



Minutes

Ordinary Meeting of Council
Tuesday, 25 July 2017

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

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

PRESENT:

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

In Attendance:

Chief Executive Officer – Keith Baillie
General Manager Governance & Infrastructure – Anne Howard
General Manager Culture & Community – Chris Pike
General Manager Environment & Development – Ransce Salan
Manager Community Relations – Damian Waight
Coordinator Communications & Community Relations – Darryn Chiller
Team Leader Governance – Candice Holloway (minutes)

10 members of the public
1 member of the press

OPENING:

Cr Brian McKitterick, Mayor opened the meeting.

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

PLEDGE:

Cr Clive Goldsworthy recited the pledge on behalf of all Councillors.

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

APOLOGIES:

Nil.

CONFIRMATION OF MINUTES:

Council Resolution

MOVED Cr Martin Duke, Seconded Cr Clive Goldsworthy

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

CARRIED 9:0

LEAVE OF ABSENCE REQUESTS:

Nil.

CONFLICTS OF INTEREST:

Nil.

PRESENTATIONS:

Cr Brian McKitterick, Mayor formally welcomed teachers and Year 6 students from Grovedale Primary School in attendance.

PUBLIC QUESTION TIME:

Nil.

BUSINESS:

1.	OFFICE OF THE CEO	4
2.	GOVERNANCE & INFRASTRUCTURE	5
2.1	<i>Project Budget Adjustments and Cash Reserve Transfers Final 2016 - 2017 Report</i>	5
2.2	<i>Project Budget Adjustments and Cash Reserve Transfers - July 2017</i>	8
2.3	<i>Quarterly Report Outlining Councillor Allowances and Expenses - 1 April 2017 to 30 June 2017</i>	10
2.4	<i>Sale of Council Land - 42 Harding Street, Winchelsea</i>	13
2.5	<i>Traffic and Pedestrian Strategy for The Esplanade and Bell Street, Torquay</i>	17
2.6	<i>Place Naming Request - Jan Juc Shopping Centre and Bellbrae Oval</i>	22
2.7	<i>Blackspot Funding Grant Opportunity</i>	26
3.	ENVIRONMENT & DEVELOPMENT	30
3.1	<i>Statutory Planning Fee Waiver and Rebate Policy SCS-028</i>	30
3.2	<i>Submission on proposed Accommodation Planning Reforms</i>	37
3.3	<i>Council Response to the Sustainable Agribusiness Strategy for the G21 Region</i>	43
4.	CULTURE & COMMUNITY	48
4.1	<i>Quarterly Advocacy Priorities Update Including 2018 State Election Program</i>	48
4.2	<i>Sport and Recreation Victoria - Country Football Netball Program 2017-18</i>	54
5.	MINUTES	62
5.1	<i>Section 86 Committee Minutes</i>	62
5.2	<i>Advisory Committee Minutes</i>	63
6.	ASSEMBLIES OF COUNCILLORS	64
6.1	<i>Assemblies of Councillors</i>	64
7.	URGENT BUSINESS/PETITIONS/NOTICES OF MOTION	65
7.1	<i>Petition Received - Amendment C114 Spring Creek Precinct Structure Plan</i>	65
7.2	<i>Petition Received - Requesting Safer Pedestrian, Cyclist and Motorist Routes</i>	66
8.	CLOSED SECTION	68
8.1	<i>Assemblies of Councillors</i>	68
8.2	<i>Tender - Signalisation of the Intersection of Beach Road and Geelong Road</i>	68
8.3	<i>Appointment of Additional Renewable Energy Task Force Members</i>	68
8.4	<i>Environment and Rural Advisory Panel EOI for New Members</i>	68
8.5	<i>Development Opportunity</i>	68

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

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 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

Council Resolution

MOVED Cr Margot Smith, Seconded Cr Martin Duke

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.

CARRIED 9:0

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.

2.2 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: **Status:**

In accordance with Local Government Act 1989 – Information classified confidential in accordance with Section 80C: 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 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.

Council Resolution

MOVED Cr Margot Smith, Seconded Cr Carol McGregor

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.

CARRIED 9:0

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.

2.3 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.

Council Resolution

MOVED Cr Rose Hodge, Seconded Cr David Bell

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.

CARRIED 9:0

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.

2.4 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.

Council Resolution

MOVED Cr Heather Wellington, Seconded Cr Carol McGregor

That Council:

1. Note that Ambulance Victoria made an offer to purchase 42 Harding Street, Winchelsea, from Council for the purpose of developing an ambulance station;
2. Note that on 24 July 2017 Ambulance Victoria requested that Council hold over the decision on the sale of the 42 Harding Street for the next 2 months; and
3. Defer making a decision regarding the sale of 42 Harding Street, Winchelsea until its Ordinary meeting on 26 September 2017.

CARRIED 9:0

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.

2.5 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 Cadel 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.

Council Resolution

MOVED Cr Martin Duke, Seconded Cr Rose Hodge

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.

CARRIED 9:0

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.

2.6 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.

Council Resolution

MOVED Cr David Bell, Seconded Cr Rose Hodge

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

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

- 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.

CARRIED 9:0

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

Council Resolution

MOVED Cr Margot Smith, Seconded Cr Carol McGregor

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 \$162,000.
2. Authorise the Chief Executive Officer to sign blackspot funding agreements on behalf of Council for any application that is successful.

CARRIED 9:0

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.

Council Resolution

MOVED Cr Heather Wellington, Seconded Cr Margot Smith

That Council:

1. Endorse the Statutory Planning Fee Waiver and Rebate Policy SCS-028, subject to the following changes:
Section 6 be modified by:
 - i. Deleting the line 6(d) 1(c)
 - ii. Adding the words “to the Surf Coast Shire” after “community benefit” in item 6(d) (2).
2. Provide a rebate to eligible requests that meet the requirements of the policy on any application on or after 13 October 2016.

CARRIED 9:0

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.

3.2 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.

Council Resolution

MOVED Cr Martin Duke, Seconded Cr Carol McGregor

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.

CARRIED 9:0

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.

3.3 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.

Council Resolution

MOVED Cr Carol McGregor, Seconded Cr Heather Wellington

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.

CARRIED 9:0

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

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:

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

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 14.1</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 opinion for or against this action. • <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.

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

<p>5 – Implement the strategy</p> <p><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.

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.

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

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.

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

Council Resolution

MOVED Cr Margot Smith, Seconded Cr Rose Hodge

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.

CARRIED 9:0

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

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.









Great Ocean Road Visitor Economy

- | | |
|--|---|
|  Shipwreck Coast Master Plan Implementation |  Growing Adventure Tourism – Surf Coast Trails |
|  Continued investment in Great Ocean Road renewal |  Alcoa Site Regeneration - Anglesea |
|  Great Ocean Road Gateway Experience |  Point Grey Redevelopment Lorne (Partner-led) |

Towards Environmental Leadership




- | | |
|--|--|
|  Renewable Energy Microgrid | Energy Efficient Streetlight Conversions |
| Permanent Town Boundaries (policy) | Hinterland Futures Strategy |

Building our Future







- | | |
|---|--|
|  Multipurpose Indoor Stadium – North Torquay |  Stribling Reserve Redevelopment |
|  Torquay Active Transport |  North Torquay Soccer Facilities |
|  Winchelsea Netball Facilities upgrade |  Improved Phone and Internet Coverage |

4.1 Quarterly Advocacy Priorities Update Including 2018 State Election Program

Community and Partner Led Priorities

-  Barwon Park Fire Protection - Led by the National Trust
-  Anglesea Motor Yacht Club Upgrade – Led by Anglesea Motor Yacht Club
-  Surf Coast Surf Life Saving Club upgrades – Anglesea, Lorne and Torquay.

Key Policy Campaigns

-  Policy partnership opportunity now
-  Retaining Funding for Councils for Rural Access programs.
-  Public transport improvements and Surf Coast Shire inclusion in future planning.
-  Coastal agency and Great Ocean Road governance coordination.
-  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.

4.2 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

Status:

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

Yes

No

Reason: Nil

Reason: Nil

Purpose

The purpose of this report is to consider 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'*.

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

Council Resolution

MOVED Cr Margot Smith, Seconded Cr Rose Hodge

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.

CARRIED 9:0

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

Council Resolution

MOVED Cr Carol McGregor, Seconded Cr Rose Hodge

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

CARRIED 9:0

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

Council Resolution

MOVED Cr Clive Goldsworthy, Seconded Cr Rose Hodge

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

- All Abilities Advisory Committee Meeting - 27 June 2017

CARRIED 9:0

6. ASSEMBLIES OF COUNCILLORS

6.1 Assemblies of Councillors

Author's Title: Administration Officer

General Manager: Anne Howard

Department: Governance

File No: F17/285

Division: Governance & Infrastructure

Trim No: IC17/726

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.

Council Resolution

MOVED Cr David Bell, Seconded Cr Carol McGregor

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.

CARRIED 9:0

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.

Council Resolution

MOVED Cr Rose Hodge, Seconded Cr Carol McGregor

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.

CARRIED 9:0

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, Merrijig 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, Merrijig 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.

Council Resolution

MOVED Cr Rose Hodge, Seconded Cr Martin Duke

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, Merrijig 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.

CARRIED 9:0

7.3 Urgent Business

Accept Item of Urgent Business

Council Resolution

MOVED Cr Rose Hodge, Seconded Cr Carol McGregor

That Council agree to admit 1 additional item to be considered as Confidential Urgent Business in relation to Development Opportunity.

CARRIED 9:0

8. CLOSED SECTION

Council Resolution

MOVED Cr Rose Hodge, Seconded Cr Martin Duke

That Council pursuant to section 89(2)(h) other matters, section 89(2)(d) contractual matters, section 89(2)(a) personnel matters and section 89(2)(e) proposed developments of the Local Government Act 1989, close the meeting to members of the public to resolve on matters pertaining to the following items:

- 8.1 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
- 8.5 Development Opportunity

CARRIED 9:0

Council Resolution

MOVED Cr Martin Duke, Seconded Cr Clive Goldsworthy

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. The resolution and report pertaining to Confidential item 8.5 remain confidential.
4. Council open the meeting to the public at 7:16pm.

CARRIED 9:0

8.1 Assemblies of Councillors

Council Resolution

MOVED Cr Martin Duke, Seconded Cr Rose Hodge

That Council receive and note the Assembly of Councillor Confidential record for the Confidential Council Briefing – 4 July 2017.

CARRIED 9:0

8.2 Tender - Signalisation of the Intersection of Beach Road and Geelong Road

Council Resolution

MOVED Cr Martin Duke, Seconded Cr David Bell

That Council:

1. Accept the tender submitted by Enoch Civil Pty Ltd of 7 Golden Crescent, Ballarat, VIC 3350 to undertake Contract T17/015 for the amount of \$938,859.25 (excl. GST) comprising a base cost of \$877,059.25 (exc. GST) and an allowance for provisional items of \$61,800.00 (exc. GST).
2. Authorise the Chief Executive Officer to execute Contract T17/015 with Enoch Civil Pty Ltd for undertaking of signalisation of Beach Road and Geelong Road.
3. Authorise Anne Howard, General Manager Governance and Infrastructure to act as Superintendent for Contract T17/015 including administration of variations in accordance with the contract conditions.
4. Determine the name of the successful tenderer and the awarded tender price to be no longer confidential.

CARRIED 9:0

Close: There being no further items of business the meeting closed at 7:17pm