

Minutes

Ordinary Meeting of Council
Tuesday, 25 September 2018

Held in the
Council Chambers
1 Merrijig Drive, Torquay
Commencing at 6.00pm

Council:

Cr David Bell (Mayor)
Cr Libby Coker
Cr Martin Duke
Cr Clive Goldsworthy
Cr Rose Hodge
Cr Carol McGregor
Cr Brian McKiterick (Leave of Absence)
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 SEPTEMBER 2018 COMMENCING AT 6.00PM

PRESENT:

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

In Attendance:

Chief Executive Officer – Keith Baillie
General Manager Governance & Infrastructure – Anne Howard
General Manager Culture & Community – Chris Pike
Manager Planning & Development – Bill Cathcart
Acting Team Leader Governance – Claire Rose (minutes)

4 members of staff
23 members of the public
2 members of the press

OPENING:

Cr David Bell (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 Carol McGregor recited the pledge on behalf of all Councillors.

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

APOLOGIES:

Cr Rose Hodge

Council Resolution

MOVED Cr Margot Smith, Seconded Cr Clive Goldsworthy

That an apology be received from Cr Rose Hodge.

CARRIED 7:0

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 28 August 2018, and the Special meeting of Council held on 11 September 2018, as correct records of the meetings.

CARRIED 7:0

LEAVE OF ABSENCE REQUESTS:

Nil.

CONFLICTS OF INTEREST:

Cr David Bell declared a conflict of interest relating to Item 4.6 SCS-034 Property Use Agreements Policy – Revised under Section 77A of the Local Government Act 1989. The nature of the interest being Cr David Bell is the proprietor of a licensed farmers market which operates on council owned land. Cr David Bell left the meeting at 7.10pm and returned at 7.16pm. Cr David Bell was absent whilst this matter was being discussed and considered.

PRESENTATIONS:

I would like to impress upon the community we have here in the Shire the strong support that we have for the Geelong Regional Library Corporation and to its CEO Ms Patti Manolis.

This organisation is an industry leader in Victoria – number one performer of all public libraries in the State. This is ranked across key performance indicators of collection, service, and community participation, operational and financial efficiency. And it is led very capably by our CEO Patty Manolis.

Patti Manolis has been a recipient of the State Library of Victoria Margery C. Ramsay Scholarship 2003 for a study tour of Library and Information Services in East Timor. More recently selected as the only Australian participant to the inaugural 2011 cohort of International Network of 20 Emerging Leaders of Library Innovators funded by the Bill and Melinda Gates Foundation. She was admitted to the Victorian Honour Roll of Women in 2016 and she has done exceptional work in public libraries at a local, state, national and international level.

Under her leadership the GRLC has undergone a transformation that delivered innovative, high quality service, contemporary and sustainable library services covering four local government authorities including ourselves in the Shire.

The Events and Programs Manager Maryanne Vagg, most recently included in the UNESCO City of Literature exchange programs, and she was the only librarian employee across Victoria selected for that and only person from the region. Our employees at the library have been sought out for advice and participation in local and international programs. And that is something that we should be proud of. We should be proud of the achievements of the library and for the service provided, and we should celebrate their performance.

Cr Smith confirmed upon request that this was a personal statement and not made on behalf of Council.

PUBLIC QUESTION TIME:

Question 1 and 2 received from Wayne Jennings of Gnarwarre read out by Andrew Maschmedt

Question 1: Inverleigh Wind Farm

As the elected representative of the community what actions are Surf Coast Shire (SCS) going to do to arrange for a community visit by the Planning Minister, Hon. Richard Wynne to better understand the community concerns regarding the proposed Inverleigh Wind Farm?

Acting General Manager Environment and Development – Bill Cathcart responded:

Council's submission on the wind farm proposal emphasises the importance of community engagement by DELWP and the Minister including key decision-makers attending the site and meeting with community. Ultimately however it is up to the Minister for Planning and DELWP to determine what engagement they undertake.

Question 2: Inverleigh Wind Farm

What is Surf Coast Shire's (SCS) understanding of the requirements of the Developer to consult on either the proposed Inverleigh Wind Farm (IWF) or proposed solar farm?

Acting General Manager Environment and Development – Bill Cathcart responded:

The developer is not compelled to consult under the Planning and Environment Act beyond the public notice provisions of section 52. These obligations have been met by both applications. Its Council's view within its submission that best practice should be followed for the Inverleigh Wind Farm.

Question 3 and 4 received from Andrew Maschmedt of Herne Hill

Question 3: Inverleigh Wind Farm

How will council assess and mitigate the risk to users of the Gnarwarre airfield?

Acting General Manager Environment and Development – Bill Cathcart responded:

There is a private air strip some distance away from the wind farm site. Council has asked the Minister for Planning to call in the Solar Farm application under section 97C of the Planning and Environment Act. Council will further liaise with DELWP the State Planning Services to make sure they are aware of the air strip in the context of the solar farm application. It is understood the CASA have been made aware of the Wind Farm proposal by DELWP already.

Question 4: Inverleigh Wind Farm

As the elected representatives of the community, what actions will Surf Coast Shire Council take to resolve the effects of the Inverleigh Wind Farm on the community?

Acting General Manager Environment and Development – Bill Cathcart responded:

Council's submission to the wind farm application identifies the concerns raised by the community about the inadequate Infrasound information in the application. Council's submission acknowledged that we do not have the technical expertise in matters such as this raised by the community. Councillors and officers encouraged community members to make their own submissions including providing relevant reference materials. Council is aware however, that it would need to investigate any nuisance allegations should the wind farm be approved and built.

Question 5 and 6 received from Bart Wissink of Buckley

Question 5: Inverleigh Wind Farm

Is the Council aware of the Administrative Appeals Tribunal decision of the Waubra Foundation, the decision raises issues of public health impact by the wind farm?

Acting General Manager Environment and Development – Bill Cathcart responded:

The Minister for Planning is the responsible authority for the wind farm application and relevant case law decisions are the responsibility of the Minister to be considering. We encourage you to take that matter up directly with DELWP.

Question 6: Inverleigh Wind Farm

May we have the assurance that in considering the solar farm proposal which will not proceed without the proposed wind farm, Council will take into full account resident's health if the proposal proceeds? May we have Council's assurance that the Council will actively engage with the body when considering the wind farm proposal the highlight the very pertinent health risks for the community if this proposal proceeds?

Acting General Manager Environment and Development – Bill Cathcart responded:

Council has asked the Minister for Planning to call in the application under section 97C of the Planning and Environment Act on the basis it is an integrated part of the wind farm proposal. Council trusts the State to make the decision on the wind farm in accordance with the relevant guidelines.

Question 7 received from Melanie Walsh

Question 7: Item 6.1 Community Project Development Quarterly Project Report -Torquay Kinder

Will Council be an equal partner with the 2018 Kinder Committee and provide funding now to help realise a project that has been a priority for several years and if not, then please explain how Council can justify starting the planning and consultation process again with the new 2019 Torquay Kinder Committee?

General Manager Culture and Community - Chris Pike responded:

Any project that has been through Council's project assessment process which is facilitated by our officer Nicky Angus, to get to this point means that it is deemed suitable as a worthy project. It is almost always required for any project put forward by any part of the community through this program to contribute some funding themselves and I congratulate the various committees that have raised large amounts of money.

The recommendation in the report recognises that Council has to balance the worthiness of several projects within its capacity to fund those different projects and because we have a very capable and enthusiastic community we are getting a lot of these projects proposals in. Pending tonight's decision, the kinder project is one of 13 that has come through this process and is waiting for Council funding commitment and that is about \$900k worth of Council funding. It's everything from car parks to edible gardens, public toilets, playground equipment and the kinder playground being another one. There are another 29 projects waiting to be investigated and the potential to join that list too.

As a general rule officers would recommend to Council that they consider these kinds of opportunities together through the annual budget process that enables them to weigh the relevant merits of the different projects. Of course that's little consolation to a kinder committee that's keen to see the project happen now and in fact any of these groups that are eager to see their projects progress. Certainly from a planning perspective the planning has been done, the challenge with a kinder committee is that it changes and it turns over and we would certainly be hopeful that the work that has been done wouldn't be lost but the recommendation to Councillors is that Council waits for the upcoming budget process.

Question 8 received from Tamara Tripp of Torquay

Question 8: Item 6.1 Community Project Development Quarterly Project Report - Torquay Kinder

Can the Surf Coast Shire expedite fund contributions from the current Council budget so the works can be completed by the start of term 1, 2019?

General Manager Culture and Community - Chris Pike responded:

I won't add anything to my previous answer other than to say I can understand the committee's eagerness to see the work happen, it's not an unusual situation for groups to find themselves in and unfortunately one of the downsides to having such a large number of groups putting forward their projects and in fact council investigating those projects and drawing plans up is that it is not uncommon for us to have lots of plans on the table and our capacity of the funding not being able to match that.

Questions Without Notice:

Question 1 and 2 received from Carrie Overpol

Question 1 – Road Management Plan

We would like to know where this money was used and what outcomes and benefits were achieved.

General Manager Governance & Risk – Anne Howard responded:

The additional funding allocated by Council you're referring to was allocated through the 2018-19 budget process. It is very new money for us and because we're so early in the financial year we're really not in the space for measuring outcomes quite yet, it's about getting it on the ground and getting a value for it and will absolutely will then measure what we want to achieve. An action plan has been developed specifically to improve the performance and satisfaction with our unsealed roads using this money specifically. It has three focus areas:

1. Increased Customer response and communication – the money will help resource up effectively with additional staffing where we can be more proactive about getting back to people who have actually logged a service request, raised a concern or an issue. At the moment we respond when they ask us to, we are going to actually respond all the time, that's our goal. And also after work we don't often have the time to get back or the people to get back proactively afterwards and so we are going to be more consistent and proactive in that customer engagement.
2. An increased focused on quality of work – to make sure that when the officers are out there doing the work, it is actually when they leave site, we actually have achieved what we would expect to see, so the extra money will give us more resource to go and do more proactive and quality checks than what we've been able to do in the past. I'd love to think that that will help us understand the practices but also measure how often we need to go back, if we need to fix something again, we'll measure rework, make sure we focus on understanding what is causing that, is it training, different materials, and then improve our processes.
3. Improved work practices – it has been a cost effect but compromised practice where we often have flat drum rollers behind graders so you are trying to get two things done with one piece of machinery. That's not really the best way to get compaction into the unsealed roads, we know that, so the extra money is actually going to allow us to stop that for some of our graders who use it know and then, get a proper multi-wheel roller out there, do proper compaction to allow the grader to do what it needs to do and I'm pretty confident that is going to help our roads hold much longer.

Question 2 – Moriac Inclusive Basket Swing Project Application

If this grant is not awarded in the 2018-19 budget if maybe Council would consider using developer contributions that may be coming in the next six months from the Hinterland, Hendy Main Road development or Open Space budget? Is there another option if we're not approved?

General Manager Culture & Community – Chris Pike responded:

The planning work has been done which is great and fingers crossed that the Pick my Project outcome is successful. If it's not, it's somewhat in the same situation as the kindergarten in that the report for council tonight recommends considering that through regular budget processes. One thing that does differentiate this from the kinder process is that it's in an area of public open space it's eligible for works to be funded from open space contributions from developers so the Hinterland developments currently progressing in Moriac and I'm advised that within this next six month period the flow of open space contributions which is different from developer contributions but specifically a contribution to contribute to open space facilities will come through in the next six months and that puts Council in a position and that will be enough money to fund the basket swing. That puts Council in the position to actually access that bucket of money which is specifically for Moriac, it has to be spent in Moriac and with Newling Reserve being the primary playground it would make sense to support this project. That differentiates this one from the kindergarten project.

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Motion to Move Items Forward

Council Resolution

MOVED Cr Clive Goldsworthy, Seconded Cr Libby Coker

That Council consider the following items at this point in the Agenda for the benefit of the gallery present:

Item 6.1 Quarterly Report - Community Project Development - September 2018

Item 6.2 Endorsement of Borough of Queenscliffe Membership of Geelong Heritage Centre

Item 6.3 2018-19 Sport Australia Community Sport Infrastructure Grant Program

CARRIED 7:0

6. CULTURE & COMMUNITY

6.1 Quarterly Report - Community Project Development - September 2018

Author's Title: Community Project Development Officer

General Manager: Chris Pike

Department: Recreation & Open Space Planning

File No: F16/1580

Division: Culture & Community

Trim No: IC18/1468

Appendix:

1. Community Project Proposal Master List - September 2018 (D18/76708)

Officer Direct or Indirect Conflict of Interest:

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

☐

Yes

☒

No

Reason: Nil

Status:

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

☐

Yes

☒

No

Reason: Nil

Purpose

The purpose of this report is to receive the September 2018 Community Project Development recommendations.

Summary

Four community project proposals were referred for detailed investigation at the 26 June 2018 Council Meeting.

Recommendations relating to three of these proposals are provided for Council consideration:

- CPP31: 1st Torquay Scouts storage extension / storage shed – *Investigation continuing*
- CPP32: Newling Reserve Playground Inclusive Basket Swing – *Progress*
- CPP33: Torquay & District Historical Society - Historical Signs – *Progress*
- CPP34: Surf Coast Soccer - Enclosure for Portable Goals – *Progress*.

Investigation has continued on two outstanding community project proposals referred for detailed investigation at the December 2017 and April 2018 Council Meetings. Recommendations relating to both of these proposals are provided for Council consideration:

- CPP21: Torquay Pre School Garden Redesign Plan (December 2017 to March 2018 quarter) - *Progress*
- CPP29: Anglesea Hall Sound, Lighting and Projection Improvements (April to June 2018 quarter) – *Progress*.

Project proposal CPP26 (Torquay Tigers Cricket Club new shed for turf roller) was referred by Council for investigation in December 2017. This investigation has been on hold since then awaiting progress with the Torquay Cricket Club on a funded design for their Stage 2 Practice Facility project. This proposal has now been referred to Recreation Planning, who will undertake investigation and consultation at the same time as the Stage 2 Practice Facility design project.

6.1 Quarterly Report - Community Project Development - September 2018

The Community Project Proposal Master List currently includes 29 outstanding project proposals, with 1 new community project proposal registered during the last quarter. This 1 proposal was accepted for inclusion in the Community Project Proposal Master List.

Three of the highest ranked community project proposals from the current Master List have been recommended to proceed to the detailed investigation stage in the October to December 2018 quarter. A fourth highly ranked proposal from the Master List (Surf Coast Football Club New Pavilion Banyul Warri Fields Proposal) has been previously referred for immediate detailed investigation (September to November 2018) at the 28 August 2018 Council Meeting.

Recommendation

That Council:

1. Refers the Surf Coast Football Club Enclosure for Portable Soccer Goals Proposal (CPP34) with a total project budget of \$8,976 to Council's Small Grants Program for funding consideration with a 50% community generated contribution.
2. Refers the following proposals to Council's future project prioritisation and budget processes including consideration for grant opportunities alongside other eligible projects:
 - 2.1 The Torquay Pre School Garden Redesign Plan Proposal (CPP21) with a total project budget of \$112,500 including project management and contingency and with a funding strategy that proposes a Council contribution of 50% (\$56,250) and a community generated contribution of 50% (\$56,250).
 - 2.1.1 Note that the pledged contribution from the Torquay Pre School 2018 Parents Committee cannot be guaranteed in a future budget process.
 - 2.2 The Anglesea Hall Sound, Lighting and Projection Improvements Proposal (CPP29) with a total project budget of \$191,000 including project management and contingency and with a funding strategy that proposes a Council contribution of 75% (\$143,250) and a community generated contribution of 25% (\$47,750).
 - 2.3 The Moriac Newling Reserve Playground Inclusive Basket Swing Proposal (CPP32) with a total project budget of \$31,200 including project management and contingency and with a funding strategy that proposes a Council contribution of 91% (\$28,473) and a community generated contribution of 9% (\$2,727).
 - 2.4 The Torquay & District Historical Society Historical Signs Proposal (CPP33) with a total project budget of \$30,000 including project management and contingency and with a funding strategy that proposes a Council contribution of 40% (\$12,000) and a community generated contribution of 60% (\$18,000).
3. Refers the Torquay Tigers Cricket Club New Shed for Turf Roller Proposal (CPP26) to Recreation Planning, who will undertake the investigation and consultation at the same time as the Torquay Cricket Club Stage 2 Practice Facility Design Project.
4. Refers the following three priority project proposals from the Community Project Proposal Master List to the Community Project Development Officer for investigation in the October to December 2018 quarter:
 - 4.1 Deans Marsh Reserve Multi-purpose Shelter / Stage Proposal.
 - 4.2 Winchelsea HMK Kindergarten – Outdoor Space Plan Proposal.
 - 4.3 Outdoor Performance Space Bob Pettitt Reserve Proposal.
5. Allocates \$17,500 from the Accumulated Unallocated Cash Reserve to allow detailed investigation of the three project proposals referred for investigation in the October to December 2018 quarter.

6.1 Quarterly Report - Community Project Development - September 2018

Council Resolution

MOVED Cr Martin Duke, Seconded Cr Margot Smith

That Council:

1. Refers the Surf Coast Football Club Enclosure for Portable Soccer Goals Proposal (CPP34) with a total project budget of \$8,976 to Council's Small Grants Program for funding consideration with a 50% community generated contribution.
2. Refers the following proposals to Council's future project prioritisation and budget processes including consideration for grant opportunities alongside other eligible projects:
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3. Refers the Torquay Tigers Cricket Club New Shed for Turf Roller Proposal (CPP26) to Recreation Planning, who will undertake the investigation and consultation at the same time as the Torquay Cricket Club Stage 2 Practice Facility Design Project.
4. Refers the following three priority project proposals from the Community Project Proposal Master List to the Community Project Development Officer for investigation in the October to December 2018 quarter:
 - 4.1 Deans Marsh Reserve Multi-purpose Shelter / Stage Proposal.
 - 4.2 Winchelsea HMK Kindergarten – Outdoor Space Plan Proposal.
 - 4.3 Outdoor Performance Space Bob Pettitt Reserve Proposal.
5. Allocates \$17,500 from the Accumulated Unallocated Cash Reserve to allow detailed investigation of the three project proposals referred for investigation in the October to December 2018 quarter.

CARRIED 7:0

6.1 Quarterly Report - Community Project Development - September 2018

Report

Background

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

The Community Project Officer has worked on a total of six project proposals in the July to September 2018 period including one project outstanding from the December 2017 to March 2018 quarter and one project outstanding from the April to June 2018 quarter. These proposals include:

- CPP21: Torquay Pre School Garden Redesign Plan (December 2017 to March 2018 quarter)
- CPP29: Anglesea Hall Sound, Lighting and Projection Improvements (April to June 2018 quarter)
- CPP31: 1st Torquay Scouts Storage Extension
- CPP32: Newling Reserve Playground Inclusive Basket Swing
- CPP33: Torquay & District Historical Society - Historical Signs
- CPP34: Surf Coast Soccer - Enclosure for Portable Goals.

Project proposal CPP26 (Torquay Tigers Cricket Club new shed for turf roller) was referred by Council for investigation in December 2017. This investigation has been on hold since then awaiting progress with the Torquay Cricket Club on a funded design for their Stage 2 Practice Facility project. This proposal has now been referred to Recreation Planning who support the merit of this project and who will now be responsible for investigation and consultation of this proposal to be undertaken at the same time as the Torquay Cricket Club Stage 2 Practice Facility design project.

Discussion

Investigated community project proposals that have reached recommendation stage (having been referred in December 2017)

The key findings and recommendations relating to an outstanding community project proposal referred by Council in December 2017 are presented in the table below:

CPP21	Torquay Pre School Garden Redesign Plan Proposal – PROGRESS
Proposal Description	<ul style="list-style-type: none"> • Review the current front outdoor garden / play space. Redesign the area and develop an itemised plan and funding strategy for replacement / upgrade.
Background Info	<ul style="list-style-type: none"> • Original play space built in 2006 and requires renewal with structures nearing end of asset life and the space offering limited functionality and play value. • A previous 2015 landscape plan was developed for this space. The plan was considered to be difficult to deliver, had limited 'buy in' and the project lost momentum. • The Parents Committee wish to see the project realised after several years of fundraising efforts that were specifically targeting improvements to this outdoor space. • Asset Management condition assessment now complete and renewal expenditure on replacement of some elements in this play area expected within 2-5 years.
Engagement	<ul style="list-style-type: none"> • This investigation commenced with engagement of the 2017 Torquay Preschool Parents Committee and then continued with engagement of the 2018 Parents Committee. Council Early Years staff employed as preschool teachers at this facility as well as the Co-ordinator Early Years and Team Leader of Kindergartens have also been directly engaged in the process. Other relevant Council staff and site consultation with contractors has been undertaken through the investigation process. • Early Years staff and Pre School Parents Committee provided detailed input and also sign off on the final works plan.

6.1 Quarterly Report - Community Project Development - September 2018

What we know	<ul style="list-style-type: none"> The redesign of the entire Torquay Preschool Outdoor Space (front area) has focused on providing a universal design for all abilities, with a less structured and more natural sensory play environment with rocks, timber, and planting. A detailed cost schedule was completed for the entire space including all works. Recommended delivery is in one stage rather than phased – due to scale of works and with many components requiring significant site impact, it is more economical and with less disruption to kindergarten program if all done within a (6-7 week) period. Parents Committee wish to see the project realised after several years of fundraising – the project would lose momentum and lead to community frustration if delivery goes beyond 6 months. Parents Committee have contributed 100% funding for new basket swing component of the plan (value \$4,780 excl GST) to be installed in Sept/ Oct 2018. Project Management of \$530 is being funded by Council for this project. This project was brought forward to take advantage of a cost saving opportunity to have this swing installed at the same time as other swing installations occurring at other Surf Coast Shire sites at this time.
Potential funding partners	<ul style="list-style-type: none"> A 50% project contribution has been pledged by the Torquay Preschool 2018 Parents Committee. This contribution is conditional on immediate project delivery (December 2018 / January 2019). Parent Committee are seeking Council support outside of the budget cycle by way of an immediate allocation in 2018/19 (50% of total project cost or \$56,250). Parents Committee and Council to have 50% share of base cost, project management and contingency.
Officer Summary / Recommendation	<ul style="list-style-type: none"> Total Project Cost \$112,500 excl GST (including PM and contingency). Proposed funding strategy includes community contribution of 50% total project cost (less the \$4,780 excl GST that the 2018 Parents Committee have already committed to the early implementation of the swing project). Opportunity for Council to refer this project to a future budget process with a 50% (\$56,250) Council contribution. It should be noted that the 2018 Parents Committee contribution cannot be guaranteed in a future budget year as they will have been replaced by a new volunteer committee in 2019. The annual Council budget process enables a range of competing projects to be considered collectively and provides an understanding of longer term financial implications of decisions. Council already has 13 other community projects recommended to progress but not yet funded. Allocating funds immediately from the Accumulated Unallocated Cash Reserve is an option for Council, however is not recommended so early in the financial year.

Investigated community project proposals that have reached recommendation stage (having been referred in April 2018)

The key findings and recommendations relating to an outstanding community project proposal referred by Council in April 2018 are presented in the table below:

CPP29	Anglesea Hall Sound, Lighting and Projection Improvements Proposal – PROGRESS
Proposal Description	<ul style="list-style-type: none"> Anglesea Hall User Groups have proposed sound, lighting, projection and stage curtaining improvements to increase functionality and safety of this well used community facility.

6.1 Quarterly Report - Community Project Development - September 2018

Background Info	<ul style="list-style-type: none"> The Anglesea Hall is considered to be the Council's leading performance venue for the number and type of performing arts events currently taking place. The inadequate infrastructure at the Anglesea Hall is limiting the range of events that the hall could be supporting and also presents a recurring financial and volunteer resource burden on community groups. The SCS Arts and Culture Strategy supports the provision and upgrade of Council's performance facilities. Anglesea Hall regular user groups and casual users invest significant time and funds on the hire and set up of equipment to enable their performances to take place.
Engagement	<ul style="list-style-type: none"> SCS Facility Operations Offices, SCS Arts Officer and Anglesea Hall User Groups have been engaged in the process and have provided detailed input.
What we know	<ul style="list-style-type: none"> Independent audio-visual, lighting and performance consultant advice has determined the most practical and cost efficient set up and compatibility with other SCS audio visual systems. Desirable set up will support a range of performance needs at this facility (from basic presentation set ups to high quality and technical performances). Proposed works scope to include: <ul style="list-style-type: none"> Front, back and side stage curtain improvements and hall block out curtains. Multi-core cabling (connecting stage to tech box plus side stage controls), power points and switchboard modifications. Basic stage LED lighting provision with infrastructure installed to allow more technical lighting equipment to be added to suit performance requirements Quality surround sound speaker system in hall (with wireless microphone capacity) Sound monitor link to Dressing Room and Youth Room (Green Room) DDA Hearing Loop Projection equipment and screen for increased performance functionality / cinema. 5% contingency has been applied rather than the standard 10% as this cost plan has been developed with professional / industry input and has also undergone a rigorous assessment of itemised cost elements. 5% PM fee has been applied rather than the normal 10% as this is a low risk project that has been fully scoped and costed and with works to be undertaken by industry professionals and likely to be delivered within a short 2 week construction period.
Potential funding partners	<ul style="list-style-type: none"> Council (Capital and Facility Operations Asset Renewal Budget) External funding interest from Corangamite Financial Services (Community Bank) and further capacity within community for funds to be generated towards the proposed 25% community generated contribution. Other State and Federal Government funding opportunities will be explored.

6.1 Quarterly Report - Community Project Development - September 2018

Officer Summary / Recommendation	<ul style="list-style-type: none"> Total Project Cost \$191,000 excl GST (including PM and contingency). Total project cost has been reduced as much as possible. Each item has undergone a rigorous assessment of current and projected need, and facility operations and functionality. This project aims to make this facility used more - giving the township a performance facility of high quality and likely to draw additional use from surrounding communities. Proposed funding strategy includes community sourced contribution of 25% (or \$47,750) of total cost. Opportunity for Council to refer to a future budget process with 75% (or \$143,250) Council contribution. Note that approximately \$16,000 of the total project cost would be referred to Facility Operations Asset Renewal Program for consideration.
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Investigated community project proposals that have reached recommendation stage (having been referred in June 2018)

The key findings and recommendations relating to three of the outstanding community project proposals referred by Council in June 2018 are presented in the tables below:

- *CPP32: Newling Reserve Playground Inclusive Basket Swing*
- *CPP33: Torquay & District Historical Society - Historical Signs*
- *CPP34: Surf Coast Soccer - Enclosure for Portable Goals.*

Please note that investigation is continuing on another outstanding community project proposal referred by Council in June 2018 and it is expected that recommendations related to this proposal will be reported to Council at the next reporting opportunity in December 2018:

- *CPP31: 1st Torquay Scouts Storage Extension* – investigation to date has included an underground services tracing and a feature and levels survey. An architect has now been appointed to undertake a concept design for this proposal together with a further cost plan prepared by an independent Quantity Surveyor. Communications with VicScouts is also underway. This project is also pending a Pick My Project funding outcome.

CPP32	Newling Reserve Playground Inclusive Basket Swing Proposal – PROGRESS
Proposal Description	<ul style="list-style-type: none"> Installation of an inclusive basket swing at Moriac's Newling Reserve playground, plus all abilities access via a rubberised surface to the new swing.
Background Info	<ul style="list-style-type: none"> Moriac Community Network proposal on behalf of a local family with a child that requires an inclusive swing and the site is also frequently visited by GenU adults with disabilities. The basket swing provides excellent play value for all abilities.
Engagement	<ul style="list-style-type: none"> This investigation has involved engagement with representatives from the Moriac Community Network, discussions with other relevant Council staff and site consultation with contractors engaged through the investigation process.
What we know	<ul style="list-style-type: none"> The footprint required for the new basket swing is 8.14m x 3.9m. 3 options were explored for location of additional swing unit (with community not wanting to lose existing 2 x double swing frames). Preferred location / option considered best access to the swing unit, minimising expansion of the existing playground footprint and also consideration of all costs. Project scope includes: <ul style="list-style-type: none"> Site establishment requirements Installation of new 2.5m basket swing New and topped up softfall as required Wet pour rubber surfaces to connect to the accessible basket swing and to provide a suitable surface under the swing Minor landscape works, edging and site rectification Project Management and Project Contingency allowances.

6.1 Quarterly Report - Community Project Development - September 2018

Potential funding partners	<ul style="list-style-type: none"> Community have pledged potential funding contribution of \$3000 incl GST via sources including Barrabool (and Moriac) CWA, Winchelsea CWA, Winchelsea Lions Club and Corangamite Financial Services (Community Bank). This project has progressed to Pick My Project (voting stage) with request for \$20,000 (or 64% of estimated total project cost). Balance of funding from Council is pending the outcome of Pick My Project. Council's Open Space Reserve Fund (currently has \$0 balance for Moriac but approximately \$70,000 is expected from Developer Contributions (Moriac land development) within the next 6-12 months. Service Manager (ROSP) to consider budget bid for required funds from the OSR Fund (19/20 budget).
Officer Summary / Recommendation	<ul style="list-style-type: none"> Total Project Cost estimate for preferred siting option is \$31,200 excl GST including PM and contingency. Note: this estimate is at the high end and we are currently reviewing costings and scope to a more modest budget in the \$25K range. Pending the outcome of the Pick My Project application there is an opportunity for Council to refer this project to a future budget process (Open Space Reserve Fund 19/20) with Council contributing 91% of total project cost.

CPP33	Torquay & District Historical Society - Historical Signs Proposal – PROGRESS
Proposal Description	<ul style="list-style-type: none"> Design and install historical information signs (description of original property at the site with historical photographs) at 30 Torquay locations (Council, GORCC and private land).
Background Info	<ul style="list-style-type: none"> These signs support local stories with some sites listed on the Victorian Heritage Register. Not deemed to be a tourism drawcard but supports visitation to Torquay. Potential for some duplication with the work of Museum Without Walls Group but encourages linking of people to places with walking tour and ability to view current day site whilst reading about its history. Support this group's opinion that there is still demand for this signage style in local communities with significant local history.
Engagement	<ul style="list-style-type: none"> This investigation has involved engagement with representatives from the Torquay and District Historical Society, discussions with GORCC, discussions with other relevant Council staff and site consultation with contractors engaged through the investigation process.
What we know	<ul style="list-style-type: none"> Torquay and District Historical Society proposal to promote historical sites via on site signage and also via a walking tour / information brochure. Approx 7% of signs located directly on Council managed/owned land, 37% of signs located on GORCC managed land and 56% located on/bordering private property. Planning permit would be required for installation of all permanent signage. Ensure consistency with Signage on Council Managed Land Policy and Management Procedure. GORCC in principle support conditional on: <ul style="list-style-type: none"> Signs adhering to "Siting and Design Guidelines for Structures on Victorian Coast" Signs requiring application to DELWP for Marine and Coastal Act Consent New Coastal Masterplan (Torquay/Jan Juc) – including this proposal in Opportunities Paper. Potential funding referred to the Masterplan prioritisation and budget implementation process. GORCC Small Grants Program also a potential funding source.

6.1 Quarterly Report - Community Project Development - September 2018

	<ul style="list-style-type: none"> In-principle permission from private property owners. Preparation of sign design with site mock up will further progress all permissions to be obtained in writing. Proposal investigation scaled back the scope and developed mock up design enabling cost estimate. Project costing includes supply and installation of signs and historical walk brochure printing. Sign maintenance – Torquay & District Historical Society propose to take on small scale sign maintenance and graffiti removal but would need Council and GORCC assistance if vandalism results in need for major repairs or sign replacement.
Potential funding partners	<ul style="list-style-type: none"> Council (Capital Budget) Torquay and District Historical Society to source contributions from other project partners including GORCC, Torquay Community Enterprise, sponsorship, donations. Potential for some in kind contributions.
Officer Summary / Recommendation	<ul style="list-style-type: none"> Total Project Cost \$30,000 excl GST (including PM and contingency). Opportunity for Council to refer to future budget process with Council contributing 40% (or \$12,000) of total project cost. Torquay and District Historical Society to approach GORCC and other potential funding partners to cover the project balance.

CPP34	Surf Coast Soccer - Enclosure for Portable Goals Proposal – PROGRESS
Proposal Description	<ul style="list-style-type: none"> Initially registered as a proposal for a stand-alone storage shed to store portable soccer goals. Investigation shifted proposal towards a secure, fenced enclosure on gravel pad.
Background Info	<ul style="list-style-type: none"> Location to be in the space between Parwan and Goim Pitch (north end). The portable goals are lightweight PVC pipe pieces assembled with goal netting attached for use in junior training and competition. In the off season, the frames are dismantled and can be stored within internal store rooms. In season the portable goals are used continuously. They are left assembled as it would be impractical to assemble each time they are used. The portable goals, left assembled outdoors, are vulnerable to misuse or vandalism (which has occurred frequently).
Engagement	<ul style="list-style-type: none"> This investigation has involved engagement with representatives from the Surf Coast Football Club, discussions with other relevant Council staff and site consultation with contractors engaged through the investigation process.
What we know	<ul style="list-style-type: none"> Currently there are 2 x goal sets (4 frames in total) and another 1 x goal set will be purchased by the club when the 3rd soccer pitch is completed. 6 goal frames in total require storage within a secure enclosure during season. Each frame measures 5m wide, 2m deep and 2m high. The frames are reasonably flexible and can be stored predominantly one inside the other. Possible for all 6 frames to take up a space of approx. 5 metres wide x 4.5 - 5m deep. Recommend a secure storage enclosure of 6m x 8m with perimeter fencing to height of minimum 2.2m and with a double access gate on north end or alternatively facing east at NE corner. Gravel base.
Potential funding partners	<ul style="list-style-type: none"> Meets guidelines of Council's Small Grants Program. Surf Coast Football Club has confirmed pledge of 50% contribution to total project cost.

6.1 Quarterly Report - Community Project Development - September 2018

Officer Summary / Recommendation

- Total Project Cost \$8,976 excl GST (including PM and contingency)
- Opportunity for Council to refer this project to Council's Small Grants Program for consideration (September 2018 round) with Council contribution at 50% total project cost.

Reviewing of the Community Project Proposal Master List (refer attached D18/76708)

There are currently 29 outstanding community project proposals on the Community Project Proposal Master List. At the end of each quarter and following the Council Meeting resolution, each project proposal submitter is provided with a status update. Proposals that are yet to progress into the investigation stage are reviewed at this time and submitters are invited to provide an update about their proposal, to have a conversation about how their proposal can be strengthened or alternatively a proposal may be withdrawn if it is no longer relevant or required.

New community project proposals received

46 new project proposals (at an average rate of over 3 per month) have been registered via Council's new on line registration process since 1 February 2017. As each new project proposal is submitted on line, it is assessed by the Community Project Development Officer together with relevant Council service area officers. The Community Project Proposal Priority Assessment Matrix determines where the proposal sits in priority order within the Master List.

Prioritised community project proposals to be recommended for further investigation (during the October to December 2018 quarter)

The Community Project Proposal Master List currently includes 29 outstanding project proposals presented in a prioritised order of highest to lowest when assessed against a priority assessment matrix.

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

1. Deans Marsh Reserve Multi-purpose Shelter / Stage Proposal (score 69 / HIGH).
2. Winchelsea HMK Kindergarten – Outdoor Space Plan Proposal (score 57 / MEDIUM).
3. Outdoor Performance Space Bob Pettitt Reserve Proposal (score 55 / MEDIUM).

A fourth highly ranked proposal from the Master List, the Surf Coast Football Club New Pavilion Banyul Warri Fields Proposal with a score of 55 (MEDIUM) has been previously referred for immediate detailed investigation (September to November 2018) at the 28 August 2018 Council Meeting.

Each of the above project proposals has either a HIGH rating (60+ out of 100) or a MEDIUM rating (50-59 out of 100).

Recommendations and progress relating to these projects will be presented to Council in the next quarterly Community Project Development report in December 2018 or earlier if investigations are complete.

Investigation Costs

It is proposed that \$17,500 in costs associated with the feasibility investigation of this new list of project proposals be funded from the Accumulated Unallocated Cash Reserve. To date, over a 17 month period from November 2016 to September 2018, a total of \$39,500 has been spent to adequately investigate a total of 33 community project proposals.

A breakdown of the \$17,500 proposed to cover proposal investigation costs is as follows:

- \$10,000 required for preliminary concept design and costing for Proposal #1 (Deans Marsh Multi-purpose Shelter / Stage) and Proposal #3 (Stage and Outdoor Performance Space at Bob Pettitt Reserve) – with \$5,000 allocation to each
- \$5,000 required for survey work, concept plan and costing report for the Winchelsea HMK Kindergarten Outdoor Space Plan Proposal
- An investigation contingency of \$2,500.

6.1 Quarterly Report - Community Project Development - September 2018

At the August 2018 Council meeting, an investigation budget of \$30,000 was endorsed to allow the immediate commencement of a detailed investigation for the Surf Coast Football Club New Pavilion Banyul Warri Fields Proposal. This budget allows the investigation of the Surf Coast Football Club preference for a satellite pavilion in addition to an assessment of alternative options within the Banyul Warri Fields Precinct to primarily address a shortage of 4 change rooms to support current and future demand on sporting facilities within this precinct.

Financial Implications

The Surf Coast Soccer - Enclosure for Portable Goals Proposal (CPP34) with a total project budget of \$8,976 is recommended (as an eligible project) to be referred to Council's Small Grants Program for funding consideration with the Surf Coast Football Club pledging 50% total project cost.

The following project proposals include financial recommendations to be referred to Council's future project prioritisation and budget processes including consideration for future grant opportunities alongside other eligible projects as follows:

- The Torquay Pre School Garden Redesign Plan Proposal (CPP21) with a total project budget of \$112,500 including project management and contingency and with a funding strategy that proposes a Council contribution of 50% (\$56,250) and a community generated contribution of 50% (\$56,250). Note that the pledged contribution from the Torquay Pre School 2018 Parents Committee cannot be guaranteed in a future budget process.
- The Anglesea Hall Sound, Lighting and Projection Improvements Proposal (CPP29) with a total project budget of \$191,000 including project management and contingency and with a funding strategy that proposes a Council contribution of 75% (\$143,250) and a community generated contribution of 25% (\$47,750).
- The Moriac Newling Reserve Playground Inclusive Basket Swing Proposal (CPP32) with a total project budget of \$31,200 including project management and contingency and with a funding strategy that proposes a Council contribution of 91% (\$28,473) and a community generated contribution of 9% (\$2,727). There is a pending community application for \$20,000 to the State Government "Pick My Project" Program and if successful will reduce Council's proposed contribution.
- The Torquay & District Historical Society Historical Signs Proposal (CPP33) with a total project budget of \$30,000 including project management and contingency and with a funding strategy that proposes a Council contribution of 40% (\$12,000) and a community generated contribution of 60% (\$18,000).

It is proposed that \$17,500 in costs associated with the feasibility investigation of the new list of 3 project proposals be referred to Council's Accumulated Unallocated Cash Reserves.

Council Plan

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

Theme	1 Community Wellbeing
Objective	1.1 Support people to participate in and contribute to community life
Strategy	1.1.3 Work in partnership with the community to review, update and continue to implement the heritage, arts and culture strategy

Theme	1 Community Wellbeing
Objective	1.4 Provide support for people in need
Strategy	1.4.4 Implement the Accessible and Inclusive Surf Coast Shire Strategic Plan

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

Policy/Legal Implications

There are no policy or legal implications relating to the investigation outcomes or recommendations included in this report.

6.1 Quarterly Report - Community Project Development - September 2018

Officer Direct or Indirect Interest

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

Risk Assessment

The recommendations related to the Torquay Pre School Garden Redesign Plan Proposal (CPP21) have resulted from a detailed investigation with an itemised cost plan. The redesign of the entire Torquay Preschool Outdoor Space (front area) has focused on providing a universal design for all abilities, with a less structured and more natural sensory play environment with rocks, timber, and planting.

The recommendations for to Surf Coast Soccer - Enclosure for Portable Goals Proposal (CPP34) relate to providing a secure and safe enclosure for the club's portable goal infrastructure.

The recommendations related to the Anglesea Hall Sound, Lighting and Projection Improvements Proposal (CPP29) have resulted from a detailed investigation with an itemised cost plan. The project outcome will improve safety and efficiency, reducing resource drain on volunteer groups.

The recommendations related to the Moriac Newling Reserve Playground Inclusive Basket Swing Proposal (CPP32) would address all ability access to the playground facility.

The recommendations related to the Torquay & District Historical Society Historical Signs Proposal (CPP33) have acknowledged the requirement to seek land manager, planning and cultural heritage approvals.

The recommendation related to the proposed funding allocation for community project feasibility investigation will ensure that a more comprehensive understanding of project feasibility including scope and cost is obtained prior to making decisions relating to future budget allocations.

Social Considerations

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

Community Engagement

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

Environmental Implications

There are no impacts to the environment.

Communication

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

All proposal applicants are contacted following a proposal registration to clarify project details. Further engagement is undertaken with applicants for those proposals that are referred for detailed investigation. There is also regular communication with submitters of project proposals waiting in the Community Project Proposal Master List about ways in which proposal ratings against key assessment criteria can be strengthened.

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

Options

Option 1 – Accept the Community Project Development recommendations 1 – 5 as identified in this report

This option is recommended by officers as it is supported by comprehensive feasibility investigation into each community project proposal and provides clear direction regarding Council's level of support for each project.

6.1 Quarterly Report - Community Project Development - September 2018

Option 2 – Do not accept the Community Project Development recommendations 1 – 5 as identified in this report and consider alternative motions

This would involve reaching different conclusions on the:

- suitability of projects to progress for future funding (e.g. do not 'progress' projects for funding consideration)
- timing of the allocation of funding (i.e. allocate funding now rather than consider funding at a later date)
- projects nominated for future investigation.

This option is not recommended by officers as:

- projects have been comprehensively assessed for their feasibility and alignment with Council and community objectives
- funding timing recommendations have considered Council's current and future financial capacity and the preferred practice of considering project funding through the annual budget process
- projects have been nominated for investigation based on a robust prioritisation ranking methodology.

Conclusion

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

6.1 Quarterly Report - Community Project Development - September 2018

APPENDIX 1 COMMUNITY PROJECT PROPOSAL MASTER LIST - SEPTEMBER 2018



Community Project Proposal Master List

As at 9 August 2018 (since last reporting cut off 25 May 2018)

OUTSTANDING PROPOSALS			INVESTIGATION	RATING
June 2018 <i>NEW</i>	Lorne	Deans Marsh Reserve Multi-purpose shelter / outdoor stage <i>(currently Pick My Project voting)</i>	\$5K	69
Dec 2017	Anglesea	Anglesea Bowls Club and Mens Shed Carpark Upgrade <i>(see *below)</i>	\$10K	57
March 2018	Winchelsea	Helen Mary Kininmonth Kinder – Playground Rejuvenation	\$5K	57
March 2018	Torquay	Outdoor Performance Space Bob Pettitt Reserve	\$5K	57
Nov 2017	Torquay	Surf Coast Soccer New Pavilion Banyul Warri Fields	\$20K	55
Apr 2017	Anglesea	Anglesea RSL Village Green Memorial <i>(see *below)</i>	\$3K	55
June 2016	Winchelsea	Wurdale Hall Reserve Development Stage 2	\$0	54
June 2016	Torquay	Spring Valley Park – informal goals in open space area	\$0	53
Feb 2016	Lorne	Deans Marsh Reserve - Fitness Element Installation	\$0	53
Feb 2016	Anglesea	Anglesea Skate Park - Stage 3 extension	\$10K	52
Jan 2015	Winchelsea	Winchelsea Railway Station Redevelopment	\$5K	52
March 2015	Winchelsea	Mt Moriac Reserve - Gym Facility Construction	\$5K	51
March 2016	Winchelsea	Kalkarra Park Playspace - basketball pad extension	\$0	51
Dec 2015	Winchelsea	Winchelsea Skate Park - Light Installation	\$0	51
Dec 2015	Winchelsea	Freshwater Creek Riding Club – Additional fencing	\$0	50
April 2017	Torquay	Torquay Mens Shed – new larger shed	\$0	50
Dec 2015	Torquay	Torquay Tennis Club – seal pathway between courts	\$0	48
June 2016	Winchelsea	Wurdale Hall Reserve Development Stage 3	\$5K	47
Dec 2015	Torquay	Torquay Tennis Club - Storage Container Purchase /Placement	\$0	46
Jan 2016	Anglesea	Anglesea Netball Club – Existing carpark sealing	\$10K	45
Feb 2018	Winchelsea	Deans Marsh Priority Pathways #2	\$3K	43
Feb 2018	Torquay	Djila Tjarri Skate Bowl Shade / Shelter	\$1K	43
Dec 2015	Torquay	Torquay Grant Pavilion - Kiosk Window Installation	\$0	40
Dec 2015	Torquay	Torquay Tennis Clubrooms - Male Toilet Refurbish	\$0	38
Nov 2016	Torquay	Downhill Bike Tracks and Dirt Jumps	\$0	37
Jan 2017	Anglesea	Anglesea Netball Club – Viewing deck	\$4K	36
Feb 201	Torquay	Djila Tjarri Skate Park Permanent Lighting	\$1K	36
Jan 2017	Winchelsea	Winchelsea Township Cultural Heritage Facility	\$5K	31
Jan 2017	Winchelsea	Bicycle and horse riding track from Winchelsea to Inverleigh	\$5K	28
TOTAL		29		

**Note – these Anglesea Project proposals are located within the Anglesea Riverbank Precinct and investigation will be held until the proposed Anglesea Precinct Planning approach is undertaken by the Open Space Planning Department*

HIGH	Proposals rated 60+ out of 100
MEDIUM	Proposals rated 50-59/100
LOW	Proposals rated <50/100

UNDER INVESTIGATION	
CPP21	Torquay Pre School Garden Plan
CPP26	Torquay Tigers Cricket Club – new shed for turf roller
CPP29	Anglesea Hall Sound, Lighting and Projection Improvements
CPP31	1st Torquay Scouts storage extension <i>(Pick My Project voting)</i>
CPP32	Newling Reserve Playground Inclusive Basket Swing <i>(Pick My Project voting)</i>
CPP33	Torquay & District Historical Society - Historical Signs
CPP34	SC Soccer - Storage Shed for Goals
TOTAL	7

DECLINED / REFERRED AT INITIAL PROPOSAL FILTER	
	Anglesea Historical Society – Bathing Box <i>(COMPLETE)</i>
Service Manager	Bellbrae Tennis Club – Seating <i>(approved)</i>
Service Manager	All Aboard container and garden <i>(declined)</i>
Service Manager	Lorne Men's Shed Flagpole <i>(Service Manager PM / COMPLETE)</i>
Service Manager	Connewarre Reserve 1 Million Trees <i>(Service Manager as PM)</i>
Service Manager	Connewarre Reserve Walking Path <i>(Service Manager as PM)</i>
Small Grants	Connewarre & Dist Riding Club Equitation Park-Funded Small Grants
Small Grants	Torquay Historical Society Bathing Box/Boardwalk
Service Manager	Anglesea Transfer Station Store Shed <i>(Approved / COMPLETE)</i>
Service Manager	Deans Marsh hall curtain sign <i>(COMPLETE)</i>
Service Manager	Anglesea Seniors /Lions Garden <i>(Service Manager PM / COMPLETE)</i>
Service Manager	Spring Creek Res drainage erosion rectification <i>(Maintenance)</i>
Small Grants	Anglesea flagpole / street light artwork installations <i>(Funded)</i>
DECLINED	Seaview Res Basketball Pad
DECLINED	Growing Winch Storage Fees
Service Manager	Winchelsea Bowls Club Internal and external painting
TOTAL	16

REFERRED/RESOLVED PRIOR TO INVESTIGATION	
Service Manager	Torquay Bowls Club – Masterplan Priorities
Small Grants March 17	Anglesea Community Garden seat <i>(Application Successful)</i>
Service Manager	Mt Moriac Res lighting –Oval 1, Oval 2 and Netball Crt 3
Service Manager	Coogoorah Park Rec Reserve - Noticeboard Refurb / Content
No longer required	Hill Top Reserve - shelter battens for wind protection
Service Manager	Connewarre Reserve Viewing Mound
Referred Small Grants	Soundproofing Torquay Men's Shed <i>(Future Application)</i>
Referred Small Grants	Anglesea Netball Club – Shade sail <i>(Future Application)</i>
Not required	Torquay Parwan Pitch FlagPole
Resolved	Torquay Women's Shed
Referred Small Grants	Aireys Inlet Community Garden Seat <i>(Future App)</i>
TOTAL	11

INVESTIGATION COMPLETE	
CPP02	Ellimatta Reserve / Anglesea Netball Additional Carpark <i>(design complete, Pick My Project voting)</i>
CPP08	Mt Moriac Reserve Equestrian Clubroom Redevelopment <i>(progressed to funding application / also State election commitment)</i>
CPP09	Anglesea Mens Shed – repurpose and refit 2 storage spaces <i>(progressed to funding application)</i>
CPP13	Deep Creek Reserve Tennis Court multi-use area
CPP14	Mt Moriac Reserve Oval 1 net behind goals
CPP25	Torquay Football Club - relocate player interchange boxes and behind goal barrier netting <i>(Community submission to 18/19 budget - successful in goal netting only)</i>
CPP24	Nautical Rise Reserve Indigenous Garden <i>(Pick My Project voting)</i>
CPP27	Torquay Quay Reserve Public Toilet
CPP28	Great Ocean Views Res Activation
CPP30	Deans Marsh Priority Pathways #1 <i>(Design funded /Pick My Project voting)</i>
TOTAL	10

PROJECT IN PROGRESS	
CPP01	Torquay Cricket Club Practice Facility Upgrade / Stage 2 Design
CPP03	Lorne Historical Society Front Facade Project <i>(awaiting community funds / Pick My Project voting)</i>
CPP06	Ellimatta Reserve Anglesea Football Club Training Lights Upgrade <i>(funded SRV – awaiting funding agreement)</i>
CPP07	Stribling Res Stadium Ventilation
CPP10	Wurdale Hall - History Board
CPP11	Lorne Skate Park Shelter
CPP15	Quay Reserve – BBQ/picnic shelter
CPP16	Freshwater Crk old Tennis Clubroom Recommission <i>(18/19 renewal)</i>
CPP20	Anglesea Pre School re Basket Swing Installation <i>(Funded Small Grants)</i>
CPP17	Anglesea Recreation & Sports Club – power connection <i>(Community submission to draft 18/19 budget)</i>
CPP19	Anglesea Netball Club –additional netball shelters <i>(Community submission to draft 18/19 budget)</i>
CPP22	Anglesea to Wairn Ponds Bus Service Proposal <i>(progressed to Council priority advocacy list)</i>
CPP23	Connewarre & District Riding Club Dressage Arenas <i>(Community submission to draft 18/19 budget)</i>
CPP25	Torquay Football Club - relocate player interchange boxes and behind goal barrier netting <i>(Community submission to draft 18/19 budget - successful in the goal netting)</i>
TOTAL	14

PROJECT DELIVERED OR PROPOSAL CLOSED	
CPP04	Hesse St Reserve Winchelsea Scouts and Tennis Shared Facility
CPP05	Jan Juc Pre School Play Space Expansion
CPP12	Hill Top Reserve Vegetation Barrier
CPP18	Anglesea Recreation & Sports Club – new boat platform
TOTAL	4

6.2 Endorsement of Borough of Queenscliffe Membership of Geelong Heritage Centre

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

Department: Community Relations

File No: F18/132

Division: Culture & Community

Trim No: IC18/1372

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's endorsement of a request by Borough of Queenscliffe to become a member of the Geelong Heritage Centre.

Summary

The Borough of Queenscliffe has made a request through the Geelong Regional Library Corporation (GRLC) to re-establish its membership of the Geelong Heritage Centre.

The Geelong Heritage Centre's operation, including finances, were fully integrated with the GRLC in October 2015.

Greater Geelong, Golden Plains Shire, Surf Coast Shire and Borough of Queenscliffe Councils established the GRLC in 1997. Whilst the Borough of Queenscliffe has maintained its membership of the GRLC, it withdrew its membership of the Geelong Heritage Centre in 2002.

Under the terms of the GRLC all member Councils must formally endorse the Borough of Queenscliffe's membership of the Geelong Heritage Centre.

Once all four Councils have given approval an agreement will be forwarded for official signing.

Recommendation

That Council endorses the Borough of Queenscliffe's request to re-establish its membership of the Geelong Heritage Centre.

Council Resolution

MOVED Cr Margot Smith, Seconded Cr Carol McGregor

That Council endorses the Borough of Queenscliffe's request to re-establish its membership of the Geelong Heritage Centre.

CARRIED 7:0

6.2 Endorsement of Borough of Queenscliffe Membership of Geelong Heritage Centre

Report

Background

The Geelong Heritage Centre was established in 1979. The City of Greater Geelong, Surf Coast Shire, Golden Plains Shire and Borough of Queenscliffe Councils were the original members of the centre.

In July 2002 the Borough of Queenscliffe discontinued its membership of the Geelong Heritage Centre.

The Geelong Heritage Centre was integrated with the operation of the GRLC, which was established by the above four Councils, in 1997.

On 13 August 2018 the GRLC board endorsed the Borough of Queenscliffe's request to become a member of the Geelong Heritage Centre and contacted each member Council to arrange endorsement.

All member Councils of the GRLC must give formal approval for the Borough of Queenscliffe's membership of the Geelong Heritage Centre to be reinstated.

Discussion

The Geelong Heritage Centre is the peak body for heritage related advice and advocacy in the region.

If the Borough of Queenscliffe were once again a member of the Geelong Heritage Centre, residents of the borough, including historical and heritage groups, would have increased access to heritage services, collections, advice and advocacy.

The Borough of Queenscliffe's membership can only be reinstated if each member Council formally endorses the request.

Financial Implications

There is no cost to Surf Coast Shire Council to endorse the Borough of Queenscliffe's membership of the Geelong Heritage Centre. The Borough of Queenscliffe will pay legal costs associated with the change to the agreement.

Council Plan

Theme	1 Community Wellbeing
Objective	1.1 Support people to participate in and contribute to community life
Strategy	Nil

Policy/Legal Implications

The GRLC was established by agreement under section of 196 of the Local Government Act. Amendments to the original agreement were made in 2009 and 2016.

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 adoption of the recommendation.

Social Considerations

The Borough of Queenscliffe's membership of the Geelong Heritage Centre will give residents and community groups in the borough greater access to heritage services, records, advice and collection items.

Community Engagement

No community engagement has been undertaken by Surf Coast Shire Council.

Environmental Implications

There are environmental implications associated with this recommendation.

6.2 Endorsement of Borough of Queenscliffe Membership of Geelong Heritage Centre

Communication

Surf Coast Shire Council will sign a joint agreement once all member Councils have given endorsement. Broad communication is not necessary.

Options

Option 1 – endorse the Borough of Queenscliffe's request to reinstate its membership of the Geelong Heritage Centre

This option is recommended by officers as it provides greater access to heritage services, advice, collection and advocacy to the Borough of Queenscliffe community at no cost to Surf Coast Shire residents and ratepayers.

Option 2 – not endorse the Borough of Queenscliffe's request to reinstate its membership of the Geelong Heritage Centre

This option is not recommended by officers as it would deny the Borough of Queenscliffe community access to heritage services, advice, collection and advocacy.

Conclusion

This report supports a request from the Borough of Queenscliffe to reinstate its membership of the Geelong Heritage Centre. All costs associated with the borough's membership of the Geelong Heritage Centre will be borne by the Borough of Queenscliffe. All member Councils of the Geelong Heritage Centre are required to endorse the Borough of Queenscliffe's request before its membership can be reinstated.

6.3 2018-19 Sport Australia Community Sport Infrastructure Grant Program

Author's Title: Recreation Officer

General Manager: Chris Pike

Department: Recreation & Open Space Planning

File No: F16/692

Division: Culture & Community

Trim No: IC18/1334

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

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No

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Yes

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No

Reason: Nil

Reason: Nil

Purpose

The purpose of this report is to confirm that applications have been submitted to the 2018-19 Sport Australia Community Sport Infrastructure Grant Program for the Mt Moriac Reserve Female Facilities Upgrade and Mt Moriac Reserve Sports Lighting and Drainage Upgrade projects.

Summary

The Australian Sports Commission has announced a new funding program, the Community Sport Infrastructure Grant Program, to support investment in capital works projects in community sporting hubs.

The objectives of this grant program are to support local communities to participate, recreate, learn and develop together. The grant has two guiding themes: Community Sporting Hubs and Inclusion. Both are focussed on encouraging greater levels of participation in community sport and physical activity.

Local government, sporting organisations and not-for-profit organisations are eligible to apply for grants up to \$500,000. There is no mandatory financial contribution required and no limit to the number of grants that can be submitted to the program.

Grant applications opened 2 August 2018 and closed on 14 September 2018. Officers have assessed existing project priorities against the grant eligibility and assessment criteria and have identified two projects considered ready for submission.

The timeframe for submission did not reasonably allow time for Council to formally endorse the applications prior to submission, hence it being presented to this meeting.

Recommendation

That Council:

1. Notes that the Chief Executive Officer has submitted applications to the 2018-19 Sport Australia Community Sport Infrastructure Grant Program for the following projects:
 - 1.1 Mt Moriac Reserve Female Facilities Upgrade Project – Total project cost \$1,000,000 consisting of Sport Australia \$500,000, Council \$450,000, Barwon Valley Pony Club \$25,000 and Modewarre Football and Netball Club \$25,000.
 - 1.2 Mt Moriac Reserve AFL Sports Lighting and Drainage Upgrade Project – Total project cost \$550,000 consisting of Sport Australia \$275,000, Council \$250,000, Modewarre Football and Netball Club \$15,000 and Modewarre Cricket Club \$10,000.
2. Ratifies the submission of funding applications to the 2018-19 Sport Australia Community Sport Infrastructure Grant Program for the Mt Moriac Reserve Female Facilities Upgrade and Mt Moriac Reserve Sports Lighting and Drainage Upgrade projects.
3. Notes that Council's contribution to deliver both projects is already held in the Adopted Strategy Reserve.
4. Agrees to underwrite the total cost of each project, less the grant amount in the event that applications are successful.
5. Authorises the Chief Executive Officer to sign funding agreements on behalf of Council in the event that the applications are successful.

6.3 P2018-19 Sport Australia Community Sport Infrastructure Grant Program

Council Resolution

MOVED Cr Heather Wellington, Seconded Cr Carol McGregor

That Council:

1. Notes that the Chief Executive Officer has submitted applications to the 2018-19 Sport Australia Community Sport Infrastructure Grant Program for the following projects:
 - 1.1 Mt Moriac Reserve Female Facilities Upgrade Project – Total project cost \$1,000,000 consisting of Sport Australia \$500,000, Council \$450,000, Barwon Valley Pony Club \$25,000 and Modewarre Football and Netball Club \$25,000.
 - 1.2 Mt Moriac Reserve AFL Sports Lighting and Drainage Upgrade Project – Total project cost \$550,000 consisting of Sport Australia \$275,000, Council \$250,000, Modewarre Football and Netball Club \$15,000 and Modewarre Cricket Club \$10,000.
2. Ratifies the submission of funding applications to the 2018-19 Sport Australia Community Sport Infrastructure Grant Program for the Mt Moriac Reserve Female Facilities Upgrade and Mt Moriac Reserve Sports Lighting and Drainage Upgrade projects.
3. Notes that Council's contribution to deliver both projects is already held in the Adopted Strategy Reserve.
4. Agrees to underwrite the total cost of each project, less the grant amount in the event that applications are successful.
5. Authorises the Chief Executive Officer to sign funding agreements on behalf of Council in the event that the applications are successful.

CARRIED 7:0

6.3 2018-19 Sport Australia Community Sport Infrastructure Grant Program

Report

Background

The Australian Government is investing \$29.7m in 2018-19 to improve local community sport infrastructure through the provision of grants valued up to \$500,000.

This grant program is open to local government, sporting organisations and not-for-profit organisations. There is no mandatory financial contribution required and no limit to the number of grants that can be submitted to the program.

Due to the high volume and backlog of recreation and open space projects that fit the program guidelines, officers chose not to seek expressions of interest for new project ideas in line with Council's non-recurrent grants management policy and procedure. The timelines for submissions are as follows:

Activity	Key Date
Applications Open	2 August 2018
Applications Close	14 September 2018
Notification of outcomes and funding announcements	1 November 2018 onwards
Expected completion date	30 June 2019*

* Expected completion date based on scale of project. Larger scale projects will be allowed extended completion dates in their funding agreements.

Discussion

This new funding program provides Council with the opportunity to apply for up to \$500,000 towards delivering prioritised recreation and open space projects. Although there is no financial contribution required by Council, this is looked upon favourably and provides the best chance of success.

The following table outlines all potential projects that have been considered against the Community Sports Infrastructure Grant Program criteria. Officers anticipate this funding program to be highly competitive and being able to demonstrate a high level of project readiness through completed concept design, cost plan and all funding sources confirmed will provide the greatest chance of success.

Projects that are listed as "Project Ready" meet mandatory documentation requirements and projects that are listed as "Not Project Ready" require further planning to be considered eligible.

Project Ready	Not Project Ready
<ul style="list-style-type: none"> • Mt Moriac Reserve AFL Sports Lighting and Drainage Upgrade - Upgrade oval 1 AFL Sports Lighting to 150lux - Installation of subsurface drainage system on oval 2 • Mt Moriac Reserve Female Facilities Upgrade - Upgrade of netball sports lighting to all 3 courts to LED 200 lux - Redevelopment of Equestrian Pavilion 	<ul style="list-style-type: none"> • Stribling Reserve Pavilion & Netball Changeroom Upgrade • Anglesea Bike Park Redevelopment &/or Trails Network • Winchelsea Cricket Club Practice Net Redevelopment • Torquay Cricket Club Practice Net Redevelopment • Surf Coast Soccer Club Pavilion • Mt Moriac Netball/Tennis Pavilion Upgrade • Winchelsea Adventure Playground • Torquay Multipurpose Synthetic (Hockey) • Mt Moriac Reserve Oval 2 Sports Lighting • Bellbrae Reserve Sports Lighting • Deans Marsh Oval Drainage & Irrigation • Spring Creek Reserve Interchange boxes • Hesse Street Tennis and Cricket Changeroom • Winchelsea Bowls Club Pavilion Upgrade

6.3 2018-19 Sport Australia Community Sport Infrastructure Grant Program

The above table highlights that the Mt Moriac Reserve AFL Sports Lighting and Drainage Upgrade and the Mt Moriac Reserve Female Facilities Upgrade are the only two projects considered commencement ready.

These two projects have recently been submitted under the Sport & Recreation Victoria Community Sports Infrastructure Fund (CSIF) Minor and Female Friendly Facilities categories with funding announcements expected from November 2018.

Financial Implications

As a result of a previous resolution on 22 May 2018 to apply for Sport & Recreation Victoria funding, Council's contribution to deliver these projects is already committed and is being held in the Adopted Strategy Reserve.

Based on the success of this Federal Government funding opportunity or others in play, there are three possible scenarios that will dictate the financial implication for Council in each project:

Scenario 1 - Council secures Sport Australia Funding Only (Federal Government)

Project	Council	SRV	Sport Aust	Club	Total
Mt Moriac Reserve AFL Sports Lighting & Drainage Upgrade	\$250k	\$0	\$275k	\$25k	\$550k
Mt Moriac Reserve Female Facilities Upgrade	\$450k	\$0	\$500k	\$50k	\$1m

Scenario 2 - Council secures Sport & Recreation Victoria Funding only (State Government)

Project	Council	SRV	Sport Aust	Club	Total
Mt Moriac Reserve AFL Sports Lighting & Drainage Upgrade	\$275k	\$250k	\$0	\$25k	\$550k
Mt Moriac Reserve Female Facilities Upgrade	\$550k	\$400k	\$0	\$50k	\$1m

Scenario 3 - Council secures both State and Federal Government Funding

Project	Council	SRV	Sport Aust	Club	Total
Mt Moriac Reserve AFL Sports Lighting & Drainage Upgrade	\$0	\$250k	\$275k	\$25k	\$550k
Mt Moriac Reserve Female Facilities Upgrade	\$50k	\$400k	\$500k	\$50k	\$1m

Scenario 3 would result in an increased capacity to fund other priorities through Council's annual project prioritisation and budget processes.

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

These projects are identified in the 2011 Mt Moriac Reserve Masterplan. There is no further policy or legal implications.

6.3 2018-19 Sport Australia Community Sport Infrastructure Grant Program

Officer Direct or Indirect Interest

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

Risk Assessment

There is a reputational risk in not advertising an expression of interest for new project ideas. Officers have considered projects that are outstanding from previously endorsed recreation and open space masterplans and Council's community project development investigations. The Mt Moriac Reserve AFL Sports Lighting and Drainage Upgrade & Mt Moriac Reserve Female Facilities Upgrade are considered the strongest projects for this funding program.

Any new project ideas are referred to Council's Community Project Development Officer to be processed.

Social Considerations

The Sport Australia Community Sport Infrastructure Grant 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 the Surf Coast Shire.

Community Engagement

Community engagement has been targeted to specific clubs and groups whose projects are considered project ready and meet the funding criteria.

Environmental Implications

No environmental implications arise from this report.

Communication

Subject to the support of Council, officers will make contact with the club representatives to confirm the submission of applications to the Sport Australia Community Sport Infrastructure Grant Program.

Options

Option 1 – Ratify the submission of funding applications for the Mt Moriac Reserve Female Facilities Upgrade and Mt Moriac Reserve Sports Lighting and Drainage Upgrade projects in line with the recommendations in this report

This option is recommended by officers as these projects are considered our strongest and most competitive of all recreation and open space projects in what will be a highly subscribed funding program.

The delivery of these projects will complete the majority of the 2011 Mt Moriac Reserve Masterplan priorities.

Option 2 – Withdraw applications to the Sport Australia Community Sport Infrastructure Grant Program

This option is not recommended by officers as without leveraging external funding it will reduce Council's ability to deliver prioritised recreation and open space projects in a timely manner as expected by our community.

Conclusion

The Sport Australia Community Sport Infrastructure Grant Program helps to provide high quality, accessible community sport and active recreation infrastructure where local communities participate, recreate, learn and develop together.

The recommended projects in this report fit with Council's strategic planning framework, align to the funding guidelines and are considered highly competitive submissions against the assessment criteria.

1. PETITIONS & JOINT LETTERS

1.1 Petition Received: Keep the Bridge Walkway, Winchelsea

Author's Title: Executive Assistant

General Manager: Anne Howard

Department: Governance & Infrastructure

File No: F18/44

Division: Governance & Infrastructure

Trim No: IC18/1543

Appendix:

1. Petition: Keep the Bridge Walkway, Winchelsea - Redacted (D18/119106)

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 advocates to VicRoads to keep the bridge walkway in Winchelsea.

The petition consists of 129 signatures.

Recommendation

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

1. Receives and notes the petition requesting that Council advocates to VicRoads to keep the bridge walkway in Winchelsea.
2. Refers the petition to the General Manager Governance and Infrastructure for consideration.
3. Receives a further report on the petition at its 23 October 2018 Ordinary Council Meeting.

Council Resolution

MOVED Cr Libby Coker, Seconded Cr Heather Wellington

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

1. Receives and notes the petition requesting that Council advocates to VicRoads to keep the bridge walkway in Winchelsea.
2. Refers the petition to the General Manager Governance and Infrastructure for consideration.
3. Receives a further report on the petition at its 23 October 2018 Ordinary Council Meeting.

CARRIED 7:0

1.1 Petition Received: Keep the Bridge Walkway, Winchelsea

APPENDIX 1 PETITION: KEEP THE BRIDGE WALKWAY, WINCHELSEA - REDACTED

To Bouncillors

I am writing on behalf of concerned ratepayers, about the removal of the steel walkway on the south side of Bluestone bridge. I have noted some reasons

- ① We cannot see the river from the bluestone bridge
- ② It is important that we see the activity in river (Platypus waterhens + ducks etc)
- ③ There are more children walking to school from Barwon Tce side
- ④ A tourist attraction they walk from toilets over highway over to the shops.

Hope this gives you ainsight to the benepid the walkway will achieve for Winchelsea

SURF COAST SHIRE	
FILE:
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18 SEP 2018	
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FILE COPY <input type="checkbox"/>	DUPLICATE COPY <input type="checkbox"/>

Your Regards



KEEP THE BRIDGE WALKWAY

The petitioners whose names, addresses and signatures appear hereunder, petition the Surf Coast Shire as follows:

Winchelsea currently has a walkway on the south side of the old bluestone bridge allowing for viewing of the Barwon River and environs. We do not want this walkway removed and ask that Council advocates to VicRoads to keep the walkway.

NOTE TO SIGNATORIES: Please include your name, address and signature when signing the petition, to ensure the petition conforms to requirements and is accepted by Council.

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Surf Coast Shire Council is committed to protecting all personal and sensitive information consistent with the principles set out in the Privacy and Data Protection Act 2014. The personal information in this petition will be used solely by Council for the primary purpose of petitioning Council or directly related purposes as permitted by law. The signatories understand that the personal information provided is for presentation to Council and that they may apply to Council for access to and/or amendment of the information. Please note that any personal information contained in this petition will be redacted from the public agenda.



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A handwritten signature in blue ink, appearing to be "K. O'Connell".



KEEP THE BRIDGE WALKWAY

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Winchelsea currently has a walkway on the south side of the old bluestone bridge allowing for viewing of the Barwon River and environs. We do not want this walkway removed and ask that Council advocates to VicRoads to keep the walkway.

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2. RESPONSIBLE & PLANNING AUTHORITIES

2.1 Planning Permit Application 18/0200 - Alterations and Additions to an Existing Dwelling - 9 Smith Street, Lorne

Author's Title: Coordinator Statutory Planning

General Manager: Ransce Salan

Department: Statutory Planning

File No: 18/0200

Division: Environment & Development

Trim No: IC18/1530

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 determine a position on Planning Permit Application 18/0200 - Alterations and Additions to Dwelling - 9 Smith Street, Lorne.

Summary

DATE RECEIVED	15/05/2018
PROPERTY NUMBER	135700
PROPERTY ADDRESS	9 Smith Street, Lorne
APPLICANT	Stephen Bayley
PROPOSAL	Alterations and additions to existing dwelling
ZONE	General Residential Zone – Schedule 1
OVERLAY/S	Design and Development Overlay – Schedule 4, Bushfire Management Overlay – Schedule 1
PERMIT TRIGGERS	Clause 43.02-2
RESTRICTIVE COVENANTS	Nil
CURRENT USE/ DEVELOPMENT	Illegal boarding house
CULTURAL HERITAGE MANAGEMENT PLAN	Not required
OBJECTIONS	17
STATUTORY DAYS	63

Recommendation

That Council, having caused notice of Planning Application No. 18/0200 to be given under Section 52 of the *Planning and Environment Act 1987* and having considered all the matters required under Section 60 of the *Planning and Environment Act 1987* decides to Grant a Notice of Decision to Grant a Permit under the Surf Coast Planning Scheme in respect of the land known as 9 Smith Street, Lorne for alterations and additions to existing dwelling in accordance with the plans received by the Responsible Authority 08 June 2018 subject to the following conditions:

Amended plans

1. Within six weeks of the date of this permit, amended plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must show:
 - (a) Reconfiguration of the layout of the dwelling such that it comprises no more than 10 habitable rooms;
 - (b) Direct internal access from the ground level front door to the rear kitchen/lounge/dining area;
 - (c) Deletion of the bathroom and cleaning store additions to the shed located in the southern corner of the site adjacent to the driveway;
 - (d) Deletion of the bars shown in the carport, entry, and adjacent to Bedroom 3 and use of this

2.1 Planning Permit Application 18/0200 - Alterations and Additions to an Existing Dwelling - 9 Smith Street, Lorne

- area as an open car parking area;
- (e) A reduction in size of the bar provided in the rumpus room by at least 50% and a detail of the fit out of the bar;
- (f) the location of a new internal stair case connecting the lower level to the main level of the property;
- (g) Changes to the external finish and materials treatment of the shed façade to improve the streetscape presentation of the property;
- (h) Inclusion of landscaping in the area in front of the shed, with details provided about the number and type of plants to be planted, along with mature heights, common names and latin names.

Endorsed plans

2. The development as shown on the endorsed plans must not be altered unless with the prior written consent of the responsible authority.

Completion of works

3. Within 12 months of the date of issue of this permit:
 - a) the dwelling must be altered to comply with the endorsed plans;
 - b) landscaping works must be completed;to the satisfaction of the Responsible Authority.

Landscaping maintenance

4. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority.

Expiry

5. This permit will expire if one of the following circumstances applies:
 - a) The development is not started within six months of the date of this permit;
 - b) The development is not completed within one year of the date of this permit.

The Responsible Authority may extend the periods referred to if a request is made in writing in accordance with Section 69 of the Planning and Environment Act 1987.

Note – Consistency with building plans

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

Note – Further approvals may be required under the Building Code of Australia. The advice of a Building Surveyor should be sought.

Council Resolution

MOVED Cr Clive Goldsworthy, Seconded Cr Margot Smith

That Council, having caused notice of Planning Application No. 18/0200 to be given under Section 52 of the *Planning and Environment Act 1987* and having considered all the matters required under Section 60 of the *Planning and Environment Act 1987* decides to Grant a Notice of Decision to Grant a Permit under the Surf Coast Planning Scheme in respect of the land known as 9 Smith Street, Lorne for alterations and additions to existing dwelling in accordance with the plans received by the Responsible Authority 08 June 2018 subject to the following conditions:

Amended plans

1. Within six weeks of the date of this permit, amended plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must show:
 - (a) Reconfiguration of the layout of the dwelling such that it comprises no more than 10 habitable rooms;
 - (b) Direct internal access from the ground level front door to the rear kitchen/lounge/dining area;
 - (c) Deletion of the bathroom and cleaning store additions to the shed located in the southern corner of the site adjacent to the driveway;
 - (d) Deletion of the bars shown in the carport, entry, and adjacent to Bedroom 3 and use of this

2.1 Planning Permit Application 18/0200 - Alterations and Additions to an Existing Dwelling - 9 Smith Street, Lorne

- area as an open car parking area;
- (e) A reduction in size of the bar provided in the rumpus room by at least 50% and a detail of the fit out of the bar;
- (f) the location of a new internal stair case connecting the lower level to the main level of the property;
- (g) Changes to the external finish and materials treatment of the shed façade to improve the streetscape presentation of the property;
- (h) Inclusion of landscaping in the area in front of the shed, with details provided about the number and type of plants to be planted, along with mature heights, common names and latin names.

Endorsed plans

2. The development as shown on the endorsed plans must not be altered unless with the prior written consent of the responsible authority.

Completion of works

3. Within 12 months of the date of issue of this permit:
 - a) the dwelling must be altered to comply with the endorsed plans;
 - b) landscaping works must be completed;to the satisfaction of the Responsible Authority.

Landscaping maintenance

4. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority.

Expiry

5. This permit will expire if one of the following circumstances applies:
 - a) The development is not started within six months of the date of this permit;
 - b) The development is not completed within one year of the date of this permit.

The Responsible Authority may extend the periods referred to if a request is made in writing in accordance with Section 69 of the Planning and Environment Act 1987.

Note – Consistency with building plans

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

Note – Further approvals may be required under the Building Code of Australia. The advice of a Building Surveyor should be sought.

CARRIED 7:0

2.1 Planning Permit Application 18/0200 - Alterations and Additions to an Existing Dwelling - 9 Smith Street, Lorne

Report

Background

The application seeks retrospective town planning approval to retain a range of unauthorised buildings and works that have been undertaken on the property and demonstrate that the premises will in future be used as a single dwelling.

A Building Notice and Order were served on the owner of the property under the Building Act 1993 concerning the unauthorised building works and use of the premises as a boarding house. The notice required a number of actions to be undertaken by the land owner including unrelated occupiers of the building to vacate the premises and for specified works to be undertaken to ensure that the premises could not be used and occupied as two or more dwellings or occupancy units.

The planning application has been lodged to seek changes to the building as a dwelling rather than as a boarding house. The planning application was placed on public notification and 17 objections were received. A Hearing of Submissions meeting was held on 18 September, 2018.

Proposal

The application seeks retrospective approval to retain a range of unauthorised buildings and works that have occurred on the site, to undertake some new buildings and works, and to demonstrate that the premises will in future be used as a single dwelling. These works comprise:

Retrospective works

- Converting a former ground floor dining room to a bedroom
- Converting a ground floor kitchen to a walk in robe
- Converting a ground floor lounge room to a kitchen and dining room and remove internal walls to allow rooms to occupy former enclosed verandah space on north east side of the ground floor level
- Enclose part of north-eastern verandah to create bar area
- Enclosing the north-western side verandah with windows at the ground floor level
- Windows added above the veranda handrail on the south-eastern side and a door to the south to enclose the existing verandah
- Rumpus extension area and storage areas on the south western side of the lower level
- Verandah on the north western side of the lower level
- Associated internal rearrangement of the floor plan
- Bathroom and store extension to the south eastern shed.

Proposed works

- Windows and door added above the verandah handrail on the south-eastern side to enclose the existing verandah.

The applicant states that the proposed outcome will be a dwelling with four bedrooms, four ensuites, one bathroom, a toilet, living areas, a bar and laundry on the main level and three bedrooms with ensuites, a rumpus room and bar on the lower level.

Subject site and locality

The subject site is located on the eastern side of Smith Street between Grove Road to the south and Otway Street to the north.

The land comprises Lot 2 of PS36908F and has a frontage to Smith Street of 29.8m and a depth of 40.23m with an area totalling 1202sqm. This lot features a partial two storey building which has recently been used without the necessary building or planning approvals as a boarding house.

The building is an attractive Edwardian styled weatherboard clad in painted cement sheet and weatherboard respectively.

A double carport is located in the frontage setback of the property at the foot of a short but steep driveway from Smith Street. A small timber shed is located next to this driveway within the frontage setback of the property.

2.1 Planning Permit Application 18/0200 - Alterations and Additions to an Existing Dwelling - 9 Smith Street, Lorne

Whilst the main building is constructed on Lot 2, the land at Lot 1 to the west is not fenced off from Lot 2 and forms part of the garden of the premises. This lot features a frontage to Smith Street of 15.24m and a depth of 40.23m resulting in a total site area of 613sqm. This lot features a single storey fibro sheet clad bungalow to the north western corner and a caravan with an attached deck and metal shed located to the western section of this lot.

The current front western setback of the shed is 0.2 metres to Smith Street and 0.7 metres to the car port. The front setback of the main building is 5.590 metres.

The adjoining properties are developed by single dwellings to the north and south at 5 and 11 Smith Street respectively. A five storey apartment building is located to the west on the other side of Smith Street with tourist accommodation units and a motel to the far north east and south east at 22-28 Mountjoy Parade and 32 - 40 Mountjoy Parade respectively. A single weatherboard dwelling is located to the immediate north east at 30 Mountjoy Parade.

The grounds of the property slope steeply down from Smith Street and accommodate lawn area punctuated with small trees and lower and middle storey landscaping. Two Barwon Water easements extend along and within the northern site boundary with a total combined width of 3.37 metres.

The site frontage is bordered with a 1.6 metre high paling fence.



Figure 1 – Aerial image of site. Source: Council's GIS

2.1 Planning Permit Application 18/0200 - Alterations and Additions to an Existing Dwelling - 9 Smith Street, Lorne

Permit / Site History

The Planning Permit history of the site includes:

- 99/8610 - Alterations and additions – Approved 16/12/99
- 05/0155 - Boundary realignment – Approved 10/05/05.

Public Notification

The application has been advertised pursuant to Section 52 of the Planning and Environment Act 1987 by:

- Sending notices to the owners and occupiers of adjoining land
- Placing a sign on site
- Placing a notice in the newspaper.

A Statutory Declaration has been submitted to Council confirming that the notification has been carried out correctly.

Objections

A total of 17 objections have been lodged with Council. The objections can be summarised as follows:

- Use of land as accommodation and associated amenity impacts
- Lack of on-site car parking
- Lack of fire safety protection for residents
- Designation of bars within the property and requirements for liquor licensing.

The objections have been considered in the assessment section of this report.

Consultation

In accordance with section 223 of the Local Government Act 1989 submitters were provided with the opportunity to be heard by the Hearing of Submissions Committee (the committee).

The application was heard at Hearing of Submissions Committee Meeting held on 18 September 2018.

Referrals

No external referrals were required to be undertaken.

The following internal referrals were undertaken:

Department	Advice/ Comments/ Conditions
Building	The application was referred for information only, to provide an awareness of the application

In addition, Council's Local Laws team have been advised of the caravan on adjoining land which appears to be used for accommodation, which is of concern to objectors.

Officer direct or indirect interest

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

Assessment

The application has been assessed as follows:

Planning policy framework

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

- 11.03-5R The Great Ocean Road region
- 15.01-1S Urban design
- 15.01-5S Neighbourhood character
- 21.02 Settlement, built environment, heritage and housing
- 21.10 Lorne strategy
- 22.02 Streetscape and landscaping policy.

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Zoning

The site is zoned General Residential Zone. The purpose of which is:

To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

To encourage development that respects the neighbourhood character of the area. To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.

To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

There is no permit trigger under the zone.

The zone includes requirements in relation to garden area and building height and these have been met.

Overlays

The following overlays apply to the land:

- Design and Development Overlay – Schedule 4 (DDO4). Permit trigger for buildings and works
- Bushfire Management Overlay – Schedule 1. No permit trigger.

Relevant Particular Provisions

The following Particular Provisions are relevant to the consideration of this application:

- Clause 52.23 – Shared housing
- Clause 52.06 – Car parking.

Relevant Planning Scheme Amendments

Not applicable

Summary of Key Issues

The following is a summary of the relevant planning issues and areas of non-compliance, considering planning principles and issues raised by objectors.

Use

There is a history of the property being used to accommodate groups of people and enforcement action has been undertaken in relation to this issue. While the applicant has not stated an intention to use the premises as a boarding house, it is noted that the internal layout of the dwelling is unusual. With the amendments proposed there is no ability to walk from the front door through the house, with the internal layout requiring circuitous access arrangements around the perimeter of the dwelling and use various access points to access living rooms provided at ground floor level.

It is considered that the lack of internal connection between the front and rear parts of the ground floor level of the dwelling must be addressed because the physical separation of the rooms creates an element of self-containment within the dwelling. Access to communal facilities could be achieved through the provision of a passageway linking the front and rear of the dwelling and a permit condition reflects this requirement.

Within the Planning Scheme, Clause 52.23 – Shared Housing sets out that:

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

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

The Planning Scheme defines habitable room as follows:

Any room of a dwelling or residential building other than a bathroom, laundry, toilet, pantry, walk-in wardrobe, corridor, stair, lobby, photographic darkroom, clothes drying room and other space of a specialised nature occupied neither frequently nor for extended periods.

2.1 Planning Permit Application 18/0200 - Alterations and Additions to an Existing Dwelling - 9 Smith Street, Lorne

The works which have been undertaken and proposed to the dwelling result in more than 10 habitable rooms being available in the building. The officer assessment is that 15 habitable rooms will be available within the building. The open living, kitchen and dining room is considered to be one room and this is based on Victorian Civil and Administrative Tribunal (VCAT) decision Knox CC v Tulcanly PL [2003] VCAT 1691 (18 November 2003) which sets out at Paragraph 30:

30. *The relevant definition of room in the Macquarie Dictionary is a portion of space within a building or other structure, separated by walls or partitions from other parts. Our general observations in this regard are:*

- There is no warrant in the planning scheme to regard a room being used for more than one purpose as being more than a single room;*
- A partition for the purposes of determining whether or not a space is divided into multiple rooms, would need to be a substantial object similar to a wall, and would not include a kitchen bench;*
- There can be openings between rooms, which are not capable of being closed, but which do nevertheless, in part at least constitute a division between separate rooms for example an archway.*

Given the history of the use of the building, it is important to ensure that the approval of this application will not result in a development which, if used for shared housing, contains more than 10 habitable rooms and requires a further planning approval for the use. It is noted that the building was used for some form of boarding house accommodation prior to this application being made to Council and the building included a number of kitchen areas such that the building could be used as more than one dwelling. A proposed permit condition requires changes to the internal layout of the building.

It is considered to be an orderly planning outcome to restrict the room numbers of the dwelling, however, it could be argued that the applicant has not made an application to use the building as anything other than a dwelling and the restriction on habitable rooms should not be required.

In Council was of a mind to support the application and allowed the dwelling to include more than 10 habitable rooms, there would be a need for regular enforcement inspections to ensure that the building was in fact being used as a dwelling and not for some other form of accommodation which would require planning approval. The owner has historically not used the property in accordance with permitted uses and the unusual nature of the dwelling floor plan (as lodged in the application) raises concerns about the future intended use.

The application also involves establishing a number of bar areas within, and outside, the dwelling. These bar areas are substantial, and seem to contain a sink area. It is assessed that the bar areas are so large that they could be considered as food preparation facilities, resulting in the potential for five self-contained dwellings to be developed within the building.

A number of VCAT decisions have considered this issue, including Stuckey v Yarra Ranges SC [2014] VCAT 295 (19 March 2014) which held that the provision of food preparation facilities does not require the provision of a fully equipped kitchen. A bench, a kettle and a microwave enables food to be prepared. With the retention of the bars, and given the layout of the dwelling, the proposal could give rise to five self-contained dwellings being created within the building.

The officer's recommendation includes a condition to delete a number of the bars, to reduce the size of the bar shown in the rumpus room, along with the deletion of the cleaning store room addition, which also seems to contain some kind of bar. These conditions are considered important to ensure that Council is not approving a development which could support multiple (up to five) dwellings. No approval has been sought to use the land for more than one dwelling in the application and the potential for illegal use has to be addressed.

The lower level of the building will still retain a degree of physical separation from the first floor because of the topography of the land and lack of an internal staircase between the two levels of the building. The lower level of the building will be dependent upon the ground floor for kitchen and laundry facilities and will remain as originally approved under Planning Permit 06/0480 except for the rumpus, terrace and storage areas. A proposed permit condition requires the bar within the rumpus room to be reduced in size by 50% and for a fit out detail of the bar to be provided. A requirement for an internal stair case to connect the lower and main floors should be conditional on any approval.

2.1 Planning Permit Application 18/0200 - Alterations and Additions to an Existing Dwelling - 9 Smith Street, Lorne

Overlay

As noted, planning approval is required under DDO4 for both the retrospective and proposed works, including a bathroom extension to the shed within the front setback of the property.

Under the overlay, the site is located within Precinct 3 – Tourist Accommodation. Importantly, this precinct seeks to ensure that the opportunities for landscaping are maximised within and across development sites. It is further required that at least 30 percent of the site area should be set aside for landscaping including the 2 metre setback areas adjoining any front and side street boundary. The proposal does not provide for this.

The preferred street setback for the area for landscaping is 2 metres. The shed extension on the application site is constructed approximately 0.2 metres in from the site frontage. While the garage at 11 Smith Street is located approximately 1 metre back from the road frontage and is less than the preferred setback, this garage is a well-established structure and it is likely that any replacement structure to be considered in future would be required to be set further back on the property to improve the streetscape setting.

A greater street setback for the shed is required in order to meet the preferred landscape character outcome envisaged for the area. It is considered that additional landscaping should be provided in front of the existing shed to facilitate the landscape outcome envisaged for the area, particularly with the front set back of the dwelling being predominantly occupied by a driveway and car port. Permit conditions reflect this requirement.

The remaining buildings and works are considered inconsequential in terms of the objectives and purpose of the overlay.

A spa is proposed along the front boundary of the site. The spa is exempt from requiring planning approval pursuant to Clause 62.02-2 as it is associated with one dwelling on a lot. There are requirements which will need to be met under the Building Code, separate to this application.

Objections

The key issues raised by objectors are set out and commented on below.

Use of land as accommodation

The applicant has advised of an intention to use the building as a single dwelling.

The objectors' concerns regarding the use of the land as accommodation are noted. It is known that the building has been used for accommodation in the past, without the required planning approval in place.

Subject to the proposed amendments required through permit conditions it is considered that should the landowner wish to use the dwelling for shared housing there is no further planning approval required.

However, if Council determines to issue a Planning Permit which allows 15 habitable rooms within the building, a Planning Permit is required to use the dwelling for accommodation. Regular enforcement surveillance of the site would be required to ensure that the use of the land had not evolved into some other form of accommodation

Concern has also been expressed regarding the use of adjoining land at 5 Smith Street for accommodation provided within a caravan. This land is on a separate title to the application site although, not fenced off from the application site, appears to be part of the garden of the premises. This matter is not a land use planning issue and has been referred to Council's Local Laws team.

Lack of on-site car parking

The provisions of Clause 52.06 of the Planning Scheme apply.

There is no permit trigger under Clause 52.06 for the extension of a dwelling where the level of car parking provided on the land is maintained, as is the case here.

If the building is used for shared housing and the requirements of Clause 52.23 are met, there is no requirement for additional on-site car parking under the Planning Scheme.

2.1 Planning Permit Application 18/0200 - Alterations and Additions to an Existing Dwelling - 9 Smith Street, Lorne

If more than 15 habitable rooms are approved on the land and it is used as some sort of accommodation facility, car parking is required to be provided under Clause 52.06 to the satisfaction of the Responsible Authority.

Lack of fire safety protection for residents

This issue is addressed outside of the planning permit process, through the relevant Building Surveyor.

Noise and disturbance

If the building is modified in the manner required by the permit conditions as recommended in this report, only one dwelling will be located on the land. In this case, any noise impacts associated with the use of a dwelling, whether as a single dwelling or as shared accommodation, will be residential noise which is normal in a residential zone.

If neighbours experience excessive noise from the use of the dwelling, the opportunity exists to report the issue to the Victoria Police.

Designation of bars within the property and requirements for liquor licensing

The application does not seek approval for the sale and consumption of liquor on the premises.

The “bar” designation within the building is seeking to clarify that these areas are not proposed to be used as kitchens. This issue has been discussed in detail earlier in this report.

Options

Option 1 – Issue a Notice of Decision to Grant a Planning Permit as per the officer recommendation

This option is recommended by officers as the permit conditions which delete ‘bars’, require an internal layout configuration to reduce the number of habitable rooms to 10 and improve internal connectivity within the building ensure an orderly planning outcome which does not create a potential enforcement issue for the future use of the land.

Option 2 – Issue a Notice of Decision to Grant a Planning Permit which does not reduce habitable rooms and does not reduce the provision of bars

This option is not recommended by officers as such an approval would result in a need for regular enforcement surveillance to ensure that the building was being used as a single dwelling. In addition, the retention of the bars within the dwelling would create the potential for five self-contained dwellings to operate from within the building and approval has not been sought to allow this.

Option 3 – Issue a Notice of Refusal to Grant a Planning Permit

This option is not recommended by officers as permit conditions can bring the development into compliance with the scheme and produce an orderly planning outcome. The applicant has not applied for the use and development of a boarding house (accommodation). To refuse this application on the basis of use would be considered beyond the scope of the relevant permit triggers and planning controls within the planning scheme.

Summary Recommendation

It is recommended that Council as the Responsible Authority issues a Notice of Decision to Grant a Planning Permit subject to conditions that require the conversion of the building to comply with the requirements for a dwelling.

Conclusion

The applicant has applied for planning permission for alterations and changes to the building as a result of Council's Planning and Building Compliance teams undertaking enforcement action. In response the owner has chosen to seek approval on the basis that the building is a dwelling rather than as a boarding house or for multiple accommodation units. The plans lodged as part of the application are not consistent with a dwelling use and approval of those plans is not supported. It is possible however to require changes to the plans through conditions that would result in acceptable planning outcome on the site. These changes include reducing the main building to 10 habitable rooms, establishing connectivity through the building, preventing out buildings being used for separate accommodation and re-establishing car parking and landscaping on the site. On this basis the application has been recommended for approval.

2.2 Planning Permit Application 18/0045 - Use and Development for a Residential Hotel (Serviced Apartments) and Alter Access to a Category 1 Road, 4-16 Ocean Road South, Lorne

Author's Title: Coordinator Statutory Planning

General Manager: Ransce Salan

Department: Statutory Planning

File No: 18/0045

Division: Environment & Development

Trim No: IC18/1528

Appendix:

1. Planning Permit Application 18/0045 - Photos from Height Pole (D18/117097)
2. Planning Permit Application 18/0045 - Assessment Against Clause 55 (D18/117098)

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

Reason: Nil

☐ Yes

☒ No

Reason: Nil

Purpose

The purpose of this report is to determine a position on Planning Permit Application 18/0045 - Use and development for a Residential Hotel (Serviced Apartments) and alter access to a Category 1 Road, 4-16 Ocean Road South, Lorne.

Summary

DATE RECEIVED	15/02/2018
PROPERTY NUMBER	133780
PROPERTY ADDRESS	14-16 Ocean Road South, Lorne
APPLICANT	SJB Planning Pty Ltd
PROPOSAL	Use and Development for a Residential Hotel (Serviced Apartments) and Alter Access to a Category 1 Road
ZONE	General Residential Zone – Schedule 1
OVERLAY/S	Design and Development Overlay – Schedule 4, Bushfire Management Overlay – Schedule 1
PERMIT TRIGGERS	32.08-2 – Use of land; 32.08-6 – Construct residential building; 32.08-8 – Buildings and works associated with a Section 2 use; 52.29 – Alter access to a Category 1 Road; 43.02-2 – Building and works; 44.06-2 – Buildings and works
RESTRICTIVE COVENANTS	Nil
CURRENT USE/ DEVELOPMENT	Dwelling
CULTURAL HERITAGE MANAGEMENT PLAN	Not required
OBJECTIONS	26
STATUTORY DAYS	120 at time of writing report

2.2 Planning Permit Application 18/0045 - Use and Development for a Residential Hotel (Serviced Apartments) and Alter Access to a Category 1 Road, 4-16 Ocean Road South, Lorne

Recommendation

That Council, having caused notice of Planning Application No. 18/0045 to be given under Section 52 of the *Planning and Environment Act 1987*; and having considered all the matters required under Section 60 of the *Planning and Environment Act 1987* decides to Grant a Notice of Decision to Grant a Permit under the Surf Coast Planning Scheme in respect of the land commonly known as 14-16 Ocean Road South, Lorne for the Use and Development of a Residential Hotel (Serviced Apartments) and Alter Access to a Category 1 Road in accordance with the plans dated / received by the Responsible Authority 15/02/2018, subject to the following conditions:

Amended Plans

1. Before the development starts, amended plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must show:
 - (a) the deletion of the southernmost square apartment (one bedroom apartment) on Level 3 and the subsequent relocation of the southernmost angled apartment (studio)
 - (b) all roof top plant and equipment
 - (c) an amended landscaping plan which complies with the requirements of the Bushfire Management Plan endorsed under this permit, and which meets the requirements of the Country Fire Authority to the satisfaction of the Responsible Authority.

Endorsed Plans

2. The use and development as shown on the endorsed plans must not be altered unless with the prior written consent of the responsible authority.

Surveyor's Certificate – Frame Stage

3. A written statement from a licensed surveyor shall be submitted for approval to the responsible authority confirming:
 - that the buildings have been set out in accordance with the endorsed plan; and
 - that the roof levels will not exceed the roof levels specified on the endorsed plan.

The statement must be submitted to the Responsible Authority at completion of the frame of the building.

Maximum Building Height – AHD 29.5

4. The maximum building height must not exceed AHD 29.5m in accordance with the endorsed plans and to the satisfaction of the Responsible Authority.

Rooftop appurtenances

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

Section 173 Agreement

6. Prior to the commencement of any buildings and works, the owner must enter into an agreement with the Responsible Authority made pursuant to Section 173 of the *Planning and Environment Act 1987*, and make application to the Registrar of Titles to have the agreement registered on title to the land under section 181 of the Act, which provides for the following:
 - (a) The owner will not use, or authorise or permit use of any unit, other than the manager's unit, for any purpose other than for use as a serviced apartment;
 - (b) All rooms must be managed by a single management entity and shall not be leased or otherwise managed other than under the control of the management entity.

The owner must pay the costs of preparation, review, execution and registration of the agreement.

Café/ kitchen and library

7. The café/ kitchen and library may only be provided for guest use.

2.2 Planning Permit Application 18/0045 - Use and Development for a Residential Hotel (Serviced Apartments) and Alter Access to a Category 1 Road, 4-16 Ocean Road South, Lorne

Vehicle Access and Parking

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

- a) constructed
- b) properly formed to such levels that they can be used in accordance with the plans
- c) surfaced with an all-weather-seal coat
- d) drained
- e) line marked to indicate each car space and all access lanes; and
- f) clearly marked to show the direction of traffic along access lanes and driveways

to the satisfaction of the Responsible Authority. Car spaces, access lanes and driveways must be kept available for these purposes at all times.

Construction Management Plan (CMP)

9. Before the commencement of site works, a construction management plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must address the following matters:

- a) Measures to minimise the impact of construction vehicles arriving at, queuing, and departing from the land
- b) Measures to accommodate the parking of private vehicles of workers/ tradespersons
- c) Details of the location of all construction equipment and facilities, including delivery points, storerooms, toilets, temporary offices and workers' facilities
- d) Noise attenuation measures to be put in place to protect the amenity of nearby residents during construction having regard to the EPA Guidelines on Construction and Demolition Noise
- e) Measures to minimise the generation and dispersal of dust
- f) Protection of retained native vegetation on the land and adjoining land
- g) Details of a 24 hour hotline for access to a contact person or project manager accountable for the project and compliance with the CMP
- h) Arrangements for waste collection and other services to be provided during construction;
- i) Location of stockpiles
- j) Methods of disposal of excess materials
- k) Details of the haul route for transport of excess materials removed from the site and delivery of materials to the site
- l) Inspection of haul route with council representative to audit condition of haul route prior to and post construction with any damage identified to be rectified by the contractor at his expense

to the satisfaction of the Responsible Authority.

Waste management

10. Prior to the commencement of the development, the Waste Management Plan must be amended to provide for more than 35 litres of garbage and recyclables per unit per week, once amended the plan will be endorsed and will then form part of the Planning Permit.

11. All bins and receptacles must be maintained in a clean and tidy condition and free from offensive odour to the satisfaction of the Responsible Authority and all waste must be regularly removed from the site to the satisfaction of the Responsible Authority.

Lighting

12. External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the Responsible Authority.

Conditions required by the Country Fire Authority

13. The Bushfire Management Plan Section 7 – Bushfire Management Plan (version 3, dated 17 April 2018); prepared by South Coast Bushfire Planning Consultants must be endorsed to form part of the permit and must not be altered unless otherwise agreed in writing by the CFA and the Responsible Authority.

2.2 Planning Permit Application 18/0045 - Use and Development for a Residential Hotel (Serviced Apartments) and Alter Access to a Category 1 Road, 4-16 Ocean Road South, Lorne

14. A landscaping plan must be submitted to the CFA and the Responsible Authority for approval for the surrounding grounds of the site that ensures the mitigation of the development of fire from potential embers into the site. Note: consideration should be given to paving, crushed rock and non-combustible features being installed directly around buildings and also adherence to the principles of the defensible space requirements.

Conditions Required by VicRoads

15. The crossover and driveway are to be upgraded to the satisfaction of the Responsible Authority and at no cost to the Roads Corporation prior to the commencement of the use.
16. Crossover and driveway are to be designed to allow all vehicles to drive forwards both when entering and exiting the property.
17. Drainage culverts will need to be installed to the satisfaction of the Responsible Authority. Please note: driveable end walls will be required.

Expiry

18. This permit will expire if one of the following circumstances applies:
- i) The development is not started within two years of the date of this permit
 - ii) The development is not completed within four years of the date of this permit
 - iii) The use is not started within two years after the completion of the development
 - iv) The use is discontinued for a period of two years.

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

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

Notes

This application has been assessed against Clause 55.

2.2 Planning Permit Application 18/0045 - Use and Development for a Residential Hotel (Serviced Apartments) and Alter Access to a Category 1 Road, 4-16 Ocean Road South, Lorne

Council Resolution

MOVED Cr Clive Goldsworthy, Seconded Cr Carol McGregor

That Council, having caused notice of Planning Application No. 18/0045 to be given under Section 52 of the *Planning and Environment Act 1987*; and having considered all the matters required under Section 60 of the *Planning and Environment Act 1987* decides to Grant a Notice of Decision to Grant a Permit under the Surf Coast Planning Scheme in respect of the land commonly known as 14-16 Ocean Road South, Lorne for the Use and Development of a Residential Hotel (Serviced Apartments) and Alter Access to a Category 1 Road in accordance with the plans dated / received by the Responsible Authority 15/02/2018, subject to the following conditions:

Amended Plans

1. Before the development starts, amended plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must show:
 - (a) the deletion of the southernmost square apartment (one bedroom apartment) on Level 3 and the subsequent relocation of the southernmost angled apartment (studio)
 - (b) all roof top plant and equipment
 - (c) an amended landscaping plan which complies with the requirements of the Bushfire Management Plan endorsed under this permit, and which meets the requirements of the Country Fire Authority to the satisfaction of the Responsible Authority.

Endorsed Plans

2. The use and development as shown on the endorsed plans must not be altered unless with the prior written consent of the responsible authority.

Surveyor's Certificate – Frame Stage

3. A written statement from a licensed surveyor shall be submitted for approval to the responsible authority confirming:
 - that the buildings have been set out in accordance with the endorsed plan; and
 - that the roof levels will not exceed the roof levels specified on the endorsed plan.

The statement must be submitted to the Responsible Authority at completion of the frame of the building.

Maximum Building Height – AHD 29.5

4. The maximum building height must not exceed AHD 29.5m in accordance with the endorsed plans and to the satisfaction of the Responsible Authority.

Rooftop appurtenances

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

Section 173 Agreement

6. Prior to the commencement of any buildings and works, the owner must enter into an agreement with the Responsible Authority made pursuant to Section 173 of the *Planning and Environment Act 1987*, and make application to the Registrar of Titles to have the agreement registered on title to the land under section 181 of the Act, which provides for the following:
 - (a) The owner will not use, or authorise or permit use of any unit, other than the manager's unit, for any purpose other than for use as a serviced apartment;
 - (b) All rooms must be managed by a single management entity and shall not be leased or otherwise managed other than under the control of the management entity.

The owner must pay the costs of preparation, review, execution and registration of the agreement.

Café/ kitchen and library

7. The café/ kitchen and library may only be provided for guest use.

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Vehicle Access and Parking

8. Before the commencement of the use, the area(s) set-aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
- constructed
 - properly formed to such levels that they can be used in accordance with the plans
 - surfaced with an all-weather-seal coat
 - drained
 - line marked to indicate each car space and all access lanes; and
 - clearly marked to show the direction of traffic along access lanes and driveways
- to the satisfaction of the Responsible Authority. Car spaces, access lanes and driveways must be kept available for these purposes at all times.

Construction Management Plan (CMP)

9. Before the commencement of site works, a construction management plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must address the following matters:
- Measures to minimise the impact of construction vehicles arriving at, queuing, and departing from the land
 - Measures to accommodate the parking of private vehicles of workers/ tradespersons
 - Details of the location of all construction equipment and facilities, including delivery points, storerooms, toilets, temporary offices and workers' facilities
 - Noise attenuation measures to be put in place to protect the amenity of nearby residents during construction having regard to the EPA Guidelines on Construction and Demolition Noise
 - Measures to minimise the generation and dispersal of dust
 - Protection of retained native vegetation on the land and adjoining land
 - Details of a 24 hour hotline for access to a contact person or project manager accountable for the project and compliance with the CMP
 - Arrangements for waste collection and other services to be provided during construction;
 - Location of stockpiles
 - Methods of disposal of excess materials
 - Details of the haul route for transport of excess materials removed from the site and delivery of materials to the site
 - Inspection of haul route with council representative to audit condition of haul route prior to and post construction with any damage identified to be rectified by the contractor at his expense
- to the satisfaction of the Responsible Authority.

Waste management

10. Prior to the commencement of the development, the Waste Management Plan must be amended to provide for more than 35 litres of garbage and recyclables per unit per week, once amended the plan will be endorsed and will then form part of the Planning Permit.
11. All bins and receptacles must be maintained in a clean and tidy condition and free from offensive odour to the satisfaction of the Responsible Authority and all waste must be regularly removed from the site to the satisfaction of the Responsible Authority.

Lighting

12. External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the Responsible Authority.

Conditions required by the Country Fire Authority

13. The Bushfire Management Plan Section 7 – Bushfire Management Plan (version 3, dated 17 April 2018); prepared by South Coast Bushfire Planning Consultants must be endorsed to form part of the permit and must not be altered unless otherwise agreed in writing by the CFA and the Responsible Authority.

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14. A landscaping plan must be submitted to the CFA and the Responsible Authority for approval for the surrounding grounds of the site that ensures the mitigation of the development of fire from potential embers into the site. Note: consideration should be given to paving, crushed rock and non-combustible features being installed directly around buildings and also adherence to the principles of the defensible space requirements.

Conditions Required by VicRoads

15. The crossover and driveway are to be upgraded to the satisfaction of the Responsible Authority and at no cost to the Roads Corporation prior to the commencement of the use.
16. Crossover and driveway are to be designed to allow all vehicles to drive forwards both when entering and exiting the property.
17. Drainage culverts will need to be installed to the satisfaction of the Responsible Authority. Please note: driveable end walls will be required.

Expiry

18. This permit will expire if one of the following circumstances applies:
- i) The development is not started within two years of the date of this permit
 - ii) The development is not completed within four years of the date of this permit
 - iii) The use is not started within two years after the completion of the development
 - iv) The use is discontinued for a period of two years.

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

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

Notes

This application has been assessed against Clause 55.

CARRIED 7:0

2.2 Planning Permit Application 18/0045 - Use and Development for a Residential Hotel (Serviced Apartments) and Alter Access to a Category 1 Road, 4-16 Ocean Road South, Lorne

Report

Proposal

It is proposed to demolish the existing dwelling and to construct two “boomerang shaped” buildings which will be used as a Residential Hotel. The hotel rooms all incorporate kitchen/ dining spaces and cooking facilities and are best described as Serviced Apartments.

A total of 35 serviced apartments are proposed, including 25 one bedroom apartments and nine two and three bedroom apartments. The floor area of the apartments ranges between 40 square metres and 107 square metres, and each apartment is provided with a small balcony area. A manager’s dwelling is also proposed.

The Residential Hotel also includes a café/ kitchen and library area, available for use by those staying at the hotel.

The apartment buildings are proposed to be developed above a basement car parking area, which links the buildings and provides for lift access. Car parking is provided over two levels and a total of 37 car parking spaces are provided. A large circular driveway is provided in the frontage to enable bus turnaround and car park access and enclosed corridors provide covered access into the buildings.

The buildings are setback approximately 13 metres from the front boundary and approximately 7 metres from the rear boundary. The minimum side setback adopted is 1.8 metres. An internal separation of approximately 7.5 metres is achieved between the buildings.

The development is designed to respond to the fall of the site, and includes significant cutting, resulting in a maximum building height of 9.6 metres. The buildings are contemporary in design and incorporate extensive eastern glazing to maximise views of the ocean. A mix of materials is proposed including: textured concrete, raw concrete, timber screening, weathered spotted gum and metal.

Subject Site and Locality

The site is located on the western side of Ocean Road South, Lorne. Ocean Road South is a major arterial road which is under VicRoads’ control.

The site is irregular in shape and comprises two lots which have a 34.88 metre frontage to the street and a depth of approximately 79 metres, resulting in an overall site area of approximately 3,479 square metres. An easement runs along the rear boundary of the land.

The site is currently developed with a single dwelling which has a single width vehicle access from Ocean Road South. Some trees and shrubs have been established on the land which slopes significantly from the rear boundary to the street frontage. The site includes terraced areas which were designed to provide for useable open space areas for the existing dwelling located on the land, including a tennis court. An aerial image of the site is provided.





Figure 1: Aerial Image – Site highlighted in pink. Source: Council’s GIS

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The land is one of three large parcels remaining within the Tourist Accommodation Precinct with significant development potential.

The Tourist Accommodation Precinct has been included in the Surf Coast Shire Planning Scheme for almost two decades and includes the land developed with the Pacific Hotel and the Pacific Apartments which adjoin the land to the north; the Point Grey Apartments which adjoin the land to the west, and the Kalimna Hotel.

Land which abuts the site has been developed as follows:

:Address	Abuttal	Development
12 Ocean Road South, Lorne	North	Vacant
10 Ocean Road South, Lorne	North	Grand Pacific Lorne tourist accommodation. The development has been undertaken over four levels which step down the site and are constructed from brick.  <i>Photo 1 – Source Google Street view</i>
18 Ocean Road South, Lorne	South east	Single storey dwelling, with high hedge along the road frontage.
3-9 Armytage Street, Lorne	West	Three storey apartment building, referenced in this report as Point Grey Apartments.  <i>Photo 2 – Source: Google Street view</i>
11 Armytage Street, Lorne	South west	Multi-level dwelling oriented to take advantage of views to the north and west.
2, 4 and 6 Topp Street, Lorne	South	Detached dwelling with large rear yard abutting the subject site.

Within the broader neighbourhood, land is generally developed for commercial and tourism uses. The Grand Pacific Hotel is located further north of the site and is a landmark building within the precinct.

Land to the south and south west of the subject site is generally residential in nature, with varied architectural forms and styles evident. A unifying feature of development is that it is designed to take advantage of the spectacular views to the north, south and east.

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Permit / Site History

There is no permit history relevant to this site.

Public Notification

The application has been advertised pursuant to Section 52 of the *Planning and Environment Act 1987* by:

- Sending notices to the owners and occupiers of adjoining land
- Placing a sign on site
- Placing a notice in the following newspapers: Surf Coast Times.

A Statutory Declaration has been submitted to Council confirming that the notification has been carried out correctly.

Objections

A total of 26 objections were lodged with Council with the following issues being common concerns:

- Reduced amenity through view loss
- Building height and mass
- Increased noise
- Overlooking
- Overshadowing
- Car parking provision
- Infrastructure pressure
- Accuracy of building height
- Landscaping
- Previous VCAT decision
- Bicycle parking.

Consultation

In accordance with section 223 of the *Local Government Act 1989* submitters were provided with the opportunity to be heard by the Hearing of Submissions Committee (the committee).

At the Hearing of Submissions Committee Meeting held on 18 September 2018 the committee heard submissions on this matter as per the committee's delegation under section 86 of the *Local Government Act 1989*.

Referrals

The following external referrals were undertaken:

Referral Authority	Type of Referral	Advice/ Comments/ Conditions
VicRoads	Recommending Authority	No objection, conditions required to be included on any permit that is issued.

Referral Authority	Type of Referral	Advice/ Comments/ Conditions
CFA	Recommending Authority	Approval subject to conditions

Aboriginal Victoria were consulted about the need for a Cultural Heritage Management Plan (CHMP) and have advised that there is no requirement for a CHMP.

The following internal referrals were undertaken:

Department	Advice/ Comments/ Conditions
Infrastructure	Supports with conditions. The Engineer has recommended that the car parking ramps are moved apart from one another, but given that the requirements of the Planning Scheme are met in relation to ramp grades and aisle widths, this condition has not been included in the officer recommendation. The moving of the ramps would likely require a complete redesign of the car parking areas and when considered against the requirements of the Planning Scheme is not justified.
Environmental Health	Supports; suggests further approvals are required for café/ kitchen fit out
Waste	Supports; suggests additional rubbish allocation is required given all apartments have kitchens. A permit condition addresses this issue.

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Officer Direct or Indirect Interest

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

Assessment

The application has been assessed as follows:

Planning Policy Framework

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

- 11.03-5R The Great Ocean Road region
- 13.02-1S Bushfire planning
- 13.05-1S Noise
- 13.01-7S Land use compatibility
- 15.01-1S Urban design
- 15.01-2S Building design
- 17.01-1S Diversified economy
- 17.02-1S Business
- 21.02-1 Key issues and influences
- 21.01-3 Vision and strategic framework plan
- 21.10 Lorne strategy
- 22.02 Streetscape and landscape policy.

Zoning

The site is zoned General Residential the purpose of which is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To encourage development that respects the neighbourhood character of the area.
- To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.
- To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

Within the zone a permit is required to:

- Use the land for a Residential Hotel – Clause 32.08-2
- Buildings and works associated with a Section 2 use – Clause 32.08-8
- Construction of a residential building – Clause 32.08-6.

The application is required to be assessed against Clause 55.

Overlays

The following overlays apply to the land:

- Design and Development Overlay –Schedule 4 (DDO4) – Lorne Residential Areas.
Pursuant to DDO4 the land is located within the Tourist Accommodation Precinct. The purpose of the precinct is:
To encourage a diversity of dwelling types and a range of accommodation for residents and visitors to Lorne in proximity to the Central Retail Core and recreational resources of the township.
To ensure that the scale of the development is compatible with that of the surrounding land uses.
To ensure that new development maintains the low rise nature of the built environment in Lorne.
To encourage landscaping that positively contributes to the landscape character of the township, in particular the retention and planting of tall canopy trees. To ensure that the opportunities for landscaping are maximised within and across development sites.
To protect the residential amenity derived from the availability of views of landscape features.
- Bushfire Management Overlay (BMO) – Schedule 1 – Lorne BAL 12.5 Areas. The purpose of the overlay is:
To implement the Municipal Planning Strategy and the Planning Policy Framework.
To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.

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To identify areas where the bushfire hazard warrants bushfire protection measures to be implemented.

To ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.

A Planning Permit is triggered by the overlays as follows:

- Clause 43.02-2 – Buildings and works in DDO4
- Clause 44.06-2 – Buildings and works in BMO.

Relevant Particular Provisions

The following Particular Provisions are relevant to the consideration of this application:

Provision	Permit triggers/Requirements	Permit Required/ Applicable
52.06 Car parking	The table at Clause 52.06-5 sets out the number of car spaces required for uses not covered by a car parking requirement for a use specified under another provision of the planning scheme or a schedule to the Parking Overlay. There is no defined car parking requirement within the table for a Residential Hotel such that car parking must be provided to the satisfaction of the Responsible Authority. Requirements are specified for the car park design.	Yes, see assessment
52.29 Land Adjacent to a Road Zone, Category 1, or a Public Acquisition Overlay for a Category 1 Road	A permit is required to: <ul style="list-style-type: none">• Create or alter access to:<ul style="list-style-type: none">- A road in a Road Zone, Category 1.- Land in a Public Acquisition Overlay if the purpose of acquisition is for a Category 1 road.-	Yes, application has been referred to VicRoads
55 Two or more dwellings on a lot and residential buildings	Refer to the Clause 55 assessment attached to this report.	Yes

Relevant Planning Scheme Amendments

Not applicable.

Summary of Key Issues

The following is a summary of the relevant planning issues and areas of non-compliance, considering planning principles and issues raised by objectors.

Zone

The application provides for residential accommodation, albeit short term accommodation, within the General Residential Zone ensuring that the use is complementary to the residential uses which surround the subject site.

Importantly, the development is designed to respond to the neighbourhood character of the area with its contemporary design and mix of materials. In addition, there is significant opportunity on the land to create a spacious setting for the development to complement the character of the area.

The development is designed to comply with the minimum garden area requirement within the zone, providing for 41% garden area which is above the 35% requirement of the Planning Scheme. The development also complies with the building height requirement of the zone, having a maximum height of 9.6m which is less than the 11 metres allowed by the zone.

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Overlays

The site is located within a **Bushfire Management Overlay (BMO)** area. The application has been referred to the CFA and has been supported. On this basis it is considered that the purpose of the BMO has been met and the development of the land prioritises the protection of human life, with the development designed to reduce the risk of life and bushfire to an acceptable level. Conditions have been applied to the officer recommendation to address this issue and the permit conditions include a requirement to modify the landscape plan.

The site is also subject to **Design and Development Overlay – Schedule 4 (DDO4)**. The DDO seeks to promote a range of accommodation options for visitors to Lorne and to provide for a low rise style of development which is responsive to the character of the area. The application provides for a serviced apartment development which will add to the diversity of accommodation options available within the Lorne township, in line with the purpose of the precinct.

The application has been assessed against the requirements of the DDO as follows:

Requirement	Response
The maximum height of all buildings should not exceed 8.0 metres above natural ground level.	The development has a maximum height of 9.6 metres. The DDO includes 'should' not 'must' and the decision guidelines of the DDO are relevant in determining whether the additional height should be supported.
At least 30% of the site area should be set aside for landscaping, including the two metre setback areas adjoining any front and side street boundary.	The development provides for an area of approximately 40% garden area, which can provide for a landscaped context to the land. The BMO which has recently been applied to the land will impact on the level of landscaping which can be undertaken on the land as there are requirements to be met in relation to defensible space. A condition within the officer recommendation requires a revised landscape plan which responds to the requirements of the Bushfire Management Plan for the land.

The decision guidelines of the overlay have been considered as follows:

- The building height is higher than the 8 metre preferred height, but is similar in scale to other developments in the area, ensuring that the height is scaled to respond to the context of the site. The highest points of the building is located in the areas shown below:

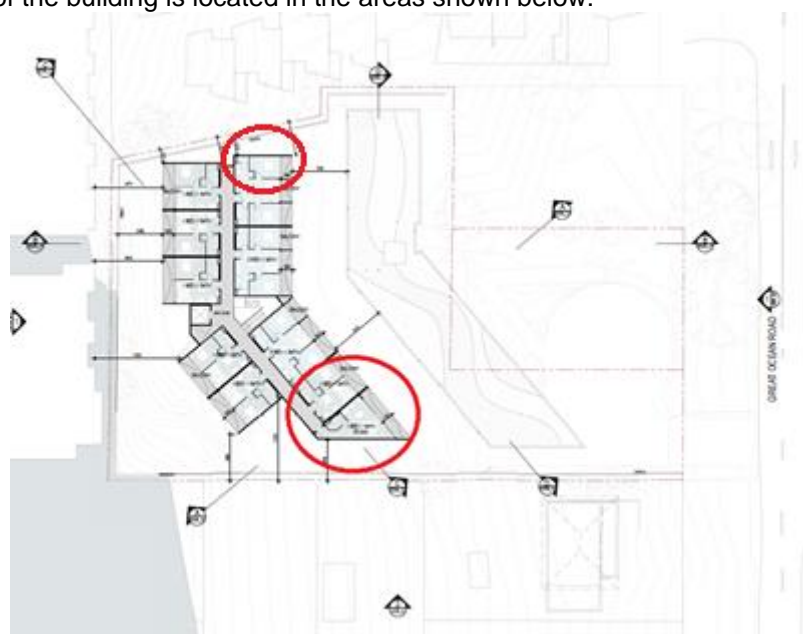


Figure 5 – Level 3. Source: Application documents

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The section diagrams demonstrate that the bulk of the development is 7.85 metres in height or lower, but using contour information against roof levels, the highest point of the building is 9.6 metres on the northern elevation and 9.5 metres on the southern elevation. Given the contours of the land and the form and scale of surrounding development, the additional height can be accepted as it is compatible with the scale of development of surrounding uses within the precinct. The officer recommendation includes a condition to delete an apartment at the southern end of the upper level to improve the view sharing outcome for the upper level of the dwellings located to the rear of the site, but it is important to note that this condition will not reduce the maximum overall height of the development.

- The development is designed to allow for landscaping to be undertaken and a spacious setting has been established. It is important to understand that the BMO controls for the site will temper the landscape solution able to be achieved on the land. The State Government policy around bushfire is clear in directing that planning for bushfire and the protection of human life must be prioritised above all other policy considerations.
- The development does not impact on the cypress trees in the road reserve.
- The design and built form of the buildings is contemporary, ensuring that it does not compete with the heritage values of the Grand Pacific Hotel, a local landmark.
- There are areas on the site which are large enough to accommodate the planting of canopy trees, but the ability of these trees to be accommodated on the land under the BMO requires further consideration.

Planning policy framework

The application is consistent with the planning policy framework.

The dwelling design aligns with the objectives of Clause 11.03-5R – Great Ocean Road region by locating the development in an area of Lorne which has been identified to provide for tourist accommodation. The application allows for a scale of development which is responsive to the scale of surrounding development within a spacious setting. In particular, the development and use assists in providing for a range of tourist accommodation options within the region.

The residential hotel provides for residential accommodation within a residential neighbourhood. Any noise emissions will be residential in nature and acceptable; there are no particular building treatments or separation distances required to manage noise from the use. It is noted that there are no communal outdoor areas available for use which are likely to generate significant levels of noise.

The development is responsive to the context of the site, providing for a scale and massing which is appropriate in the neighbourhood setting. The development is highly contemporary, which is a suitable outcome in this neighbourhood which hosts a range of architectural styles.

The emphasis of relevant policy at the state and local level is on the preservation of significant landscapes and character of coastal towns like Lorne and as the highest priority the preservation of human life in a bushfire affected area.

Whilst the protection of human life from bushfire is to be prioritised over other policy considerations, this should not be at the expense of all other policy objectives. In other words if the risk from bushfire can't be appropriately minimised whilst balancing other objectives the use or development should not be approved. The bushfire risk will be discussed further below.

The objective of Clause 13.02-1S Bushfire planning is "To strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life." It directs to:

Give priority to the protection of human life by:

- *Prioritising the protection of human life over all other policy considerations.*
- *Directing population growth and development to low risk locations and ensuring the availability of, and safe access to, areas where human life can be better protected from the effects of bushfire.*

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- *Reducing the vulnerability of communities to bushfire through the consideration of bushfire risk in decision-making at all stages of the planning process.*

The development triggers a permit under the BMO and has been referred to the CFA. The Bushfire Management Plan submitted will be endorsed as part of the Planning Permit (if issued). Requirements apply in relation to defendable space and building construction. Ongoing vegetation management obligations will apply to the site, ensuring that the site is managed to reduce bushfire risk.

The application provides for accommodation for a number of people. Given the site is located within the heart of the township in an established area, it is considered that the approval of the application is not adding to the bushfire risk of the town or providing for a threat to human life. In the event of a bushfire it is expected that those using the accommodation can evacuate to a safe location, if required.

The approval of the application assists in diversifying the local economy and provides for opportunities for local employment, in line with policy. The residential hotel builds on the tourism strengths of the Lorne township within an area which has been identified for tourist accommodation.

The Lorne Strategy notes that the local economy is strongly focused on tourism and benefits from the Great Ocean Road, with the development providing for the needs of the visitor accommodation sector.

Objections

Bulk and mass

Many objections were concerned with the scale bulk and mass of the development. It is assessed that the development is complementary and compatible with the scale and character of surrounding accommodation buildings which includes:

- The Point Grey Apartments at No. 3 – 9 Armytage Street, Lorne comprise a three-storey apartment development in close proximity to the common boundary.
- The Pacific Hotel and Pacific Apartments adjoin to the north developed over two to four stories.
- The multi storey Kalimna motel.
- The development of medium density two level accommodation under construction at 163 Smith street opposite the Point Grey Apartments.

The design and built form of buildings is also considered to reflect the character, form, materials and finishes of buildings in the precinct.

View loss

A common concern of adjoining landowners was the loss of views. Currently, these properties enjoy coastal views across the site over the existing single storey house, north west to Big Hill including the ocean, the Lorne Pier at Point Grey and the distant coastal shoreline up to the Split Point Lighthouse at Aireys Inlet and white water breaking on the reefs directly to the east of the land.

In the DDO4 the relevant general design objective is:

To encourage a scale of development which is complementary to and compatible with the overall character of the centre and amenity of surrounding development.

In the Tourist Accommodation Precinct the relevant design objectives are:

To ensure that the scale of the development is compatible with that of the surrounding land uses.

To ensure that new development maintains the low rise nature of the built environment in Lorne.

And specifically in relation to views:

To protect the residential amenity derived from the availability of views of landscape features.

To help achieve these objectives, the Tourist Accommodation Precinct applies performance criteria for a maximum building height of 8 metres. Unlike the Neighbourhood Character Overlay Schedule 2, which covers the greater residential area of Lorne and the adjoining objector's houses to the south, which includes the neighbourhood character objective, the DDO4 does not include a view sharing objective, only the design objective. In addition, the decision guidelines of the DDO do not include any specific direction concerning views.

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It is considered then that as the main concern of the majority of objections is view loss in the consideration of this issue it is useful to consider decisions of the Victorian Civil and Administrative Tribunal over a number of years. In these decisions, the Tribunal has defined a set of principles that should be considered in assessing view sharing, which have been stated in *Healy v Surf Coast SC* [2005] VCAT 990:

- (a) *there is no legal right to a view;*
- (b) *views form part of the existing amenity of a property and their loss is a relevant consideration to take into account;*
- (c) *the availability of views must be considered in the light of what constitutes a reasonable sharing of those views;*
- (d) *in addressing the concept of "reasonableness", it is relevant to consider:*
 - (i) *the importance of the view to be lost within the overall panorama available; and*
 - (ii) *whether those objecting have taken all appropriate steps to optimise development of their own properties.*
- (e) *added emphasis will be placed on principles (b) and (c) above if the issue of views is specifically addressed in the planning scheme.*

In *Wright v Greater Geelong CC* [2013] VCAT 2092, Tribunal added a refinement to the above principles stating "that in addressing the question of reasonableness under para (c) above it is also relevant to consider the legitimate expectations of those whose view is being affected."

A height pole meeting was held, with a number of poles erected to indicate the bulk of the development and to allow all parties to consider the impact on views if the development was approved.

The views of occupants of the Point Grey Apartments are the most affected by the development with lower level units having eastern water views blocked, with a corridor view to the north along the line of the apartments remaining. While these residents have had outlook across the land for a considerable time it is noted that maintaining future clear views at this lower level could not be considered to a reasonable expectation. Reasonable expectations for view retention should be derived from the planning scheme. In this case, the DDO contemplates an 8 metre form of development on the land. To date the land has not been developed to its full potential and has provided opportunities for views from the lower levels of adjoining development. As such it is considered to be unreasonable to insist on an amendment to the development to maintain the views of occupants on the lower level of the development.

As noted, a portion of the building is 9.5 metres high. This part of the building does impact on important views of breaking waves experienced from the upper level of the rear dwellings, as can be seen in the photograph below:



Photo 3 – Circle indicates the 9.6 metre wall height which impacts on views of breaking waves. Source: Planning Officer

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A proposed permit condition within the recommendation recognises this and requires the deletion of the apartment shown in the image below (by the height poles), which will move the wall in and improve the view outcome for the upper level rear neighbours.

The 9.6 metre high wall, located along the northern elevation of the building, does not have an unreasonable impact on the sharing of views and no changes are recommended to this area of the building.

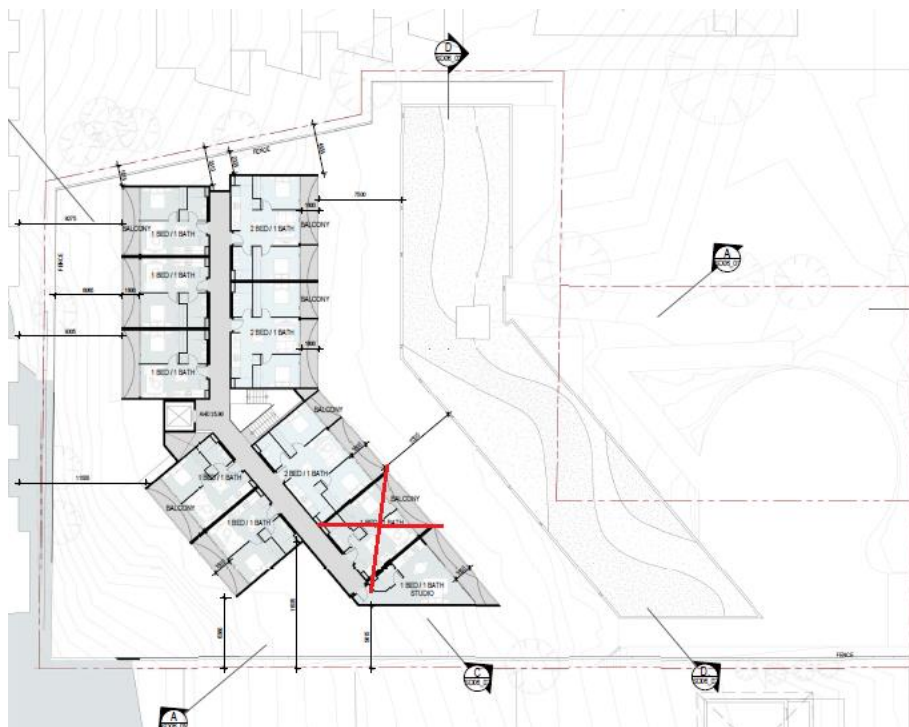


Figure 6 – Red cross indicates apartment to be deleted. Source: Application Documents

In regards to the views from private properties, planning officers did not observe any significant view loss of landscape features. It was noted that a section of Big Hill is removed by the development for one adjoining neighbour to the south, sections of the pier for another and the rooftops of the Pacific Apartments but generally these owners could continue to enjoy short and long range views of ocean, coastline, lighthouse, pier and reefs, providing for a reasonable sharing of views.

The photos in Attachment 1 show the view impact of the proposal. It is the officer's opinion that with the deletion of the upper level apartment, a reasonable sharing of views has been achieved when assessed against the Healy principles.

Overshadowing

The application has been assessed against ResCode and is compliant with the overshadowing standard. As such, any overshadowing associated with the development is considered reasonable. As can be seen from the images below, there is minimal overshadowing of adjoining properties at the Equinox, with most of the overshadowing contained within the property boundaries.

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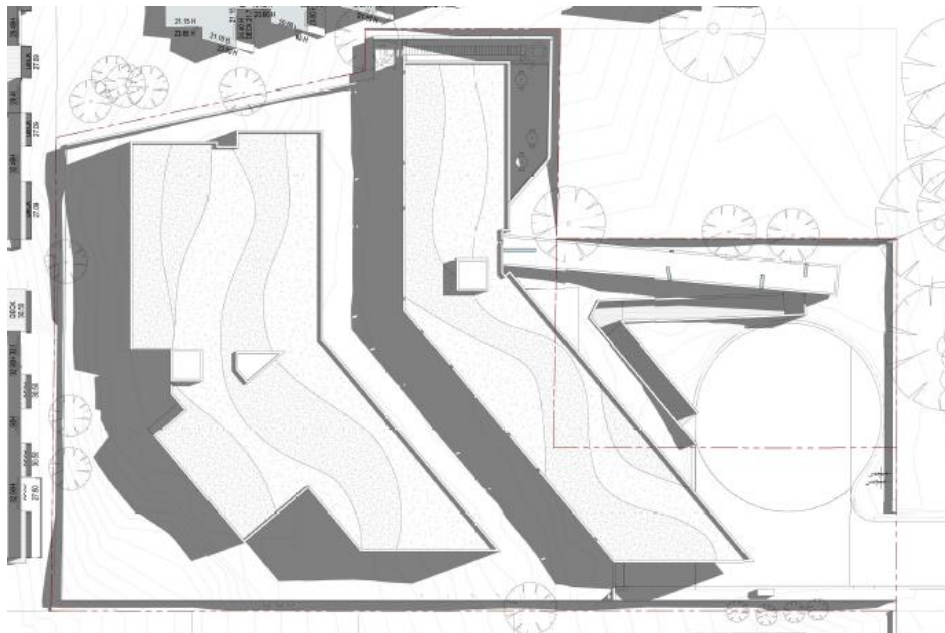


Figure 7: Overshadowing – 9am. Source: Application documents

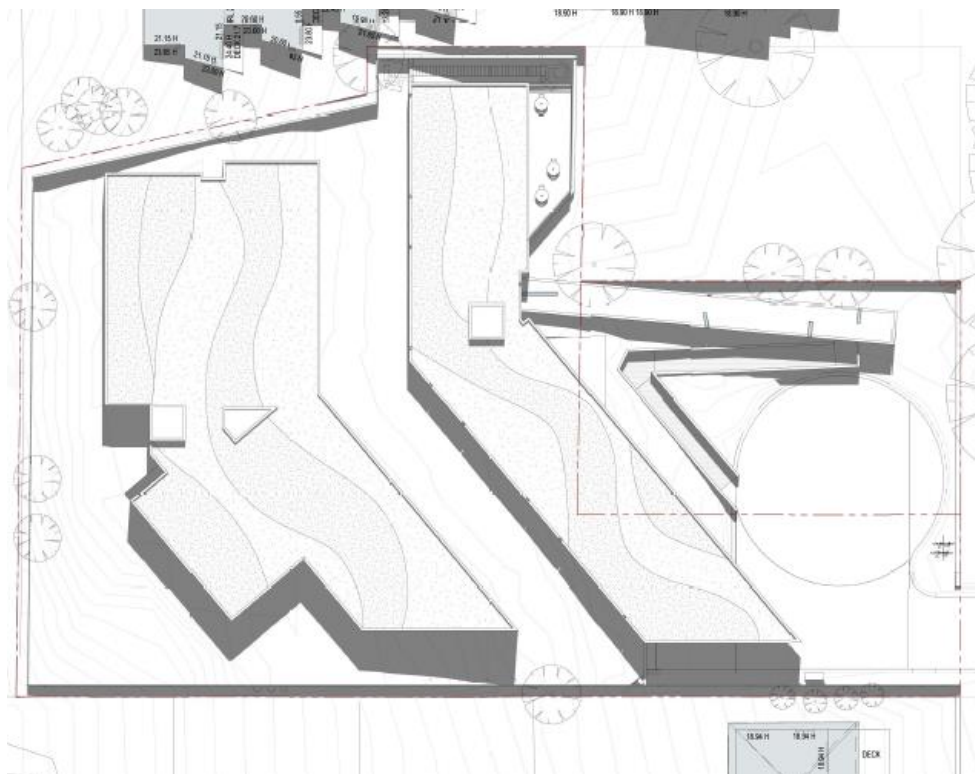


Figure 8 – Overshadowing – Mid day. Source: Application documents

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Figure 9 – Overshadowing – 3pm. Source: Application documents

Overlooking

The overlooking standard has been met, with the 9 metre separation distance achieved as such that any overlooking between properties is considered reasonable. It is noted that there will be some interaction between balconies and the apartments to the rear will have a view down onto the west facing decks of the development.

Noise

Any noise associated with the site is residential noise which is appropriate in a residential setting.

Existing infrastructure can't support the development

The site is located in a residential area and is connected to gas, water and power. The site is also serviced by a road network.

No evidence has been provided to demonstrate that the existing infrastructure will not be able to cope with the additional demand imposed by the development. The developer will need to resolve servicing issues if a planning permit is issued.

Building height from Natural Ground Level

Concern has been raised about the calculation of building height.

Building height is calculated from Natural Ground Level. There are a number of VCAT decisions around the issue of Natural Ground Level, including the Benedetti, Mock and Faversham Mews decisions which are often referenced. These decisions define natural ground level as the level immediately prior to the disturbance of the land for the existing development on the subject site, not the level immediately prior to the current application to alter, extend or redevelop that development.

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The application has adopted an assumed ground level to estimate ground level prior to the site being developed. The section diagrams show a land profile which has been accepted as an appropriate estimate of the land profile prior to it being developed with a dwelling and the assumptions made are considered reasonable. The profile shows that the bulk of the development is less than 8 metres in height. However, the elevation plans submitted with the application do not show a Natural Ground Level line. Using the contour information provided, it is evident that the building is 9.6 metres in height in the area of the plan highlighted below. The reports submitted with the application, by the applicant, do not reflect this height.



Lack of on-site parking

This issue is addressed in detail later in this report. The level of parking provided on site is accepted.

Bicycle parking

Clause 52.34 of the Surf Coast Planning Scheme specifies the bicycle parking requirement for new developments. In relation to serviced apartments which falls under 'residential building', the requirement to provide bicycle parking is only triggered if the development is four or more storeys.

Accordingly, for this application there is no requirement to provide bicycle parking, however six bicycle racks within the ground level carpark and two proximate to the site access have been identified.

Previous VCAT decision

Each planning application must be considered on its individual merits and each site is different. While VCAT have determined that the Point Grey Apartment buildings should be split to provide a gap through which a public realm view to the ocean, it does not follow that such an outcome should be required on the subject site.

Landscaping

As noted, there is space on the site to accommodate landscaping; however the landscaping outcome able to be achieved will be tempered by the defensible space required for the development under the BMO.

Particular provisions

The following particular provisions are relevant to the assessment of this application:

Clause 52.06 – Car parking

As noted earlier in the report, there is no defined car parking rate within the car parking table for the use and as such, car parking must be provided to the satisfaction of the Responsible Authority.

The development includes 37 on site car parking spaces which provides for one space for each apartment and two spaces for staff. A drop off and pick-up area is provided which can accommodate short term parking demands for those visitors using taxi services and the like, along with shuttle buses/ mini tour buses which will cater for those not driving their own vehicle.

Proposed permit conditions restrict the use of the café/ kitchen and library to guests of the serviced apartments and therefore these areas are not a separate use which would attract a car parking requirement.

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It is considered that the car parking provided will provide for the use. While there is no visitor parking provided, visitor parking can be accommodated in the street network.

The Planning Scheme includes requirements for car parking design and layout and these have been met as follows:

- Car spaces are 2.6m wide and 4.9m deep, with a 6.4m aisle width, which is compliant
- Car spaces at the end of aisles are provided with an additional 300m width, which is compliant
- Columns are sited to achieve compliant car parking envelopes
- A minimum head clearance of 2.2m is provided for trafficable and car parking areas which is compliant
- All vehicles can enter and exit the site in a forward direction, which is compliant
- Driveway grades are 1:16 which complies with the relevant Australian Standard
- Ramping grades are compliant
- Internal ramps are designed to meet the requirements of the Australian Standard
- Passing opportunities are provided in the car parking areas.

Clause 55 – ResCode

See Attachment 2 for details.

Clause 52.29 – Alter access to Category 1 Road

The application has been referred to VicRoads and no concerns have been raised such that it is considered that appropriate access is provided to the Category 1 Road.

Referrals

All of the conditions required by VicRoads and CFA have been included in the officer recommendation.

Conditions

Section 173 Agreement

The officer recommendation includes a requirement for a Section 173 Agreement to be applied to the development. The development has been assessed against Clause 55, but if the individual serviced apartments were to be used as dwellings, there would be a requirement for a different level of assessment under the Planning Scheme.

Given that dwellings are as of right in the zone, there is a need to ensure that the use of the land is appropriately controlled via a Section 173 Agreement. A review of VCAT decisions identifies that this is a common approach.

Waste

The application sets out that a private contractor will collect waste associated with the development. Permit conditions require a waste management plan to be submitted and then implemented to the satisfaction of the Responsible Authority.

Café/ kitchen, library

A condition within the officer recommendation requires that these areas are only used by guests. This is important, as otherwise a separate use with separate car parking triggers and the potential for additional amenity impacts.

Options

Option 1 – Issue a Notice of Decision to Grant a Planning Permit in line with the officer recommendation

This option is recommended by officers as it provides for an orderly planning outcome, consistent with the direction of the Planning Scheme.

Option 2 – Issue a Notice of Refusal to Grant a Planning Permit

This option is not recommended by officers as the development and use, with appropriate conditions in place, is consistent with the direction of the Planning Scheme.

2.2 Planning Permit Application 18/0045 - Use and Development for a Residential Hotel (Serviced Apartments) and Alter Access to a Category 1 Road, 4-16 Ocean Road South, Lorne

Option 3 – Defer consideration of the application

This option is not recommended by officers as the application has been with Council for over 60 statutory days

Summary Recommendation

It is recommended that Council as the Responsible Authority issue a Notice of Decision to Grant a Planning Permit subject to conditions.

Conclusion

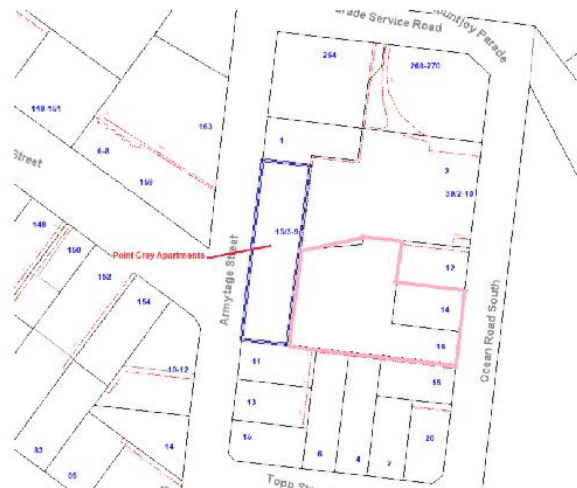
The application has attracted considerable community interest with concerns around the impact of views being central to the objections raised. The planning controls relevant to this site have been applied in the assessment of the application and the use and development is supported. The recommendation to approve the proposed residential hotel is conditional with a reduction of part of the building considered necessary to achieve a reasonable sharing of views in accordance with the case law principles established by VCAT. It is considered that on balance the application will achieve an acceptable planning outcome for Lorne.

2.2 Planning Permit Application 18/0045 - Use and Development for a Residential Hotel (Serviced Apartments) and Alter Access to a Category 1 Road, 4-16 Ocean Road South, Lorne

APPENDIX 1 PLANNING PERMIT APPLICATION 18/0045 - PHOTOS FROM HEIGHT POLE

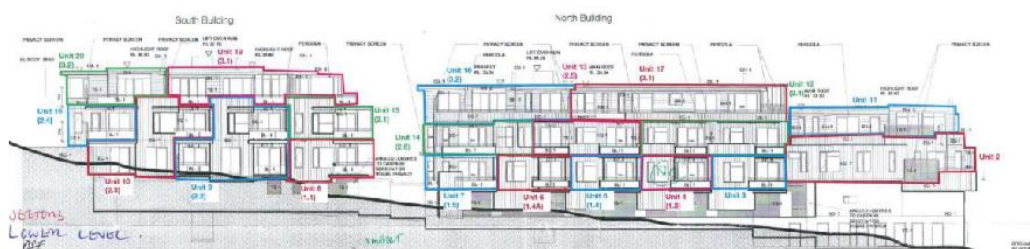
ATTACHMENT 1 – PHOTOS FROM HEIGHT POLE MEETING

Point Grey Apartments – 3-9 Armytage Street, Lorne



Locality Plan

Point Grey Apartments - Eastern Elevation



Apartment location plan

5/ 3-9 Armytage Street, Lorne



Comments

This is a lower level apartment (ground level).

6/ 3-9 Armytage Street, Lorne



Comments

This is a lower level apartment (ground level).

7/ 3-9 Armytage Street, Lorne



Comment

This is a lower level apartment (ground level).

8/ 3-9 Armytage Street, Lorne



Comment

This apartment is also a ground level apartment, located in the southern part of the building with a slightly higher floor level than apartments 5, 6 and 7. Poles indicate development would obstruct view of lighthouse, ocean reef to northeast and east but the view to the north of ocean and Big Hill retained.

9/ 3-9 Armytage Street, Lorne



Comment

This is a ground level/ first floor level apartment in the southern part of the building. This is one of the two level apartments losing eastern view from lower level – retaining northern view to Big Hill.

10/ 3-9 Armytage Street, Lorne



Comment

This is a ground level/ first floor level apartment in the southern part of the building. Poles indicate it retains the view over the Pacific Apartment roofs to the lighthouse, the knob of the pier and the main reef with some loss of white water directly east.

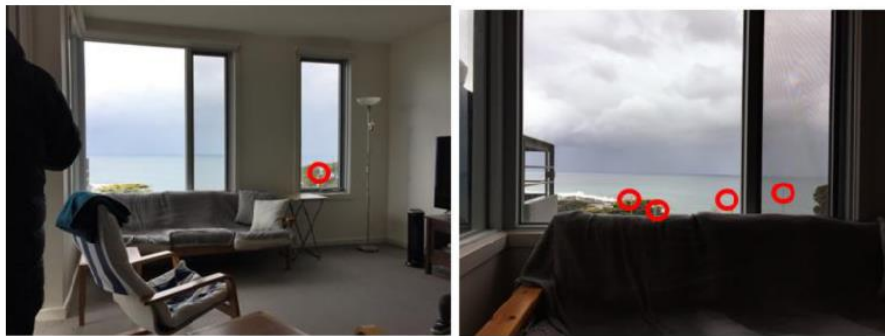
14/ 3-9 Armytage Street, Lorne



Comment

This is a mid-level apartment in the northern block. The photos indicate retention of views to the north northeast/ but loss of reef – surf breaking photo – to the east and left of the Norfolk pines.

15/ 3-9 Armytage Street, Lorne



Comment

This is the northern most mid-level apartment in the southern block. Poles showing view from lounge room, above couch and loss of some ocean reef to east.

16/ 3-9 Armytage Street, Lorne



Comment

This apartment is the southernmost apartment located at mid-level. Photos indicate loss of white water over reef to south east and to the left of Norfolk pines.

18/ 3-9 Armytage Street, Lorne



Comment

This apartment is located in the north block, southernmost upper level –minor loss of some foreshore and a portion of the reef and breaking waves to the southeast from the south east projection of the building. The officer recommendation includes the deletion of an apartment which will improve the views of breaking waves experienced from this dwelling, moving the pole highlighted with an arrow across.

19/ 3-9 Armytage Street, Lorne



Comment

This is an upper south block, north side apartment - photos below of poles indicate loss of some reef/breaking waves to the east otherwise full view is retained. The officer recommendation will move the highlighted pole across to improve the view of breaking waves.



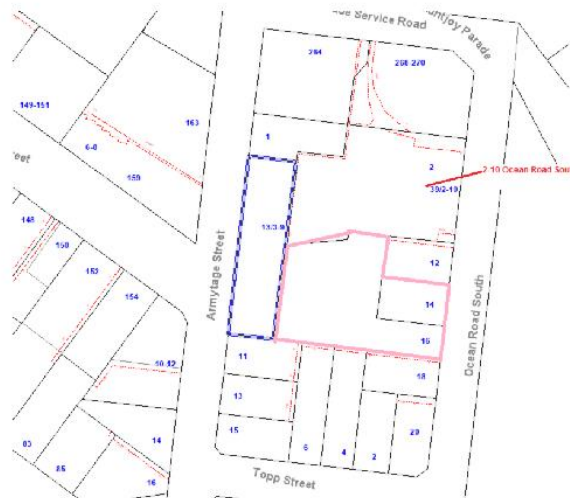
20/ 3-9 Armytage Street, Lorne



Comment

This is a southern block upper south side apartment. Photo shows pole of rear building just above handrail indicating front projection of the building which would result in loss of views of a small portion of reef. The condition to delete an apartment would improve the view outcome for this property.

Pacific Apartments – 2-10 Ocean Road South, Lorne



Locality Plan

35/ 2-10 Ocean Road South, Lorne



Comment

A corridor view to some blue water down the common boundary could be enhanced by vegetation removal.



Locality plan

11 Armytage Street, Lorne



Comment

No loss of significant views and pier view remains unobstructed.

13 Armytage Street, Lorne



Comment

There is some loss of ocean but the end of the pier is still visible – filtered in the second photo above– knob of the pier just left of the right hand pole/red circle.



Locality plan

4 Topp Street, Lorne



Comment

Loss of a section of the panorama by taking out the ocean/Loutitt Bay and Big Hill to the north/north west including foreground Pacific Apartments, turret of Hotel as indicated though Pier retained.

6 Topp Street, Lorne



Comment

Minor loss of a foreground Pacific Apartments turret of Hotel including some water but panorama essentially maintained.

2.2 Planning Permit Application 18/0045 - Use and Development for a Residential Hotel (Serviced Apartments) and Alter Access to a Category 1 Road, 4-16 Ocean Road South, Lorne

APPENDIX 2 PLANNING PERMIT APPLICATION 18/0045 - ASSESSMENT AGAINST CLAUSE 55

ATTACHMENT 2 – ASSESSMENT AGAINST CLAUSE 55

55.02 NEIGHBOURHOOD CHARACTER AND INFRASTRUCTURE				
55.02-1 Neighbourhood Character	Met?	Standard B1	Met?	Comments
<p>To ensure that the design respects the existing neighbourhood character or contributes to neighbourhood character.</p> <p>To ensure that development responds to the features of the site and the surrounding area.</p>	Yes	<p>The design response must be appropriate to the neighbourhood and the site.</p> <p>The proposed design must respect the existing or preferred neighbourhood character and respond to the features of the site.</p>	Yes	Complies.
		The proposed design must respect the existing or preferred neighbourhood character and respond to the features of the site.	Yes	As noted in the report, the apartment buildings are similar in form and respectful of the character of the area which includes two to three storey apartment buildings proximate.
55.02-2 Residential Policy	Met?	Standard B3	Met?	Comments
<p>To ensure that residential development is provided in accordance with any policy for housing in the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.</p> <p>To support medium densities in areas where development can take advantage of public transport and community infrastructure and services.</p>	Yes	An application must be accompanied by a written statement to the satisfaction of the responsible authority that describes how the development is consistent with any relevant policy for housing in the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.	Yes	Complies.
<p>To encourage a range of dwelling sizes and types in developments of ten or more dwellings</p>	Yes	<p>Developments of ten or more dwellings should provide a range of dwelling sizes and types, including:</p> <ul style="list-style-type: none"> Dwellings with a different number of bedrooms. At least one dwelling that contains a kitchen, bath or shower, and a toilet and wash basin at ground floor level. 	Yes	Complies, a diversity of apartment sizes is provided including one, two and three bedroom apartments.
55.02-4 Infrastructure	Met?	Standard B4	Met?	Comments
<p>To ensure development is provided with appropriate utility services and infrastructure.</p> <p>To ensure development does not unreasonably overload the capacity of utility services and infrastructure.</p>	Yes	Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if available.	Yes	Complies. All reticulated services available.
		Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.	Yes	It is expected that utility services can meet the needs of the development. The site is located adjacent to a Category 1 Road which is designed for high levels of traffic
		In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure.	N/A	
55.02-4 Integration With The Street	Met?	Standard B5	Met?	Comments
To integrate the layout of development with the street	Yes	Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility.	Yes	Complies

		Development should be oriented to front existing and proposed streets.	Yes	Apartments face Ocean Road south.
		High fencing in front of dwellings should be avoided if practicable.	N/A	No front fence - low concrete retaining wall to front boundary is retained.
		Development next to existing public open space should be laid out to complement the open space.	N/A	

55.03 SITE LAYOUT AND BUILDING MASSING				
55.03-1 Street Setback	Met?	Standard B6	Met?	Comments
To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site.	Yes	Walls or buildings should be set back from streets: At least the distance specified in a schedule to the zone, or If no distance is specified in a schedule to the zone, the distance specified in Table B1. Porches, pergolas and verandahs that are < 3.6m high and eaves may encroach ≤ 2.5m into the setbacks of this standard.	Yes	Complies. A minimum setback of 13.2 m to the south east wall point of the front building is proposed.
55.03-2 Building Height	Met?	Standard B7	Met?	Comments
To ensure that the height of buildings respects the existing or preferred neighbourhood character.	Yes	The maximum building height should not exceed the maximum height specified in the zone, schedule to the zone or an overlay that applies to the land. If no maximum height is specified in the zone, schedule to the zone or an overlay, the maximum building height should not exceed 9 metres, unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the maximum building height should not exceed 10 metres. Changes of building height between existing buildings and new buildings should be graduated.	Yes	While a preferred height is nominated under DDO4, it is not a maximum height. The maximum building height is 9.6 metres which is less than the 10 metres allowed by the standard.
55.03-3 Site Coverage	Met?	Standard B8	Met?	Comments
To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.	Yes	The site area covered by buildings should not exceed: • The maximum site coverage specified in a schedule to the zone, or • If no maximum site coverage is specified in a schedule to the zone, 60 per cent.	Yes	Complies Site coverage is approximately 44%.
55.03-4 Permeability	Met?	Standard B9	Met?	Comments
To reduce the impact of increased stormwater run-off on the drainage system.		The site area covered by the pervious surfaces should be at least 20% of the site.	Yes	Complies. Approximately 45 % permeability.
To facilitate on-site stormwater infiltration.				
55.03-5 Energy Efficiency	Met?	Standard B10	Met?	Comments
To achieve and protect energy efficient dwellings and residential buildings. To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.	Yes	Buildings should be: • Orientated to make appropriate use of solar energy • Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced. Living areas and private open space should be located on the north side of the development if practicable.	Yes	Complies. Most apartment balconies and living areas face east and northeast Green garden roofs are proposed to insulate the building mass.

		<i>Developments should be designed so that solar access to north-facing windows is maximised.</i>	Yes	For those apartments with a north east orientation.
55.03-6 Open Space	Met?	Standard B11	Met?	Comments
<i>To integrate the layout of the development with any public and communal open space provided in or adjacent to the development.</i>	Yes	<i>If any public or communal open space is provided on site, it should:</i> <ul style="list-style-type: none"> <i>Be substantially fronted by dwellings, where appropriate</i> <i>Provide outlook for as many dwellings as practicable</i> <i>Be designed to protect any natural features on the site</i> <i>Be accessible and useable.</i> 	Yes	Open areas for guests are proposed to surround the buildings.
55.03-7 Safety	Met?	Standard B12	Met?	Comments
<i>To ensure the layout of development provides for the safety and security of residents and property.</i>	Yes	<i>Entrances to dwellings should not be obscured or isolated from the street and internal access ways.</i>	Yes	Complies. The entrance is clearly identifiable from within the site.
		<i>Planting which creates unsafe spaces along streets and access ways should be avoided.</i>	Yes	A detailed landscaping plan is required.
		<i>Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal access ways.</i>	Yes	Lighting will be required
		<i>Private spaces within developments should be protected from inappropriate use as public thoroughfares.</i>	Yes	
55.03-8 Landscaping	Met?	Standard B13	Met?	Comments
<i>To encourage development that respects the landscape character of the neighbourhood.</i>	Yes	<i>The landscape layout and design should:</i> <ul style="list-style-type: none"> <i>Protect any predominant landscape features of the neighbourhood</i> <i>Take into account the soil type and drainage patterns of the site</i> <i>Allow for intended vegetation growth and structural protection of buildings</i> <i>In locations of habitat importance, maintain existing habitat and provide for new habitat for plants and animals</i> <i>Provide a safe, attractive and functional environment for residents.</i> 	Yes	Complies. The Cypress trees in the road reserve are not impacted by the development. Permit conditions require further detail about landscaping.
<i>To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance.</i>				
<i>To provide appropriate landscaping.</i>				
<i>To encourage the retention of mature vegetation on the site.</i>		<i>Development should provide for the retention or planting of trees, where these are part of the character of the neighbourhood.</i>		
		<i>Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.</i>		
		<i>The landscape design should specify landscape themes, vegetation (location and species), paving and lighting</i>		
55.03-9 Access	Met?	Standard B14	Met?	Comments
<i>To ensure the number and design of vehicle crossovers respects the neighbourhood character</i>	Yes	<i>The width of access ways or car spaces should not exceed:</i> <ul style="list-style-type: none"> <i>33% of the street frontage, or</i> <i>if the width of the street frontage is less than 20m, 40% of the street frontage</i> 	Yes	Complies Single access 6 m wide takes up 17% of the site frontage
		<i>No more than one single-width crossover should be provided for each dwelling fronting a street</i>	Yes	

		<i>The location of crossovers should maximize the retention of on-street car parking spaces</i>	Yes	
		<i>The number of access point to a road in a Road Zone should be minimised</i>	Yes	
		<i>Developments must provide access for service, emergency and delivery vehicles</i>	Yes	
55.03-10 Parking Location	Met?	Standard B15	Met?	Comments
<i>To provide convenient parking for resident and visitor vehicles.</i>	Yes	Car parking facilities should: <ul style="list-style-type: none"> • Be reasonably close and convenient to dwellings and residential buildings • Be secure • Be well ventilated if enclosed. 	Yes	Complies.
<i>To protect residents from vehicular noise within developments.</i>		Shared access ways or car parks of other dwellings and residential buildings should be located at least 1.5m from the windows of habitable rooms. This setback may be reduced to 1m where there is a fence at least 1.5m high or where window sills are at least 1.4m above the access way.	Yes	Basement car parking areas are secure and easily accessed via lifts.

55.04 AMENITY IMPACTS				
55.04-1 Side And Rear Setback	Met?	Standard B17	Met?	Comments
To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.	Yes	A new building not on or within 200mm of a boundary should be setback from side or rear boundaries 1m, plus 0.3m for every metre of height over 3.6m up to 6.9m, plus 1m for every metre of height over 6.9m.	Yes	<p>Complies</p> <p>South wall front building "A" 7.9 m high wall Required setback 2.99 m Provided – 4.55 m</p> <p>Complies</p> <p>South wall front building "B" 10 m high wall Required setback 5.09 m Provided – 5.615 m</p> <p>Complies</p> <p>West elevation "B" building 6.4 m high wall Required setback 1.84 m Provided – 7.175 m</p> <p>Generally complies</p> <p>North elevation "B" building Generally compliant, but 9.6 m wall is required to be setback 4.69 m and is setback 4.55 m. This minor variation is accepted as there are no overshadowing impacts given the wall is located to the south of the adjoining dwelling and because the wall height varies along the elevation, visual bulk is acceptable.</p> <p>Complies</p> <p>North elevation "A" building 7.9 m high wall Required setback 2.99 m Provided – 3.056 m</p> <p>East elevation "A" building 7.9 m high wall Required setback 2.99 m Provided – 5 m</p> <p>Corridor ramp setback from north boundary complies</p>
		Sunblinds, verandahs, porches, eaves, fascia's, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5m into the setbacks of this standard		N/A

		Landings having an area of not more than 2sqm and less than 1m high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard	N/A	
55.04-2 Wall On Boundaries	Met?	Standard B18	Met?	Comments
	N/A	A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1m of a side or rear boundary of a lot should not abut the boundary for a length of more than: <ul style="list-style-type: none"> 10m plus 25% of the remaining length of the boundary of an adjoining lot; or Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports, Whichever is the greater. 	N/A	
		A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.	N/A	
		The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.	N/A	
55.04-3 Daylight To Existing Windows	Met?	Standard B19	Met?	Comments
To allow adequate daylight into existing habitable room windows.	Yes	Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3sqm and minimum dimensions of 1m clear to the sky. The calculation of the area may include land on the abutting lot	Yes	Complies
		Walls or carports more than 3m in height opposite an existing habitable room window should be set back from the window at least 50% of the height of the new wall if the wall is within a 55° arc from the centre of the existing window. The arc may be swung to within 35° of the plane of the wall containing the existing window Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window. Refer to Diagram B2.	Yes	<p>Western wall "B" building- to Point Grey apartments behind 6.4 m high @ 50% 3.2 m setback required 10 m provided</p> <p>Northern wall "B" building – to grand Pacific apartments to the north Max height 9.6 m 4.8 m high @ 50% Min setback 8 m provided</p> <p>Northern wall "B" building – to grand Pacific apartments to the north 7.9 m high wall 3.95 m @ 50% 5.9 m setback provided</p>

55.04-4 North Facing Windows	Met?	Standard B20	Met?	Comments
To allow adequate solar access to existing north-facing habitable room windows.	Yes	If a north-facing habitable window of an existing dwelling is within 3m of a boundary on an abutting lot, a building should be setback from the boundary 1m, plus 0.6m for every metre of height over 3.6m up to 6.9m, plus 1m for every metre of height over 6.9m, for a distance of 3m from the edge of each side of the window. A north-facing window is a window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east. Refer to Diagram B3	Yes	Complies; this standard is relevant in relation to 18 Ocean Road South's habitable room window which is north facing. South wall front building "A" 7.9 m high wall Required setback 2.99 m Provided – 4.55 m
55.04-5 Overshadow Open Space	Met?	Standard B21	Met?	Comments
To ensure buildings do not significantly overshadow existing secluded private open space.	Yes	Where sunlight to secluded private open space of an existing dwelling is reduced, at least 75%, or 40sqm with minimum dimension of 3m, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9am and 3pm on 22 September.	Yes	Complies Shadow diagrams demonstrate that the bulk of overshadowing is contained within the site.
		If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.	Yes	
55.04-6 Overlooking	Met?	Standard B22	Met?	Comments
To limit views into existing secluded private open space and habitable room windows.	Yes	A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9m (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45° angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7m above the floor level.	Yes	Complies.

		<p>A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of an existing dwelling within a horizontal distance of 9m (measured at ground level) of the window, balcony, terrace, deck or patio should be either:</p> <ul style="list-style-type: none"> offset a minimum of 1.5m from the edge of one window to the edge of the other have sill heights of at least 1.7m above floor level have fixed, obscure glazing in any part of the window below 1.7m above floor level have permanently fixed external screens to at least 1.7m above floor level and be no more than 25% transparent. 		
		Obscure glazing in any part of the window below 1.7m above floor level may be openable provided that there are no direct views as specified in this standard.		
		<p>Screens used to obscure a view should be:</p> <ul style="list-style-type: none"> perforated panels or trellis with a maximum of 25% openings or solid translucent panels permanent, fixed and durable designed and coloured to blend with the development 		
55.04-7 Internal Views	Met?	Standard B23	Met?	Comments
To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development.	Yes	Windows and balconies should be designed to prevent overlooking of more than 50% of the secluded private open space of a lower-level dwelling or residential building directly below and within the same development.	Yes	Any internal overlooking within the development is acceptable given the short term form of accommodation proposed.
55.04-8 Noise Impacts Objective	Met?	Standard B24	Met?	Comments
To contain noise sources in developments that may affect existing dwellings.	Yes	Noise sources, such as mechanical plant, should not be located near boundaries of immediately adjacent existing dwellings.	Yes	A permit condition requires detail of plant to be provided.
To protect residents from external noise.		Noise sensitive rooms and secluded private open spaces of new dwellings and residential buildings should take account of noise sources on immediately adjacent properties.	Yes	There are no known noise sources in the area which would require consideration.
		Dwellings and residential buildings close to busy roads, railway lines or industry should be designed to limit noise levels in habitable rooms.	Yes	Significant setback to Great Ocean Road.

55.05 ON-SITE AMENITY AND FACILITIES				
55.05-1 Accessibility	Met?	Standard B25	Met?	Comments
To encourage the consideration of the needs of people with limited mobility in the design of developments.	Yes	The dwelling entries of the ground floor of dwellings and residential buildings should be accessible or able to be easily made accessible to people with limited mobility.	Yes	Complies, ramps and lifts are provided.
55.05-2 Dwelling Entry	Met?	Standard B26	Met?	Comments
To provide each dwelling or residential building with its own sense of identity.	Yes	<p>Entries to dwellings and residential buildings should:</p> <ul style="list-style-type: none"> be visible and easily identifiable from streets and other public areas provide shelter, a sense of personal address and a transitional space around the entry. 	Yes	The main entrance is easily identifiable.

55.05-3 Daylight To New Windows	Met?	Standard B27	Met?	Comments
To allow adequate daylight into new habitable room windows.	Yes	A window in a habitable room should be located to face: <ul style="list-style-type: none"> an outdoor space or a light court with a minimum area of 3sqm and minimum dimension of 1m clear to the sky, not including land on an abutting lot, or a verandah provided it is open for at least one third its perimeter, or a carport provided it has two or more open sides and is open for at least one third of its perimeter. 	Yes	Complies.
55.05-4 Private Open Space	Met?	Standard B28	Met?	Comments
To provide adequate private open space for the reasonable recreation and service needs of residents.	Yes	A dwelling or residential building should have private open space: <ul style="list-style-type: none"> an area of 40sqm, with one part secluded at the side or rear with a min area of 25sqm, a min dimension of 3m and convenient access from a living room, or a balcony of 8sqm with a min width of 1.6m and convenient access from a living room, or a roof-top area of 10sqm with a min width of 2m and convenient access from a living room. 	No	The balconies provided are less than the minimum required under the standard. Given the application involves short term accommodation; the smaller balcony sizes are accepted. A permit condition requires a Section 173 Agreement to be entered into on the land to ensure that the apartments are not used as dwellings.
55.05-5 Solar Access To Open Space	Met?	Standard B29	Met?	Comments
To allow solar access into the secluded private open space of new dwellings and residential buildings.	Yes	The private open space should be located on the north side of the dwelling or residential buildings. The southern boundary of secluded private open space should be set back from any wall on the north of the space at least (2 + 0.9h) metres, where 'h' is the height of the wall. Refer to Diagram B29	Yes Yes	Complies for majority of open space around the buildings.
55.05-6 Storage	Met?	Standard B30	Met?	Comments
To provide adequate storage facilities for each dwelling.	Yes	Each dwelling should have convenient access to at least 6m ³ of externally accessible, secure storage space.	Yes	Storage is provided, but not on an apartment by apartment basis. The need for storage is reduced given that the application is for short term serviced apartments.

55.06 DETAILED DESIGN				
55.06-1 Design Detail	Met?	Standard B31	Met?	Comments
<i>To encourage design detail that respects the existing or preferred neighbourhood character.</i>	Yes	<i>The design of buildings, including:</i> <ul style="list-style-type: none"> <i>Facade articulation and detailing,</i> <i>Window and door proportions,</i> <i>Roof form, and</i> <i>Verandahs, eaves and parapets, should respect the existing or preferred neighbourhood character.</i> <i>Garages and carports should be visually compatible with the development and the existing preferred neighbourhood character.</i> 	Yes	As already outlined, the design is responsive to the coastal context of the land and the character of the area.
		<i>Garages and carports should be visually compatible with the development and the existing or preferred neighbourhood character</i>		Basement car parking is provided.
55.06-2 Front Fences	Met?	Standard B32	Met?	Comments
<i>To encourage front fence design that respects the existing or preferred neighbourhood character.</i>	N/A	<i>The design of front fences should complement the design of the dwelling and any front fences on adjoining properties</i>	N/A	No fence proposed.
		<i>A front fence within 3m of a street should not exceed:</i> <ul style="list-style-type: none"> <i>Streets in a Road Zone – 2m</i> <i>Other Streets – 1.5m</i> 		
55.06-3 Common Property	Met?	Standard B33	Met?	Comments
<i>To ensure that communal open space, car parking, access lanes and site facilities are practical, attractive and easily maintained.</i> <i>To avoid future management difficulties in areas of common ownership.</i>	Yes	<i>Developments should clearly delineate public, communal and private areas.</i>	Yes	
		<i>Common property, should be functional and capable of efficient management.</i>	N/A	
55.06-4 Site Service	Met?	Standard B34	Met?	Comments
<i>To ensure that site services can be installed and easily maintained.</i> <i>To ensure that site facilities are accessible, adequate and attractive.</i>	Yes	<i>The design and layout of dwellings and residential buildings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically.</i>	Yes	
		<i>Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development.</i>	Yes	
		<i>Bin and recycling enclosures should be located for convenient access.</i>	Yes	
		<i>Mailboxes should be provided and located for convenient access.</i>	Yes	

3. OFFICE OF THE CEO

Nil

4 GOVERNANCE & INFRASTRUCTURE

4.1 Project Budget Adjustments and Cash Reserve Transfers - September 2018

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

Department: Finance

File No: F18/850

Division: Governance & Infrastructure

Trim No: IC18/1413

Appendix:

Nil

Officer Direct or Indirect Conflict of Interest:

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

☐

Yes

☒

No

Reason: Nil

Status:

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

☐

Yes

☒

No

Reason: Nil

Purpose

The purpose of this report is to present the project budget adjustments and cash reserve transfers for Council approval.

Summary

Project budget adjustments relating to September 2018 are shown. All figures in this report are exclusive of GST.

Recommendation

That Council:

1. Approve the Project Budget Adjustments outlined in Tables 1 to 5 in this report.
2. Note the Accumulated Unallocated Reserve movement outlined in Table 6 in this report.
3. Approve the following net change to cash reserves resulting from the project budget adjustments listed in this report:

Funding Sources	Transfers From/ (To) Reserve
Accumulated Unallocated Cash Reserve	(\$73,968)
Adopted Strategy Reserve	(\$55,000)
Asset Renewal Reserve	(\$114,362)
Grand Total	(\$243,330)

Council Resolution

MOVED Cr Martin Duke, Seconded Cr Margot Smith

That Council:

1. Approve the Project Budget Adjustments outlined in Tables 1 to 5 in this report.
2. Note the Accumulated Unallocated Reserve movement outlined in Table 6 in this report.
3. Approve the following net change to cash reserves resulting from the project budget adjustments listed in this report:

Funding Sources	Transfers From/ (To) Reserve
Accumulated Unallocated Cash Reserve	(\$73,968)
Adopted Strategy Reserve	(\$55,000)
Asset Renewal Reserve	(\$114,362)
Grand Total	(\$243,330)

CARRIED 7:0

4.1 Project Budget Adjustments and Cash Reserve Transfers - September 2018

Report

Background

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

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

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

Discussion

The following budget transfers, detailed in Table 1, are newly initiated projects.

Table 1 – Newly Initiated Projects

Project Name	Funding Source	Basis for Variation	Project Allocation \$
1st Torquay Scout Building Extension - Concept Design	Contribution Funded	As part of the Community Project Development Investigation Program, the 1st Torquay Scouts will be contributing towards the concept design of the 1st Torquay Scouts building extension.	1,818
Playground Equipment Renewal	Asset Renewal Reserve	Replace damaged Jan Juc slide as well as a number of rope nets and basket swings identified for replacement at a number of sites.	38,000

The following budget transfers detailed in Table 2 are required where it has been identified that projects require adjustments to their approved budgets to allow achievement of project scope and objectives; or there is a request to adjust scope of project.

Table 2 – Project Budgets Requiring Adjustment

Project Name	Funding Source	Basis for Variation	Project Allocation \$
Natural Disaster Financial Assistance - Emergency Response	Contribution Funded	Emergency response endorsed claims for September 2016 and April 2017 flooding confirmed by Department of Treasury and Finance.	114,815
Natural Disaster Financial Assistance - Asset Restoration	Contribution Funded	Endorsed claims by Department of Treasury and Finance for asset restoration from the September 2016 flood up to the end of 2017/18 financial year.	460,300
Natural Disaster Financial Assistance - Asset Restoration	Accumulated Unallocated Cash Reserve	Council funding towards asset restoration from the September 2016 flood.	28,437

4.1 Project Budget Adjustments and Cash Reserve Transfers - September 2018

Project Name	Funding Source	Basis for Variation	Project Allocation \$
Ellimatta Oval Lighting Renewal	Grant Funded	Grant income confirmed.	100,000
Road Side Pest and Weeds	Grant Funded	Grant income confirmed.	23,487
Yurrock Soccer Pitch & Lighting	Grant Funded	Federal grant funding received.	360,500
Deep Creek Playground Renewal	Project Account	Deep Creek Playground Renewal extracted from program to a standalone project.	102,000
Footpath Renewal Program	Project Account	Two segments of Smith Street Lorne footpath renewal program to a standalone project.	168,000

The following budget transfers detailed in Table 3 represent projects, that due to exceptional circumstances, the Chief Executive Officer has approved project budget adjustments that now require Council ratification.

Table 3 – Ratification of CEO Approved Transfers

Project Name	Funding Source	Basis for Variation	Project Allocation \$
Winchelsea Flagpole Lighting	Accumulated Unallocated Cash Reserve	Winchelsea flagpole to be illuminated.	4,500

The following budget transfers detailed in Table 4 represent projects that have been successfully completed and are presented to Council for acknowledgement. Where unexpended funds remain they are returned to the source of funding as per Council's business practices. If the source of funds is the Accumulated Unallocated Reserve, the funds are returned to the Project Savings Account during the year and at the end of the year the balance of the Project Savings Account will be returned to the Accumulated Unallocated Reserve.

4.1 Project Budget Adjustments and Cash Reserve Transfers - September 2018

Table 4 – Projects to be Closed

Project Name	Funding Source	Basis for Variation	Project Allocation \$
St Anne's Reserve - Playground Equipment Renewal	Asset Renewal Reserve	St Anne's playground renewal funds returned to source as detailed inspection identified that renewal is not required at this point in time.	(102,000)
Sports Lighting Renewal	Asset Renewal Reserve	Audit identified only maintenance works. Renewal allocation to be returned to source.	(40,000)
Structural Renewal Program	Asset Renewal Reserve	Projects within program completed, savings returned to source.	(10,362)
Natural Disaster Financial Assistance - Emergency Response	Accumulated Unallocated Cash Reserve	Emergency response endorsed claims for September 2016 and April 2017 flooding to be returned to source.	(114,815)
Growing Adventure Tourism	Adopted Strategy Reserve	Unsuccessful Building Better Regions Funding application. Project to close, and funding returned to reserve.	(55,000)

Table 5 – Corrections to Prior Reports

Project Name	Funding Source	Basis for Variation	Project Allocation \$
Adult Changing Places Facility Anglesea	Contribution Funded	Correction to August 2018 project budget adjustment for the Great Ocean Road Coast Committee contribution of \$30k which was inclusive of GST.	(\$2,727)
Rural Hinterland Strategy	Accumulated Unallocated Cash Reserve	2017/18 project savings returned in July, however project is ongoing, with revised delivery schedule reflecting an extended public exhibition period carrying into 2018/19.	\$7,910

4.1 Project Budget Adjustments and Cash Reserve Transfers - September 2018

Table 6 – Accumulated Unallocated Cash Reserve Movement

Accumulated Unallocated Cash Reserve	2018-19 \$'000	2019-20 \$'000	2020-21 \$'000	2021-22 \$'000
Opening Balance	5,018	886	531	70
Budgeted Annual Surplus/(Deficit)	159	(449)	(462)	(500)
Allocations through Adopted Budget	(566)	-	-	-
Transfer for Digital Transformation	(2,500)	(730)	-	-
Transfer for Recreation and Open Space	-	825	-	-
Net Allocations During Year	(1,300)	-	-	-
September Net Allocations Proposed	74	-	-	-
Closing Balance *	886	531	70	(430)
Net Allocations During Year				
July 2018 - Anglesea Bike Path	(6)			
July 2018 - Cairns Military Remembrance Winchelsea	(30)			
July 2018 - Torquay Town Centre Project Grant Submission	(20)			
July 2018 - Torquay Town Centre Project	(1,000)			
August 2018 - Djila Tjarri Skate Bowl Leak Investigation	(80)			
August 2018 - Stribling Reserve Stair Renewal	(7)			
August 2018 - Surf Coast Soccer Club Pavilion Project - Community Project	(30)			
August 2018 - Winchelsea Entrance Sculptures	(127)			
Net Allocations (From)/To	(1,300)			
September Net Allocations Proposed				
September 2018 - Natural Disaster Financial Assistance - Emergency Response	115			
September 2018 - Natural Disaster Financial Assistance - Asset Restoration	(28)			
September 2018 - Winchelsea Flagpole Lighting	(5)			
September 2018 - Rural Hinterland Strategy	(8)			
Net Allocations (From)/To	74			

* Note includes budgeted annual surplus/(deficit) as per Adopted Budget 2018-19.

Financial Implications

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

Council Plan

Theme 5 High Performing Council
Objective 5.1 Ensure Council is financially sustainable and has the capability to deliver strategic objectives
Strategy 5.1.1 Establish long-term financial principles and incorporate into the long-term financial plan

Policy/Legal Implications

Not applicable.

Officer Direct or Indirect Interest

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

Risk Assessment

Not applicable.

Social Considerations

Not applicable.

4.1 Project Budget Adjustments and Cash Reserve Transfers - September 2018

Community Engagement

Not applicable.

Options

Option 1 – Not approve transfers as recommended

This option is not recommended because transfers are necessary to allow ongoing delivery and closure of projects, and have been through a series of governance checks.

Option 2 – Adopt officer recommendation

This option is recommended by officers as the project budgets and cash reserve transfers supports implementations of Council's strategies.

Environmental Implications

Not applicable.

Communication

Not applicable.

Conclusion

It is recommended that Council approve the Project Budget Adjustments and Cash Reserve Transfers for September 2018.

4.2 Changes to Road Management Plan

Author's Title: Manager Engineering Services

Department: Engineering Services

Division: Governance & Infrastructure

General Manager: Anne Howard

File No: F16/1623

Trim No: IC18/302

Appendix:

1. Road Management Plan 2017-21 (with track changes) (D18/119070)

Officer Direct or Indirect Conflict of Interest:

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

☐

Yes

☒

No

Reason: Nil

Status:

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

☐

Yes

☒

No

Reason: Nil

Purpose

The purpose of this report is to consider changes to the Road Management Plan and exhibit the Plan in accordance with Section 223 of the Local Government Act.

Summary

Council adopted the Road Management Plan at the 27 June 2017 Council Meeting. After operating under the new Plan for 12 months a number of changes to the Plan have been identified to better align inspection program and timeframes with intervention action and timeframes for reactive and proactive inspections.

The Road Management Plan outlines how Council will satisfy its obligations under the *Road Management Act 2004* to inspect, repair and maintain the roads managed by Council. The purpose of the Road Management Plan is to outline Council's intended management of its road-related duties and responsibilities as defined in the *Road Management Act 2004*.

Council's obligations as a responsible road authority are outlined in the *Road Management Act 2004*.

Recommendation

That Council:

1. Note the proposed changes to the Road Management Plan.
2. Exhibit the Draft Road Management Plan for a period of 28 days and invite submissions in accordance with Section 223 of the Local Government Act.

Council Resolution

MOVED Cr Heather Wellington, Seconded Cr Clive Goldsworthy

That Council:

1. Note the proposed changes to the Road Management Plan.
2. Exhibit the Draft Road Management Plan for a period of 28 days and invite submissions in accordance with Section 223 of the Local Government Act.

CARRIED 7:0

4.2 Changes to Road Management Plan

Background

In September 2016 Council suspended its Road Management Plan 2010 and adopted an interim Road Management Policy. A review of the then Road Management Plan was held and a draft Road Management Plan was placed on exhibition from 13 April to 11 May 2017. At the Council meeting held 27 June 2017 Council adopted the Road Management Plan.

Discussion

After operating under the new Road Management Plan for six months a review has identified a number of opportunities for improvement. These include:

- Minor changes to the body of the report to make it easier to follow and read
- Changes to the intervention actions and timeframes for sealed and unsealed roads
- The inspection schedule has been aligned to the revised road hierarchy and definition of inspection types and to ensure the inspections times are achievable
- The intervention action and repair timelines have also been reviewed to align to the revised road hierarchy and definition of inspection types and to ensure the inspections times are achievable.

Financial Implications

The overall amendments proposed to the Road Management Plan include a range of increases and decreases to the levels of service provided but overall these are expected to be achievable within the current recurrent operating budgets.

Council Plan

Theme 4 Infrastructure
Objective 4.2 Accessible and well maintained Council facilities
Strategy 4.2.1 Ongoing review of maintenance service levels.

Policy/Legal Implications

Council, as a Road Authority, has a range of functions, powers and duties conferred or imposed on it through a range of legislation including:

- (i) The Road Management Act 2004
- (ii) The Road Safety Act 1986
- (iii) The Local Government Act 1989 (referred to in section 5(2))
- (iv) The Transport (Compliance and Miscellaneous) Act 1983.

Of particular relevance are the following parts of the above legislation:

- Section 40 of the Road Management Act 2004 places a statutory duty on Council to inspect, maintain and repair public roads for which it is responsible
- Section 205 of the *Local Government Act 1989*, requires that Council has the care and management of municipal roads within its responsibility.

Officer Direct or Indirect Interest

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

Risk Assessment

Council is required to have a Road Management Plan under the Road Management Act 2004. The plan outlines Councils commitment to inspections, maintenance and repair of roads to address a nominated hazard or defect. This amendment of the Road Management Plan assists in ensuring Council meets these obligations.

Social Considerations

Exhibition of the Plan will enable any member of the community to make a submission.

Community Engagement

The community will be invited to make submissions on the proposed amendments to the Road Management Plan under Section 223 of the Local Government Act.

Environmental Implications

There are no environmental implications to placing the Road management Plan on exhibition.

4.2 Changes to Road Management Plan

Communication

Council will be placing public notices in local papers and on Council's website inviting submissions from the community on the Draft Road Management Plan.

Options

Option 1 – Endorse the recommendations within the revised Road Management Plan and proceed with the exhibition process

This option is recommended by officers as this will assist in Council's ability to meet its requirements under its Road Management Plan.

Option 2 – Reject the revisions to the Road Management Plan and continue to operate under the Road Management Plan in its current form

This option is not recommended by officers as this will increase the likelihood that Council is unable to meet the service levels outlined in the Plan.

Conclusion

The Road Management Plan outlines how Council will satisfy its obligations under the *Road Management Act 2004* to inspect, repair and maintain those roads management by Council. The Plan has been reviewed in consultation with relevant staff and is now required to be placed on exhibition under Section 223 of the Local Government Act.

4.2 Changes to Road Management Plan

APPENDIX 1 ROAD MANAGEMENT PLAN 2017-21 (WITH TRACK CHANGES)



Road Management Plan 2017-21

Adopted: 27 June 2017

Proposed Amendment 25 September 2018

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1 INTRODUCTION

1.1 Background

The Surf Coast Shire municipality covers an area of 1,556 square kilometres with a seasonally variable resident population of around 28,941. In addition, it was recorded in the 2015/2016 financial year that Surf Coast Shire had 2.139 million visitors to the municipality including day trippers, overnight visitors and international visitors.

As at the commencement of 2017, Council's road network comprises approximately 1,062 kilometres of roads. The road network includes sealed roads (588kms), unsealed roads (474kms) and tracks.

Approximately 27% of Council's roads are in urban areas and usually include pathways, and road furniture, and kerb and channel that discharges into a drainage network. The remaining roads are classified as rural with stormwater usually controlled by open drains and culverts. Road infrastructure also includes major assets such as bridges and major culverts, roadside drainage, kerb and channel, shared paths and pathway networks.

The condition of these assets and the road environment has a significant impact on the safety of the people who use the network each day for recreation, sport, leisure, education and business.

Council's management of the road network needs to consider both the physical infrastructure and the operation of that infrastructure. To achieve this, Council has a range of policies, procedures and programs that involve day-to-day operations, regular maintenance as well as longer-term investment (*refer to Figure 1*).

An important element of Council's management of the road network relates to how Council defines, identifies and addresses hazards or defects in roads, pathways and road related infrastructure, that may pose a risk to road users. Defects in these assets are inevitable and When so Council establishes its approach to road management it needs to consider by balancing its obligations and its capacity, the reasonable needs and views of the road users and the cost of the service delivery to the ratepayers and residents. Accordingly Council sets out in this plan what it believes are reasonable intervention levels, below which a defect does not warrant action but defects identified that exceed those levels will be actioned within a reasonable timeframe.

1.2 Legislative Basis

Council, as a Road Authority, has a range of functions, powers and duties conferred or imposed on it through a range of legislation that includes:

- (i) The Road Management Act 2004;
- (ii) The *Road Safety Act 1986* ;
- (iii) The *Local Government Act 1989* (referred to in section 5(2); and
- (iv) The *Transport (Compliance and Miscellaneous) Act 1983*.

The following sections from the above legislation are particularly relevant to this Road Management Plan:

- Section 40 of the *Road Management Act 2004* places a statutory duty on Council to inspect, maintain and repair public roads for which it is responsible.
- Section 205 of the *Local Government Act 1989*, requires that Council has the care

and management of municipal roads within its responsibility.

This Road Management Plan is prepared in accordance with Division 5, Sections 49 to 55 of the *Road Management Act 2004*.

1.3 Purpose of the Road Management Plan

The purpose of the Road Management Plan is to set out the management system that Council proposes to implement in the discharge of its duty to inspect, maintain and repair the public roads for which the Council is responsible.

The Road Management Plan is an operational plan within Council's hierarchy of road-related plans, as shown in Figure 1 below.

Figure 1 – Hierarchy of Road-Related Plans



*The Unsealed Road Network Plan was under development at the time of preparing this Road Management Plan.

The Road Management Plan establishes:

- The timeframes for inspection of the road reserve to identify or assess a nominated hazard or defect (refer to Tables 4 and 5);
- ~~Matters-Only defects found to which exceed the stated intervention levels in this plan will be~~ are to be treated as hazards or defects which require repair or a warning;
- The circumstances in which intervention action is to be taken with respect to removal of ~~hazards or repair defects~~ defects that exceed intervention (refer to Tables 6, 7, 8 and 9); and
- The period of time within which the intervention action is to be taken (refer to Tables 6, 7, 8 and 9).

Council is not responsible for all roads in the municipality and the Road Management Plan only applies to those roads listed on Council's [Roads Register](#) for which Council is the Responsible Road Authority.

In accordance with Section 115 of the *Road Management Act 2004*, a person who intends to take court proceedings in relation to a claim for damages arising out of the condition of a public road or infrastructure must first lodge a written notice with the Council. This notice must be lodged with the Council within 30 days of the incident occurring.

Compliance with the Road Management Plan will contribute to Council's evidence of duty of care for road users.

1.4 An Achievable Plan

It is important to both road users and ratepayers that the Road Management Plan is achievable. The development of the Road Management Plan has considered information available to Council regarding its financial and non-financial resources, historical performance and has been developed through discussion with the people that deliver the day-to-day services for Council to ensure that targets and timeframes are achievable.

1.5 A Readable Plan

The Road Management Plan helps the community to understand how Council will meet its obligations under the *Road Management Act 2004*. It is structured and written using simple language where possible. The Road Management Plan presents information in tables where practical and incorporates a number of photos and diagrams to explain some of the more technical terms.

2 ROLES OF THE ROAD AUTHORITY

2.1 Coordinating Road Authority and Responsible Road Authority

Council is the Coordinating Road Authority as defined by the *Road Management Act 2004* for municipal roads within its boundaries. These are roads that Council considers are reasonably required for general public use.

Council is the Responsible Road Authority for all roads on the road register for which the Council is identified as having care and management responsibility. The Road Management Act 2004 sets out the powers and duties of the road authority to manage the roads for which it is the responsible authority, and to install and maintain infrastructure on those roads.

There are a number of other authorities responsible for parts of the road network and/or infrastructure within the road reserves within the municipality.

2.2 VicRoads

VicRoads is the Coordinating Road Authority for all State Roads.

Council is responsible for Council owned assets within road reserves where VicRoads is the Coordinating Road Authority, for example Council pathways on a VicRoads arterial road. Likewise, VicRoads' responsibility can extend into adjoining roads where Council is the Coordinating Road Authority. The demarcation between Council and VicRoads' responsibilities is detailed in the *Road Management Act 2004 Code of Practice – Operational Responsibility for Public Roads* (Code of Practice).

Figures 2, 3 and 4 provide typical examples of demarcation between VicRoads and Council on roads within the Surf Coast Shire. Other demarcation arrangements can be found by referring to the Code of Practice.

Figure 2 – Demarcation Arrangements Urban Arterial Roads with service roads

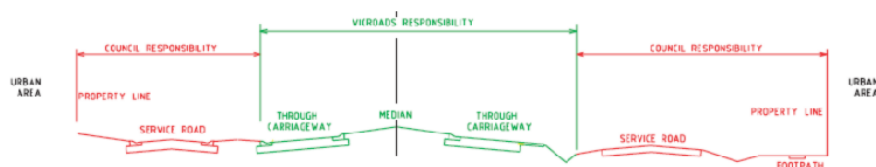


Figure 3 – Demarcation Arrangements Urban Arterial Roads



Figure 4 – Demarcation Arrangements for Typical Rural Arterial Roads



2.3 Department of Environment, Land, Water and Planning (DELWP)

A number of roads and tracks exist on Crown Land (other than road reserves), or Great Ocean Road Coast Committee (GORCC) eg. national and regional parks. In the absence of any other specific arrangements or agreements, DELWP, Parks Victoria or GORCC have management responsibility of these roads.

3 OTHER STAKEHOLDERS

The Road Management Plan is intended to demonstrate to stakeholders that Council is managing its roads and road-related assets responsibly.

3.1 Key Stakeholders

The key stakeholder groups who are both users of the road network and are affected by it include:

- the community in general;
- residents and businesses adjoining the road network;
- pedestrians;
- users of a range of miscellaneous smaller, lightweight vehicles such as bicycles, motorised buggies, wheelchairs and prams;
- vehicle users using motorised vehicles such as trucks, buses, commercial vehicles, cars and motor cycles;
- tourists and visitors to the area;
- utilities as described in Section 3 of the *Road Management Act 2004*;
- school, bus and public transport operators;
- Emergency agencies (Police, CFA, Ambulance, VIC SES); and
- Victorian and Australian Governments.

3.2 Duty of the Road User

Road users have a duty in respect of the use of a road or road related area as defined by the *Road Safety Act 1986*. This duty is set out in Clause 17A of the *Road Safety Act 1986* and imposes an obligation on all road users to operate in a safe manner having regard to the road conditions. A road user must also:

- Have regard to the rights of other road users and take reasonable care to avoid any conduct that may endanger the safety or welfare of themselves or other road users;
- Have regard to the rights of the community and infrastructure managers in relation to road infrastructure and non-road infrastructure on the road reserve and take reasonable care to avoid any conduct that may damage road infrastructure and non-road infrastructure on the road reserve; and
- Have regard to the rights of the community in relation to the road reserve and take reasonable care to avoid conduct that may harm the environment of the road reserve.

The Road Management Plan does not diminish any obligations of the Road User.

3.3 Duty of Persons working on Municipal Roads

Unless an exemption applies under the *Road Management Act 2004*, an organisation or person must not conduct any works in, on, under or over a road without the written consent of the Coordinating Road Authority.

If required permits are not obtained prior to commencement of eligible works in the road reserve, penalties may apply in accordance with the *Road Management Act 2004*. Fees and penalties are indexed annually by the State Government.

Works requiring written consent of the Coordinating Road Authority include works on pathways and nature strips, including the installation or modifications of driveways outside of private property.

In the case of Municipal Roads, Council is the Coordinating Road Authority. Organisations and people seeking consent for works within road reserves are required to apply for a [Works Within Road Reserve Permit](#). Application forms can be obtained from Council offices or the Council website www.surfcoast.vic.gov.au.

4 SCOPE OF THE ROAD MANAGEMENT PLAN

4.1 What does the Road Management Plan address?

The Road Management Plan outlines how Council will satisfy its obligations under the *Road Management Act 2004* to inspect, repair and maintain those roads management by Council.

The *Road Management Act 2004* imposes a statutory duty to inspect the following parts of a public road:

- a) a roadway;
- b) a pathway;
- c) a shoulder;
- d) road infrastructure.

When Council inspects the roads on the road register, it will look for hazards and defects [that exceed the stated intervention levels in this plan](#) across a number of asset types that include:

- (i) Road surface and supporting pavement;
- (ii) Constructed pathways (pedestrian, bicycle and [shared equestrian](#));
- (iii) Constructed car parking (within the road reserve);
- (iv) Road shoulders;
- (v) Bridges and large culverts as part of roads infrastructure;
- (vi) Kerb and channel;
- (vii) Selected regulatory signs.

The above applies to public roads listed on the Road Register and includes boundary roads which Council which has responsibility through agreement with the adjoining council.

4.2 What does the Road Management Plan not address?

The Road Management Plan is part of an integrated management approach to Council's road management responsibilities. Each year Council allocates financial and non-financial resources to the operation and maintenance of the road network to support its intended purpose and function.

Although Council also carries out inspection and maintenance of roadside, stormwater and drainage assets, fire hydrants, street trees and information signs, the maintenance and inspection of these assets is outside the scope of this Road Management Plan [as they are deemed non-road infrastructure under the Road Management Act](#). The operation and maintenance of these assets are covered by separate operational plans (refer to Figure 1).

The Road Management Plan does not address recurrent works that [may be](#) are programmed [from time to time](#), regardless of hazards and defects.

The *Road Management Act 2004* does not impose a statutory duty that creates a duty to upgrade a road or to maintain a road to a higher standard than the standard to which the road is constructed.

The Road Management Plan does not address capital investment or upgrade decisions of Council to upgrade the standard of a road or change its classification in the road hierarchy.

Other matters that are outside the scope of the Road Management Plan are:

- Roads that are managed by VicRoads, other state departments and government authorities (refer to Section 2.2 and 2.3); and
- Private roads and private assets (refer to Sections 4.2.1 and 4.2.2)

4.2.1 Service Utilities

Council is not responsible for service authority assets contained within road reserves where Council is the designated Coordinating Road Authority. These assets include infrastructure for water supply, sewer, telecommunications, gas, electricity, tramways and railway functions, which are the responsibility of the relevant authority.

Table 1 Service Authority Responsibilities

Asset Type	Infrastructure Manager
Powerlines, poles and streetlights	Powercor
Traffic signal installations	VicRoads
Telecommunications Infrastructure	Telstra
Water Infrastructure	Barwon Water
Sewerage Infrastructure	Barwon Water
Gas Infrastructure	SP AusNet
Railway lines and crossings	Victrack (refer to Section 4.2.2)
National Broadband Network	NBN

The provision and maintenance of these assets is to conform to the Management of Infrastructure in Road Reserves Code of Practice – October 2008.

In general, Council does not have the authority to undertake works on service authority assets. Often this is due to the safety-related aspects of certain infrastructure, eg. risks with working around electricity or confined spaces present with sewerage infrastructure. In these instances Council ~~may be unable to take any intervention action and will~~ if aware need to refer the hazard or defects to the relevant service authority or infrastructure manager to take action.

Due to the above, management and intervention of hazards relating to non-road infrastructure that is the responsibility of service authorities, are excluded from Council's responsibilities under the Road Management Plan.

4.2.2 Rail-related assets

VicTrack is responsible for maintaining railway level crossings which include the area in the immediate vicinity within three (3) metres of the railway line. Council is responsible for maintaining the approaches to the rail line and approach signage on the municipal road network. VicTrack is also responsible for road and pedestrian bridges over rail and rail over road bridges within the municipality, unless there is an individual agreement stating otherwise

4.2.3 Private roads

Council has a role in supervising the construction of private subdivisional works that occur within the municipality. This ensures that assets are constructed to an appropriate standard. Roads which are constructed as part of a subdivision are generally private roads until such time as the Statement of Compliance is finalised at which point they become public roads. There are some roads which remain privately owned and maintained. Council is not responsible for these roads.

4.2.4 Vehicle Crossovers

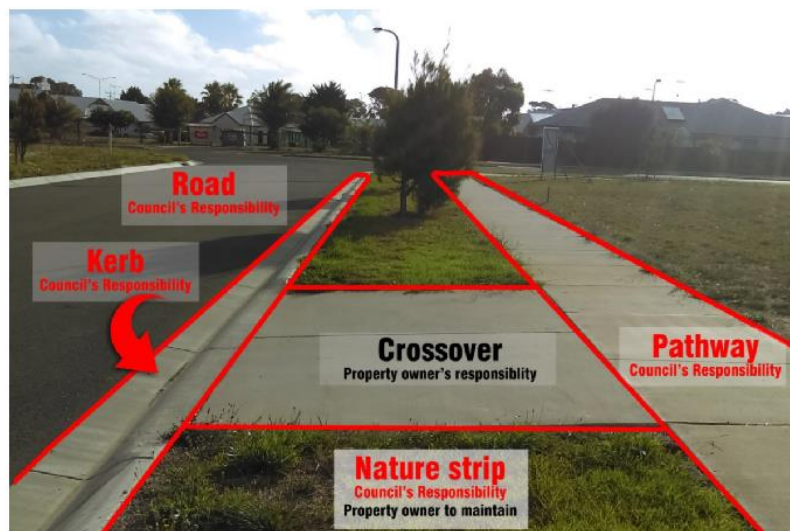
A vehicle crossover (alternatively referred to as a driveway) provides vehicular access to private property from the traffic lane of the public road.

Vehicle crossovers are the responsibility of the abutting landowner and are constructed to Council standards at the landowner's expense. Landowners are responsible for ensuring the crossovers are maintained in a safe condition.

If a pathway is constructed in front of the property, Council is responsible for the section of pathway through the crossover.

The following diagram illustrates the layout of a typical vehicle crossover in urban areas, showing Council's responsibility and that of the property owner.

Figure 5 – Typical Urban Crossover



In the rural area, the typical crossover may consist of a crushed rock pavement, or sealed pavement, often including a reinforced concrete pipe or culvert and should include endwalls. All elements are the responsibility of the landowner, including general maintenance and cleaning of the pipe.

Roadside maintenance in rural areas where the speed zone is 100 kilometres per hour is the responsibility of the road authority. If landowners wish to do works in the road reserve, they should contact Council to arrange appropriate approvals.

Figure 6 – Typical Rural Crossover (A)

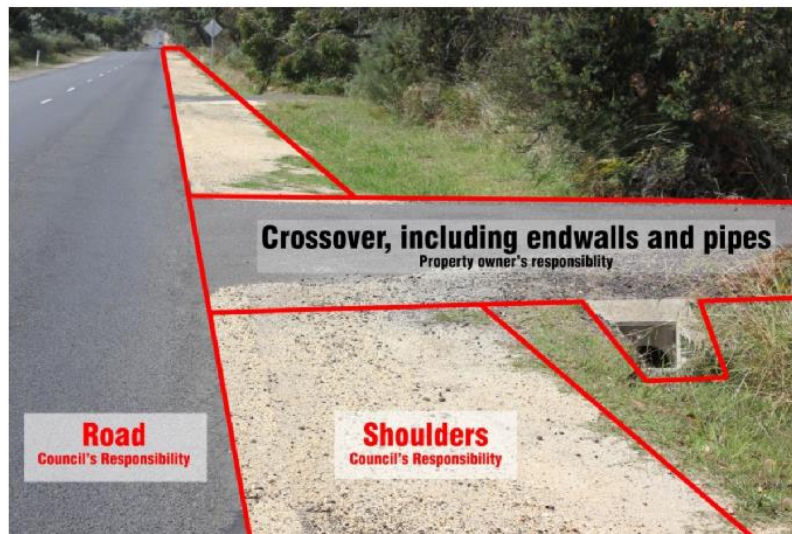
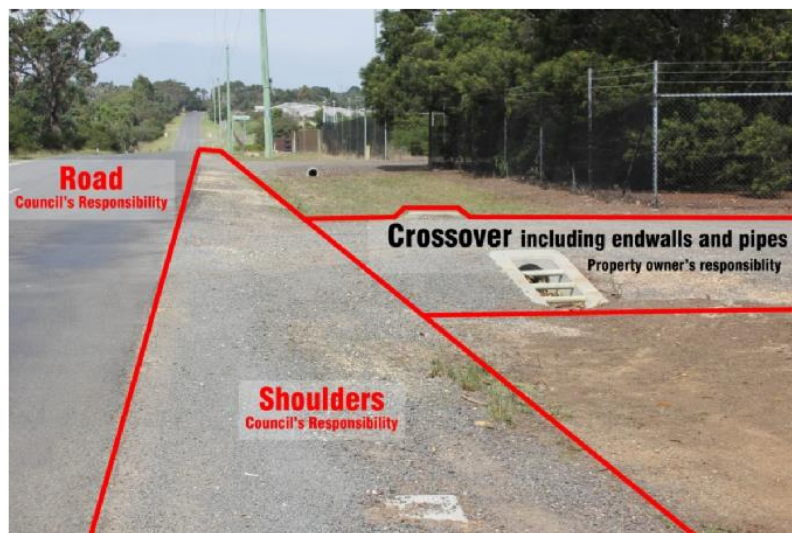


Figure 7 – Typical Rural Crossover (B)



Section 107 of the *Road Management Act 2004* provides that Council is under no statutory duty to inspect, maintain or repair roadside such as nature strips. This also extends to private vehicle crossings (driveways) and pathways on road reserves that provide access to land adjoining a road. This responsibility rests with the adjoining landowner.

Vehicle crossings must comply with Council's specifications and standards. Landowners must obtain a Works Within Road Reserves permit (WWRR) and comply with Council specifications and WWRR permit conditions when constructing vehicle crossovers.

4.2.5 Street Lighting

Streetlights in road reserves provide a service to the community and by agreement are funded by the Council. However, they are owned and maintained by the respective network provider. They are therefore not covered by this Road Management Plan. The levels of service relating to these assets are considered through the Asset Management Plan and arrangements made directly with the appropriate utility.

4.2.6 Works within Road Reserves by Others

Periodically Council will issue permits and approvals for other parties to undertake works in the road reserve (refer to Section 3.3). The Works Manager responsible for delivery of these works will be responsible for the condition of the road reserve from the commencement of construction until such time that a post-construction inspection has been conducted by Council confirming that reinstatement is satisfactory and that no hazards are present due to the works.

Until a post-construction certification or record is provided by Council, the Works Manager will be deemed to be responsible for the area of works. In situations where hazards or damaged assets are identified through inspection, and have been caused by others undertaking works in the road reserve, Council will make a record of the inspection finding and provide notice to the Works Manager to rectify the issues at their cost as per Schedule 7 of the *Road Management Act 2004*.

Management and intervention relating to hazards or damaged assets that are under the responsibility of a Works Manager or others, as outlined above, are considered to be outside of Council's responsibilities under the Road Management Plan.

5 IMPLEMENTATION OF THE ROAD MANAGEMENT PLAN

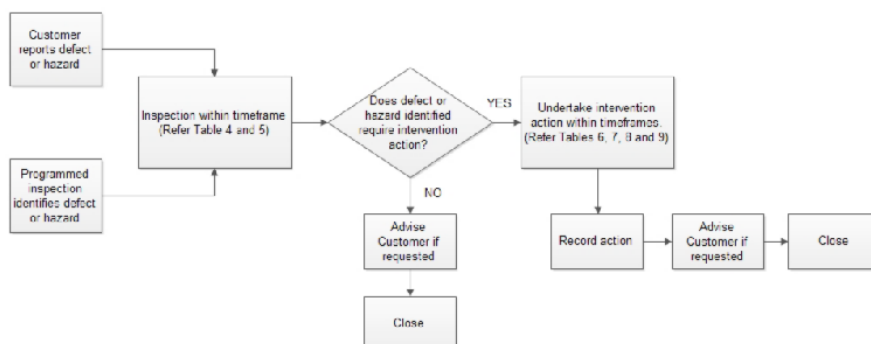
5.1 Systems, processes and skills required to implement the Road Management Plan

Council recognises that establishing targets in the Road Management Plan does not ensure their achievement. As part of the development of this Road Management Plan, Council's road management processes have been reviewed. The systems that support these processes have been aligned to the targets set in the plan and Council staff have been engaged to assure that there is both an understanding and appreciation of the role and importance of the Road Management Plan in Council's day-to-day operations.

Council's commitment to implementation of the Road Management Plan includes:

- Development of systems and processes that align to the timeframes established in this Road Management Plan;
- Training of relevant officers to ensure understanding of the existence, intent and delivery of the Road Management Plan and that annual refresher training will be delivered to staff;
- Presentation of regular reporting of the organisation's performance against compliance with this Road Management Plan to the Executive Management Team, the Audit and Risk Committee and to Council as per agreed reporting schedules; and
- Opportunities to improve the standards, understanding and implementation of the Road Management Plan, particularly noting opportunities emerging through new technology and Digital Transformation.

Figure 8 – Process for actioning identified hazards and defects



5.2 Reviews of the Road Management Plan

The Road Management Plan will be reviewed within the timeframes required under the *Road Management Act 2004*.

Council may also choose to review its Road Management Plan if:

- there are changes to legislation;
- there is an issue identified with the Road Management Plan;
- there is an issue identified with Council's performance against the plan; or
- Council's capacity to meet its obligations under the plan change substantively.

5.3 Suspension of the Road Management Plan

Although Council will make every endeavor to meet all aspects of the Road Management Plan, Council reserves the right to suspend compliance during extreme events. Pursuant to Section 83 of the *Victorian Wrongs Act (1958)*, Council's obligations may be suspended in the event of:

- Natural disasters - including, floods, fires, droughts, etc.
- Human factors - such as unavailability of Council staff or qualified Contractors.
- Any other major event beyond the control of Council.

In such circumstances, the General Manager Governance and Infrastructure may deem that the requirements of Council's Road Management Plan cannot be satisfied and will seek the Chief Executive Officer's approval to suspend all, or part of this Road Management Plan. The General Manager Governance and Infrastructure will advise the Chief Executive Officer which activities and response times in the Road Management Plan cannot be achieved.

If the Road Management Plan is suspended, the Chief Executive Officer will:

- (i) Ensure that there is a record of when the Road Management Plan is suspended and the circumstances that led to the suspension;
- (ii) Determine whether interim timeframes and responses will apply;
- (iii) Determine which parts of the Road Management Plan are to be reactivated and when; and
- (iv) Ensure that there is a record of when the Road Management Plan is reactivated.

In the event that the Chief Executive Officer suspends all or part of the Road Management Plan, Council will issue a public notice on its website and local papers to advise residents about the suspension or reduction of services under the Road Management Plan.

5.3.1 Extreme or Code Red Days

Council's priority on any day declared as Extreme or Code Red by the Country Fire Authority is for the safety of its employees, councilors', contractors and volunteers. On these days, Council's Code Red and Extreme Fire Danger Policy will apply and have precedence over any aspect of the Road Management Plan.

- Council Services in all areas, except the Civic Offices, will not be provided on days declared as Code Red.
- Council Services in Highest Risk Areas during Highest Risk Times will not be provided on days declared as Extreme in the Surf Coast Shire.
- Council Services based in all other areas on days declared as an Extreme will be provided unless:
 - Staff required to provide these services have to travel through Highest Risk Areas at Highest Risk Times; or
 - Emergency Services advise it is unsafe to provide Council services.

6 ROAD REGISTER

Section 19 of the *Road Management Act 2004* requires that a road authority must keep a Register of Public Roads specifying the public roads in respect of which it is the Coordinating Road Authority.

Council's Register of Public Roads is available for inspection on Council's website via www.surfcoast.vic.gov.au.

The Register of Public Roads includes the following details:

- Road name and locality
- Road section description
- Responsible Road Authority
- Road classification
- Asset hierarchy
- The date on which the road became a public road, if it became a road after 1 July 2004
- Other relevant details

The Road Register will be updated at intervals of no greater than 12 months and the current register will be accessible on Council's website.

6.1 Hierarchy Classifications

Based on factors such as functionality, traffic volumes, traffic type and accessibility, Council has developed a road hierarchy for the Municipal Road Network.

The Levels of Service provided by a particular road will depend in part on its road hierarchy classification. The road hierarchy classifications for each Municipal road and path are detailed in the [Road Register](#).

Table 2 Road and Pathway Hierarchy Classification

Asset type	Road Hierarchy Classification	Road Hierarchy Description
Roads	Primary Collector	Provides a strategic link between arterial roads, suburbs, commercial areas, major housing areas or a defined destination. Access to tourist facilities or industrial centres and may include regional links. These roads carry the heaviest volumes of traffic.
	Secondary Collector	Provides connection into residential areas. These roads carry heavy volumes of traffic.
	Primary Access	Provides access to local residents or secondary access to commercial areas.
	Secondary Access	Provides secondary access to residential properties, or provides access to property (non-residential) only.

Asset type	Road Hierarchy Classification	Road Hierarchy Description
	Tracks	<p>These tracks have little or no imported pavement material but are not closed to the public. They are infrequently used or dry weather or fire access only.</p> <p>These tracks are not maintained to a standard suitable for general public access and are excluded from the inspection and response requirements of the Road Management Plan. Council may undertake maintenance on nominated fire access tracks to allow access for fire fighting vehicles. This is done through specific agreement rather than under the Road Management Plan.</p>
Pathways	Primary Pathway	Pathways, including shared pathways, providing direct access or adjoining to significant facilities such as Shopping Precincts / Aged Care Units / Schools / Kindergartens / Hospitals
	Secondary Pathway	Remainder of constructed pathway network

6.2 Boundary Roads

It is more efficient and economical for certain councils to maintain particular roads. This may be due to their isolation from the rest of a neighbouring Council's road network or other efficiency-related reasons. Refer to Appendix A. Surf Coast Shire Council has roads in the following categories:

- Shared roads
- Surf Coast roads maintained by others under written agreement; and
- Another council's roads maintained by Surf Coast Shire Council.

7 SETTING SERVICE LEVELS

7.1 Principles and Risk Management Philosophy

Section 20 of the *Road Management Act 2004* states that “the principal object of road management is to ensure that a network of roads is provided primarily for the movement of persons and goods as part of an integrated transport system and that road reserves are available for other appropriate uses.”

A key principle of the *Road Management Act 2004* that applies to the management of works and infrastructure is the minimisation of road safety hazards. In the application of this principle, Council has taken a risk management approach to the development of timeframes and intervention levels that apply to inspections, and any necessary repairs of defects that are found to exceed stated intervention levels, of hazards and defects.

The hazards and defects, intervention levels and timeframes documented in this Road Management Plan have considered:

- The anticipated traffic volumes of different classification of roads;
- The likelihood that a particular type or extent of defect or hazard may contribute to an incident resulting in harm to persons or damage to property; and
- The potential harm that might be experienced in the event of an incident.

The above considerations are balanced with the cost to the community of infrastructure and services.

The above principles and considerations are reflected in the nominated timeframes and intervention levels outlined in Tables 4 to 9.

7.2 Community considerations

Council sets levels of service for its roads in accordance with the needs of the community. To do this Council uses various techniques to identify those needs, then considers those needs within the overall context of its road management resources.

Techniques to identify the community needs include:

- Community Satisfaction Measurement Survey;
- Council's Customer Service Request system data.

7.3 Financial and non-financial considerations

To evaluate its resources, Council's considerations include:

- Asset Management requirements as outlined in “Strategic Overview of Asset Management” and “Roads Asset Management Plan” documents.
- Level of service (Road Maintenance Service Level Agreement and Infrastructure Design Manual).
- Annual budget for both recurrent and capital works expenditure.

7.4 Inspection, maintenance and repair commitments

For the purpose of the tables in Section 7, Council defines “days” as usual business days, excluding weekends, public holidays, and common rostered days off.

7.4.1 Inspection types

Council undertakes regular inspections of municipal roads as part of the Road Management Plan. The table below outlines the definition and purpose of each inspection type.

Table 3 Inspection Types

Inspection Type	Definition and Purpose
Reactive inspection	<ul style="list-style-type: none"> Inspections undertaken in response to notification to council by members of the community. These inspections allow Council to program required works where an intervention action is warranted.
Proactive Inspection	<ul style="list-style-type: none"> Inspection undertaken in accordance with a programmed inspection schedule. These inspections determine if the road asset complies with the levels of service as specified in the Road Service Level Agreement.
Condition Inspection	<ul style="list-style-type: none"> Inspection undertaken specifically to identify deficiencies in the structural integrity of the various components of the road infrastructure assets which if untreated, are likely to adversely affect the lifespan of the asset, network values. The deficiencies may well impact short-term serviceability as well as the ability of the component to continue to perform for the duration of its intended life span. Condition data will inform Council's long term asset management planning. Such inspections are not intended to measure individual defects against the relevant intervention levels, this is done via the proactive and reactive inspections.
Incident Inspection	<ul style="list-style-type: none"> An inspection carried out to comply with the requirements the Road Management Act [Division 5 – Claims Procedure, Clause 116]; This inspection enables an incident condition report to be prepared for use in legal proceedings and the gathering of information for the analysis of the causes of accidents and the planning and implementation of road management and safety measures.

7.4.2 Inspection frequency

An inspection regime has been established for all roads and road related infrastructure identified as part of the Road Management Plan. This regime has been established having considered issues outlined in Section 6.1. The frequency of the inspections is greater for roads and road related infrastructure of higher classification and usage.

~~The schedule set out in the following tables identifies the frequency that inspections must take place. The schedule for proactive and condition inspections applies the group of roads~~

~~within that inspection cycle rather than individual roads. And therefore, an individual road may vary from the frequency by +/- two weeks from the last proactive inspection and +/- two months from the last condition inspection.~~

Table 4 Inspection Program and/or Response Times for Roads

Inspection type	Hazard or defect	Collector Roads		Access Roads		Tracks
		Primary Collector	Secondary Collector	Primary Access	Secondary Access	
Reactive Inspection	Water over road Spillage / obstruction Stop and Give Way signage	Respond by inspecting within four (4) hours and implement temporary repairs- <u>measures such as or</u> signage as required.	Respond by inspecting within four (4) hours and implement temporary repairs- <u>measures such as or</u> signage as required.	Respond by inspecting within four (4) hours and implement temporary repairs- <u>measures such as or</u> signage as required.	Respond by inspecting within four (4) hours and implement temporary repairs- <u>measures such as or</u> signage as required.	No inspections carried out by Council.
Reactive Inspection	Other defects as listed on Tables 6, 7, 8 and 9.	Respond by inspecting within five (5) days and implement temporary repairs or signage as required-	Respond by inspecting within five (5) days and implement temporary repairs or signage as required-	Respond by inspecting within five (5) days and implement temporary repairs or signage as required-	Respond by inspecting within five (5) days and implement temporary repairs or signage as required-	
Proactive Inspection	Refer to Council's Service Level Agreement	Daytime: Cape Otway Road will be inspected every one month once within each Calendar month. All other roads will be inspected as per maintenance programs, but at least <u>once within each second2 Calendar months every two months-</u> Night time reflective signage: <u>Once within each Calendar year during winter season Every 12 months</u>	Daytime: Based on the maintenance program, but at least <u>once within each second2 Calendar months every two months-</u> Night time reflective signage: <u>Once within each Calendar year during winter season Every 12 months</u>	Daytime: Based on the maintenance program, but at least <u>once within each third3 Calendar months every three months-</u> Night time reflective signage: <u>Once within each third Calendar year during winter season Every 12 months</u>	Based on the maintenance program, but at least <u>once within each sixth6 Calendar months every six months-</u> Night time reflective signage: <u>Once within each third Calendar year during winter season Every 12 months</u>	

Inspection type	Hazard or defect	Collector Roads		Access Roads		Tracks
		Primary Collector	Secondary Collector	Primary Access	Secondary Access	
Condition Inspection	As per Council's Condition Inspection methodology	<u>Once within e</u> Every 36 months <u>period</u>	<u>Once within e</u> Every 36 months <u>period</u>	<u>Once within e</u> Every 36 months <u>period</u>	<u>Once within e</u> Every 36 months <u>period</u>	

Table 5 Inspection Program and/or Response Times for Pathways

Inspection type	Hazard or defect	Primary Pathway	Secondary Pathway
Reactive Inspection	Other defects as listed on Table 6, 7, 8 and 9.	Respond by inspecting within three (3) days and implement temporary repairs or signage as required.	Respond by inspecting within three (3) days and implement temporary repairs or signage as required.
Proactive Inspection	Refer to Council's Service Level Agreement	Based on the maintenance program, but at least every six months <u>once within each 6 Calendar months.</u>	Based on the maintenance program, but at least every twelve months <u>once within each Calendar year.</u>
Condition Inspection	As per Council's Condition Inspection methodology	<u>Once within e</u> Every 36 month <u>periods</u>	<u>Once within e</u> Every 36 month <u>periods</u>

7.4.3 Intervention action

~~Council recognizes. It is inevitable that that~~ assets deteriorate over time and through use. Road-related assets may deteriorate and defects might be detected ~~that need to be addressed in time;~~ but do not ~~exceed stated intervention levels requiring action at that point. pose an immediate or significant risk to road users.~~

When a defect ~~is identified by Council that does exceed its stated intervention levels has a certain scale, size or location the defects may become a hazard to the road user that needs to then these will~~ be addressed through an intervention action. Council has defined the criteria for which it will take an intervention action in this Road Management Plan. ~~Other defects. From time to time Council may at its discretion chose to -will be addressed a defect that is below intervention levels -~~through routine and programmed maintenance activities. ~~It is important to note that this would be purely as part of a long term asset preservation strategy and not because it believes such a defect represents a hazard.~~

Criteria for interventions actions are presented in Tables 6, 7 and 9 of the Road Management Plan.

Further definitions and clarifications follow to assist the understanding of defects, ~~hazards~~ and intervention actions.

Signage

Regulatory signs are enforceable by law and must be obeyed by road users. The types of regulatory signs are limited to the following:

- Stop
- Give Way
- Roundabout
- One Way
- Keep Left/Right
- No Entry
- No U Turn
- Speed restriction

Warning signs (black symbol on a yellow background) indicate road conditions and are limited to the follow:

- Alignment signs (W1 type)
- Intersection and junction signs (W2) type

Standard signs are all other signs not listed above.

Pipes and Culverts

Council defines a culvert as a transverse and totally enclosed drain under a road, railway or culvert.

A major culvert is a drain greater than six square metres in open flow area.

Table 6 Intervention Actions and Timeframes for Sealed Roads

Hazard or defect	Criteria for Intervention Action	Collector Roads		Access Roads	
		Primary Collector	Secondary Collector	Primary Access	Secondary Access
Water Across Roads	Obstruction to more than 50% of traffic lane with water greater than 300mm deep.	1 day	1 day	1 day	1 day
Spillage / obstruction	Debris, including fallen limbs, on carriageway causing an obstruction to more than 50% of the traffic lane.	1 day	1 day	1 day	1 day
Rutting	Greater than 150mm depth and less than 300mm depth, greater than 25m long, as measured by a three (3) metre straight edge from centreline towards edge of seal.	50 days	50 days	50 days	60 days
	Greater than 300mm depth and greater than 25m long, as measured by a three (3) metre straight edge from centreline towards edge of seal.	15 days	15 days	15 days	15 days
Potholes	Greater than 50mm depth and less than 100mm depth, with a diameter greater than 300mm.	10 days	10 days	15 days	15 days
	Greater than 300mm diameter and greater than 100mm depth	5 days	5 days	10 days	10 days
Edge Breaks	Reduction in original sealed width of greater than 150mm, for greater than 20 metres in length.	25 days	25 days	60 days	NA
	Reduction in original sealed width of greater than 250mm, for greater than 5 metres in length.	15 days	15 days	30 days	NA
Shoulders	Edge of seal drop greater than 100mm, for greater than 20 metre length of seal.	50 days	50 days	60 days	60 days

Table 6 Intervention Actions and Timeframes for Sealed Roads

Hazard or defect	Criteria for Intervention Action	Collector Roads		Access Roads	
		Primary Collector	Secondary Collector	Primary Access	Secondary Access
Sight distances - grass/shrubs	Intersections where grass/shrub height is greater than 900 mm above the general road surface level and within the sight triangle. <i>(Refer to Appendix D).</i>	5 days	10 days	15 days	20 days
Sight distances - overhanging vegetation	Intersections where overhanging vegetation sit below 2 metres above the general road surface and within the sight triangle. <i>(Refer to Appendix C).</i>	5 days	10 days	15 days	20 days
Signage – Stop and Give Way	Signs missing or more than 70% of sign illegible at 100m distance.	4 hours	4 hours	4 hours	4 hours
Signage – Other regulatory signage	Sign missing or more than 70% of sign illegible at 100m distance.	10 days	10 days	10 days	10 days
Vegetation Clearance (Appendix C)	Overhanging vegetation above traffic lanes less than 4.9m from the road surface.	60 days	60 days	12 00 days	12 00 days

Table 7 Intervention Actions and Timeframes for Unsealed Roads

Hazard or defect	Criteria for Intervention Action	Collector Roads		Access Roads	
		Primary Collector	Secondary Collector	Primary Access	Secondary Access
Water Across Roads	Obstruction to more than 50% of traffic lane with water greater than 300mm deep.	1 day	1 day	1 day	1 day
Spillage / obstruction	Debris on carriageway causing an obstruction to more than 50% of the traffic lane	1 day	1 day	1 day	1 day
Rutting	Greater than 150mm depth and less than 300mm depth, greater than 25m long as measured by a three (3) metre straight edge from centreline towards edge of road.	50 days	50 days	50 days	60 days
	Greater than 300mm depth, greater than 25m long as measured by a three (3) metre straight edge from centreline towards edge of road.	15 days	15 days	15 days	15 days
Potholes	Greater than 100mm depth and less than 150mm depth, with a diameter greater than 500mm.	NA	30 days	30 days	30 days
	Greater than 150mm depth, with a diameter greater than 500mm.	NA	15 days	15 days	15 days
Corrugations	Corrugations greater than 35mm in depth to less than 75mm in depth, for a length greater than 300 metres road length.	NA	60 days	60 days	60 days
	Corrugations greater than 75mm in depth, for a length greater than 300 metres road length.	NA	15 days	15 days	15 days
Sight distances - grass/shrubs	Intersections where grass/shrub height is greater than 900 mm above the general road surface level and within the sight triangle. <i>(Refer to Appendix D)</i>	5 days	10 days	15 days	20 days

Table 7 Intervention Actions and Timeframes for Unsealed Roads

Hazard or defect	Criteria for Intervention Action	Collector Roads		Access Roads	
		Primary Collector	Secondary Collector	Primary Access	Secondary Access
Sight distances - overhanging vegetation	Intersections where overhanging vegetation sit below 2 metres above the general road surface and within the sight triangle. (Refer to Appendix C)	5 days	10 days	15 days	20 days
Signage – Stop and Give Way	Signs missing or more than 70% of sign illegible at 100m distance	4 hours	4 hours	4 hours	4 hours
Signage – other	Sign missing or more than 70% of sign illegible at 100m distance.	10 days	10 days	10 days	10 days
Vegetation Clearance (Appendix C)	Overhanging vegetation above traffic lanes less than 4.9m from the road surface.	60 days	60 days	1200 days	1200 days

Table 8 Intervention Actions and Timeframes for Bridges, Major Culverts and Drainage

Hazard or defect	Criteria for Intervention Action	Timeframe
Lid/ pit damage/ open	Lid or pit damaged leaving pit open and exposed	1 day
Bridge damage	<u>Implement temporary measures to m</u> Make safe damage to superstructure of bridge <u>from Level 1 inspection</u>	1 day
	<u>Implement temporary measures to m</u> Make safe missing planks or railings <u>from Level 1 inspection</u> .	1 day
	<u>Implement temporary measures to m</u> Make safe damaged planks, railings or signs <u>from Level 1 inspection</u> .	10 days

Table 9 Intervention Actions and Timeframes for Pathways (concrete, gravel and other)

Hazard or defect	Criteria for Intervention Action	Primary Pathway	Secondary Pathway
Steps/ Breaks (concrete)	Greater than 20mm step or misalignment in path surface levels	30 days	60 days
Pothole	Greater than 300mm diameter and greater than 50mm depth.	30 days	60 days
Signage	Guideposts or reflectors significantly damaged. Signs missing or less than 70% of sign illegible at 100m distance	30 days	30 days
<u>Vegetation Clearance</u>	<u>Overhanging vegetation above pathway less than 2.5m above path surface</u>	<u>30 days</u>	<u>60 days</u>

8 DEFINITIONS

8.1 Definitions from the Road Management Act

arterial road means a road which is declared to be an arterial road under section 14 of the *Road Management Act 2004*.

municipal road means any road which is not a State road, including any road which:

- (a) is a road referred to in section 205 of the Local Government Act 1989; or
- (b) is a road declared by VicRoads to be a municipal road under section 14(1)(b) of the RMA
- (c) is part of a Crown land reserve under the Crown Land (Reserves) Act 1978 and has the relevant municipal council as the committee of management;

public highway means any area of land that is a highway for the purposes of the common law;

public road means a road opened or dedicated for the free right of passage of the public on foot, in a vehicle, or otherwise, (together with the right to drive stock or other animals along its length) and declared to be a public road for the purposes

repair means the taking of any action to remove or reduce a risk arising from a defect in a roadway, pathway or road-related infrastructure, including:

- (a) reinstating a road to its former standard following works to install any infrastructure;
- (b) reinstating a road to its former standard following deterioration or damage;
- (c) providing a warning to road users of a defect in a roadway, pathway or road related infrastructure - but does not include the upgrading of a roadway, pathway or road-related infrastructure

Examples: Filling in a pothole in a roadway, resurfacing the roadway and erecting a warning sign would be actions to repair the road.

road includes:

- (a) any public highway;
- (b) any ancillary area;
- (c) any land declared to be a or forming part of a public highway or ancillary area.

road infrastructure means:

- (a) the infrastructure which forms part of a roadway, pathway or shoulder, including
 - (i) structures forming part of the roadway, pathway or shoulder;
 - (ii) materials from which a roadway, pathway or shoulder is made;
- (b) the road-related infrastructure - does not include:
- (c) if the irrigation channel, sewer or drain is **works** within the meaning of the **Water Act 1989**, any bridge or culvert over an irrigation channel, sewer or drain, other than a bridge or culvert constructed by a road authority; or

road-related infrastructure means infrastructure which is installed or constructed by the relevant road authority for road-related purposes to:

- (a) facilitate the operation or use of the roadway or pathway; or
- (b) support or protect the roadway or pathway;

Examples: A traffic control sign, traffic light, street light, road drain or embankment would be road-related infrastructure. A noise wall, gate, post or board installed on the road reserve by the relevant road authority for road-related purposes would be road-related infrastructure.

road reserve means all of the area of land that is within the boundaries of a road.

9 REFERENCES

Legislation, Standards Codes of Practice, Guidelines, Council Strategies, Policies, Quality Plans and Procedures that are relevant to this Road Management Plan include:

Legislation:

- Local Government Act 1989
- Road Management Act 2004
- Transport Act 1983
- Road Safety Act 1986 (Amended 2004)

Regulations:

- Road Management (General) Regulations 2005
- Road Management (Works and Infrastructure) Regulations 2005
- Codes of Practice:
- Road Management Plans
- Clearways on Declared Arterial Roads
- Operation Responsibility for Public Roads
- Worksite Safety – Traffic Management
- Management of Road and Utility Infrastructure in Road Reserves

Council documents:

- Council Plan 2017-2021
- Council Strategic Infrastructure Asset Management Policy 2016
- Council Road Asset Management Plan
- Council Service Agreement for Road Reserve Maintenance
- Council Road Safety Strategy 2017-2021
- Council AusSpec Design & Construction Manual 2003.
- Roadside Vegetation Management Plan
- Construction of Vehicular Property Entrances

APPENDIX A - ROADS THAT ARE THE RESPONSIBILITY OF OTHERS

VicRoads – Arterial Roads (Highways, Main Roads and Tourist Roads)

- Great Ocean Road
- Princes Highway
- Surf Coast Highway
- Anglesea Road
- Barrabool Road (Merrawarp Road to Devon Road)
- Bells Beach Road (Bones Road to Jarosite Road)
- Bells Boulevarde
- Birregurra Deans Marsh Road
- Bones Road (Bells Boulevarde to Bells Beach Road)
- Deans Marsh Lorne Road
- Devon Road
- Hendy Main Road
- Inverleigh Winchelsea Road
- Winchelsea Deans Marsh Road
- Lower Duneed Road
- [Mt Duneed Road \(Surf Coast Hwy to Anglesea Road\)](#)
-

Shared Road Responsibilities

Roads where the centreline forms the shire boundary, have historically been maintained with a formal or informal agreement between the two Councils.

The *Road Management Act* requires clarification of the responsibilities for these roads and allows Surf Coast Shire Council to transfer responsibility for maintenance to another entity.

The following is a breakdown of the shared boundary roads, roads which the Surf Coast Shire will accept full responsibility (inspect, maintain and repair in accordance with our standards), and roads which we have transferred responsibility to another Road Authority.

Colac Otway Shire

Maintained By Surf Coast Shire Council

- Benwerrin Mt. Sabine Road (1km south of Erskine Falls Road to Shire Boundary)
- Ingleby Road
- Pennyroyal Wymbooliel Road
- Prices Lane (Cressy Road to Ondit Road West)
- Salt Creek Road (Cape Otway Road to Rifle Butts Road)
- Wingeel Road (Cressy Road to McIntyres Road)

Maintained by Colac Otway Shire

- Bushs Lane
- Lidgerwoods Lane
- Prices Lane (Ondit Road West to Princes Highway)
- Salt Creek Lane (Rifle Butts Road to Birregurra Deans Marsh Road)

Golden Plains Shire

Maintained by Surf Coast Shire Council

- McIntyres Road
- Pollocksford Road Bridge

Maintained by Golden Plains Shire

- Gallaghers Road
- Barwon Park Road Bridge
- Flemmings Road Bridge

City of Greater Geelong

Maintained by Surf Coast Shire Council

- Honeys Road
- Mt Duneed Road (Anglesea Road to Pettavel Road)
- Pettavel Road (Princes Hwy to Mt Duneed Road)

Maintained by City of Greater Geelong

- Blackgate Road (Breamlea Road to Bridge)
- Breamlea Road (Barwon Heads Road to Blackgate Road)
- ~~Mt Duneed Road (Surf Coast Hwy to Anglesea Road)~~
- McCartney's Bridge (Blackgate Road)

Arrangements are in place to clarify maintenance responsibility for these roads. The Road Register identifies which Councils have maintenance responsibilities for various sections of the boundary roads.

Councils generally share road or bridge renewal and rehabilitation costs on an equal basis when these works are require

APPENDIX B - EXAMPLES OF HAZARDS AND DEFECTS

Photo Reference	1 and 2
Inspect for	Rutting
Classification	Sealed road
Photo 1 – Requires intervention action	Photo 2 - Below intervention action
	
Greater than 150mm depth, greater than 25m long.	Less than 150mm depth, less than 25m long.



Photo Reference	3 and 4
Inspect for	Potholes
Classification	Sealed road
Photo 3 – Requires intervention action	Photo 4 - Below intervention action
	
Potholes greater than 300mm diameter and greater than 50mm depth.	Potholes less than 300mm diameter or <u>and</u> less than 50mm depth

Photo Reference	5 and 6
Inspect for	Edge breaks
Classification	Sealed road
Photo 5 – Requires intervention action	Photo 6 - Below intervention action
	
Reduction in original seal width. 150mm for greater than 20 metres in length.	Reduction in original seal width. Less than 150mm for less than 20 metres in length.



Photo Reference	7 and 8
Inspect for	Shoulders
Classification	Sealed road
Photo 7 – Requires intervention action	Photo 8 - Below intervention action
	
Edge of seal drop greater than 100mm for greater than 20m in length.	Edge of seal drop less than 100mm for less than 20 metres in length.

Photo Reference	9 and 10
Inspect for	Rutting
Classification	Unsealed road
Photo 9 – Requires intervention action	Photo 10 - Below intervention action
	
Greater than 150mm depth, and greater than 25m long.	Less than 150mm depth, and less than 25m long.

Photo Reference	11 and 12
Inspect for	Potholes
Classification	Unsealed road
Photo 11 – Requires intervention action	Photo 12 - Below intervention action
	
Greater than 500mm diameter and greater than 100mm depth, or more than 10 potholes of this size or greater in 10 linear metres.	Less than 500mm diameter and less than 100mm depth, or less than 10 potholes of this size or smaller in 10 linear metres.

Photo Reference	13 and 14
Inspect for	Corrugation
Classification	Unsealed road
Photo 13 – Requires intervention action	Photo 14 - Below intervention action
	
Corrugations greater than 35mm in depth for a length greater than 300m road length.	Corrugations greater less than 35mm in depth for a length greater than 300m road length.

Photo Reference	15 and 16
Inspect for	Lid or pit damage
Classification	Drainage
Photo 15 – Requires intervention action	Photo 16 - Below intervention action
	
Lid or pit damaged leaving pit open and exposed.	


Photo Reference	17 and 18
Inspect for	Damaged planks, railings or signs
Classification	Bridges
Photo 17 – Requires intervention action	Photo 18 - Below intervention action
	
Make safe damage to hand railings.	



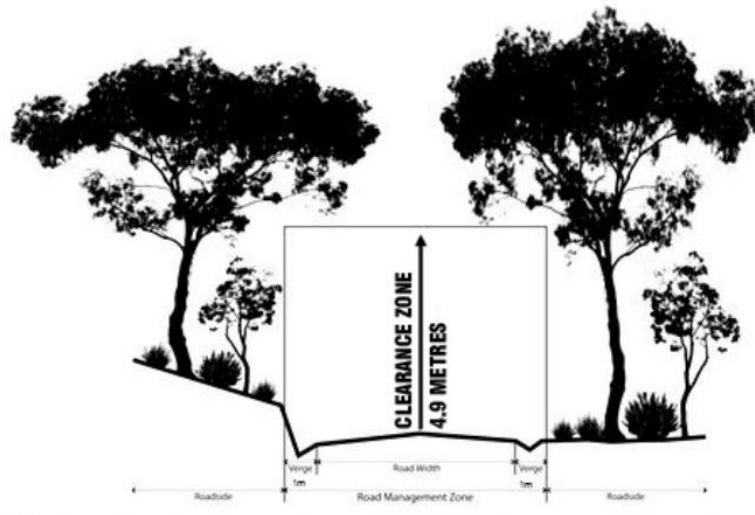
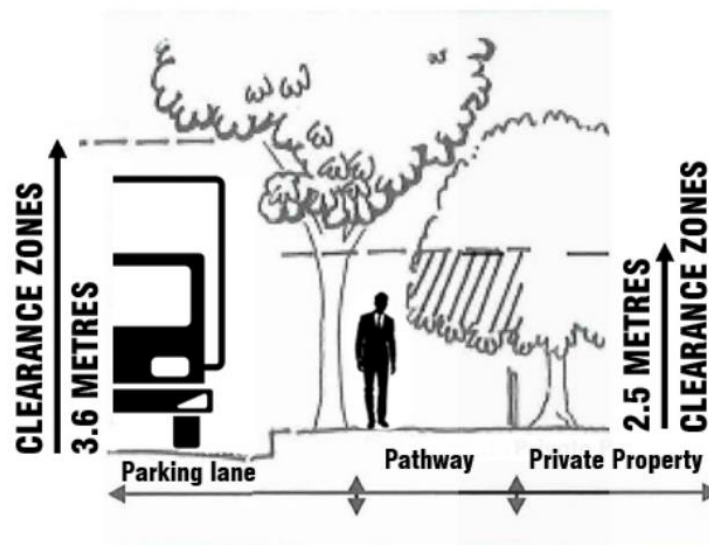
Photo Reference	19 and 20
Inspect for	Steps and breaks
Classification	Primary pathways
Photo 19 – Requires intervention action	Photo 20 - Below intervention action
	
Greater than 20mm step or misalignment in concrete path surface levels.	Less than 20mm step or misalignment in concrete path surface levels.

Photo Reference	20 and 21
Inspect for	Water across road, hazard to traffic
Classification	Sealed and unsealed roads
Photo 20 – Requires intervention action	Photo 21 - Requires intervention action
	
Water over the carriageway – hazard to traffic.	Debris on carriageway causing a serious obstacle.

APPENDIX C - VEGETATION CLEARANCE

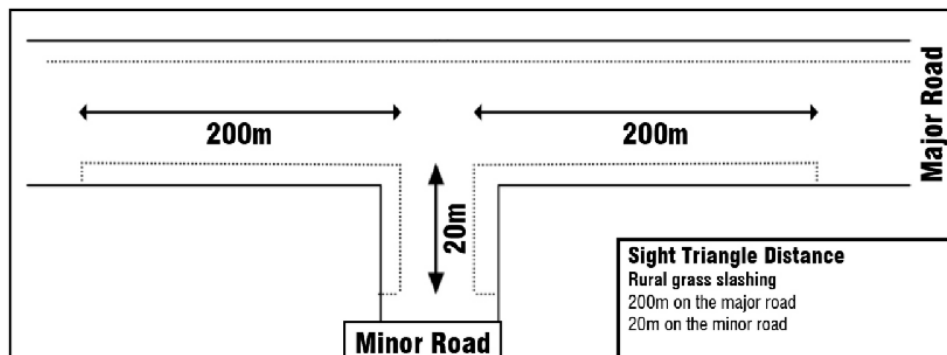


Above: Example of vegetation clearance zone over traffic lanes (urban and rural).

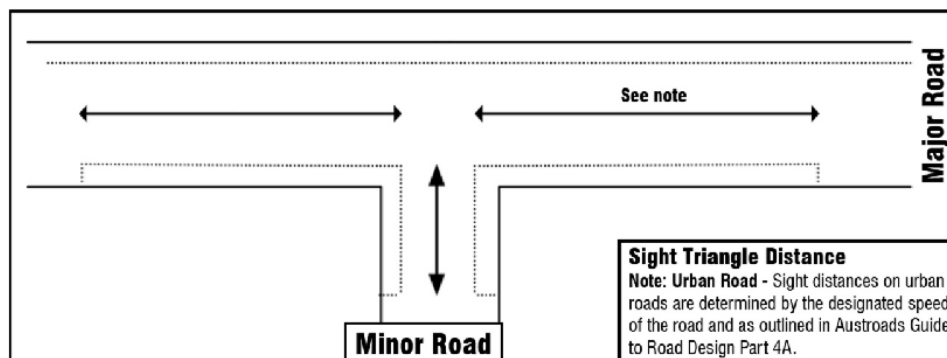


Above: Example of vegetation clearance zones required from private property in urban areas.

APPENDIX D - INTERSECTION SIGHT TRIANGLE



Above: Rural road sight triangle distance



Above: Urban road sight triangle distance

4.3 Mayoral Election Process

Author's Title: Coordinator Risk Management & Legal Services **General Manager:** Anne Howard

Department: Governance & Risk

File No: F17/1053

Division: Governance & Infrastructure

Trim No: IC18/1524

Appendix:

Nil

Officer Direct or Indirect Conflict of Interest:

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

☐

Yes

☒

No

Reason: Nil

Status:

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

☐

Yes

☒

No

Reason: Nil

Purpose

The purpose of this report is for Council to agree a Mayoral election process that covers the scenario of multiple candidates with equal votes.

Summary

Local Law No. 2 of 2018 – Council Meeting Procedures and Common Seal includes a process for election of Mayor.

The current process includes the elimination of multiple candidates who have a tied vote but does not contemplate the scenario of two remaining candidates with equal votes. The casting vote of the Chairperson is not applicable in this scenario.

It is proposed that for the Mayoral election to be held in November 2018, the following process is applied:

1. If all votes cast in the Mayoral election are equally divided between two candidates, the election must be determined by lot.
2. If a lot is conducted to determine the successful candidate in the Mayoral election, the Chief Executive Officer will be responsible for conducting the lot.
3. The same process will apply in the scenario where a vote is taken for two candidates nominated in the Deputy Mayoral election and where all votes cast are equally divided between the two candidates.
4. Considers the inclusion of these processes when Local Law No. 2 of 2018 – Council Meeting Procedures and Common Seal is next reviewed.

The process is based on the guiding principles outlined in Sections 71 and 91 of the Local Government Act 1989.

It is proposed that the new process outlined above is adopted by Council and incorporated into the Local Law during a review which is scheduled to take place in November 2018.

4.3 Mayoral Election Process

Recommendation

That Council:

1. Notes that the Local Law #2 does not provide a process for the Mayoral election in the scenario where a vote is taken for two candidates nominated in the Mayoral election and where all votes cast are equally divided between the two candidates
2. Agrees that if all votes cast in the Mayoral election are equally divided between two candidates, the election must be determined by lot;
3. Agrees that if a lot is conducted to determine the successful candidate in the Mayoral election, the Chief Executive Officer will be responsible for conducting the lot and the following provisions will apply:
 - a. two pieces of paper must be placed in a receptacle and the word 'elected' will be drawn on one piece of paper only and the other piece of paper will be left blank;
 - b. each candidate will draw one lot with the order of drawing lots will be determined by the alphabetical order of the surnames of the candidates who received an equal number of votes except that if two or more candidate's surnames are identical, the order will be determined by the alphabetical order of the candidate's first names;
 - c. when all lots are drawn the candidate that has drawn the paper with the word 'elected' on it will hand the paper to the Chief Executive Officer and the candidate who drew the paper with the word 'elected' on it must be declared elected.
4. Agrees that the same process will apply in the scenario where a vote is taken for two candidates nominated in the Deputy Mayoral election and where all votes cast are equally divided between the two candidates
5. Considers the inclusion of these processes when Local Law #2 Meeting Procedures is next reviewed.

Council Resolution

MOVED Cr Martin Duke, Seconded Cr Margot Smith

That Council:

1. Notes that the Local Law #2 does not provide a process for the Mayoral election in the scenario where a vote is taken for two candidates nominated in the Mayoral election and where all votes cast are equally divided between the two candidates
2. Agrees that if all votes cast in the Mayoral election are equally divided between two candidates, the election must be determined by lot;
3. Agrees that if a lot is conducted to determine the successful candidate in the Mayoral election, the Chief Executive Officer will be responsible for conducting the lot and the following provisions will apply:
 - a. two pieces of paper must be placed in a receptacle and the word 'elected' will be drawn on one piece of paper only and the other piece of paper will be left blank;
 - b. each candidate will draw one lot with the order of drawing lots will be determined by the alphabetical order of the surnames of the candidates who received an equal number of votes except that if two or more candidate's surnames are identical, the order will be determined by the alphabetical order of the candidate's first names;
 - c. when all lots are drawn the candidate that has drawn the paper with the word 'elected' on it will hand the paper to the Chief Executive Officer and the candidate who drew the paper with the word 'elected' on it must be declared elected.
4. Agrees that the same process will apply in the scenario where a vote is taken for two candidates nominated in the Deputy Mayoral election and where all votes cast are equally divided between the two candidates
5. Considers the inclusion of these processes when Local Law #2 Meeting Procedures is next reviewed.

CARRIED 7:0

4.3 Mayoral Election Process

Report

Background

Council's Local Law No. 2 2018 – Council Meeting Procedures & Common Seal, includes a process for election of the Mayor at Part 2, Section 8. This procedure contemplates the elimination of multiple candidates with equal votes by lot, but does not include the scenario of electing a Mayor where two candidates with equal votes remain.

Section 71 of the Local Government Act 1989 under Election of Mayor states that at a meeting of Council that is open to the public, the Councillors must elect a Councillor to be the Mayor of the Council. Section 91 of that Act further states that where there is an equality of votes on a question arising during election of the Mayor, the matter is to be determined by lot. The casting vote of the Chairperson is not applicable in this scenario.

These principles have been applied to the new process.

As the Mayoral election is due to take place on 7 November 2018 it is timely to ensure this process is in place and endorsed by Council before that election. There is insufficient time to implement a review of the Local Law before November due to the lengthy statutory process involved.

Discussion

It is proposed that for the Mayoral election to be held on 7 November 2018, it is agreed that the following process will be applied where two candidates with equal votes remain:

1. If all votes cast in the Mayoral election are equally divided between two candidates, the election must be determined by lot.
2. If a lot is conducted to determine the successful candidate in the Mayoral election, the Chief Executive Officer will be responsible for conducting the lot and the following provisions will apply:
 - i. two pieces of paper must be placed in a receptacle and the word 'elected' will be written on one piece of paper only and the other piece of paper will be left blank;
 - ii. each candidate will draw one lot with the order of drawing lots to be determined by the alphabetical order of the surnames of the candidates who received an equal number of votes except that if the surnames of the candidates are identical, the order will be determined by the alphabetical order of the first names of the candidates;
 - iii. when all lots are drawn the candidate that has drawn the paper with the word 'elected' on it will hand the paper to the Chief Executive Officer and the candidate who drew the paper with the word 'elected' on it must be declared elected.
3. The same process will apply in the scenario where a vote is taken for two candidates nominated in the Deputy Mayoral election and where all votes cast are equally divided between the two candidates.
4. Considers the inclusion of these processes when Local Law No. 2 of 2018 – Council Meeting Procedures and Common Seal is next reviewed.

Financial Implications

Not applicable.

Council Plan

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

Policy/Legal Implications

The process complies with the requirements of Sections 71 and 91 of the Local Government Act 1989 and supplements Part 2, Section 8 of Local Law No. 2 2018 – Council Meeting Procedures & Common Seal.

Officer Direct or Indirect Interest

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

4.3 Mayoral Election Process

Risk Assessment

The process addresses the risk of Council not having a clear and agreed process for election of Mayor in the event of a tied vote.

Social Considerations

Not applicable.

Community Engagement

The process for adoption of the Local Law will involve development of a Community Impact Statement and a period of public consultation.

Environmental Implications

Not applicable.

Communication

The updated procedure would be communicated internally, in the first instance, before being displayed by public notice following its inclusion in the Local Law.

Options

Option 1 – Council does not adopt a process for election of Mayor in the event of a tied vote

This option is not recommended by officers as it could mean that Council does not have an agreed and clear process to cater for this scenario in the upcoming Mayoral election.

Option 2 – Adopt the process outlined for election of Mayor in the event of a tied vote

This option is recommended by officers as this will ensure that the potential scenario of a tied vote is covered by an agreed and clear process.

Conclusion

Council has the opportunity to endorse a transparent and agreed process for election of the Mayor which contemplates the scenario of two candidates with equal votes.

4.4 Blackspot Funding Grant Opportunity

Author's Title: Coordinator Design & Traffic

Department: Engineering Services

Division: Governance & Infrastructure

Appendix:

Nil

Officer Direct or Indirect Conflict of Interest:

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

☐

Yes

☒

No

Reason: Nil

General Manager: Anne Howard

File No: F18/44

Trim No: IC18/1503

Status:

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

☐

Yes

☒

No

Reason: Nil

Purpose

The purpose of this report is to:

1. Inform Council of the blackspot funding grant opportunities.
2. Seek agreement from Council to pursue this grant in line with the recommendations of the 2016-21 adopted Surf Coast Shire Road Safety Strategy.

Summary

VicRoads has approached Surf Coast Shire Council inviting Council to apply for 2019-20 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 10 October 2018. Through adoption of the 2016-21 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 Road and Ghazepore Road – safety improvements including splitter islands, lighting and pavement widening to a value of \$140,000.
- Gum Flats Road from Forest Road to Proving ground – safety works including guard fence, custom motorcycle signage and delineation improvements to a value of \$200,000.

If successful these projects would be fully funded through the blackspot funding program administered by VicRoads and there will be 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 while in 18/19 Council obtained \$1,100,000 through three projects at Forest Road, Horseshoe Bend Road and William Street Lorne.

Recommendation

That Council:

1. Authorise officers to lodge and pursue Blackspot funding applications for the following projects:
 - 1.1 Intersection of Coombes Road and Ghazepore Road, estimated project cost of \$140,000;
 - 1.2 Gum Flats Road, Forest Road to Proving Ground, estimated project cost of \$200,000;
2. Authorise the Chief Executive Officer to sign blackspot funding agreements on behalf of Council for any application that is successful.

Council Resolution

MOVED Cr Carol McGregor, Seconded Cr Libby Coker

That Council:

1. Authorise officers to lodge and pursue Blackspot funding applications for the following projects:
 - 1.1 Intersection of Coombes Road and Ghazepore Road, estimated project cost of \$140,000;
 - 1.2 Gum Flats Road, Forest Road to Proving Ground, estimated project cost of \$200,000;
2. Authorise the Chief Executive Officer to sign blackspot funding agreements on behalf of Council for any application that is successful.

CARRIED 7:0

4.4 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 2019-20 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 \$2,900,000 of funding through this program.

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

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 Ghazeepore 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.
- Gum Flats Road from Forest Road to Proving Ground – There have been concerns over the number of trail bike and single vehicle run off the road accidents on this road with a relatively low volume of vehicles. It is proposed that guard fence, improved delineation and custom Trail Bike signage to a value of \$200,000 will make the road section safer for all road users. This also provides a good opportunity to tie into adjacent road safety works on Forest Road this financial year.

Council have other known accident hotspots within the region such as Deans Marsh Road/Cape Otway Road intersection, although as this is not a locally managed intersection, Surf Coast Shire is unable to attract any funding at this location through the blackspot grant application.

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

Policy/Legal Implications

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 2016-21 which will help support this requirement.

4.4 Blackspot Funding Grant Opportunity

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.

Options

Option 1 – Submit grant funding applications

This option is recommended by officers as these fully funded grants will help improve the road safety on local roads at identified black spot location. It aligns with recommendations of the 2016-21 adopted Surf Coast Shire Road Safety Strategy.

Option 2 – Do not submit grant funding applicants

This option is not recommended by officers as Council will be required to fund any road safety improvements from within its own budget. Could potentially lead to more accidents at these identified locations if road safety improvements are not funded.

Conclusion

These blackspot funding grant opportunities would be in line with the recommended action plan from the Road Safety Strategy 2016-21 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.

4.5 Place Naming Request - Worrowing Road and Kookaburra Track

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

General Manager: Anne Howard
File No: F17/1771
Trim No: IC18/1451

Appendix:

Nil

Officer Direct or Indirect Conflict of Interest:

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

☐

Yes

☒

No

Reason: Nil

Status:

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

☐

Yes

☒

No

Reason: Nil

Purpose

The purpose of this report is to provide information regarding proposed names for two roads.

Summary

At Council's 26 June 2018 meeting Council declared its intention to name the newly constructed road off Pollocksford Road in Gnarwarre as Worrowing Road and to name the unnamed track off Bambra Cemetery Road in Deans Marsh as Kookaburra Track. The exhibition period for the public notice has now concluded and Council received no submissions regarding the naming of Worrowing Road and 2 submissions regarding the naming of Kookaburra Track.

Recommendation

That Council:

1. Proceed with the process of renaming the Worrowing Road.
2. Request officers to consult with the objectors regarding Kookaburra Track and report to a future Council Meeting.

Council Resolution

MOVED Cr Heather Wellington, Seconded Cr Libby Coker

That Council:

1. Proceed with the process of renaming the Worrowing Road.
2. Request officers to consult with the objectors regarding Kookaburra Track and report to a future Council Meeting.

CARRIED 7:0

4.5 Place Naming Request - Worrowing Road and Kookaburra Track

Report

Background

At Council's 28 November 2017 meeting a request was made to name a new road off Pollocksford Road, Gnarwarre Shankhill Road. Multiple objections were received and following further consultation a report was presented to Council's June 2018 meeting recommending the naming of the road Worrowing Road. Also at Council's June 2018 meeting a request was presented to name an unnamed track off Bambra Cemetery Road in Deans Marsh as Kookaburra Track. Council declare its intention to name these roads and published a public notice. The exhibition period for the public notice has now concluded.

Discussion

Rename newly constructed road off Pollocksford Road in Gnarwarre as Worrowing Road

No submissions were received for the naming of the road.

Name an unnamed track off Bambra Cemetery Road in Deans Marsh as Kookaburra Track

2 Submissions were received regarding the naming of this unnamed road. Both submissions have suggested an alternative name of Schroeter Track Unfortunately this alternative will not be approved by the Office of Geographic Names (OGN) as among there guidelines they do not allow duplication or similar sounding names within a 30km radius (within Rural areas) and there is a Schroeter Road in Winchelsea. Council's Place Naming Committee has made contact with the 2 objectors and will report to a future Council Meeting.

Financial Implications

There will be a minor cost for placement of the public notice and installation of signage which can be funded through the operational budget

Council Plan

Theme	1 Community Wellbeing
Objective	1.3 Improve community safety
Strategy	Nil

Policy/Legal Implications

The proposed name of Worrowing Road complies 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 should have input into proposed naming or roads and this process provides that opportunity.

Community Engagement

Where the naming of features or renaming of roads is proposed it is important to consult with the community and provide an opportunity into the changes and names proposed. This will be done through the s223 submission process.

Environmental Implications

Not applicable.

Communication

Communication will occur through a public notice process and informing properties directly affected by such a change.

4.5 Place Naming Request - Worrowing Road and Kookaburra Track

Options

Worrowing Road:

Option 1 – Proceed to the next stage of the naming process and submit the name Worrowing Road to the Office of Geographical Names

This option is recommended by officers as the proposed name is supported by the Community.

Option 2 - Not support the recommendation to name the road

This option is not recommended by officers as there has been no objection to the naming of the path by the community.

Kookaburra Track:

Option 1 – Council officers to consult further with the objectors regarding for naming of this road

This option is recommended by officers as a suitable name would assist in identifying the road to emergency services.

Option 2 – Proceed with naming the road Kookaburra Track

This option is not recommended by officers as this does not allow the objectors an opportunity to put forward an alternative name.

Conclusion

The request to name the pathway is supported and it is recommended that Council proceed with the naming process.

Cr David Bell declared a conflict of interest in Item 4.6 SCS-034 Property Use agreements Policy – Revised under Section 77A of the Local Government Act 1989. The nature of the interest being Cr David Bell is the proprietor of a licensed farmer market which operates on council owned land. Cr David Bell left the meeting at 7.10pm and returned at 7.16pm. Cr David Bell was absent whilst this matter was being discussed and considered.

Cr David Bell, Mayor left the meeting at 7.10pm. Cr Clive Goldsworthy, Deputy Mayor took the Chair.

4.6 SCS-034 Property Use Agreements Policy - Revised

Author's Title: Property & Legal Services Officer

General Manager: Anne Howard

Department: Governance & Risk

File No: F14/582

Division: Governance & Infrastructure

Trim No: IC18/1527

Appendix:

1. SCS-034 Property Use Agreements Policy (D18/102358)

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 a review of Property Use Agreements Policy SCS-034 to more fully consider the appropriate lease terms for community groups where the group has made significant investment of its own capital funds into a Council owned or managed facility.

Summary

The Property Use Agreements Policy SCS-034 will ensure that Council has a clear and workable framework for property use agreements with individuals, businesses and/or community groups that:

- is clear, transparent and consistent in application
- protects public land and assets
- supports the users' objectives.

The current policy outlines that Council can enter into a five year Lease Agreement with a community group, which will provide that group with exclusive use of a Council owned or Council managed facility. The current policy takes into account the fact that many community groups wish to invest in the capital costs to get the projects up and running. This investment may be by way of community donations, member fees, private sponsors etc. In the current policy Council acknowledges the "financial investment by the Tenant to the facility".

Since adopting the policy in May 2018, the Lorne Men's Shed has requested a lease term that is greater than and in accordance with the newly adopted policy. This has led to further reflection on the current policy particularly in relation to community expectation where the community has made direct financial investment made to establish the new or significantly upgraded facility.

Councillors suggested that the policy be reviewed and amended to increase the length of the term from 5 years in the event where the community group have made significant investments in the capital costs.

Councillors felt that community groups needed more security in return for their investment and suggested that Officers present options for making the Lease term longer than five years.

Recommendation

That Council adopt the revised Property Use Agreements Policy SCS-034 as attached.

Council Resolution

MOVED Cr Martin Duke, Seconded Cr Margot Smith

That Council adopt the revised Property Use Agreements Policy SCS-034 as attached.

CARRIED 6:0

4.6 SCS-034 Property Use Agreements Policy - Revised

Report

Background

The background to this policy is to ensure that Council has a clear and workable framework for property use agreements with all user groups that is consistent and fair. This means that no matter who is representing the community group, or which town the facility is based in, the options for Lease and Licence Agreements are the same.

The benefit of securing a Lease for a Council owner and/or Council Managed facility is that community group has exclusive use of the facility, to the exclusion of all non-members.

Licence Agreements are only for a three year term in the usual course of business because DELWP has authorised Council to enter into three year Licence Agreements without Ministerial consent under s17(2) Crown Land Reserves Act. This reduces red tape and allows officers to deal with the granting and renewing of Licences in an efficient and expedient manner.

In the current Property Use Agreement Policy, Licence is defined:

A Licence permits a person (Licensee) to occupy property (or part thereof) under particular conditions. The main feature that distinguishes a Licence from a Lease is that a Licence does not permit exclusive occupancy of the property.

Discussion

The primary issue to be considered is what an appropriate lease term for a non-commercial community group user who made a direct investment in the facility or asset.

There must be a balance between encouraging investment and not “locking in” Council to long term Lease agreements, which may limit future options for community use.

There is a risk to Council that the more community groups who secure longer terms, the less flexible the Council can be in the future with regards to that particular facility.

To progress this line of thought a nominal minimum amount invested needs to be set for consistency and it is proposed that this be a minimum of 25% capital to the facility.

Financial Implications

With longer term leases, Council is restricted in how much capital can be raised from a facility. Currently Council receives negligible income from non-commercial community groups, but future Councils may wish to charge rent or a fee or introduce commercial leases (where appropriate).

Council Plan

Theme	5 High Performing Council
Objective	5.2 Ensure that Council decision-making is balanced and transparent and the community is involved and informed
Strategy	5.2.2 Evolve our community engagement approach to inform strategic Council direction and decision-making

Policy/Legal Implications

Legal and Policy implications for the change are insignificant.

Officer Direct or Indirect Interest

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

Risk Assessment

A Property Use Agreements Policy will provide transparency and consistency in decision making.

Social Considerations

Consistency and transparency in decision making.

4.6 SCS-034 Property Use Agreements Policy - Revised

Community Engagement

The outcome of the policy will be discussed with community groups upon renewal of Lease or Licence.

Environmental Implications

Not applicable.

Communication

Communication will take place with each community group as required.

Options

Option 1 – Extend the term of a Lease for a non commercial community group from five years to up to nine years where the community group has invested 25% or more of the capital costs

This option is recommended by officers as it provides further security for the community group whilst not locking in Council to a particular group for too long. This allows consistency throughout the Surf Coast Shire and provides certainty to community groups who may wish to invest in a new facility in the future.

Option 2 – Leave the policy as it is currently worded

This option is not recommended.

Conclusion

The Property Use Agreements Policy SCS-034 has only been operational for three months so therefore, no other changes are required.

4.6 SCS-034 Property Use Agreements Policy - Revised

APPENDIX 1 SCS-034 PROPERTY USE AGREEMENTS POLICY

COUNCIL POLICY



Property Use Agreements	Document No:	SCS - 034
	Approval Date:	25 September 2018
	Approved By:	Council
	Review Date:	25 September 2020
	TRIM Reference	D18/10235
Responsible Officer:	General Manager Governance and Infrastructure	
Authorising Officer:	Chief Executive Officer	

1. Purpose

To ensure that Council has a clear and workable framework for property use agreements with individuals, businesses and/or groups that:

- Are consistent in their application;
- Protect public land and assets; and
- Support the users' objectives.

2. Scope

This policy covers the following aspects of developing Agreements for the use of Council property:

- Types of Agreements;
- Conditions of Agreements;
- Landowner obligations; and
- User obligations.

3. Application

This policy applies to individuals, groups or businesses that have been determined by Council to be a preferred user of a Council property.

The consideration of eligible preferred users will be determined through other policies and processes approved by Council.

This policy applies to parties who use Council owned or managed property on a regular, medium to long term basis.

This Policy does not apply to users seeking access to facilities for less than 3 months or an ad-hoc basis.

3.1 Pre-Agreement requirements

The party must have all the following before entering into an agreement:

- Be a registered legal entity;
- Hold current Public Liability Insurance; and
- Capacity for electronic business transactions primarily financial and communication.

COUNCIL POLICY



4. Definitions

Agreement – A Lease, Licence, User Agreement, Casual Hire Agreement, Tour Operator Licence, Retail Lease, Residential Tenancy Agreement, Commercial Lease for Council Property.

Casual Hire Agreement – An Agreement that is no longer than three months in length and is for short term, non-regular bookings.

Carrying Capacity – Acknowledges the competing goals of recreation and preservation of site values in natural public land. It can refer to a numerical threshold of activities beyond which the loss of site values is unacceptable.

Commercial Occupiers – Any occupier who operates a business or commercial enterprise with the intent to generate profit. * Note that does not include operators who are classified as Tour Operators under the Crown Land Reserves Act 1978.

Council – Surf Coast Shire Council which may be the Landlord, Licensor or Lessor under an Agreement.

Council Property – Land (including open space), buildings, property or facilities owned or managed by Council.

Crown Land – As defined in the Crown Land (Reserves) Act 1978

Expression of Interest – A process whereby Council invites individuals, groups or businesses to submit a detailed expression of interest detailing how it will meet key objectives, to be assessed under evaluation criteria

Not for Profit – Any occupier who operates a business or activity that does not operate for profit, personal gain or other benefit of particular people i.e. its members.

DELWP – Department of Environment Land Water and Planning

Facility – A place and amenity provided for a particular purpose

Head-lease – A Head-lease is the original Lease between a Tenant and a Landlord. In such a Lease, the overall contractual responsibility is given to one identifiable tenant called the Head-lessee. It is a primary Lease under which Sub-leases have been granted.

Insurable Value – The cost of replacement of a building which could conceivably be destroyed. The assessed value excludes any contents stored on the premises e.g. furniture and equipment.

Lease – A Lease is a right granted by the owner of the property (Landlord) to another person (Tenant) to have exclusive possession of that property, or part thereof, for a fixed duration in return for rental payment. Council will grant a Lease where the premises will be occupied exclusively by the one user.

Licence – A Licence permits a person (Licensee) to occupy property (or part thereof) under particular conditions. The main feature that distinguishes a Licence from a Lease is that a Licence does not permit exclusive occupancy of the property.

Market Rental Value – The estimated amount for which an asset should rent, as at the relevant date, between a willing Tenant and a willing Landlord in an arm's length transaction, wherein the parties had each acted knowledgeably, prudently and without compulsion, and having regard to the usual terms and conditions for agreements of similar property.

Minimum Rent / Peppercorn – \$1.00 per annum

Non-commercial group - Not-for-profit community based groups and funded organisations and agencies that service community members that live, work or have a connection with Surf Coast Shire.

COUNCIL POLICY



Outgoings – including but not exclusive to water, sewerage services and usage charges, electricity and gas utilised at the property.

Residential Tenancy Agreement – A Residential Tenancy Agreement is a right granted by the owner of the land (Landlord) to a Tenant to have possession of a house for a fixed duration in return for rental payment.

Regular User – Regular pattern of use for a period between 3 to 12 months, however it must be less than 10 occasions. A regular use cannot reapply for a User Agreement on an annual basis.

Sub-letting – Sub-lease or Sub-let is the name given to an arrangement in which the Tenant in a Lease assigns or transfers the Lease to a third party, thereby making the old Lessee the Sub-lessor, and the new Tenant the Sub-tenant. This means they are not only leasing the property, but also Sub-leasing it simultaneously.

Tenant – a person who occupies land or property rented from a landlord.

Tour Operator – A person who conducts an organised tour or recreational activity for profit on land reserved under section 3A of the Crown Land Reserves Act. This amendment to the Act came in 2009.

User – a person who uses Council property as per a User Agreement or Casual Hire Agreement.

User Agreement – An Agreement that is no longer than twelve months in length and is for regular bookings with a high frequency.

COUNCIL POLICY



5. Policy

Council aims to provide a workable framework for property use agreements that are consistent in their application, protect public land and assets; and Support the users' objectives.

6. Consultation and Notification

Council will undertake consultation or notification in following circumstances:

- Where Council has an identified desired use for a property and is seeking to identify potential users to deliver this use, eg. a Commercial Occupier or Tour Operator. The consultation process will generally be an Expression of Interest (EOI) process. Once the EOI process is completed all submissions will be assessed in accordance with the eligibility criteria advertised to determine the preferred user.
- Where Council is approached by a potential interested individual, group or business that wishes to use a Council property and Council wishes to inform key stakeholders, competitors or the broader community. Council will advertise a notice stating we are considering entering into an agreement in the local newspaper and or on Council's website seeking public feedback. This may also occur when existing agreements are nearing expiry.
- Where Council needs to comply with legislation or regulatory requirements.

COUNCIL POLICY



7. Types of Agreements

The following table sets out a framework for different types of agreements to be applied under various situations and with an outline of typical pre-requisites or conditions.

Types of Agreement	Intended or desired Access	User Type	Pre-application Process	Payment Type	Payment Basis	Initial Terms	Options for further terms	Outgoings	Maintenance by User	Sub-letting Permissible
Casual User	<3 months and irregular pattern of use	N/A Users will access through casual user hire arrangements								
Regular User	<ul style="list-style-type: none"> • between 3-12 months; and • regular pattern of use; and • less than 10 occasions. 	Any user	N/A	User Fee	Set through Annual Budget	<12months	No	Contribution through fee.	No	No
Licence	<ul style="list-style-type: none"> • Greater than 12 months; and • Regular pattern of use; and • Non-exclusive occupation 	Crown Land Tour Operator	Expression of Interest	Licence Fee	Statutory Fee set by State Govt.	3 years	2 x 2 years	N/A	Yes	No
		Commercial User	Expression of Interest	Licence Fee	Market Valuation	3 years	2 x 2 years	Direct outgoings charged if possible, otherwise apportionment based on time	Yes	No
		Non-commercial User	Advertise Council are considering entering into an	Licence Fee	Set through Annual Budget	1 to 3 years by agreement	Nil	Direct outgoings charged if possible, otherwise	Yes	No

COUNCIL POLICY



Types of Agreement	Intended or desired Access	User Type	Pre-application Process	Payment Type	Payment Basis	Initial Terms	Options for further terms	Outgoings	Maintenance by User	Sub-letting Permissible
			agreement					apportionment based on time		
Lease	<ul style="list-style-type: none"> • Greater than 12 months; and • Exclusive occupation 	Commercial User	Expression of Interest	Rent	Market Valuation	5 years	3 x 3 years	Yes	Yes	Yes
		Non-commercial User	Advertise Council are considering entering into an agreement	Rent	Peppercorn amount (set through Annual Budget)	5 years	Nil	Yes	Yes	Yes
		Non-commercial User	Advertise Council are considering entering into an agreement	Rent	Peppercorn amount (set through Annual Budget)	5 years	2 x 2 years (Where Tenant has contributed 25% or more capital) Nil	Yes	Yes	Yes
Lease	<ul style="list-style-type: none"> • Greater than 12 months; and • Residential occupation 	Residential Tenancy	Tenant Selection by Dept. of Human Services	Rent	Rent determined by Department of Human Services	1 year	Nil	Yes	Yes	No

COUNCIL POLICY



7.1 Lease

A Lease may be used if Council considers that providing exclusive rights to a single Tenant is:

- Necessary to provide sufficient certainty and security to the Tenant to invest in their business;
- Necessary to recognise financial investment by the Tenant to the facility;
- The only way to secure the desired use; and
- Aligned with the long term strategic plan for the property.

7.1.1 Commercial Leases / Retail Leases

Commercial lease agreements will be prepared and managed in accordance with the requirements of the Retail Leases Act 2003 (if applicable) and any other legislative requirements.

7.1.2 Peppercorn Leases

Peppercorn leases are generally used where access and conditions are as per a standard commercial or retail use but Council is entering the lease with a not-for-profit or non commercial group. In these circumstances the lease agreements will be prepared and managed in accordance with the requirements of the Retail Leases Act 2003 (if applicable) and any other legislative requirements, but only a nominal or 'peppercorn' rent will be requested.

7.1.3 Residential Tenancy Agreement

Residential Tenancy Agreements will be prepared and managed by Council's preferred Real Estate Agent in accordance with the Residential Tenancies Act 1997 and the Residential Tenancies Regulations 2008.

7.2 Licences

7.2.1 Tour Operator Licence (only applicable to Crown land managed by Council)

Tour Operator Licences are required for anyone who runs an organised tour or recreational business for profit on Crown Land managed by Council which may be part of Council's open space network. Tour Operator Licences will be prepared and managed in accordance with the requirements of the Crown Land (Reserves) Act 1978.

7.2.2 Other Licences

Other licence agreements will be used where users require certainty about facility or land availability but do not require exclusive use. In these instances, licence agreements will be based on the requirements of the Crown Land (Reserves) Act 1978 or the Local Government Act 1989.

8. Rent

8.1 Rent

Rent is applicable for all Lease agreements as follows:

- Commercial users will pay rent based on a market valuation prepared by a suitably qualified independent valuer.
- Not-for-profit users will pay a peppercorn amount for rent based on a peppercorn fee set by Council through the Annual Budget.

8.2 Rent Review

Council reserves the right to review and amend the rent if a Tenant or Licensee obtains access to other commercial means of income (excluding fundraising) generated during the term of the Agreement e.g. rent received from sub-letting, obtaining a liquor licence, telecommunication tower rental, revenue received from advertising at the premises. Consent from Council is required for any such use.

COUNCIL POLICY



Council reserves the right to review and amend the rent if the footprint of the property increases to be greater than the footprint in the existing Agreement, or the property has undergone significant refurbishment improvements which increases the value of the property by more than 10%.

All Commercial rent will be increased annually by 3% during the term of a Lease or Licence. On the exercise of any option for renewal the rent will be determined by Council's qualified Valuer at the current market rental.

8.3 Sub-letting

Tenants or Licensees may only Sub-Lease or Sub-Licence with prior written consent from Council in all instances and the Department of Environment Land Water and Planning (DELWP) if the property is Crown Land.

The rent of the Head-lease or Head-Licence will immediately be reviewed when a Sub-lease or Sub-Licence is developed.

Any financial gain from Sub-leasing or Sub-licensing will be payable to the Head tenant or Head Licensee, except where Council has decided to apply a subsidy to assist the Tenant or Licensee with operational costs such as outgoings, maintenance or to reinvest into future capital works.

8.4 Maintenance responsibilities

Each Tenant, Licensee or User is required to maintain the facility in accordance with the Outgoings and Maintenance Schedule attached to their agreement. This Outgoing and Maintenance Schedule is available on Council's website as updated from time to time. The Outgoing and Maintenance Schedule specifies the responsibilities of Council and the Tenant, Licensee or User. The Tenant, Licensee or User will be responsible for keeping the facility clean, in good condition and performing incidental maintenance not requiring a skilled tradesperson.

All work is to be undertaken by an accredited qualified tradesperson registered on Council's Work Health and Safety (WHS) System.

Council reserves the right to negotiate maintenance responsibilities and costs. Council reserves the right to inspect the premises each year or more frequently as required.

8.5 Capital Works – Alterations or Additions

Tenants and Licensees will not make any alteration or additions to the Council Property without Council and / or DELWP consent. Any alterations or additions consented to shall be undertaken by Council's contractors, unless otherwise agreed between the parties in writing.

8.6 Outgoings

Council reserves the right to apply a subsidy for outgoings. Any subsidy will be decided through Council resolution or by an officer that has been delegated this authority by Council.

8.7 Insurance (Building, Contents and Public Liability)

The Tenant, Licensees or Users must hold current insurance for contents or equipment held by them at the Council Property.

Building Insurance for all Council assets will be paid for by Council.

All Tenants, Licensees, or Users are required to hold current Public Liability Insurance to a value determined by Council as detailed in the agreement. A copy of the Public Liability Insurance is to be provided to Council on an annual basis as evidence of cover.

COUNCIL POLICY



8.8 Use of Council Property

Tenants, Licensees or Users must obtain prior written consent for any change or additional use of the Council Property.

For Licensees who occupy Council property under a Licence Agreement, Council may also use or allow others to use the Council Property outside the normal operating hours of the Licensee, provided the use does not unreasonably interfere with the Licensees' use.

Tenants, Licensees or Users must also comply with all guidelines and directions issued by the Environment Protection Authority, Planning Permit provisions (including Liquor Licence provisions), Liquor Licensing Commission and Council Local Laws.

8.8.1 Child safe standards

Surf Coast Shire Council is committed to creating a child safe and child friendly environment where children and young people are respected valued and encouraged to reach their full potential. Surf Coast Shire Council's policies and procedures support the implementation of requirements under the Child Wellbeing and Safety Act 2005. If the use of Council's property involves the tenant or any sublease tenant being in the physical proximity of children, the tenant must comply with the Child Safe Standards made under section 17(1) of the Child Wellbeing and Safety Act 2005.

8.9 Permits

All Tenants, Licensees or Users must adhere to the conditions of any Planning Permit, Food Handling Permit, or any other permit issued by Council or any other authority.

Council prohibits gaming Licences in Leased or Licensed Council Property.

Liquor Licence applications require Council approval and must only be applied for after prior written consent is given.

9. Records

Record	Retention/Disposal Responsibility	Retention Period	Location
Legal Documents	General Manager Governance and Infrastructure	Term of Legal Document	Legal Documents Register – Authority Original document – strong room Relevant file in TRIM

10. Attachments

Nil

11. References

Local Government Act 1989
Local Government (General) Regulations 2015
Retail Leases Act 2003
Retail Leases Regulations 2003
Crown Land (Reserves) Act 1978Crown Land Acts Amendment (lease and licence terms) Act 2009
Crown Land (Reserves) (Tour Operator Licence Fee) Regulations 2011
Occupational Health and Safety Act 2004
Residential Tenancies Act 1997
Residential Tenancies Regulations 2008

COUNCIL POLICY



Children's Services Act 1996 & Children's Services Regulations 1998 – Outlines the space and safety requirements for children's service centres.

Other document references:

Use of Council Facilities Policy (SCS-033)
Council Plan 2013-2017
Open Space Land Management System
Capital Works Program
Asset Management Plan for Buildings
Condition Appraisal Report
Outgoing and Maintenance Obligations Schedule
Casual Hire Form
Standard templates for Agreements for Council and Crown Land

Cr David Bell, Mayor returned to the meeting at 7.16pm and reassumed the Chair.

4.7 Principal Conduct Officer

Author's Title: General Manager Governance & Infrastructure

General Manager: Anne Howard

Department: Governance & Infrastructure

File No: F16/51

Division: Governance & Infrastructure

Trim No: IC18/1546

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's recognition of Terry Bramham of Macquarie Local Government Lawyers as a person suitably qualified to perform the functions of the Principal Conduct Officer for Surf Coast Shire Council, in accordance with Section 81Y of the Local Government Act 1989.

Summary

Section 81Y of the Local Government Act 1989 (the Act) requires the Chief Executive Officer to appoint, in writing, an eligible person to be the Principal Conduct Officer. Accordingly, the Chief Executive Officer has appointed the General Manager Governance and Infrastructure to the role of Principal Conduct Officer.

The workload of the Principal Conduct Officer cannot be planned in terms of volume or timing because it is reactive to the needs of Council. Depending on the volume and complexity of the matters that may arise, the performance of the functions of the Principal Conduct Officer may create an unexpected burden on the appointed officer. Section 3C(2)(b) of the Act requires Council to ensure that its resources are used efficiently and effectively.

Section 81Y of the Act enables the role of the Principal Conduct Officer to be fulfilled through internal or external resources. It is the officers' view that establishing an appropriate Principal Conduct Officer that is an external resource may present a more efficient and effective approach in relation to resourcing the role of the Principal Conduct Officer if needed. This is permissible under the Act where Council resolves that the person is suitably qualified to perform the functions of the Principal Conduct Officer.

Recommendation

That Council recognises Terry Bramham of Macquarie Local Government Lawyers as a suitably qualified person who is eligible for appointment to the role of the Principal Conduct Officer in accordance with section 81Y of the Local Government Act 1989.

Council Resolution

MOVED Cr Margot Smith, Seconded Cr Libby Coker

That Council recognises Terry Bramham of Macquarie Local Government Lawyers as a suitably qualified person who is eligible for appointment to the role of the Principal Conduct Officer in accordance with section 81Y of the Local Government Act 1989.

CARRIED 6:1

4.7 Principal Conduct Officer

Report

Background

Section 81Y of the Local Government Act 1989 (the Act) requires the Chief Executive Officer to appoint, in writing, an eligible person to be the Principal Conduct Officer. Accordingly, the Chief Executive Officer has appointed the General Manager Governance and Infrastructure to the role of Principal Conduct Officer.

The workload of the Principal Conduct Officer cannot be planned in terms of volume or timing because it is reactive to the needs of Council. Depending on the volume and complexity of the matters that may arise, the performance of the functions of the Principal Conduct Officer may create an unexpected burden on the appointed officer. Section 3C(2)(b) of the Act requires Council to ensure that its resources are used efficiently and effectively. It is primarily the consideration of the principle that has led to this proposal that an external resource should be considered to fulfil this role if the need arises, while minimising the impact on Council resources.

Discussion

Section 81Y of the Act enables the role of the Principal Conduct Officer to be fulfilled through internal or external resources. It is the officers' view that establishing an appropriate Principal Conduct Officer that is an external resource may present a more efficient and effective approach in relation to resourcing the role of the Principal Conduct Officer if needed. This is permissible under the Act where Council resolves that the person is suitably qualified to perform the functions of the Principal Conduct Officer.

Terry Bramham of Macquarie Local Government Lawyers has more than 25 years of experience in Local Government Law. His comprehensive understanding of the Local Government Act and other relevant legislation affecting the sector makes him a person suitably qualified to perform the functions of the Principal Conduct Officer for Council. If Council formally recognises Terry Bramham as an eligible person for this role, the Chief Executive Officer may appoint him in writing to fulfil the requirements of the Principal Conduct Officer.

The Act does not preclude the Chief Executive Officer from appointing more than one person to the role of Principal Conduct Officer. The primary benefit sought from the endorsement of Terry Bramham as a suitable alternative is to create flexibility and ensure that these functions can be performed in the most effective manner when the need may arise.

Financial Implications

If Terry Bramham is appointed and performs the functions of Principal Conduct Officer, this will incur a direct cost to Council. This cannot be forecast because this type of work is unplanned and may not even be needed.

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

Policy/Legal Implications

The recognition of a suitably qualified person, other than a senior officer of Council, to the role of Principal Conduct Officer is permissible under Section 81Y of the Act.

Officer Direct or Indirect Interest

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

Risk Assessment

No notable risk has been identified in relation to this report or recommendation.

Social Considerations

No safety, security, health, amenity or other social consideration has been identified in relation to this report or recommendation.

4.7 Principal Conduct Officer

Community Engagement

No community engagement has been undertaken or is proposed in relation to this report or recommendation.

Environmental Implications

No notable environmental implications have been identified in relation to this report or recommendation.

Communication

No external communication is planned following the decision of Council in relation to this matter.

Options

Option 1 – Endorse Terry Bramham

This option is recommended by officers because it represents an opportunity to establish flexibility while ensuring that the functions of the Principal Conduct Officer can be performed in a manner that is efficient and effective.

Option 2 – Seek an alternative external person

This option not recommended by officers at this time as there is no indication that the workload will exceed the planned capacity.

Terry Bramham is a well-recognised person across the Local Government sector, and while others may be eligible, Terry Bramham has provided valuable advice to council on a range of governance matters enabling him to be very familiar with Council's specific context, issues and needs.

If Council wishes to seek further eligible persons this may be considered in the future.

Option 3 – Appoint an alternative senior officer

This option is not recommended by officers as the objective is to minimise impact on the workload of internal resources.

Option 4 – Do nothing

This option is not recommended by officers as this doesn't assist in mitigating the impact on the workload of the organisation and the services and projects it delivers to the community.

Conclusion

The workload of the Principal Conduct Officer is unpredictable and recognition of alternative persons to fulfil the functions of the role aims to provide more flexibility, efficiency and effectiveness.

5. ENVIRONMENT & DEVELOPMENT

5.1 Submission to Central Region Sustainable Water Strategy Review

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

General Manager: Ransce Salan
File No: F18/687
Trim No: IC18/1485

Appendix:

1. Submission to Central Region Sustainable Water Strategy Review (D18/106805)

Officer Direct or Indirect Conflict of Interest:

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

☐

Yes

☒

No

Reason: Nil

Status:

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

☐

Yes

☒

No

Reason: Nil

Purpose

The purpose of this report is to receive and note Council's submission to the Central Region Sustainable Water Strategy Review.

Summary

Councillors received a briefing on 21 August 2018 regarding the current review of the State government's Central Region Sustainable Water Strategy (the Strategy) which is being undertaken by the Department of Land, Water, Environment and Planning (DELWP). The review is expected to be completed by the end of this year.

The Strategy was originally developed during the Millennium Drought in 2006 and was intended to be a long term plan to manage demand and supply of water resources in Victoria's Central Region which includes Melbourne and surrounds (including the Surf Coast). Council's submission acknowledges the achievements of the Strategy to date and highlights matters of relevance to Council under the Strategy, including Winchelsea community concerns regarding the health of the Barwon River, the importance of access to recycled water in the Shire and the benefits of greater community involvement in water management.

Council's submission on the Strategy (Appendix 1) was provided to DELWP on the closing date of 27 August 2018.

Recommendation

That Council:

1. Receives and note the submission on the Central Region Sustainable Water Strategy Review.
2. Provides a copy of the submission to Growing Winchelsea and Upper Barwon Landcare Network.

Council Resolution

MOVED Cr Carol McGregor, Seconded Cr Libby Coker

That Council:

1. Receives and note the submission on the Central Region Sustainable Water Strategy Review.
2. Provides a copy of the submission to Growing Winchelsea and Upper Barwon Landcare Network.

CARRIED 7:0

5.1 Submission to Central Region Sustainable Water Strategy Review

Report

Background

In May this year, Council became aware of community concerns about the health of the Barwon River at Winchelsea, in particular the impact of Barwon Water's borefield extraction and the adequacy of current environmental flows to the Barwon River. The Department of Environment, Land, Water and Planning (DELWP) have made available information on the environmental entitlement and environmental flows for the Barwon River, their approach to renewal of their Barwon Downs borefield licence, including community engagement and proposed management plan.

DELWP have highlighted the review of the Central Region Sustainable Water Strategy as an opportunity for Council to make a submission on water resource management in the region, including the Barwon River.

Discussion

The review of the Central Region Sustainable Water Strategy (the Strategy) is of relevance to Council in various ways including:

- Ensuring a strategic approach to how the region's demand for water can be met
- Growing community interest in greater involvement in water planning and management, including for the Barwon and Anglesea rivers
- Specific actions regarding environmental flows and entitlements for the Barwon River, which is of particular importance to the Winchelsea and surrounding community
- The proposed future focus of the Strategy on 'shared benefits' – environmental sustainability, recreation and quality of life – have direct relevance to management of waterways like the Anglesea River, which is not specifically addressed in the current Strategy
- Prioritising recycling wastewater for agricultural uses is directly referenced in Council's draft Hinterland Futures Strategy. Beneficial recycled water irrigation also supports actions in G21's Sustainable Agribusiness Strategy
- Ensuring sufficient water is allocated to environmental uses supports many complementary tourism activities and is also identified as important in the draft Hinterland Futures Strategy and G21 Sustainable Agribusiness Strategy.

A secure regional water supply is essential to achieve multiple financial, environmental and social benefits for Surf Coast Shire. Water security is essential to help our community and environment to thrive and to support key Council Plan priorities including a vibrant economy, support for local food production, provision of recycled water and ensuring infrastructure is in place to support existing communities and provide for growth.

Financial Implications

There are no direct costs to Council in making the submission and there are no expected additional costs to Council from the Strategy implementation.

Council Plan

Theme	2 Environmental Leadership
Objective	2.2 Improve the re-use of resources
Strategy	2.2.4 Work in partnership with relevant stakeholders to investigate the feasibility of recycled water to support agriculture in the Thompson Valley and other rural areas

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

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

Policy/Legal Implications

The Water Act 1989 requires sustainable water strategies to be reviewed at least every 10 years. The current Strategy remains valid until a future strategy or strategies are developed.

5.1 Submission to Central Region Sustainable Water Strategy Review

Officer Direct or Indirect Interest

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

Risk Assessment

The Strategy played a key role in securing the Central Region's (including Surf Coast) water supplies during the Millennium Drought. A review of the Strategy will guide ongoing management of regional water supplies with climate change, population growth and urban development and ensure water supplies meet demand into the future.

Social Considerations

The Strategy has several actions regarding environmental flows and entitlements for the Barwon River. Review of the Strategy provides an opportunity for Council to raise Winchelsea community concerns about environmental flows in the Barwon River and request that this issue be addressed in partnership with the local community.

Community Engagement

DELWP commenced the review of the Strategy in 2016 and will be completed after reviewing public consultation submissions as part of the review process. A draft review report has been made available for public consultation which:

- discusses the actions in the 2006 Central Region Sustainable Water Strategy, and whether completed or not in 2018
- details lessons learned and the legacy of the original Central Region Sustainable Water Strategy
- outlines considerations for a new strategy or strategies incorporating the Central Region to continue securing Victoria's water into the future.

Submissions were invited until 27 August 2018.

Environmental Implications

The Strategy was the first sustainable water strategy in Victoria to recognise and protect the environment's right to water. Other key environmental achievements include reduced demand for water through water conservation and efficiency, wastewater recycling and improved groundwater management. The review also highlights the need to integrate 'shared benefits' in water management, with consideration of the health and long term sustainability of the environment, recreational opportunities and amenity/quality of life. The Barwon and Anglesea rivers are good local examples of the need to consider and integrate shared benefits in water planning and management.

Communication

A copy of Council's submission to the review will be provided to Growing Winchelsea and the Upper Barwon Landcare Network given their advocacy work on Barwon River health issues.

Options

Option 1 – Receive and note the submission

This option is recommended by officers as the submission was written consistent with information provided to Council and the submission has been provided to DELWP on 27 August 2018.

Option 2 – Reject the submission

This option is not recommended by officers because Council would not provide its views on the development of a Strategy essential to help our community and environment to thrive and to support key Council Plan priorities including a vibrant economy, support for local food production, provision of recycled water and ensuring infrastructure is in place to support existing communities and provide for growth. .

Conclusion

The review of the Central Region Sustainable Water Strategy is of relevance to Council in various ways. Councillors were briefed about the review and the proposed approach for Council's submission on 21 August 2018. The submission was provided to DELWP on 27 August 2018 and acknowledges the achievements of the Strategy to date and highlights various matters including community concerns about the health of the Barwon River. Council's submission also highlights ongoing community concerns about the Anglesea River.

It is recommended that Council receive and note the submission to the Central Region Sustainable Water Strategy review and a copy of the submission be provided to Growing Winchelsea and Upper Barwon Landcare Network.

5.1 Submission to Central Region Sustainable Water Strategy Review

APPENDIX 1 SUBMISSION TO CENTRAL REGION SUSTAINABLE WATER STRATEGY REVIEW



Our Ref: F18/687 D18/104415
Contact: Kate Smallwood – (03) 5261 0600

24 August 2018

By email: SWS.Team@delwp.vic.gov.au

Sustainable Water Strategies
Department of Environment, Land, Water & Planning
Level 12
8 Nicholson Street
EAST MELBOURNE VIC 3002

Dear Sir/Madam

Central Region Sustainable Water Strategy Review

Council appreciates the opportunity to provide a submission to the Department of Environment, Land, Water & Planning (DELWP) regarding the Central Region Sustainable Water Strategy Review. Council's submission is in two parts:

- (i) Feedback on the current Central Region Sustainable Water Strategy (SWS)
- (ii) Feedback on considerations for a future SWS.

Current Central Region SWS

Key Achievements

The current Central Region SWS was developed in 2006 and was the first SWS developed in Victoria. Council notes that the Central Region SWS was developed during the Millennium drought and acknowledges that the strategy helped support the following achievements for the region:

- Secured and augmented the region's water supplies (including the Geelong-Melbourne interconnector and the Anglesea groundwater bulk-entitlement);
- Reduced demand for water, supporting water use efficiency and conservation measures;
- Increased wastewater recycling;
- Helped protect waterways and aquifers with the creation of environmental water reserves and water for the environment (the first recognition of the environment's right to water);
- Recognised and incorporated consideration of climate change impacts;
- Improved groundwater management; and
- Improved Aboriginal involvement in waterway management



Barwon River Health

In recent months Council has become aware of community concerns regarding Barwon Water's management of the Barwon Downs borefield and the adequacy of environmental flows to the Barwon River. These concerns reflect the importance of the Barwon River to the Winchelsea community.

In response to the concerns raised by the community, Council requested and received briefings from DELWP, the Corangamite Catchment Management Authority (CCMA) and Barwon Water on 12 June 2018 to better understand the issues regarding the health of the Barwon River.

Council acknowledges the actions in the Central Region SWS to increase environmental flows in the Barwon River by 4,700 ML by 2015 (achieved) and the action to transfer part of Barwon Water's water entitlements in the West Barwon Reservoir to the environment (ongoing). While the creation of the *Upper Barwon River Environmental Entitlement 2018* to provide a long term average of 1GL a year of water for the environment is commendable, Council is concerned whether this allocation is sufficient to meet the environmental needs of the river. The CCMA's *Upper Barwon Seasonal Watering Proposal 2018-19* confirms that the 1GL entitlement will not only be insufficient to meet the environmental flows for the Upper Barwon, but won't meet all the high priority flow components identified in the 2006 FLOWS study.

Inadequate environmental flows for the Barwon River remain a significant concern for the Winchelsea community. Council believes that this issue needs to be addressed in partnership with the community, together with consideration of any potential future trade-offs. The 2018 update to the 2006 FLOWS study is supported and will be essential to inform this work.

Recycled Water

Council is supportive of the Central Region SWS's achievements and commitments regarding recycled water, which has a critical role to play in enhancing our resilience to climate change. The *Surf Coast Shire Council Plan 2017 – 2021* has a strategic objective to improve the re-use of resources with an outcome that 'recycled water is used to support agribusiness appropriate to the shire'. The Plan says this will be achieved by working 'in partnership with relevant stakeholders to investigate the feasibility of recycled water to support agriculture in the Thompson Valley and other rural areas'. Recycled water irrigation is also a priority action in Council's draft *Hinterland Futures Strategy*. In addition to supporting the development of wastewater and recycled water infrastructure, Council will be working in partnership with Barwon Water to explore potential use of recycled water to support agricultural and agri-tourism development in the hinterland, particularly in the vicinity of the Black Rock and Winchelsea water reclamation plants.

Council notes that the importance of recycled water is also highlighted in the *Sustainable Agribusiness Strategy for the G21 Region 2017-2022*, which includes actions to foster climate change resilience and identify potential development sites for using recycled water for agribusiness. Irrigation for agriculture using recycled water to support high value farming and food supplies is also an opportunity specifically identified in the *Geelong Economic Futures 2017* report published by the Centre for Regional and Rural Futures, Deakin University in partnership with the City of Greater Geelong.



Anglesea River

The current Central Region SWS focuses on the six river systems in the region that support water supply for residential, industrial and agricultural use. It came to our attention during DELWP's Geelong stakeholder forum on the Central Region SWS that while the Anglesea River may not currently be covered under the Central Region SWS, this may well change in the future given the proposed focus on 'shared benefits' for waterway management. The Anglesea community is concerned about the health of the Anglesea River, a vital economic, social and economic asset with significant shared benefits for the local community.

Considerations for Future SWS

The review of the Central Region SWS identifies a number of considerations for a future strategy or strategies. Council supports the following considerations in particular:

- Greater community involvement and integration of local knowledge into ongoing water management – This would be a key improvement and should be considered as part of ongoing implementation of the current SWS. The high level of community interest in the health of waterways in the shire, including the Barwon and Anglesea rivers, demonstrates local communities want greater, ongoing involvement in water management.
- Integration of shared benefits – a key improvement – In addition to providing water for residential, agricultural and industrial use, shared benefits include the health and long term sustainability of the environment, recreational opportunities and amenity/quality of life. The Barwon and Anglesea rivers are key local examples of the need to consider and integrate share benefits in water planning and management.
- Role of alternative water supplies such as recycled water in meeting future water demands – Agricultural and environmental use of Class A and Class C recycled water support climate change resilience of our region, both as a contributor to the peri-urban food bowl and as an attractor for sustainable tourism activities.
- The next steps required to meet environmental outcomes, deliver shared benefits and increase shared productivity – Recycled water is recognised as having the capacity to contribute to future environmental water allocations and Council recommends that allocations of environmental water be considered for slow-moving waterways and wetlands. Slow moving waterways, wetlands and soil water reserves play a vital role in climate change mitigation through thermal buffering as well as maintaining wetland vegetation reserves. These wetlands also provide shared benefits to active and passive recreational opportunities, fostering complementary tourism based land uses in rural areas – priority actions in the draft *Hinterland Futures Strategy*.
- Role of the environmental entitlement framework in ensuring sustainable water use
- Role of integrated water management in providing long term water sustainability
- Consideration of climate change mitigation and adaptation – Council supports this ongoing focus and the *Water for Victoria* commitment for the water sector to achieve zero net emissions. Council has signed on to Victoria's *Take 2* pledge.



Thank you for the opportunity to provide feedback on the review of the Central Region SWS. If you have any enquiries concerning this matter, please contact Kate Smallwood, Coordinator Environment on (03) 5261 0600 or email: ksmallwood@surfcoast.vic.gov.au

Yours sincerely

A handwritten signature in blue ink, appearing to read "Ransce Salan".

Ransce Salan
General Manager Environment & Development

7. URGENT BUSINESS

Motion to Accept Item of Urgent Business

Council Resolution

MOVED Cr Libby Coker, Seconded Cr Margot Smith

That Council agree to admit Item 7.1 Surf Coast Multi-Purpose Indoor Stadium Project Land Transfer to be considered as a matter of Urgent Business.

CARRIED 7:0

7.1 Surf Coast Multi-Purpose Indoor Stadium Project Land Transfer

Author's Title: General Manager Culture & Community **General Manager:** Chris Pike

Department: Culture & Community

File No: F15/1518

Division: Culture & Community

Trim No: IC18/1570

Appendix:

Nil

Officer Direct or Indirect Conflict of Interest:

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

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Yes

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No

Reason: Nil

Status:

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

☐

Yes

☒

No

Reason: Nil

Purpose

The purpose of this report is to seek Council authorisation to progress with the transfer of land to the Minister for Education for the Surf Coast Multi-Purpose Indoor Stadium project while development and use agreements are finalised.

Summary

The Surf Coast Multi-Purpose Indoor Stadium project requires a sub-division of Council land in the Civic and Community Precinct and the vesting of the newly created lot in the Minister for Education. This enables Council to construct the stadium on a single title – the Surf Coast Secondary College.

The sub-division process is nearing completion and officers will very shortly be ready to vest the land in the Minister.

Council has previously authorised the Chief Executive Officer “to vest the newly created lot in the Minister subject to the establishment of agreements which protect Council’s investment in the project”. These agreements with the Minister for Education will ensure Council can access school land during construction (development agreement) and secure appropriate access and management rights once the facility opens (use agreement).

The Minister for Sport and Recreation has advised Council of his in-principle approval of \$3 million towards the stadium project from the Better Indoor Stadiums fund. A condition of this approval is the completion of the land transfer process. Sport and Recreation Victoria advises that the Minister is unwilling to execute a funding agreement guaranteeing the state government’s \$3 million grant contribution until the land transaction is completed.

Ordinarily Council’s current position to await the execution of development and use agreements before vesting the land (and so securing the funding agreement) would not be problematic. However, given the impending caretaker period for the state election it is no longer prudent as it raises the prospect of a new government being elected without a contractual commitment to provide the \$3 million in funding.

Council and the Department of Education have nearly finalised the development and use agreements. Officers recommend Council authorises the finalisation of the land transfer process in advance of development and use agreements being executed.

7.1 Surf Coast Multi-Purpose Indoor Stadium Project Land Transfer

Recommendation

That Council:

1. Notes that it has already resolved to create a new lot within the Civic and Community Precinct, to be vested in the Minister for Education, to facilitate the development of the Surf Coast Multi-Purpose Indoor Stadium.
2. Authorises the Chief Executive Officer to vest the newly created lot in the Minister for Education before executing development and use agreements.
3. Notes that this authorisation will enable the Chief Executive Officer to execute a funding agreement with the Minister for Sport and Recreation for the state government's \$3 million contribution prior to the state election caretaker period.

Council Resolution

MOVED Cr Martin Duke, Seconded Cr Margot Smith

That Council:

1. Notes that it has already resolved to create a new lot within the Civic and Community Precinct, to be vested in the Minister for Education, to facilitate the development of the Surf Coast Multi-Purpose Indoor Stadium.
2. Authorises the Chief Executive Officer to vest the newly created lot in the Minister for Education before executing development and use agreements.
3. Notes that this authorisation will enable the Chief Executive Officer to execute a funding agreement with the Minister for Sport and Recreation for the state government's \$3 million contribution prior to the state election caretaker period.

CARRIED 7:0

7.1 Surf Coast Multi-Purpose Indoor Stadium Project Land Transfer

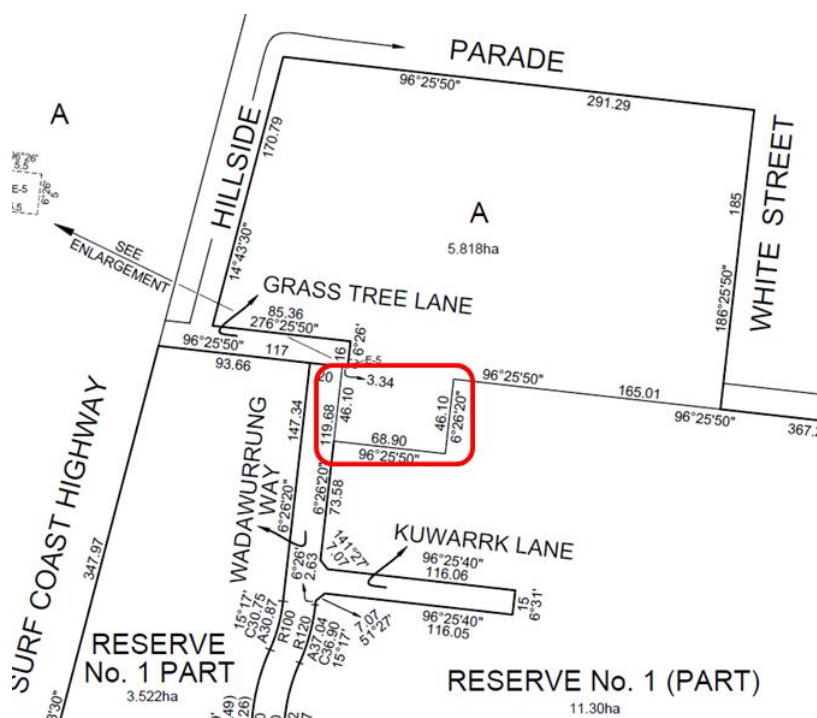
Report

Background

Council has resolved to construct the Surf Coast Multi-Purpose Indoor Stadium on the site of the Surf Coast Secondary College.

The project is a four way partnership between Council, the Federal Government, the State Government and the Surf Coast Secondary College.

Council has previously resolved to transfer a small parcel of land to the north of the netball courts in the Civic and Community Precinct to the Minister for Education so that the new facility sits entirely on one title. This is marked in the map below.



The Chief Executive Officer is currently authorised, via Council's 12 December 2017 resolution, to vest the land in the Minister "subject to the establishment of agreements which protect Council's investment in the project".

Council and the Department of Education have nearly finalised these (development and use) agreements for the project.

Council and the Minister for Sport and Recreation are yet to execute the funding agreement to secure the State Government's \$3 million contribution. The Minister requires the transfer of land to have been completed before he will execute the funding agreement. This requirement has delayed the execution of the funding agreement.

Discussion

The state election is rapidly approaching. The caretaker period commences in 30 October 2018. Sport and Recreation Victoria (SRV) advises that funding agreements must be with the Minister for Sport and Recreation by 12 October 2018 to guarantee execution.

Consequently, it is now prudent for Council to authorise the completion of the land transfer process before the development and use agreements are finalised and executed.

Officers have assessed the risk profile of this revised approach as low risk. Officers are satisfied with the contents of both the draft development agreement and the draft use agreement and believe these protect Council's interests. The Department of Education have drafted both agreements and in doing so have stated their support for them.

7.1 Surf Coast Multi-Purpose Indoor Stadium Project Land Transfer

Officers are concerned that the development and use agreements will not be executed prior to SRV's deadline for the lodging of funding agreements to the Minister for Sport and Recreation. Therefore there is a significant risk that the caretaker period will commence and Council will be left without a contractual commitment from the state government to contribute its \$3 million to the project. This scenario exposes Council to the risk that the newly elected state government does not honour the \$3 million funding commitment. This is considered a more significant project risk than the earlier-than-planned vesting of land.

Financial Implications

Council will not incur any additional costs in revising its approach to the vesting of land. However, there is a \$3 million financial risk if Council maintains its current position to await the completion of development and use agreements before completing the land transfer process.

Council Plan

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

Policy/Legal Implications

Key legal implications are detailed earlier in this report. Council is receiving independent legal advice on the establishment of all agreements and transactions referenced in this report.

Officer Direct or Indirect Interest

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

Risk Assessment

Officers recommend this new approach to mitigate the risk that external funding is not secured prior to the state election. Officers consider it a low risk strategy to transfer the newly created lot before development and use agreements are executed.

Social Considerations

Not applicable.

Community Engagement

Not applicable.

Environmental Implications

Not applicable.

Communication

Communication is directly with Sport and Recreation Victoria and the Department of Education.

Options

Option 1 – Authorise the Chief Executive Officer to vest land in the Minister for Education before the execution of development and use agreements

This option is recommended by officers as it best mitigates the risk of not securing a contractual commitment from the state government to contribute its \$3 million funding contribution prior to the caretaker period preceding the state election.

Option 2 – Authorise the Chief Executive Officer to vest land in the Minister for Education not before the execution of development and use agreements

This option is not recommended by officers as exposes Council to the risk of not securing a contractual commitment from the state government to contribute its \$3 million funding contribution prior to the caretaker period preceding the state election.

Conclusion

Revising Council's approach in order to vest land in the Minister for Education before the execution of development and use agreements provides the best opportunity to secure a contractual commitment from the state government to contribute its \$3 million funding contribution prior to the caretaker period preceding the state election.

8. PROCEDURAL BUSINESS

8.1 Section 86 Committee Minutes

Author's Title: Administration Officer, Governance & Risk **General Manager:** Chris Pike

Department: Governance

File No: F18/221

Division: Governance & Infrastructure

Trim No: IC18/1444

Appendix:

1. Anderson Roadknight Reserve S86 Committee of Management - Meeting Minutes - 14 May 2018 (D18/110486)
2. Anderson Roadknight Reserve S86 Committee of Management - Meeting Minutes - 9 July 2018 (D18/110487)
3. Connewarre Reserve S86 Committee of Management - Meeting Minutes - 11 June 2018 (D18/110488)
4. Deans Marsh Community Hall and Memorial Reserve S86 Committee of Management - Meeting Minutes - 24 May 2018 (D18/110489)
5. Deans Marsh Community Hall and Memorial Reserve S86 Committee of Management - AGM Meeting Minutes - 23 August 2018 (D18/110492)
6. Deans Marsh Community Hall and Memorial Reserve S86 Committee of Management - Meeting Minutes - 23 August 2018 (D18/110493)
7. Globe Theatre S86 Committee of Management - Meeting Minutes - 28 May 2018 (D18/110495)
8. Globe Theatre S86 Committee of Management - AGM Meeting Minutes - 21 August 2018 (D18/110501)
9. Globe Theatre S86 Committee of Management - Meeting Minutes - 21 August 2018 (D18/110502)
10. Modewarre Hall & Reserve S86 Committee of Management - Meeting Minutes - 16 May 2018 (D18/110504)
11. Modewarre Hall & Reserve S86 Committee of Management - AGM Meeting Minutes - 15 August 2018 (D18/110505)
12. Modewarre Hall & Reserve S86 Committee of Management - Meeting Minutes - 15 August 2018 (D18/110506)
13. Stribling Reserve S86 Committee of Management - Meeting Minutes - 14 May 2018 (D18/110507)
14. Stribling Reserve S86 Committee of Management - Meeting Minutes - 16 July 2018 (D18/110508)

Officer Direct or Indirect Conflict of Interest:

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

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Yes

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No

Reason: Nil

Status:

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

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Yes

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No

Reason: Nil

Purpose

The purpose of this report is to receive and note the minutes of the Section 86 Committee meetings as appended.

Summary

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

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

8.1 Section 86 Committee Minutes

Recommendation

That Council receives and notes the following minutes of the Section 86 Committee meetings:

1. Anderson Roadknight Reserve S86 Committee of Management - Meeting Minutes - 14 May 2018.
2. Anderson Roadknight Reserve S86 Committee of Management - Meeting Minutes - 9 July 2018.
3. Connewarre Reserve S86 Committee of Management - Meeting Minutes - 11 June 2018.
4. Deans Marsh Community Hall and Memorial Reserve S86 Committee of Management - Meeting Minutes - 24 May 2018.
5. Deans Marsh Community Hall and Memorial Reserve S86 Committee of Management - AGM Meeting Minutes - 23 August 2018.
6. Deans Marsh Community Hall and Memorial Reserve S86 Committee of Management - Meeting Minutes - 23 August 2018.
7. Globe Theatre S86 Committee of Management - Meeting Minutes - 28 May 2018.
8. Globe Theatre S86 Committee of Management - AGM Meeting Minutes - 21 August 2018.
9. Globe Theatre S86 Committee of Management - Meeting Minutes - 21 August 2018.
10. Modewarre Hall & Reserve S86 Committee of Management - Meeting Minutes - 16 May 2018.
11. Modewarre Hall & Reserve S86 Committee of Management - AGM Meeting Minutes - 15 August 2018.
12. Modewarre Hall & Reserve S86 Committee of Management - Meeting Minutes - 15 August 2018.
13. Stribling Reserve S86 Committee of Management - Meeting Minutes - 14 May 2018.
14. Stribling Reserve S86 Committee of Management - Meeting Minutes - 16 July 2018.

Council Resolution

MOVED Cr Margot Smith, Seconded Cr Clive Goldsworthy


That Council receives and notes the following minutes of the Section 86 Committee meetings:

1. Anderson Roadknight Reserve S86 Committee of Management - Meeting Minutes - 14 May 2018.
2. Anderson Roadknight Reserve S86 Committee of Management - Meeting Minutes - 9 July 2018.
3. Connewarre Reserve S86 Committee of Management - Meeting Minutes - 11 June 2018.
4. Deans Marsh Community Hall and Memorial Reserve S86 Committee of Management - Meeting Minutes - 24 May 2018.
5. Deans Marsh Community Hall and Memorial Reserve S86 Committee of Management - AGM Meeting Minutes - 23 August 2018.
6. Deans Marsh Community Hall and Memorial Reserve S86 Committee of Management - Meeting Minutes - 23 August 2018.
7. Globe Theatre S86 Committee of Management - Meeting Minutes - 28 May 2018.
8. Globe Theatre S86 Committee of Management - AGM Meeting Minutes - 21 August 2018.
9. Globe Theatre S86 Committee of Management - Meeting Minutes - 21 August 2018.
10. Modewarre Hall & Reserve S86 Committee of Management - Meeting Minutes - 16 May 2018.
11. Modewarre Hall & Reserve S86 Committee of Management - AGM Meeting Minutes - 15 August 2018.
12. Modewarre Hall & Reserve S86 Committee of Management - Meeting Minutes - 15 August 2018.
13. Stribling Reserve S86 Committee of Management - Meeting Minutes - 14 May 2018.
14. Stribling Reserve S86 Committee of Management - Meeting Minutes - 16 July 2018.

CARRIED 7:0

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**APPENDIX 1 ANDERSON ROADKNIGHT RESERVE S86 COMMITTEE OF MANAGEMENT - MEETING
MINUTES - 14 MAY 2018**

	MINUTES COMMITTEE: Anderson Roadknight Reserve Committee of Management PRESENT Marg Duncan, Gail Timmers, Keith Bremner, Barry Whelan, Phil Rounsevell, John McInerny, Paul Elshaug, Karen Jacques APOLOGIES: Dorothy McPherson, Libby Stapleton	DATE: 14 May 2018 TIME: 6:30 pm VENUE: Aireys Inlet Community Hall
Adoption of previous minutes	Minutes from 5 March 2018 Moved : Karen Jacques, Seconded: Margaret Duncan Carried	
Conflict of Interest Declaration	Nil	
Business Arising from previous minutes	Nil	
Correspondence In/Out	Nil	
Chairperson's Report	Nil	
Treasurers Report	<p>Profit-Loss statement and Current Account Balance have been circulated. John McInerny spoke to the report. Some delays in obtaining payment from Surf Coast shire for Market Days</p> <p>Moved for acceptance: Keith Bremner Seconded: Margaret Duncan Carried</p> <p>Discussion regarding cost of gas, inadequate heating and lack of cooling. Inadequate heating results in lower bookings over winter. Also some issues with gas commercial stoves/ovens. Paul suggested that initially the committee refer those issues to the Shire and the building staff will look at the heating and cooling. The Shire will fund replacement on a like for like basis but the Committee will be asked to contribute to improvements. There was a solar panel grant program for Corangamite but the available funds are fully committed. The council’s position re solar panels is that the highest use facilities will be fitted first. Agreed that Gail will send an email.</p>	
Booking Officer Report	Nothing significant to report. Regular usage is steady. Less one off bookings are expected in the cooler months	
User Groups Report	Aireys Inlet P.S. Discussions have been held with the school and Karen has met with Camp Australia (today) regarding After School	

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	<p>Care. Planning is for After School Care to be transferred to the school starting in Term 3. Arrangements are still subject to final sign off by the Education Dept, but likely to proceed. The school will use the hall all day on a Friday during (cooler months) Term 2 & 3, plus casual bookings when required.</p> <p>AIDTC John McInerny advised Nil to report</p> <p>Red Cross No Report. Margaret Duncan advised that the red Cross normally meet every couple of months but they are tending to combine meetings with outings so are not using the hall as often.</p> <p>Aireys Inlet Market No Report. A market was held on Sunday 13 May, one more in June, then none until spring.</p> <p>Playgroup Margaret Duncan has emailed Shane regarding obtaining a key to the store room but has not had a response. Margaret will provide Shane's contacts to Karen Jacques to follow up. Karen has had some discussions with Aireys Inlet mothers regarding running the playgroup. Barry Whelan provided Karen with a contact for a person who has expressed interest in running the playgroup. Karen will follow up.</p> <p>SMUG (Surf Coast Mac User Group) No SMUG hall use at present. Delete from future agenda.</p> <p>Soft Tennis Margaret Duncan advised that numbers are fading and only one use in the last month. The group has not had success in recruiting new players.</p> <p>Uniting Church Keith Bremner raised the issue of the amplifying equipment and whether there should be a charge. Keith sets up the equipment on request. Margaret Duncan said that the amplification equipment is included in the hall hire for regular users. It was agreed that Keith may seek a donation when he sets up the equipment for one off users.</p> <p>Exercise Class</p>
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	<p>Margaret advised that the classes are going well with very good numbers.</p> <p>Reports moved for acceptance by: John McInerny Seconded: Karen Jacques Carried</p>
Surf Coast Shire Report	<p>Surf Coast Shire</p> <p>Paul Elshaug advised that there are some outstanding Police Checks and Working With Children checks, but the response has been good.</p> <p>Key List. The Shire's Building staff will provide a list of current key holders. Margaret Duncan will update the list as necessary.</p> <p>Attendance. Paul's future attendance will be on an as needed basis (minimum attendance 1 meeting per year). Paul will provide updates prior to meetings and attend as necessary or on request.</p> <p>Master Plan Paul tabled and spoke to a document "Masterplan Scope of Works". Paul advised that an amount of \$196,000 for the hall Masterplan is included in the Council's Draft 2018-2019 budget and he expects it will be in the final budget to be adopted in June. Following the adoption of the budget a Project Manager will be appointed to deliver the project. It was agreed that a sub – committee comprising Gail Timmers, Margaret Duncan, Phil Rounsevell and Keith Bremner be established to work with the Project Manager, with Margaret Duncan to be the nominated point of contact.</p>
General Business	<p>School Booking Agreement</p> <p>Notes from the meeting held with the school on 22 March 2018 have been circulated. As minuted the After school Care is planned to go back to the school in Term 3. The proposed fees set out in the meeting notes were discussed and agreed.</p> <p>Proposed that Gail Timmers will draw up a formal agreement to be forwarded to the School for endorsement.</p> <p>Moved by: John McInerny Seconded: Margaret Duncan Carried</p> <p>A copy of the agreement is to be provided to Paul Elshaug</p>

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	<p>Bank Account Signatories</p> <p>Currently there are only 2 account signatories, Gail Timmers and John McInerney. Extra signatories will enable business to proceed when members are on holidays etc.</p> <p>Proposed that Barry Whelan and Keith Bremner be added to bank signatories.</p> <p>Moved by: Gail Timmers Seconded: Karen Jacques Carried</p> <p>Maintenance</p> <p>A maintenance schedule has been circulated by Paul Elshaug. There was discussion about notification from the Shire before works proceed to minimise inconvenience to hall users. Paul advised that when maintenance works are likely to interfere with hall activities the Shire's Building staff will contact Margaret Duncan and endeavour to resolve issues and minimise disruption to users.</p> <p>Cleaning</p> <p>Margaret Duncan advised that routine cleaning is going well. There is a book in the kitchen where Margaret or hall users can identify cleaning issues and the cleaners are responsive. In the past there was a schedule of periodic cleaning and this is not available now, so Margaret does not know when periodic cleaning is due. For example while the carpet is vacuumed regularly there is a need for periodic deeper cleaning Paul will look into obtaining the periodic cleaning schedule.</p> <p>Tripping Incident</p> <p>There has been an incident where a hall user has fallen on the pavers at the front of the hall and suffered injuries. Paul Elshaug has identified repair of the pavers to the Masterplan. It may be possible to replace the lot and extend the same paving to the works on the north side of the building.</p> <p>Meeting ended at 7:25 pm</p>
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<i>Next Meeting</i>	Monday 9 July <u>6.30 pm</u> Meeting Room, Aireys Inlet Community Hall
(2nd Monday of odd months)	
Meeting Dates 2018	5 March, 14 May, 9 July (school holidays), 15 October (AGM), 12 November

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**APPENDIX 2 ANDERSON ROADKNIGHT RESERVE S86 COMMITTEE OF MANAGEMENT - MEETING
MINUTES - 9 JULY 2018**

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	<p>MINUTES COMMITTEE: Anderson Roadknight Reserve Committee of Management PRESENT Marg Duncan, Gail Timmers, Barry Whelan, Phil Rounsevell, Paul Elshaug, Libby Stapleton APOLOGIES: Dorothy McPherson, Keith Bremner, Karen Jacques, John McInerny</p>	<p>DATE: 9 July 2018 TIME: 6:30 pm VENUE: Aireys Inlet Community Hall</p>
<p>Adoption of previous minutes</p>	<p>Minutes from 14 May 2018 be accepted Moved : Margaret Duncan , Seconded: Phil Rounsevell Carried</p>	
<p>Conflict of Interest Declaration</p>	<p>Nil</p>	
<p>Business Arising from previous minutes</p>	<p>Stoves The commercial oven is Council’s repsonsibility and the smaller domestic oven is the Committee’s responsibility. There are issues with the domestic oven relating to age, safety and ease of use. This oven is the most frequently used and a self cleaning oven would be worthwhile.</p> <p>Proposed that Marg Duncan be authorised to investigate and purchase a new domestic oven up to a value of \$4000. Moved : Gail Timmers , Seconded: Libby Stapleton Carried</p> <p>Paul Elshaug advised that a new ignition for the commercial oven is proposed for 2018-2019. Paul will investigate getting the work done soon.</p> <p>Heating and Cooling Paul Elshaug advised that the council’s asset Managers have advised that the heating is not yet at the end of its useful life. Paul is waiting on advice from the building maintenance staff as to whether the heating might be replaced from a maintenance perspective. It may be necessary to make a submission through the 2019-2020 Council budget process. There may be a possibility for cost sharing between the Council and the Committee.</p>	
<p>Correspondence In/Out</p>	<p>In:</p> <ul style="list-style-type: none"> Email from Shaan Briggs at Surf Coast Shire re Aireys Inlet Market Licence EOI process Email from Shaan Briggs at Surf Coast Shire advising minutes meet the required standard <p>Out:</p>	

	<ul style="list-style-type: none"> • Email to Council re heating and cooling • Email to Council re stoves • Email to Council re Key Register
<i>Chairperson's Report</i>	Gail Timmers has discussed the heating and cooling issue with Council staff and forwarded a request for the Council to consider the installation of air conditioning. She also wrote to Council regarding maintenance of the ovens, including consideration of a request for replacement of the domestic oven. Gail Timmers has had discussions with School Principal - Jen Abels and the new agreement between the Committee and school has been drawn up and will apply from the commencement of Term 3.
<i>Treasurers Report</i>	<p>Treasurers Report, draft Profit and Loss Statement and Monthly Summary were distributed with the agenda. Barry Whelan spoke to attachments and advised that the Treasurer - John McNerny had advised that everything was in order but there was still a long delay between invoicing the Surf Coast Shire for the Market and receiving the income.</p> <p>Moved for acceptance: Margaret Duncan Seconded: Phil Rounsevell Carried</p>
<i>Booking Officer Report</i>	Bookings are normally slower over winter, but bookings are coming in now for later in the year e.g. yoga over December January. Libby Stapleton has submitted Market dates for the next 12 months but there are discussions with the Council regarding winter markets. The Committee has set a rule that bookings are only accepted 12 months in advance, - unless approved by the committee. There may be a conflict between the Arts Trail weekend and a winter market. But it might be possible for both events to run at the same time. Libby Stapleton had requested Marg Duncan contribute to the EOI process run by the Council, explaining how the market has adhered to the hire conditions. A copy of Mag's submission was tabled.
<i>User Groups Report</i>	<p>Aireys Inlet P.S. Gail Timmers expects that the principal, Jen Abels will sign the new agreement at the start of Term 3. After School care will be provided at the school from the start of Term 3. This will create opportunities for new bookings. Promotion of the facility would be useful.</p> <p>AIDTC No report. No issues referred to the Committee.</p> <p>Red Cross</p>

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	<p>No Report. The Red Cross are tending to combine meetings with outings so are not using the hall as often. They may not need to be represented on the Committee. Barry Whelan to contact Dorothy McPherson and ask if the Red Cross wish to continue to have a representative on the Committee.</p> <p>Aireys Inlet Market The most recent June market was very well attended and the second biggest market for the year.</p> <p>Playgroup Libby Stapleton spoke with Joey Natt on the weekend. The potential playgroup organisers are nervous about the hall hire fees, particularly if early attendances are low. This issue was discussed when the repair café was starting up and the Committee did not agree to reduce the fees. The previous Playgroup had a bank account and there may be funds that are accessible to the new playgroup. Barry Whelan and Karen Jacques to make enquiries. If the potential playgroup does not have access to funds then an alternative arrangement may be made. Barry Whelan to advise Gail Timmers of the outcome and Gail will advise the Committee by email.</p> <p>Soft Tennis Margaret Duncan advised that the group has been attending regularly.</p> <p>Uniting Church No report</p> <p>Exercise Class Margaret advised that the classes are continuing with very good numbers.</p> <p>Reports moved for acceptance by: Libby Stapleton Seconded: Margaret Duncan Carried</p>
Surf Coast Shire Report	<p>Surf Coast Shire</p> <p>Paul Elshaug advised that there are a couple of outstanding Police Checks and Working With Children checks and he will follow up with the individuals concerned.</p> <p>The Masterplan Project was funded in the Council's Annual Budget. A Project Manager – Karen Rice has been appointed and Paul believes she will be a good fit for the project. Paul will be meeting with Karen later in the week to</p>

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	<p>set up a Project Control Group (PCG) with representation from the committee as per the minutes of the May meeting.</p> <p>Paul tabled new Conflict of Interest documents and provided an explanation about when a conflict of interest might arise.</p>
General Business	<p>Aireys Inlet Market EOI Process</p> <p>Paul Elshaug advised that the Council had conducted an EOI process regarding ongoing licence arrangements for the market. The previous licence was for 12 months and has just expired. The next licence will be for 3 years. Submissions to the EOI process closed on 28th June. Council will consider a report regarding the Licence at the meeting on Tuesday 24th July. The meeting agenda including the Officer's Report is expected to be available online on Friday 20th July.</p> <p>At the June meeting Council agreed that the Hall will continue to be licensed for a market with a recommendation for 4 markets in January plus one per month.</p> <p>Libby Stapleton has made a submission to the EOI process with markets to Commence in October but will be prepared to run winter markets as long as they are viable.</p> <p>Paul advised he has some questions for the committee later in the meeting.</p> <p>Bank Account Signatories</p> <p>Barry Whelan and Keith Bremner are now bank signatories.</p> <p>Cleaning</p> <p>Margaret Duncan advised that routine cleaning is going well.</p> <p>AGM</p> <p>Gail Timmers reminded members that the next meeting will be the AGM and requested that members give consideration to continuing to serve on the committee.</p>

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	<p>Portable Projector Screen</p> <p>Marg advised that the installation of the TV prevented the projector screen being lowered in its current location. Some users still prefer a projector screen. The existing screen could be relocated, users could use a wall or a white board, or the committee could purchase a portable screen. Agreed to list on agenda for consideration at next meeting</p> <p>Reports moved for acceptance:</p> <p>Moved by: Phil Rounsevell Seconded Libby Stapleton Carried</p> <p>Libby Stapleton left the meeting at 7:45 pm</p>
Market Questions	<p>Paul Elshaug raised the following questions with the Committee:</p> <p>Q1. Is the Committee happy with the fee Council charges for the market</p> <p>A1. Yes. Margaret Duncan advised the minutes will show that the Committee had agreed to set the fee at \$150 but Council set the fee to \$300</p> <p>Q2. Does the Market Manager manage the waste effectively?</p> <p>A2. Yes, there are no issues</p> <p>Q3. Is parking an issue?</p> <p>A3. No parking issues have been raised with the committee</p> <p>It was finally agreed that the Committee is satisfied with the Council charges for the market.</p>
	Meeting ended at 7:55 pm
Next Meeting (2 nd Monday of odd months)	AGM Monday October 15 6.30 pm Meeting Room, Aireys Inlet Community Hall
Meeting Dates 2018	5 March, 14 May, 9 July (school holidays), 15 October (AGM), 12 November

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APPENDIX 3 CONNEWARRE RESERVE S86 COMMITTEE OF MANAGEMENT - MEETING MINUTES - 11 JUNE 2018

	<p>COMMITTEE: Connewarre Reserve & Hall COM PRESENT: A Reeve C Carroll P Elshaug M BjorkBillings E Fontaine G Elliot E Pritchett APOLOGIES S Findlay via E Fontaine VISITORS:</p>	<p>DATE 11/06/2018 TIME: 7pm VENUE: Connewarre Hall</p>
<p>Adoption of previous minutes</p>	<p>Moved E Fontaine 2nd G Elliot</p> <p>Carried</p>	
<p>Conflict of Interest Declaration</p>	<p>G Elliot declared a conflict of Interest as a CFA representative on our COM when putting up a Proposal for a temporary training space with equipment for a limited time as documented in CFA Report</p>	
<p>Business Arising from previous minutes</p>	<p>Due to discussions held at last Meeting Colleen followed up the Term Deposit Account. . Due to her investigations and a committee vote via email it was decided to change our Term Deposit Account to the Bendigo Bank. The West Pac account has been closed and funds transferred into our Trading account The signatories on the new account will be Chairperson Allan James Reeve and Secretary/Treasurer Colleen Mary Carroll with two to sign as per our Instrument of Delegation</p> <p>E Fontaine moved a motion for the Connewarre Hall and Reserve Committee of Management open a term deposit account with the Bendigo Bank and Deposit \$20,000 on commencement</p> <p>2nd E Pritchett</p> <p>Carried</p>	
<p>Correspondence In</p>	<p>Origin Barwon Water All email notifications from Paul Elshaug and GST statement and account from the Surf Coast Shire</p>	
<p>Correspondence Out</p>	<p>Nil</p>	
<p>Treasurers Report</p>	<p>Expenses- Barwon Water \$229.78 Surf Coast Shire GST \$63.58 Landcare \$2000 Bond Returned to G Griffin \$600 Incomee Hall Hire \$968 Interest \$3.80 Transferred from Term Deposit on Closure \$15776.33</p>	


	<p>Balance \$27041.84 Term Deposit now closed Moved C Carroll 2nd M Bjork Billings</p>
Booking Officer Report	<p>Steady Stream of enquiries with 2 Bookings for July The Dance Group fell through. Regular users continue with no issues. The Oval has been quiet over winter.</p>
User Groups Report	<p>CFA- We have been undertaking courses to Check installed Fire Safety Systems and Fuel Removal Course. We had 3 members complete a Breathing Apparatus Accreditation. We have 5 new members to train up. The running team came third in the State Titles We have attended 3 house fires. The CFA would like to thank the Shire for getting the Drainage project done The CFA Training Group would like to locate a mobile infrastructure training prop that is a relocatable container that unfolds to make a flame pad that depicts a car on fire inside a garage, with a section mimicking a vat fire in a fish and chip shop which requires extinguishing The CFA Training Group would like to request to locate this unit be located on grass area between Horse Area and Car Park area. It would be in location from 18/06/18 until 18/07/18. It will be used in the evenings from 7pm until approx 9.30pm and maybe some Sat afternoons. There will be a lot of water usage and some water may remain laying about There will be trucks involved from Lorne, Anglesea, Torquay, Grovedale, Aireys Inlet, Bellbrae and Connewarre M Bjork Billings moved a motion to allow the CFA Training Group to place and use their relocatable Training Unit where and when Requested. 2nd E Fontaine G Elliott refrained from voting Motion Carried Riding Club- Next Rally is Sunday Week. Membership is currently 45 with 4 new members Thanks to M Bjork Billings and the Surfcoast shire for organising the soil for the Equitation Park Landcare- We have 4 new Family Members We have a Bunnings BBQ 16/06/18 and a working Bee 1/07/18 Meeting with Karingal re more planting Meeting with Grovedale Primary School</p>

	Waiting for Flinstones to get paperwork in place with shire so they can deliver our path gravel
Shire Report	<p>Paul has followed up and there is no sub committee of this committee.</p> <p>The St Lawrence Chq is still missing will follow up</p> <p>Drainage work completed, If water does not flow towards low lying areas we are to report to Shire. Paul will follow up another bollard to fill gap as still possible for cars to get through</p> <p>If any money left over we would like it to go towards the bollards the CFA require if not general maintenance. Gordon raised the bollards the CFA requested for the Drainage project along with lock and keys for them.</p> <p>Shire still awaiting Tony Lawn to complete his paperwork so the mound project can continue.</p> <p>Insurance works are now all completed following the fire</p> <p>Equitation Park soil all sorted</p> <p>Shire to do Key Cross Reference</p> <p>Paul is no longer expected to attend all meetings however AGM essential. So we need to keep good communication going at all times and he will send us all relevant information we require for our meetings and will attend such meetings that require his presence</p>
General Business	<p>Allan raised Dog issue of uncontrolled dogs on the reserve</p> <p>Ernie also raised issues with motorbike riders golfers and gyrocopters all using main reserve We request more signage to attempt to stop these people using the reserve</p>
Notice of Motions to Council	
Next Meeting	<p>Meeting Closed at 8.30pm</p> <p>Next Meeting AGM 11/09/2018 at 7pm</p>

SURF COAST SHIRE SECTION 86 SPECIAL COMMITTEE AGENDA/MINUTES TEMPLATE

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**APPENDIX 4 DEANS MARSH COMMUNITY HALL AND MEMORIAL RESERVE S86 COMMITTEE OF
MANAGEMENT - MEETING MINUTES - 24 MAY 2018**

	COMMITTEE: DEANS MARSH PRESENT: Sandra, Mark, Tony, Fran, Paul APOLOGIES: Tom, Lisa and Clive VISITORS:	DATE: 24/05/2018 TIME: 6.30pm VENUE: Deans Marsh Hall
Adoption of previous minutes	Moved Fran Seconded Mark	
Conflict of Interest Declaration		
Business Arising from previous minutes	To be discussed at General Business	
OHS		
Correspondence In	Nil	
Correspondence Out	Nil	
Treasurers Report	Opening Balance Feb. 2018 \$10,555.44 Received: \$2142.50 Payments: \$3198.97 Closing Balance \$ 9498.97 Tony moved Mark seconded that we accept the Treasurers report.	
Booking Officer Report	Louise Brown has booked the Hall for June 20 th . Fran to complete booking form for \$30 hire. Wedding booked for 2019 [weekend before the Festival] \$550	
User Groups Report	<ul style="list-style-type: none"> • Tony tabled the Curtain Mural Report. Fran thanked Tony for all his work toward this wonderful asset to the Hall. 	
Shire Report	<ul style="list-style-type: none"> • Fence renewal program. The front fence along the road is to be replaced, along with all gates . Similar to tennis court fence , black coated and 900 mils high with top and bottom rail. Paul to request the contractor to roll up and leave the old fence for Sandra Dempsey to collect. This includes the turnstyle. • Reminder that Working With Childrens and Police Checks are to be done by end of June. Paul will help anyone needing assistance. 	


	<ul style="list-style-type: none"> For the Cottage rep to be on the Committee they need to put an expression of interest into Shire [Paul] . [As Bec has not left and Lisa is in an acting position, we will leave this until later in the year.] Shire have not heard from Heath Smith about what he needs to do to go on their books [as our emergency electrician] Sandra to notify Heath to remind him. Paul is working through the hire form that we use . Sending a draft soon. Program Maintenance and CRM report still to come. Paul will send the Key Register for us to check who has keys for the buildings.
General Business	<ul style="list-style-type: none"> Name of the Committee was discussed as we are called different names by different departments in the Shire, Bank and Auditors. Fran moved, Tony seconded that we formalize our official name to be known hereafter as “ The Deans Marsh Community Hall and Memorial Reserve” . Paul will follow through with this if needed with the Shire. Discussion re the Routine Maintenance Agreement. Should it be routine and emergency maintenance? Moved Sandra and seconded Fran that it be emergency maintenance ONLY and that we continue to work toward having a local plumber and electrician registered with the Shire to call on in the case of an emergency. Sandra to contact Wazza re water bought prior to Festival so that he can be paid. Tony to add GST to Fees document. Fran to type up and submit to Council. Sub committee with someone from the Hall and Cottage to look at a proposal to Council to add some power points in the Hall and look at outside needs for reserve. Ramp up date. Shire have a quote to remove the ramp. We are looking to see if anyone locally wants the landfill. Sandra to contact Sam Smith to see if he wants it. If he does, he will deal directly with Shire and if he does not want it , Fran will let Paul know and ask for its removal. Committee do not want any new planting at the front of the Cottage and Hall entrance. Fran to make a CRM re dead plants around the reserve to have them pulled out. The Footy Shed has been cleaned since the end of the Cricket Season. Tony to invoice Cricket Club when he receives and account from Deb [cleaner]
Notice of Motions to Council	<ul style="list-style-type: none"> Power subsidy:Hall committee and Deans Marsh Cottage request that the Shire look at the possibility of subsidising our Power account. Moved Tony seconded Sandra.

<i>Next Meeting</i>	February, May, August, November

SURF COAST SHIRE SECTON 86 SPEIAL COMMITTEE AGENDA/MINUTES TEMPLATE

8.1 Section 86 Committee Minutes

**APPENDIX 5 DEANS MARSH COMMUNITY HALL AND MEMORIAL RESERVE S86 COMMITTEE OF
MANAGEMENT - AGM MEETING MINUTES - 23 AUGUST 2018**

	<p>COMMITTEE NAME: DEANS MARSH COMMUNITY HALL AND MEMORIAL RESERVE (AGM) COMMITTEE MEMBERS: Frances Permezel, Sandra Dempsey, Tom Reid, Tony Watts, Mark Fagan. PRESENT: Frances Permezel, Sandra Dempsey, Tom Reid, Tony Watts, Mark Fagan. APOLOGIES: Clive Goldsworthy VISITORS: Lisa Jarvis (Cottage), Paul Elshaug</p>	<p>DATE: 23/08/2018 TIME: 6:35 pm VENUE: Deans Marsh Community Hall</p>
<p>Acceptance of Minutes from last AGM</p>	<p>NA</p>	
<p>Acceptance of Financial Report</p>	<p>As per report provided (and enclosed below). Audit to be provided when received. Moved: T. Watts Seconded: T. Reid</p>	
<p>Reports from Office Bearers and User Groups</p>	<p>Chairperson/Secretary/Booking Officer</p> <ul style="list-style-type: none"> Enclosed below. <p>Treasurer</p> <ul style="list-style-type: none"> As per report. <p>Community Cottage</p> <ul style="list-style-type: none"> MOU established. Great working relationship with Committee. Good luck for next year. <p>Cricket Club</p> <ul style="list-style-type: none"> SCS work to trees and ramp will benefit the club and other users. Agreed by Mark on behalf of the Dog Trails. <p>Moved: F. Permezel Seconded: S. Dempsey</p>	
<p>Appointment of Office Bearers</p>	<p>P. Elshaug declared all positions opened and asked for nominations.</p>	

	<p>Chairperson/Booking Officer: Sandra Dempsey Nominated: F. Permezel Seconded: T. Watts</p> <p>Vice Chairperson: Tom Reid Nominated: F. Permezel Seconded: M. Fagan</p> <p>Secretary: Fran Permezel Nominated: T. Reid Seconded: T. Watts</p> <p>Treasurer: Tony Watts Nominated: F. Permezel Seconded: S. Dempsey</p>
<i>Date of next AGM</i>	Thursday 22 August 2019 at 6.30pm
<i>Meeting Closed</i>	6:50 pm

Deans Marsh Section 86 Committee: President and Secretary's Report AGM August 2018

Another year has passed quickly for the Deans Marsh Committee.

We ran our two annual BBQ's over the past 12 months with reasonably good results. Our first during the Dog Trials and our second at the Festival. We are very grateful for the support from the Committee and our group of volunteers for both days.

The Lorne Hospital Clinic finished its weekly visits to the Footy Shed at the end of October. This was earlier than expected but was a boost to our bank balance.

The Hall and Cottage Committees paid for the repair of the fire cauldron after parts of it fell into pieces. We are told that it won't break down again for many years to come.

We installed a handrail on the steps that lead onto the stage from the front. These steps are used during the annual school concert and will make it safer for children coming down from the stage after their items.

The completion of the Curtain Mural Project was the highlight of the year for us. The results speak for themselves and we would like to thank Tony especially for his time and expertise in this.

Our group have finally settled on an appropriate name that was agreed on by Council at a recent meeting. Our full name is:

The Deans Marsh Community Hall and Memorial Reserve [Committee]. However, we are sure that as a group we will continue to be seen as the Section 86 Committee or the Hall Committee.

We have worked closely with Council and Shire staff on the completion of several projects. These include a new septic system at the Hall, the removal of the gravel ramp and the addition of security lights throughout the park.

Bookings for the Hall, Footy Shed and Reserve have been constant. These include DELWP, Red Cross, School, Dance, Arts, Dog Trials, Market and Festival.

Thank you to all Committee members, Council and Shire staff for your support over the past 12 months.

Sandra Dempsey – President. Fran Permezel- Secretary.

TREASURER'S REPORT - FY 2017/18

Change of Treasurer

I became Treasurer on July 1 2017, replacing Peter Davis who had been committee Treasurer for many years. Peter operated hand-written cash book accounts, invoices and receipts. As required by Council, I converted this to a computer-based system. I have chosen to not use a small business accounting package as the cost of that seemed excessive for just 40 odd transactions per year

Annual Surplus

The Committee achieved an operating surplus of around \$3,000 for the year.

Annual Receipts

Receipts for the year were considerably boosted by the rental fees received for the weekly Medical Clinics. This income stream has now ended and without it our annual result would have been close to break-even.

Fundraising was considerably down on the previous year due to very poor weather and increased competition at the annual Festival,

Annual Costs

Around one third of our costs for the period was our contribution to the Curtain Mural project and associated promotional postcards (cost, around \$3,000, less \$500 each contributed DM Cricket Club and SCS Small Grant).

Additional cleaning costs were associated with the weekly Clinics.

Small Maintenance Advance

The Committee continued to hold the \$1,000 advance from Council to cover the immediate cost of small and / or emergency maintenance organized by ourselves. However, so many conditions are placed by Council on our use of this advance that none of it has been used since we received it well over a year ago. Council might assist us in this matter by providing the Committee with a list of tradespersons whom we are permitted to engage for emergency maintenance.

Audit

Our annual accounts are presently with our Auditors, Crowe Horvarth, Colac.


Tony Watts

Treasurer

August 19 2018

8.1 Section 86 Committee Minutes

**APPENDIX 6 DEANS MARSH COMMUNITY HALL AND MEMORIAL RESERVE S86 COMMITTEE OF
MANAGEMENT - MEETING MINUTES - 23 AUGUST 2018**

	<p>COMMITTEE: DEANS MARSH PRESENT: Tom, Sandra, Mark, Tony, Fran, Paul, APOLOGIES: Clive VISITORS:</p>	<p>DATE: 23/ 08/2018 TIME: 6.30pm VENUE: Deans Marsh Hall</p>
<p>Adoption of previous minutes</p>	<p>Moved Tom Seconded Fran</p>	
<p>Conflict of Interest Declaration</p>		
<p>Business Arising from previous minutes</p>	<p>Fran still to talk to Heath about the power needed on the Reserve to cater for large events: example Festivals</p>	
<p>OHS</p>		
<p>Correspondence In</p>	<p>Shire letter endorsing the name change of the Committee.</p>	
<p>Correspondence Out</p>		
<p>Treasurers Report</p>	<p>Opening Balance: \$9,498.97 Payments: \$120 Receipts: \$1,185.00 Closing Balance: \$10,563.97 Moved Tony Seconded Fran</p>	
<p>Booking Officer Report</p>	<p>Footy Shed booking for 5 weeks Art Program Dog Trials for the weekend January 18th, 19th, 20th 2019</p>	
<p>User Groups Report</p>	<p>Cricket Club: just held AGM Tom Ryan President. One team. Tennis Club: yet to hold their AGM. Will possibly have 4-5 teams again this season.</p>	
<p>Shire Report</p>	<p>Committee name change endorsed by Council Instrument of Delegation now has the correct boundaries, which include Hall and Reserve Emergency Maintenance Agreement has been signed off Subsidy for Power account is still in discussion CRM Maintenance Schedule was tabled</p>	


	<p>Conflict of Interest document was emailed and a hard copy tabled for Committee</p> <p>New fence and gates completed. Committee happy with results</p> <p>Paul to follow through with CRM re outside Hall floodlights at night. Push button on outside wall request will be placed by Paul.</p>
General Business	<ul style="list-style-type: none"> • Hall / Cottage MOU ready to sign off by both parties. Change Hall President to Hall Chairperson • Old fence panels are to be sold. The process as follows <ul style="list-style-type: none"> • Display panel at election with add for sale [Nov. 23rd] • Post picture and add for sale on Store window and on Deans Marsh Web page [same time] • Tom to investigate full price and we will sell them for half that price • Payment and pickup on same day which will need to be cleared with Sam Smith [where panels are stored] • Dog Trials MOU. Fran, Tony, Mark and Jill Stewart to meet re developing an MOU for Dog Trials. Fran has given Mark a very rough draft to look at in the meantime. Date not set. • Election[s] BBQ. Committee agreed it was a good idea to run a Sausage sizzle on the day of the State Election. Sandra and Fran happy to organize. • Hire Agreement . Shire are making up a template. When ready Paul will work with Committee to personalize it for Deans Marsh. • Fees clarified, Fran to add GST onto Fee Schedule and give to Sandra [booking officer] and Tony [Treasurer]. Paul to email Fees and GST schedule. • Sandra left the room so we could discuss her request to use the Hall for a function for her 70th birthday :result of discussion: Tony moved "in recognition of Sandra's 30 year on the Hall Committee that we give her the use of the Hall on the evening of her birthday on November 10th for free" Seconded Tom • Tom moved that " we recommend to Shire that Sandra Dempsey be given a Life Membership for her contribution to the Deans Marsh Community Hall and Memorial Reserve Committee" over 30 years. Seconded Fran • Committee to run a BBQ at the Dog Trials in January • Fran to complete Asset Register and email to Paul

	<ul style="list-style-type: none">• Fran to place CRM re passage lights not working in both toilets in Public Hall• Fran to talk to Paul re request for powerpoints in the Hall and signage re use of switches in various areas.
<i>Notice of Motions to Council</i>	<ul style="list-style-type: none">• Tom moved that “ we recommend to Shire that Sandra Dempsey be given a Life Membership for her contribution to the Deans Marsh Community Hall and Memorial Reserve Committee” over 30 years.Seconded Fran
<i>Next Meeting</i>	Meeting closed 8pm. November dinner meeting at 6pm. Date still to be finalized.

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APPENDIX 7 GLOBE THEATRE S86 COMMITTEE OF MANAGEMENT - MEETING MINUTES - 28 MAY 2018

	<p>COMMITTEE: Globe Theatre PRESENT: T Brown, H Brown, N Cameron, M King, R King, M Aisbet. P Elshaug [SCS]. APOLOGIES: C Thompson. VISITORS:</p>	<p>DATE: 28 / 05 / 2018 TIME: 1.30 pm VENUE: Globe Theatre</p>
<p>Adoption of previous minutes</p>	<p>Moved: M King. Seconded: R King</p>	
<p>Conflict of Interest Declaration</p>		
<p>Business Arising from previous minutes</p>	<p>Hiring costs still being look at across all halls by the SCS, Roof replacement to be started prior to 30th June 2018, Most of the working with children requirements have been completed, C Thompson and N Cameron still waiting to be finalised. Fans in main hall to be two way when air conditioner is installed. Trees on east side to be cut back by SCS if not done in time for roof works. Stage doors to be replaced after 30th June 2018. Painting in hall to be rectified, Spoon drain on east side to be started by 30th June 2018.</p>	
<p>Correspondence In</p>	<p>Emails received from users and public re bookings and questions on heating</p>	
<p>Correspondence Out</p>	<p>Emails sent in answer to queries, dance notices, snd bookings.</p>	
<p>Treasurers Report</p>	<p>As per attached</p>	
<p>Booking Officer Report</p>	<p>Continuing to roll along nicely with the addition of a Geelong Band, a Birthday Party, CFA Trivia night and The Art Show.</p>	
<p>User Groups Report</p>	<p>N Cameron submitted a report which is attached. Rep Society stageing a concert on the 17th June 2018 featuring The Geelong Brass Band, they will also be selling raffle tickets. They plan to hire the stage panels from the school with the intention of picking them up on the 16th and returning on 17th or 18th. Advertising will be placed around town as well as a number of newspapers. COM will assist with the advertising.</p>	
<p>Shire Report</p>	<p>Reps equipment to be placed on Globes asset register for insurance coverage. Fees and charge to be listed in the SCS budget. P Elshaug's role may differ slightly in the near future in regard to attending meetings.</p>	
<p>General Business</p>	<p>Notice board is ready but will not be installed prior to the spoon drain being completed. Sensor lights on the west</p>	

	<p>side of building have become an OH&S issue, crm to be implemented. One of the gas heaters in the main hall is faulty and it was thought that they could all be serviced, crm to be implemented. J Chatterton has had contractors to measure up for reverse cycle air conditioning and is waiting on a quote. He also mentioned that the SCS was looking at only electricity in all halls. The cleaning is still an on going problem as is was reported the other halls have a similar problem. T Brown to price a vacuum cleaner for use when a function is on prior to the cleaner being in. Reported that we have a rodent problem and ask about a baiting program, it was agreed that the committee would place some bait blocks in back room and under the stage away from any public access. N Cameron expressed his disappointment that the earlier minutes had not indicating the process of the lighting bar installation prior to him dealing directly with the SCS with the COM 's full support, N Cameron asked if a Rep Socity member could attend meetings as a user group representative, as he is now a member of the COM, he also put up a Notice of Motion asking if he could bring a catering person along to the next meeting as a prospective member, to fully discuss the Steam Oven that the Rep's would like to install. Paul and Neil to discuss refunding the cost difference of equipment supplied.</p> <p>N Cameron also asked why the Reps Honour boards had been taken down from the main hall, it was explained that they where removed for the painter to complete his work, it was also agreed that they go back in the supper room where they had hung fo many years prior,</p> <p>N Cameron ask if the meetings could go back to an evening time slot, it was agreed that the meeting would be at 7.00pm on a Tuesday.</p> <p>Meeting closed at 3.55pm</p>
Notice of Motions to Council	Sensor lights, Baiting program,
Next Meeting	Tuesday August 21 st at 7.00pm

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APPENDIX 8 GLOBE THEATRE S86 COMMITTEE OF MANAGEMENT - AGM MEETING MINUTES - 21 AUGUST 2018

	<p>COMMITTEE NAME: GLOBE THEATRE (AGM) COMMITTEE MEMBERS: Chris Thompson, Helen Brown, Maureen King, Ray King, Trevor Brown, Murray Aisbett, Neil Cameron. PRESENT: Chris Thompson, Helen Brown, Maureen King, Ray King, Trevor Brown, Murray Aisbett, Neil Cameron. APOLOGIES: Sue Hutton (Movie Club) VISITORS: Janette Cameron, Paul Elshaug</p>	<p>DATE: 21/08/2018 TIME: 7:30 pm VENUE: Globe Theatre</p>
<p>Acceptance of Minutes from last AGM</p>	<p>Moved: R. King Seconded: T. Brown</p>	
<p>Acceptance of Financial Report</p>	<p>Operating profit of \$4,701. Gas arrangement with SCS noted. Hall hire is providing regular income. Low expenses – electricity is the major expense. GST noted – for use by SCS who will calculate the amount payable. Hard copy of Financial Audit provided to SCS.</p> <p>Moved: T. Brown Seconded: M. King</p>	
<p>Reports from Office Bearers and User Groups</p>	<p>Chairperson</p> <ul style="list-style-type: none"> Looking forward to the next year. Climate control project will be great for the facility. Thanks to the committee for the support. <p>Secretary/Booking Officer</p> <ul style="list-style-type: none"> Busy with regular, ongoing and successful bookings. Interest from non-regular users resulting in casual bookings. Pleased with SCS support – good relationship. Thanks to the committee and looking forward to another year. <p>Treasurer</p> <ul style="list-style-type: none"> Our goal is to generate income and put this back into the facility. 	

	<ul style="list-style-type: none"> We've been doing this for 10 years which is great. <p>The Rep</p> <ul style="list-style-type: none"> Off and running for this year's season. Sponsors on board. Have involved Bannockburn in the group. <p>Movie Club starts in September.</p> <p>Moved: H. Brown Seconded: M. Aisbett</p>
Appointment of Office Bearers	<p>P. Elshaug declared all positions opened and asked for nominations.</p> <p>Chairperson: Murray Aisbett Nominated: R. King Seconded: T. Brown</p> <p>Vice Chairperson: Ray King Nominated: M. King Seconded: M. Aisbett</p> <p>Secretary/Booking Officer: Maureen King Nominated: M. Aisbett Seconded: H. Brown</p> <p>Treasurer: Trevor Brown Nominated: M. King Seconded: R. King</p>
Date of next AGM	Tuesday 20 August 2019 at 7.00pm
Meeting Closed	8:00 pm

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APPENDIX 9 GLOBE THEATRE S86 COMMITTEE OF MANAGEMENT - MEETING MINUTES - 21 AUGUST 2018


	<p>COMMITTEE NAME: Globe Theatre Committee of Management COMMITTEE MEMBERS: M Aisbitt, M King, R king, T Brown, H Brown, C Thompson, N Cameron. P Elshaug [SCS] PRESENT: : M Aisbitt, M King, R king, T Brown, H Brown, C Thompson, N Cameron. P Elshaug [SCS] APOLOGIES: VISITORS:</p>	<p>DATE: 21 August 2018 TIME: 7.30pm VENUE: Globe Theatre</p>
Adoption of previous minutes	<p><i>Moved M King Seconded R King</i></p>	
Conflict of Interest Declaration		
Business Arising from previous minutes	<p><i>Sensor light over kitchen exterior door still not working, CRM to be submitted. All hall heaters working, Baiting program started. Vacuum cleaner quotes obtained, New hall lights quote also obtained.</i></p>	
Correspondence In	<p><i>Brad Hamlin inquiring about the purchase of hall heaters. Jenny Matherson assessing local interest in a Back to Winchelsea celebration to be held in 2019, one held 4 years ago was a huge success. Heather Wellington informing the C.O.M that the grant of \$28,000 for the Reverse cycle a/c was successful.. John Brockway Referance to the success of our budget submission. Jo Burly sending out form for listing Globe Theatre on the Great Ocean Road Reginal Tourisum Site.</i></p>	
Correspondence Out	<p><i>Brad Hamlin informed that heaters are not permitted to be sold. Jenny Matherson supporting Back to Winchelsea celebration. Jo Burly form sent in.</i></p>	
Treasurers Report	<p><i>Treasurers report tendered and attached.</i></p>	
Booking Officer Report	<p><i>Bookings proceding well with a Jazz dance to be held in September, as well as the Winchelsea flower show this month.</i></p>	
User Groups Report	<p><i>N Cameron reported that he had spoken to Councillor Heather Wellington re the process between the SCS and the COM re the Reps Honour board. Rep society have decided to insure their equipment themselves again this year, N Cameron also asked who from the SCS was handing the lighting issues, he will now have a meeting with the SCS to address this issue. N C will get information on electric Combi ovens as the SCS are going all electric in their halls. COM</i></p>	

	<i>have been informed that the SCS will not fund this as they only install them in commercial kitchens.</i>
Shire Report	<i>Defib grants, Roof replacement date, Reverse cycle a/c to be installed the same time, A few new items have been included in the "Conflict of Interest" manifest.</i>
General Business	<i>N Cameron would like a roof placed over the container, quotes to be obtained, It was agreed to purchase Vacuum cleaner as well as the new lights for the hall which will be installed when A/C installed, it was agreed that we need to replace a number of fold up tables, 20 to be purchased, COM looking at quotes for portable stage extention with the Rep Society agreeing to paying 50% of cost, should this go ahead.</i>
Notice of Motions to Council	
Next Meeting	<i>Globe Theatre 20th November 2018 at 7.00pm</i>

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**APPENDIX 10 MODEWARRE HALL & RESERVE S86 COMMITTEE OF MANAGEMENT - MEETING MINUTES
- 16 MAY 2018**


	<p>COMMITTEE: Modewarre Hall & Reserve Committee of Management PRESENT: Jenny Hampshire, Brian & Sandra Tanner, Mervyn Stephenson APOLOGIES: Natalia Stephenson, Ken Hole, Lesley Evans, Laurie Lowndes. VISITORS: Paul Elshaug, Surfcoast Shire representative.</p>	<p>DATE: 16th May, 2018 TIME: 7:42 pm VENUE: Modewarre Hall, Cape Otway Road, Modewarre</p>
<p>Adoption of previous minutes</p>	<p>Minutes of the meeting held 21st February, 2018 were distributed and taken as read. Moved: Jenny Hampshire Seconded: Mervyn Stephenson</p>	
<p>Conflict of Interest Declaration</p>	<p>Nil</p>	
<p>Business Arising from previous minutes</p>	<p>As per the Shire Report from Paul Elshaug below.</p>	
<p>Correspondence In</p>	<p>a) Surf Coast Shire: Event Accommodation Proposal; Shade Structure/Sails Companies; Governance Support/Check Updates; Defibrillators – now open for applications; National Volunteer Week; b) Natalia Stephenson: Request for removal of stakes and plastic around plants at the playground and modifying the lock on the gates to the playground as it is too low.</p>	
<p>Correspondence Out</p>	<p>Modewarre COM: Reminder of May meeting with minutes of February, 2018 meeting.</p>	
<p>Treasurer's Report</p>	<p>No report.</p>	
<p>Booking Officer Report</p>	<p>There have been a number of bookings, with one group making a \$50 donation.</p>	
<p>User Groups' Report</p>	<p>Scouts: Nil</p>	
<p>Shire Report</p>	<p>Paul advised that there were still forms that had to be sent. Bluestone Building: Paul advised that the building was recognised as a heritage building in the area but not recognised as a Victorian State heritage building. It could be nominated but thought it would be rejected. Paul to check if a grant would be available for the work that needs to be carried out.</p>	

	<p>Shade Sails: Paul requested that the committee come up with an idea and get a quote on the type of structure. A company to be located to organize a measure, quote and advice. Action: Jenny and Sandra to follow up. Refer to email dated 8th March, 2018 for contacts.</p> <p>RV Accommodation: As per email of 8th March, 2018, a proposal from the Committee on how the 'Event Accommodation' could be managed would be taken to management to see if it can progress further. Considerations would be strict curfew (i.e. drinking, noise, music), separation of vehicles from accommodation, access to hall amenities, an extra bond, risk management, cleanliness by the hirer, requirement to register with Victoria Police's 'Partysafe,' insurance only covers use of the hall and only until the end of the hire period.</p> <p>Plant Stakes: These have been removed.</p> <p>Playground Latch: As the area is classed as an 'Open Space' there is no obligation required to put childproof latches on any of the gates at the playground. Action: Email to be sent to Paul expressing dissatisfaction with the decision, and request that this matter be reconsidered and attended to. It should also be noted that childproof latches are in place at the Newling Reserve.</p> <p>Outside Toilet: Work is proceeding.</p> <p>Outside Waste Bins: The Environmental Waste Team are looking at changing the bins to 'narrow throat' bins, which might alleviate public usage.</p> <p>The Oak Tree: This was planted by Les Noble and Frank Black possibly in the early 20th century. Action: Jenny to ascertain a suitable date.</p> <p>Police Checks and Working with Children: Still awaiting finalisation from Natalia and Mervyn Stephenson.</p> <p>Key holders: A register will be sent. To be confirmed at present:</p> <ul style="list-style-type: none"> a) Jenny Hampshire: Hall key b) Mervyn Stephenson: Hall key c) Laurie Lowndes: Hall Key d) Ken Hole: Hall key e) Sandra Tanner: Hall, bluestone building and Scout store room keys f) Scouts: Hall and store room keys g) Lesley Evans: Bluestone building key. <p>Shire Attendance: This will no longer be on a regular basis, however communications will be ongoing as necessary.</p>
General Business	<p>Maintenance of the Hall: Noted when attending tonight's meeting:</p> <ul style="list-style-type: none"> a) Mops in a bucket had not been put away. b) No paper towels in the kitchen or ladies toilet. c) No toilet paper. d) A lot of mouse droppings on the stove top, on the floor and in some of the cupboards.

	<p>Paul to make a report.</p> <p>Mowing the Avenue of Honour: Mervyn has requested that the area be mowed to the end and not finish at the Albert Jacka tree. Paul will make a report.</p> <p>Tree Trimming: This was done 3 years ago.</p>
<i>Notice of Motions to Council</i>	
<i>Next Meeting</i>	<p>The meeting closed at 8:30pm</p> <p>The next meeting is Wednesday 15th August, 2018 at 7:30 pm.</p>

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**APPENDIX 11 MODEWARRE HALL & RESERVE S86 COMMITTEE OF MANAGEMENT - AGM MEETING
MINUTES - 15 AUGUST 2018**


	<p>COMMITTEE: Minutes of the AGM of the Modewarre Hall & Reserve Committee of Management</p> <p>PRESENT: Mervyn Stephenson, Natalia Stephenson, Marie McPadden, Ken Hole, Brian & Sandra Tanner, Jenny Hampshire, Laurie Lowndes, Paul Elshaug</p> <p>APOLOGIES: Lesley Evans.</p> <p>Motion: That the apologies be accepted. Moved Mervyn Stephenson. Seconded Natalia Stephenson. Carried.</p> <p>VISITORS:</p>	<p>DATE: 15th August, 2018</p> <p>TIME: 7:37 pm</p> <p>VENUE: Modewarre Hall, Cape Otway Road, Modewarre</p>
<p>Adoption of previous AGM minutes</p>	<p>Motion: That the minutes of the AGM held 16th August, 2017 be accepted.</p> <p>Moved: Natalia Stephenson</p> <p>Seconded: Ken Hole.</p>	
<p>Financial Report</p>	<p>Treasurer, Natalia Stephenson presented the audited financial statements for the year ended 30th June, 2018.</p> <p>Motion: That the audited financial statements for the year ended 30th June, 2018 be accepted.</p> <p>Moved: Natalia Stephenson</p> <p>Seconded: Laurie Lowndes</p>	
<p>Reports from Office Bearers</p>	<p>President: Brian Tanner thanked the committee and welcomed Natalia for taking on the position of Treasurer. Finances have shown a positive year. The playground was completed, one of the outside toilets has also been completed with more improvements in the pipeline. Welcome also to Paul as our Shire representative and his support.</p> <p>Secretary: Sandra Tanner reported that it has been a good year, and is looking forward to more improvements.</p> <p>Booking Officer: Ken Hole reported that bookings are down by 2 from last year, but we have taken more money due to larger bookings. There are a lot of enquiries regarding the playground, and Ken allowed use of the hall if it was raining, however this has not been necessary since the outside toilet has been completed. The Anglesea Historical Society were at the hall on Anzac Day on a bus tour, and asked to see the interior of the hall. Whilst there Ken put the urn on for them and they made a \$50 donation, which was very nice.</p> <p>Scouts: Marie McPadden reported that Scouts are still thriving and there are attendances on Monday and Tuesday and there are still good numbers.</p> <p>SCIPN: An apology tonight.</p> <p>Motion: That the reports be accepted.</p> <p>Moved: Jenny Hampshire</p> <p>Seconded: Sandra Tanner</p>	

<i>Appointment of Office Bearers</i>	President: Brian Tanner. Nominated by Ken Hole. Seconded by Jenny Hampshire. Carried. Vice President: Jenny Hampshire. Nominated by Sandra Tanner. Seconded by Natalia Stephenson. Carried. Secretary: Sandra Tanner. Nominated by Jenny Hampshire. Seconded Ken Hole. Carried. Treasurer: Natalia Stephenson. Nominated by Sandra Tanner. Seconded by Ken Hole. Carried. Booking Officer: Ken Hole. Nominated by Sandra Tanner. Seconded Jenny Hampshire. Carried.
<i>Shire Report</i>	
<i>General Business</i>	Nil
<i>Notice of Motions to Council</i>	Nil
<i>Next Meeting</i>	The AGM closed at 7:53pm. The next AGM is Wednesday 21 st August, 2019 at 7:30 pm.

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**APPENDIX 12 MODEWARRE HALL & RESERVE S86 COMMITTEE OF MANAGEMENT - MEETING MINUTES
- 15 AUGUST 2018**

	<p>COMMITTEE: Minutes of the General Meeting of the Modewarre Hall & Reserve Committee of Management</p> <p>PRESENT: Mervyn Stephenson, Natalia Stephenson, Marie McPadden, Ken Hole, Brian & Sandra Tanner, Jenny Hampshire, Laurie Lowndes, Paul Elshaug</p> <p>APOLOGIES: Lesley Evans.</p> <p>Motion: That the apologies be accepted. Moved Mervyn Stephenson. Seconded Natalia Stephenson. Carried.</p> <p>VISITORS:</p>	<p>DATE: 15th August, 2018</p> <p>TIME: 7:53 pm</p> <p>VENUE: Modewarre Hall, Cape Otway Road, Modewarre</p>
<p>Adoption of Previous minutes</p>	<p>Motion: That the minutes of the meeting held 16th May, 2018 be accepted.</p> <p>Moved: Jenny Hampshire</p> <p>Seconded: Mervyn Stephenson.</p>	
<p>Financial Report</p>	<p>As per the audited report presented by Natalia Stephenson.</p> <p>Natalia requested instrument of delegation and a letter to provide to the bank from Paul.</p> <p>Motion: That the audited financial statements for the year ended 30th June, 2018 be accepted.</p> <p>Moved: Natalia Stephenson</p> <p>Seconded: Sandra Tanner</p>	
<p>Business Arising from Previous minutes</p>	<p>Plaque for the Oak Tree: Ongoing as Jenny needs to get the date.</p> <p>Bluestone Building: As per the report on 16th May, 2018.</p> <p>RV Permit for overnight stay on the vacant block: Paul again asked how the committee would manage this. It would be up to the committee to provide a proposal/submission which can be presented to the Council providing safety issues, access to amenities, security, risk management, etc.</p> <p>Shade Sails: As per the minutes of the extra meeting held 11th July, 2018 with the recommendation going to Aero Shade Sails. It was agreed to apply to the Bendigo Bank for a grant. A second option would be that the committee fund the majority of the shade sails and seek a minor contribution from Council, e.g. \$1,000, and Council would manage the project. (Email to be sent to Paul advising that the COM had decided on Aero Shade Sails, our plan to seek funding from the Bendigo Bank and/or if the Council would put in \$1,000 or the COM decide to completely fund it). Brian suggested we wait till the end of September to wait for a response from the Bendigo Bank before taking it any further – for now.</p> <p>Motion: That we proceed with the installation of the shade sails as quoted by Aero Shade Sails for the cost of \$8,970.00. Moved Jenny Hampshire. Seconded Sandra Tanner. Carried.</p> <p>Defibrillator grant: Still waiting.</p>	

	Replacement latch on the playground gate: Awaiting response.
Shire Report	<p>Bluestone Building: As per Paul's email of 19th June, 2018, there are no renewal or capital projects for the building for 2018/19. An audit for all Council facilities will be conducted later this year to inform the 2019/20 budget. Nicky Angus believes from the heritage report there is good potential for funding for works. Perhaps submit an application to Council's Community Project Proposal process, which is managed by Nicky).</p> <p>Shade Sails: COM have held an extra meeting to discuss and agreed that the quote from Aero Shade Sails be accepted. An application for a grant will be put to the Bendigo Bank.</p> <p>Outside Toilet: Sandra Tanner is still waiting for communication from John Chatterton. Concerns reported are still to be addressed.</p> <p>Trolley for the Tables: Still waiting.</p> <p>Assets Register: To be updated.</p> <p>Maintenance: Smoke alarm has been replaced. The stage curtain still needs attention.</p> <p>Entrance to driveway: Pot holes still need to be attended to.</p> <p>Conflict of Interest: Paul explained and provided the relevant information.</p>
General Business	<p>Bank Change-over: Natalia has the application to apply to the Bendigo Bank.</p> <p>Motion: That the Committee of Management endorses the move to the Bendigo Bank and the signatories are to be Natalia Stephenson, Jenny Hampshire and Sandra Tanner. Moved Natalia Stephenson. Seconded Sandra Tanner. Carried.</p> <p>Discussion of ways to support the Bendigo Bank for the application, i.e. media release, signage, etc.</p> <p>Football goal posts: Jenny asked if these could be considered at the end of the oval. Paul suggested seeking permission from the Council as the first step. Sandra to send an email to Council with a request for casual posts.</p>
Notice of Motions to Council	
Next Meeting	<p>The meeting closed at 8:55pm.</p> <p>The next meeting is Wednesday 21st November, 2018 at 7:30 pm.</p>


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APPENDIX 13 STRIBLING RESERVE S86 COMMITTEE OF MANAGEMENT - MEETING MINUTES - 14 MAY 2018

	COMMITTEE: Stribling Reserve Committee Of Management PRESENT: Linton Ferguson, Don Baldwin, Peter Spring, Geoff Couper, Miah Atwell, Phillip Meurer, Don Tyrer, Clive Goldsworthy, David Mullen, Carly Enticott, Wendy Jarratt APOLOGIES: Paul Elshaug VISITORS:	DATE: 14 May 2018 TIME: 5:15 PM VENUE: Multi-purpose Room
Adoption of minutes	Moved by Geoff Couper, seconded by Phillip Meurer	
Conflict of Interest	None declared	
Business Arising	<ul style="list-style-type: none"> Covered in General Business 	
Correspondence In/Out	Emails from Paul Elshaug, Maintenance information, Council Update	
Treasurer's Report	<ul style="list-style-type: none"> Financial report circulated via email prior to the meeting. Is the school up-to-date with payments? Believed to be. Report was accepted, moved Peter Spring, seconded Don Baldwin. 	
Booking Officer Report	<ul style="list-style-type: none"> See updated website for bookings: https://sites.google.com/view/stribling/calendar. Quiet time of year, casual usage, Lorne Box-Fit, Tara Drama group. 	
General Business	<ul style="list-style-type: none"> Oval Lights Project: <ul style="list-style-type: none"> Consultation process finished, no objections Electrical engineering company to do design of lighting and structural details Company appointed, Len Tank to advise on electrical power supply Discussion with Powercor next week Shire awaiting contribution from Stribling Reserve COM Project on track to be completed by first game 2019. Netball Pathway Project: <ul style="list-style-type: none"> Out now for quotes from local companies Barwon Timber has confirmed they will donate all timber for balustrade and posts A minimum contribution from Stribling Reserve COM and LFNC may be required. Stribling Reserve Website expect to be completed in a month. 	
Surf Coast Shire Report	<ul style="list-style-type: none"> Email update received 	
Next Meeting	5:15 pm Monday 16 July 2018 (Agenda item: Maintenance Agreement)	

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APPENDIX 14 STRIBLING RESERVE S86 COMMITTEE OF MANAGEMENT - MEETING MINUTES - 16 JULY 2018

	<p>COMMITTEE: Stribling Reserve Committee Of Management PRESENT: Linton Ferguson, Peter Spring, Geoff Couper, Miah Atwell, Phillip Meurer, Don Tyrer, Clive Goldsworthy, David Mullen, Carly Enticott, Paul Elshaug, Don Baldwin APOLOGIES: Wendy Jarratt VISITORS:</p>	<p>DATE: 16 July 2018 TIME: 5:15 PM VENUE: Multi-purpose Room</p>
Adoption of minutes	Moved by Carly Enticott, seconded by Don Baldwin	
Conflict of Interest	None declared	
Business Arising	<ul style="list-style-type: none"> To be covered in general business 	
Correspondence In/Out	Emails from Paul Elshaug, Maintenance information.	
Treasurer's Report	<ul style="list-style-type: none"> Financial report circulated via email prior to the meeting. Surf Coast Shire shown as a debtor is inaccurate and will be adjusted, related to excess cost of new kitchen cookers. Report was accepted, moved Peter Spring, seconded Phillip Meurer 	
Booking Officer Report	<ul style="list-style-type: none"> See updated website for bookings: https://sites.google.com/view/stribling/calendar. Hawksdale P12 College used LLC as backup for Bushwalking Camp. Got washed out on second night so returned to LLC. Enquiry for 28/29 December by West Vic Psych Experience, told not available due to Falls Festival. \$135 cash on hand from casual usage by Box Fit and Mens Late Night Soccer. Wednesday Ladies Basketball, 6-8pm Term 3 & 4 	
General Business	<ul style="list-style-type: none"> A meeting was held with Shire (Shaan Briggs, Paul Elshaug, Peter Spring) to discuss compliance issues. <ul style="list-style-type: none"> Contract management maybe the biggest issue, as contactors must have public liability and formal arrangements to work at the reserve. Cleaners will now invoice Surf Coast Shire and COM will reimburse if necessary. Question raised, who pays for the oval line-marking and cleaning at other football clubs. Should this be paid for by the Shire? Working with Children Police Checks: volunteers from now on will be required to have checks paid for by the Shire. Agreed will complete appropriate paperwork. Paul Elshaug will send paperwork for completion. Netball Court Surface: Assets Management Department looked at recommendations for addressing deterioration of the surface, operations team getting quotes to repair cracks. Maybe better off with an asphalt surface instead? Advanced Notification of Users: A bit head and miss, School has been notified of some interruptions. School Agreement: preparation of agreement underway. Stribling Reserve Website: Up and running, needs more content, please look at it and give feedback. Personal Safety Issues alerted: <ul style="list-style-type: none"> Junior netball player slipped on loose gravel when going down the slope, grazing face and legs, fracturing wrist. A traumatic episode. Area needs proper attention to ensure no more incidents. Access to oval from terraced seating is a dangerous slope with loose gravel. Car access, slipping on loose gravel, shooting stones onto netball court needs attention. Sport Lighting Upgrade Project: Design done, power upgrade, lighting, discussions with Powercor, ready to go to tender. Netball Pavilion Project: Concept design as per Master Plan to include Netball Pavilion to shovel-ready level so it can be costed and be eligible for funding. Architect, Bob Sinclair, offered to work pro bono with Shire to help complete work. 	

	<ul style="list-style-type: none">• Electronic Scoreboard Project: commitment of about \$70,000 for installation, infrastructure of about \$40,000 before cost of electronic display panel. 8m x 4 m display would cost in total about \$170,000. Currently about \$100,000 short. Bendigo Banks will match funding 1:1 up to \$50,000. An application for \$100,000 made for government funding.• Stair Renewal Project: going out for tender again, further discussions were required, necessary to extend timeline.• Stadium Ventilation: insulate walls and ceiling, installation of whirly-gigs, design to be done, project is to be done in school holiday time.• Terraces: deemed unsafe, engineers report, to be replaced, \$96,000 allocated, design already done and includes gabion walls, project will proceed as an asset replacement project.• Shire Purchasing Policy: requirements that donated assets must be included in project costing, meant Stair Renewal Project went over \$10,000 and delayed project. Peter Spring will write to ask for policy overhaul.• Junior Basketball: Thursdays 3:30-5:00 pm, looking at Aussie Hoops program. Expect about 30 kids from next week. Need equipment, child size balls, bags etc. Committee agreed to fund equipment to an amount of \$500 and rent free for Term 3 2018.
Surf Coast Shire Report	<ul style="list-style-type: none">• Conflict of Interest document tabled and discussed by Paul Elshaug.
Next Meeting	5:15 pm Monday 13 August 2018

8.2 Advisory Committee Minutes

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

Department: Governance

File No: F18/221

Division: Governance & Infrastructure

Trim No: IC18/1504

Appendix:

1. Audit & Risk Committee Meeting Minutes - 6 September 2018 (D18/117317)

Officer Direct or Indirect Conflict of Interest:

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

☐

Yes

☒

No

Reason: Nil

Status:

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

☐

Yes

☒

No

Reason: Nil

Purpose

The purpose of this report is to receive and note the 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 receives and notes the minutes of the following Advisory Committee meetings:

1. Audit and Risk Committee Meeting - 6 September 2018.

Council Resolution

MOVED Cr Clive Goldsworthy, Seconded Cr Martin Duke

That Council receives and notes the minutes of the following Advisory Committee meetings:

1. Audit and Risk Committee Meeting - 6 September 2018.

CARRIED 7:0

8.2 Advisory Committee Minutes

APPENDIX 1 AUDIT & RISK COMMITTEE MEETING MINUTES - 6 SEPTEMBER 2018

8.2 Advisory Committee Minutes



Minutes

Meeting of the Audit & Risk Committee Thursday, 6 September 2018

Held in the
Winchelsea Meeting Room
1 Merrijig Drive, Torquay
Commencing at 9.00am

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Surf Coast Shire Council
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MINUTES FOR THE AUDIT & RISK COMMITTEE MEETING
HELD IN THE WINCHELSEA MEETING ROOM, 1 MERRIJIG DRIVE, TORQUAY,
ON THURSDAY 6 SEPTEMBER 2018 COMMENCING AT 9.00AM

PRESENT:

COMMITTEE MEMBERS

Cr Clive Goldsworthy
Brian Keane (Chair) (Term expires 01/02/2020)
Melissa Field (Term expires 01/02/2020)
John Gavens (Term expires 26/01/2019)
Debra Russell (Term expires 26/01/2019)

In Attendance:

Keith Baillie – Chief Executive Officer
Anne Howard – General Manager Governance & Infrastructure
John Brockway – Manager Finance
Wendy Hope – Manager Governance & Risk
Maureen White – Coordinator Risk Management & Legal Services
Candice Holloway – Team Leader Governance (minutes)
Tracey McCarthy – Coordinator Financial Accounting
Timothy Dickson – Management Accountant
Lori Lee – Systems Accountant

Anthony Lim (Oakton Services)
Tim Loughnan (VAGO)

APOLOGIES:

Cr Carol McGregor

Apology

Committee Resolution

MOVED Mr Brian Keane, Seconded Cr Clive Goldsworthy

That an apology be received from Cr Carol McGregor.

CARRIED 5:0

CONFIRMATION OF MINUTES:

Committee Resolution

MOVED Mr John Gavens, Seconded Ms Melissa Field

That the Audit & Risk Committee notes the minutes of the meeting held on 15 May 2018 as a correct record of the meeting.

CARRIED 5:0

CONFLICTS OF INTEREST:

Nil.

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1. OUTSTANDING ISSUES & ACTIONS

1.1 Outstanding Issues & Actions Report

Charter Reference: 9.2.3

Author's Title: Team Leader Governance

General Manager: Anne Howard

Department: Governance & Risk

File No: F18/145

Division: Governance & Infrastructure

Trim No: IC18/1289

Appendix:

1. Outstanding Issues & Actions - Status Log - September 2018 (D16/1527)
2. Outstanding Issues & Actions Report (D15/29830)

Officer Direct or Indirect Conflict of Interest:

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

☐ Yes

☒ No

Reason: Nil

Status:

Information classified confidential under Section 77
of the Local Government Act:

☐ Yes

☒ No

Reason: Nil

Purpose

The purpose of this report is to receive an update on the progress made on action items identified through previous audit reports and Audit & Risk Committee meetings.

Items previously notified as completed are shaded in red and will be removed from the report when the whole of that section has been completed.

Recommendation

That the Audit & Risk Committee notes the Outstanding Issues & Actions Report.

Meeting Discussion

- Discussed items added back into the Outstanding Issues & Actions Report following the FY17 Follow Up Audit.
- The committee noted the progress in the Outstanding Issues & Actions Report.

Action

1. Implement a review process for the Executive Management Team to approve items completed before being removed from the Outstanding Issues & Actions Report.

Committee Resolution

MOVED Ms Melissa Field, Seconded Ms Debra Russell

That the Audit & Risk Committee notes the Outstanding Issues & Actions Report.

CARRIED 5:0

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2. PRESENTATIONS

2.1 Chief Executive Officer's Update

Charter Reference: N/A

Author's Title: Chief Executive Officer

Department: Office of the CEO

Division: Office of the CEO

Appendix:

Nil

Officer Direct or Indirect Conflict of Interest:

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

☐

Yes

☒

No

Reason: Nil

CEO: Keith Baillie

File No: F18/145

Trim No: IC18/1290

Status:

Information classified confidential under Section 77
of the Local Government Act:

☐

Yes

☒

No

Reason: Nil

Purpose

The purpose of this report is to receive an organisational update from Keith Baillie, Chief Executive Officer.

Recommendation

That the Audit & Risk Committee notes the Chief Executive Officer's update.

Meeting Discussion

- Keith Baillie - Chief Executive Officer to provide the Chief Executive Officer's Update as part of the confidential agenda.

No resolution because item was not required.

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2.2 Digital Transformation Update

Charter Reference: N/A

Author's Title: General Manager Governance & Infrastructure **General Manager:** Anne Howard

Department: Governance & Infrastructure **File No:** F18/145

Division: Governance & Infrastructure **Trim No:** IC18/1292

Appendix:

1. Digital Transformation Program Monthly Dashboard - July - August 2018 (D18/106553)

Officer Direct or Indirect Conflict of Interest:

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

☐ Yes

☒ No

Reason: Nil

Status:

Information classified confidential under Section 77
of the Local Government Act:

☐ Yes

☒ No

Reason: Nil

Purpose

The purpose of this report is to receive an update on the digital transformation strategy.

Recommendation

That the Audit & Risk Committee notes the digital transformation update.

Meeting Discussion

- Discussed recruitment:
 - Digital Transformation Program Direction position has become vacant and will be readvertised.
 - Senior Project Manager is currently acting in the Digital Transformation Program Director position and progress is being made.
- Discussed key projects, timelines, spending and progress to date.
- Discussed the role and responsibility of the Audit & Risk Committee in regard to the Digital Transformation Program. Committee queried if the extent of their role is to monitor cost, time, benefits and achievement of results.
- Discussed risk of change management and transformation.

Actions

1. Cr Clive Goldsworthy to seek advice from Council on what Council sees as the committee's role and responsibility in regard to the Digital Transformation Program. Cr Clive Goldsworthy to advise the committee via email.
2. Provide the change log as part of future Digital Transformation Updates.

Committee Resolution

MOVED Ms Debra Russell, Seconded Ms Melissa Field

That the Audit & Risk Committee notes the digital transformation update.

CARRIED 5:0

8.2 Advisory Committee Minutes

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3. RISK MANAGEMENT

3.1 Enterprise Risk Management Report

Charter Reference: 9.5

Author's Title: Coordinator Risk Management & Legal Services **General Manager:** Anne Howard

Department: Governance & Risk

File No: F18/205

Division: Governance & Infrastructure

Trim No: IC18/1299

Appendix:

1. Enterprise Risk Management Report - August 2018 (D18/102849)

Officer Direct or Indirect Conflict of Interest:

Status:

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

Information classified confidential under Section 77 of the Local Government Act:

☐ Yes

☒ No

☐ Yes

☒ No

Reason: Nil

Reason: Nil

Purpose

The purpose of this report is to present the Enterprise Risk Management report.

Discussion

Updates since the last meeting include the following:

1. A Cyber Business Continuity Exercise was facilitated by Jardine Lloyd Thompson on 15 June 2018.
2. The Fraud Framework review will be presented to the Audit & Risk Committee at the November meeting.
3. A report was required by the Office of the Victorian Information Commissioner by 31 August 2018 to comply with the statutory obligations of Local Government under the Privacy and Data Protection Act 2014 including:
 - a. Protective Data Security Plan.
 - b. Protective Data Security Self-Assessment.
4. Two new or emerging risks identified.
 - a. Occupational Violence – to be included with the bullying and harassment-related risk.
 - b. Councillor Relationships to be developed as a strategic risk.
5. Lorne Hazard Tree Audit – Stages 3 and 4 have commenced.

The report was also presented to the Executive Management Team on 20 August 2018.

Recommendation

That the Audit & Risk Committee notes the Enterprise Risk Management report.

Meeting Discussion

- Discussed Strategic Risk Register.
- Discussed strategic and operational risks.
- Noted Fraud & Corruption Control Plan & Fraud Policy Review will be provided at the Audit & Risk Committee Meeting – 20 November 2018 (listed on the agenda – refer item 7.1 Next Meeting & Proposed Agenda Outline).

Actions

1. Officers to review Strategic Risk Register and links to Strategic Plan 2018 – 2021.
2. Committee members to provide examples of strategic risks from other Councils to management via email.

Committee Resolution

MOVED Mr John Gavens, Seconded Cr Clive Goldsworthy

That the Audit & Risk Committee notes the Enterprise Risk Management report.

CARRIED 5:0

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3.2 Risk Management Policy

Charter Reference: 9.5.5 and 9.7.4

Author's Title: Coordinator Risk Management & Legal Services **General Manager:** Anne Howard

Department: Governance & Risk

File No: F11/799

Division: Governance & Infrastructure

Trim No: IC18/1284

Appendix:

1. Risk Management Policy (D18/102057)

Officer Direct or Indirect Conflict of Interest:

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

☐ Yes

☒ No

Reason: Nil

Status:

Information classified confidential under Section 77 of the Local Government Act:

☐ Yes

☒ No

Reason: Nil

Purpose

The purpose of this report is to present the Risk Management Policy in accordance with the Audit & Risk Committee Work Plan and Council's policy review schedule.

A review of the policy has been undertaken by officers with no changes being recommended at this time. Feedback from the Audit and Risk Committee is welcomed.

The policy will be presented to a Councillor Briefing for discussion before final review and adoption at the next available Council meeting.

Recommendation

That the Audit & Risk Committee notes the review of the Risk Management Policy SCS-021 and provides any feedback before the policy is forwarded to Council for adoption.

Meeting Discussion

- Item noted and taken as read.
- No changes suggested by committee members.

Committee Resolution

MOVED Ms Debra Russell, Seconded Mr John Gavens

That the Audit & Risk Committee notes the review of the Risk Management Policy SCS-021 and provides any feedback before the policy is forwarded to Council for adoption.

CARRIED 5:0

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4. AUDIT REPORTS

4.1 Internal Auditor Status Report (Outgoing Auditor Grant Thornton)

Charter Reference: 9.2.3

Author's Title: Manager Governance & Risk

General Manager: Anne Howard

Department: Governance & Risk

File No: F18/145

Division: Governance & Infrastructure

Trim No: IC18/976

Appendix:

1. HR Review Internal Audit Report - Final Version - June 2018 (D18/76592)
2. Internal Controls Review Final Report - June 2018 (D18/76821)
3. Rates Report Internal Audit Review Final Version - June 2018 (D18/76852)
4. Fraud Report Internal Audit - Final Version - June 2018 (D18/76912)
5. FY17 Follow Up Audit - Final Version - 27 June 2018 (D18/79216)

Officer Direct or Indirect Conflict of Interest:

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

☐ Yes

☒ No

Reason: Nil

Status:

Information classified confidential under Section 77
of the Local Government Act:

☐ Yes

☒ No

Reason: Nil

Purpose

The purpose of this report is to provide copies of completed internal audit reports that are outstanding from the previous internal audit contract with Grant Thornton including:

- HR Review Report
- Internal Controls Review Report
- Rates Review Report
- Fraud Review Report
- FY17 Follow Up Audit Reports.

Discussion

The reviews were carried out during early 2018 as per the 2017/18 Strategic Internal Audit Plan and were circulated in June 2018 to Audit and Risk members. Outstanding actions have been included in the Outstanding Issues and Actions report. The reports are therefore included for noting.

This work concludes Grant Thornton's contractual obligations with Council.

Recommendation

That the Audit & Risk Committee notes the HR, Internal Controls, Rates, Fraud and F17 Follow Up reports.

Meeting Discussion

- Reports provided noted and taken as read.
- Discussed the recommendations that were not accepted as part of the Internal Controls Review Report.

Actions

1. Summarise and explain items that were recommended by Grant Thornton but not agreed to by management and provide report back to the committee. Oakton Service to then follow up items where there is disagreement or concern by the committee.
2. Review Council's current position in the HR Review Report against the IBAC Corruption and Misconduct Risks Associated with Employment Practices in the Victorian Public Sector Report – August 2018 and provide a report to the Audit & Risk Committee Meeting - 20 November 2018.

Committee Resolution

MOVED Ms Melissa Field, Seconded Cr Clive Goldsworthy

That the Audit & Risk Committee notes the HR, Internal Controls, Rates, Fraud and F17 Follow Up reports.

CARRIED 5:0

8.2 Advisory Committee Minutes

Surf Coast Shire Council
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4.2 Internal Auditor Status Report (Oakton Services Pty Ltd)

Charter Reference: 9.2.3

Author's Title: Manager Governance & Risk

General Manager: Anne Howard

Department: Governance & Risk

File No: F18/145

Division: Governance & Infrastructure

Trim No: IC18/1294

Appendix:

1. Internal Audit Status Report - August 2018 (D18/107316)
2. Building and Facilities Management Review Report - August 2018 (D18/107319)
3. Legislative Compliance Review Report - August 2018 (D18/107089)
4. Report on Findings From Integrity Agencies - April to June 2018 (D18/107321)
5. Draft Strategic Internal Audit Plan 2018-2021 - August 2018 (D18/107086)

Officer Direct or Indirect Conflict of Interest:

Status:

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

Information classified confidential under Section 77
of the Local Government Act:

☐ Yes

☒ No

☐ Yes

☒ No

Reason: Nil

Reason: Nil

Purpose

The purpose of this report is for Oakton Services to provide an update on the status of internal audit activities including:

- Internal Audit Status Report
- Building and Facilities Management Review Report (with management comments)
- Legislative Compliance Review Report (with management comments)
- Report on Findings from Integrity Agencies
- Draft Strategic Internal Audit Plan 2018-2021.

Recommendation

That the Audit & Risk Committee notes the update from Oakton Services.

Meeting Discussion

- Reports provided noted and taken as read.
- Discussed legislative compliance systems.
- Discussed report on Findings From Integrity Agencies.
- Discussed parking infringements in light of the Victorian Ombudsman investigation into Maribyrnong City Council's internal review practices for disability parking infringements – April 2018.
- Discussed Draft Strategic Internal Audit Plan 2018-2021 and audits proposed.
- Cybersecurity audit viewed as important but discussion about this proposed audit in the context of the digital transformation and whether a post implementation audit would be better.
- Asset management audit queried in light of other recent audits including buildings and road management.
- Procure to pay including purchasing card audit queried in light of recent audit of internal controls that included purchasing cards.
- Recommended that this financial year include audit on processes and controls that pertain to Councillors in the interests of good governance, given the issues that have arisen in recent years in multiple other councils including Geelong, Glen Eira and Central Goldfields.

Actions

- Management to provide learnings specific to Surf Coast Shire as part of future reports on Findings From Integrity Agencies.
- Report back to the committee on Council's approach on special circumstance infringements.
- Reconsider Draft Strategic Internal Audit Plan 2018-2021:
 - Proceed with Tree Risk Management Plan Audit

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Surf Coast Shire Council
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4.2 Internal Auditor Status Report (Oakton Services Pty Ltd)

- Consider if the number of audits proposed in future years is achievable.
- Circulate the revised Strategic Internal Audit Plan 2018-2021 via email prior to the Audit & Risk Committee Meeting – 20 November 2018.

Committee Resolution

MOVED Ms Melissa Field, Seconded Cr Clive Goldsworthy

That the Audit & Risk Committee notes the update from Oakton Services.

CARRIED 5:0

8.2 Advisory Committee Minutes

Surf Coast Shire Council
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4.3 External Auditor Update (Victorian Auditor General's Office)

Charter Reference: 9.1.2

Author's Title: Team Leader Governance
Department: Governance & Risk
Division: Governance & Infrastructure
Appendix:

General Manager: Anne Howard
File No: F18/145
Trim No: IC18/1293

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 under Section 77
of the Local Government Act:

☐ Yes

☒ No

Reason: Nil

Purpose

The purpose of this report is to receive a verbal update from the External Auditors, Victorian Auditor General's Office (VAGO).

Recommendation

That the Audit & Risk Committee notes the External Auditor (VAGO) update.

Meeting Discussion

- Noted a confidential committee members and VAGO meeting was held prior to the commencement of the Audit & Risk Committee meeting.
- Tim Loughnan (VAGO) provided a verbal update.
- Discussed self-assessment survey for maturity of the financial reporting preparation framework (refer page 12 or VAGO Closing report).

Committee Resolution

MOVED Mr John Gavens, Seconded Ms Melissa Field

That the Audit & Risk Committee notes the External Auditor (VAGO) update.

CARRIED 5:0

8.2 Advisory Committee Minutes

Surf Coast Shire Council
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5. FINANCIAL REPORTS

5.1 End of Financial Year Summary & Program Results

Charter Reference: 9.6

Author's Title: Manager Finance

General Manager: Anne Howard

Department: Finance

File No: F18/145

Division: Governance & Infrastructure

Trim No: IC18/1383

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 under Section 77
of the Local Government Act:

☐ Yes

☒ No

Reason: Nil

Purpose

The purpose of this report is for to receive a presentation on the financial position of Council and program results at the end of the 2017-18 financial year.

Recommendation

That the Audit & Risk Committee notes the End of Financial Year presentation.

Meeting Discussion

- Item noted and taken as read.
- Discussed asset revaluations.
- Discussed program results.
- Discussed reporting framework and financial protocols.

Committee Resolution

MOVED Mr Brian Keane, Seconded Cr Clive Goldsworthy

That the Audit & Risk Committee notes the End of Financial Year presentation.

CARRIED 5:0

8.2 Advisory Committee Minutes

Surf Coast Shire Council
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5.2 Monthly Finance Report

Charter Reference: 9.6

Author's Title: Manager Finance

General Manager: Anne Howard

Department: Finance

File No: F18/145

Division: Governance & Infrastructure

Trim No: IC18/1336

Appendix:

1. Monthly Finance Report - July 2018 (D18/105350)

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

☐ Yes

☒ No

Reason: Nil

Status:
Information classified confidential under Section 77
of the Local Government Act:

☐ Yes

☒ No

Reason: Nil

Purpose

The purpose of this report is to present the July 2018 Monthly Finance Report.

Recommendation

That the Audit & Risk Committee notes the July 2018 Monthly Finance Report.

Meeting Discussion

- Item noted and taken as read.
- Noted end of month financial position favourable to budget.
- Discussed garbage charges.

Committee Resolution

MOVED Cr Clive Goldsworthy, Seconded Mr John Gavens

That the Audit & Risk Committee notes the July 2018 Monthly Finance Report.

CARRIED 5:0

8.2 Advisory Committee Minutes

Surf Coast Shire Council
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5.3 Annual Financial Statements 2017 - 2018

Charter Reference: 9.6

Author's Title: Manager Finance

General Manager: Anne Howard

Department: Finance

File No: F18/145

Division: Governance & Infrastructure

Trim No: IC18/1338

Appendix:

1. 2017 - 2018 Financial Statements (to be provided separately) ()

Officer Direct or Indirect Conflict of Interest:

Status:

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

Information classified confidential under Section 77
of the Local Government Act:

☐ Yes

☒ No

☐ Yes

☒ No

Reason: Nil

Reason: Nil

Purpose

The purpose of this report is to provide the annual financial accounts for the year ended 30 June 2018 which are being prepared by Council officers for review by the Victorian Auditor-General's appointed auditors, VAGO during the week commencing 20 August 2018. The financial statements are consistent with the model accounts endorsed by the Auditor-General's Office.

Discussion

Section 132 of the Local Government Act (the Act) requires Council to approve in principle the Financial Statements prior to submission to the Auditor-General for final review. In accordance with the Act and industry best practice, the Committee is required to review the statements prior to making a recommendation to Council to adopt in principle. Council's Manager Finance will provide a brief overview of Council's financial accounts. It is anticipated that VAGO will be in a position to provide the Committee with feedback on the statements at the meeting. Council officers propose to forward the signed in principle statements to the Auditor-General for final review and sign off following the Special Council Meeting scheduled on 11 September 2018.

Recommendation

That the Audit & Risk Committee recommend that Council:

1. Adopt 'in principle' the 2017 - 2018 Financial Statements, subject to further adjustments required by Council's auditor, in accordance with Section 132 of the Local Government Act 1989.
2. Authorise two Councillors to sign the 2017 - 2018 Financial Statements in accordance with Section 132(5) of the Local Government Act 1989.
3. Require the 2017 - 2018 Financial Statements to be referred back to the Council if there are significant changes prior to signing.
4. Require that any minor changes to the 2017 - 2018 Financial Statements be reviewed by the two authorised Councillors prior to signing.

Meeting Discussion

- Noted Revised 2017 – 2018 Financial Statements and collated questions received from committee members with management responses were distributed via email prior to the Audit & Risk Committee Meeting.
- Noted changes proposed by committee members were incorporated in the Revised 2017 – 2018 Financial Statements.
- The committee acknowledge the end of financial years efforts from the Finance Department.
- Noted that in Cr Carol McGregor's absence, Cr Margot Smith (ex-member Audit & Risk Committee) has agreed to sign the 2017 – 2018 Financial and Performance Statements following the Special Council Meeting – 11 September 2018.

Committee Resolution

MOVED Cr Clive Goldsworthy, Seconded Ms Melissa Field

That the Audit & Risk Committee recommend that Council:

1. Adopt 'in principle' the 2017 - 2018 Financial Statements, subject to further adjustments required by

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5.3 Annual Financial Statements 2017 - 2018

- Council's auditor, in accordance with Section 132 of the Local Government Act 1989.
2. Authorise two Councillors to sign the 2017 - 2018 Financial Statements in accordance with Section 132(5) of the Local Government Act 1989.
 3. Require the 2017 - 2018 Financial Statements to be referred back to the Council if there are significant changes prior to signing.
 4. Require that any minor changes to the 2017 - 2018 Financial Statements be reviewed by the two authorised Councillors prior to signing.

CARRIED 5:0

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5.4 Annual Performance Statement 2017 - 2018

Charter Reference: 9.9.4

Author's Title: Coordinator Governance &
Corporate Planning

General Manager: Anne Howard

Department: Governance & Risk

File No: F17/970

Division: Governance & Infrastructure

Trim No: IC18/1062

Appendix:

1. 2017 - 2018 Surf Coast Shire Performance Statement (to be provided separately) ()

Officer Direct or Indirect Conflict of Interest:

Status:

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

Information classified confidential under Section 77
of the Local Government Act:

☐ Yes

☒ No

☐ Yes

☒ No

Reason: Nil

Reason: Nil

Purpose

The purpose of this report is to provide the annual Surf Coast Shire Performance Statement (the Performance Statement) for the year ended 30 June 2018. This statement has been prepared by Council officers for review by the Victorian Auditor-General's appointed auditors (VAGO) during the week commencing 20 August 2018.

Discussion

The Performance Statement is consistent with the requirements of the Local Government (Planning and Reporting) Regulations 2014. The statement also reflects the Local Government (Planning and Reporting) Amendment Regulations 2017 which came into operation on 1 July 2017 and which apply to annual reports for the 2016 – 2017 financial year onwards.

The amending regulations remove Council's requirement for reporting against Home and Community Care (HACC) Indicators and include the introduction of VicSmart planning provisions when reporting Council's performance in processing planning applications within required timeframes, when preparing the performance statement for 2017 - 2018.

Section 132 of the Local Government Act (the Act) requires Council to approve in principle the Performance Statement prior to submission to the Auditor-General for final review. In accordance with the Act and industry best practice, the Audit & Risk Committee is now requested to review the statements prior to making a recommendation for Council to adopt in principle.

It is anticipated that VAGO will be in a position to provide the Committee with feedback at the September meeting on the statements from the Auditor-General's Office.

Council officers propose to forward the signed in principle statements to the Auditor-General for final review and sign off following the Special Council Meeting scheduled on 11 September 2018.

Recommendation

That the Audit & Risk Committee recommend that Council:

1. Adopts 'in principle' the 2017-18 Surf Coast Shire Council Performance Statement, subject to further adjustments required by Council's auditor, in accordance with Section 132 of the Local Government Act 1989.
2. Authorises two Councillors to sign the 2017-18 Surf Coast Shire Council Performance Statement in accordance with Section 132(5) of the Local Government Act 1989.
3. Requires the 2017-18 Surf Coast Shire Council Performance Statement to be referred back to Council if there are significant changes prior to signing.
4. Requires that any minor changes to the 2017-18 Surf Coast Shire Council Performance Statement be reviewed by the two authorised Councillors prior to signing.

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5.4 Annual Performance Statement 2017 - 2018

Meeting Discussion

- Noted Revised 2017-18 Surf Coast Shire Council Performance Statement and collated questions received from committee members with management responses were distributed via email prior to the Audit & Risk Committee meeting.
- Discussed validity of workforce turnover data.
- Discussed the inclusion and proposed possible separation of general commentary and material variation commentary.
- Discussed potential indicators to improve performance for planning and customer related statistics. Keith Baillie - Chief Executive Officer noted the introduction of a new monthly planning report to be presented to future Council Meetings - commencing October 2018.

Actions

1. Develop a process for the review of performance data and provide to Audit & Risk Committee Meeting – 20 November 2018.

Committee Resolution

MOVED Cr Clive Goldsworthy, Seconded Ms Debra Russell

That the Audit & Risk Committee recommend that Council:

1. Adopts 'in principle' the 2017-18 Surf Coast Shire Council Performance Statement, subject to further adjustments required by Council's auditor, in accordance with Section 132 of the Local Government Act 1989.
2. Authorises two Councillors to sign the 2017-18 Surf Coast Shire Council Performance Statement in accordance with Section 132(5) of the Local Government Act 1989.
3. Requires the 2017-18 Surf Coast Shire Council Performance Statement to be referred back to Council if there are significant changes prior to signing.
4. Requires that any minor changes to the 2017-18 Surf Coast Shire Council Performance Statement be reviewed by the two authorised Councillors prior to signing.

CARRIED 5:0

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5.5 Accounting Principles, Policies & Practices Review

Charter Reference: 5.4

Author's Title: Manager Finance

General Manager: Anne Howard

Department: Finance

File No: F18/145

Division: Governance & Infrastructure

Trim No: IC18/1320

Appendix:

Nil

Officer Direct or Indirect Conflict of Interest:

Status:

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

Information classified confidential under Section 77
of the Local Government Act:

☐ Yes

☒ No

☐ Yes

☒ No

Reason: Nil

Reason: Nil

Purpose

The purpose of this report is to update the Audit and Risk Committee on changes to accounting principles, policies, and practices during the 2017/18 financial year.

Discussion

As part of its annual work plan, the Audit and Risk Committee requested an update on changes to accounting principles, policies, and practices affecting the 2017/18 financial year.

Council has made the following changes in the 2017/18 financial year:

- **Land Under Roads** – Council recognised all land under roads assets in 2017/18 in accordance with ministerial advice. Previously Council had elected to only recognise Land Under Road assets acquired post 31 December 2007, fulfilling requirements under AASB1051: *Land Under Roads*. However, longstanding advice from the minister (via Local Government Victoria) instructed councils to recognise all LUR assets by the end of the 2017/18 financial year, in order to provide comparable and consistent reporting by Victorian Councils.
- **Road Formations** – Council identified that formation assets had only been accounted for in granted assets. After investigating the issue, Council recognised all formation assets in the 2017/18 financial year - \$137.2 million for road assets and \$5.0 million for off-street car park assets. Subsequently, a third balance sheet has been included in the annual financial statements to recognise these assets.
- **Plant and Machinery** – Depreciation method changed from reducing balance method to straight line method. Now consistent with other asset classes and other LGA's.
- **Policy Reviews** – The following finance policies were reviewed and adopted by Council in 2017/18 with minor updates:
 - SCS 003 - Rates Assistance Policy
 - SCS 016 - Investments Policy
- **Processes** – Significant system upgrades occurred in 2017/18, including the implementation of **AP Workflow** which incorporated system control improvements and digital records, and the implementation of **Online Leave**, which digitised the staff leave process. Both upgrades were new modules in Council's "Authority" ERP system.

Future

The following items have the ability to affect Councils accounting principles, policies, and practices in future financial years.

- Review of Council's Rating Strategy – budgeted to occur in 2018/19, any changes will come into effect from 2019/20 onwards.

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5.5 Accounting Principles, Policies & Practices Review

- Annual property valuations will occur from 2018/19 onwards and will affect the distribution of rates between ratepayers going forward.
- The General Ledger restructure project will be completed in 2018/19 and provide a new framework for Council's financial systems.
- Council will investigate recognition of an airspace asset at the Anglesea Landfill.
- Changes to Accounting Standards, including:
 - Financial Instruments - Disclosures (AASB 7) (applies 2018/19)
 - Financial Instruments (AASB 9) (applies 2018/19)
 - *Revenue from contracts with customers (AASB 15) (applies 2019/20 for LG sector)*
 - Amendments to Australian Accounting Standards – Deferral of AASB 15 for Not-for-Profit Entities (AASB 2016-7) (applies 2019/20)
 - Leases (AASB 16) (applies 2019/20)
 - Income of Not-for-Profit Entities (AASB 1058) (applies 2019/20)

Recommendation

That the Audit & Risk Committee notes the changes to accounting principles, policies, and practices affecting the 2017/18 financial year.

Meeting Discussion

- Item noted and taken as read.
- No changes suggested by committee members.

Committee Resolution

MOVED Mr John Gavens, Seconded Ms Melissa Field

That the Audit & Risk Committee notes the changes to accounting principles, policies, and practices affecting the 2017/18 financial year.

CARRIED 5:0

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6. OTHER REPORTS

6.1 Governance Improvements

Charter Reference: 9.10

Author's Title: Manager Governance & Risk

General Manager: Anne Howard

Department: Governance & Risk

File No: F18/145

Division: Governance & Infrastructure

Trim No: IC18/916

Appendix:

1. Governance Improvements Schedule for Audit & Risk Committee (D18/102378)

Officer Direct or Indirect Conflict of Interest:

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

☐

Yes

☒

No

Reason: Nil

Status:

Information classified confidential under Section 77
of the Local Government Act:

☐

Yes

☒

No

Reason: Nil

Purpose

The purpose of this report is to outline improvements that have occurred up to date to improve Council governance and general compliance with legislation and regulations.

A quarterly progress report will then be presented as a standing item at future Audit & Risk Committee meetings.

Discussion

Since January 2015 the following governance improvements have been implemented:

Expenses/Gifts

- Enhanced reporting of Councillor expenses through quarterly Council report and dedicated webpage
- Removal of Mayoral fund and credit card
- Improved gifts and hospitality reporting and recording.

Committees

- Planning Committee reform.
- Hearing of Submissions status corrected including minutes of meetings to be endorsed at the next Committee meeting and references in report templates to 'Council' rather than 'Committee' corrected.
- Instruments of Delegation reviewed for all S86 Committees
- S86 fees set by Council.

Meetings

- Reconfigured briefing schedules and deadlines for maximum efficiency.
- Established briefing minutes for transparency and to provide an accurate record of proceedings rather than just an Assembly of Councillors form.
- Council reports and recommendations no longer tabled at briefings.
- Implemented Infocouncil system to manage Council agendas and minutes.
- Introduction of communications report format for briefings and general communication with Councillors.
- Briefing sessions - one slide format for presentations.
- Councillor items integrated into briefings, including Councillor Only Time opportunity.
- Restructure of Council meeting agenda order, including 'Responsible and Planning Authority' section.
- Specific template for planning reports developed to provide more clarity in relation to Planning decisions.
- Consolidated Council meeting minutes and attachments into one document for ease of access and records management.
- Introduced public sign in sheets for Council meetings.
- CRM and complaints data reported to Council.

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6.1 Governance Improvements

- Local Law No.2 – Council Meeting Procedures reviewed and updated to strengthen, streamline and clarify processes. For example not prompting officer questions in Council meetings and revision of urgent business and suspension of standing order provisions. This came into force on 18 June 2018.
- High level rules relating to Hearing of Submissions included in the updated Local Law. A supporting management procedure has been developed, including updated guidance for submitters. Hearing of Submissions template reports have been developed to ensure consistency and completeness of information being provided to the Committee and Council.

Customers/Transparency

- Audio of public Council meetings available online.
- Councillor resource website established.
- Webpages created with links to resources for 'Petitions/Joint Letters' and 'Information Available to the Public.'
- Development of customer complaints policy, ahead of the Local Government Act reforms.
- Webpage established to outline documents that are available for public inspection, including links to most documents.

General Governance Improvements

- Maddocks templates for delegations and authorisations completed and reviewed twice yearly, including mandatory registers.
- Macquarie Lawyers governance refresher training for Councillors.
- Improved building access and security measures implemented.
- Councillor/ Staff Interaction Protocol developed.
- Updated Councillor Code of Conduct.
- Development of a Flag Policy.
- Key policies now reviewed by Audit & Risk Committee prior to Council.
- Established need to deal with Councillor work health and safety awareness. Workshop held by expert lawyer with development of Equal Opportunity and WHS Policies underway.
- Project budget transfer and closure process introduced.
- Councillor requests for service – process integrity introduced.
- Tightening of register of interest process (eg correct wording clarified when nothing to disclose and definition of 'on time' clarified through legal advice).
- Policies for Leasing & Licensing and Sale of Council Land developed and approved by Council.
- Planning alerts issued.
- Weekly planning application list.
- Election period processes improved eg Caretaker Policy and guidelines for Councillors, candidates and staff. Councillors as Candidates policy in development.
- IBAC mandatory reporting procedure in place.
- Introduction of Child Safe procedures eg Working with Children Checks.
- Governance quarterly update provided to Councillors including governance improvements and issues that could affect Council and wider local government sector.

Next Steps

Work to improve and streamline governance practices continues. A schedule of planned improvements is included at Appendix 1.

Recommendation

That the Audit & Risk Committee notes the content of the Governance Improvements report.

Meeting Discussion

- Item noted and taken as read.

Committee Resolution

MOVED Ms Debra Russell, Seconded Ms Melissa Field

That the Audit & Risk Committee notes the content of the Governance Improvements report.

CARRIED 5:0

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6.2 Review of Gifts, Benefits & Hospitality Policy

Charter Reference: 9.7.4

Author's Title: Coordinator Governance &
Corporate Planning

General Manager: Anne Howard

Department: Governance & Risk

File No: F16/78

Division: Governance & Infrastructure

Trim No: IC18/1369

Appendix:

1. SCS-018 Gifts, Benefits & Hospitality Policy - August 2016-2018 (D16/25939)
2. SCS-018 Gifts, Benefits & Hospitality Policy - August 2018 Review (D18/103827)

Officer Direct or Indirect Conflict of Interest:

Status:

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

Information classified confidential under Section 77
of the Local Government Act:

☐ Yes

☒ No

☐ Yes

☒ No

Reason: Nil

Reason: Nil

Purpose

The purpose of this report is to present the August 2018 review of the SCS-018 Gifts, Benefits and Hospitality Policy for Audit and Risk Committee review and comment.

Discussion

The policy was adopted by Council in August 2016 (refer Appendix 1) and is due for review in August 2018. Both the previous and updated versions are presented separately as the original version with tracked changes was difficult to read due to the wholesale changes to the policy.

In May 2017 the Audit and Risk Committee identified a number of recommendations for Council's consideration when conducting its review including:-

- the findings from the Victorian Auditor General's Report "Implementing the Gifts, Benefits and Hospitality Framework" dated December 2015, and
- the Victorian Public Sector Commission (VPSC) "Gifts, benefits and hospitality Policy Framework" dated October 2016.

In addition a number of current organisational practices and procedures were considered in the policy review including:-

- the operation of Council's Events Policy and in particular the sponsorship of events;
- the staff benefits program; and
- the requirements placed on contractors and suppliers.

Council has therefore adopted the VPSC model policy as the basis of the updated policy. The updated policy now includes:

- clearer definitions and consistent language relating to 'token offers' (\$50 and under) and 'non-token offers' (over \$50)
- clarity that acceptance of non-token offers should have a business benefit (updating of the Gifts, Benefits and Hospitality form and register to accommodate this).
- clarity relating to receipt of discounts ie only acceptable where generally available and not purely as a result of position at Council
- clarity that Council will not actively seek offers eg sponsorship arrangements will not require tickets to be provided as a condition of sponsorship
- the inclusion of gift vouchers as 'cash' therefore prohibited under the policy
- guidelines on how to decline gifts
- guidelines for the provision of gifts by Council to other organisations, Councillors or staff
- a commitment to publishing the Gifts Benefits and Hospitality register on Council's website
- a process for responding to and reporting breaches.

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6.2 Review of Gifts, Benefits & Hospitality Policy

The updated policy (refer Appendix 2) now aligns with VAGO's recommendations and the VPS framework and is therefore provided to the Audit and Risk Committee for any comments, before being presented to Council for final review and adoption.

Recommendation

That the Audit & Risk Committee considers the draft Gifts, Benefits and Hospitality Policy attached at Appendix 2 and provides any feedback for Council's consideration.

Meeting Discussion

- Item noted and taken as read.
- Noted Debra Russell will provide a comment on the Gifts, Benefits and Hospitality Policy to management via email.

Committee Resolution

MOVED Ms Debra Russell, Seconded Ms Melissa Field

That the Audit & Risk Committee considers the draft Gifts, Benefits and Hospitality Policy attached at Appendix 2 and provides any feedback for Council's consideration.

CARRIED 5:0

8.2 Advisory Committee Minutes

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6.3 Local Government Act Reform - Update

Charter Reference: 9.9

Author's Title: Manager Governance & Risk

General Manager: Anne Howard

Department: Governance & Risk

File No: F18/145

Division: Governance & Infrastructure

Trim No: IC18/919

Appendix:

1. MAV Members Brief - Submission to Local Government Bill 2018 for Parliamentary Committee (D18/89724)

Officer Direct or Indirect Conflict of Interest:

Status:

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

Information classified confidential under Section 77 of the Local Government Act:

☐ Yes

☒ No

☐ Yes

☒ No

Reason: Nil

Reason: Nil

Purpose

The purpose of this report is to provide an update on progress of the Local Government Bill 2018.

Discussion

The Bill is now before the Upper House having had two readings. During the Legislative Assembly debate in June 2018 the Shadow Minister for Local Government stated that the significant changes in the Bill deserved proper scrutiny. He flagged the Opposition's intention to allow the Bill to proceed to the Legislative Council so it can be referred to a Committee for review. It has been reported that the Bill is 22nd on the list and there is speculation that the Bill is unlikely to be passed before the state elections. Notification from Macquarie Lawyers states that 'it is apparent that any passage and the staged implementation of the Bill will not commence prior to the middle of next year'.

The Municipal Association of Victoria has provided a submission that they would make to the expected Parliamentary Committee. A copy of their submission is attached at Appendix 1.

Recommendation

That the Audit & Risk Committee notes the contents of the Local Government Act reform update.

Meeting Discussion

- Item noted and taken as read.

Committee Resolution

MOVED Ms Debra Russell, Seconded Ms Melissa Field

That the Audit & Risk Committee notes the contents of the Local Government Act reform update.

CARRIED 5:0

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6.4 Audit & Risk Committee Annual Report 2017 - 2018

Charter Reference: 9.9.5

Author's Title: Manager Governance & Risk

General Manager: Anne Howard

Department: Governance & Risk

File No: F17/145

Division: Governance & Infrastructure

Trim No: IC17/871

Appendix:

1. Audit & Risk Committee Chair's Annual Report 2017 - 2018 (D18/73185)

Officer Direct or Indirect Conflict of Interest:

Status:

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

Information classified confidential under Section 77
of the Local Government Act:

☐ Yes

☒ No

☐ Yes

☒ No

Reason: Nil

Reason: Nil

Purpose

The purpose of this report is to present the Audit & Risk Committee Chair's Annual Report 2017 - 2018 for formal adoption before being presented to Council for noting.

The report has been circulated to members via email for comment and the final version is now attached at Appendix 1.

Recommendation

That the Audit & Risk Committee adopts the Annual Report for 2017 - 2018 and forwards this to the next available Council meeting for noting.

Meeting Discussion

- Item noted and taken as read.
- Noted Brian Keane (Chair) is scheduled to present to Council at the Councillor Briefing – 18 September 2018.

Committee Resolution

MOVED Ms Debra Russell, Seconded Ms Melissa Field

That the Audit & Risk Committee adopts the Annual Report for 2017 - 2018 and forwards this to the next available Council meeting for noting.

CARRIED 5:0

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6.5 Self-Assessment of Audit & Risk Committee Performance

Charter Reference: 9.10.3

Author's Title: Manager Governance & Risk

General Manager: Anne Howard

Department: Governance & Risk

File No: F18/145

Division: Governance & Infrastructure

Trim No: IC18/918

Appendix:

1. Self Assessment Template 2018 - Audit & Risk Committee (D18/73107)

Officer Direct or Indirect Conflict of Interest:

Status:

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

Information classified confidential under Section 77
of the Local Government Act:

☐ Yes

☒ No

☐ Yes

☒ No

Reason: Nil

Reason: Nil

Purpose

The purpose of this report is to present a draft self-assessment questionnaire for Audit & Risk Committee members and management, for the Committee to provide feedback and make suggestions for any changes.

When completed the results will be collated and provided to the Committee at the next available meeting.

The draft questionnaire is attached at Appendix 1.

Recommendation

That the Audit & Risk Committee approves the format of the self-assessment questionnaire for distribution and reporting of results at the next Committee meeting.

Meeting Discussion

- Item noted and taken as read.

Committee Resolution

MOVED Ms Debra Russell, Seconded Ms Melissa Field

That the Audit & Risk Committee approves the format of the self-assessment questionnaire for distribution and reporting of results at the next Committee meeting.

CARRIED 5:0

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7. ADMINISTRATIVE MATTERS

7.1 Next Meeting & Proposed Agenda Outline

Charter Reference: 9.10.4

Author's Title: Team Leader Governance

General Manager: Anne Howard

Department: Governance & Risk

File No: F18/145

Division: Governance & Infrastructure

Trim No: IC18/1288

Appendix:

Nil

Officer Direct or Indirect Conflict of Interest:

Status:

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

Information classified confidential under Section 77
of the Local Government Act:

☐ Yes

☒ No

☐ Yes

☒ No

Reason: Nil

Reason: Nil

Purpose

The purpose of this report is to present the proposed Agenda outline for the next meeting, scheduled to be held on **Tuesday, 20 November 2018 from 9.00 – 11.30am** as follows:

- Outstanding Issues & Actions
- Presentations
 - Chief Executive Officer's Update
 - Program Status Report
 - Digital Transformation Update
 - Customer Complaints Update
- Risk Management
 - Enterprise Risk Management Report
 - Insurance in Local Government - Report
 - Fraud & Corruption Control Plan & Fraud Policy Review
- Audit Reports
 - Internal Auditors Update (Oakton Services Pty Ltd)
 - External Auditors Update (VAGO)
- Financial Reports
 - Monthly Finance Report
- Other Reports
 - Governance Improvements
 - Strategic Asset Management Policy Review
 - Infrastructure Special Rates and Charges Scheme Policy Review
- Administrative Matters
 - Results of the 2018 Committee Self-Assessment Survey
 - Review of the Audit & Risk Committee Charter
 - Audit & Risk Committee Membership & Chair
 - 2019 Meeting Dates & Proposed Agenda Next Meeting
- Confidential Matters
 - Confidential Chief Executive Officer's Update
 - Confidential Councillor Matters Update
 - Business Improvement Update (for noting)
 - Workplace Health & Safety Report (for noting)

Recommendation

That the Audit & Risk Committee notes the proposed agenda outline for the next meeting to be held on Tuesday, 20 November 2018 from 9.00 – 11.30am.

Committee Resolution

MOVED Mr Brian Keane, Seconded Mr John Gavens

That the Audit & Risk Committee notes the proposed agenda outline for the next meeting to be held on Tuesday, 20 November 2018 from 9.00 – 11.30am.

CARRIED 5:0

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8. REPORTS FOR NOTING

Nil.

9. CLOSED SECTION

Separately enclosed.

Move into Confidential

Committee Resolution

MOVED Mr John Gavens, Seconded Mr Brian Keane

That the Audit & Risk Committee move into confidential session at 11:00am.

CARRIED 5:0

Close: There being no further items of business the meeting closed at 12:14pm.

8.3 Assemblies of Councillors

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

Department: Governance

File No: F18/221

Division: Governance & Infrastructure

Trim No: IC18/1440

Appendix:

1. Assembly of Councillors - Councillor Briefings - 21 August 2018 (D18/98160)
2. Assembly of Councillors - Councillor Briefings - 28 August 2018. (D18/110677)
3. Assembly of Councillors - Responsible & Planning Authority Briefing - 28 August 2018 (D18/110683)
4. Assembly of Councillors - Councillor Briefings - 4 September 2018. (D18/114348)
5. Assembly of Councillors - WHS & EEO Councillor Policy Development Workshop - 11 September 2018 (D18/115268)

Officer Direct or Indirect Conflict of Interest:

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

☐ Yes

☒ No

Reason: Nil

Status:

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

☐ Yes

☒ No

Reason: Nil

Purpose

The purpose of this report is to receive and note the 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 receives and notes the Assembly of Councillors records for the following meetings:

1. Councillor Briefings - 21 August 2018.
2. Councillor Briefings - 28 August 2018.
3. Responsible & Planning Authority Briefing - 28 August 2018.
4. Councillor Briefings - 4 September 2018.
5. WHS & EEO Councillor Policy Development - 11 September 2018.

Council Resolution

MOVED Cr Martin Duke, Seconded Cr Libby Coker

That Council receives and notes the Assembly of Councillors records for the following meetings:

1. Councillor Briefings - 21 August 2018.
2. Councillor Briefings - 28 August 2018.
3. Responsible & Planning Authority Briefing - 28 August 2018.
4. Councillor Briefings - 4 September 2018.
5. WHS & EEO Councillor Policy Development - 11 September 2018.

CARRIED 7:0

8.3 Assemblies of Councillors

APPENDIX 1 ASSEMBLY OF COUNCILLORS - COUNCILLOR BRIEFINGS - 21 AUGUST 2018



Assembly of Councillors Record

Description of Meeting: Councillor Briefings Meeting
Responsible Officer: Anne Howard – General Manager Governance & Infrastructure
Date: 21 August 2018
In Attendance: Yes (✓) No (X) N/R (Not Required)

Councillors		Officers		Externals	
Cr. David Bell, Mayor	✓	Chief Executive Officer - Keith Baillie	✓	Paul McDonald,	
Cr. Libby Coker	✓	General Manager Governance & Infrastructure - Anne Howard	✓	Director of Geological Survey - Dept.	
Cr. Martin Duke	✓	General Manager Environment & Development - Ransce Salan	✓	Economic Development, Jobs, Transport and Resources	✓
Cr. Clive Goldsworthy	✓	General Manager Culture & Community - Chris Pike	✓		
Cr. Rose Hodge	✓	Team Leader Governance - Candice Holloway (minutes)	✓		
Cr. Carol McGregor	X	Manager Finance - John Brockway	✓		
Cr. Brian McKitterick (Leave of Absence)	X	Coordinator Management Accounting - Gabby Spiller	✓		
Cr. Margot Smith	✓	Manager Program Management Office - Rowena Frost	✓		
Cr. Heather Wellington	X	Manager Governance and Risk – Wendy Hope	✓		
		Property & Legal Services Officer - Trina Hughes	✓		
		Co-ordinator Waste Management - Neil Brewster	✓		
		Manager Engineering Services - Ian Stewart	✓		
		Manager Economic Development and Tourism (Acting) – Simon Loone	✓		
		Coordinator Environmental Health - Adam Lee			
		Coordinator Environment - Kate Smallwood	✓		
		Economic Development Officer - Scott Jardine	✓		
		Co-ordinator Communications and Community Relations - Darryn Chiller	✓		
		Project Support Officer - John McCartney	✓		
		Arts Development Officer - Julie Dyer	✓		
		Manager Recreation & Open Space Planning - Shaan Briggs	✓		
		Administration Officer – Culture & Community - Meredith Kelly	✓		
		Community Project Development Officer - Nicky Angus	✓		
		Acting Coordinator Community Health & Development - Jessica Bennett	✓		
		Manager Governance & Risk - Wendy Hope	✓		



MEETING COMMENCED	10.09am	MEETING CONCLUDED	4.21pm
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Matters considered at the meeting

External Presentation 1 - Victorian Gas Program

1. Confirmation of Councillor Briefing Minutes 7 August 2018
2. Conflicts of Interest
3. Review of Delegation from Council to Members of Council Staff
4. Process for Considering the Opening and Closure of Coalmine Road, Anglesea
5. End of Financial Year Update
6. Freedom of Information
7. Waste Management Funding Applications/e-Waste Facility Funding
8. Unsealed Roads Update
9. Encroachment Procedure and Update of Annual Remediation Program
10. Economic Insights & Visitor Insights 2018
11. Submission on Central Region Sustainable Water Strategy Review
12. Update Winchelsea Sculpture Project
13. MAV State Council Meeting Motions - October 2018
14. Surf Coast Soccer Pavilion - Community Project Investigation
15. Pick My Project - Victorian State Government Funding Program
16. Djila Tjarri Skate Bowl Leak
17. Anglesea Wawn Ponds Bus Trial
18. Instrument of Appointment and Authorisation - Planning and Environment Act 1987
19. Planning Scheme Amendment C123 and Planning Permit Application No, 17/0207 - 3-5 Loch Ard Drive, Torquay
20. Positive Ageing Advisory Committee
21. Other Business

Councillor/Officer Declarations of Interest

Councillor/Officer	Left Meeting (Yes/No)	Type & Details of Interest(s) Disclosed
Cr Rose Hodge	No	Cr Rose Hodge advised that whilst she does not consider she has a conflict of interest in regard to Briefing Item No. 12 Surf Coast Soccer Pavilion - Community Project Investigation, she noted that her nephew is the architect of the proposed structure.

Responsible Officer Signature:

Print Name: Anne Howard

Date: 24 August 2018

To be completed on conclusion of session and provided to Governance Administration Officer.

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- The CEO must also ensure that the written record of an assembly of Councillors is kept for 4 years after the date of the assembly, and made available for public inspection at the Council offices for 12 months after the date of the assembly [s80A(2)].
- The CEO must ensure that at an assembly of Councillors, a written record is kept of the names of all Councillors and members of Council staff attending the meeting, the matters considered at the meeting, and any conflict of interest disclosures made by a Councillor attending [s.80A(1)].
- A Councillor must disclose the conflict of interest either immediately before the matter is considered, or where the Councillor realises he or she has a conflict of interest after consideration of the matter has begun, as soon as the Councillor becomes aware he or she has a conflict of interest [s.80A(4)].
- A Councillor attending an assembly of Councillors must disclose a conflict of interest and leave the assembly while a matter is being considered, if he or she knows that the particular matter is one that if it was to be considered and decided by Council, he or she would have to disclose a conflict of interest* under the Act [s.80A(3)].

8.3 Assemblies of Councillors

APPENDIX 2 ASSEMBLY OF COUNCILLORS - COUNCILLOR BRIEFINGS - 28 AUGUST 2018.



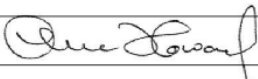
Assembly of Councillors Record

Description of Meeting: Councillor Briefings Meeting
Responsible Officer: Anne Howard – General Manager Governance & Infrastructure
Date: 28 August 2018
In Attendance: Yes (✓) No (X) N/R (Not Required)

Councillors		Officers		Externals	
Cr. David Bell, Mayor	✓	Chief Executive Officer - Keith Baillie	✓		
Cr. Libby Coker	X	General Manager Governance & Infrastructure - Anne Howard	✓		
Cr. Martin Duke	✓	General Manager Environment & Development - Ransce Salan	✓		
Cr. Clive Goldsworthy	✓	General Manager Culture & Community - Chris Pike	✓		
Cr. Rose Hodge	✓	Team Leader Governance - Candice Holloway (minutes)	✓		
Cr. Carol McGregor	✓	Manager Planning & Development - Bill Cathcart	✓		
Cr. Brian McKitterick (Leave of Absence)	X	Manager Finance - John Brockway	✓		
Cr. Margot Smith	✓	Manager Program Management Office - Rowena Frost	✓		
Cr. Heather Wellington (Leave of Absence)	X				

MEETING COMMENCED	2.51pm	MEETING CONCLUDED	3.55pm
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Matters considered at the meeting
1. General Business – FOI Councillor Email Capture
2. Conflicts of Interest
3. Monthly Finance Report - July 2018
4. Monthly Program Status Update - July 2018
5. Digital Transformation Program Update
6. Agenda Review - 28 August 2018 Council Meeting Agenda
7. General Business

Councillor/Officer Declarations of Interest		
Councillor/Officer	Left Meeting (Yes/No)	Type & Details of Interest(s) Disclosed
Nil declared.		
Responsible Officer Signature: 		Print Name: Anne Howard
Date: 30 August 2018		

To be completed on conclusion of session and provided to Governance Administration Officer.

General Information:

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8.3 Assemblies of Councillors

APPENDIX 3 ASSEMBLY OF COUNCILLORS - RESPONSIBLE & PLANNING AUTHORITY BRIEFING - 28 AUGUST 2018



Assembly of Councillors Record

Description of Meeting: Responsible & Planning Authority Briefing Meeting
Responsible Officer: Ransce Salan – General Manager Environment & Development
Date: 28 August 2018
In Attendance: Yes (✓) No (X) N/R (Not Required)

Councillors		Officers		Externals	
Cr. David Bell, Mayor	✓	Chief Executive Officer - Keith Baillie	✓		
Cr. Libby Coker	X	Team Leader Governance - Candice Holloway (minutes)	✓		
Cr. Martin Duke	✓	General Manager Governance & Infrastructure - Anne Howard	✓		
Cr. Clive Goldsworthy	✓	General Manager Culture & Community - Chris Pike	✓		
Cr. Rose Hodge	✓	General Manager Environment & Development - Ransce Salan	✓		
Cr. Carol McGregor	✓	Coordinator Strategic Planning - Karen Hose	✓		
Cr. Brian McKitterick (Leave of Absence)	X	Senior Strategic Planner - Jorgen Peeters	✓		
Cr. Margot Smith	✓	Senior Planner - Ben Schmied	✓		
Cr. Heather Wellington (Leave of Absence)	X	Coordinator Development Compliance and Local Laws - Andrew Hewitt	✓		

MEETING COMMENCED	2.30pm	MEETING CONCLUDED	2.39pm
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Matters considered at the meeting		
1. Conflicts of Interest		
2. Planning Scheme Amendment C123 and Planning Permit Application No. 17/0207 - 3-5 Loch Ard Drive, Torquay		
Councillor/Officer Declarations of Interest		
Councillor/Officer	Left Meeting (Yes/No)	Type & Details of Interest(s) Disclosed
Nil declared.		
Responsible Officer Signature:		Print Name: Ransce Salan
Date: 30 August 2018		
To be completed on conclusion of session and provided to Governance Administration Officer.		

General Information:

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8.3 Assemblies of Councillors

APPENDIX 4 ASSEMBLY OF COUNCILLORS - COUNCILLOR BRIEFINGS - 4 SEPTEMBER 2018.



Assembly of Councillors Record

Description of Meeting: Councillor Briefings
Responsible Officer: Anne Howard – General Manager Governance & Infrastructure
Date: 4 September 2018
In Attendance: Yes (✓) No (X) N/R (Not Required)


Councillors		Officers		Others	
Cr. David Bell, Mayor	✓	Chief Executive Officer - Keith Baillie	✓	Marty Maher, Aireys Inlet Tourism & Traders Association	✓
Cr. Libby Coker (arrived at 11.39am)	✓	General Manager Governance & Infrastructure - Anne Howard	✓		
Cr. Martin Duke	✓	General Manager Environment & Development - Ransce Salan	✓	Katie Boag - Assistant Festival Director, Aireys Inlet Tourism & Traders Association	✓
Cr. Clive Goldsworthy	✓	General Manager Culture & Community - Chris Pike	✓		
Cr. Rose Hodge	✓	Acting Team Leader Governance – Claire Rose (minutes)	✓		
Cr. Carol McGregor	X	Manager Recreation & Open Space Planning - Shaan Briggs	✓		
Cr. Brian McKitterick (Leave of Absence)	X	Coordinator Recreation Planning - Jarrod Westwood	✓		
Cr. Margot Smith (arrived at 11.26am)	✓	Community Project Development Officer - Nicky Angus	✓		
Cr. Heather Wellington	X	Recreation Planner – Jessica Bennett	✓		
		Manager Development & Planning - Bill Cathcart	✓		
		Coordinator Events - Kate Patterson	✓		
		Acting Manager Economic Development and Tourism - Simon Loone	✓		
		Project Officer Economic Development & Tourism - Jodie Keating	✓		
		Event Delivery Officer - Lynne Hume	✓		
		Acting Manager Communications - Darryn Chiller	✓		
		Digital Communications Officer - Sabrina Lunn	✓		
		EA Mayor and Councillors – Lisa Thomason	✓		

MEETING COMMENCED	10.49am	MEETING CONCLUDED	2.42pm
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Matters considered at the meeting

1. Confirmation of Councillor Briefing Minutes 21 & 28 August 2018
2. Confirmation of Responsible & Planning Authority Briefing Minutes 28 August 2018
3. Conflicts of Interest
4. Quarterly Report - Community Project Development - September 2018
5. SPORTAUS - Federal Government Grant Program 2018/19
6. Planning Permit Application 18/0200 - Alterations and Additions to an Existing Dwelling - 9 Smith Street, Lorne



7. Planning Permit Application 18/0045 - Use and Development of a Residential Hotel (Serviced Apartments) and Alter Access to a Category 1 Road - 14-16 Ocean Road South, Lorne		
External Presentation 1: Signature Event Funding Request: Aireys Inlet Open Mic Music Festival		
Internal Presentation 1: Social Media Training		
8. FOI - Councillor Email and Record Capture		
9. Other Business		
Councillor/Officer Declarations of Interest		
Councillor/Officer	Left Meeting (Yes/No)	Type & Details of Interest(s) Disclosed
Nil declared.		
Responsible Officer Signature: 		Print Name: Anne Howard
Date: 4 September 2018		
To be completed on conclusion of session and provided to Governance Administration Officer.		

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8.3 Assemblies of Councillors

APPENDIX 5 ASSEMBLY OF COUNCILLORS - WHS & EEO COUNCILLOR POLICY DEVELOPMENT WORKSHOP - 11 SEPTEMBER 2018



Assembly of Councillors Record

Description of Meeting: WHS & EEO Councillor Policy Development Workshop
Responsible Officer: Anne Howard – General Manager Governance & Infrastructure
Date: 11 September 2018
In Attendance: Yes (✓) No (X) N/R (Not Required)

Councillors		Officers		Others	
Cr. David Bell, Mayor	✓	Chief Executive Officer - Keith Baillie	✓	Johanna Betteridge Consulting	✓
Cr. Libby Coker	✓	General Manager Governance & Infrastructure - Anne Howard	✓		
Cr. Martin Duke	✓	General Manager Environment & Development - Ransce Salan			
Cr. Clive Goldsworthy	✓	General Manager Culture & Community - Chris Pike	✓		
Cr. Rose Hodge	✓	Coordinator WHS - Sam Liston	✓		
Cr. Carol McGregor	X	Manager Governance & Risk - Wendy Hope	✓		
Cr. Brian McKitterick (Leave of Absence)	N/R	Manager People & Culture - Leanne Perryman	✓		
Cr. Margot Smith	✓				
Cr. Heather Wellington	X				

MEETING COMMENCED	2.45pm	MEETING CONCLUDED	4:12pm
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Matters considered at the meeting		
1. WHS & EEO Councillor Policy		
Councillor/Officer Declarations of Interest		
Councillor/Officer	Left Meeting (Yes/No)	Type & Details of Interest(s) Disclosed
		• No disclosures made
Responsible Officer Signature:		Print Name: Anne Howard
Date: 11 September 2018		
To be completed on conclusion of session and provided to Governance Administration Officer.		

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9. NOTICE OF MOTIONS

Nil

10. CLOSED SECTION

Council Resolution

MOVED Cr Libby Coker, Seconded Cr Margot Smith

That Council pursuant to section 89(2)(d) contractual matters, section 89(2)(a) personnel matters and section 89(2)(h) other matters of the Local Government Act 1989, close the meeting to members of the public at 7.32pm to resolve on matters pertaining to the following items:

- 10.1 Award of Contract T19/002 Forest Road, Paraparap - Pavement Rehabilitation** (section 89(2)(d) contractual matters)
- 10.2 Variation to Contract T08/335 - Recyclable Materials Receival and Processing** (section 89(2)(d) contractual matters)
- 10.3 Award of Contract T19/004 - Winchelsea Netball Pavilion Redevelopment** (section 89(2)(d) contractual matters)
- 10.4 Confidential Audit & Risk Committee Minutes** (section 89(2)(a) personnel matters)
- 10.5 Confidential Assemblies of Councillors** (section 89(2)(h) other matters)

CARRIED 7:0

10.1 Award of Contract T19/002 Forest Road, Paraparap - Pavement Rehabilitation

Council determined that the details of the successful tenders be no longer confidential. Council awarded Contract T19/002 to Bitumill Civil Pty LTD for the rehabilitation of Forest Road for a lump sum tender price of \$852,546.70 (ex GST).

10.3 Award of Contract T19/004 - Winchelsea Netball Pavilion Redevelopment

Council determined that the details of the successful tenders be no longer confidential. Council awarded Contract T19/004 to MKM Constructions for the construction of the Winchelsea Netball Pavilion for a lump sum tender price of \$732,580 (exc GST).

Close: There being no further items of business the meeting closed at 7.41pm.