renewable energy targets locally. In a ground-breaking partnership with Deakin University, we are establishing a microgrid at the Community and Civic Precinct in Torquay. The business case is being finalised and the project will harness mix of renewable energy generation and storage capacity.	\$265,000	\$114,000 <i>(includes business case development)</i>
Permanent Town Boundaries	Current town boundaries are capable of accommodating forecast population growth and retain township character. Residential and other urban development will occur within defined settlement boundaries. Surf Coast shire seeks government policies which support Council's land use planning.	Nil	Policy Support
Hinterland Futures	Capitalising on new opportunities in Surf Coast Shire's beautiful and productive hinterland through local food, niche tourism and agricultural exports.	TBC	TBC
BUILDING OUR FUTURE			
 Multipurpose Indoor Stadium-Torquay (DCP project)	Deliver a multi-court facility providing space for indoor sports such as basketball, netball, futsal, badminton and volleyball. Facility would provide scope for additional health and fitness programs such as group fitness classes. This is a key element of the Civic and Community Precinct Masterplan.	\$13,400,000	\$2,875,000
 North Torquay Soccer Facilities (DCP Project)	The popularity of soccer in Torquay continues to grow and pressure on existing facilities is already evident. Torquay has recently become the home of Galaxy United – the regional female representative club. Surf Coast FC uses these facilities and is growing rapidly. The project includes: establishment of 3rd soccer pitch, fencing, goals, shelters, lighting, scoreboards	\$725,000	\$625,000
 Torquay Active Transport (DCP project)	Investing in walking and bike paths will help keep the Surf Coast community an active community and enhance our reputation as a home for major events such as the Cadel Evans Road Race.	\$5,100,000	\$2,550,000
 Winchelsea Netball Facilities upgrade	A new multi-use clubroom facility delivering: <ul style="list-style-type: none"> · new player change rooms and umpires change room · public all accessible toilet · first aid/trainers' room · decking for enhanced spectator viewing 	\$600,000	\$350,000 <i>+ \$50,000 Club contribution</i>
 Stribling Reserve Redevelopment	Completing reserve redevelopment by upgrading male and female change facilities to enable more use for local sport and community events. The project will enhance the capability of the reserve to play a key role in emergency management.	\$1,220,000	TBC



Project	Description	Project Cost	Council Contribution
 Improved Phone and Internet Coverage	Mobile towers are needed in Surf Coast Shire to improve mobile and internet coverage. Due to the topography of the Surf Coast Shire, mobile and internet coverage is poor in many places. Even the larger towns experience poor reception.	Federal Government infrastructure	Not required. Govt infrastructure
Outcomes of the City of Greater Geelong's Long-Term Aquatic Infrastructure Planning	Working with COGG to consider the relationship of Armstrong Creek and North Torquay in relation to the provision of Aquatic Services. Also seeking to understand potential operating synergies between Council's Winchelsea pool and COGG's pools.		\$5,000

N.B. - Projects in DCPs are contractual commitments and Council has a funding obligation to deliver these projects.

KEY POLICY CAMPAIGNS

Policy	Description
 Retaining Funding for Councils for Rural Access programs.	Funding of Rural Access programs in councils is not guaranteed beyond 30 June 2018. Funding will transition from the Victorian Department of Health and Human Services (DHHS) to the National Disability Insurance Scheme (NDIS). Council will advocate that this funding is retained in the NDIS so councils can continue to improve access and inclusion.
 Public transport improvements and Surf Coast Shire inclusion in future planning.	Victoria introduced a minimum service level for Melbourne bus services in 2006, but there is not a minimum level of service for many regional communities. Council will advocate that Public Transport Victoria should establish clear guidelines for regional and rural levels of service and flexible service trials that use smaller vehicles to better meet the needs of smaller communities. Council will advocate to be included by other levels of government in future public transport planning.
 Coastal agency and Great Ocean Road governance coordination.	Many agencies have coastal management responsibilities in Victoria. Council will advocate for better coordination between these agencies to deliver better outcomes for the community and environment. Council strongly encourages the State government to go further to address complexity, clarify roles and responsibilities, promote shared services and reduce or remove inefficiencies in coastal land management. Council will advocate for clearer governance and institutional arrangements for management of the Great Ocean Road.
 Sustainable future for emergency services.	Council will advocate that emergency services (SES, Marine Rescue, and Surf Life Saving) in Victoria are funded adequately by the State Government.
 Kinder funding for 15 hours access to continue.	Seeking support from the Victorian Government to deliver its commitment to make Victoria the Education State by advocating to the Federal Government for ongoing funding for 15 hours of kindergarten. Council will support the MAV advocacy campaign to strengthen local government's voice with the federal government.

COMMUNITY AND PARTNER-LED PRIORITIES

Project	Description	Partner
 Barwon Park Fire Protection	Establishing water supply and fire protection systems to protect this heritage and economic asset.	The National Trust
 Anglesea Motor Yacht Club Upgrade	Extend & renovate existing clubrooms to better serve the needs of the increased club membership and other community groups, including the addition of a lift for disabled access.	Anglesea Motor Yacht Club

4.2 Sport and Recreation Victoria - Country Football Netball Program 2017-18

Author's Title: Recreation Planning Coordinator **General Manager:** Chris Pike
Department: Recreation & Open Space Planning **File No:** F16/692
Division: Culture & Community **Trim No:** IC17/732

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 potential projects to be submitted to the Sport and Recreation Victoria (SRV) 2017-18 Country Football and Netball Program (CFNP).

Summary

The Department of Health and Human Services has an annual grant program aimed at helping country football and netball clubs who may be struggling with outdated, overused or non-compliant facilities.

Council is the applicant for this grant program and a funding contribution is required from Council and/or community to apply. Council is able to apply for up to \$100,000 for one larger project or up to three smaller projects. Guidelines have been shared with football and netball clubs through AFL Barwon and officers have considered projects identified in existing master plans and the G21 AFL Barwon Regional Strategy 2015 ensuring an alignment to Council's strategic planning framework.

Due to the high volume and backlog of potential projects that fit the existing program guidelines a formal expression of interest process for new project ideas was not conducted in-line with Council's recently revised Non-Recurrent Grants Management Procedure (MPP-019).

Council Officers have assessed existing projects that meet the CFNP funding criteria and are identified in the G21 AFL Barwon Regional Strategy. The Anglesea Football and Netball Club Ellimatta Reserve Sports Lighting is rated equally as the Shire's poorest sports oval lighting with a rating of 5/15 by AFL Barwon and this project was recently prioritised by Council at the 28 February 2017 meeting for further investigation.

Irwin Consult Pty Ltd was engaged to undertake an assessment of the lighting and provide a preliminary design report and opinion of costs for both metal halide and LED 100 and 150 lux lighting options.

Officers have consulted with Sport and Recreation Victoria and AFL Victoria and recommend that 150 lux should be Council's minimum level of lighting provision where there is senior local level competition football played. This advice aligns to the State Government *Community Sporting Facility Lighting Guidelines* that recommend that *'if a club, league or council is looking to develop a showpiece club night football venue, a minimum of 150 lux should be considered if it wishes to take contemporary viewing expectations of spectators into account'*.

4.2 Sport and Recreation Victoria - Country Football Netball Program 2017-18

Recommendation

That Council:

1. Submit an application to the Sport and Recreation Victoria, 2017 - 2018 Country Football and Netball Program, for the Anglesea Football and Netball Club – Ellimatta Reserve Sports Lighting Upgrade (150 lux, metal halide) – Total project cost \$280,000 consisting of Council \$165,000, Sport and Recreation Victoria \$100,000 and Anglesea Football and Netball Club \$15,000.
2. Pre-allocate \$165,000 from the 2018-19 Annual Budget as Council's contribution to the Ellimatta Reserve Sports Lighting Upgrade.
3. Note that the Winchelsea Netball Clubroom Redevelopment project has been submitted to the 2017-18 Building Better Regions Fund and 2018-19 Community Sports Infrastructure Fund with outcomes of both funding applications expected to be known by November 2017.
4. Authorise the Chief Executive Officer to sign funding agreements on behalf of Council for any application that is successful.

4.2 Sport and Recreation Victoria - Country Football Netball Program 2017-18

Report

Background

Council has submitted a range of projects to the Country Football and Netball Program in the past with a high level of success.

Council has six (6) football/netball clubs in the Shire including the recently established Surf Coast Suns Junior Football and Netball Club based in North Torquay. AFL Barwon work closely with their member Clubs to identify and prioritise potential projects that align to this funding program and encourage Clubs to submit expressions of interest directly to Council.

The Country Football and Netball Program application process is summarised as follows:

Program opens	9 May 2017
Full applications close	26 July 2017
Funding announcements	November 2017 onwards

Discussion

The Country Football and Netball Program (CFNP) is aimed at helping country football and netball clubs who may have with outdated, overused or non-compliant facilities.

Grants of up to \$100,000 are available for projects that may include:

- modifying existing football and netball facilities to improve usage and access such as: unisex change room facilities and amenities for players and umpires
- multi-purpose meeting spaces catering for community and education programs
- development or upgrading football and netball playing surfaces
- development or upgrading of football or netball lighting.

Council is the applicant for this grant program and a funding contribution is required from Council and/or community to apply. Council is able to apply for one (1) larger project or up to three (3) smaller projects.

Funding program guidelines have been shared with football and netball clubs through AFL Barwon and Council officers have considered potential projects already identified in existing master plans and the G21 AFL Barwon Regional Strategy ensuring an alignment to Council's strategic planning framework.

The G21 AFL Barwon Regional Strategy includes a facility infrastructure condition audit at each of Council's football and netball clubs (as at May 2014). The circled ratings highlight Council's poorest facility and amenities condition and inform how Council should prioritise investment in football and netball infrastructure across the Shire.

Current Facility Condition Ratings

CLUB	MAIN PAVILION (out of 10)	CHANGE ROOMS (out of 10)	SPORTS LIGHTING FOOTBALL (out of 15)	OVAL SURFACE (out of 15)	OVAL AMENITIES (out of 10)	SUB TOTAL FOOTBALL AMENITIES	NETBALL AMENITIES (out of 10)	MAIN NETBALL COURT (out of 15)	SPORTS LIGHTING NETBALL (out of 15)	SUB TOTAL NETBALL AMENITIES	RATING TOTAL OUT OF 100
SURF COAST SHIRE											
ANGLESEA	10	6	5	8	7	36	6	8	10	24	60
LORNE	4	3	5	15	8	35	4	8	10	22	57
MODEWARRE	10	8	5	8	7	38	6	10	10	26	64
TORQUAY	10	10	15	10	9	54	6	10	15	31	85
WINCHELSEA	10	8	15	6	7	46	6	12	15	33	79



Project Ready



Not Project Ready



Top Rating



In Progress

4.2 Sport and Recreation Victoria - Country Football Netball Program 2017-18

The green circles indicate projects that have advanced to a 'project ready' status including evidence of design and cost estimate.

The red circles indicate projects that remain a priority however not yet considered project ready and require further feasibility and design work.

The yellow circle is a project that has secured funding and is currently in progress as part of Council's capital works delivery program.

The below table identifies the football and netball projects that are advanced enough in their planning to be considered project ready.

Project Ready

Projects that meet Guidelines	Design	Cost Estimate	Contribution Required	Officer Comments
Winchelsea Netball Club Pavilion Redevelopment	Yes	\$598,000	Club \$73k Council \$425k SRV\$100k	Concept design complete and has club contribution. Rated 6/10 in G21 AFL Barwon Facility audit. Awaiting SRV funding application with announcements expected in late November 2017 and outcome of Building Better Regions Fund application. Community Project Assessment = High priority)
Anglesea Football and Netball Club – Ellimatta Reserve Sports Lighting Upgrade, 150 lux (metal halide)	Yes	\$280,000	SRV \$100K Club \$15k Council \$165k	Rated 5/15 in G21 AFL Barwon Facility audit. Recently completed preliminary design and costing as part of Community Project Development Officer prioritised project. Australian standards 100 lux meets club competition level, however 150 lux is preferred by SRV due to enhanced viewing distances for spectators. Community Project Assessment = High priority).
Mt Moriac Oval 2 Drainage Upgrade	Yes	\$157,000	SRV \$70K Club \$10k Council \$77k	Not a strong project for CFNP however does impact on participation and usability for the oval. Has a dual benefit for cricket in summer. Community Project Assessment = Medium priority)

Council is awaiting the outcome of a Winchelsea Netball Pavilion Upgrade application to the Federal Government Building Better Regions Fund program as well as the Sport and Recreation Victoria (SRV) Community Sporting Infrastructure Fund (Female Friendly Facilities category) with announcements expected to be known by November 2017. Sport and Recreation Victoria officers have confirmed that regardless of the announcement outcome, the Female Friendly Facilities Category will most likely continue again and this is the most appropriate funding program for the Winchelsea Netball Club Pavilion redevelopment.

The G21 AFL Barwon Regional Strategy which was endorsed by Council on 26 May 2015 rates the condition of the Anglesea Football Club Sports Lighting as 5 out of 15, equalling the lowest rated football lighting facilities in the Shire.

The Moriac Oval 2 drainage Upgrade is a high priority project but advice from SRV officers indicates that this would not be considered a strong project against a highly competitive pool of CFNP projects. Therefore, as Council is only able to apply for one project up to the maximum \$100k, officers recommend that the Ellimatta Reserve Sports Lighting would be the higher priority project.

4.2 Sport and Recreation Victoria - Country Football Netball Program 2017-18

The below table identifies the projects that are not advanced enough in their planning and therefore considered 'not project ready' for this current round of the CFNP. Council's Recreation and Open Space team will continue to work with clubs to prioritise and progress projects in a strategic manner as resources allow (i.e. prepare concept designs).

Not Project Ready

Projects that meet Guidelines	Cost Estimate	Contribution Required	Officer Comments
Lorne Football Club Changeroom Upgrade	\$470,000	TBC	Redevelop amenities, changerooms and storage as identified in 2017 Stribling Reserve MP. Detailed design funds allocated in 2017/18 budget. Rated as 3/10 in G21 AFL Barwon Facility Audit.
Lorne Netball Club – Pavilion Redevelopment	\$750,000	TBC	Complete rebuild of existing changerooms as identified in 2017 Stribling Reserve MP. Detailed design funds allocated in 2017/18 budget. Rated as 4/10 in G21 AFL Barwon Facility Audit.
Modewarre Football Club Lighting Upgrade – 100 lux	\$250,000	TBC	Requires further scoping, Club consultation and detailed design. Rated 5/15 in G21 AFL Barwon Facility Audit.
Joint Modewarre Tennis / Netball Club Pavilion Upgrade	\$650,000	TBC	Requires further scoping and Club consultation regarding concept design. Rated 6/10 in G21 AFL Barwon Facility Audit.
Anglesea Netball Club – Pavilion Upgrade	\$650,000	TBC	Requires further scoping, Club consultation and detailed design. Rated 6/10 in G21 AFL Barwon Facility Audit.
Modewarre Netball Club Lighting Upgrade 100 lux	\$60,000	TBC	Requires further scoping, Club consultation and detailed design. Rated as 10/15 in G21 AFL Barwon Facility Audit.

Anglesea Football Club Sports Lighting Project

At the 28 February 2017 Council Meeting, the Anglesea Football Club Sports Lighting Project was referred as a priority proposal to the Community Project Development Officer for further investigation. This investigation has now come to a conclusion and, with the unexpected earlier release of this funding round, it is recommended that Council consider submitting this project.

Sports lighting lux level testing at Elimatta Reserve was completed by Council in 2016 and further testing has been recently completed by AFL Barwon. The lux levels at Ellimatta Reserve were found to be very poor with many areas of the football oval failing to comply with even the minimum lighting levels required for club training activities. Ageing infrastructure, insufficient quantity of lights and inadequate pole height and location were identified as contributing factors to the overall poor lighting performance.

Discussions with Anglesea Football Club representatives at the commencement of the investigation provided direction about the level of lighting preferred by the club. The club indicated a strong preference for sports lighting that would achieve the minimum 50 lux level (AFL sports lighting standard for ball and physical training level) with the capacity to be able to increase by manual switch as required to 100 lux on occasions (AFL sports lighting standard for club competition level and match practice).

4.2 Sport and Recreation Victoria - Country Football Netball Program 2017-18

Officers have consulted with Sport and Recreation Victoria and AFL Victoria and recommend that 150 lux should be Council's minimum level of lighting provision where there is senior local level competition football played. This advice aligns to the State Government *Community Sporting Facility Lighting Guidelines* that recommend that *'if a club, league or council is looking to develop a showpiece club night football venue, a minimum of 150 lux should be considered if it wishes to take contemporary viewing expectations of spectators into account'*. Ultimately, 150 lux is preferred (to 100 lux) by SRV and AFL Victoria for competition football to enhance the viewing distances for spectators. The lighting lux levels will have the capacity to alternate between 50, 100 or 150 lux via a manual switch, allowing the Anglesea Football and Netball Club to determine what lighting level best suits their training or match play needs as required.

Irwin Consult Pty Ltd was engaged through existing recreation and open space operational budgets to prepare a preliminary design report and opinion of cost for the provision of 100 and 150 lux metal halide and LED sports lighting at Ellimatta Reserve Football Oval. Any lighting infrastructure recommendations were required to be consistent with the State Government lighting guidelines including light positioning, height and light spill requirements.

The completed report provides a recommended floodlighting design with new pole locations, pole type, height, electrical controls and modifications to the switchboard. The report provides a preliminary opinion of cost (including all materials, services, detailed design, site allowances, escalations) as follows:

	Installation	Survey	Project Mgmt	Contingency	Total
Option 1: 100 lux metal halide	\$190,000	\$5000	\$15,000	\$30,000	\$240,000
Option 2: 100 lux LED	\$250,000	\$5000	\$15,000	\$30,000	\$300,000
Option 3: 150 lux metal halide	\$230,000	\$5000	\$15,000	\$30,000	\$280,000
Option 4: 150 lux LED	\$305,000	\$5000	\$15,000	\$30,000	\$355,000

The Anglesea Football and Netball Club have provided written confirmation of a funding contribution of \$15,000 towards this future project, highlighting the level of priority for the club.

Financial Implications

The proposed budget for each Anglesea Football Club Sports Lighting Upgrade option is summarised as follows:

	Surf Coast Shire	SRV / CFNP	AFNC	Total
Option 1: 100 lux metal halide	\$125,000	\$100,000	\$15,000	\$240,000
Option 2: 100 lux LED	\$185,000	\$100,000	\$15,000	\$300,000
Option 3: 150 lux metal halide	\$165,000	\$100,000	\$15,000	\$280,000
Option 4: 150 lux LED	\$240,000	\$100,000	\$15,000	\$355,000

Council will project manage the delivery of the project.

Officers analysed the cost benefit of metal halide v LED lighting and determined that the lighting at Ellimatta Reserve in Anglesea is not utilised regularly enough to justify the extra capital cost required to benefit from the operational efficiency savings that LED may provide. However, it is considered that the extra \$40,000 capital cost to upgrade from 100 lux to 150 lux is a justified spend and will provide the greatest opportunity for success. Upgrading the lighting to 150 lux metal halide will future proof the facility and Anglesea Football and Netball Club to have the capacity to host future night football matches with an enhanced spectator and visitor experience.

Council is required to underwrite the total cost of the project, less the grant amount. With a cap on Council's contribution, club contributions are required to be validated via a letter of commitment and a copy of bank statements to demonstrate financial capacity.

4.2 Sport and Recreation Victoria - Country Football Netball Program 2017-18

With funding announcements not expected until November 2017, the project completion is not expected until April 2019 (prior to the start of the football season). Hence, in anticipation of a successful application, it is recommended that Council pre-allocate \$165,000 including project management and contingency from the 2018/19 annual budget as Council's contribution to the Anglesea Football Club Ellimatta Reserve Sports Lighting Upgrade (150 lux) project.

Council Plan

Theme 1 Community Wellbeing
Objective 1.2 Support people to be healthy and active
Strategy 1.2.1 Develop and implement local programs to support Healthy Eating and Active Living

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

Policy/Legal Implications

There are no legal implications associated with the recommendations in this report. Officers have made an assessment of potential projects against existing Council endorsed master plans and the G21 AFL Barwon Regional Strategy ensuring an alignment to Council's strategic planning framework.

Officer Direct or Indirect Interest

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

Risk Assessment

There is a financial risk of the club contribution not being secured, however officers will ensure evidence with bank statements and a written funding agreement will be executed.

The Anglesea Football and Netball Club have requested a 50 lux lighting capacity with the option to increase to 100 lux as required. Officers have spoken with Sport and Recreation Victoria and AFL Victoria and recommend that making provision for 150 lux aligns to the State Government *Community Sporting Facility Lighting Guidelines* and will not only ensure an enhanced spectator experience in the future but make for a stronger application seeking the maximum funding available. The Club will be able manually operate the lights to determine the most appropriate lux level as required (i.e 50, 100 or 150 lux).

Social Considerations

The 2017/18 Country Football and Netball 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.

Community Engagement

There are six football clubs in the Surf Coast Shire including the newly established Surf Coast Suns Junior Football and Netball Club. All clubs received a copy of the Country Football and Netball Program guidelines through AFL Barwon and the Victorian State Government when the guidelines were released.

All existing Clubs worked with AFL Barwon between November 2013 and May 2014 to rate the condition of their facilities and amenities which was recorded in the G21 and AFL Barwon Regional Strategy to guide how Council should prioritise upgrades to existing facilities into the future.

Anglesea Football Club were directly engaged as part of the sports lighting project investigation.

If Council resolves to progress this funding opportunity and is successful in securing funding, officers will prepare a detailed stakeholder engagement plan as per Council's adopted Project Management Framework.

Environmental Implications

No significant environmental implications arise from this report. Officers analysed the cost benefit of metal halide v LED lighting and determined that the lighting at Ellimatta Reserve in Anglesea is not utilised regularly enough to justify the extra capital cost required to benefit from the operational efficiency savings that LED may provide.

4.2 Sport and Recreation Victoria - Country Football Netball Program 2017-18

Communication

As part of the project investigation officers have engaged with the Anglesea Football and Netball Club regarding the project and will meet with the club directly should Council resolve to submit an application to the current round of the Country Football and Netball Program closing 26 July 2017.

Conclusion

The Country Football and Netball Program is a highly competitive funding program, competing against other Councils from rural and regional Victoria. In consultation with Sport and Recreation Victoria, Council officers have considered a number of potential projects against the funding program criteria and objectives and believe that the Anglesea Football Club Sports Lighting Upgrade project with 150 lux capacity provides the greatest opportunity for success.

5. MINUTES

5.1 Section 86 Committee Minutes

Author's Title: Administration Officer

General Manager: Anne Howard

Department: Governance

File No: F17/285

Division: Governance & Infrastructure

Trim No: IC17/723

Appendix:

1. Planning Committee Meeting Minutes - 26 June 2017 (D17/77377)
2. Hearing of Submissions Meeting Minutes - 4 July 2017 (D17/79940)

Officer Direct or Indirect Conflict of Interest:

Status:

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

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

Yes

No

Yes

No

Reason: Nil

Reason: Nil

Purpose

To present the minutes of the Section 86 Committee meetings as appended.

Summary

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

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

Recommendation

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

- Planning Committee Meeting - 26 June 2017
- Hearing of Submissions Meeting - 4 July 2017.

5.1 Section 86 Committee Minutes

APPENDIX 1 PLANNING COMMITTEE MEETING MINUTES - 26 JUNE 2017



Minutes of Planning Committee Meeting No. 475 held at 5.00pm Monday 26 June 2017 in the Council Chambers, Surf Coast Shire Offices Torquay.

1. **OPENING OF MEETING**
5.06 pm
2. **PRESENT**
Wayne Reid (Chairman), Geoff Fulton, Wesley McClendon, Robert Troup, Mich Watt
3. **APOLOGIES**
K Grange
4. **CONFIRMATION OF MINUTES**
Minutes of the Planning Committee Meeting held on Monday 15 May 2017
Moved: Robert Troup Seconded: Wesley McClendon

5. **DISCLOSURE OF CONFLICTS OF INTEREST**
Nil

DISCLOSURE OF INTERESTS (AT DISCRETION OF COMMITTEE)
 Nil

6. **PUBLIC PRESENTATIONS**

Item	Applicant	Objectors
8.1	Ahmed Elzahbi	Peter Redding Carl Dalton Julie Baker * Bianca Finch * *no objection lodged
8.2	Anthony Sang	

7. **CONSIDERATION OF THE AGENDA**
As presented

8. **CONSIDERATION OF APPLICATIONS FOR A PERMIT**

- Item 8.1 63 Hesse Street, Winchelsea (17/0029).....Page 3
 Use and Development of a Childcare Centre, Reduction in the Standard Car Parking Requirements and Display of Business Identification Signage
- Item 8.2 1/8 & 5/8 The Esplanade, Torquay (17/0099).....Page 19
 Construction of Buildings and Works Associated with an Existing Dwelling

9. **RECENT VCAT DECISIONS**

Application Number: 16/0060
 VCAT Ref: P1293/2016
 Address: 5 Broadbeach Road, Jan Juc
 Officer Recommendation: Approval – Issue Notice of Decision
 Planning Committee Resolution: Officer Recommendation Supported – Notice of Decision Issued
 VCAT Decision: Decision of Responsible upheld with varied conditions
 Proposal: Construction of a Dwelling and Removal of Vegetation in Significant Landscape Overlay Schedule 1; Removal of Native Vegetation.



Application Number: 16/0098
VCAT Ref: P1794/2016
Address: 14 Bambra Road, Aireys Inlet
Officer Recommendation: Issue Notice of Decision
Planning Committee Resolution: Officer Recommendation Supported – Notice of Decision Issued
VCAT Decision: Decision of Responsible Varied – Permit Issued with Varied Conditions
Proposal: The construction of a two storey dwelling in a General Residential Zone with Neighbourhood Character Overlay Schedule 1, Environmental Significance Overlay Schedule 4 and Design and Development Overlay schedule 10.
In accordance with the endorsed plans:

10. POLICY ISSUES
Nil

11. OTHER MATTERS
Nil

12. CLOSE OF MEETING
6.25 pm

NEXT MEETING – 10 July 2017



ITEM NO: 8.1
PLANNING REF: 17/0029
PROPOSAL: Use and Development of a Childcare Centre, Reduction in the Standard Car Parking Requirements and Display of Business Identification Signage
APPLICANT: Ahmed Elzahbi
DATE RECEIVED: 10 February 2017
SUBJECT LAND: 63 Hesse Street, Winchelsea (Lot: 1 TP: 575897)
ZONE: General Residential Zone – Schedule 1
OVERLAYS: Nil
PERMIT REQUIRED UNDER CLAUSES:

- Clause 32.08-2 – Use of the land as a child care centre;
- Clause 32.08-8– Buildings and works associated with a Section 2 use;
- Clause 32.08-13– Display business identification signage;
- Clause 52.06-3– Reduce the number of car parking spaces required under Clause 52.06-5.

EXISTING USE: Dwelling
REPORTING OFFICER: Michelle Warren

REASON FOR REFERRAL TO PLANNING COMMITTEE:

Objections received – Six

MOVED: Robert Troup **SECONDED:** Wesley McClendon **FOR:** 4 **AGAINST:** 0

OFFICERS RECOMMENDATION **ALTERNATIVE RECOMMENDATION**

POINTS OF DISCUSSION:

Some of the concerns raised don't specifically relate to planning law and under planning law it is appropriate.
Some of the concerns about history and competition aren't relevant. It is hoped the existing kindergarten continues to flourish.
The corner site at the edge of a residential area is appropriate. Access is good, long length of lot is appropriate.
Perhaps a consultation meeting could have been undertaken.

PLANNING COMMITTEE RESOLUTION

That Council having caused notice of Planning Application No. 17/0029 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 in respect of the land known and described as 63 Hesse Street, Winchelsea for the Use and Development of a Childcare Centre, Reduction in the Standard Car Parking Requirements and Display of Business Identification Signage in accordance with the endorsed plans, subject to the following conditions:

Amended Plans

1. Before the commencement of the development, amended plans to the satisfaction of the Responsible Authority must be submitted to, and approved by, the Responsible Authority. The plans must be drawn to scale with dimensions and must be generally in accordance with the plans submitted with the application but modified to show:
 - a) A schedule of materials and colours;
 - b) The provision of an area for the storage of waste. This area should be appropriately screened from the street;



- c) A reduction in height for the business identification sign located on the Armytage Street frontage of the site; this sign should be reduced to 2.5 metres in height;
- d) The deletion of the sign shown on the northern wall of the building;
- e) A notation on the plan that a mural to the satisfaction of the Responsible Authority will be installed on the northern wall;
- f) A notation on the plan that an anti-graffiti treatment will be applied to the northern wall;
- g) A roof plan detailing the location of all plant and equipment;
- h) A blind aisle adjacent to car spaces 7 and 8 so that vehicles using these spaces can turn and exit the site in a forward motion;
- i) Correct labelling of elevation drawings;
- j) Corrected spelling for Armytage Street.

Endorsed Plans

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

Landscaping

3. Before the release of the approved plan for the approved development, a landscape 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) details of surface finishes of pathways and driveways;
 - b) a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant;
 - c) landscaping and planting within all open areas of the site.

All species selected must be to the satisfaction of the responsible authority. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the responsible authority, including that any dead, diseased or damaged plants are to be replaced. When approved, the plans will be endorsed and will then form part of this Permit.

Landscaping Bond

4. Before the release of the approved plan for the approved development, a cash bond or bank guarantee to the value of \$3,000 must be deposited with the responsible authority by the developer of the land as security against failure to protect existing native vegetation to be retained or to comply with the landscape plan endorsed under this permit.

The bond or bank guarantee will only be refunded or discharged by the responsible authority upon being satisfied that the requirements of the landscape plan have been fulfilled to the satisfaction of the responsible authority.

Number of Children

5. No more than 70 children may be present at the site at any one time.

Hours

6. The use of the child care centre must only operate between the hours of Monday-Friday between 7:30am-6.30pm (excluding ancillary functions i.e. cleaning, maintenance and administration).
7. The use of the outside play areas must limited to the hours between 8.30am and 5.30pm.



Waste

8. Adequate provision must be made for the storage and collection of garbage, bottles and other solid wastes in bins or receptacles, to the satisfaction of the Responsible Authority. All bins and receptacles used for the storage and collection of garbage, bottles and other solid wastes must be kept in a storage area screened from view, to the satisfaction of the Responsible Authority. All bins and receptacles must be maintained in a clean and tidy condition and free from offensive odour, to the satisfaction of the Responsible Authority.
9. Prior to the commencement of the development, the permit holder must prepare and have approved in writing by the Responsible Authority a Waste Management Plan (WMP) for the site with respect to the collection and disposal of waste and recyclables associated with the proposed uses on the site to the satisfaction of the Responsible Authority. The WMP must provide for the following:
 - a) The collection of waste associated with the uses on the land, including the provision of bulk waste collection bins or approved alternative, recycling bins, the storage of other refuse and solid wastes in bins or receptacles within suitable screened and accessible areas to the satisfaction of the Responsible Authority. Commercial waste bins being placed or allowed to remain not in view of the public, and receptacles not emitting any adverse odours.
 - b) Designation of methods of collection including the need to provide for private services or utilisation of council services. If private collection is used, this method must incorporate recycling services and must comply with the relevant EPA noise guideline relating to the time of collection.
 - c) Appropriate areas of bin storage on site and areas of waste bin storage on collection days.
 - d) Times of waste collection, which are to be outside of peak pick up and drop off times, and details of the size of the waste collection vehicle.
 - e) Details for best practice waste management once operating.

Once approved the WMP will be endorsed to form part of this permit and must be complied with to the satisfaction of the Responsible Authority and must not be varied except with the written approval of the Responsible Authority.

Mural

10. Prior to the commencement of the use, the mural must be displayed on the northern wall of the building and the wall treated with an anti-graffiti treatment.

Acoustic Fence

11. Prior to the commencement of the use, an acoustic fence must be erected along the length of the western boundary of the site to a minimum height of 2.0m above natural ground level. The design of the fence and first floor barrier must be prepared in consultation with a suitably qualified acoustic engineer. Details of the design and acoustic qualities of the fence must be submitted to, and approved by, the Responsible Authority.
12. The acoustic fence must be maintained to the satisfaction of the Responsible Authority.

Car Parking

13. Before the use starts, the area(s) set-aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
 - a) constructed
 - b) properly formed to such levels that they can be used in accordance with the plans
 - c) surfaced with an all-weather-seal coat
 - d) drained
 - e) line marked to indicate each car space and all access lanes
 - f) clearly marked to show the direction of traffic along access lanes and driveways

to the satisfaction of the responsible authority.
Car spaces, access lanes and driveways must be kept available for these purposes at all times.



Plant

14. No plant, equipment, services and substations other than those shown on the endorsed plans are permitted without the prior written consent of the Responsible Authority.

Security Alarm

15. All security alarms or similar devices installed on the land must be of a silent type approved by the Standards Association of Australia and be connected to a registered security service.

Lighting

16. All outdoor lighting must be baffled and/or located to prevent light from the site causing detriment to the locality to the satisfaction of the Responsible Authority.

Sign

17. The location of the sign(s) (including the size, nature, panels, position and construction) shown on the endorsed plan must not be altered without the prior written consent of the Responsible Authority.
18. The sign(s) must be constructed and maintained to the satisfaction of the Responsible Authority.
19. The sign must not be illuminated.

Expiry

20. 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 use is not started within two years after the completion of the development
 - The use is discontinued for a period of two years.

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

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

Note:

The following requirements shall apply to vehicle crossings and driveways that shall be constructed to the satisfaction of the responsible authority:

- a) Vehicle crossings shall be constructed in reinforced concrete or other approved material;
- b) New vehicle crossings to suit the proposed driveways shall be constructed;
- c) Redundant vehicle crossings shall be removed and kerb and channel or other approved road edgings reinstated to suit existing works;
- d) A "Non-Utility - Minor Works" permit shall be obtained from the Coordinating Road Authority defined in the Roads Management Act 2004 prior to any works being undertaken in road reserves.

CARRIED



ITEM NO: 8.2
PLANNING REF: 17/0099
PROPOSAL: Construction of Buildings and Works Associated with an Existing Dwelling
APPLICANT: St Quentin Consulting
DATE RECEIVED: 19-Apr-2017
SUBJECT LAND: 1/8 and 5/8 The Esplanade, Torquay. (UN: 1;12 and 5 RP: 14406)
ZONE: General Residential 1
OVERLAYS: Design and Development - Schedule 13, Significant Landscape - Schedule 6, Development Contributions Plan - Schedule 2
PERMIT REQUIRED UNDER CLAUSES: Clause 32.08-5, Clause 43.02-2
EXISTING USE: Single dwelling
REPORTING OFFICER: Maya Dougherty

REASON FOR REFERRAL TO PLANNING COMMITTEE:

- Planning Officer recommending refusal
 No objections received

MOVED: Robert Troup **SECONDED:** Wesley McClendon **FOR:** 4 **AGAINST:** 0

OFFICERS RECOMMENDATION **ALTERNATIVE RECOMMENDATION**

POINTS OF DISCUSSION:

Doesn't enhance the streetscape and is heading in the wrong direction in this prominent street in Torquay.
Contrary to the character theme Council is trying to achieve in this area.

PLANNING COMMITTEE RESOLUTION

That Council having caused notice of Planning Application No. 17/0099 to be given under Section 52 of the *Planning and Environment Act 1987* and having considered all the matters required under Section 60 of the *Planning and Environment Act 1987* decides to Refuse to Grant a Permit under the provisions of 32.08-5, 43.02.2 and 2.0 Schedule 13 to 43.02 of the Surf Coast Planning Scheme in respect of the land known and described as 1/8 and 5/8 The Esplanade, Torquay, for the Construction of Buildings and Works Associated with an Existing Dwelling for the following reasons:

1. Site coverage, including hard surface areas, is more than 50% of the site which decreases opportunities for landscaping on the site and is contrary to the design objectives of Design and Development Overlay – Schedule 13 and Clause 54.02-1 – Neighbourhood Character.
2. The wall on the southern boundary of the site does not provide for space around dwellings, as encouraged by Design and Development Overlay – Schedule 13, reducing the visual permeability of the development when viewed from foreshore areas and the street.
3. The siting of the development does not have appropriate regard to the preferred neighbourhood, streetscape and vegetation character of the area as described in the Torquay Jan Juc Neighbourhood Character Study and Vegetation Assessment (2006) and Torquay-Jan Juc Neighbourhood Character Study Review (2012), both of which place a strong emphasis for this area on providing vegetation and sufficient side setbacks, which is contrary to the decision guidelines of Design and Development Overlay – Schedule 13.

CARRIED

5.1 Section 86 Committee Minutes

APPENDIX 2 HEARING OF SUBMISSIONS MEETING MINUTES - 4 JULY 2017



Minutes

Hearing of Submissions Committee Tuesday, 4 July 2017

Held in the
Council Chambers
1 Merrijig Drive, Torquay
Commencing at 5.00pm

Council:

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

MINUTES FOR THE HEARING OF SUBMISSIONS MEETING OF SURF COAST SHIRE COUNCIL
HELD IN THE COUNCIL CHAMBERS, 1 MERRIJIG DRIVE, TORQUAY
ON TUESDAY 4 JULY 2017 COMMENCING AT 5.00PM

PRESENT:

Cr Brian McKiterick (Mayor)
Cr Martin Duke
Cr Clive Goldsworthy
Cr Rose Hodge
Cr Carol McGregor
Cr Margot Smith

In Attendance:

Chief Executive Officer – Keith Baillie
General Manager Governance & Infrastructure – Anne Howard
Manager Planning – Bill Cathcart
Coordinator Statutory Planning – Michelle Watt

5 members of the public

APOLOGIES:

Cr David Bell
Cr Libby Coker
Cr Heather Wellington

Committee Resolution

MOVED Cr Margot Smith, Seconded Cr Rose Hodge

That an apology be received from Cr David Bell, Cr Libby Coker and Cr Heather Wellington.

CARRIED 6:0

CONFLICTS OF INTEREST:

Nil.

SUBMITTERS HEARD:

1.1 Sale of Council Land - Winchelsea

1. John Knuckey

2.1 Planning Permit Application 15/0434 - 210 Jarosite Road, Bells Beach - Use and Development of a Dwelling, construction of a Tennis Court and associated removal of Native Vegetation

1. Anne Waterhouse
2. Tony Hobba (on behalf of the applicant)

BUSINESS:

1. GOVERNANCE & INFRASTRUCTURE	4
1.1 <i>Sale of Council Land - Winchelsea</i>	4
2. ENVIRONMENT & DEVELOPMENT	12
2.1 <i>Planning Permit Application 15/0434 - 210 Jarosite Road, Bells Beach - Use and Development of a Dwelling, construction of a Tennis Court and associated removal of Native Vegetation</i>	12

1. GOVERNANCE & INFRASTRUCTURE

1.1 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:** IC17/719

Appendix:

1. Order of Speakers - Sale of Council Land - Winchelsea (D17/76881)
2. List of Other Submitters - Sale of Council Land - Winchelsea (D17/76878)

Officer Direct or Indirect Conflict of Interest:

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

Status:

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 enable consideration of submissions received and to hear submitters who have requested to appear in person.

Summary

At Council's Meeting of 23 May 2017 Council resolved to:

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.

A public notice was published in the Surf Coast Times on 1 June 2017 and the Winchelsea Star on 6 June 2017 with submissions closing at 4pm Thursday 29 June 2017. Further to the public notice Council wrote to 38 neighbouring properties regarding the proposal.

Council received two submissions and one submitter requested to be heard. A summary of the submissions is as follows:

- support Ambulance station coming to Winchelsea
- oppose the site proposed
- preferred location – Shire owned land on the highway (325 Mousley Road, Winchelsea), or vacant land for sale next to doctor's surgery
- preference for the Harding Street property to be utilised for future community use with the growth of Winchelsea or something along the lines of elderly living units

Note that Council received a joint letter from Growing Winchelsea Incorporated supporting the sale of the land, however requesting the revenue from the sale be utilised in Winchelsea in accordance with the Growing Winchelsea Plan.

1.1 Sale of Council Land - Winchelsea

Recommendation

That Council receive and note the submissions for the proposed Sale of Council Land in Winchelsea.

Committee Resolution

MOVED Cr Martin Duke, Seconded Cr Clive Goldsworthy

That Council receive and note the submissions for the proposed Sale of Council Land in Winchelsea.

CARRIED 6:0

1.1 Sale of Council Land - Winchelsea

Report

Background

At its 23 May 2017 Ordinary meeting, Council resolved to:

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

Discussion

A notice was published in the Surf Coast Times on 1 June 2017 and the Winchelsea Star on 6 June 2017 with the submission period closing at 4pm Thursday 29 June 2017. Further to the public notice Council wrote to 38 neighbouring properties regarding the proposal.

Council received two submissions and one submitter requested to be heard. A summary of the submissions is as follows:

- support Ambulance station coming to Winchelsea
- oppose the site proposed
- preferred location – Shire owned land on the highway (325 Mousley Road, Winchelsea), or vacant land for sale next to doctor's surgery
- preference for the Harding Street property to be utilised for future community use with the growth of Winchelsea or something along the lines of elderly living units .

Note that Council received a joint letter from Growing Winchelsea Incorporated supporting the sale of the land, however requesting the revenue from the sale be utilised in Winchelsea in accordance with the Growing Winchelsea Plan.

Financial Implications

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

The proceeds 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.

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.

1.1 Sale of Council Land - Winchelsea

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 was published in the Surf Coast Times on 1 June 2017 and the Winchelsea Star on 6 June 2017 with submissions closing at 4pm Thursday 29 June 2017. Further to the public notice Council wrote to 38 neighbouring properties regarding the proposal.

Environmental Implications

Nil impacts identified.

Communication

As detailed under 'Community Engagement'.

Conclusion

Receive the submissions to the proposed sale of Council Land prior to consideration of the matter by Council at its Ordinary Meeting on 25 July 2017.

1.1 Sale of Council Land - Winchelsea

APPENDIX 1 ORDER OF SPEAKERS - SALE OF COUNCIL LAND - WINCHELSEA



Hearing of Submissions - Tuesday 4 July 2017
5pm
Council Chambers
1 Merrijig Drive, Torquay

ORDER OF SPEAKERS

GOVERNANCE AND RISK

Sale of Council Land - Winchelsea

Item	Time	Submitter
1.	5.10pm	John Knuckey

1.1 Sale of Council Land - Winchelsea

APPENDIX 2 LIST OF OTHER SUBMITTERS - SALE OF COUNCIL LAND - WINCHELSEA

Hearing of Submissions – Tuesday 4 July 2017

Sale of Council Land - Winchelsea

List of All Other Submitters

- Ken McDonald

2. ENVIRONMENT & DEVELOPMENT

2.1 Planning Permit Application 15/0434 - 210 Jarosite Road, Bells Beach - Use and Development of a Dwelling, construction of a Tennis Court and associated removal of Native Vegetation

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

General Manager: Ransce Salan
File No: 15/0434
Trim No: IC17/635

Appendix:

1. 15/0434 - Order of Speakers (D17/71889)
2. 15/0434 - List of Other Submitters (D17/71897)

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 hear submitters following invitation of submissions in accordance with Section 223 of the Local Government Act 1989 in relation to planning permit application 15/0434 for the use and development of a dwelling, construction of a tennis court and associated removal of native vegetation at 210 Jarosite Road, Bells Beach.

Summary

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

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

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

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

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

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

2.1 Planning Permit Application 15/0434 - 210 Jarosite Road, Bells Beach - Use and Development of a Dwelling, construction of a Tennis Court and associated removal of Native Vegetation

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

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

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

It is understood that an appeal has been lodged against Council's failure to decide on this application within 60 statutory days however Council is yet to receive notice of the appeal from the Victorian Civil and Administrative Tribunal. Council will need to decide on the position it takes at the upcoming VCAT hearing.

Recommendation

That Council receives and notes the submissions to Planning Permit 15/0434 for Construction of a Dwelling, Tennis Court and Associated Removal of Native Vegetation at 210 Jarosite Road, Bells Beach.

Committee Resolution

MOVED Cr Carol McGregor, Seconded Cr Margot Smith

That Council receives and notes the submissions to Planning Permit 15/0434 for Construction of a Dwelling, Tennis Court and Associated Removal of Native Vegetation at 210 Jarosite Road, Bells Beach.

CARRIED 6:0

2.1 Planning Permit Application 15/0434 - 210 Jarosite Road, Bells Beach - Use and Development of a Dwelling, construction of a Tennis Court and associated removal of Native Vegetation

Report

Background

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

The site is located on the southern side of Jarosite Road. The surrounding area is predominantly similar sized allotments developed with dwellings and associated outbuildings. Most dwellings are setback to the rear of the lots to take advantage of views and include cleared areas around the dwellings.

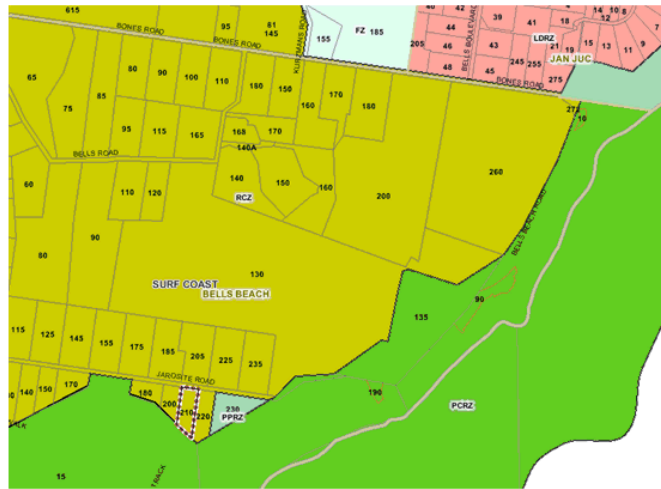


Figure 1– Locality Plan (Site Highlighted in Red)

The area is well vegetated with remnant vegetation. The site to the rear of the subject site is part of the Great Otway National Park.

Approval is sought to develop the land with a double storey dwelling and a tennis court, along with removal of native vegetation. The siting of the dwelling can be seen in the image below.



Figure 2 – Site Plan

2.1 Planning Permit Application 15/0434 - 210 Jarosite Road, Bells Beach - Use and Development of a Dwelling, construction of a Tennis Court and associated removal of Native Vegetation

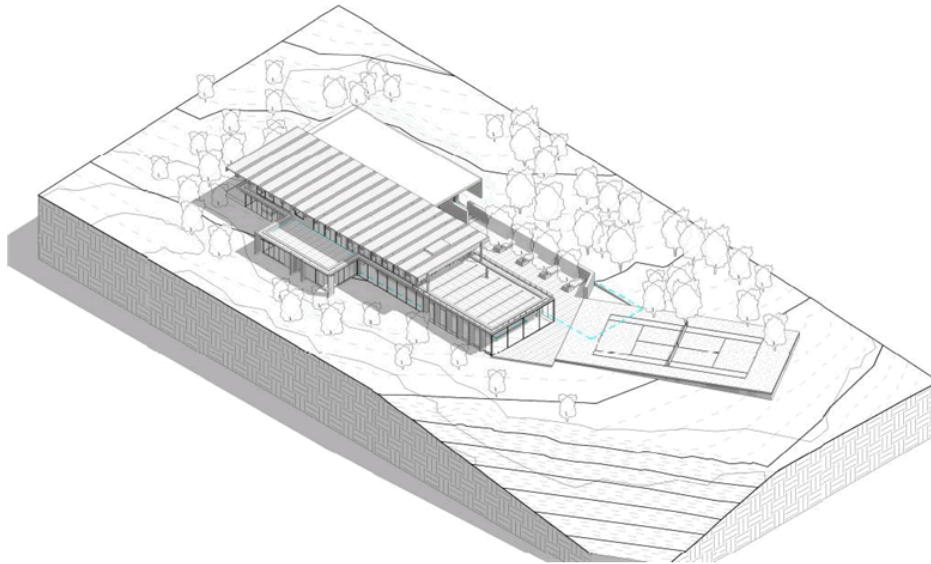


Figure 3 – Proposal

The proposed dwelling includes:

Ground floor

- two garages for five car parking spaces
- service areas including a plant, mud room, service court, lift
- a guest area including a bedroom, robe, lounge, bathroom and kitchen
- a music room
- a theatre room
- an entertainment area
- a gym
- entry/lobby
- an indoor pool which opens onto a terrace and a tennis court.

Upper Storey

- a master bedroom with dressing room, ensuite and private balcony
- two bedrooms and lounge area
- a second kitchen with store, scullery, butler's pantry and servery
- a dining and lounge, opening onto a terrace
- a second terrace is located on the south east side of the dwelling.

2.1 Planning Permit Application 15/0434 - 210 Jarosite Road, Bells Beach - Use and Development of a Dwelling, construction of a Tennis Court and associated removal of Native Vegetation

The maximum roof height is 7.55m; the chimney protrudes 1.6 m above this.

The external building materials and colours include:

- Walls: precast concrete with timber formwork, timber battens, cement stabilised rammed earth–Jarosite Clay.
- Roof: metal (colour/finish not known).

The dwelling is contemporary in design, as can be seen in the images below.



Figure 4 – 3D view North East

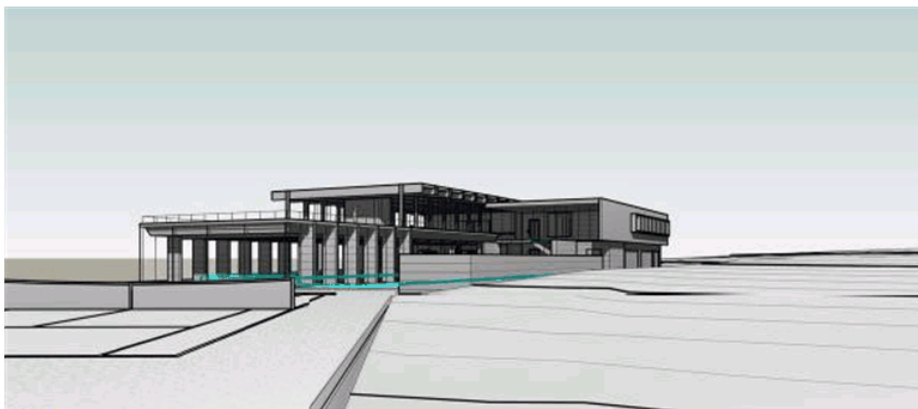


Figure 4 – 3D view North West

A Planning Permit is triggered by the following clauses of the Surf Coast Shire Planning Scheme:

- Clause 35.06-1 – Use the land for a dwelling in the Rural Conservation Zone
- Clause 35.06-5 – Buildings and works in the Rural Conservation Zone
- Clause 44.06-1 – Buildings and works in a Bushfire Management Overlay
- Clause 42.02-2 – Native vegetation removal.

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

2.1 Planning Permit Application 15/0434 - 210 Jarosite Road, Bells Beach - Use and Development of a Dwelling, construction of a Tennis Court and associated removal of Native Vegetation

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

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

The application was subject to public notification and two objections were lodged. The objectors have raised the following concerns:

A. Owner of 200 Jarosite Road, Bells Beach

A number of submissions have been made by submitter 'A' to provide clarity around the outstanding concerns as the application has progressed through the process. The list of concerns has considered each of the iterations.

- Visibility/prominence from adjoining properties and the public realm
- Height (protrudes above the tree canopy)
- Character (in the context of the scale of the development)
- Visual impact on the coastal landscape
- Impacts on flora and fauna (esp. given the proximity to the Iron Bark Basin)
- Misleading schematics (trees are shown on the plans but there are few scattered trees greater than 3m in height).

The above matters are considered to be relevant planning considerations.

B. Owner of 180 Jarosite Road, Bells Beach

- The proposal is an over development of the site
- The proposal is unnecessarily high
- The proposal is insufficiently set back on the land
- The proposal is inconsistent with planning overlays particularly with respect to construction above the tree line canopy
- The proposal is inconsistent with the original purpose of the subdivision of the land along the west side of jarosite Road, namely to protect the public reserve, now National Park, along the rear boundaries of the allotments.

The above matters are considered to be relevant planning considerations.

The applicant has erected some poles on site to indicate the location of the development and to show its height. These height poles are still located on the land.

State Planning Policy Framework

The following State policies are relevant to the proposal:

- Clause 11.05-4 Regional planning strategies and principles
- Clause 11.05-5 Coastal settlement
- Clause 12.01 Biodiversity
- Clause 12.02 Coastal areas
- Clause 12.04 Significant environments and landscapes
- Clause 13.05 Wildfire

Local Planning Policy Framework

The following local policies are relevant to the proposal:

- Rural Tenement Policy.

2.1 Planning Permit Application 15/0434 - 210 Jarosite Road, Bells Beach - Use and Development of a Dwelling, construction of a Tennis Court and associated removal of Native Vegetation

Particular Provisions

- Clause 52.17 (Native Vegetation)
- Clause 52.47 (Planning for Bushfire)
- Clause 52.48 (Bushfire Protection: Exemptions)

Planning Scheme Amendments

Amendment C121 – Bells Beach Hinterland Review

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

The Amendment also makes changes to broader policy and controls relating to land impacted by the Coastal Development Policy and the Significant Landscape Overlay Schedule 1 in proximity to the Great Ocean Road.

At the time of writing this report, the public exhibition phase of the Amendment has just been completed. A number of submissions have been received. The Amendment is currently not considered to be a seriously entertained planning document, as it has not been adopted by Council and submitted to the Minister for Planning for approval.

Discussion

As relevant to this application, the purpose of the Rural Conservation Zone and schedule can be summarised as, "to conserve the natural features, biodiversity and scenic landscape values of the area and to encourage development and use of land which is consistent with sustainable land management practices, taking into account the conservation values and environmental sensitivity of the locality".

The Vegetation Protection Overlay and schedule seeks to protect and enhance significant vegetation and associated habitat corridors and biodiversity links. The Bushfire Management Overlay seeks to ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire and is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.

The emphasis, as it relates to this application, is therefore on the siting of the building and the built form in the context of its impact on the broader landscape and on the direct and indirect environmental impacts resulting from the use and development. Although it is acknowledged that a high bar has been set by the Bushfire Management Overlay which requires that the protection of human life is prioritised, this should be considered in the context of an appropriate use and development; it should not be the starting point.

Another relevant consideration in the assessment of the application, and one that should be determined at an early stage, is whether or not the lot is recognised as a Tenement pursuant to clause 22.01.

Tenement Status

The purpose of the Rural Tenement Policy is to provide a framework to guide decisions relating to the use and development of land in the Farming and Rural Conservation Zones where the land is less than the minimum land area.

In essence, the tenement provisions seek to limit the number of houses not required to support agricultural production that are constructed in rural areas. Through this mechanism, the retention of rural land holdings and their continued use for rural production is encouraged.

Without limiting the definition of a tenement in Clause 72 (General Terms), a tenement is a single lot or group of lots held in the same ownership; and 'tenement provisions' are used to limit the number of dwellings that will be approved on a tenement rather than on individual allotments which may or may not comprise separate titles.

2.1 Planning Permit Application 15/0434 - 210 Jarosite Road, Bells Beach - Use and Development of a Dwelling, construction of a Tennis Court and associated removal of Native Vegetation

The objectives of the policy are:

- to help effect the long term protection of the Surf Coast Shire's rural land for agricultural purposes and for the rural landscape qualities it provides.
- to provide a consistent and equitable basis for considering permit applications for dwellings and subdivision in the rural zones.

Clause 22.01-3 of the Policy states that "where a permit is required to use land for the purpose of a dwelling on a lot below the minimum lot size specified in the Schedule to the Farming Zone or Rural Conservation Zone, it is policy to not grant approval unless all of the following requirements are met:

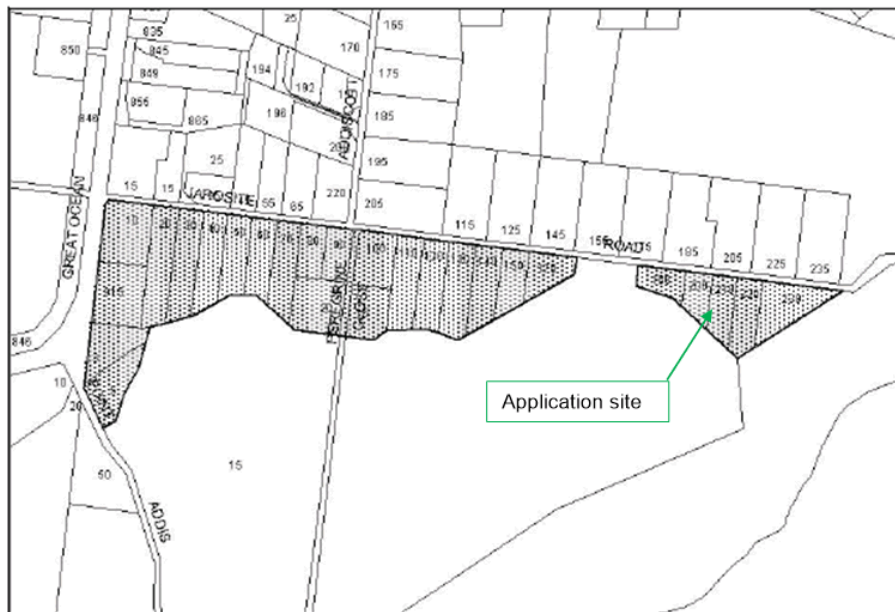
- the lot comprises and remains a tenement or part of a tenement falling within a category listed in Part A below; and
- the maximum number of dwellings on the said tenement does not exceed the relevant number listed in Part B below; and
- any conditions listed in Part C are met".

The policy goes on to list 5 Tenement Categories and in this instance, the application site falls within at least one of these categories with the most obvious being Category 2. Category 2 is, "A lot listed in Table 1 to this Clause".

In Table 1, the lot falls within the identified "Jarosite Road, Bells Beach" locality as shown on Map no. 2 (see below).

While the application site is recognised as a Tenement under clause 22.01, it is important to recognise that the policy is intended to supplement the assessment of an application under the zone provisions; it does not replace such an assessment and compliance with the policy requirements does not imply that the responsible authority will grant a permit in every case. This is iterated in the policy at clause 22.01-3.

Map 2 to Clause 22.01 – Jarosite Road, Bells Beach



2.1 Planning Permit Application 15/0434 - 210 Jarosite Road, Bells Beach - Use and Development of a Dwelling, construction of a Tennis Court and associated removal of Native Vegetation

Having established that the lot is recognised as a tenement under clause 22.01, the application must then be measured against the Rural Conservation Zone provisions as follows and under the relevant overlays.

Environment

An assessment of the biodiversity values of the site was undertaken by Ecology & Heritage Partners (Assessment dated October 2016) with the related survey undertaken on 8 September 2015. The assessment identified 28 indigenous and 1 non-indigenous plant species.

As shown in figure 2 below, the land retains a high cover of native vegetation which is typical of the Coastal Headland Scrub Ecological Vegetation Class (EVC 161); this is a Depleted¹ EVC. The biodiversity assessment describes the Coastal headland Scrub EVC as a scrub or low shrubland to two metres tall on rocky coastal headlands often associated with cliffs exposed to the stresses of extreme salt-laden winds and salt spray from the south-west. The assessment goes on to state that, "*within the study area, very dense Coastal Headland Scrub vegetation was present throughout the southern half of the site... Very few weeds were observed within this vegetation*".

The assessment also identified a small area adjacent to the existing shed in the south-west corner as being largely cleared of vegetation. The assessment then goes on to state that, "*the groundcover was still dominated by indigenous species and this area was considered a remnant patch under the Guidelines² definition. If left unmanaged, it is likely that this area would regenerate to dense scrub similar to the surrounding area*".

The front (northern) third of the site contains vegetation that is typical of the Shrubby Dry Forest EVC (EVC 21); this EVC is also present in a small isolated pocket in the south-west corner of the site. EVC 21 has a conservation status of Least Concern³ and is described as, "*a low, open forest to 20 metres tall characterised by the diversity and variability of the eucalypts. The understorey contains a well-developed medium to low shrub layer and sparse ground layer with tussock forming grasses dominant*".

The assessment describes this area of the site as being dominated by a, sparse Red Ironbark overstorey with Prickly Teatree, Coast Pomaderris and Golden Wattle dominating the understorey; sedges dominate the ground layer. Very few weeds were present within this vegetation.

The biodiversity assessment goes on to note that there were large areas of Shrubby Dry Forest adjacent to the driveway that had been largely cleared. These areas dominated by indigenous species and therefore, like the Coastal Headland Scrub were considered to be a patch under the Guidelines definition. The assessment states that, "*if left unmanaged, it is likely that these areas would regenerate to dense scrub similar to the surrounding area*".

The site, including the areas containing the Coastal Headland Scrub and the Shrubby Dry Forest have been identified as likely to provide suitable habitat for a range of common native fauna species and has the potential to support the State-significant Rufous Bristlebird and White-footed Dunnart.

The biodiversity assessment identifies that 0.259 hectares of native vegetation will be removed due to direct impacts (ie. from the dwelling footprint) with a further 0.173 hectares removed or partially removed through management actions for the creation of defensible space.

The application falls within the High Risk-based Pathway under the "Permitted Clearing Assessment (Guidelines)". Although the study area is known to support flora species listed as 'protected' under the FFG Act, as the land is privately owned a permit under the FFG Act is not required.

¹ Greater than 30% and up to 50% pre-European extent remains; OR Combination of depletion, degradation and current threats is comparable overall to the above and greater than 50% pre-European extent remains and moderately degraded over a majority of this area.

² Permitted Clearing Assessment (Guidelines)

³ Greater than 50% pre-European extent remains and subject to little to no degradation over a majority of this area.

2.1 Planning Permit Application 15/0434 - 210 Jarosite Road, Bells Beach - Use and Development of a Dwelling, construction of a Tennis Court and associated removal of Native Vegetation

The Biodiversity Assessment by Ecology & Heritage summarises the potential impacts, stating that the proposed action is likely to directly impact on several indigenous flora and fauna species, and communities recorded within the study area. These impacts may include:

- loss of potential habitat for State significant fauna species (Rufous Bristlebird [Otways subsp.] and White-footed Dunnart)
- removal of the Coastal Headland Scrub (Direct loss – 0.246ha; Partial Loss – 0.173ha) and Shrubby Dry Forest (Direct loss – 0.013ha) EVCs
- loss of habitat and potential mortality for locally common fauna species inhabiting Coastal headland Scrub and Shrubby Dry Forest within the study area
- potential for further habitat fragmentation in a fragmented landscape and the associated creation of barriers to the movement and migration of indigenous fauna
- potential for the spread of weeds and soil pathogens due to on-site activities
- disturbance to wildlife from increased human activity and noise during construction; and
- indirect impacts on adjacent areas If construction activities and drainage are not appropriately managed.

The application was originally referred to the Department of Environment, Land, Water and Planning (DELWP) on 25-November-2015 with the ensuing response (dated 16-December-2015) requesting more information. The response also identified that the siting of the proposal meant that offsets for *Nodding Baeckea* would be triggered; it is understood that a specific offset for this species would be difficult to source.

The DELWP response then goes on to state that, “the application does adequately address how the proposal has been designed to minimise the impact of the removal of native vegetation on Victoria’s biodiversity and does not demonstrate that the extent of removal of native vegetation has been reduced as much as is reasonable and practicable”.

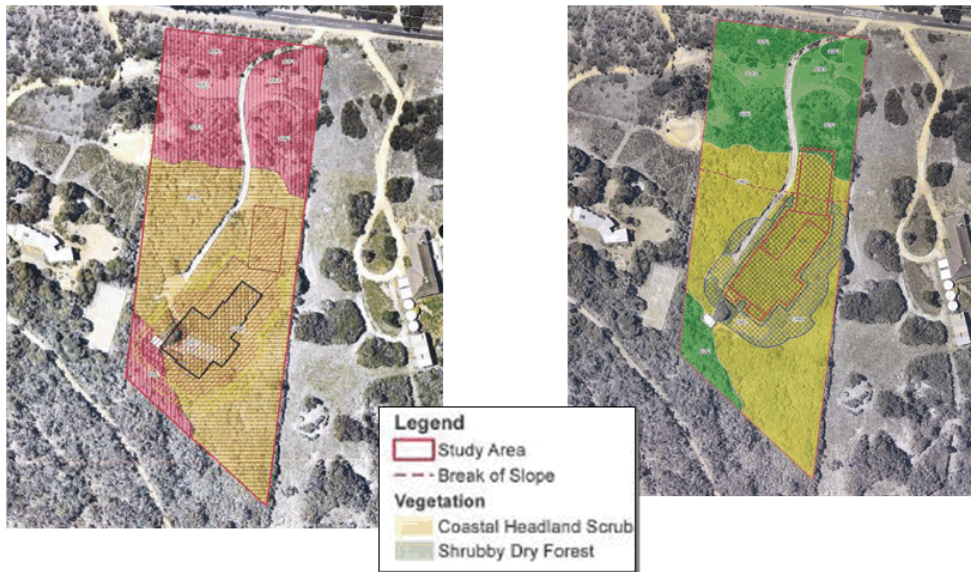
The applicant was urged to consider reducing vegetation impacts by further considering the scale of the development and the proposed BAL and associated defendable space requirements. Further information was also requested including information relating to the steps taken to minimise vegetation losses, details of proposed offsets and wastewater disposal.

These are requirements of Clause 52.17 and VPO1. Further, the property is in the Rural Conservation Zone; this also recognises conservation values. In responding to the objectives of these controls, the application may want to consider aspects of the proposal including: the scale of the development in an area of high environmental significance; the opportunity that Clause 52.47 provides to weigh the BAL specification of the proposed building, the extent of defendable space, and resulting native vegetation losses.

Figure 5 and 6 – Existing Vegetation

Original Proposal

Amended Proposal



2.1 Planning Permit Application 15/0434 - 210 Jarosite Road, Bells Beach - Use and Development of a Dwelling, construction of a Tennis Court and associated removal of Native Vegetation

On 6 June 2017, the plans were amended to remove the tennis court with the covering letter from the permit applicant stating:

"We are writing to confirm that the documentation required to satisfy the offset provisions and LCA have been lodged with the various agencies, with copies to the Shire. During discussions with our consultants and the referral authorities, the tennis court was removed. We therefore submit 3 copies of the amended plans, deleting the court, our reference, ISSUE 4, to assist the Shire in understanding the revised application".

On the 8 September 2016, the tennis court was reinstated on the plans. It is not clear why the decision to once again include the tennis court was made.

On 23 September 2016 the plans were again amended to move the dwelling 27.163m to the north thereby avoiding the *Nodding Baeckea*.

On 30 December 2016, DELWP responded by not objecting to the proposal subject to conditions although it is noted that the response erroneously refers to the BAL being increased to 40 thereby reducing vegetation loss. This is not correct and the BAL remains at 29 as previously proposed and there has been no noticeable change to the proposal to reduce the extent of vegetation loss.

The decision guidelines of the Rural Conservation decision require decision makers to consider impacts on biodiversity (including flora and fauna habitat and remnant vegetation on private and public land and the coastal reserve) and the scenic landscape.

Land Management Plan

The decision guidelines of the zone require decision makers to consider how the use and development relates to sustainable land management and the need to prepare an integrated land management plan which addresses the protection and enhancement of native vegetation and waterways, stabilisation of soil and pest plant and animal control. This is a noticeable absence in this application.

It is acknowledged that the biodiversity assessment by Ecology & Heritage Partners provides a helpful assessment of the quality and importance of the vegetation including that a list of expected impacts has been provided.

Bushfire management Overlay and Defendable Space

An assessment of the proposal against the Bushfire Management Overlay and clause 52.47 has been undertaken with defendable space nominated for each orientation as set out in the table.

BAL Calculations for the proposed dwelling

(Table 4 – Bushfire Management Statement by South Coast Bushfire Consultants).

Orientation	Highest threat vegetation	Slope under classifiable vegetation	Defendable Space Requirement	Bushfire Attack Level (BAL)
North	Scrub	0-5° Downslope	15m	29
East	Scrub	Flat	13m	29
South	Scrub	5-10° Downslope	17m	29
West	Scrub	Upslope	13m	29

2.1 Planning Permit Application 15/0434 - 210 Jarosite Road, Bells Beach - Use and Development of a Dwelling, construction of a Tennis Court and associated removal of Native Vegetation

Figure 1 - Defendable space area shown in blue



As shown in Figure 4, a portion of the defendable space (highlighted in blue) overlaps with the tennis court although it is noted that the tennis court is not entirely within the defendable space area. That is; the tennis court will result in the removal of vegetation that is not required for the creation of defendable space.

Given the landscape risk, a BAL greater than 29 may not be supported and therefore, without reducing the dwelling footprint there is no opportunity to reduce the area required for the creation of defendable space.

Figure 7– Defendable Space

Design and Siting

The zone provisions require decision makers to consider the “need to minimise any adverse impacts of siting, design, height, bulk, and colours and materials to be used, on landscape features, major roads and vistas”. The decision guidelines also include the “need to minimise adverse impacts on the character and appearance of the area or features of archaeological, historic or scientific significance or of natural scenic beauty or importance”.

The “Bells Beach Surfing Recreation reserve Coastal management Plan 2015-25” (The Plan) describes the Bells Beach Surfing Recreation Reserve as being, located within a two kilometre stretch of coastline south-west of Torquay-Jan Juc I Victoria, Australia. The Reserve comprises 48 hectares of coastal heathland, limestone cliffs and sandy beaches and borders the eastern edge of the Great Otway National Park.

The Plan goes on to state that “the Reserve has been visited by the Wadawurrung people for thousands of years and their connection with the reserve continues to this day. The surf breaks offshore are renowned for their quality, as evidenced by an association with the Rip Curl Pro Easter surf contest spanning more than 50 years. The reserve’s car parks and walking tracks provide access to a number of high quality and consistent surf breaks while also serving as important meeting places for surfers whenever conditions are favourable. The reserve is also valued for its walking paths, hang gliding launch site, viewing platforms and access to adjoining national parks. The Bells Beach area has become an internationally renowned surfing and tourist destination. It is fiercely loved, by its regular local users and is a destination of choice for visitors with an interest in surfing or those seeking spectacular ocean views”.

As a Coastal Management Plan, decision making must have regard to the Plan and it provides useful context for the cultural and landscape values of this area.

As indicated in the photograph below, the application site is visible in distant views from key viewing points and being located on/below a ridgeline, careful siting and massing of the building is required if landscape impacts are to be avoided or minimised. Prior to the most recent public notification process, the permit applicant erected height poles to indicate the front NE corner of the roof and the NE corner of the deck. The existing viewing platform can also be seen in the photograph; this is located in the approximate location of the proposed eastern deck and provides useful context.

The photograph demonstrates the dwelling will be visible in the landscape. It is important to remember that vegetation will be removed to accommodate the dwelling.

2.1 Planning Permit Application 15/0434 - 210 Jarosite Road, Bells Beach - Use and Development of a Dwelling, construction of a Tennis Court and associated removal of Native Vegetation



Photo 1– Application site in a landscape context – height poles and viewing platform circled in red and green respectively. The photograph was taken from Bones Road near the Wave Car Park

Land Capability Assessment/Waster Water Disposal

The decision guidelines also require decision makers to consider the location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.

The application includes a Land Capability Assessment (LCA) written by Structerre Pty Ltd, report number 94914, dated 2 May 2016; the LCA was referred to the Shire's Environmental Health unit for comment and the following feedback was provided.

The LCA recommended a Land Application Area (LAA) for a 4 bedroom dwelling on this site to be 500sqm in size. It provides a number of different options for the property but the most visually pleasing option is for the property to have a secondary treatment system or similar with pressure compensating sub surface irrigation.

The LCA identified that the irrigation would be best placed to the north of the dwelling for the aspect but more irrigation could be placed to the south of the dwelling. The LAA in the LCA Appendix B site plan shows an area 700sqm in size. This plan does not show the tennis courts or the location of the water tanks under the tennis court. Underground water tanks require a setback distance of 7.5m as stated in the Environment Protection Authority's Code Of Practice – onsite wastewater management 2016. Therefore the irrigation area would be required to comply with that prerequisite.

Given the inclusion of the proposed tennis court (with underground water tanks), it is not readily apparent how the recommendations of the LCA can be met. The Shire's Environmental Health unit has further suggested that locating the irrigation field to the south is not desirable due to the southerly aspect.

Amendment C121 – Bells Beach Hinterland Review

As relevant to this application, amendment C121 proposes to modify planning policy and introduce a Significant Landscape Overlay-Schedule 1 (SLO1). Broadly, the purpose of the amendment is to better recognise the importance of the local landscape and the environmental and cultural role of Bells Beach.

At the time of writing this report, the public notification phase of the Amendment has been completed and a number of submissions lodged with Council. The Amendment cannot be considered to be a seriously entertained planning document given its early stage, but it is relevant information. With an appeal lodged, the Amendment may become a seriously entertained planning document prior to the VCAT hearing.

2.1 Planning Permit Application 15/0434 - 210 Jarosite Road, Bells Beach - Use and Development of a Dwelling, construction of a Tennis Court and associated removal of Native Vegetation

The proposed SLO1 recognises the significant of the Bells Beach scenic landscape stating that:

The scenic landscape value of the Bells Beach Surfing Recreation Reserve and surrounds derives from the coming together of the pastoral landscape and the seascape and from the relative absence of built structures visible within viewsheds. For many, the connection with Bells Beach extends beyond the surf break and includes the environmental, landscape, social and cultural values of the reserve and its hinterland. The landscape creates a sense of space around the reserve observed from the reserve itself, Surf Coast Walk and the approaches to the reserve from Bones Road, Bells Boulevard and Jarosite Road. This internationally significant area must be treated with considerable sensitivity.

The special qualities of the area result in constant pressure for subdivision and tourist related uses and development, which conflicts with the preservation of the environmental, cultural and scenic attributes of the area and with the ambiance and amenity enjoyed by residents and visitors.

The preservation of remnant native vegetation is crucial to the protection of scenic vistas and the maintenance of biodiversity links. Much of the land covered by this schedule contains vegetation of high conservation significance, containing diverse, and in some cases threatened, flora and fauna.

The purpose of this overlay is to ensure that future development does not compromise the quality of these assets and to maintain and protect significant viewsheds.

As relevant to this application, the objectives of the SLO1 include:

To encourage the discreet placement of simple, unobtrusive structures within the hinterland landscape, particularly when viewed from the Great Ocean Road and on the approach to Bells Beach (Jarosite, Addiscot, Bones Road and Bells Boulevard).

Recreation Reserve by protecting the approaches to Bells Beach through the open rural and bushland landscape of the Bells Beach hinterland.

To minimise the visual impact of development having regard to building size, height, bulk, siting and external materials and colours.

The SLO1 under the heading, "decision guidelines" requires decision makers to consider:

Visual prominence

If the proposed development is 'visually recessive', 'visually apparent' or visually dominant' within the landscape.

- a development is 'visually recessive' when the following siting and design principles are followed; sits below the existing tree canopy, is modest in size and height (predominantly single storey) so that the surrounding landscape dominates the structure, is tucked into a hill side or utilises a stand of trees as a backdrop, maximises landscaping and has minimal hard surface areas, constructed in natural materials and colours (stone and/or timber), is located below a ridge line and is setback far enough from the street or public vantage point so that it is hardly visible from beyond the site.*
- a development that is 'visually apparent' is sited and designed similar to a 'visually recessive' building but potentially doesn't apply one of the above mentioned principle making it visually more apparent when viewed from beyond the site.*
- a visually dominant development will include opposing attributes to a 'visually recessive' building and will be highly visible within the landscape.*

All development must be 'visually recessive' within the Bells Beach hinterland.

Whether the visibility of a buildings or works can be reduced by screening vegetation and/or the topography.

2.1 Planning Permit Application 15/0434 - 210 Jarosite Road, Bells Beach - Use and Development of a Dwelling, construction of a Tennis Court and associated removal of Native Vegetation

Building height, design and siting

- whether the proposed building height is single storey on sites visible from the Bells Beach Surfing Recreation Reserve
- whether a lower building height (in areas other than the Bells Beach view shed) is required in order to ensure development is visually recessive or apparent as appropriate
- whether a greater building height on steeply sloping land is reasonable and will not add to the prominence and visibility of the building from beyond the site
- whether ridge tops are kept free of bulky development to prevent silhouettes against the sky
- whether buildings follow the contours of the land and are stepped down the site to reduce the visual prominence
- whether buildings are separated into different elements, retaining maximum space between buildings for vegetation in visually prominent sites to minimise their visual impact
- whether the scale, setbacks, design, siting and overall form of the development does not visually contrast with the surrounding landscape features, and interrupt or block key views from significant public observation points
- whether the design and siting of proposed buildings and works would retain existing vegetation and provide adequate space on site for the planting of new vegetation
- whether all materials and colours blend with the natural bush environment and minimise the visual impact and glare of the roof when viewed from beyond the site.

Recreational structures

- whether private recreational structures such as tennis courts and swimming pools have been sited in cleared areas to ensure minimal or no losses of screening vegetation or vegetation of environmental significance.

Vegetation Removal

- whether the vegetation removal proposed has taken into consideration
- the need to avoid and minimise losses to locally significant native vegetation shown in maps 1 - 5
- the need to protect vegetation located on ridgelines, along water courses, in areas of environmental or habitat significance, and on land subject to landslip or erosion
- the need to protect vegetation that is in a prominent location and which makes an important contribution to the landscape character
- the need to protect vegetation that will screen or soften the appearance of existing or proposed buildings when viewed from the Great Ocean Road, Bells Beach hinterland or other significant public viewing points
- the need to provide sufficient open space for the viable preservation of existing trees and the establishment of replacement trees.

Financial Implications

There are no financial implications for Council associated with this decision.

Council Plan

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

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

Policy/Legal Implications

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

Officer Direct or Indirect Interest

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

2.1 Planning Permit Application 15/0434 - 210 Jarosite Road, Bells Beach - Use and Development of a Dwelling, construction of a Tennis Court and associated removal of Native Vegetation

Risk Assessment

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

Social Considerations

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

Community Engagement

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

Environmental Implications

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

Communication

All parties will be advised of Council's decision.

Conclusion

It is recommended that Council receives and notes the submissions to Planning Permit 15/0434 for Construction of a Dwelling, Tennis Court and Associated Removal of Native Vegetation at 210 Jarosite Road, Bells Beach.

A report will be put to Council at the 25 July 2017 meeting, providing Council with the opportunity to make a decision on this application.

2.1 Planning Permit Application 15/0434 - 210 Jarosite Road, Bells Beach - Use and Development of a Dwelling, construction of a Tennis Court and associated removal of Native Vegetation

APPENDIX 1 15/0434 - ORDER OF SPEAKERS



Hearing of Submissions - Tuesday 4 July 2017
5pm
Council Chambers
1 Merrijig Drive, Torquay

ORDER OF SPEAKERS

ENVIRONMENT AND DEVELOPMENT

**1.1 Planning Permit Application 15/0434 – 210 Jarosite Road,
Bells Beach**

Item	Time	Submitter
1.	5.00pm	Anne Waterhouse
2.	5.05pm	Anthony Gardiakos (for applicant)

2.1 Planning Permit Application 15/0434 - 210 Jarosite Road, Bells Beach - Use and Development of a Dwelling, construction of a Tennis Court and associated removal of Native Vegetation

APPENDIX 2 15/0434 - LIST OF OTHER SUBMITTERS

Hearing of Submissions – Tuesday 4 July 2017

Planning Permit Application 15/0434 - 210 Jarosite Road, Bells Beach - Use and Development of a Dwelling, construction of a Tennis Court and associated removal of Native Vegetation

List of All Other Submitters

- M Heeley & ML Warren
- William Johnson

Close: There being no further items of business the meeting closed at 5.32pm.

5.2 Advisory Committee Minutes

Author's Title: Administration Officer

General Manager: Chris Pike

Department: Governance

File No: F17/285

Division: Governance & Infrastructure

Trim No: IC17/756

Appendix:

1. All Abilities Advisory Committee Meeting Minutes - 27 June 2017 (D17/78892)

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 minutes of the Advisory Committee meetings as appended.

Summary

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

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

Recommendation

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

- All Abilities Advisory Committee Meeting - 27 June 2017.

5.2 Advisory Committee Minutes

APPENDIX 1 ALL ABILITIES ADVISORY COMMITTEE MEETING MINUTES - 27 JUNE 2017

All Abilities Advisory Committee (AAAC) Agenda Tuesday 27 June 2017, 11am – 1pm Surf Coast Shire Council, 1 Merrijig Drive Torquay					
<p>Present : Cr Heather Wellington, John Olsen, Richard Porter, Caroline Maplesden (Chairperson), Manny Pimentel, Michael Chan, Damian Waight (Surf Coast Shire), Chris Pike (General Manager Culture and Community), Leone Mervin, Kerri Deague (Surf Coast Shire), Terrence Hoffman.</p>					
<p>Apologies: Janet Brown, Tina Gulino, Cr Rose Hodge, Lucille Marks</p>					
No.	Issue Topic	Time (min)	Points of Discussion Details/ Decision	Agreement/ Action/Timeframe	Responsible
1.1	Welcome, introductions and acknowledgements	5	Welcome to new member of AAAC Michael Chan Congratulations to Caroline Maplesden on accepting Chairperson position following an online voting process amongst existing members of this committee		J Olsen
1.2	Minutes from previous minutes	2	Accepted by all	Submitted as final minutes at Council meeting on 23 May 2017 Accepted: R Porter Seconded: C Maplesden Carried: All	C Maplesden
1.3	Conflict of interest	2	Declaration of conflict of interest	Nil	C Maplesden
2	Business Arising				
2.1	Aireys Inlet precinct master plan input from AAAC	2	Input considered in developing the master plan. Master planning stage is complete. Input from community for detailed design will take place in the 2018-19.		K Deague

3.	New Business				
3.1	Changing Places funding available	10	Changing Places facility funding of up to \$100,000 is available from the Victorian Department of Health and Human Services. This funding round will fund 20 facilities across Victoria. Existing facilities in Victoria include Melbourne Zoo, MCG, Melbourne Aquatic Centre, SC Station, St Kilda SLSC, Geelong Library, Leisure Link (Waurm Ponds). Funding application is open until mid-October.	All AAAC members present agreed on Surf Coast Shire as a favourable destination to construct a Changing Place facility. Action: AAAC members are to inform K Deague if interested in scoping an application.	K Deague
3.2	Guest speaker from Aireys Inlet: Terrence Hoffman	20	Terrence is a local resident from Aireys Inlet and uses a wheelchair to access the community. He spoke about access barriers in the local community such as uneven walking trail surfaces, ungraded roads, entrance barriers at community garden and car parking spaces design	Action: K Deague will meet with Terrence on site at the locations where the barriers have been identified and recommend appropriate action to improve access.	K Deague
3.3	Council budget allocation for 2017-18 to improve access to facilities	10	A program of access improvements within existing Council facilities will commence after approval of the 2017/18 budget at tonight's Council meeting.		K Deague
4.	Farewell wishes for John Olsen	10	Committee members, Cr Wellington and Council officers acknowledged John's valuable contribution in the community over the past decade. John reflected on his time as chair of the committee highlighting many of the achievements and paid compliments to the officers in the rural access role in particular Kerri Deague.		All
5.	Lunch	45	Meeting attendees gathered to offer John farewell wishes on his retirement from the AAAC		All
6.	Next meeting	2	The next meeting will take place on Tuesday 29 August instead of Tuesday 22 August.	Action: K Deague will forward invitation to meeting for 29 August.	K Deague

<p>Ground rules for our Meeting</p> <ul style="list-style-type: none">▪ We start on time and finish on time▪ We all participate and contribute – everyone is given an opportunity to voice their opinions▪ We use improvement tools that enhance meeting efficiency and effectiveness▪ We actively listen to what others have to say, seeking first to understand then to be understood	<ul style="list-style-type: none">▪ We follow-up actions for which we are assigned responsibility and complete them on time▪ We give and receive open and honest feedback in a constructive manner▪ We use data to make decisions (whenever possible)▪ We strive to continually improve our meeting process and build time into each agenda for reflection
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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: IC17/726

Appendix:

1. Assembly of Councillors - Council Briefing - 27 June 2017 (D17/73769)
2. Assembly of Councillors - Council Briefing - 4 July 2017 (D17/78474)

Officer Direct or Indirect Conflict of Interest:

Status:

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

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

Yes

No

Yes

No

Reason: Nil

Reason: Nil

Purpose

The purpose of this report is to receive and note the Assembly of Councillors records received since the previous Council Meeting.

Summary

The Local Government Act 1989 section 80A(2) states that the Chief Executive Officer must ensure that the written record of an assembly of Councillors is as soon as practicable reported at an Ordinary Meeting of Council and incorporated in the minutes of that Council Meeting.

Recommendation

That Council receive and note the Assembly of Councillors records for the following meetings:

1. Council Briefing – 27 June 2017.
2. Council Briefing – 4 July 2017.

6.1 Assemblies of Councillors

APPENDIX 1 ASSEMBLY OF COUNCILLORS - COUNCIL BRIEFING - 27 JUNE 2017



Assembly of Councillors Record

Description of Meeting: 3 rd Council Briefing Meeting
Responsible Officer: Anne Howard – General Manager, Governance and Infrastructure
Date: 27 June 2017
In Attendance: Yes (✓) No (X) N/R (Not Required)

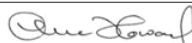
Councillors		Officers		Others	
Cr. Brian McKitterick, Mayor	✓	Chief Executive Officer - Keith Baillie	✓		
Cr. David Bell (arrived 4.16pm)	✓	General Manager Governance & Infrastructure – Anne Howard	✓		
Cr. Libby Coker (arrived 4.16pm)	✓	General Manager Environment & Development– Ransce Salan	✓		
Cr. Martin Duke	✓	General Manager Culture & Community – Chris Pike	✓		
Cr. Clive Goldsworthy	✓	Team Leader Governance – Candice Holloway	✓		
Cr. Rose Hodge	✓	Manager Finance – John Brockway	✓		
Cr. Carol McGregor, Deputy Mayor	✓	Manager Program Management Office – Rowena Frost	✓		
Cr. Margot Smith	✓	Co-ordinator Management Accounting – Gabby Spiller	✓		
Cr. Heather Wellington	X				

MEETING COMMENCED	3.00pm	MEETING CONCLUDED	4:47pm
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Matters considered at the meeting
1. Monthly Finance Report – May 2017
2. Monthly Program Status Report Update – May 2017
3. Agenda Review – 27 June 2017 Council Meeting Agenda

Councillor/Officer Declarations of Interest

Councillor/Officer	Left Meeting (Yes/No)	Type & Details of Interest(s) Disclosed

Responsible Officer Signature:  **Print Name:** Anne Howard

Date: 28 June 2017

To be completed on conclusion of session and provided to Governance Administration Officer.

General Information:

An assembly of Councillors means a meeting of an advisory committee of the Council, if at least one Councillor is present, or a planned or scheduled meeting of at least half of the Councillors and one member of Council staff which considers matters that are intended or likely to be -

- (a) the subject of a decision of the Council; or
- (b) subject to the exercise of a function, duty or power of the Council that has been delegated to a person or committee— but does not include a meeting of the Council, a special committee of the Council, an audit committee established under section 139, a club, association, peak body, political party or other organisation;
- The CEO must also ensure that the written record of an assembly of Councillors is kept for 4 years after the date of the assembly, and made available for public inspection at the Council offices for 12 months after the date of the assembly [s80A(2)].
- The CEO must ensure that at an assembly of Councillors, a written record is kept of the names of all Councillors and members of Council staff attending the meeting, the matters considered at the meeting, and any conflict of interest disclosures made by a Councillor attending [s.80A(1)].
- A Councillor must disclose the conflict of interest either immediately before the matter is considered, or where the Councillor realises he or she has a conflict of interest after consideration of the matter has begun, as soon as the Councillor becomes aware he or she has a conflict of interest [s.80A(4)].
- A Councillor attending an assembly of Councillors must disclose a conflict of interest and leave the assembly while a matter is being considered, if he or she knows that the particular matter is one that if it was to be considered and decided by Council, he or she would have to disclose a conflict of interest* under the Act [s.80A(3)].

6.1 Assemblies of Councillors

APPENDIX 2 ASSEMBLY OF COUNCILLORS - COUNCIL BRIEFING - 4 JULY 2017



Assembly of Councillors Record

Description of Meeting: Council Briefing Meeting
Responsible Officer: Anne Howard – General Manager, Governance and Infrastructure
Date: 4 July 2017
In Attendance: Yes (✓) No (X) N/R (Not Required)

Councillors		Officers		Others	
Cr. Brian McKitterick, Mayor	✓	Chief Executive Officer - Keith Baillie	✓		
Cr. David Bell	X	General Manager Governance & Infrastructure - Anne Howard	✓		
Cr. Libby Coker	X	General Manager Culture & Community - Chris Pike	✓		
Cr. Martin Duke	✓	Manager Program Management Office – Rowena Frost	✓		
Cr. Clive Goldsworthy (Left the meeting at 3:18pm)	✓	Team Leader Governance – Candice Holloway	✓		
Cr. Rose Hodge	✓	Manager Development & Planning – Bill Cathcart	✓		
Cr. Carol McGregor	✓	Senior Planner - Ben Schmied	✓		
Cr. Margot Smith	✓	Manager Community Relations – Damian Waight	✓		
Cr. Heather Wellington	X				

MEETING COMMENCED	2.30pm	MEETING CONCLUDED	3.47pm
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Matters considered at the meeting (or attach agenda)
1. Confirmation of Council Briefing Minutes – 26 April 2017, 23 May 2017, 6 June 2017, 13 June 2017, 27 June 2017
2. Conflicts of Interest
3. Our Approach – Presentation to Councillors
4. Quarterly Advocacy Report including State Election Campaign - Presentation
5. Statutory Planning Fee Waiver and Rebate Policy
6. Submission on Proposed Accommodation Planning Reforms
7. Other Business

Councillor/Officer Declarations of Interest		
Councillor/Officer	Left Meeting (Yes/No)	Type & Details of Interest(s) Disclosed
Nil declared		

Responsible Officer Signature:  **Print Name:** Anne Howard

Date: 5 July 2017

To be completed on conclusion of session and provided to Governance Administration Officer.

General Information:
 An assembly of Councillors means a meeting of an advisory committee of the Council, if at least one Councillor is present, or a planned or scheduled meeting of at least half of the Councillors and one member of Council staff which considers matters that are intended or likely to be -
 (a) the subject of a decision of the Council; or
 (b) subject to the exercise of a function, duty or power of the Council that has been delegated to a person or committee— but does not include a meeting of the Council, a special committee of the Council, an audit committee established under section 139, a club, association, peak body, political party or other organisation;
 • The CEO must also ensure that the written record of an assembly of Councillors is kept for 4 years after the date of the assembly, and made available for public inspection at the Council offices for 12 months after the date of the assembly [s80A(2)].
 • The CEO must ensure that at an assembly of Councillors, a written record is kept of the names of all Councillors and members of Council staff attending the meeting, the matters considered at the meeting, and any conflict of interest disclosures made by a Councillor attending [s.80A(1)].
 • A Councillor must disclose the conflict of interest either immediately before the matter is considered, or where the Councillor realises he or she has a conflict of interest after consideration of the matter has begun, as soon as the Councillor becomes aware he or she has a conflict of interest [s.80A(4)].
 • A Councillor attending an assembly of Councillors must disclose a conflict of interest and leave the assembly while a matter is being considered, if he or she knows that the particular matter is one that if it was to be considered and decided by Council, he or she would have to disclose a conflict of interest* under the Act [s.80A(3)].

7. URGENT BUSINESS/PETITIONS/NOTICES OF MOTION

7.1 Petition Received - Amendment C114 Spring Creek Precinct Structure Plan

Author's Title: Senior Strategic Planner

General Manager: Ransce Salan

Department: Planning & Development

File No: F16/734

Division: Environment & Development

Trim No: IC17/667

Appendix:

1. Petition - Amendment C114 - Redacted (D17/74608)

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 Council in its submission for Ministerial approval of Amendment C114, include the following recommendation:

Land in the Spring Creek Corridor, west of the Precinct Structure Plan area, north of Spring Creek, south of Grossmans Road, to be recommended for a separate strategic investigation into future land use.

The investigation to focus on: Sustainable rural lifestyle land use, preservation of environmentally sensitive areas and the benefits of community access to the Spring Creek Corridor.

The petition consists of 192 signatures.

Recommendation

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

1. Receive and note the petition regarding Amendment C114.
2. Refer the petition to the General Manager Environment and Development for consideration.
3. Require a report on the petition be presented to a future Council Meeting in conjunction with a report on Planning Scheme Amendment C114.
4. Advise the first named petitioner of the outcome of this resolution.

7.1 Petition Received - Amendment C114 Spring Creek Precinct Structure Plan

APPENDIX 1 PETITION - AMENDMENT C114 - REDACTED

Surf Coast Shire
1 Merrijig Drive
Torquay Victoria 3228
27/6/2017



Cr Brian McKiterick Mayor Surf Coast Shire
Mr Keith Baillie CEO Surf Coast Shire

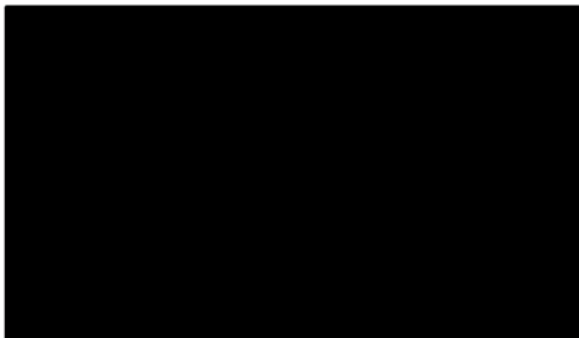
Please find enclosed for your consideration

Petition Titled:

Surf Coast Shire Amendment C114 Submission for Ministerial Approval

Petition contains *192* signatories

Person to contact / correspondence regarding this Petition:



Surf Coast Shire Amendment C114 Submission for Ministerial Approval

2017

Cr Brian McKiterick Mayor Surf Coast Shire

Mr Keith Baillie CEO Surf Coast Shire

PETITION REQUEST

That the Surf Coast Shire Council in their Submission for Ministerial approval of Amendment C114 include the following recommendation:

Land in the Spring Creek Corridor, west of the Precinct Structure Plan area, north of Spring Creek, south of Grossmans Road, to be recommended for a separate strategic investigation into future land use.

The investigation to focus on:

Sustainable rural lifestyle land use, preservation of environmentally sensitive areas & the benefits of community access to the Spring Creek Corridor.

-
- The land has a unique situation in the Surf Coast Shire being a direct interface between farmland & urban development. Consequently it deserves a separate investigation specific to the area.
 - In response to community pressure Council has designated the land as a "Green Break". This appears to have no formal planning definition. It is a term which does not address the practical issues of appropriate land use & creates uncertainty regarding the future of the land.
 - The current owners & custodians of the land have extensive practical knowledge of the area. They are prepared to work with Council to achieve balanced sustainable land use with an emphasis on; appropriate sized well vegetated rural lifestyle lots, which incorporate recreational community access to the Spring Creek Corridor.
 - The Council's failure to consider a rural lifestyle development alternative to the land could result in the Minister mandating that the land be rezoned urban. This undesirable consequence has already occurred with the first 1 km of the Spring Creek Corridor.

Surf Coast Shire Amendment C114 Submission for Ministerial Approval

2017

PETITION REQUEST

That the Surf Coast Shire Council in their Submission for Ministerial approval of Amendment C114 include the following recommendation:

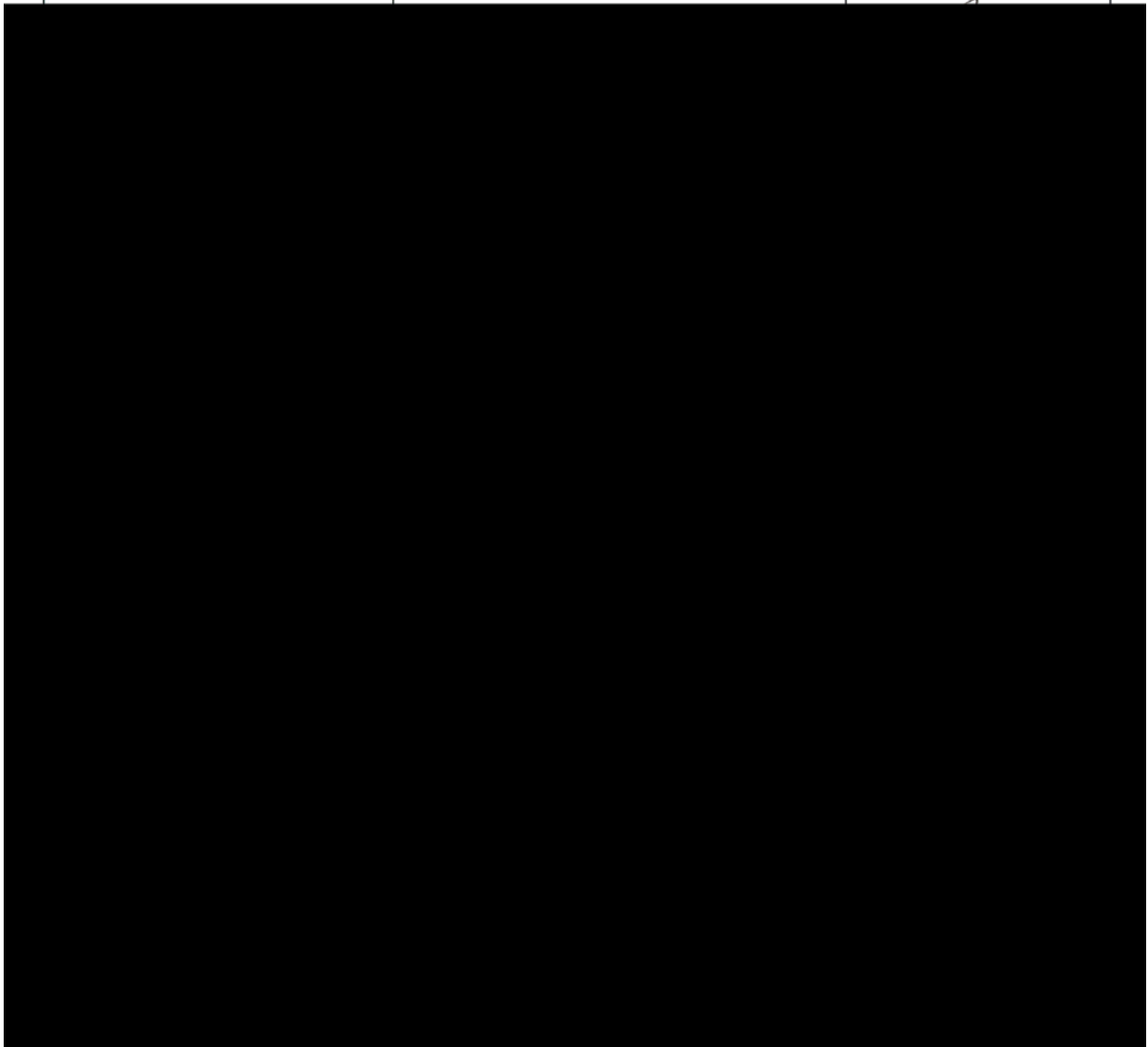
Land in the Spring Creek Corridor, west of the Precinct Structure Plan area, north of Spring Creek, south of Grossmans Road, to be recommended for a separate strategic investigation into future land use.

The investigation to focus on:

Sustainable rural lifestyle land use, preservation of environmentally sensitive areas & the benefits of community access to the Spring Creek Corridor.

We the undersigned residents of Surf Coast Shire support this petition

Name	Address /email	Signature
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Surf Coast Shire Amendment C114 Submission for Ministerial Approval

2017

PETITION REQUEST

That the Surf Coast Shire Council in their Submission for Ministerial approval of Amendment C114 include the following recommendation:

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The investigation to focus on:

Sustainable rural lifestyle land use, preservation of environmentally sensitive areas & the benefits of community access to the Spring Creek Corridor.

We the undersigned residents of Surf Coast Shire support this petition

Name	Address /email	Signature
[Redacted Signature Area]		

Surf Coast Shire Amendment C114 Submission for Ministerial Approval

2017

PETITION REQUEST

That the Surf Coast Shire Council in their Submission for Ministerial approval of Amendment C114 include the following recommendation:

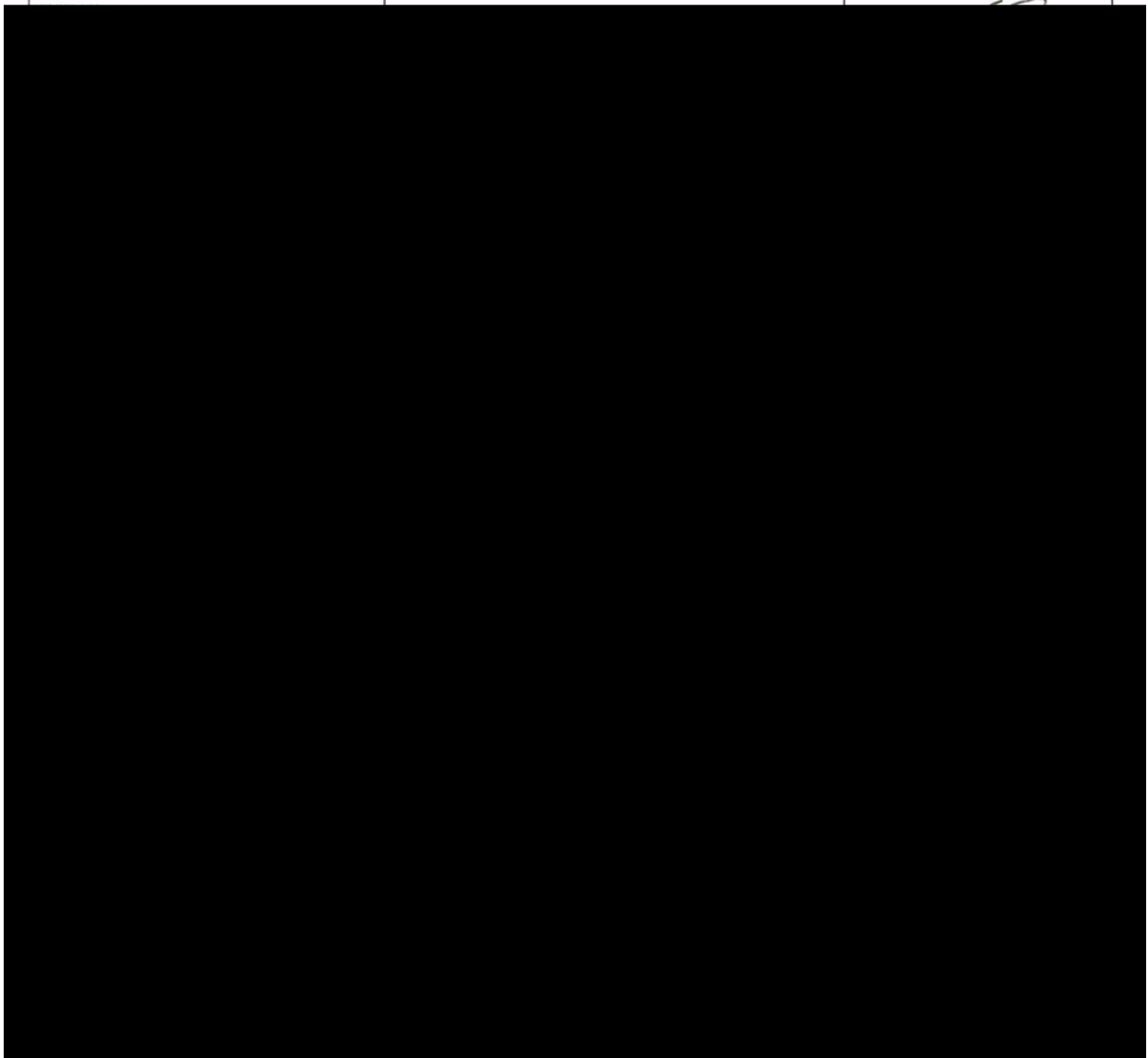
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The investigation to focus on:

Sustainable rural lifestyle land use, preservation of environmentally sensitive areas & the benefits of community access to the Spring Creek Valley.

We the undersigned residents of Surf Coast Shire support this petition

Name	Address /email	Signature
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Surf Coast Shire Amendment C114 Submission for Ministerial Approval

2017

PETITION REQUEST

That the Surf Coast Shire Council in their Submission for Ministerial approval of Amendment C114 include the following recommendation:

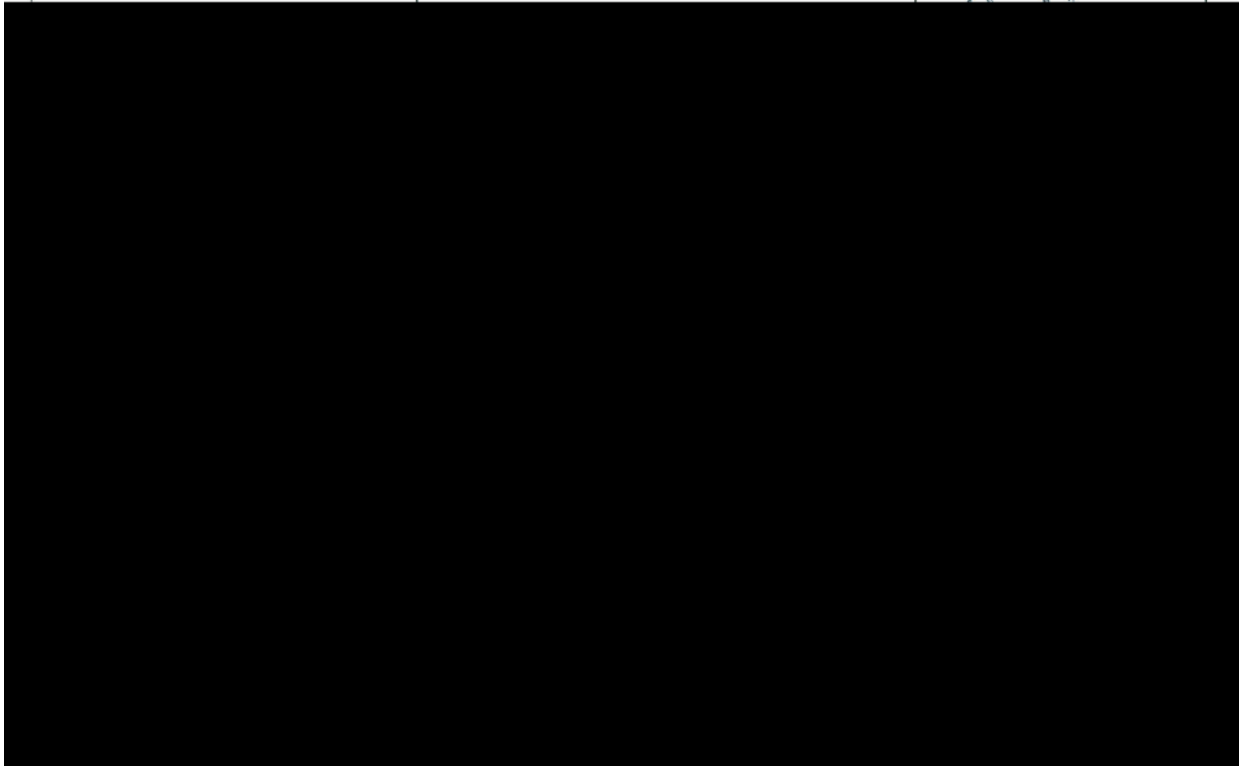
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The investigation to focus on:

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We the undersigned residents of Surf Coast Shire support this petition

Name	Address /email	Signature
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Surf Coast Shire Amendment C114 Submission for Ministerial Approval

2017

PETITION REQUEST

That the Surf Coast Shire Council in their Submission for Ministerial approval of Amendment C114 include the following recommendation:

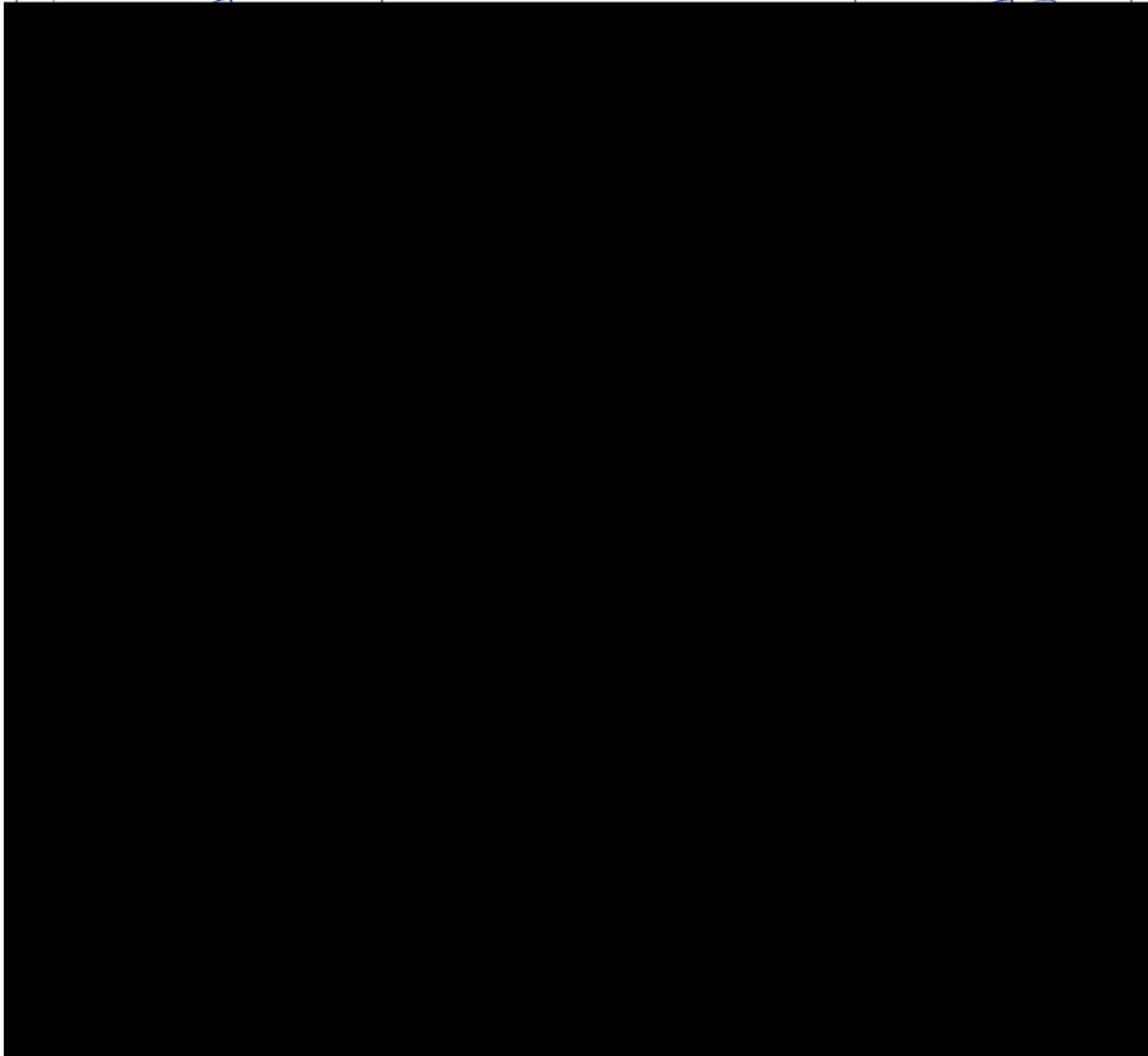
Land in the Spring Creek Corridor, west of the Precinct Structure Plan area, north of Spring Creek, south of Grossmans Road, to be recommended for a separate strategic investigation into future land use.

The investigation to focus on:

Sustainable rural lifestyle land use, preservation of environmentally sensitive areas & the benefits of community access to the Spring Creek Corridor.

We the undersigned residents of Surf Coast Shire support this petition

Name	Address /email	Signature
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Surf Coast Shire Amendment C114 Submission for Ministerial Approval

2017

PETITION REQUEST

That the Surf Coast Shire Council in their Submission for Ministerial approval of Amendment C114 include the following recommendation:

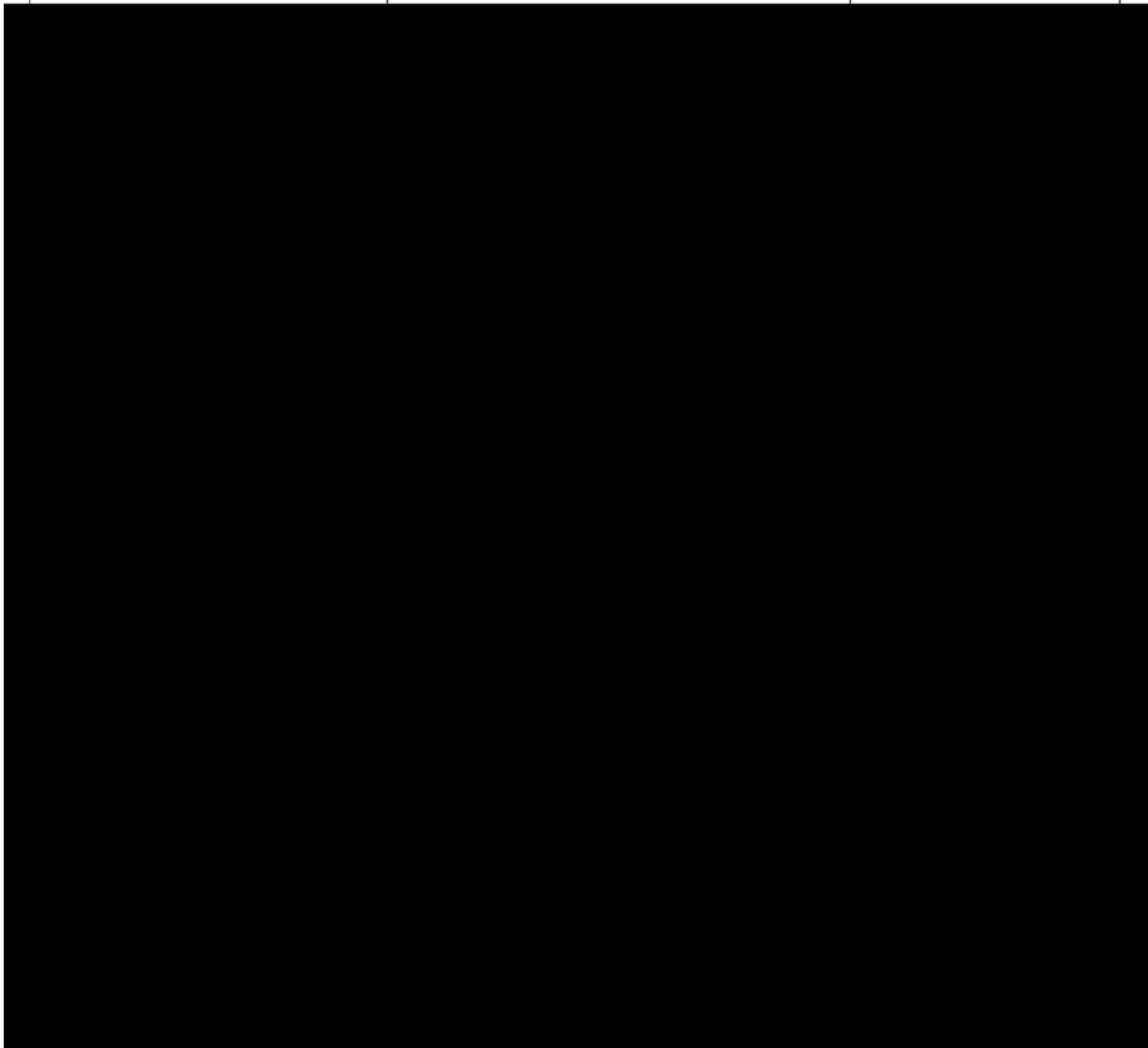
Land in the Spring Creek Corridor west of the Precinct Structure Plan area, north of Spring Creek, south of Grossmans Road, be recommended for a separate strategic investigation into future land use.

The investigation to focus on:

Sustainable rural lifestyle land use, preservation of environmentally sensitive areas & the benefits of community access to the Spring Creek Valley.

We the undersigned residents of Surf Coast Shire support this petition

Name	Address /email	Signature
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Surf Coast Shire Amendment C114 Submission for Ministerial Approval

2017

PETITION REQUEST

That the Surf Coast Shire Council in their Submission for Ministerial approval of Amendment C114 include the following recommendation:

Land in the Spring Creek Corridor, west of the Precinct Structure Plan area, north of Spring Creek, south of Grossmans Road, to be recommended for a separate strategic investigation into future land use.

The investigation to focus on:

Sustainable rural lifestyle land use, preservation of environmentally sensitive areas & the benefits of community access to the Spring Creek Corridor.

We the undersigned residents of Surf Coast Shire support this petition

Name	Address /email	Signature
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15

Surf Coast Shire Amendment C114 Submission for Ministerial Approval

2017

PETITION REQUEST

That the Surf Coast Shire Council in their Submission for Ministerial approval of Amendment C114 include the following recommendation:

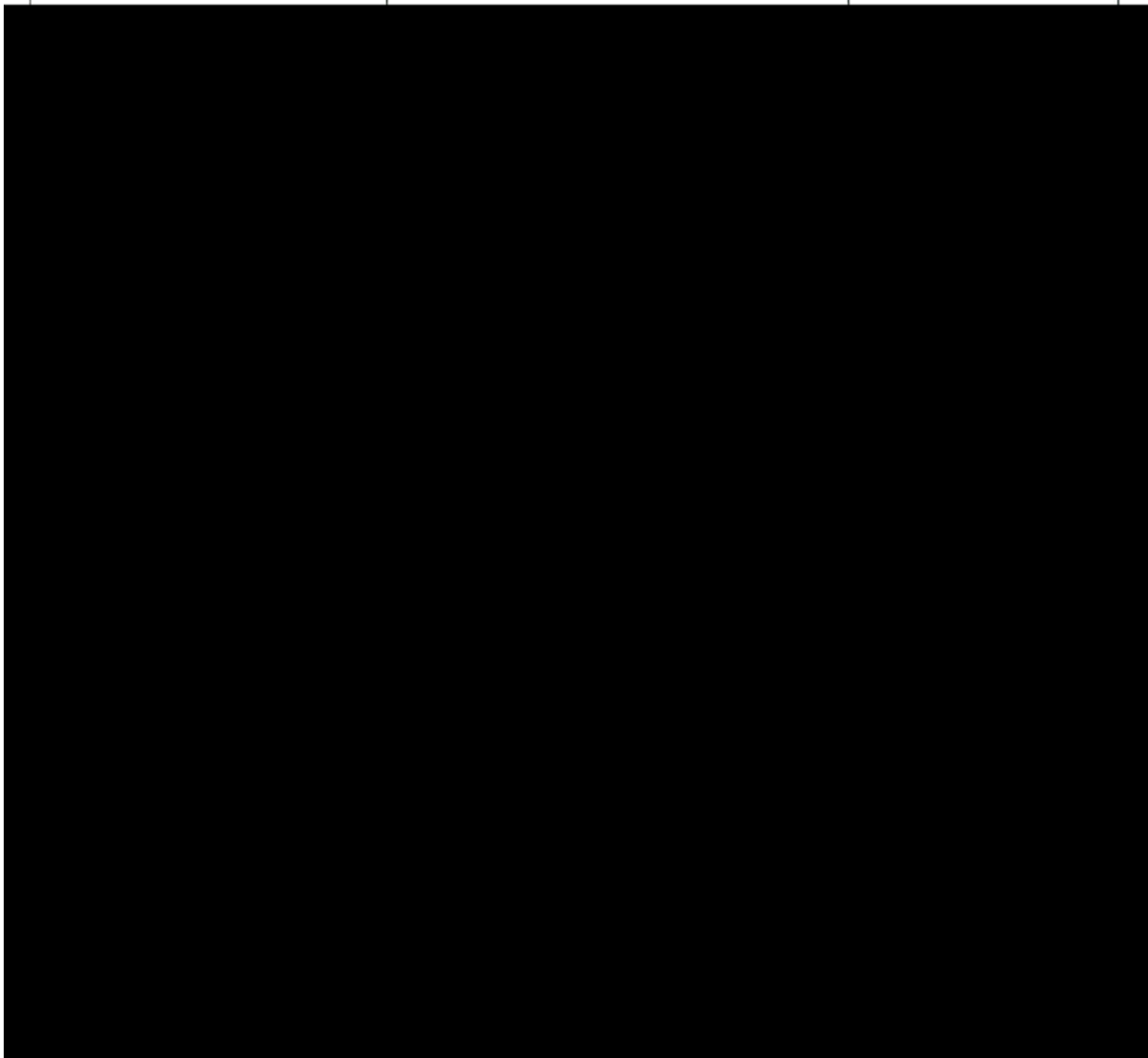
Land in the Spring Creek Corridor west of the Precinct Structure Plan area, north of Spring Creek, south of Grossmans Road, be recommended for a separate strategic investigation into future land use.

The investigation to focus on:

Sustainable rural lifestyle land use, preservation of environmentally sensitive areas & the benefits of community access to the Spring Creek Valley.

We the undersigned residents of Surf Coast Shire support this petition

Name	Address /email	Signature
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Surf Coast Shire Amendment C114 Submission for Ministerial Approval

2017

PETITION REQUEST

That the Surf Coast Shire Council in their Submission for Ministerial approval of Amendment C114 include the following recommendation:

Land in the Spring Creek Corridor west of the Precinct Structure Plan area, north of Spring Creek, south of Grossmans Road, be recommended for a separate strategic investigation into future land use.

The investigation to focus on:

Sustainable rural lifestyle land use, preservation of environmentally sensitive areas & the benefits of community access to the Spring Creek Valley.

We the undersigned residents of Surf Coast Shire support this petition

Name	Address /email	Signature
[Redacted Signature Area]		

Surf Coast Shire Amendment C114 Submission for Ministerial Approval

2017

PETITION REQUEST

That the Surf Coast Shire Council in their Submission for Ministerial approval of Amendment C114 include the following recommendation:

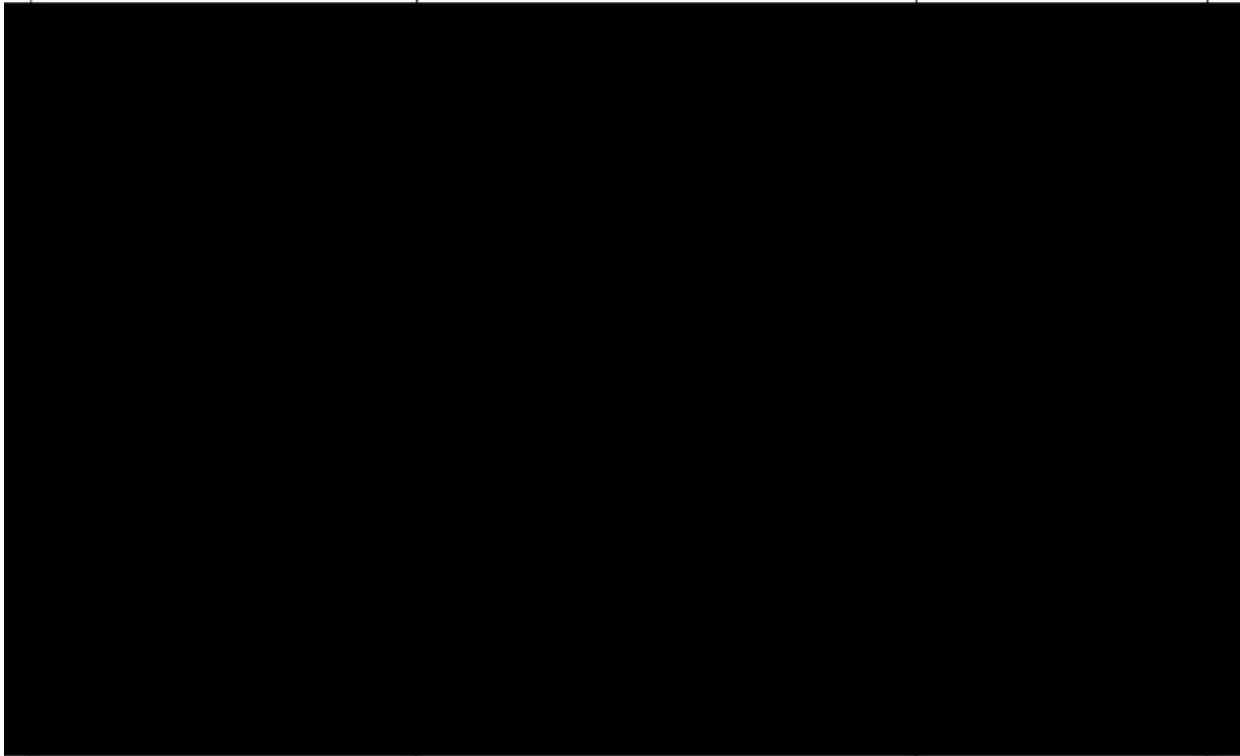
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The investigation to focus on:

Sustainable rural lifestyle land use, preservation of environmentally sensitive areas & the benefits of community access to the Spring Creek Valley.

We the undersigned residents of Surf Coast Shire support this petition

Name	Address /email	Signature
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Surf Coast Shire Amendment C114 Submission for Ministerial Approval

2017

PETITION REQUEST

That the Surf Coast Shire Council in their Submission for Ministerial approval of Amendment C114 include the following recommendation:

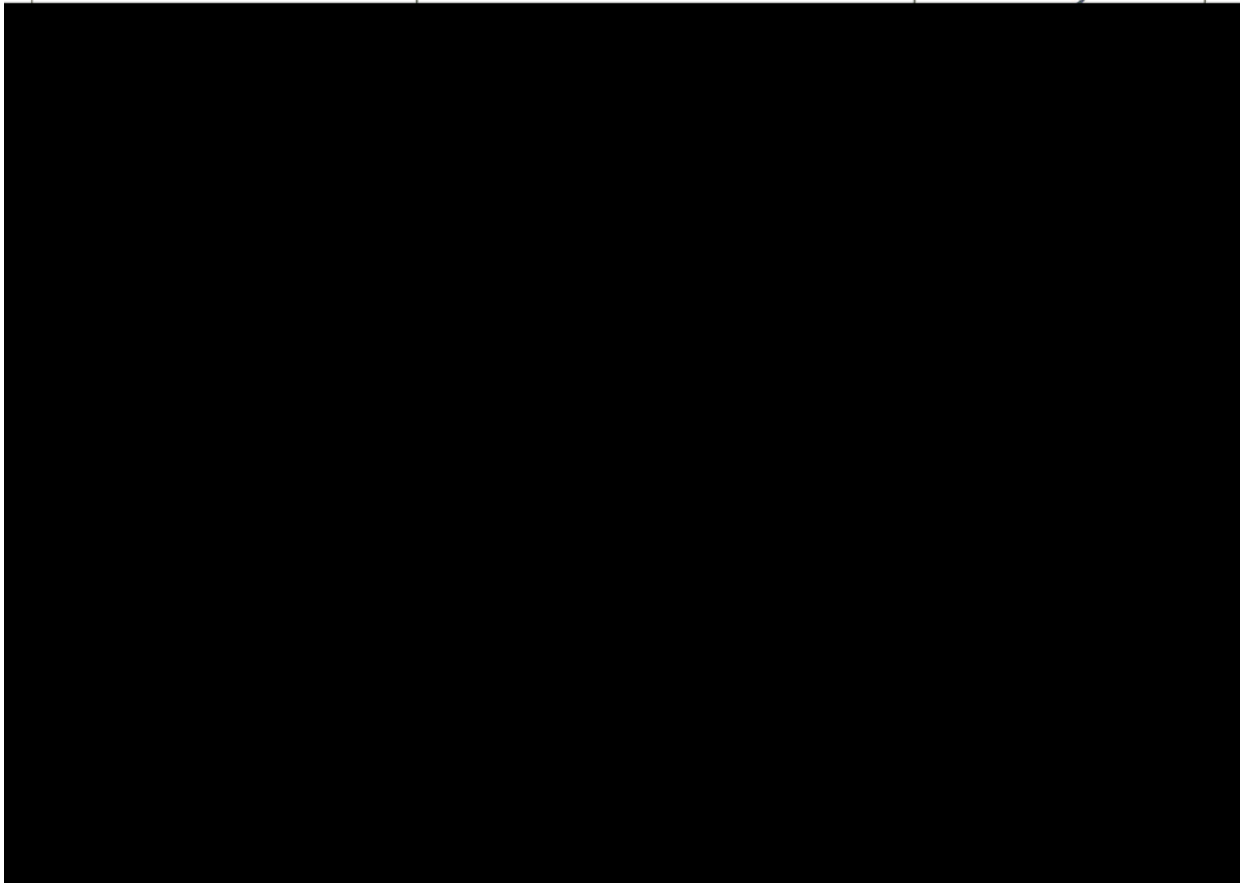
Land in the Spring Creek Corridor west of the Precinct Structure Plan area, north of Spring Creek, south of Grossmans Road, be recommended for a separate strategic investigation into future land use.

The investigation to focus on:

Sustainable rural lifestyle land use, preservation of environmentally sensitive areas & the benefits of community access to the Spring Creek Valley.

We the undersigned residents of Surf Coast Shire support this petition

Name	Address /email	Signature
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Surf Coast Shire Amendment C114 Submission for Ministerial Approval

2017

13

Surf Coast Shire Amendment C114 Submission for Ministerial Approval

2017

PETITION REQUEST

That the Surf Coast Shire Council in their Submission for Ministerial approval of Amendment C114 include the following recommendation:

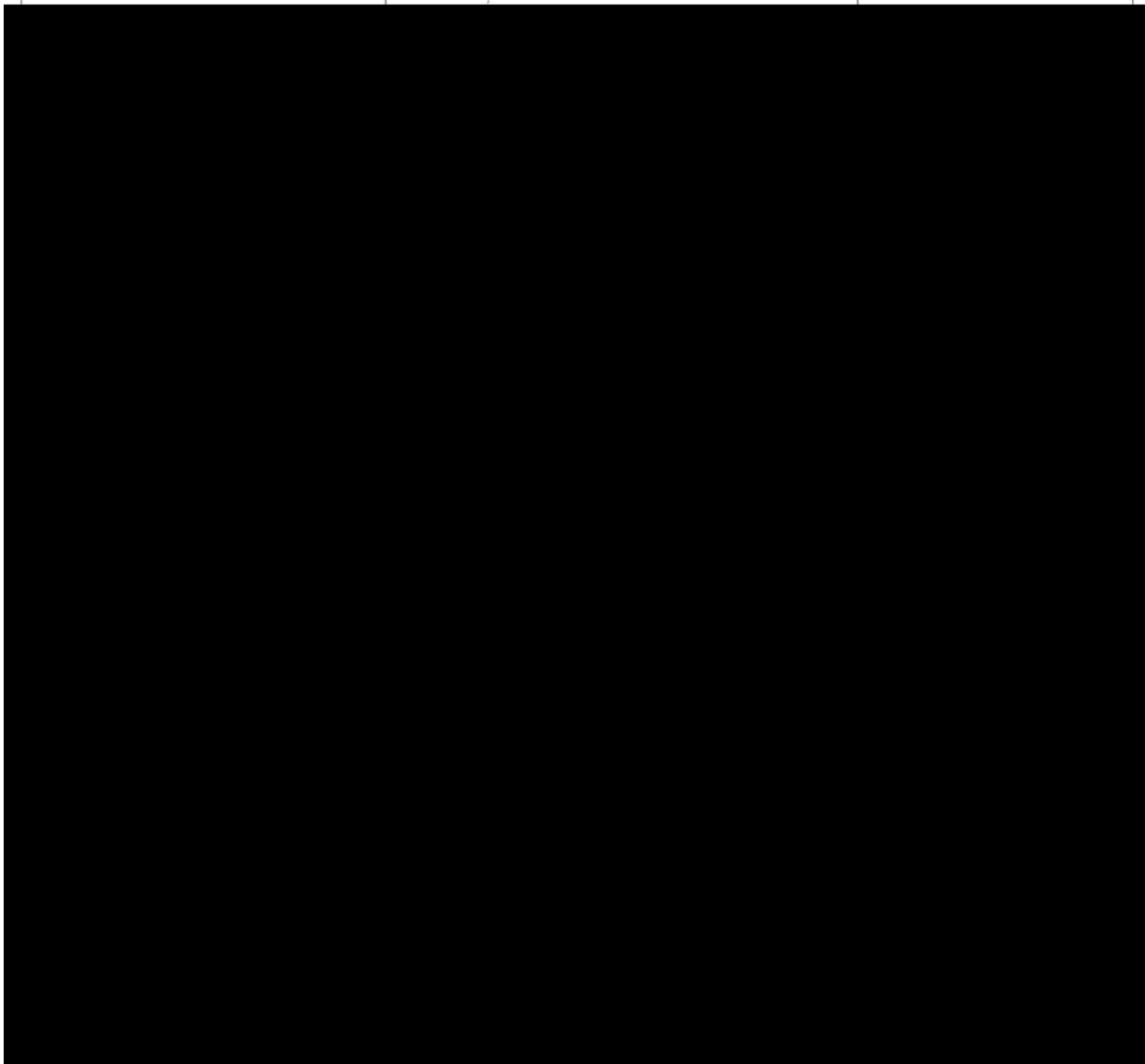
Land in the Spring Creek Corridor west of the Precinct Structure Plan area, north of Spring Creek, south of Grossmans Road, be recommended for a separate strategic investigation into future land use.

The investigation to focus on:

Sustainable rural lifestyle land use, preservation of environmentally sensitive areas & the benefits of community access to the Spring Creek Valley.

We the undersigned residents of Surf Coast Shire support this petition

Name	Address /email	Signature
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Surf Coast Shire Amendment C114 Submission for Ministerial Approval

2017

PETITION REQUEST

That the Surf Coast Shire Council in their Submission for Ministerial approval of Amendment C114 include the following recommendation:

Land in the Spring Creek Corridor, west of the Precinct Structure Plan area, north of Spring Creek, south of Grossmans Road, to be recommended for a separate strategic investigation into future land use.

The investigation to focus on:

Sustainable rural lifestyle land use, preservation of environmentally sensitive areas & the benefits of community access to the Spring Creek Corridor.

We the undersigned residents of Surf Coast Shire support this petition

Name	Address /email	Signature

7.2 Petition Received - Requesting Safer Pedestrian, Cyclist and Motorist Routes

Author's Title: Executive Assistant

General Manager: Anne Howard

Department: Governance & Infrastructure

File No: F17/1052

Division: Governance & Infrastructure

Trim No: IC17/747

Appendix:

1. Petition - Requesting Safer Pedestrian, Cyclist and Motorist Routes - Redacted (D17/80699)

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 Council investigate safer pedestrian, cyclist and motorist routing on Centreside Drive, Merijig Drive, Quay Boulevard and the Quay oval.

The petition consists of 165 signatures.

Recommendation

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

1. Receive and note the petition requesting investigate safer pedestrian, cyclist and motorist routing on Centreside Drive, Merijig Drive, Quay Boulevard and the Quay oval.
2. Refer the petition to the General Manager Governance and Infrastructure for consideration
3. Require a report on the petition be presented to the 22 August 2017 Ordinary Council Meeting.

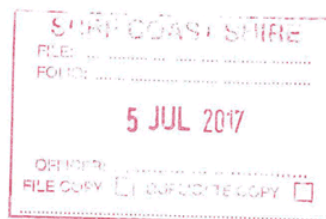
7.2 Petition Received - Requesting Safer Pedestrian, Cyclist and Motorist Routes

APPENDIX 1 PETITION - REQUESTING SAFER PEDESTRIAN, CYCLIST AND MOTORIST ROUTES - REDACTED

4 JUL 2017

4 July 2017

Mr Keith Baillie CEO
Mayor Brian McKitterick – Torquay Ward
Cr David Bell – Torquay Ward
Cr Martin Duke – Torquay Ward
Cr Rose Hodge – Torquay Ward
Surf Coast Shire
1 Merrijig Drive
Torquay, VIC 3228



Dear Mr Baillie, Mayor McKitterick, Cr Bell, Cr Duke and Cr Hodge,

RE: PETITION TO SURF COAST SHIRE COUNCILLORS REGARDING SAFER PEDESTRIAN, CYCLIST AND MOTORIST ROUTING ON CENTRESIDE DRIVE, MERRIG DRIVE, QUAY BOULEVARD AND THE QUAY OVAL

We met, along with Councillors, and Council staff on 10 May to discuss the above matter.

On 9 June, we received official Council response from Mr Peter McLean, Manager Engineering Services, in regard to solving multiple unsafe pedestrian, cyclist and motorist matters. Our community found Council solutions unsatisfactory, so we initiated a Petition (attached) for the 101 negatively affected 'The Quay' properties and it's residents along Centreside Drive and Quay Boulevard (including children running back and forth between cross-street parallel parking and The Quay Oval – very dangerous).

Of the 101 properties, we were able to contact 91 properties (10 properties – either holiday homes, no one home / answered or Council staff conflict-of-interest), we have 165 residents that have signed this Petition (with logical and workable solutions) requesting Councillor and staff review at a public hearing (hopefully this August).

Attached are:

- 1) Response from Council staff (Mr Peter McLean) on 9 June 2017
- 2) Twenty (20) Petition pages with names, street and email addresses
- 3) Diagram of Proposed Street Routing, Proposed Greenway for Safe Pedestrian and Cyclist Connection between The Quay Oval park amenities and both The Dunes & The Quay communities, and improved additional on-site diagonal car parking for The Quay Oval amenities (providing approx. 75 spaces for overall community)
- 4) Photo of Centreside Drive, Quay Boulevard and Merrijig Drive intersection and Proposed Greenway Connection between The Quay Oval park amenities and both The Dunes & The Quay communities
- 5) Photo of 'SLOW' and red-granulated marking on School Road in Bellbrae – proposed for all three aforementioned roadways in appropriate locations to be decided; and
- 6) Photo of new Rosser Boulevard 'Traffic-Calming Pinch Point Nodes' – proposed for future Centreside Drive and Scott Avenue intersection (Quay2).

Surf Coast Shire CEO and Councillors

RE: PETITION TO COUNCILLORS REGARDING UNSAFE MATTERS - CENTRESIDE DRIVE, QUAY BOULEVARD, MERRIJIG DRIVE AND THE QUAY OVAL

4 July 2017

Page 2 of 2

Furthermore, we kindly request that Council adjust (in The Dunes):

- 7) the Merrijig Drive and Fischer Street intersection to a better and more understandable configuration; and
- 8) reduce /exempt 'The Dunes Village' building setback from the northern side of Merrijig Drive to construct a new kerb and widen Merrijig Drive within Council's rights-of-way (from Fischer Street to Manuka Street) to accommodate more traffic towards the rear carpark area – lessening the need for unnecessary turns into Fischer Street – as The Dunes Village turf area setback serves no functional purpose.

Thank you for your assistance in resolving these multiple unsafe matters.


On behalf of The Quay Residents Association


Cc: Mr Peter McLean, Manager Engineering Services

Attachments

1 of 20

PETITION TO SURF COAST SHIRE COUNCILLORS

6

We, the undersigned residents of Centreside Drive and Quay Boulevard residents, respectfully ask Surf Coast Shire Councillors direct staff to 'DOG LEG' the intersection of Centreside Drive and Quay Boulevard (close the connection to Merrijig Drive) to the same traffic calming reasons and configuration as the Headland Drive 'DOG LEG' in front of The Star of the Sea retirement village, and the new 'DOG LEGGED' Merrijig Drive configuration in The Dunes estate.

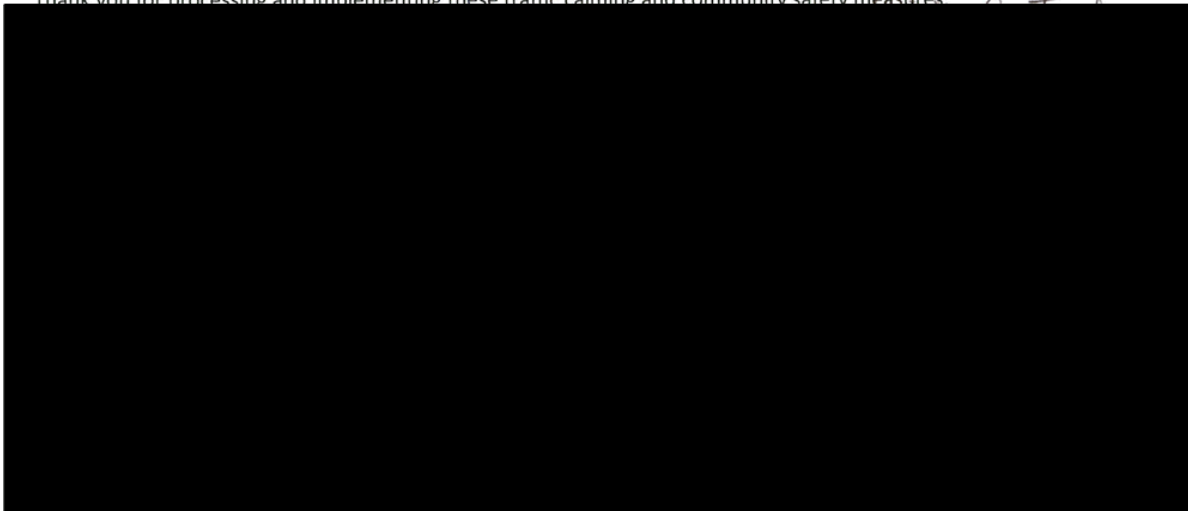
Our requested 'DOG LEG' at the intersection of Centreside Drive and Quay Boulevard (closed to Merrijig Drive traffic) would not only provide a safe pedestrian passageway between The Dunes community and the Quay Oval, play, exercise and reserve areas, but provide desperately needed traffic calming on both Centreside Drive and Quay Boulevard. There is no good traffic design and engineering reason to connect Quay Boulevard and Merrijig Drive. It makes traffic matters worse and more dangerous. Closing it makes for safer vehicle, pedestrian and cyclist movement.

Furthermore, we request that no indented parallel car park spaces be constructed along Quay Boulevard and Centreside Drive, as proposed by Shire Engineer Peter McLean on 9 June 2017. Doing so serves purpose only 'widens' these streets, but also facilitates higher motorist speeds and does not solve children running back and forth across the streets during sporting events - due to not enough Quay Oval on-site parking with new Torquay North residents and The Dunes developer providing only four car park spaces adjacent the Oval on Merrijig Drive.

We propose the below safer alternatives:

- Replace the current indented parallel parking (only 4 car park spaces) along the south side of Merrijig Drive adjacent the oval with diagonal parking (creating approximately 18 car park spaces) – allowing for existing streetlamps and new Gum Tree replacement
- Install diagonal parking along the oval side of Quay Boulevard (creating approximately 23 car park spaces) – allowing for existing streetlamps and new Norfolk Island Pine Tree replacement
(*the aforementioned two diagonal parking alternatives surrounding the oval on Merrijig Drive and Quay Boulevard combined with 31 existing car park spaces within the oval provide for a total approximately 72 car park spaces!)
- Close the Quay Boulevard / Merrijig Drive connection – allowing for a safe greenway pedestrian / cyclist passage between the oval and The Dunes estate
- Install red-painted 'SLOW' designations as already done in Bellbrae on School Road.
- Install landscaped 'Traffic-Calming Pinch Point Nodes' at the future intersection of Centreside Drive and Scott Avenue (in Quay2) to prevent Merrijig Drive motorists using Centreside Drive as a 'Merrijig Drive Bypass Express.'

Thank you for processing and implementing these traffic calming and community safety measures.



20/20



PETITION TO SURF COAST SHIRE COUNCILLORS

We, the undersigned residents of Centreside Drive and Quay Boulevard residents, respectfully ask Surf Coast Shire Councillors direct staff to 'DOG LEG' the intersection of Centreside Drive and Quay Boulevard (close the connection to Merrijig Drive) to the same traffic calming reasons and configuration as the Headland Drive 'DOG LEG' in front of The Star of the Sea retirement village, and the new 'DOG LEGGED' Merrijig Drive configuration in The Dunes estate.

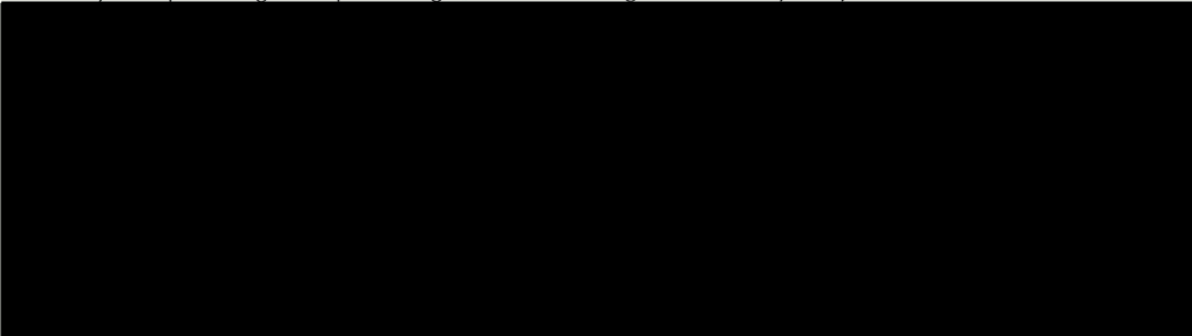
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Furthermore, we request that no indented parallel car park spaces be constructed along Quay Boulevard and Centreside Drive, as proposed by Shire Engineer Peter McLean on 9 June 2017. Doing so serves purpose only 'widens' these streets, but also facilitates higher motorist speeds and does not solve children running back and forth across the streets during sporting events - due to not enough Quay Oval on-site parking with new Torquay North residents and The Dunes developer providing only four car park spaces adjacent the Oval on Merrijig Drive.

We propose the below safer alternatives:

- Replace the current indented parallel parking (only 4 car park spaces) along the south side of Merrijig Drive adjacent the oval with diagonal parking (creating approximately 18 car park spaces) – allowing for existing streetlamps and new Gum Tree replacement
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(*the aforementioned two diagonal parking alternatives surrounding the oval on Merrijig Drive and Quay Boulevard combined with 31 existing car park spaces within the oval provide for a total approximately 72 car park spaces!)
- Close the Quay Boulevard / Merrijig Drive connection – allowing for a safe greenway pedestrian / cyclist passage between the oval and The Dunes estate
- Install red-painted 'SLOW' designations as already done in Bellbrae on School Road.
- Install landscaped 'Traffic-Calming Pinch Point Nodes' at the future intersection of Centreside Drive and Scott Avenue (in Quay2) to prevent Merrijig Drive motorists using Centreside Drive as a 'Merrijig Drive Bypass Express.'

Thank you for processing and implementing these traffic calming and community safety measures.



Name	Street Address	Email Address
_____	_____	_____
Name	Street Address	Email Address
_____	_____	_____
Name	Street Address	Email Address
_____	_____	_____
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7 of 20

8

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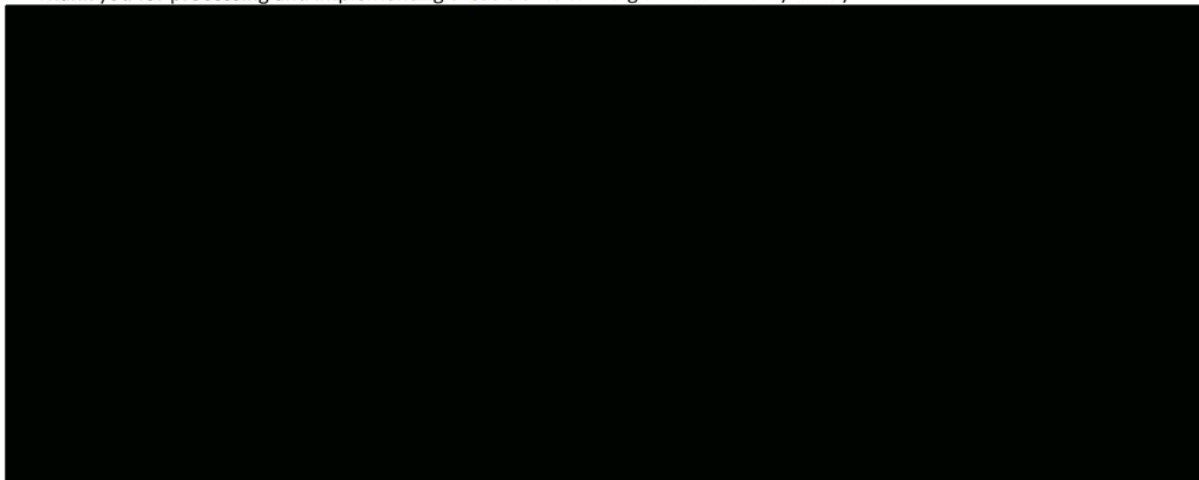
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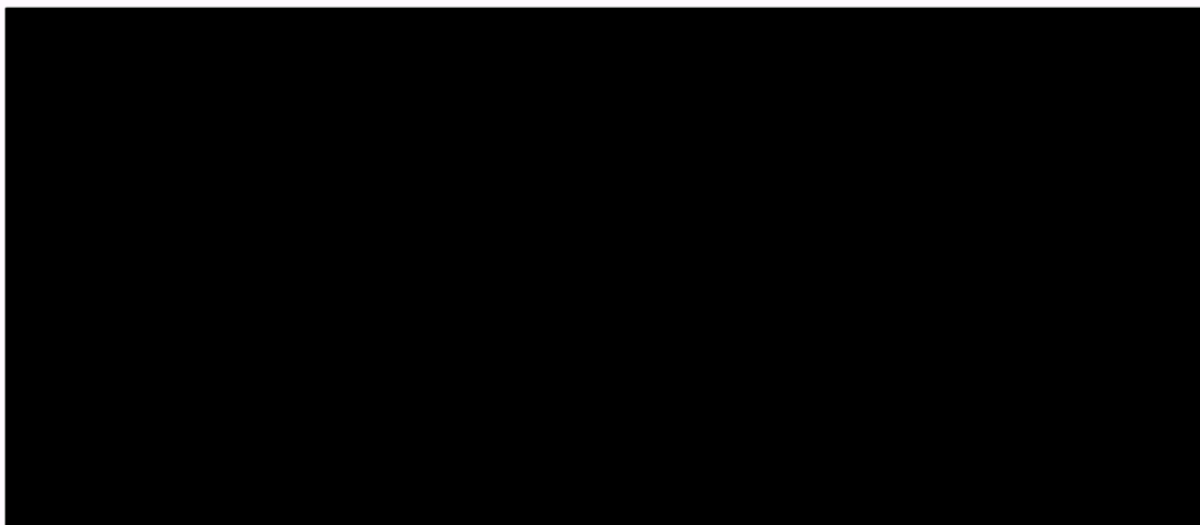
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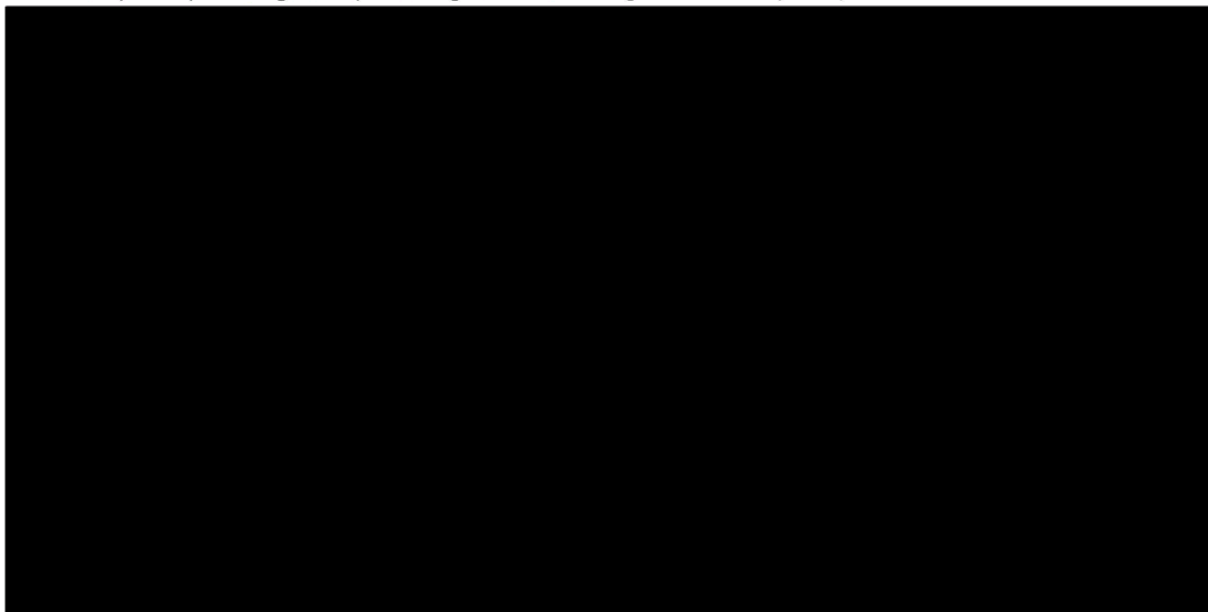
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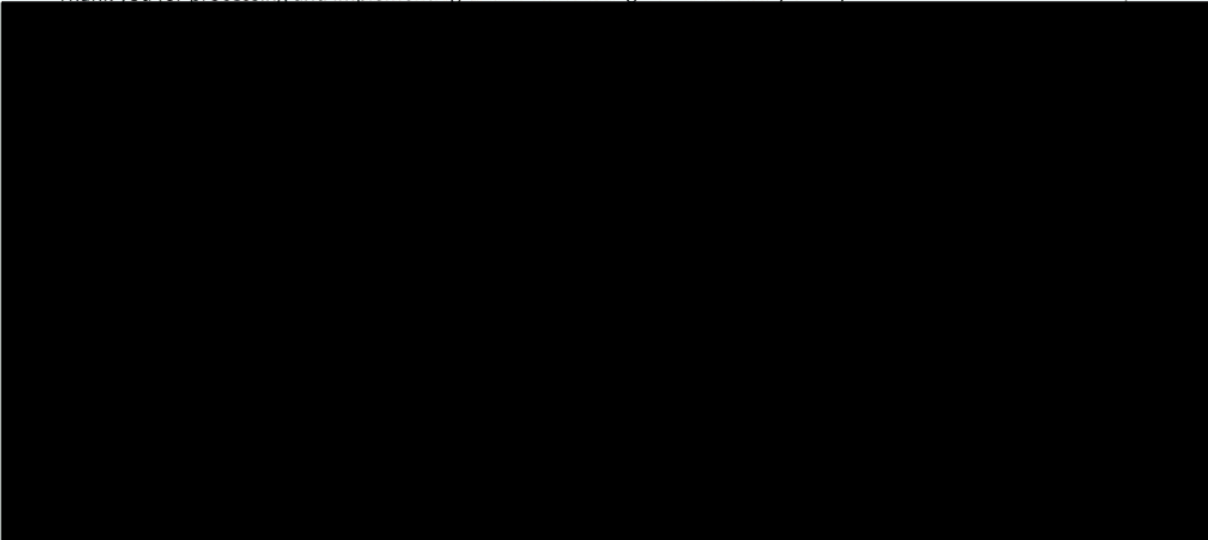
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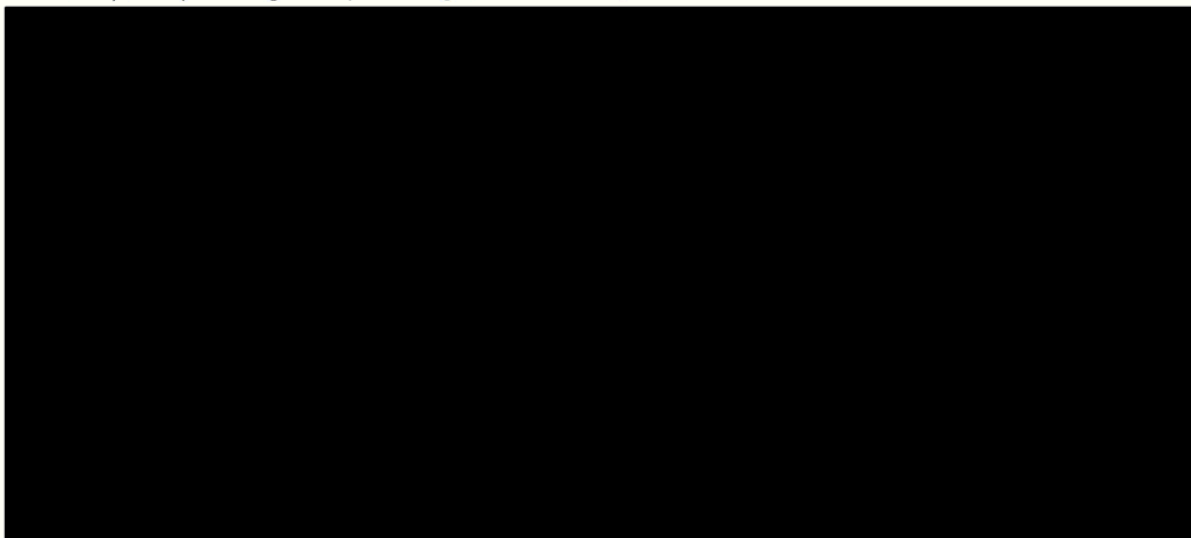
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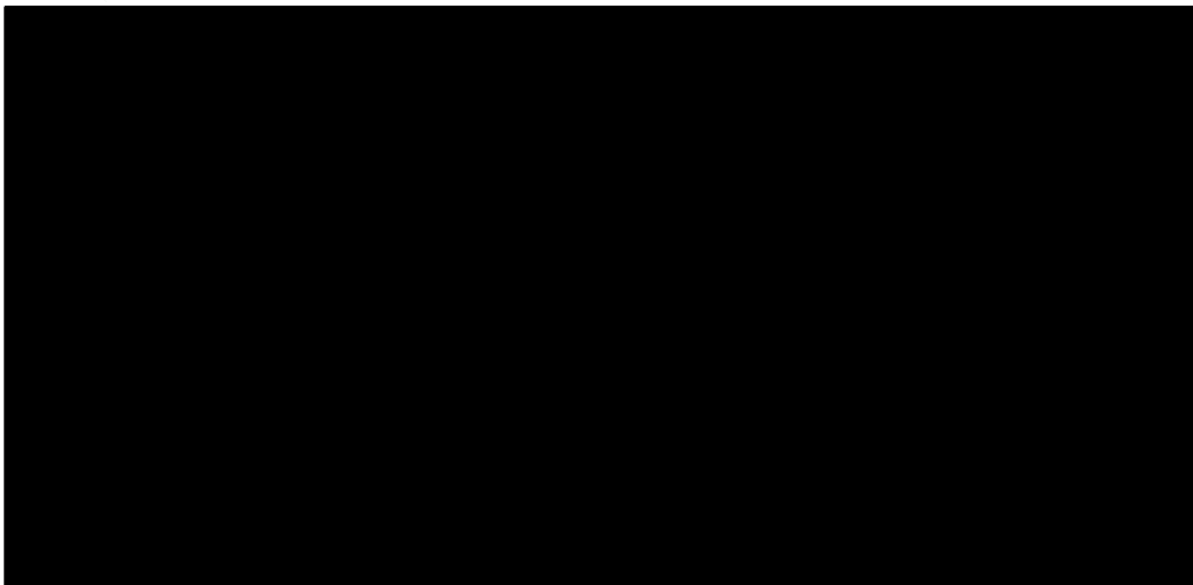
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11/9/20

PETITION TO SURF COAST SHIRE COUNCILLORS

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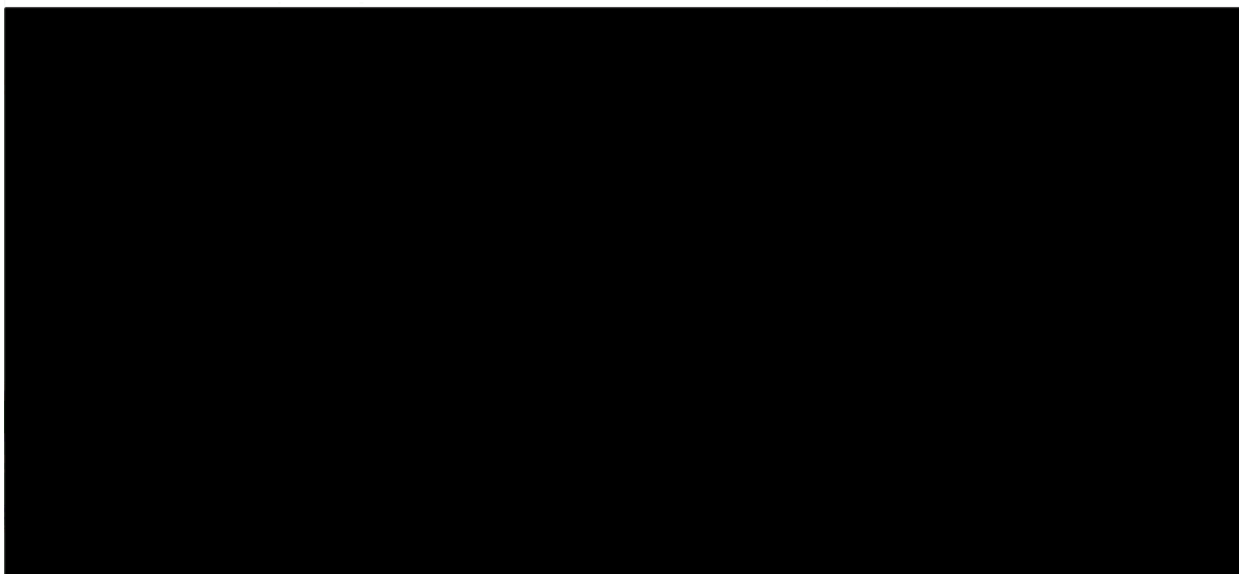
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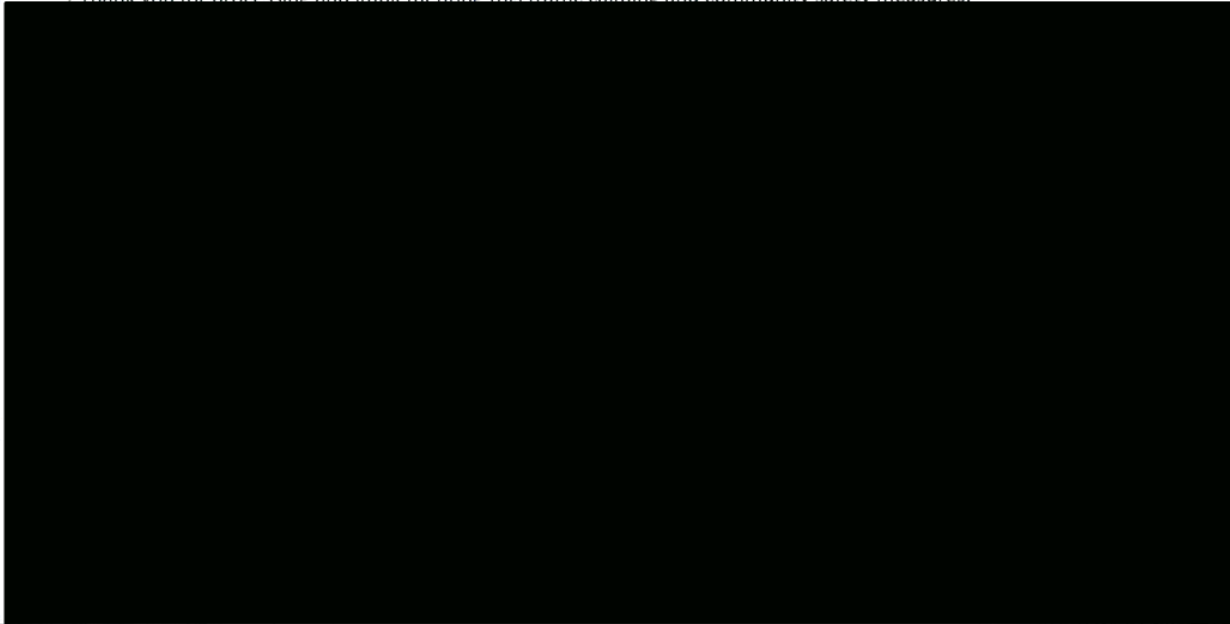
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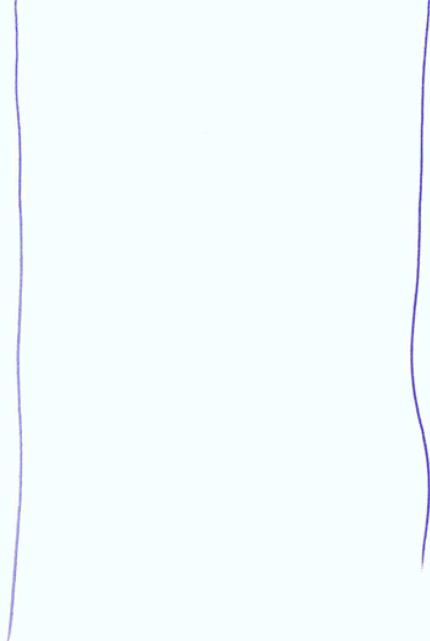
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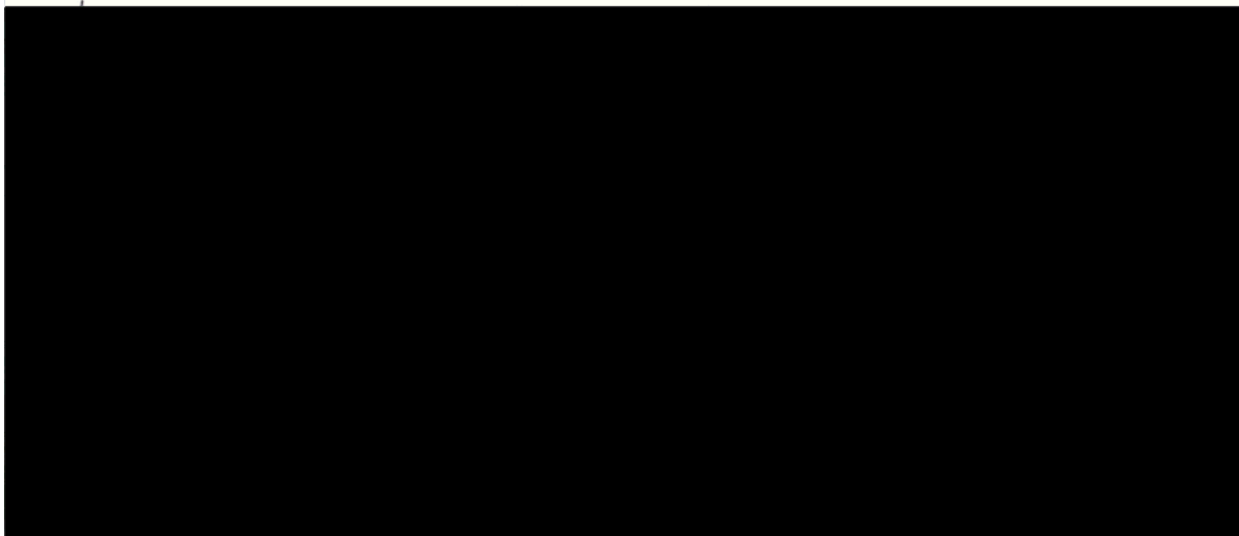
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- Close the Quay Boulevard / Merrijig Drive connection – allowing for a safe greenway pedestrian / cyclist passage between the oval and The Dunes estate
- Install red-painted 'SLOW' designations as already done in Bellbrae on School Road.

Thank you for processing and implementing this traffic calming and community safety measures.



Name	Street Address	Email Address
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15 of 20

PETITION TO SURF COAST SHIRE COUNCILLORS

9

We, the undersigned residents of Centreside Drive and Quay Boulevard residents, respectfully ask Surf Coast Shire Councillors direct staff to 'DOG LEG' the intersection of Centreside Drive and Quay Boulevard (close the connection to Merrijig Drive) to the same traffic calming reasons and configuration as the Headland Drive 'DOG LEG' in front of The Star of the Sea retirement village, and the new 'DOG LEGGED' Merrijig Drive configuration in The Dunes estate.

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16.8.20

PETITION TO SURF COAST SHIRE COUNCILLORS

7

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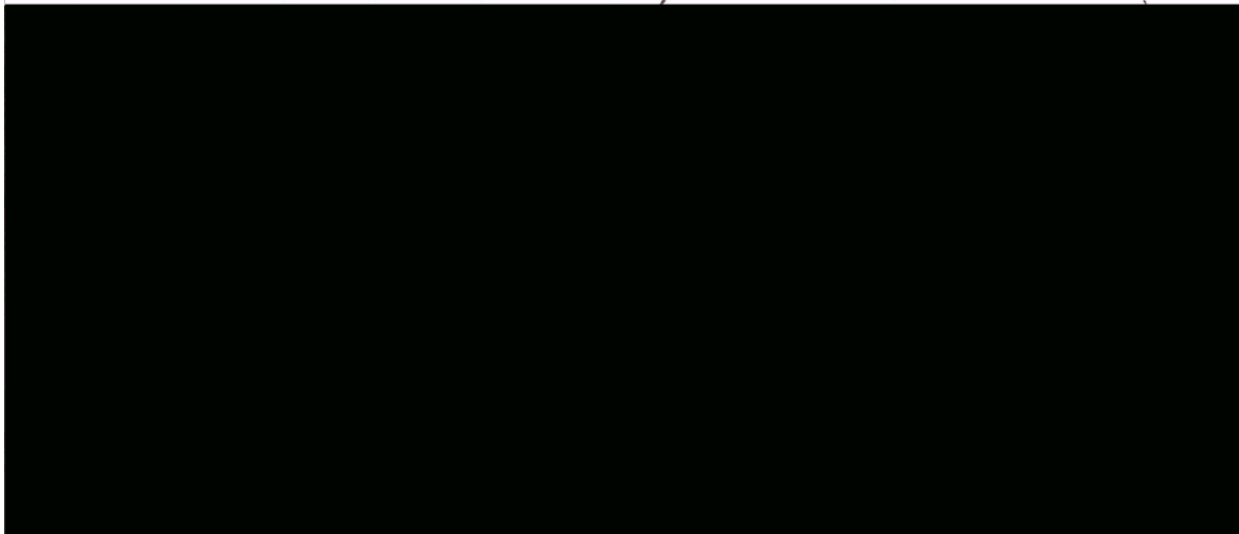
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~~FOR LEASE - EMPTY~~

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Name

Street Address

Email Address

17 of 20

PETITION TO SURF COAST SHIRE COUNCILLORS

(9)

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18/8/20

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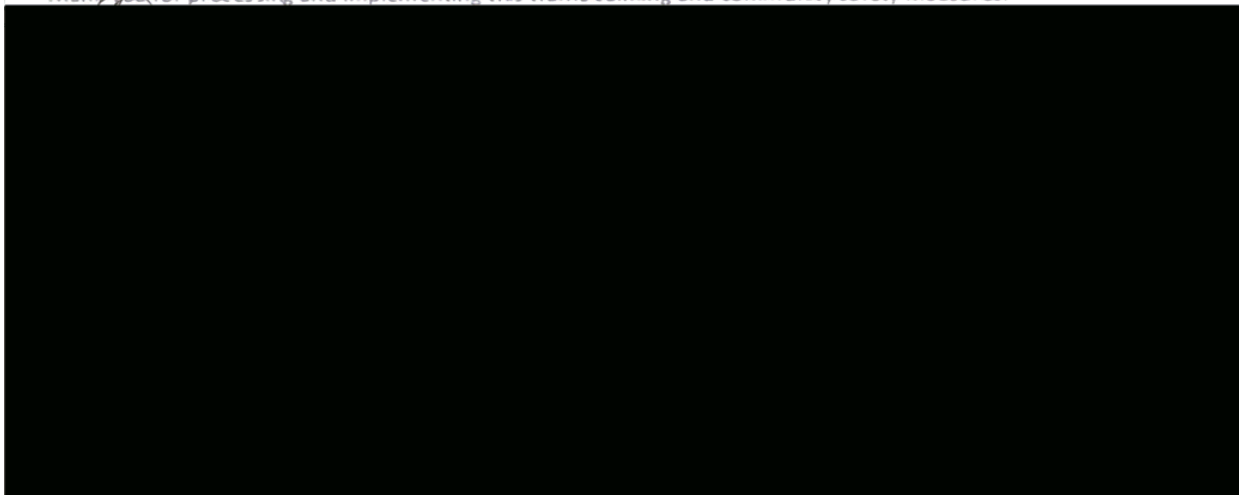
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20 of 20

PETITION TO SURF COAST SHIRE COUNCILLORS

-10

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184

From:
Sent:
To:

Cc:
Subject:

Attachments:

All,

As promised following our meeting held on 11 May (see below notes) I have undertaken research of the three issues identified and can confirm the following findings:

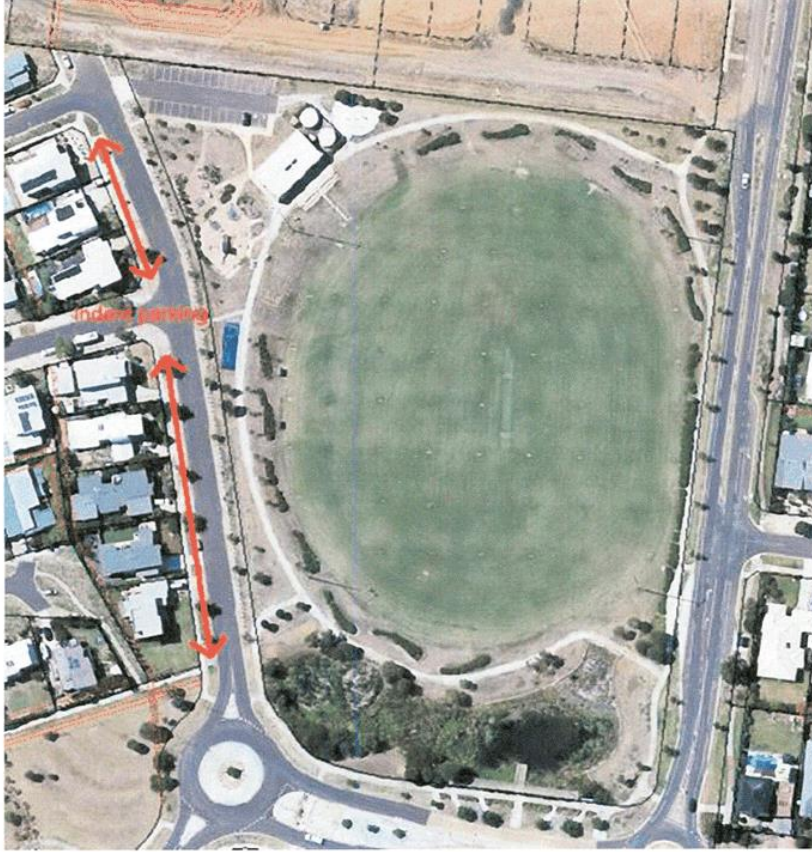
1. [Adequacy of the shared path on Merrijig Drive](#). This path will be 2.5 meters wide which is in line with the AustRoads standard for a local access shared path – refer copy of attached copy. So this is adequate. Also I know there was concern expressed on the proximity to the property boundary but the road rules state that drives exiting a private property must give way to cyclists/shared path users.
2. [Review intersection of Merrijig Drive & Scott St](#). The attached plan shows the street layout once Scott St is built and the below photo shows that access to Scott St does not have a right turn slot off Merrijig Drive which was done on purpose as we wanted this to be only for immediate local access only. It is not feasible to ban right turns here as this would deny access for the grey house and in future for any other houses on Scott St. The main discussion around this point was due to concerns of Centreside Drive potentially being used as a shortcut in future but we do not believe this will be the case due to the difficult nature of the Scott St intersection. The only reason we see it may be used as a short cut is if the intersection of Merrijig Drive and Fischer St becomes too congested. This intersection is currently the subject of a road safety audit Council is doing (not finalised yet) along Fischer St and one consideration in that audit is that some alternate intersection treatment may be required here, such as a roundabout. So this is a works in progress but findings of the audit expected in the next 2 months will be referred for consideration for funding in future budgets.



3. [Parking for the Quay oval](#). There is considered to be reasonable parking around the Quay Oval with 31 off street parks being provided in addition to the on street parking, and the 6 new bays to be provided on Merrijig Drive (north end of oval), but it is acknowledged that the nature of peak sport days does mean that the parking along Quay Boulevard does become congested. A possible solution to this is to provide indented parking on the property side of Quay Bvd which would then enable parking along the oval side and allow two lanes of traffic to still flow. This is important as The Quay Bvd has been modelled to take some traffic from Merrijig Drive as it does connect to a much safer intersection treatment at Horseshoe Bend Rd (roundabout). Hence the current design of the intersection of Quay Bvd and Merrijig Drive is modelled so

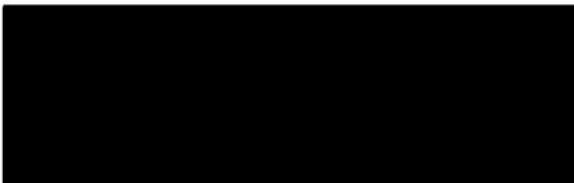
2 of 4

that the Merrijig Drive connection to Horseshoe Bend Rd carries 1050 vehicles per day – see attached traffic model. So the need for indented parking will be on Quay Bvd will be scoped up and referred for consideration on 2018/19 capital works program as shown below.



I appreciate these findings may be hard to understand in written format and so I am happy to meet with those who would like a better explanation of the findings.

Regards



RESPECT | INTEGRITY | COLLABORATION | INNOVATION

Please consider the environment before you print this email!



Subject: Summary of meeting held 10 May to discuss residents concerns on Merrijig Drive concerns

304
All,

Thanks for your time yesterday and just to briefly summarise the actions we agreed to:

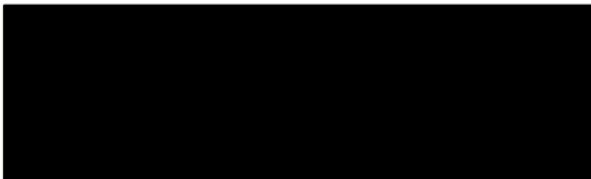
1. Review the adequacy of the shared path on Merrijig Drive (between Horseshoe Bend Rd and Fischer St) – concern it is too narrow and close to properties. Refer red arrow below
2. Review the future intersection treatment at Merrijig & Scott – concern it will be used as a shortcut. Refer green circle below
3. Review the parking for the Quay oval – concern is for sporting days there is insufficient parking. Refer purple circle

Officers will consider these three issues and come back to this group in 4 weeks (by 9th June) with our initial assessment of the concerns.

Can you please forward a copy to [redacted] as I do not have his contact details?



Regards



RESPECT | INTEGRITY | COLLABORATION | INNOVATION

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DIAGRAM ATTACHMENT: PETITION TO THE COUNCILLORS



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This map is produced on the Geocentric Datum of Australia (GDA94).
 GDA94 supersedes the Australian Geodetic Datum 1966 (AGD66).

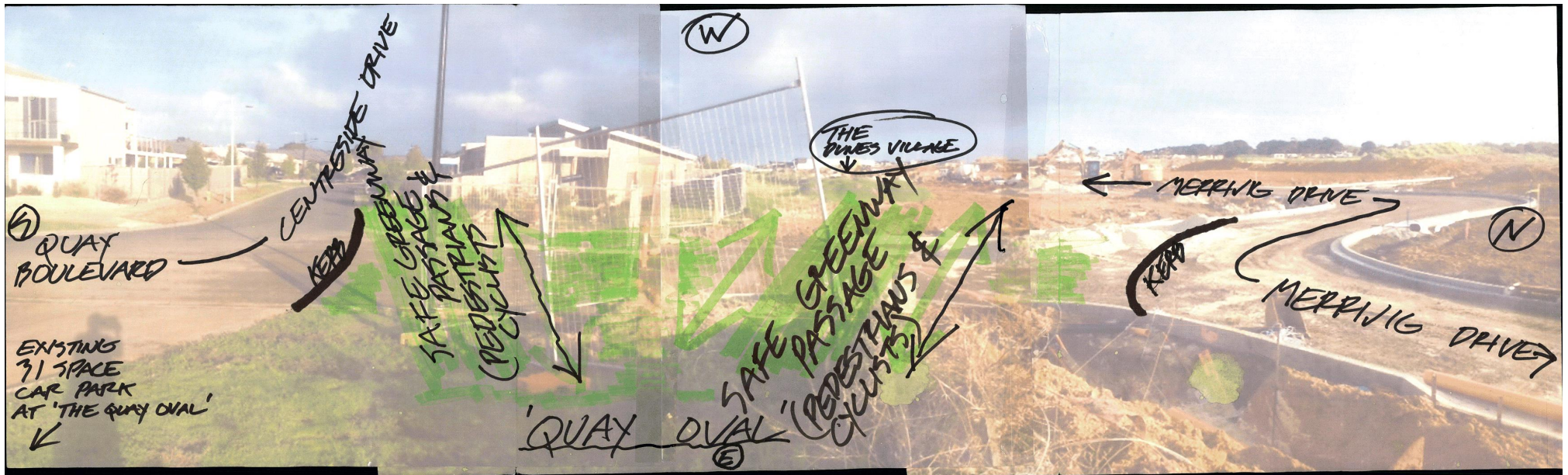
Surf Coast Shire uses the Map Grid of Australia (MGA94) Zone 55 projection.

1 MERRIJIG DRIVE
 PO BOX 350
 TORQUAY, VICTORIA
 AUSTRALIA 3228
 PHONE : +61 3 5261 0600
 FAX : +61 3 5261 0525
 INTERNET : www.surfcoast.vic.gov.au
 EMAIL : info@surfcoast.vic.gov.au









8. CLOSED SECTION

Recommendation

That Council pursuant to section 89(2)(h) other matters, section 89(2)(d) contractual matters and section 89(2)(a) personnel matters of the Local Government Act 1989, close the meeting to members of the public to resolve on matters pertaining to the following items:

- 8.1 Assemblies of Councillors
- 8.2 Tender - Signalisation of the Intersection of Beach Road and Geelong Road
- 8.3 Appointment of Additional Renewable Energy Task Force Members
- 8.4 Environment and Rural Advisory Panel EOI for New Members

Recommendation

That:

- 1. The resolutions pertaining to Confidential items 8.1 and 8.2 be made public and the reports remain confidential.
- 2. The resolutions pertaining to Confidential items 8.3 and 8.4 be made public once all members and candidates have been notified and the reports remain confidential.
- 3. Council open the meeting to the public at pm.

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