

Minutes

Ordinary Meeting of Council
Tuesday, 22 January 2019

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

Council:

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

MINUTES FOR THE ORDINARY MEETING OF SURF COAST SHIRE COUNCIL
HELD IN THE COUNCIL CHAMBERS, 1 MERRIJIG DRIVE, TORQUAY
ON TUESDAY 22 JANUARY 2019 COMMENCING AT 6.00PM

PRESENT:

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

In Attendance:

Chief Executive Officer – Keith Baillie
General Manager Governance & Infrastructure – Anne Howard
Acting General Manager Culture & Community – Damian Waight
General Manager Environment & Development – Ransce Salan
Senior Governance Officer – Daniella Vasiloski (minutes)

5 members of staff
30 members of the public
2 members of the press

OPENING:

Cr Rose Hodge opened the meeting.

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

PLEDGE:

Cr Martin Duke recited the pledge on behalf of all Councillors.

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

APOLOGIES:

Council Resolution

MOVED Cr Clive Goldsworthy, Seconded Cr Libby Coker

That an apology be received from Cr Brian McKiterick.

CARRIED 7:0

CONFIRMATION OF MINUTES:

Council Resolution

MOVED Cr Martin Duke, Seconded Cr Margot Smith

That Council note the minutes of the Ordinary meeting of Council held on 11 December 2018 as a correct record of the meeting.

CARRIED 7:0

LEAVE OF ABSENCE REQUESTS:

Nil.

CONFLICTS OF INTEREST:

Cr Libby Coker declared an indirect conflict of interest for Item 6.1 – Advocacy Priorities Update of the open agenda under Section 78B of the Local Government Act 1989 – conflicting duty. The nature of the interest being Cr Libby Coker endorsed candidate in the upcoming Federal Election.

Cr Clive Goldsworthy declared an indirect conflict of interest for Item 5.1 – Funding Request: Great Ocean Road Regional Tourism Centenary of Commencement of Construction Celebration of the open agenda under Section 78B of the Local Government Act 1989 – conflicting duty. The nature of the interest being Cr Clive Goldsworthy is an independent member of the Great Ocean Road Regional Tourism Board.

Cr David Bell declared a direct conflict of interest for Items 7.1 Urgent Business – Confidential Council Governance Matters of the open agenda and 10.5 Confidential Council Governance Matters of the confidential agenda under Section 77A of the Local Government Act 1989. The nature of the interest being content of report refers directly to Cr David Bell.

Keith Baillie (CEO) declared a direct conflict of interest for Item 10.2 Appointment of Independent Chairperson to CEO Employment Matters Committee of the confidential agenda under Section 77A of the confidential agenda under Local Government Act 1989. The nature of the interest being the report relates to a matter that has direct relationship to CEO.

PRESENTATIONS:

Cr Clive Goldsworthy acknowledged the passing of Murray Howard from Beeac at the Pier to Pub Swim.

PUBLIC QUESTION TIME:

Questions with Notice relating to tonight's agenda (3 questions in total)

Question 1 received from Kirsten Kilpatrick of Newtown

Question 1: Planning Permit Application – 109 Great Ocean Road

It is requested that Council defer the decision on application PP18/1059 for the use and development of the land at 109 Great Ocean Road, Anglesea. This is a key strategic site and whilst it is currently used as motel, offers significant redevelopment potential. The applicant, Select Architects (and NovoPlanning) have attempted to address some of the concerns raised by the objectors, we request that we continue to work with Council and the community to achieve an improved outcome for the site. Many of the matters raised in the Council report can be addressed, however we understand that significant design changes may be required.

With respect, will Council defer the consideration of this matter?

General Manager Environment and Development – Ransce Salan responded:

This is an item on the agenda and Council will be making that determination tonight. Councillors are aware of your request to have this matter deferred and you may hear more on this during the debate tonight.

Question 2 and 3 received from Peter Doyle of Anglesea

Question 2: Building Controls in Anglesea

The Shire's Anglesea Structure Plan' (ASP) was developed by a close partnership between SCS Planning and the Anglesea community to be a key control that protects the sea side village character of Anglesea.

What is the status of that document in the Shire's planning controls and application review process for development in Anglesea?

General Manager Environment and Development – Ransce Salan responded:

The document has been adopted by Council and is now integrated into the Local Planning Policy Framework of the Surf Coast Planning Scheme under clause 21.11. It is a reference document within the planning scheme. This is referenced within tonight's report and is a relevant consideration when determining permits within Anglesea.

Question 3: Building Controls in Anglesea

A further example of the positive working relationship between the Shire and the Anglesea community was the unique Planning Review Committee which engaged qualified community members in assisting with the review of the development applications. This model was recognised with a national award and is now used by many Councils throughout Australia – except the Surf Coast Shire where it was dismantled in 2017.

One of its benefits was to avoid the considerable cost (to applicants, to SCS Planning and to the community) in assisting with the review of building permit applications such as the application for 109 GOR that so clearly transgress the SCPS from the outset. Another was the constructive early input about design character.

Will Council consider re-establishing a form of this body within the SCS Planning process?

General Manager Environment and Development – Ransce Salan responded:

The Surf Coast Planning Committee was established over 20 years following the amalgamation of Councils and the return of Councillors. While other Councils have planning committees' none used a voluntary peer review process like Surf Coasts, which, to the best of my knowledge was always unique to Surf Coast.

Tonight's item on 109 Great Ocean Road was called in by council. The previous Planning Committee had no involvement in items called in by council.

A report went to council in February last year prior to council making its decision to abolish the committee and commence the new processes. I would encourage you or any member of the public interested in councils decision to read this report. There are currently no plans to re-establish this committee.

Move Item Forward

Council Resolution

MOVED Cr Margot Smith, Seconded Cr Libby Coker

That Council consider item 6.3 Positive Ageing Reform Update and Guiding Principles after item 2.4 Surf Coast Residential Land Supply and Demand, for the benefit of the gallery present.

CARRIED 7:0

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1. PETITIONS & JOINT LETTERS

Nil

2. RESPONSIBLE & PLANNING AUTHORITIES

2.1 Planning Permit Application 18-0159 - Construction of a Three Storey Building Containing 21 Apartments and 1 Shop - 109 Great Ocean Road, Anglesea

Author's Title: Principal Statutory Planner
Department: Statutory Planning
Division: Environment & Development

General Manager: Ransce Salan
File No: 18/0159
Trim No: IC19/50

Appendix:

1. Clause 58 Assessment (D19/4515)
2. Bushfire Provisions Assessment (D19/4517)

Officer Direct or Indirect Conflict of Interest:

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

Yes

No

Reason: Nil

Status:

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

Yes

No

Reason: Nil

Purpose

The purpose of this report is to determine a position on Planning Permit Application 18-0159.

Summary

DATE RECEIVED	23/04/2018
PROPERTY NUMBER	36190
PROPERTY ADDRESS	109 Great Ocean Road Anglesea
APPLICANT	Select Group
PROPOSAL	Construction of a building containing 21 apartments and one shop; use of the land for accommodation and shop
ZONE	Special Use - Schedule 8 adjacent Road Zone Category 1
OVERLAY/S	Design and Development Overlay - Schedule 25, Bushfire Management Overlay - Schedule 2, Salinity Management Overlay, Land Subject to Inundation Overlay
PERMIT TRIGGERS	Clauses 37.07, 43.02-2, 44.02-2, 44.04-2, 44.06-2, 52.06-3, 52.29-2
RESTRICTIVE COVENANTS	No
CURRENT USE/ DEVELOPMENT	Motel
CULTURAL HERITAGE MANAGEMENT PLAN	Not required
OBJECTIONS	34
STATUTORY DAYS	36

2.1 Planning Permit Application 18-0159 - Construction of a Three Storey Building Containing 21 Apartments and 1 Shop - 109 Great Ocean Road, Anglesea

Recommendation

That Council having caused notice of Planning Application No. 18-0159 to be given under Section 52 of the *Planning and Environment Act 1987* and/or the Surf Coast Planning Scheme and having considered all the matters required under Section 60 of the *Planning and Environment Act 1987* decides to Refuse to Grant a Permit under the Surf Coast Planning Scheme in respect of the land known and described as **Lot 1 TP 540144** commonly known as **109 Great Ocean Road, Anglesea** for the Construction of a building containing 21 apartments and one shop; use of the land for accommodation and shop; construct fences; reduce by one the number of car parking spaces required under clause 52.06-5 and alter access to a road in a Road Zone, Category 1 on the following grounds:

1. The use of the proposed apartments as dwellings is inconsistent with the purpose of Schedule 8 of the Special Use Zone.
2. The height and scale of the proposed building is not respectful of the low scale coastal village character of Anglesea.
3. The design response does not provide for landscaping which is complementary to the coastal bushland character of the area.
4. The proposal is an overdevelopment of the site.
5. Not all apartments would be provided with an appropriate level of amenity.
6. The application does not meet all of the objectives of Clause 58, including 58.02-1, 58.04-1, 58.05-1, 58.05-2, 58.05-3, 58.05-4, 58.06-3, 58.07-1, 58.07-2 and 58.07-3.
7. The application does not provide for the appropriate storage, sorting and collection of waste.

Council Resolution

MOVED Cr Libby Coker, Seconded Cr Margot Smith

That Council having caused notice of Planning Application No. 18-0159 to be given under Section 52 of the *Planning and Environment Act 1987* and/or the Surf Coast Planning Scheme and having considered all the matters required under Section 60 of the *Planning and Environment Act 1987* decides to Refuse to Grant a Permit under the Surf Coast Planning Scheme in respect of the land known and described as **Lot 1 TP 540144** commonly known as **109 Great Ocean Road, Anglesea** for the Construction of a building containing 21 apartments and one shop; use of the land for accommodation and shop; construct fences; reduce by one the number of car parking spaces required under clause 52.06-5 and alter access to a road in a Road Zone, Category 1 on the following grounds:

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3. The design response does not provide for landscaping which is complementary to the coastal bushland character of the area.
4. The proposal is an overdevelopment of the site.
5. Not all apartments would be provided with an appropriate level of amenity.
6. The application does not meet all of the objectives of Clause 58, including 58.02-1, 58.04-1, 58.05-1, 58.05-2, 58.05-3, 58.05-4, 58.06-3, 58.07-1, 58.07-2 and 58.07-3.
7. The application does not provide for the appropriate storage, sorting and collection of waste.

CARRIED 7:0

2.1 Planning Permit Application 18-0159 - Construction of a Three Storey Building Containing 21 Apartments and 1 Shop - 109 Great Ocean Road, Anglesea

Report

Proposal

The application seeks approval to construct a three storey building on the site. At the ground floor facing Great Ocean Road would be a shop of 101.5m² with a façade width of approximately 12.5m at the northern end of the building. At the southern end of the building is proposed a common area associated with accommodation at the upper levels. This space would have a floor area of 41.1m². Entry to the building is by a common central forecourt and foyer which can be accessed from Great Ocean Road by stairs or ramps.

The ground floor is setback from Great Ocean Road by 3.57m and from the side boundaries by 2.5m. Most of the ground floor accommodates under-croft car parking and services. Access to the car parking is via Diggers Parade using a new two way crossover. The car park is secured with swipe card access. The car park provides 31 parking spaces and a small loading bay.

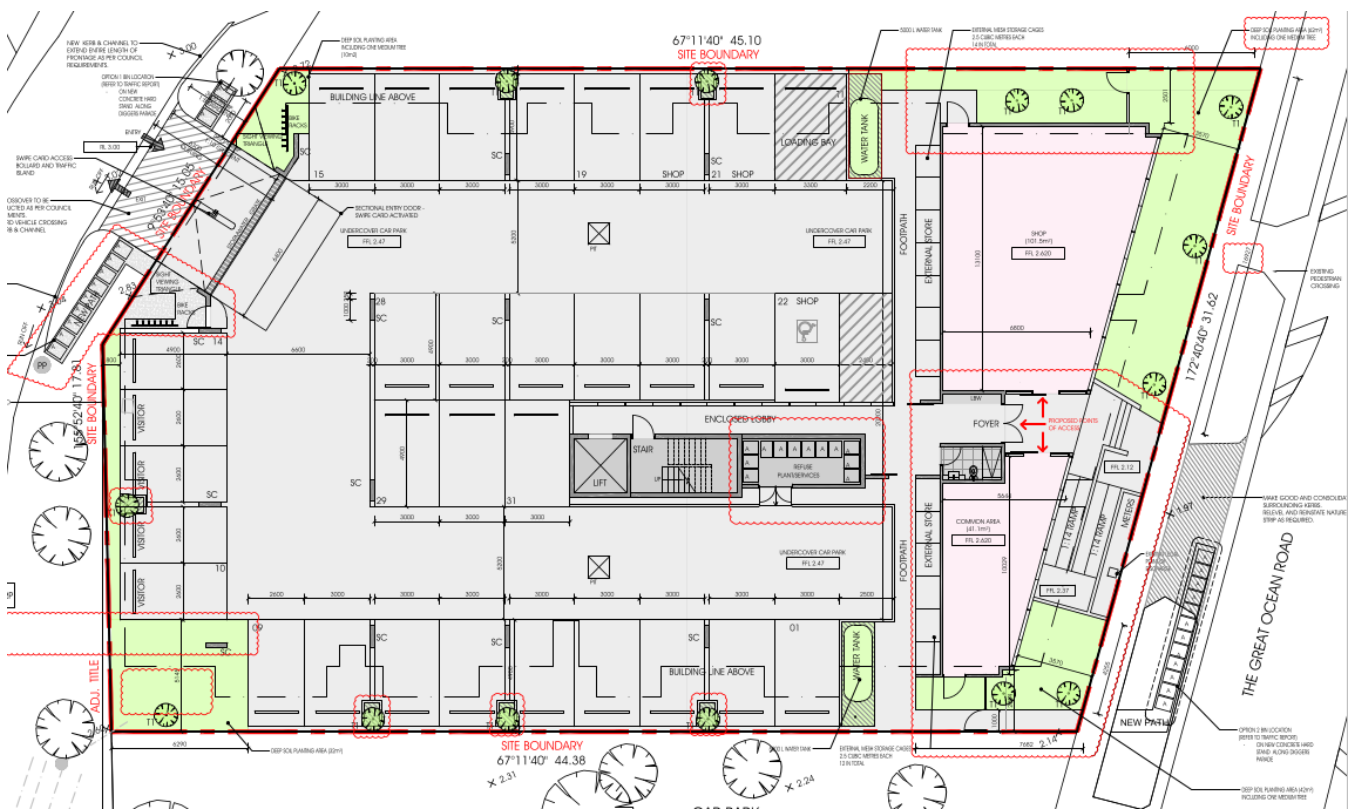


Figure 1 - Ground floor

2.1 Planning Permit Application 18-0159 - Construction of a Three Storey Building Containing 21 Apartments and 1 Shop - 109 Great Ocean Road, Anglesea

Central stairs and lift access the first floor with 11 apartments around a central lobby. All of the apartments have open plan kitchen, dining and living with direct access to a balcony and each has a separate bathroom. Six apartments have one bedroom (Apartments 4-8 & 11), four have two bedrooms (Apartments 1, 2, 9 & 10) and one has three bedrooms (Apartment 3). Apartments 4-6 also have a study space which is open to the living space. Four apartments have an additional ensuite bathroom (Apartments 1, 2, 3 & 10) and seven have European style laundries (Apartments 1, 3, 4-6, 8, & 10). The first floor is setback from Great Ocean Road 2.4m to the balconies and 4.8m to the wall of the building; from the north side boundary 1.65m to the balconies and 3.05m to the wall; from the south side boundary 1.6m to the balconies and 3.0m to the wall.

The setback from Diggers Parade is variable, generally in the order of 1.0m, but with projecting elements, including to the boundary.



Figure 2 - First floor

2.1 Planning Permit Application 18-0159 - Construction of a Three Storey Building Containing 21 Apartments and 1 Shop - 109 Great Ocean Road, Anglesea

The second floor has a similar arrangement to the first floor with ten apartments and the layout of the apartments is almost the same as the matching apartment below. The largest variation is at the front of the building facing Great Ocean Road where there are two larger three bedroom apartments. Apartment 12 is provided with open plan kitchen, dining and living, study, three bedrooms, including one with ensuite, bathroom, laundry and powder room. Apartment 11 is similar but does not have a study or powder room.

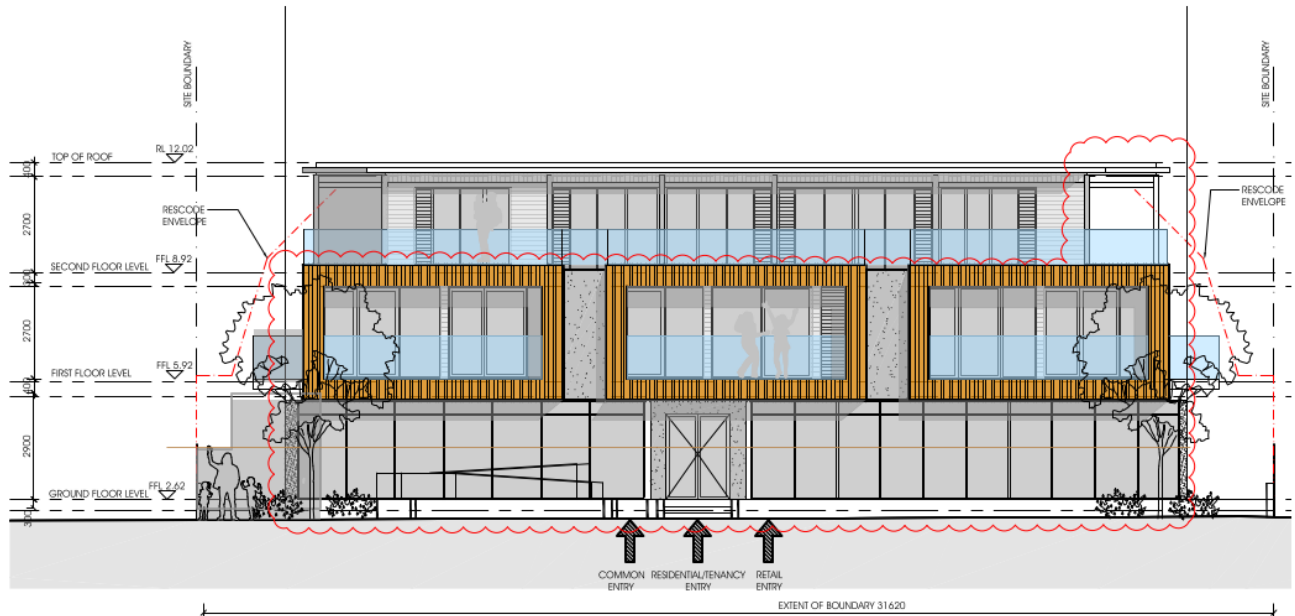
Six apartments are one bedroom (Apartments 14-18 & 21) and two are two bedroom (Apartments 19 & 20). Of these, each apartment has a separate bathroom and only Apartment 20 has an ensuite bathroom. Five apartments have a European style laundry (Apartments 14-16, 18 & 20). The second floor balconies are setback 2.45m from Great Ocean Road and 5.91m to the wall. Side boundary setbacks are generally 3.35m and 3.3m from the north and south respectively, other than some small encroachments by balconies. Setback from Diggers Parade varies between 0.6m and 1.5m.



Figure 3 - Second floor

2.1 Planning Permit Application 18-0159 - Construction of a Three Storey Building Containing 21 Apartments and 1 Shop - 109 Great Ocean Road, Anglesea

The proposed maximum height of the building is 9.9m at the Great Ocean Road end of the building. The height reduces at the Diggers Parade end with the rising land. The elevations of the building are predominantly finished with timber cladding and glazing.



01 EAST ELEVATION (GREAT OCEAN ROAD)
TP SCALE: 1:100

The application seeks approval to use the ground floor tenancy as a shop; however the approval is sought speculatively with no specificity to the use. It also seeks to use the apartments as accommodation, covering both resident use (dwelling) and short term use. Permission is also sought to reduce the statutory parking requirement by 1 space and to alter access to Great Ocean Road (by removing the existing crossover).

Subject Site and Locality

The site is an allotment of 1436m² within the riverbank precinct of Anglesea on the western side of Great Ocean Road. The site has a frontage of 31.62m and a variable depth of between 44.38m and 45.10m. The northern section of the western boundary of the site is formed by Diggers Parade; whilst the southern section also appears to be with Diggers Parade it is actually separated from the road reserve by a slither of land that is part of 111 Great Ocean Road.

The site is presently developed by a single storey motel building that encloses on three sides a central car park and outdoor swimming pool. The building is constructed of concrete block and low pitched green metal roof. The building is setback from the Great Ocean Road boundary between approximately 1.0m and 4.5m. The setback is planted with clumped Lomandras and palm trees. The building is constructed to the southern boundary and there are small sections on the western and northern boundaries, but is otherwise setback approximately 1.0m from the boundary to accommodate services such as hot water and air conditioning systems. There is one palm tree near to the Diggers Road boundary.

Access to the central car park is via a double width crossover from Great Ocean Road. North of the crossover is a pedestrian crossing with central refuge that connects on the eastern side with a short pathway providing access to an indented bus stop. On-street parking is restricted either side of the pedestrian crossing, but it is possible for one car to park in front of the site south of the crossover. Diggers Parade is sealed but informal in construction. There are five line-marked angle parking spaces opposite the site and five marked parallel spaces further north, otherwise on-street parking is informal.

2.1 Planning Permit Application 18-0159 - Construction of a Three Storey Building Containing 21 Apartments and 1 Shop - 109 Great Ocean Road, Anglesea

Surrounding land is a mix of public open space and commercial and residential development. Abutting the site to the north, 107 Great Ocean Road is developed by a service station with a central single storey kiosk the canopy over the fuel bowsers. The entirety of the property is sealed for circulation, parking and services. Adjacent the subject site is parking. North of the service station is a small park which contains a stand of trees but is otherwise grassed with a picnic table. Until recently it contained a waste drop-off location but this has been relocated. Whilst visually part of the park a portion of this land is actually a sewerage pump station. To the south 111 Great Ocean Road is comprised of two triangular lots developed by a single storey building operating as a surf shop. The building is sited on the southern boundary with McMillan Street.

Between the building and the subject site is a large informal gravel parking area that has access points to Great Ocean Road and Diggers Parade.

On the west side of Diggers Parade, from north to south, is:

- 1A – Two storey building with hairdresser and veterinary at ground floor and what is assumed to be a dwelling at first floor.
- 2 (Holmwood Avenue) – single storey dwelling
- 5-9 – Two storey building with restaurant at ground floor and what is assumed to be a dwelling at first floor.
- 11 – Three storey dwelling
- 13 – Small single storey building occupied by a physiotherapist
- 15 – Vacant
- 17 – Vacant
- 19 – Two storey semi-detached dwelling
- 21 – Two storey attached dwelling
- 23 – Two storey semi-detached dwelling
- 25 – Telstra exchange with approval for subdivision and construction of one two storey dwelling and two three storey dwellings.

On the east side of Great Ocean Road is the Anglesea River and associated open space. Also relevant to the context of the site, further to the north is the Anglesea Spa Resort at 105 Great Ocean Road (with restaurant, gym and trampolines) and a small cluster of shops at 103 Great Ocean Road. Further to the south is a restaurant, medical centre and butchers and convenience shop and café and 113, 117 and 119 Great Ocean Road respectively. Further to the west is a community precinct with Kindergarten, hall and medical services on McMillan Street.

2.1 Planning Permit Application 18-0159 - Construction of a Three Storey Building Containing 21 Apartments and 1 Shop - 109 Great Ocean Road, Anglesea



Permit / Site History

The history of the site includes:

- Planning Permit 2502 for a Motel issued on 18 July 1985.

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 and opposite land;
- Placing a sign on site;
- Placing a notice in the following newspapers.

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

Objections

A total of 34 objections have been lodged with Council. The objections can be summarised as follows:

Urban design/Building design

- Negative impact on character of Anglesea
- Does not respect neighbourhood character and town's coastal character
- Does not respond to Anglesea Great Ocean Road Study and the planning scheme
- Overdevelopment of site
- Poor design and response to character
- Inappropriate height
- As it would be biggest building in surrounding context needs to be best practice design
- Bold façade, could be more understated
- Dominate streetscape

2.1 Planning Permit Application 18-0159 - Construction of a Three Storey Building Containing 21 Apartments and 1 Shop - 109 Great Ocean Road, Anglesea

Traffic and parking

- Lack of car parking, traffic and parking impacts on street
- Inadequate car parking
- Parking pressure in Diggers Parade
- Lack of convenience for patron parking
- Traffic impacts
- Traffic congestion and parking issues
- Traffic impact assessment undertaken at wrong time of year, does not account for peak demand
- Lack of loading and unloading facilities
- Reliance on private parking on other land
- Impact of waste collection.

Landscaping

- Lack of landscaping
- Height of proposed trees on the landscape plan will impact on views.

Amenity impacts

- Loss of view to river and ocean
- Blocking views, including to businesses in Diggers Parade
- Reduced amenity and outlook
- Shadowing of neighbouring property
- Overlooking.

Use of land

- Residential occupation of units, not tourism
- High density living
- Lack of need for shops.

Other issues

- Lack of infrastructure capacity
- Plans do not reflect the title boundaries and rely on the use of private land between site and Diggers Parade for pedestrian access
- Planning controls for this area should be reviewed
- Reduction in property values.

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

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 13 November 2018 the committee heard submissions on this matter as per the committee's delegation under section 86 of the Local Government Act 1989.

Subsequent to the hearing of submissions the applicant amended the application pursuant to section 57A of the Act. The following changes were made to the plans:

- Increased setbacks
- Increased landscape area
- Replace one shop with a communal area associated with the accommodation
- Removal of pedestrian access to Diggers Parade from the south west corner over the adjoining lot
- Changes to materials and finishes
- Minor internal changes.

These are the plans on which the report is based.

2.1 Planning Permit Application 18-0159 - Construction of a Three Storey Building Containing 21 Apartments and 1 Shop - 109 Great Ocean Road, Anglesea

Further public notification of the amendments to plans was not required in accordance with Section 57B as it was considered that the grant of a permit would not cause further material detriment as a result of the amendments made to the application. All objections received to the application stand and must be considered.

Referrals

The following external referrals were undertaken:

Referral Authority	Type of Referral	Advice/ Comments/ Conditions
CCMA	Recommending	Consent with conditions
CFA	Determining	Consent with conditions
DELWP	Determining	Consent with conditions
VicRoads	Determining	Consent

The following internal referrals were undertaken:

Department	Advice/ Comments/ Conditions
Infrastructure	Supports application subject to conditions

Officer Direct or Indirect Interest

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

Planning Scheme Provisions

The land is within Schedule 8 to the Special Use Zone (SUZ8) – the Anglesea Tourism Development Precincts. The whole of the land is also covered by:

- Schedule 25 to the Design and Development Overlay (DDO25)
- Schedule 2 to the Bushfire Management Overlay (BMO2)
- Salinity Management Overlay (SMO).

It is partially covered by the Land Subject to Inundation Overlay (LSIO).

A permit is required for the following:

SUZ8

- Use land for accommodation (clause 1.0 of Schedule 8 to clause 37.07)
- Use land for shop (clause 1.0 of Schedule 8 to clause 37.07)
- Construct a building and to construct or carry out works (clause 37.07).

DDO25

- Construct a building and to construct or carry out works (clause 43.02-2)
- Construct a fence which abuts a road or public area, including a public car park (clause 2.0 of Schedule 25 to clause 43.02).

SMO

- Construct a building and to construct or carry out works (clause 44.02-2).

LSIO

- Construct a building and to construct or carry out works (clause 44.04-2)
- Construct a fence (clause 44.04-2).

BMO

- Construct a building and to construct or carry out works associated with accommodation and retail premises (clause 44.06-2).

Car parking

- Reduce by one the number of car parking spaces required under clause 52.06-5 (clause 52.06-3).

Access

- Alter access to a road in a Road Zone, Category 1 (clause 52.29-2).

The relevant provisions are addressed in further detail below.

2.1 Planning Permit Application 18-0159 - Construction of a Three Storey Building Containing 21 Apartments and 1 Shop - 109 Great Ocean Road, Anglesea

Zones and Overlays

The zone and overlay provisions are as follow:

Special Use Zone – Schedule 8			
Criteria	Standard	Proposal	Comment
<i>Clause 37.01-1</i> Use of land	Permit required to use the land for <ul style="list-style-type: none"> Accommodation Shop. 	Use of the land for Accommodation (21 apartments) and one shop	Permit required
<i>Clause 37.01-3</i> Subdivision	A permit is required to subdivide land.	Subdivision not proposed	N/A
<i>Clause 37.01-4</i> Buildings and works	A permit is required to construct a building or to construct or carry out works.	Buildings and works (three storey building and associated works)	Permit required
<i>Clause 36.02-8</i> Advertising signs	Advertising sign requirements are at Clause 52.05. Category 3 requirements apply	No advertising signage proposed	N/A

Design and Development Overlay Schedule 25 – Anglesea Tourism Development Precincts			
Criteria	Standard	Proposal	Comment
<i>Clause 43.02-2</i> Buildings & works	A permit is required to construct: <ul style="list-style-type: none"> a building or to construct or carry out works (other than an outdoor swimming pool associated with a dwelling). This does not apply if a schedule to the overlay states that a permit is not required a fence if specified within the overlay. 	Buildings and works (three storey building and associated works)	Permit required
<i>Schedule 25: 2.0</i> Buildings and Works	A permit is required to construct a fence which abuts a road or public area, including a public car park.	Construct a fence abutting a road or public area	Permit required
<i>Clause 43.02-3</i> Subdivision	A permit is required to subdivide land.	Subdivision not proposed	N/A
<i>Clause 43.02-4</i> Advertising signs	Advertising sign requirements are at Clause 52.05. Category 3	Advertising signs not proposed	N/A

Salinity Management Overlay			
Criteria	Standard	Proposal	Comment
<i>Clause 44.02-2</i> Buildings & works	A permit is required to construct: <ul style="list-style-type: none"> a building or to construct or carry out works 	Buildings and works (three storey building and associated works)	Permit required
<i>Clause 44.02-3</i> Subdivision	A permit is required to subdivide land.	Subdivision not proposed	N/A

Land Subject to Inundation Overlay			
Criteria	Standard	Proposal	Comment
<i>Clause 44.04-2</i> Buildings & works	A permit is required to construct a building or to construct or carry out works including: <ul style="list-style-type: none"> a fence roadworks, if the water flow path is redirected or obstructed bicycle pathways and trails 	Buildings and works (three storey building and associated works) Construct a fence N/A N/A	Permit required

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	<ul style="list-style-type: none"> public toilets a domestic swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot rainwater tank with a capacity of not more than 10,000 litres a pergola or verandah, including an open-sided pergola or verandah to a dwelling with a finished floor level not more than 800mm above ground level and a maximum building height of 3 metres above ground level a deck, including a deck to a dwelling with a finished floor level not more than 800mm above ground level a non-domestic disabled access ramp A dependent person's unit. 	<p>N/A</p> <p>Two rainwater tanks of 5000L</p> <p>N/A</p> <p>N/A</p> <p>A disabled access ramp</p> <p>N/A</p>	
Clause 44.04-3 Subdivision	A permit is required to subdivide land.	Subdivision not proposed	N/A

Bushfire Management Overlay			
Clause	Requirement	Proposal	Comment
Clause 44.06-2 Buildings & works	<p>A permit is required to construct a building or to construct or carry out works associated with the following uses:</p> <ul style="list-style-type: none"> Accommodation Child care centre Education centre Hospital Industry Leisure and recreation Office Place of assembly Retail premises Service station Timber production Warehouse 	Buildings & works associated with Accommodation and Retail premises	Permit required
Clause 44.06-3 Subdivision	A permit is required to subdivide land.	Subdivision not proposed	N/A

The land is covered by Schedule 2 to the Bushfire Management Overlay however the schedule only applies to an application to construct or extend one dwelling on a lot and therefore is not applicable to the present application. It is noted that Schedule 2 specifies that Clause 52.47 applies in all other circumstances, which is clearly a State drafting error that has arisen following Amendment VC148 which renumbered Clause 52.47 as 53.02. It is considered that the provision must be read as Clause 53.02 to resolve what would otherwise be a perverse outcome which would be that no bushfire provisions apply.

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Particular Provisions

The following particular provisions are considered relevant to this application:

52.05	<p>Signs For the purpose of this clause the site is in Category 3. A permit is required to display:</p> <ul style="list-style-type: none"> • above-verandah sign • business identification sign • electronic sign • floodlit sign • high-wall sign • internally illuminated sign • pole sign • promotion sign • reflective sign 	No signs are proposed.
52.06	<p>Car parking <i>Clause 52.06 applies to:</i></p> <ul style="list-style-type: none"> • a new use; or • an increase in the floor area or site area of an existing use; or • an increase to an existing use by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use. <p><i>Before:</i></p> <ul style="list-style-type: none"> • a new use commences; or • the floor area or site area of an existing use is increased; or • an existing use is increased by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use <p>52.06-3 – A permit is required to reduce, including reduce to zero, the number of car parking spaces required under Clause 52.06-5.</p> <p>52.06-8 – Plans must be prepared to the satisfaction of the responsible authority before any of the following occurs:</p> <ul style="list-style-type: none"> • a new use commences; or • the floor area or site area of an existing use is increased; or • an existing use is increased by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use. <p>52.06-9 – Plans prepared in accordance with Clause 52.06-8 must meet the design standards of Clause 52.06-9, unless the responsible authority agrees otherwise.</p>	<p>Relevant specified rates are: Dwelling:</p> <ul style="list-style-type: none"> • 1 space to each 1 or 2 bedroom dwelling • 2 spaces per 3 or more bedroom dwelling • 1 space for visitors per 5 dwellings <p>Shop:</p> <ul style="list-style-type: none"> • 4 spaces per 100m² of leasable floor area <p>Accommodation doesn't have a specified rate; therefore parking is to be to the satisfaction of the Responsible Authority. The parking requirement for dwellings and one shop therefore is:</p> <ul style="list-style-type: none"> • 24 spaces for dwellings • 4 dwelling visitor spaces • 4 spaces for shop <p>For a total of 32 spaces. 31 spaces are proposed therefore a reduction of 1 space is required.</p> <p>Permit required</p>
52.29	<p>Land adjacent to a Road Zone, Category 1 A permit is required to:</p> <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 purposes of the acquisition is for a Category 1 road. • Subdivide land adjacent to: <ul style="list-style-type: none"> ○ A road in a Road Zone, Category 1 ○ Land in a Public Acquisition Overlay if the purposes of the acquisition is for a Category 1 	<p>Alter (remove) access to Great Ocean Road, a road in a Road Zone, Category 1</p> <p>Permit required</p>

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	road	
52.34	<p>Bicycle facilities <i>A new use must not commence or the floor area of an existing use must not be increased until the required bicycle facilities and associated signage has been provided on the land.</i> <i>Where the floor area occupied by an existing use is increased, the requirement for bicycle facilities only applies to the increased floor area of the use.</i></p>	<p>For dwellings and other residential buildings there are requirements only where the building is four or more stories.</p> <p>For shops there are requirements only if the leasable floor area exceeds 1000m²</p> <p>No requirements.</p>

Planning policy framework (PPF)

The following clauses are of relevance to the application and have been considered:

- 11.03-1S Activity centres
- 11.03-4S Coastal settlement
- 11.03-5R The Great Ocean Road region
- 11.03-6S Regional and local places
- 12.05-2S Landscapes
- 13.01-1S Natural hazards and climate change
- 13.01-2S Coastal inundation and erosion
- 13.02-1S Bushfire planning
- 13.03-1S Floodplain management
- 13.04-3S Salinity
- 13.05-1S Noise abatement
- 13.07-1S Land use compatibility
- 15.01-1S Urban design
- 15.01-2S Building design
- 15.01-5S Neighbourhood character
- 15.02-1S Energy and resource efficiency
- 16.01-3S Housing diversity
- 17.01-1S Diversified economy
- 17.01-1R Diversified economy – Geelong G21
- 17.02-1S Business
- 17.04-1S Facilitating tourism
- 18.02-4S Car parking
- 19.03-3S Integrated water management.

Local planning policy framework (LPPF)

The following clauses are of relevance to the application and have been considered:

- 21.03 Environmental management
- 21.04 Tourism
- 21.11 Anglesea strategy
- 22.02 Streetscape and landscaping policy.

Reference Documents

The following local reference documents are identified in the scheme:

- Anglesea Great Ocean Road Study (2016)
- Anglesea Structure Plan (2012)
- Anglesea Neighbourhood Character Study (2003)
- Anglesea Streetscape Project (1996)
- Regional Bushfire Planning Assessment, Barwon South-West (2012)
- Surf Coast Shire Biodiversity Mapping Project (2014)
- Landscaping your Surf Coast Garden for Bushfire (2012).

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General Provisions

62 Exemptions	<i>Are there any exemptions relevant to the proposal?</i>	No
63 Existing uses	<i>Do existing use rights apply?</i>	N/A

Relevant Planning Scheme Amendments and/or Strategies

There are no amendments relevant to this application.

Discussion of Key Issues

Strategic justification

The purposes of SUZ8 are:

- *To encourage tourism development in the following high profile precincts shown on Map 1 to Schedule 8 to Clause 37.01:*
 - *Precinct A1 – Diggers Parade Precinct, Anglesea*
 - *Precinct A2 – Four Kings Precinct, Anglesea*
- *To encourage a range of tourism related land uses, including:*
 - *diverse forms of tourist accommodation;*
 - *tourist activities and attractions; and*
 - *tourism-related retailing in appropriate locations.*
- *To promote a mix of tourism related uses in developments with food and drink premises and tourism-related retail predominantly at ground floor level, and accommodation and offices predominantly at upper floor levels.*
- *To promote the use of environmentally responsive designs, materials and colours to develop a distinct image for the Shire which reflects and complements its environmental and cultural attributes.*

The application of the SUZ8 to this site, adjoining and nearby land, reflects the objectives of Clause 21.11 Anglesea strategy, including, as relevant:

- *To provide for a broader range of accommodation and housing options in appropriate areas to meet the needs of households and to support a diverse community.*
- *To provide for an appropriate range of retail, commercial and tourist-related services and facilities in the commercial centres of Anglesea to cater for the needs of both the permanent and visitor population.*
- *To promote commercial and tourist development that is of a design, scale and built form that reflects Anglesea's coastal village character and respects the amenity of adjacent residential areas.*
- *To promote a variety of sustainable tourist facilities and activities in and around Anglesea that provides social and economic benefits, having regard to bushfire, respecting the environmental, cultural, landscape and community values of the locality.*

The stated strategies for achieving the above objectives include:

- *Encourage a greater diversity of housing types and sizes, in particular the construction of compact well-designed dwellings on smaller lots, within walking distance of the activity centres and community precinct.*
- *Support high quality mixed-use medium density development at Four Kings and Diggers Parade that contributes positively to the character of Anglesea.*
- *Encourage appropriate infill development and redevelopment of strategic sites of lower bushfire risk within the town boundaries sympathetic to the scale and character of Anglesea.*
- *Encourage a mix of tourist-related uses, including cafes and restaurants, accommodation and tourist retailing, within the tourist development precincts at Four Kings and Diggers Parade.*
- *Ensure that development on prominent sites at Four Kings and Diggers Parade contributes positively to the character of Anglesea and respects the heritage value of adjoining traditional beach houses on the Great Ocean Road.*

These objectives and strategies are the local implementation of State and regional policy of the PPF, such as clauses 11.03-4S, 11.03-5R, 16.01-3S, and 17.04-1S.

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In-principle it is considered that the redevelopment of the site for a multi-storey mixed use development, which is more intensive than is typical for the township, is strategically justified. It is one of relatively few locations within Anglesea and the municipality where the planning scheme facilitates or encourages this type of use and development. However, as is clear from the above, development must still be respectful of the “coastal village character” of Anglesea and positively contribute to the evolution of that character. The design response therefore must achieve an appropriate balance.

The site is also subject to a number of environmental risks, including bushfire, inundation and salinity. The following PPF clauses are of relevance:

- 13.01-1S Natural hazards and climate change
- 13.01-2S Coastal inundation and erosion
- 13.02-1S Bushfire planning
- 13.03-1S Floodplain management
- 13.04-3S Salinity.

Whilst the proposal is considered to be broadly strategically justified there are matters of detail which require closer examination.

Environmental risks

Bushfire risk

The emphasis of relevant policy at the State and local level is on the preservation of significant landscapes and character of coastal towns like Anglesea and as the highest priority the preservation of human life in 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 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.*
- *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 the requirements of Clause 53.02 Bushfire Planning apply. The application has been referred to the CFA and they have consented to the grant of a permit subject to conditions.

Whilst the whole of the town is at risk from bushfire, within this context the site is in a location of lower risk. Vegetation in the surrounding area is not continuous meaning that it is very unlikely that the site would be impacted by a fire front. The river (in combination with the managed riverbank and Great Ocean Road) further reduces the risk of fire for this site. Bushfire is likely to impact the site through ember attack rather than high levels of radiant heat or flame contact.

The proposed measures of managing the site for defensible space and constructing to a minimum of BAL 12.5 are considered to be an appropriate response to the bushfire risk and are supported by CFA. However, it is recommended that an emergency management plan (EMP) is required should a permit be granted. The building could be occupied by people unprepared for, or unfamiliar with, bushfire who might make decisions that put human life at risk. Whilst this risk can't be eliminated, an EMP can reduce the risk by establishing appropriate preparation, responses and responsibilities.

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Inundation

The land is partially affected by the LSIO reflecting that the land could be inundated during a 1% Annual Exceedance Probability (AEP) flood event. Inundation could occur during more probable events and there could be greater flooding under rarer events.

The Corangamite Catchment Management Authority (CCMA) has advised that the estimated 1% AEP flood level for this location is 2.32m AHD, whereas existing site levels range between approximately 2.0m and 2.8m, rising east to west. In such an event approximately half of the property would be inundated and the depth of flooding over Great Ocean Road would be at unsafe levels.

CCMA adopts a 300mm freeboard above the estimated flood level to protect buildings from the impacts of flooding. As a result CCMA has recommend that the floor level of the building be no less than 2.62m AHD and the floor level of the car park be no less than 2.47m AHD. The proposed development complies with these levels.

CCMA has also considered coastal storm surge and the effect of climate change and is of the view that riverine flooding has the highest flood level.

As the site has access to Diggers Parade which would be flood free during a 1% event, there is opportunity for safe escape or emergency services assistance.

The construction of the development at levels above the flood level would displace flood waters from the site, however in context of the size of the flood plain the impact is likely to be imperceptible. CCMA have not raised issue with this occurring.

Therefore it is considered that the proposal appropriate responds to the risk from inundation.

Salinity

The whole of the site is covered by the SMO. The application has been referred to DELWP as a determining referral authority.

In their response DELWP has commented:

The SMO is intended to ensure salinity processes are considered and addressed in decision making. For individual sites or developments, the key objective is to prevent damage to buildings and infrastructure from saline conditions. DELWP's primary aim in this instance is to ensure that building professionals associated with the proposed development are made aware of the prevailing salinity conditions and associated risks, and that underground building components and infrastructure (e.g. foundations, pipes, etc.) are adequately specified to address them.

DELWP has required a condition that requires that before development commences that a salinity assessment be prepared. It is considered that is an acceptable approach to respond to this risk.

Use of land

Under the zone the use of land for Accommodation and Shop require a permit. Shop is subject to the condition:

Must only sell or hire goods and services predominantly associated with the tourism industry and tourism activities and pastimes.

The purpose of the zone encourages a mix of tourism related uses with retailing at ground floor and accommodation at upper levels.

Before deciding on an application for use consideration is to be given to:

- *The interface with adjoining zones, especially the relationship with residential zones.*
- *Whether the Accommodation use supports the tourism emphasis of the locality.*
- *The need to restrict land uses likely to generate high rates of vehicle movement to sites with direct frontage to main roads.*
- *The need to protect the core retail and service functions of the Anglesea Camp Road Shopping Centre.*

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- *The need to protect the residential amenity of surrounding dwellings from off-site impacts such as noise, odour, traffic congestion and on-street parking.*
- *Whether a mix of land uses within each precinct is provided, with Food and drink premises and tourism-related retail predominantly at ground floor level, and accommodation and offices at upper floor levels.*
- *The effect that existing uses may have on the proposed use.*
- *The drainage of land.*
- *The availability of and connection to services.*
- *The effect of traffic to be generated on roads.*
- *The interim use of those parts of the land not required for the proposed use.*

The site does not interface with land in another zone (other than Road Zone). The site has direct frontage to a main road, though vehicle access will be from Diggers Parade, however it is considered that the proposed uses aren't high traffic generators.

It is considered that a single shop operating within the condition of the zone will not threaten the town centre. The application is made speculatively therefore it isn't possible to fully assess compliance with the condition however it is considered that this should not prejudice the grant of a permit. It would be appropriate if a permit was granted to include a condition requiring the submission and approval by Council of the specific goods and services to be provided within the shop before the commencement of that use.

The application has been made for the accommodation to be flexibly used. The apartments could be occupied by residents as dwellings or operated as serviced apartments for short term accommodation or a combination of the two. The use of all of the apartments as dwellings would not be consistent with the purpose of the zone as it would not meet the tourism focus. It is considered that a mix of dwellings and short term accommodation would be acceptable but the majority should be for tourist accommodation.

Given the way in which the application has been advanced it is recommended that it would not be appropriate to seek to manage the use in this way through permit conditions and therefore that the application should be refused on this ground.

Lack of need for shops

A number of objections have submitted that there is a lack of need for additional shops in Anglesea citing other premises which are presently vacant. Lack of need in this type of application should not be given any weight in Council's decision.

The Tribunal observed in *Tulcanly Pty Ltd v Knox CC* [2003] VCAT 1627 that:

Need is a fundamental concept in town planning, because town planning is essentially concerned with shaping our physical environment to meet the social economic and environmental needs of the community. However in individual development applications the role of need is complex. At one end of the scale, there are ubiquitous land uses in relation to which the Tribunal has said that need is not a matter for the planning system, rather it is a matter for the competitive market place. On the other there are important community based uses where the Tribunal has found that the need for the use can outweigh other important, and ordinarily decisive, planning considerations.

Nevertheless the applicant has decided to amend the application to propose only one shop.

Design

Urban design/Building design

A key concern of objectors is that the proposed building would have a negative impact on the character of Anglesea, particularly due to the height and scale of the building. They submit that the building height should be reduced and/or the third storey to be further recessed and that there should be greater setbacks from all boundaries.

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The decision guidelines of SUZ8 require consideration to be given to “*Whether development demonstrates a high quality of design that respects and enhances the coastal town character.*” The key design objectives of DDO25 include:

- *To encourage development that respects the existing low scale coastal ‘village’ character of Anglesea.*
- *To ensure that the form, scale and architectural features of new development is sensitive to the character and amenity of adjoining residential properties*
- *To facilitate the use of materials, colours and finishes that reflects the surrounding natural environment and complements the coastal character of Anglesea.*
- *To ensure new development demonstrates a high standard of contemporary design and responds to the principles of environmental sustainability.*
- *To ensure that buildings are designed to provide visual interest along the street frontage.*

DDO25 includes requirements are set out and assessed in the following table.

Requirement	Assessment
Buildings should not exceed a preferred maximum building height of 9.5 metres above natural ground level.	The maximum building height is approximately 9.9m above ground level which is dimensioned to the parapet at the eastern end of the building. As the ground rises to the west the height reduces to slightly less than 9.5m. (It is noted that the presentation of a parapet in the elevations conflicts with the roof plan showing a pitched roof falling to eave gutters.)
Buildings along the Great Ocean Road should be setback a minimum of 2.5 metres from the front property boundary to accommodate space for landscaping.	Setbacks from Great Ocean Road are: Ground floor: 3.57m First floor: 2.4m Second floor: 2.45m
Buildings along Diggers Parade should be sited as close as possible to the front boundary, maintaining a minimal front setback at ground level. Where a site directly adjoins a lot used for residential purposes, ResCode standards A10, A13, B17 and B20 should be applied.	The setback from Diggers Parade varies between 0m and approximately 1.0m
Buildings should be designed to front onto and provide an active frontage along all streets and public spaces.	The building presents an active frontage to Great Ocean Road at all levels. To Diggers Parade the car park is not considered to present an active frontage. The upper levels to provide a level of activation and passive surveillance of the street
Buildings should be designed to utilise natural colours, muted tones, matte finishes and non-reflective materials.	A complete schedule of materials and colours has not been provided. It is believed to be a mix of timber and render finish with timber painted (white) or natural finish and the render white or charcoal grey.
Buildings should be designed to differentiate horizontal and vertical tenancies particularly on larger sites greater than 1,000 sq. m.	It is considered that the design differentiates tenancies.
The design of car parks should not generate adverse impacts on the pedestrian environment/ streetscape and the amenity of nearby residential properties.	It is considered that the design of car parking is acceptable.
Service areas (waste and recycling) should not adversely impact on the amenity of the area.	A central storage area is provided with collection from the street. Discussed in greater detail below.
Landscaping should be provided to enhance the coastal bush setting of the area.	Landscaping areas are predominantly provided along the front and rear boundaries with limited areas adjacent side boundaries.

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Key decision guidelines include:

- *Whether higher elements that exceed the recommended height to create architectural interest cause detrimental overshadowing impacts on adjoining premises and public areas, and advances coastal design and environmentally sustainable design principles*
- *Whether a desired third storey is recessed to reduce visual bulk and minimise adverse impacts on privacy and amenity. How the design, height and visual bulk of buildings addresses potential amenity impacts on surrounding development.*

The additional building height is not for the purpose of creating architectural interest, advancing coastal design or environmental sustainability; it is a function of achieving three storeys above a ground floor level fixed by the need for freeboard above the flood level. However it is considered that the additional height would not cause detrimental overshadowing.

It is considered that it is unlikely that the difference in height between a building of 9.5m and 9.9m would be visually discernible; however it is the increase in wall height that the additional height creates and the resulting contribution to visual bulk that is a concern.

The eastern first floor apartments have balconies that project forward of the ground floor wall. These balconies are roofed and framed by timber surrounds. Apartments 12 and 13 on the second floor have wider balconies that align with the outer perimeter of the ones below. Notwithstanding the larger setback to the wall of the third storey it will be largely visible in the streetscape of Great Ocean Road. To Diggers Parade there is no stepping back of the third storey.

The *Anglesea Great Ocean Road Study* provides the background context to SUZ8 and DDO25 and it includes as a design response to *“Encourage a two storey parapet height along the Great Ocean Road and Diggers Parade street frontages, with a recessed third storey.”*

In principle a three storey building form is an acceptable design response for this location but it is considered that the scale of the third storey and visual bulk of the building as proposed is not respectful of the *low scale coastal ‘village’ character*.

It is recommended that the application be refused on this basis.

Landscaping

It is proposed to provide landscape beds at the front and rear of the site. Across the frontage the landscape bed is 3.57m wide at ground level but is overhung by the upper level so that it is 2.4m wide clear to the sky. The landscaping at the front returns part way down the side boundaries at 2.5m wide. Landscaping along the Diggers Parade boundary is generally narrower with wider areas in the north and south corners, but in part overhung by the building.

As noted above it is a requirement of DDO25 that buildings should be setback from Great Ocean Road by at least 2.5m to accommodate planting and this requirement is exceeded at ground level and slightly encroached at the upper levels.

The development is also subject to Standard D10 of Clause 58.03-5 including the deep soil requirement for 7.5% of the site to be provided as “deep soil” landscape area. The deep soil area is to have a minimum dimension of 3.0m. The glossary in the *Apartment Design Guidelines for Victoria* defines deep soil as *“An area of natural ground unimpeded by a structure below (and above), providing opportunities for groundwater infiltration and canopy trees.”*

The applicant submits that Standard D10 and the deep soil area requirement are satisfied but it is considered that it is non-compliant. It is considered that there isn't 108m² of the site that has a minimum dimension of 3.0m unimpeded by structures above and below ground.

It is also a requirement of D10 for 1 medium tree to be provided per 50m² of deep soil or 1 large tree per 90m², a medium trees being 8-12m tall and a large tree over that. The application proposes 15 Silver banksia but of the shrub form having a height of 1-2m. It is considered that as proposed the site could not accommodate a medium or large tree the building would impede the proper growth of any trees of this size.

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The objectives of Clause 58.03-5 include “*To encourage development that respects the landscape character of the area.*” Anglesea has a strong bush landscape character. The character of land from site to site within the SUZ8 is varied but as a precinct vegetation is still a key element of the character.

The design objectives of DDO25 include:

- *To integrate planting and landscaping with the design of new development to complement the surrounding coastal bushland character of the area.*
- *To support the ongoing retention of native vegetation, with emphasis on indigenous species and the Coastal Moonah Woodland vegetation community.*

Landscaping must be balanced with the management of bushfire risk; however this does not mean that landscaping can't and shouldn't be provided. It is a matter of structuring planting to break up the continuity of fuel. The objectives of DDO25 are not just for landscaping to be provided, but for landscaping to complement the “*coastal bushland character*”.

It is considered that the landscape response is not satisfactory and that this is grounds to refuse the application.

Internal amenity

Pursuant to Clause 37.01-4 (SUZ) an apartment development must meet the requirements of Clause 58. The provisions of Clause 58 implement the *Apartment Design Guidelines for Victoria* (DELWP 2017) and include objectives which must be met and standards which should be met. The objectives and standards include ones relating to building performance and dwelling amenity.

An apartment is a type of dwelling¹. The application is made to use the land for Accommodation covering resident accommodation and temporary accommodation, with the applicant seeking flexibility in the way the building is used. If the intended use were only temporary accommodation Clause 58 would not apply. Given the way the application has been approached and the potential for each accommodation unit to be used as a dwelling it is considered that Clause 58 does apply to the application.

A detailed assessment against the clause is included as an appendix to this report and identifies a number of non-compliances with the standards. The standards aren't mandatory, however in proposing a variation the relevant objective must still be met.

It is considered that there are a number of elements where the standard isn't met and it is not satisfied that the objective is met by the design approach with the result that not all of the apartments would deliver a reasonable level of amenity for the occupants.

The relevant standards are:

- D6 Energy efficiency
- D17 Accessibility
- D18 Building entry and circulation
- D24 Functional layout
- D25 Room depth
- D26 Windows.

A number of the non-compliances might be viewed as relatively minor variations; however it is considered that they haven't been justified by the design response. Further they aren't appropriately rectified by condition of permit as the cumulative impact on the design of many small changes is uncertain. The lack of daylight and natural ventilation for common areas and the depth of single aspect rooms in some apartments would require more substantial changes to the design. For those apartments where the depth of the open plan living, dining kitchen is an issue the lack of daylight penetration would be compounded by the window being setback from the opening to the sky, as it is overhung by the level above.

¹ Defined by Clause 73.01 as: A dwelling located above the ceiling level or below the floor level of another dwelling and is part of a building containing two or more dwellings.

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It is considered that based on the accumulative impact of the variations from the standards and lack of design response measures to offset these non-compliances, that the internal amenity of the proposed apartments would not be satisfactory for all apartments. It is recommended that the application be refused on this ground.

Traffic and parking

Parking provision

As identified previously, the application seeks a reduction of one car parking space from the standard requirements of Clause 52.06 if the land is used as shop and dwellings. Accommodation, as in short term accommodation, doesn't have a standard car parking rate and is to be provided to the "satisfaction of the responsible authority." It is considered that the parking rate for dwellings is an appropriate measure for determining the likely parking demand for Accommodation.

A Traffic Impact Assessment (TIA) prepared by O'Brien Traffic, including parking assessment, was submitted in support of the application. The TIA was prepared prior to the amendments to the application, but the quantum of reduction sought has been reduced from 3 spaces to 1 space by those amendments.

It has been submitted by objectors that there are existing parking issues in Diggers Parade. There has also been criticism of the TIA relying on a parking survey undertaken in June and that it included parking on private land in the supply of parking within the area.

VicRoads, a determining referral authority due to the proposal to close the existing crossover, did not object to the application but raised a concern, commenting "*The proposal for the development does not meet the schemes parking requirements. Hence, car parking requirements should be addressed by the Surf Coast Shire Council, taking into consideration the function of the development, neighbourhood character and the limited on-street parking for the surrounding amenities, specifically the Surf Club and Lorne Queenscliffe Reserve.*" sic

It is agreed that there are some shortcomings in the TIA, but it is also unnecessary to rely on the TIA to find that the proposed parking provision is acceptable to meet the likely demand of the proposed uses. Anglesea, as a coastal township will clearly experience fluctuations in parking demand throughout the year with the highest peaks likely occurring over the Christmas – New Years period and Easter and significantly less demand through winter. Other influences on demand in this location include the regular but occasional special events that occur, including the Riverbank Market and spring time wildflower show.

It is widely accepted that providing parking to meet the highest peaks of demand is not an appropriate planning outcome. The Tribunal in its decision in *Barwon Heads Supermarket Pty Ltd v Greater Geelong CC* [2003] VCAT 1224 commented "*In fact I think it is clear that the planning scheme seeks to ensure that an appropriate balance in the provision of car parking is achieved so that the functioning of commercial centres is not jeopardised by an inadequate supply of parking and that neighbouring areas are not adversely affected by overflow parking and traffic congestion, while at same time ensuring that resources are not wasted on the provision of parking areas which lie unused for significant periods of time. The adverse affects on the physical structure and amenity of a commercial centre and its neighbouring areas associated with the acquisition of land and construction of car parks, either within the centre or within its abutting residential areas, also need to be considered.*"

In a similar sentiment, the Tribunal in *Dixon v Bass Coast Shire Council* [2006] VCAT 2396 expressed the view that "*Such a strategic approach should take into account the "seasonal" nature of the parking demand and come to grips with the fair, orderly and efficient provision of car parking. In this regard it could be considered wasteful if parking resources are provided to accommodate the peak demand, to then have "oceans" of vacant parking spaces for the majority of the year. It may well be that compromises will need to be made.*"

The development fully provides parking for the accommodation use of the land, including visitor spaces and provides 3 spaces for the shop use. A fourth space could have been provided to fully meet the requirement but instead a small loading bay has been proposed.

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It is considered that the unmet demand of one space can be readily met by on-street parking on Great Ocean Road or Diggers Parade at most times. The removal the existing crossover will provide an additional on-street space on Great Ocean Road increasing the public supply of parking for all users. This parking would be convenient for patrons to the shop.

It is also relevant that:

- There is easy access from residential areas facilitating employees and customers walking or cycling to visit the site.
- It is proposed to provide bike racks within the development which will encourage cycling transport.
- There are V-Line bus stops proximate the site. It is acknowledged that use of public transport is likely to be limited given the frequency of service but it nevertheless is a non-car based option convenient to the site.
- It appears that no businesses located in Diggers Parade provide customer staff parking on-site, instead relying on on-street parking. It would not be a fair and equitable outcome for a single development in isolation to be expected to supply parking to fully meet its demand or to resolve existing parking issues.
- With a number of businesses within the vicinity of the site, it is likely that a proportion of customers would undertake multi-destination trips visiting more than one premises.
- Council has taken some steps to formalise parking supply within Diggers Parade in recent years by line marking spaces. There is further scope to formalise parking along the length of the street.

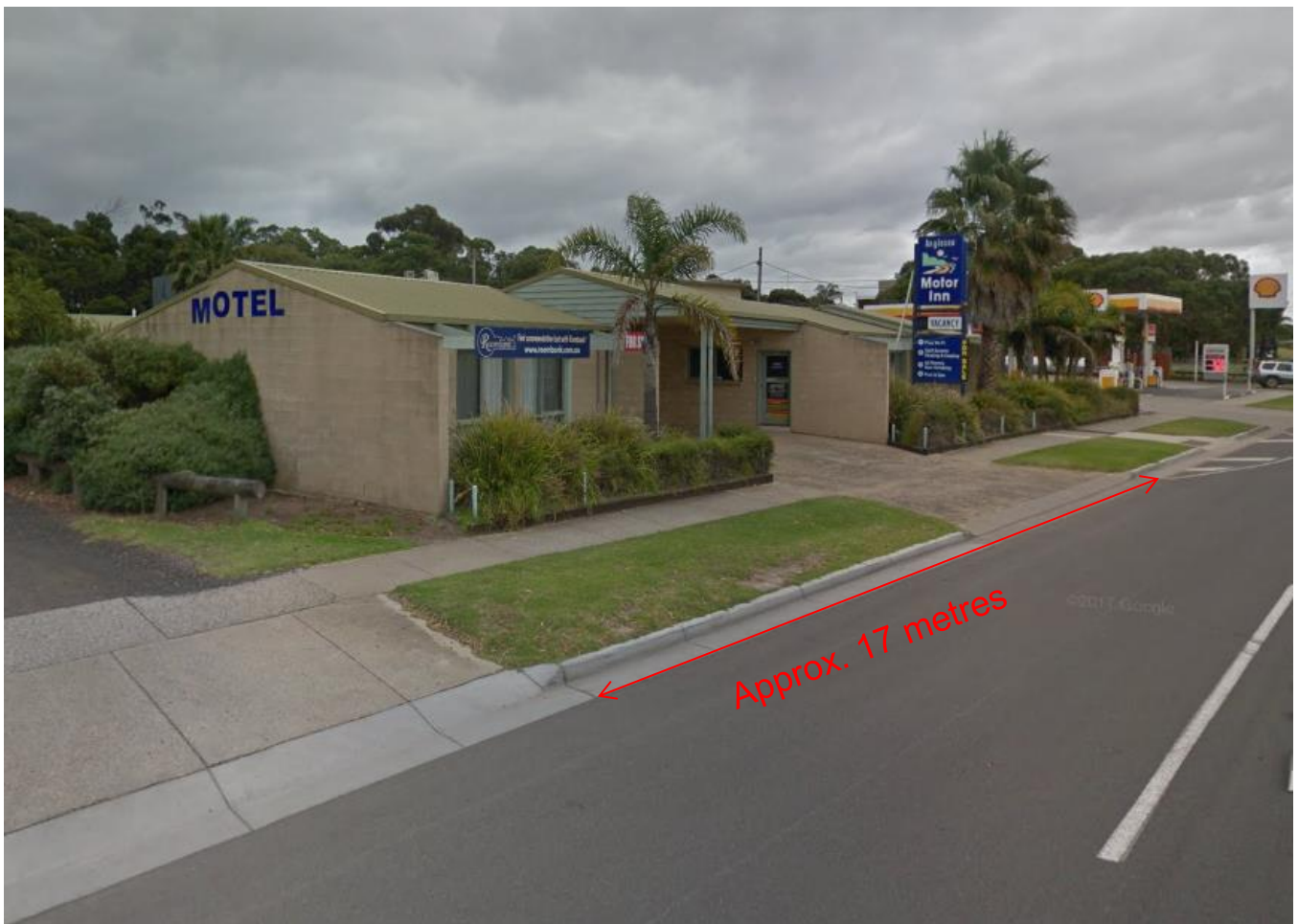


Figure 4 - Opportunity for on-street parking on Great Ocean Road

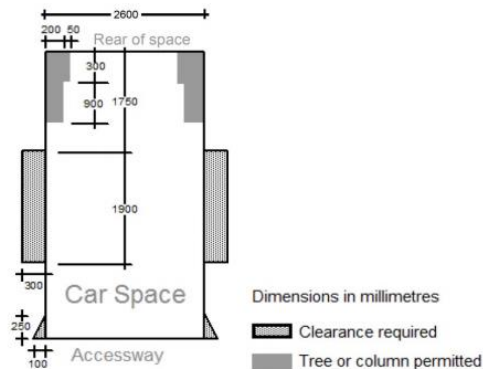
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Parking design

The proposed car parking spaces are laid out around a U-shaped accessway. The majority of the parking spaces are 3.0m wide to facilitate access from 5.2m wide accessways which is compliant with the minimum dimensions specified in Table 2 to Clause 52.06-9. There are 5 spaces which are narrower (2.6m) but these have an accessway 6.6m wide.

A number of spaces have a small landscape bed and tree proposed at the head of the space. Clause 52.06-9 permits this type of encroachment as shown in Diagram 1 of that clause:

Diagram 1 Clearance to car parking spaces



From the plans the landscape beds scale as encroaching further than 200mm from the edge of the space, but as noted most of the spaces are 3.0m wide and Diagram 1 is based on a 2.6m space. Therefore it is considered that the greater level of encroachment is generally acceptable. The wider space is to enable the turning of vehicle into the space; it isn't required at the end of the space. The exception is the bed between spaces 11 and 12 which are 2.6m wide. This bed should be narrowed to accord with Diagram 1.

The car park is proposed to be secured by a swipe card activated door. Given the car parking is provided to meet staff, customer and visitor parking the spaces need to be available to these users which wouldn't occur if access were limited to swipe card holders. It is considered acceptable that the parking be able to be secured however it needs to be managed to accommodate these users, such as the security door being open during business hours. This could be addressed through permit condition requiring a parking management plan should a permit be issued.

Overall it is considered that the design of car parking is generally acceptable.

Traffic

The removal of the existing crossover will reduce the impact of traffic from the site on Great Ocean Road by eliminating a conflict point. The amount of traffic using Diggers Parade will increase with the new access point and use of land. The TIA estimates the traffic generation from the site as 144 vehicles per day.

There are two recorded traffic counts for Diggers Parade from November 2011 and August 2017. In both counts 157 vehicles per day were recorded of which 10% were commercial vehicles. As with parking use it is likely that existing traffic volumes would be higher at peak times.

If the estimated traffic generation from the site is correct the level of traffic on the road will almost double but still be well within acceptable design limits. It is inevitable that use of land along Diggers Parade in accordance with the purposes of SUZ8 will result in an increase in commercial and residential activity with a higher level of traffic on Diggers Parade. It would be unreasonable to restrict development within the SUZ8 to maintain existing levels of traffic.

The Infrastructure Department has not raised any concern with traffic increases on Diggers Parade. Neither has VicRoads objected or raised concern with that traffic entering Great Ocean Road from Diggers Parade or McMillan Street.

It is considered that the increase in traffic on Diggers Parade is not grounds to refuse to grant a permit.

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Amenity impacts

Loss of view to river and ocean

It has been submitted that the proposed development will result in a loss of private views towards the river and ocean.

Over the years 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:*
 - *the importance of the view to be lost within the overall panorama available; and*
 - *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.*"

Unlikely Schedule 3 to the Neighbourhood Character Overlay which is applied to residential land within Anglesea and has an objective relating to reasonable view sharing, SUZ8 and DDO25 do not specifically address views, beyond DDO25 having the following decision guideline:

- *Whether proposed vegetation does not excessively block existing views of the Anglesea River, or sight lines into existing businesses.*

Therefore it is considered that less weight can be given to view loss than may typically be the case across the coastal towns.

The views that are presently enjoyed from private property appear to be eastwards over the river including the wooded hillsides beyond and to the southeast down the length of the river to the ocean. It is accepted that the views do contribute significantly to the amenity of the properties from which they are enjoyed.

It can be said that these views are fortuitously gained over underdeveloped land at 107, 109 and 111 Great Ocean Road. In the photographs supplied, the river is seen just above the roof line of the existing building on the subject site. The existing building on 111 Great Ocean Road, whilst believed to be single storey, has a high pitched roof which is of a height that would block the significant elements of the view if it was in line with those elements. The open car parking on 111 Great Ocean Road contributes to the availability of the existing view.

It is considered that it is an unreasonable expectation to maintain the existing views over the subject site. The planning scheme seeks a more intensive form of development in this location including multi-storey buildings to a "*preferred maximum building height of 9.5 metres.*" It is likely that two storey building form on the land would cause loss of views to significant features and it is not a legitimate expectation for buildings to be constrained to a single storey given what the planning scheme otherwise facilitates.

Therefore, notwithstanding the loss of significant views, it is considered that the application should not be refused on the basis of view loss.

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Figure 5 - View over subject site to river and ocean (Supplied Faye Webster)

Overlooking & Shadowing of neighbouring property

Clause 58.04 addresses amenity impacts from apartment developments. Clause 58.04-1 Building setback objectives include:

- *To allow adequate daylight into new dwellings.*
- *To limit views into habitable room windows and private open space of new and existing dwellings.*

Standard D14 provides that:

- *Buildings should be set back from side and rear boundaries, and other buildings within the site to:*
 - *Ensure adequate daylight into new habitable room windows.*
 - *Avoid direct views into habitable room windows and private open space of new and existing dwellings. Developments should avoid relying on screening to reduce views.*
 - *Provide an outlook from dwellings that creates a reasonable visual connection to the external environment.*
 - *Ensure the dwellings are designed to meet the objectives of Clause 58.*

The decision guidelines of SUZ8 include:

- *Consideration of the overlooking as a result of buildings and works affecting adjoining land in a General Residential Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.*

The nearest dwellings are on the opposite side of Diggers Parade with a minimum separation of approximately 20m between the proposed building and decks and windows of neighbouring dwellings. These dwellings are also within SUZ8. It is considered that this level of separation is sufficient to avoid direct views into habitable room windows and private open space of existing dwellings. This doesn't mean that people within the development won't be able to see people in neighbouring dwellings; however the separation will mitigate overlooking which could cause unreasonable loss of amenity.

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Clause 58 does not include specific requirements relating to overshadowing, comparable to those included in Clauses 54 and 55. Standard D6 does include that *"Buildings should be...sited and designed to ensure that energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced"* with consideration to be given to *"the existing amount of solar access to abutting properties."*

Shadowing from the proposed development would predominantly affect 111 Great Ocean Road over the area developed for car parking. There are no dwellings on adjoining properties. Long shadows would be cast west and east in the mornings and evenings respectively when the sun is low in the sky but it would be unreasonable to protect properties from shadowing at these times. It is considered that the proposed development would not cause unreasonable overshadowing.

Other issues

Waste and recycling

The application proposes two options for bin collection in the form of concrete hard stand for 12 240L bins. Option 1 is on Diggers Parade adjacent the new vehicle access; Option 2 is on Great Ocean Road.

Requirements for waste and recycling for apartment developments are provided at Clause 58.06-3/Standard D23. These include that waste and recycling facilities should be in accordance with a waste management plan (WMP) and designed to meet the *Better Practice Guide for Waste Management and Recycling in Multi-unit Developments* (Sustainability Victoria 2018).

The application hasn't been accompanied by a WMP or demonstrated compliance with the Better Practice Guide. Using the Sustainability Victoria online calculator, it has been estimated that the likely waste generation from the development will exceed the storage capacity of 12 bins.

In the absence of a WMP it isn't satisfied that the facilities for waste collection, sorting, storage and collection are adequate and acceptable and it isn't clear that this shortcoming can be rectified through conditions. If the number of bins were increased this would require a larger storage space and additional street frontage for collection. If larger bins were proposed (such as small skips) collection from the street may not be appropriate.

Council does not provide a commercial waste collection service. If the residential use of the land relied on the Council service, Council's Waste Management Team has advised that there is a requirement for 3 bins per apartment (63 bins), significantly increasing the spatial requirements for storage and collection.

It is considered that the proposal for a collection hard stand on Great Ocean Road does not provide an acceptable streetscape outcome. If collection is not from the site, Diggers Parade is the preferred collection location. As a matter of principle it is considered that the collection of waste from the road side is acceptable and a usual part of urban life. However the regular placement of approximately 42 bins is considered not to be an appropriate outcome having regard to amenity impacts and the operation of the street.

It is recommended that the failing of the application to satisfactorily demonstrate that adequate waste and recycling facilities can and will be provided is grounds to refuse to grant a permit.

Blocking exposure of businesses in Diggers Parade

It has been submitted that the proposed development would reduce the exposure of businesses located in Diggers Parade from Great Ocean Road. It is considered that it can't reasonably be expected that development of land adjacent Great Ocean Road should be constrained for the benefit of the exposure of businesses on Diggers Parade.

Further it is considered that the proposed development would have limited additional impact. Existing development and vegetation along Great Ocean Road including buildings and signage largely interrupts views through to buildings in Diggers Parade with the effect that there are only occasional glimpses.

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Figure 6 - View northwest from Great Ocean Road at McMillan Street (source: Google Streetview)

From in front of the site the existing single storey building is sufficient to block views to buildings in Diggers Parade.



Figure 7 - View west from Great Ocean Road from adjacent site

It is considered that this isn't grounds to refuse to grant a permit.

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Lack of infrastructure capacity

There has not been an indication from servicing authorities (Barwon Water and Powercor) that there are capacity issues within the existing infrastructure networks of Anglesea. The developer will be required to enter into service agreements with all relevant authorities and undertake upgrades or augmentation as required to meet their requirements. It is considered this isn't grounds to refuse to grant a permit.

Planning controls for this area should be reviewed

A planning permit application must be assessed and determined under the planning scheme of the day. It would not be fair or orderly to not decide on an application or refuse an application on the basis of an opinion that the applicable scheme provisions require review. Council acting as planning authority as opposed to responsible authority may decide to undertake a review but such a decision should not influence the decision on a permit application. In the event of a review application the Tribunal would determine the application on the basis of the scheme as it applies at the time.

Reduction in property values

It is commonly accepted that a general claim of potential reduction in property values is not a relevant planning consideration.

Plans do not reflect the title boundaries and rely on the use of private land between site and Diggers Parade for pedestrian access

This specific concern relates to the documented relationship of the boundary to Diggers Parade and the original proposal to construct a pedestrian access point. The plans submitted with the original application represented the site as having a shared boundary with Diggers Parade from its northern side boundary to its southern side boundary, as shown in the below extract:

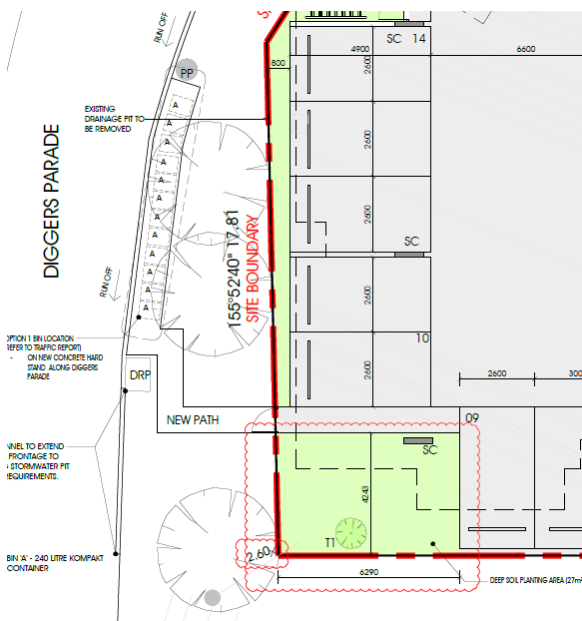


Figure 8 - Extract from original Ground Floor Plan

In reality from where the boundary direction changes, the site is separated from Diggers Parade by a slither of the adjoining lot which wraps around the west boundary as can be seen in the screenshot from the Council GIS. The construction of a path from the site to Diggers Parade would have been an encroachment onto the adjoining land.

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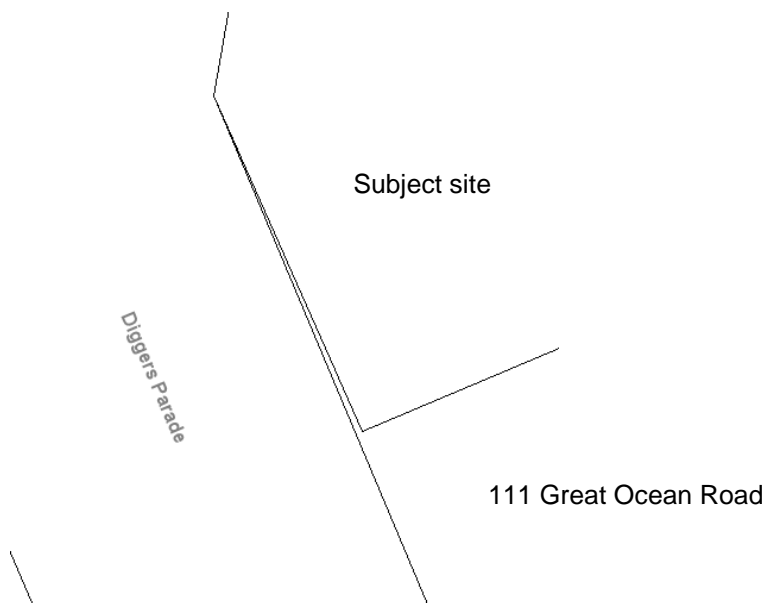


Figure 9 - GIS Screenshot

In amending the application the boundaries of the adjoining land have been shown and the path has now been deleted so that there won't be any encroachment.

It is considered that this issue has been satisfactorily resolved.

Options

Option 1 – Refuse to grant a permit

This option is recommended by officers as the assessment of the application reveals that the proposal fails to achieve a number of key objectives of the planning scheme.

Option 2 – Grant a notice of decision to grant a permit

This option is not recommended by officers as it is considered that the proposal is contrary to the objectives of the planning scheme for this site and the issues are too substantial to address by conditions.

Option 3 – Defer a decision on the application

This option is not recommended by officers as the issues with the proposal are unlikely to be resolved by minor amendments, a transformation of the proposal is likely to achieve an acceptable outcome.

Summary Recommendation

It is recommended that Council as the Responsible Authority issues a Notice of Refusal to Grant a Planning Permit.

Conclusion

There are positive aspects to the proposed redevelopment of the existing motel. It has the potential for a tourism focussed mixed use development that meets most of its parking demand on site. The design responds to minimise environment risks and will have minimal direct amenity impacts on surrounding properties through overshadowing, overlooking, noise and the like.

However the design response is not a positive response to the existing and preferred character for the Anglesea township and this precinct. The height and scale of the building is not respectful of the low scale coastal village character and the design does not deliver landscaping opportunities which complement the coastal bushland character of the area.

The potentially for the apartments to be only residential use is inconsistent with the tourism emphasis of the locality. The design does not deliver an appropriate level of amenity for occupants for all apartments. The proposal fails to achieve a number of the standards and objectives of Clause 58.

For these reasons it is recommended that the application be refused.

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APPENDIX 1 CLAUSE 58 ASSESSMENT

APPENDIX 1 – ASSESSMENT AGAINST CLAUSE 58

58.02 URBAN CONTEXT				
58.02-1 Urban Context	Met?	Standard D1	Met?	Comments
<p><i>To ensure that the design responds to the existing urban context or contributes to the preferred future development of the area.</i></p> <p><i>To ensure that development responds to the features of the site and the surrounding area</i></p>	No	<p><i>The design response must be appropriate to the urban context and the site.</i></p>		See discussion
		<p><i>The proposed design must respect the existing or preferred urban context and respond to the features of the site</i></p>		
58.02-2 Residential Policy	Met?	Standard D2	Met?	Comments
<p><i>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.</i></p> <p><i>To support higher density residential development where development can take advantage of public and community infrastructure and services.</i></p>	Yes	<p><i>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.</i></p>	Yes	
58.02-3 Dwelling Diversity	Met?	Standard D3	Met?	Comments
<p><i>To encourage a range of dwelling sizes and types in developments of ten or more dwellings</i></p>	Yes	<p><i>Developments of ten or more dwellings should provide a range of dwelling sizes and types, including dwellings with a different number of bedrooms.</i></p>	Yes	The development provides for a mix of 1, 2 and 3 bedroom dwellings of different sizes and configurations.
58.02-4 Infrastructure	Met?	Standard D4	Met?	Comments
<p><i>To ensure development is provided with</i></p>	Yes	<p><i>Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if</i></p>	Yes	Reticulated infrastructure (other than gas) is available in the area.

<p>appropriate utility services and infrastructure.</p> <p>To ensure development does not unreasonably overload the capacity of utility services and infrastructure.</p>		available.		
		Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.	Yes	
		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.	Yes	As above
58.02-5 Integration With The Street	Met?	Standard D5	Met?	Comments
<p>To integrate the layout of development with the street</p>	Yes	Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility.	Yes	Adequate pedestrian links are provided. See discussion under parking and access.
		Development should be oriented to front existing and proposed streets	Yes	The development is oriented to Great Ocean Road and to a lesser extent Diggers Parade
		High fencing in front of dwellings should be avoided if practicable	Yes	None proposed
		Development next to existing public open space should be laid out to complement the open space.	N/A	

58.03 SITE LAYOUT

58.03-1 Energy efficiency	Met?	Standard D6	Met?	Comments
<p>To achieve and protect energy efficient dwellings and buildings.</p> <p>To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.</p> <p>To ensure dwellings achieve adequate thermal efficiency.</p>	Able to be	<p>Buildings should be:</p> <ul style="list-style-type: none"> Oriented 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. 	Yes	Orientation is satisfactory in the context of the site. There are no dwellings on adjoining lots
		Living areas and private open space should be located on the north side of the development, if practicable.	Yes	Nine of the 21 proposed dwellings are located on the north side of the building and there have living areas and or decks orientated to the north
		Developments should be designed so that solar access to north-facing windows is optimised.		As above
		Dwellings located in a climate zone identified in Table D1 should not exceed the maximum NatHERS annual cooling load specified in the table.	No	The site is located in Cape Otway zone with a maximum cooling load of 19 MJ/m ² . It hasn't been demonstrated that this standard has been met

				It should be addressed by condition if a permit is granted.
58.03-2 Communal open space	Met?	Standard D7	Met?	Comments
<i>To ensure that communal open space is accessible, practical, attractive, easily maintained and integrated with the layout of the development.</i>	Yes	<i>Developments with 40 or more dwellings should provide a minimum area of communal open space of 2.5 square metres or 250 square metres, whichever is lesser.</i>	N/A	Less than 40 dwellings
		<i>Communal open space should:</i> • <i>Be located to:</i> - <i>Provide passive surveillance opportunities, where appropriate.</i> - <i>Provide outlook for as many dwellings as practicable.</i> - <i>Avoid overlooking into habitable rooms and private open space of new dwellings.</i> - <i>Minimise noise impacts to new and existing dwellings.</i>	N/A	There is no communal open space
		<i>Be designed to protect any natural features on the site.</i>	N/A	As above
		<i>Maximise landscaping opportunities</i>	N/A	As above
		<i>Be accessible, usable and capable of efficient management.</i>	N/A	As above
58.03-3 Solar access to communal outdoor open space	Met?	Standard D8	Met?	Comments
<i>To allow solar access into communal outdoor open space.</i>	N/A	<i>The communal outdoor open space should be located on the north side of a building, if appropriate.</i>	N/A	None provided
		<i>At least 50% or 125m², whichever is the lesser, of the primary communal outdoor open space should receive a minimum of two hours of sunlight between 9am and 3pm on 21 June.</i>	N/A	As above
58.03-4 Safety	Met?	Standard D9	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 accessways.</i>	Yes	Each dwelling is entered from the central lobbies. The entrance to the building is gained from the central access point off Great Ocean Road or from the car park. The entrance is safe for residents
		<i>Planting which creates unsafe spaces along streets and accessways should be avoided.</i>	Yes	Proposed landscaping would not impact on safety of accessways

		<i>Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways.</i>	No	Lighting for the development has not been documented but is suitably addressed by condition if a permit is issued. During daylight hours there will be good passive surveillance of the car park
		<i>Private spaces within developments should be protected from inappropriate use as public thoroughfares.</i>	Yes	
58.03-5 Landscaping	Met?	Standard D10	Met?	Comments
<p><i>To encourage development that respects the landscape character of the area.</i></p> <p><i>To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance.</i></p> <p><i>To provide appropriate landscaping.</i></p> <p><i>To encourage the retention of mature vegetation on the site.</i></p> <p><i>To promote climate responsive landscape design and water management in developments that support thermal comfort and reduces the urban heat island effect.</i></p>		<p><i>The landscape layout and design should:</i></p> <ul style="list-style-type: none"> • <i>Be responsive to the site context.</i> • <i>Protect any predominant landscape features of the area.</i> • <i>Take into account the soil type and drainage patterns of the site and integrate planting and water management.</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> • <i>Consider landscaping opportunities to reduce heat absorption such as green walls, green roofs and roof top gardens and improve on-site storm water infiltration.</i> 	No	Refer to discussion
		<i>Development should provide for the retention or planting of trees, where these are part of the urban context.</i>	No	Refer to discussion
		<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>	N/A	No significant tree removal in past 12 months
		<i>The landscape design should specify landscape themes, vegetation (location and species), paving and lighting.</i>	No	
		<i>Development should provide the deep soil areas and canopy trees specified in Table D2.</i>	No	<p>The requirement is for 7.5% of the site, or 107.7m² to be provided as deep soil area. The area is to be a minimum of 3m wide and at least 2 medium trees (8-12m high) or 1 large tree is to be provided.</p> <p>The application submits that 146m² (10.2%) of deep soil area is provided. However it is considered that this calculation</p>

				is incorrect. Refer to discussion.
		<p><i>If the development cannot provide the deep soil areas and canopy trees specified in Table D2, an equivalent canopy cover should be achieved by providing either:</i></p> <ul style="list-style-type: none"> • <i>Canopy trees or climbers (over a pergola) with planter pits sized appropriately for the mature tree soil volume requirements (see table D2 under clause).</i> • <i>Vegetated planters, green roofs or green facades.</i> 	No	No alternative to deep soil area has been proposed given the submission that compliance is achieved.
58.03-6 Access	Met?	Standard D11	Met?	Comments
<p><i>To ensure the number and design of vehicle crossovers respects the urban context.</i></p>	Yes	<p><i>The width of accessways or car spaces should not exceed:</i></p> <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 20 metres, 40% of the street frontage.</i> 	No	6.4m wide access to 15.05m boundary to Diggers Parade – 42.5% The variation is considered acceptable
		<i>No more than one single-width crossover should be provided for each dwelling fronting a street.</i>	N/A	
		<i>The location of crossovers should maximise the retention of on-street car parking spaces.</i>	Yes	
		<i>The number of access points to a road in a Road Zone should be minimised.</i>	Yes	Removes existing access from Great Ocean Road
		<i>Developments must provide for access for service, emergency and delivery vehicles.</i>	Yes	
58.03-7 Parking	Met?	Standard D12	Met?	Comments
<p><i>To provide convenient parking for resident and visitor vehicles.</i></p> <p><i>To protect residents from vehicular noise within developments.</i></p>	Yes	<p><i>Car parking facilities should:</i></p> <ul style="list-style-type: none"> • <i>Be reasonably close and convenient to dwellings.</i> • <i>Be secure.</i> • <i>Be well ventilated if enclosed.</i> 	Yes	Resident parking is conveniently provided at the lower level. The car park will be secured and is not enclosed
		<i>Shared accessways or car parks of other dwellings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.</i>	N/A	
58.03-8 Integrated stormwater management	Met?	Standard D13	Met?	Comments
<i>To encourage the use of</i>	Able	<i>Buildings should be designed to collect</i>	No	Two rain water tanks of 5000L proposed for fire fighting

<p>alternative water sources such as rainwater, stormwater and recycled water.</p> <p>To facilitate stormwater collection, utilisation and infiltration within the development.</p> <p>To encourage development that reduces the impact of stormwater run-off on the drainage system and filters sediment and waste from stormwater prior to discharge from the site.</p>	to be	<p>rainwater for non-drinking purposes such as flushing toilets, laundry appliances and garden use.</p>		<p>purposes. Whilst this does go to using rainwater for non-drinking purposes, the water must be maintained solely for fire fighting and therefore would be rarely used making minimal contribution to reducing potable water reuse and run-off.</p> <p>To meet the objective it is considered appropriate that additional rainwater collection and reuse be achieved.</p>
		<p>Buildings should be connected to a non-potable dual pipe reticulated water supply, where available from the water authority.</p>	N/A	Not available
		<p>To stormwater management system should be:</p> <ul style="list-style-type: none"> Designed to meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater – Best Practice Environmental Management Guidelines (Victorian Stormwater Committee 1999) as amended. Designed to maximise infiltration of stormwater, water and drainage of residual flows into permeable surfaces, tree pits and treatment areas. 	No	<p>A stormwater Management Plan has not been provided.</p> <p>This should be required if a permit ensues.</p>

58.04 Amenity Impacts				
58.04-1 Building setbacks	Met?	Standard D14	Met?	Comments
<p>To ensure the setback of a building from a boundary appropriately responds to the existing urban context or contributes to the preferred future development of the area.</p> <p>To allow adequate daylight into new dwellings.</p> <p>To limit views into habitable room windows and private open space of new and existing dwellings.</p> <p>To provide a reasonable outlook from new dwellings.</p> <p>To ensure the building setbacks provide appropriate internal amenity to meet the needs</p>	No	<p>The built form of the development must respect the existing or preferred urban context and respond to the features of the site.</p>	No	See discussion
	Yes	<p>Buildings should be set back from side and rear boundaries, and other buildings within the site to:</p> <ul style="list-style-type: none"> Ensure adequate daylight into new habitable room windows. Avoid direct views into habitable room windows and private open space of new and existing dwellings. Developments should avoid relying on screening to reduce views. Provide an outlook from dwellings that creates a reasonable visual connection to the external environment. 		

<i>of residents.</i>				
55.04-2 Internal views	Met?	Standard D15	Met?	Comments
<i>To limit views into the private open space and habitable room windows of dwellings within a development.</i>	Yes	<i>Windows and balconies should be designed to prevent overlooking of more than 50% of the private open space of a lower-level dwelling directly below and within the same development.</i>	Yes	Whilst it would be possible to overlook first floor balconies from second floor balconies, the extent of overlooking would not exceed 50%
58.04-3 Noise impacts	Met?	Standard D16	Met?	Comments
<i>To contain noise sources in developments that may affect existing dwellings.</i>	Able to be	<i>Noise sources, such as mechanical plant should not be located near bedrooms of immediately adjacent existing dwellings.</i>	Yes	There are no adjacent existing dwellings
<i>To protect residents from external noise sources.</i>		<i>The layout of new dwellings and buildings should minimise noise transmission within the site.</i>	Yes	The largest risk of noise transmission is between apartments. This can be appropriately minimised by acoustic insulation between dividing walls and floors.
		<i>Noise sensitive rooms (such as living areas and bedrooms) should be located to avoid noise impacts from mechanical plant, lifts, building services, non-residential uses, car parking, communal areas and other dwellings.</i>	No	There are two apartments (10 & 20) which have bedrooms partially abutting the lift shaft, but generally sensitive rooms are located to avoid internal noise sources. It is considered that noise from the lift would be acceptably reduced by construction methods to acoustically insulate the bedrooms.
		<i>New dwellings should be designed and constructed to include acoustic attenuation measures to reduce noise levels from off-site noise sources.</i>	No	The site is adjacent an existing service station and busy road. It can be expected that there would be noise associated with mechanical plant, fuel deliveries and vehicle noise. The design results in a number of dwellings being orientated towards the service station and the application has not documented construct methods to reduce the transmission of noise. It is considered appropriate to require this to be addressed by condition if a permit is issued.
		<i>Buildings within a noise influence area specified in Table D3 (see table under clause) should be designed and constructed to achieve the following noise levels:</i>	N/A	The site is not within the noise influence area of an identified noise source (industrial zone, major road carrying 40,000vpd or railway)
		<ul style="list-style-type: none"> • <i>Not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am.</i> • <i>Not greater than 40dB(A) for living areas, assessed LAeq,16h from 6am to 10pm.</i> 		

	<i>Buildings, or part of a building screened from a noise source by an existing solid structure, or the natural topography of the land, do not need to meet the specified noise level requirements.</i>	N/A	
	<i>Noise levels should be assessed in unfurnished rooms with a finished floor and the windows closed.</i>	N/A	

58.05 On-site Amenity and Facilities				
58.05-1 Accessibility	Met?	Standard D17	Met?	Comments
<i>To ensure the design of dwellings meets the needs of people with limited mobility.</i>	Able to be	<p><i>At least 50%of dwellings should have:</i></p> <ul style="list-style-type: none"> <i>• A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom.</i> <i>• A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area.</i> <i>• A main bedroom with access to an adaptable bathroom.</i> <i>• At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table D4 (see clause).</i> 	No	<p>The lift door is not dimensioned but scales at over 1.0m, should be confirmed by condition.</p> <p>The entrance door for each apartment is 920mm wide (not all are dimensioned but scale consistently).</p> <p>12 apartments are identified on the plans as being accessible (1, 4-6, 8, 10-13, 18, 20 & 21). In these apartments doors are 870mm or 920mm wide.</p> <p>Each of these apartments has a clear path at least 1.2m wide leading to the bedroom and bathroom.</p> <p>A number of the bedrooms don't clearly meet minimum dimensions for a main bedroom (3.4m x 3.0m) as this space appears to be encroached by wardrobes. This should be changed by condition if a permit is issued.</p> <p>Most of the adaptable bathrooms are based on Design B, however the layout has the basin nearest the door and toilet in the middle of the room. To meet the requirement the toilet should be nearest the door, it is appropriate that this be changed by condition.</p> <p>Apartments 12 and 13 are based on Design B but the circulation space is shown as extending outside the bathroom. This isn't acceptable and can't be easily resolved by condition for Apartment 12, this apartment should not be considered as accessible for the purpose of meeting that standard. The ensuite in Apartment 13 could be lengthened to achieve an internal length of 2.7m. This</p>

				<p>change should be required by condition if a permit is granted.</p> <p>Apartments 8, 11, 18 & 21 are based on Design A. These are generally compliant with the exception that the toilet is not located in a corner. A nib wall should be located between the toilet and shower to resolve this.</p> <p>Apartment 11 has a sliding door entrance to the bathroom from the bedroom, this should be made to clearly have an opening width of 850mm.</p> <p>The plans should note that showers are step free and have removable shower screens in accordance with the requirements of the standard.</p>
55.05-2 Building entry and circulation	Met?	Standard D18	Met?	Comments
<p>To provide each dwelling and building with its own sense of identity.</p> <p>To ensure the internal layout of buildings provide for the safe, functional and efficient movement of residents.</p> <p>To ensure internal communal areas provide adequate access to daylight and natural ventilation.</p>	No	<p>Entries to dwellings and buildings should:</p> <ul style="list-style-type: none"> • Be visible and easily identifiable. • Provide shelter, a sense of personal address and a transitional space around the entry. 	Yes	
		<p>The layout and design of buildings should:</p> <ul style="list-style-type: none"> • Clearly distinguish entrances to residential and non-residential areas. • Provide windows to building entrances and lift areas. • Provide visible, safe and attractive stairs from the entry level to encourage use by residents. • Provide common areas and corridors that: <ul style="list-style-type: none"> - Include at least one source of natural light and natural ventilation. - Avoid obstruction from building services. - Maintain clear sight lines. 	No	<p>There is a central access point from Great Ocean Road and the car park but from this the respective entrances to the apartments and shop would be readily distinguishable.</p> <p>The ground floor entrance and lift area is glazed.</p> <p>The stairwell appears to be solidly enclosed. It isn't clear that the stairwell could be considered safe and attractive.</p> <p>The lobbies at first and second floors are full enclosed and not naturally ventilated.</p>
58.05-3 Private open space	Met?	Standard D19	Met?	Comments
<p>To provide adequate private open space for the reasonable recreation and service needs of residents.</p>	Able to be met	<p>A dwelling should have private open space consisting of:</p> <ul style="list-style-type: none"> • An area of 25m², with a minimum dimension of 3m at natural ground floor level and convenient access from a living room, or 	No	<p>Each apartment is provided open space by a balcony for which the requirement is:</p> <p>1 bedroom – 8m², min. 1.8m wide</p> <p>2 bedroom – 8m², min. 2.0m</p>

		<ul style="list-style-type: none"> An area of 15m², with a minimum dimension of 3m at a podium or other similar base and convenient access from a living room, or A balcony with an area and dimensions specified in Table D5 (see clause) and convenient access from a living room, or A roof-top area of 10m² with a minimum dimension of 2m and convenient access from a living room. 		<p>wide</p> <p>3 bedroom – 12m², min. 2.4m wide</p> <p>Only Apartment 17 fails to meet the requirement. The balcony has sufficient area but is less than 1.8m wide. It is appropriate that the width be increased which can be achieved by a minor loss of internal space.</p> <p>This should be changed by condition if a permit is issued</p>
		<i>If a cooling or heating unit is located on a balcony, the balcony should provide an additional area of 1.5m².</i>	N/A	
58.05-4 Storage	Met?	Standard D20	Met?	Comments
<i>To provide adequate storage facilities for each dwelling.</i>	Able to be	<i>Each dwelling should have convenient access to usable secure storage space.</i>	No	<p>26 storage cages have been proposed on the ground floor. From the notations the cages are in two tiers and each provides 2.5m³.</p> <p>To provide 2.5m³ based on an area of 1.5m² (1m x 1.5m) each tier would be 1.67m high, however there isn't sufficient height between the finished surface level and the ceiling to accommodate this, therefore the volume would actually be less.</p> <p>It is considered that it would not be convenient for external storage to be at such an elevated level (base at 1.67m). It is considered that the storage cages should be narrower, but if the footprint were simply halved the height would make use of the total space impractical.</p> <p>It is considered appropriate and achievable that the cages be deepened. A condition should be applied if a permit is granted.</p>
		<i>The total minimum storage space (including kitchen, bathroom and bedroom storage) should meet the requirements specified in Table D6.</i>	No	<p>Internal storage is provided by in-built robes and kitchen cupboards and some apartments have additional storage in living spaces. The plans submit that storage for each apartment, including storage cage is:</p> <p>1 bedroom – 12-14.5m²</p> <p>2 bedroom – 18-20.5m²</p> <p>3 bedroom – 22-24.5m²</p> <p>The amount of provided storage</p>

			<p>appears to be overstated, at least for some apartments, however it is difficult to determine without having detailed plans for these elements.</p> <p>It is appropriate that the requirement be demonstrably met but this can be achieved through conditions if a permit is granted.</p>															
		<table border="1"> <thead> <tr> <th>Dwelling type</th> <th>Total minimum storage volume</th> <th>Minimum storage volume within the dwelling</th> </tr> </thead> <tbody> <tr> <td>Studio</td> <td>8 cubic metres</td> <td>5 cubic metres</td> </tr> <tr> <td>1 bedroom dwelling</td> <td>10 cubic metres</td> <td>6 cubic metres</td> </tr> <tr> <td>2 bedroom dwelling</td> <td>14 cubic metres</td> <td>9 cubic metres</td> </tr> <tr> <td>3 or more bedroom dwelling</td> <td>18 cubic metres</td> <td>12 cubic metres</td> </tr> </tbody> </table>	Dwelling type	Total minimum storage volume	Minimum storage volume within the dwelling	Studio	8 cubic metres	5 cubic metres	1 bedroom dwelling	10 cubic metres	6 cubic metres	2 bedroom dwelling	14 cubic metres	9 cubic metres	3 or more bedroom dwelling	18 cubic metres	12 cubic metres	
Dwelling type	Total minimum storage volume	Minimum storage volume within the dwelling																
Studio	8 cubic metres	5 cubic metres																
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3 or more bedroom dwelling	18 cubic metres	12 cubic metres																

58.06 Detailed Design				
58.06-1 Common property	Met?	Standard D21	Met?	Comments
<p>To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained.</p> <p>To avoid future management difficulties in areas of common ownership.</p>	Yes	Developments should clearly delineate public, communal and private areas.	Yes	
		Common property, where provided, should be functional and capable of efficient management.	Yes	Common areas are consolidated providing for practical management.
55.06-2 Site services	Met?	Standard D22	Met?	Comments
<p>To ensure that site services can be installed and easily maintained.</p> <p>To ensure that site facilities are accessible, adequate and attractive.</p>	Yes	The design and layout of dwellings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically.	Yes	
		Mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development.	Yes	An area within the foyer has been identified for letter boxes
		Mailboxes should be provided and located for convenient access as required by Australia Post.	Yes	As above
58.06-3 Waste and recycling objectives	Met?	Standard D23	Met?	Comments
<p>To ensure dwellings are designed to encourage waste recycling.</p>	No	<p>Developments should include dedicated areas for:</p> <ul style="list-style-type: none"> Waste and recycling enclosures which 	No	A central bin storage area has been provided adjacent the lobby and car park. 12 bins are

<p>To ensure that waste and recycling facilities are accessible, adequate and attractive.</p> <p>To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity, health and the public realm.</p>	<p>are:</p> <ul style="list-style-type: none"> - <i>Adequate in size, durable, waterproof and blend in with the development.</i> - <i>Adequately ventilated</i> - <i>Located and designed for convenient access by residents and made easily accessible to people with limited mobility.</i> <ul style="list-style-type: none"> • <i>Adequate facilities for bin washing. These areas should be adequately ventilated.</i> • <i>Collection, separation and storage of waste and recyclables, including where appropriate opportunities for on-site management of food waste through composting or other waste recovery as appropriate.</i> • <i>Collection, storage and reuse of garden waste, including opportunities for on-site treatment, where appropriate, or off-site removal for reprocessing.</i> • <i>Adequate circulation to allow waste and recycling collection vehicles to enter and leave the site without reversing.</i> • <i>Adequate internal storage space within each dwelling to enable the separation of waste, recyclables and food waste where appropriate.</i> 	<p>identified as being stored.</p> <p>The storage location is waterproof and blends with the development, it isn't clear if and how it is ventilated.</p> <p>The location is convenient for most residents, but not necessarily for people with limited mobility.</p> <p>Two bin collection locations are shown, one on Great Ocean Road and the other on Diggers Parade. Hard stand is proposed for these locations. It is unlikely that waste could be collected from onsite.</p> <p>The application doesn't document what provision is made for waste separation or internal waste storage within the apartments.</p> <p>Collection of bins from Great Ocean Road is inappropriate and this collection area should be deleted.</p> <p>Using a Sustainability Victoria calculator the estimated weekly waste generation for the proposed development would be approximately 2274L each of garbage and recycling. Based on this generation would exceed the storage capacity proposed (based on 240L bins), particularly if collection of recyclables wasn't undertaken weekly.</p> <p>Refer to discussion for further consideration</p>
	<p><i>Waste and recycling management facilities should be designed and managed in accordance with a Waste Management Plan approved by the responsible authority and:</i></p> <ul style="list-style-type: none"> • <i>Be designed to meet the best practice waste and recycling management guidelines for residential development adopted by Sustainability Victoria.</i> • <i>Protect public health and amenity of residents and adjoining premises from the impacts of odour, noise and hazards associated with waste collection vehicle movements.</i> 	<p>No</p> <p>A waste management plan hasn't been provided with the application.</p> <p><i>The Better Practice Guide for Waste Management and Recycling in Multi-Unit Developments</i> applies.</p> <p>Refer to discussion for further consideration</p>

58.07 Internal Amenity																
58.07-1 Functional layout	Met?	Standard D24	Met?	Comments												
<p>To ensure dwellings provide functional areas that meet the needs of residents.</p>	No	<p>Bedrooms should:</p> <ul style="list-style-type: none"> • Meet the minimum internal room dimensions specified in Table D7. • Provide an area in addition to the minimum internal room dimensions to accommodate a wardrobe. 	No	<p>It is satisfied that the bedrooms generally meet the minimum dimensions. Exceptions are Bed 1 in Apartments 2, 4-6, 8, 12, 14-16 & 18. These are noted as being of the right size, but they scale as being slightly under in one direction.</p> <p>The relevant bedrooms in Apartments 2 and 12 have angled walls and it is only at the narrowest point they appear to be non-compliant, exceeding the requirement at the wider part of the room. These are considered acceptable.</p> <p>The others should be widened if a permit is granted.</p>												
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					Bedroom type	Minimum width	Minimum depth									
Main bedroom	3 metres	3.4 metres														
All other bedrooms	3 metres	3 metres														
<p>Living areas (excluding dining and kitchen areas) should meet the minimum internal room dimensions specified in Table D8.</p>	No	<p>The application plans do not document the size of the living space exclusive of the dining area. It appears likely that the living areas of a number of the apartments do not meet the requirement, including Apartments 1-6, 12 and 13.</p>														
		<table border="1"> <thead> <tr> <th>Dwelling type</th> <th>Minimum width</th> <th>Minimum area</th> </tr> </thead> <tbody> <tr> <td>Studio and 1 bedroom dwelling</td> <td>3.3 metres</td> <td>10 sqm</td> </tr> <tr> <td>2 or more bedroom dwelling</td> <td>3.6 metres</td> <td>12 sqm</td> </tr> </tbody> </table>			Dwelling type	Minimum width	Minimum area	Studio and 1 bedroom dwelling	3.3 metres	10 sqm	2 or more bedroom dwelling	3.6 metres	12 sqm			
Dwelling type	Minimum width	Minimum area														
Studio and 1 bedroom dwelling	3.3 metres	10 sqm														
2 or more bedroom dwelling	3.6 metres	12 sqm														
55.07-2 Room depth	Met?	Standard D25	Met?	Comments												
<p>To allow adequate daylight into single aspect habitable rooms.</p>	No	<p>Single aspect habitable rooms should not exceed a room depth of 2.5 times the ceiling height.</p>	No	<p>Floor to ceiling height at each level is 2.7m allowing for a maximum room depth of 6.75m.</p> <p>Greatest room depth for each apartment is as follows (those in bold non-compliant):</p> <p>1 – 9.9m (kitchen) 2 – 10.6m (kitchen) 3 – 9.4m (kitchen) 4-6 – 9.0m (study) 8 – 8.8m (kitchen) 9 – 6.8m (kitchen)</p>												

				<p>10 – 9.1m (kitchen) 11 – 7.8m (kitchen) 12 – 7.8m (study) 13 – 8.9m (kitchen) 14-16 – 6.8m (kitchen) 18 – 8.8m (kitchen) 19 – 5.8m (kitchen) 20 – 8.9m (kitchen) 21 – 7.5m (kitchen)</p>
		<p><i>The depth of a single aspect, open plan, habitable room may be increased to 9m if all the following requirements are met:</i></p> <ul style="list-style-type: none"> <i>The room combines the living area, dining area and kitchen.</i> <i>The kitchen is located furthest from the window.</i> <i>The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level. This excludes where services are provided above the kitchen.</i> 	No	<p>Apartments 1, 2, 3, 4-6, 10 & 12 exceed both the above requirement and the varied requirement (where available). In the case of Apartments 4-6 and 12 as the study is at the deepest part of the room under the standard the room depth cannot be increased to 9m.</p> <p>Refer to discussion for further consideration.</p>
		<p><i>The room depth should be measured from the external surface of the habitable room window to the rear wall of the room.</i></p>	Yes	<p>The above dimensions have been taken from the external surface of the window.</p>
58.07-3 Windows	Met?	Standard D26	Met?	Comments
<p><i>To allow adequate daylight into new habitable room windows.</i></p>	No	<p><i>Habitable rooms should have a window in an external wall of the building.</i></p>	Yes	
		<p><i>A window may provide daylight to a bedroom from a smaller secondary area within the bedroom where the window is clear to the sky.</i></p>	Yes	<p>Apartments 2, 10 & 20 rely on a secondary area for a bedroom – see below</p>
		<p><i>The secondary area should be:</i></p> <ul style="list-style-type: none"> <i>A minimum width of 1.2 metres.</i> <i>A maximum depth of 1.5 times the width, measured from the external surface of the window.</i> 	No	<p>The secondary areas are dimensioned as follows (based on scaling):</p> <p>Apartment 2 – 1.25m W x 1.95m D</p> <p>Apartment 10 – 1.4m W x 1.7m D</p> <p>Apartment 20 – 1.4m W x 1.9m D</p> <p>Permitted depth to meet the standard:</p> <p>Apartment 2 – 1.875m</p> <p>Apartments 10 & 20 – 2.1m</p> <p>Apartment 2 is therefore slightly non-compliant; however the face of the window is itself 5.2m back from the open perimeter of the</p>

				balcony and only partially having direct line of sight to the opening. It is considered that this bedroom wouldn't achieve adequate daylight.
58.07-4 Natural ventilation	Met?	Standard D27	Met?	Comments
<p><i>To encourage natural ventilation of dwellings.</i></p> <p><i>To allow occupants to effectively manage natural ventilation of dwellings.</i></p>	Yes	<p><i>The design and layout of dwellings should maximise openable windows, doors or other ventilation devices in external walls of the building, where appropriate.</i></p>	Yes	It appears that all habitable rooms have openable windows (sliding door or louvres).
		<p><i>At least 40% of dwellings should provide effective cross ventilation that has:</i></p> <ul style="list-style-type: none"> • <i>A maximum breeze path through the dwelling of 18m.</i> • <i>A minimum breeze path through the dwelling of 5m.</i> • <i>Ventilation openings with approximately the same area.</i> <p><i>The breeze path is measured between the ventilation openings on different orientations of the dwelling.</i></p>	Yes	<p>At least 8 dwellings to have cross-ventilation to achieve standard.</p> <p>The corner apartments (1, 3, 7, 9, 12, 13, 17 & 19) have opportunity to achieve cross-ventilation.</p> <p>Cross-ventilation is achieved through bedroom and living room (only one doorway to breeze path).</p> <p>Breeze paths are between 5m and 18m.</p> <p>Openings aren't similar in area in all cases, however in each apartment a sliding door is a primarily ventilation source which can be adjusted by the resident.</p>

**2.1 Planning Permit Application 18-0159 - Construction of a Three Storey Building
Containing 21 Apartments and 1 Shop - 109 Great Ocean Road, Anglesea**

APPENDIX 2 BUSHFIRE PROVISIONS ASSESSMENT

APPENDIX 2 – BUSHFIRE PROVISIONS ASSESSMENT

Clause 53.02 Bushfire Planning

53.02-4.1 Landscape, siting and design objectives		
<ul style="list-style-type: none"> ▪ Development is appropriate having regard to the nature of the bushfire risk arising from the surrounding landscape. ▪ Development is sited to minimise the risk from bushfire. ▪ Development is sited to provide safe access for vehicles, including emergency vehicles. ▪ Building design minimises vulnerability to bushfire attack. 		
Measure	Requirement	Assessment
AM 2.1	The bushfire risk to the development from the landscape beyond the site can be mitigated to an acceptable level.	It is satisfied that the risk can be mitigated.
AM 2.2	<p>A building is sited to ensure the site best achieves the following:</p> <ul style="list-style-type: none"> ▪ The maximum separation distance between the building and the bushfire hazard. ▪ The building is in close proximity to a public road. ▪ Access can be provided to the building for emergency service vehicles. 	<p>There is no scope to increase the separation distance however the site has good separation from the bushfire hazard.</p> <p>The building is in close proximity to a public road and the building can be access by emergency service vehicles.</p>
AM 2.3	A building is designed to reduce the accumulation of debris and entry of embers.	The building does include many re-entrant corners which could accumulate debris and embers (such as the recessed balconies) however it is considered that construction can mitigate this risk.
53.02-4.2 Defendable space and construction objective		
Defendable space and building construction mitigate the effect of flame contact, radiant heat and embers on buildings.		
Measure	Requirement	Assessment
AM 3.1	<p>A building used for a dwelling (including an extension or alteration to a dwelling), a dependant person's unit, industry, office or retail premises is provided with defendable space in accordance with:</p> <ul style="list-style-type: none"> • Table 2 Columns A, B or C and Table 6 to Clause 53.47-3 wholly within the title boundaries of the land; or • If there are significant siting constraints, Table 2 Column D and Table 6 to Clause 53.02-5 <p>The building is constructed to the bushfire attack level that corresponds to the defendable space provided in accordance with Table 2 to Clause 53.02-5.</p>	<p>The surrounding area within 150m to the north, west and south and east as far as the river has been assessed as Low Threat vegetation. A waterway is also classified as Low Threat.</p> <p>Pursuant to Table 2, the defendable space requirement for Low Threat vegetation for all slope conditions is 50m or to the property boundary whichever is the lesser. Construction standard is BAL 12.5.</p>
AM 3.2	<p>A building used for accommodation (other than a dwelling or dependent person's unit), a child care centre, an education centre, a hospital, leisure and recreation or a place of assembly is:</p> <ul style="list-style-type: none"> ▪ Provided with defendable space in accordance with Table 3 and 6 to Clause 52.47-3 wholly within the title boundaries of the land. ▪ Constructed to a bushfire attack level of BAL12.5. 	<p>As above, Low Threat is the relevant classification.</p> <p>Table 3 does not include a specification for low threat vegetation.</p>

53.02-4.3 Water supply and access objectives		
<i>A static water supply is provided to assist in protecting property. Vehicle access is designed and constructed to enhance safety in the event of a bushfire.</i>		
Measure	Requirement	Assessment
AM 4.1	<p><i>A building used for a dwelling (including an extension or alteration to a dwelling), a dependant person's unit, industry, office or retail premises is provided with:</i></p> <ul style="list-style-type: none"> ▪ <i>A static water supply for fire fighting and property protection purposes specified in Table 4 to Clause 53.02-5.</i> ▪ <i>Vehicle access that is designed and constructed as specified in Table 5 to Clause 53.02-5.</i> <p><i>The water supply may be in the same tank as other water supplies provided that a separate outlet is reserved for fire fighting water supplies.</i></p>	<p>Table 4 specifies for a site of over 1000m² that 10,000L of water supply should be provided with fire authority fittings and access.</p> <p>The BMP proposes 10,000L (2x5000L tanks) but not with fire authority fittings and access due to there being two nearby hydrants. It however also states that "The site will provide a total of 6,000L provided in 3 x 2,000L tanks, 1 at each development" in contradiction with the balance of the BMP.</p> <p>The requirement in Table 4 for fittings and access is irrespective of hydrants therefore as proposed AM 4.1 is not met.</p> <p>The CFA response on the application included the comment "CFA has accepted an alternative solution for the water supply."</p> <p>The CFA has also required by condition that the BMP be amended to rectify the conflict noted above.</p>
AM 4.2	<p><i>A building used for accommodation (other than a dwelling or dependent person's unit), child care centre, education centre, hospital, leisure and recreation or place of assembly is provided with:</i></p> <ul style="list-style-type: none"> ▪ <i>A static water supply for fire fighting and property protection purposes of 10,000 litres per 1,500 square metres of floor space up to 40,000 litres.</i> ▪ <i>Vehicle access that is designed and constructed as specified in Table 5 to Clause 53.02-5.</i> ▪ <i>An integrated approach to risk management that ensures the water supply and access arrangements will be effective based on the characteristics of the likely future occupants including their age, mobility and capacity to evacuate during a bushfire emergency.</i> <p><i>The water supply may be in the same tank as other water supplies provided that a separate outlet is reserved for fire fighting water supplies.</i></p>	<p>The floor area of the building is approximately 2400m² equating to a requirement for 16,000L of water supply, with fire authority fittings and access.</p> <p>The proposal is as above. An integrated approach to risk management has not been proposed.</p> <p>AM 4.2 is not met.</p> <p>The CFA response on the application included the comment "CFA has accepted an alternative solution for the water supply."</p>

2.2 Planning Scheme Amendment C123 - 3-5 Loch Ard Drive, Torquay - Panel Report

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

General Manager: Ransce Salan
File No: F17/978
Trim No: IC18/2011

Appendix:

1. C123 Panel Report (D18/166139)
2. C123 Zone Map (D18/166153)
3. C123 Overlay Map (D18/166154)
4. C123 Planning Permit 17/0207 (D18/166167)
5. C123 Draft Section 173 Agreement with Proposed Changes (D18/138928)

Officer Direct or Indirect Conflict of Interest:

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

Yes

No

Reason: Nil

Status:

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

Yes

No

Reason: Nil

Purpose

The purpose of this report is to consider the findings of the panel report for combined Surf Coast Planning Scheme Amendment C123 and permit application 17/0207, and determine Council's position on the combined amendment.

Summary

Surf Coast Planning Scheme Amendment C123 seeks to rezone 3-5 Loch Ard Drive, Torquay from General Residential Zone Schedule 1 – Surf Coast General Residential Areas (GRZ1) to Commercial 1 Zone (C1Z). It will delete the Design and Development Overlay Schedule 21 – Old Torquay North, Wombah Park and Church Estate, Torquay (DDO21) from the land, to facilitate four commercial premises and a dwelling on the site.

Permit application 17/0207 seeks approval for the construction of buildings and works comprising four tenancies, one dwelling and associated car parking.

The public exhibition of Amendment C123 occurred from 12 October 2017 to 13 November 2017 in accordance with the *Planning and Environment Act 1987*. Council received three submissions: one from the owner of 2 Loch Ard Drive, one from the owner of 2/126 Fischer Street and one from the owner of 4/126 Fischer Street.

Council considered the submissions on 12 December 2017 and resolved to:

- 1) Defer a decision on the amendment and planning permit application to enable the proponent to investigate options for a modified proposal with restricted commercial uses / offices and a dwelling with a lower height.
- 2) Re-exhibit the amendment and planning permit application for a period of one month if substantial changes have been made to the amendment and/or the planning permit application.
- 3) Report the outcomes of the proponent's responses to resolution 1 and any submissions received following re-exhibition of the amendment and permit application, if required, to a future Council meeting no later than 30 June 2018.

Subsequently the proponents agreed to enter into a section 173 agreement to restrict the commercial uses of the site to exclude the types of uses, which could affect neighbourhood amenity, being take away food premises and convenience restaurants. The proponents also agreed to limit the height of the building to 7.5 metres and an appropriate condition was included in the draft-planning permit.

The three submitters who objected to the proposal were notified of the changes and were given a period of two weeks to respond. Two submitters provided additional submissions and continued to object to the proposal.

2.2 Planning Scheme Amendment C123 - 3-5 Loch Ard Drive, Torquay - Panel Report

Council considered the additional submissions on 28 August 2018 and resolved to refer all submissions to a panel to be appointed by the Minister pursuant to Section 23(1)(b) of the *Planning and Environment Act 1987*.

The Panel Hearing was held on 1 November 2018. No submitters presented to the Panel.

The Panel Report was received on 6 December 2018. The Panel supported the amendment and determined that:

- The rezoning of the land to Commercial 1 Zone is consistent with the Local Planning Policy Framework to facilitate commercial development on the subject land.
- The deletion of the Design and Development Overlay Schedule 21 is appropriate.
- The use of the site for commercial purposes has been contemplated in previous strategies
- The planning permit as amended is consistent with previous policies, decision guidelines and provisions of the Surf Coast Planning Scheme.
- The planning permit conditions as amended will address many of the concerns raised in submissions and ensure an appropriate built form and site arrangement outcome.

The Panel recommended that Council adopt Amendment C123 as exhibited and that planning permit 17/0207 be issued generally in accordance with the draft conditions proposed subject to a slight rewording of condition 1a) of the permit to provide greater clarity about restricting the height of the building to 7.5 metres above natural ground level:

- The height of the dwelling parapet reduced to a maximum of 7.5 metres above natural ground level.

Condition number 1 of the draft planning permit requires the submission of amended plans to Council for approval. The condition addresses a number of matters, which will further improve the plans, and the operation of the site.

Recommendation

That Council:

1. Receive and notes the Panel Report on Surf Coast Planning Scheme Amendment C123.
2. Adopts Amendment C123 and recommends that the Minister for Planning issue planning permit 17/0207 subject to amending condition 1a) of the permit to read, "The height of the dwelling parapet reduced to a maximum of 7.5 metres above natural ground level".
3. Forwards Amendment C123 to the Minister for Planning for final approval.

Council Resolution

MOVED Cr David Bell, Seconded Cr Martin Duke

That Council:

1. Receive and notes the Panel Report on Surf Coast Planning Scheme Amendment C123.
2. Adopts Amendment C123 and recommends that the Minister for Planning issue planning permit 17/0207 subject to amending condition 1a) of the permit to read, "The height of the dwelling parapet reduced to a maximum of 7.5 metres above natural ground level".
3. Forwards Amendment C123 to the Minister for Planning for final approval.

CARRIED 7:0

2.2 Planning Scheme Amendment C123 - 3-5 Loch Ard Drive, Torquay - Panel Report

Report

Background

Surf Coast Planning Scheme Amendment C123 (the Amendment) proposes to:

- Rezone the land from General Residential Zone Schedule 1 – Surf Coast General Residential Areas (GRZ1) to Commercial 1 Zone (C1Z); and
- Delete the Design and Development Overlay Schedule 21 – Old Torquay North, Wombah Park and Church Estate, Torquay (DDO21) from the land.

Permit application 17/0207 seeks approval for:

- Construction of buildings and works comprising four tenancies, one dwelling and associated car parking.

Amendment C123 was publicly exhibited from 12 October 2017 to 13 November 2017 in accordance with the *Planning and Environment Act 1987*. Three submissions were received from adjoining and nearby landowners.

Council considered submissions on 12 December 2017 and resolved to:

- 1) Defer a decision on the amendment and planning permit application to enable the proponent to investigate options for a modified proposal with restricted commercial uses / offices and a dwelling with a lower height.
- 2) Re-exhibit the amendment and planning permit application for a period of one month if substantial changes have been made to the amendment and/or the planning permit application.
- 3) Report the outcomes of the proponent's responses to resolution 1 and any submissions received following re-exhibition of the amendment and permit application, if required, to a future Council meeting no later than 30 June 2018.

The three submitters who objected to the proposal were notified of the changes which included a draft S173 Agreement restricting the future use of the land to exclude Take Away Food Premises and Convenience Restaurant, including where these are an ancillary component of another use. Submitters were given a period of two weeks to respond; two submitters provided additional submissions and all three submitters continued to object to the proposal.

The key issues raised in the submissions were:

- whether there is a need for more commercial land
- viability of the new premises
- impact on existing businesses and activity centres
- appropriateness of commercial development in a residential area
- built form concerns
- amenity impacts
- traffic and access
- car parking and loading
- the maintenance and condition of the existing buildings at 1 Loch Ard Drive.

Council considered the additional submissions on 28 August 2018 and resolved to refer all submissions to a panel to be appointed by the Minister pursuant to Part 8 of the *Planning and Environment Act 1987*.

Discussion

In its report, the Planning Panel acknowledges the strong historical basis for the expansion of the existing neighbourhood commercial centre in Loch Ard Drive. The Panel Report includes that, "the subject land has over time been identified notionally or explicitly as having a commercial role as a neighbourhood centre site or having, by default, a residential role...."

The subject site at 3-5 Loch Ard Drive formerly comprised a single parcel with 1 Loch Ard Drive and was recognised in the 1980 Torquay-Jan Juc Structure Plan; it was zoned "Local Business Zone" under the former Surf Coast Planning Scheme. The site was earmarked as a "Local Business Centre" in the 1992 Torquay-Jan Juc Structure Plan and 1996 Comprehensive Strategy Plan for Torquay-Jan Juc.

2.2 Planning Scheme Amendment C123 - 3-5 Loch Ard Drive, Torquay - Panel Report

In 1990, a planning permit (PP 90/110C) was issued for the construction of eight shops and associated car parking. Four shops were constructed as Stage 1 on land now contained within 1 Loch Ard Drive; the remaining four shops were never constructed. A subsequent permit was issued in 1997 (PP 97/6976) allowing the subdivision of the existing shops and creation of a balance lot "S2" (3-5 Loch Ard Drive).

When the New Format Surf Coast Planning Scheme was approved in 2000, the whole of the land was rezoned to Residential 1 Zone in spite of the existing shops and the role of the commercial centre identified in strategic plans. It was not until 2010 that, in recognition of the existing commercial use, number 1 Loch Ard Drive was rezoned to Business 1 Zone (Amendment C37); the zoning of 3-5 Loch Ard Drive remained residential.

In 2011 a planning permit was granted for the construction of four two-storey dwellings at 3-5 Loch Ard Drive (PP 10/0115) but this development did not proceed and the permit has now lapsed.

Ministerial Amendment VC100, gazetted in July 2013, introduced new commercial zones and changed the zoning of 1 Loch Ard Drive to Commercial 1 Zone (C1Z); Amendment C94, gazetted in June 2014 to introduce new residential zones, changed the zoning of 3-5 Loch Ard Drive to General Residential Zone (GRZ1).

The C123 Panel Hearing was held on 1 November 2018. No submitters presented to the Panel and the Panel Report was received on 6 December 2018. In its report, the Panel recognised that the small expansion of the centre as proposed, would have limited impacts on other centres. The report goes on to state, "*the Panel considers that the Amendment is consistent with the PPF and local policy which support activity centre development to meet the needs of a growing community in areas that are highly accessible and provided with good infrastructure*".

In summary, the Panel Report determined that:

- The rezoning of the land to Commercial 1 zone is consistent with the Local Planning Policy Framework to facilitate commercial development on the subject land.
- The deletion of Design and Development Overlay Schedule 21 is appropriate.
- The use of the site for commercial purposes has been contemplated in previous strategies.
- The planning permit as amended is consistent with the relevant policies, decision guidelines and provisions of the Surf Coast Planning Scheme.
- The planning permit conditions as amended will address many of the concerns raised in submissions and ensure an appropriate built form and site arrangement outcome.

The Panel's final recommendations were that Council adopt Amendment C123 as exhibited and that planning permit 17/0207 be issued generally in accordance with the draft conditions proposed subject to the following:

- Amend condition 1a) of the permit to read:
The height of the dwelling parapet reduced to a maximum of 7.5 metres above natural

In accordance with Section 27 of the Planning and Environment Act 1987, the planning authority (in this case, Surf Coast Shire Council) must consider the Panel's report before deciding whether or not to adopt the amendment. The planning authority may then adopt the amendment with or without changes pursuant to Section 29.

It is important to recognise that the proposed S173 Agreement referenced earlier in this report, sits outside of the formal amendment process and beyond the matters considered by the Planning Panel. Nonetheless, the S173 Agreement is important to the desired outcome in that it is the mechanism by which the future use of the site will be limited to exclude Food and Drink Premises' and Convenience Restaurants. In light of this, the S173 Agreement must be entered into if and when the amendment is adopted and prior to its subsequent gazettal.

Financial Implications

As a privately driven amendment, the proponent is required to cover all costs relating to the processing of the amendment and planning permit application in accordance with the signed agreement.

Council Plan

Theme 3 Balancing Growth

2.2 Planning Scheme Amendment C123 - 3-5 Loch Ard Drive, Torquay - Panel Report

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

Theme 4 Vibrant Economy
Objective 4.3 Strengthen the vitality of town centres
Strategy Nil

Policy/Legal Implications

In accordance with Section 27 of the *Planning and Environment Act 1987* (the Act), the planning authority must consider the Panel's report before deciding whether or not to adopt the amendment; the planning authority may then adopt the amendment with or without changes pursuant to Section 29 of the Act. An adopted amendment must be submitted for final approval to the Minister for Planning in accordance with Section 31 of the Act and will only come into effect once Ministerial approval is received.

Officer Direct or Indirect Interest

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

Risk Assessment

There are no identified risks associated with adopting the amendment.

Social Considerations

The proposal is expected to generate positive social benefits, including direct and indirect employment opportunities and the provision of services to the local community from future commercial activity on the site.

Community Engagement

The amendment was formally exhibited in accordance with the provisions of the *Planning and Environment Act 1987*. Planning Panels Victoria was responsible for all communication with submitters during the Panel Hearing process and the hearing was open to the public. No submitters presented to the Panel or attended the hearing.

Submitters have been notified by Council of the Council meeting date and invited to attend the meeting that will consider the Panel Report. Submitters will also be advised of the outcome of the meeting.

Environmental Implications

There are no known environmental implications arising from the amendment. The subject land is located within Torquay and devoid of significant vegetation and stormwater runoff from future development will be directed to the established drainage network.

Communication

The Panel Report has been publicly released by the Department of Environment, Land, Water and Planning and letters were sent to all submitters notifying them of the date for a council decision. Following the meeting, minutes will appear on the council website advising of Council's decision to either adopt or abandon the Amendment. Submitters will also be directly notified regarding the decision on the Amendment.

Options

Option 1 – Adopt Amendment C123 as exhibited and issue permit 17/0207 with the change recommended by the Panel

This option is recommended by officers as by officers as the amendment remains as exhibited and the planning permit condition would be amended to provide clear direction to the permit holder without changing its intent.

Option 2 – Adopt Amendment C123 as exhibited and issue permit 17/0207 without change

This option is not recommended by officers as while the recommended change to the permit is minor, it makes the outcomes sought by condition 1a) clear and provides flexibility to ensure a satisfactory design outcome without weakening the building height limit objective.

Option 3 – Abandon Amendment C123

2.2 Planning Scheme Amendment C123 - 3-5 Loch Ard Drive, Torquay - Panel Report

This option is not recommended by officers as the amendment has received support from Panels Victoria; the Panel found the amendment to be strategically sound and worthy of adoption.

Conclusion

Pursuant to the *Planning and Environment Act 1987*, Council must consider the Panel Report before deciding whether or not to adopt an amendment.

After considering the Panel Report, council officers recommend that Council support the Panel's recommendation that Amendment C123 be adopted with and planning permit 17/0207 be issued subject to the following:

- Amend condition 1a) of the permit to read, "the height of the dwelling parapet reduced to a maximum of 7.5 metres above natural ground level".

2.2 Planning Scheme Amendment C123 - 3-5 Loch Ard Drive, Torquay - Panel Report

APPENDIX 1 C123 PANEL REPORT

Planning and Environment Act 1987

Panel Report

Surf Coast Planning Scheme Amendment C123
and Permit Application 17/0207

5 December 2018

Planning and Environment Act 1987

Panel Report pursuant to section 25 of the Act
Surf Coast Planning Scheme Amendment C123
and Permit Application 17/0207

5 December 2018



Tim Hellsten, Chair

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List of Abbreviations

C1Z	Commercial 1 Zone
DDO21	Design and Development Overlay Schedule 21
DELWP	Department of Environment, Land, Water and Planning
GRZ1	General Residential Zone Schedule 1
LPPF	Local Planning Policy Framework
MSS	Municipal Strategic Statement
PPF	Planning Policy Framework
VCAT	Victorian Civil and Administrative Tribunal

Overview

Amendment summary	
The Amendment	Surf Coast Planning Scheme Amendment C123 and Permit Application 17/0207
Brief description	Rezoning of land from General Residential 1 Zone to Commercial 1 Zone and deletion of Design and Development Overlay Schedule 21 Planning Permit No 17/0207 for the use and development of the land for commercial purposes.
Subject land	3-5 Loch Ard Drive, Torquay
The Proponent	GELD Investments Pty Ltd
Planning Authority	Surf Coast Shire Council
Authorisation	19 September 2017
Exhibition	12 October to 13 November 2017
Submissions	Number of Submissions: 7 Opposed: 3 <ul style="list-style-type: none"> - Powercor - Ms Anita Donovan-Manners - Ms Caitlin Doble - Mr Michael Wilson - Ms Annina Varrella - Downer Utilities - Barwon Water

Panel process	
The Panel	Tim Hellsten
Directions Hearing	Surf Coast Shire Office, 8 October 2018
Panel Hearing	Surf Coast Shire Offices, Winchelsea Room, 1 November 2018
Site inspections	Unaccompanied, 8 October and 1 November 2018
Appearances	<ul style="list-style-type: none"> - Surf Coast Council represented by Michelle Warren - Geld Investments P/L represented by Zoran Sajinovic of 2181 Planning
Citation	Surf Coast PSA C123 [2018] PPV
Date of this Report	5 December 2018

Executive summary

(i) Summary

Torquay-Jan Juc is experiencing high levels of population growth in response its attractive coastal lifestyle, access to Geelong and residential land availability and is expected to grow from a current population of approximately 17,500 to 30,000 in 2036. With this growth comes a need to provide the necessary facilities and services and maximise the use of existing infrastructure and well located, unconstrained sites.

3 – 5 Loch Ard Street, Torquay is a vacant parcel of land located adjacent to an existing modest sized local activity centre and set within the established Wombah Park residential area which is characterised by single and double storey detached dwellings within landscaped gardens.

Surf Coast Planning Scheme Amendment C123 (the Amendment) seeks to facilitate the development of the 3 – 5 Loch Ard Street, Torquay as an extension of the adjoining Commercial 1 zoned activity centre at 1 Loch Ard Drive for commercial purposes by:

- rezoning the land from General Residential 1 Zone to Commercial 1 Zone and deleting Design and Development Overlay Schedule 21
- approving planning permit application 17/0207 for the construction of four commercial premises.

The major issues raised in submissions to the Amendment and the Permit related to:

- the strategic basis of the rezoning and need for further commercial activity in the neighbourhood
- built form and amenity concerns, and
- impacts of traffic and parking.

The Panel considers that the extension of the existing activity centre onto the subject land is an appropriate use of the land and an acceptable strategic planning outcome. The Panel considers that the site's residential setting however requires an appropriate built form response that manages interface issues. The Panel recommends changes to Permit conditions to appropriately respond to site design issues and manage off-site amenity impacts.

The Panel concludes that:

- The rezoning of the land to Commercial 1 zone is consistent with the Local Planning Policy Framework to facilitate commercial development on the subject land.
- The deletion of Design and Development Overlay Schedule 21 is appropriate.
- The use of the site for commercial purposes has been contemplated in previous strategies.
- The planning permit as amended is consistent with the relevant policies, decision guidelines and provisions of the Surf Coast Planning Scheme.
- The planning permit conditions as amended will address many of the concerns raised in submissions and ensure an appropriate built form and site arrangement outcome.

(ii) Recommendations

Amendment C123

Based on the reasons set out in this Report, the Panel recommends that Amendment C123 to the Surf Coast Planning Scheme be adopted as exhibited.

Planning Permit Application 17/0207

Based on the reasons set out in this report, the Panel recommends that Planning Permit 17/0207 be issued generally in accordance with the draft conditions proposed by the Council and included in Appendix A of the Panel's report, subject to the following:

1. Amend Condition 1a) of the Permit to read:

The height of the dwelling parapet reduced to a maximum of 7.5 metres above natural ground level.

1 Introduction

1.1 The Amendment

(i) Amendment description

The exhibited Amendment proposes changes to the Surf Coast Planning scheme to facilitate the use and development of land at 3 - 5 Loch Ard Drive, Torquay (subject land) for commercial purposes.

Specifically, the Amendment proposes to:

- Rezone the subject land from General Residential Zone Schedule 1 (GRZ1) to Commercial 1 Zone (C1Z).
- Delete Design and Development Overlay Schedule 21 (DDO21) from the subject land.

(ii) Planning permit application

A planning permit (application 17/0207) for the subject land was lodged under section 96A of the *Planning and Environment Act 1987* and was exhibited with the Amendment.

The Permit application seeks:

- buildings and works associated with the construction of four commercial premises and a dwelling
- the waiving of the loading requirements of Clause 52.07.

The Permit application was supported by:

- an economic impact assessment from Tim Nott, dated 8 September 2017
- a traffic report from GTA Consultants, dated 30 November 2015.

These reports are referred to in the relevant sections of Chapters 3 and 4.

1.2 The subject land

The Amendment and Permit application apply to the subject land (Lot S2 PS410328D) shown in Figure 1. The subject land is zoned GRZ1 which applies to the surrounding neighbourhood except for the adjoining commercial premises at 1 Loch Ard Drive (C1Z). The subject land and all GRZ1 land is located within DDO21. The subject land and the existing neighbourhood activity centre at 1 Loch Ard Drive are in the same ownership.

Council's Part A submission described the site and surrounds:

The subject site is located adjacent to an existing local activity centre on the corner of Loch Ard Drive and Fischer Street, Torquay. The 1365 square metre site has a frontage of 29.53 metres and a depth of 44.40 metres and is currently vacant. The site is devoid of significant vegetation and has a moderate cross fall from northwest (rear) to southeast (front). Timber paling fences run along the northern and eastern title boundaries.

Figure 1 The subject land and surrounds



The activity centre at 1 Loch Ard Drive consists of four commercial buildings with a combined floor area of 540 square metres which, at the time of writing this report, were occupied by a convenience shop, sign printing business, office and fitness studio. A dwelling is located on the upper level above Shop 1. Pedestrian access to the dwelling is from Fischer Street through a rear service area and stairs. There is no vehicular access to the rear. A 15 space car park surfaced in concrete and accessed from Fischer Street is located in front of the buildings. The centre provides a low level of amenity in terms of seating, public areas, landscaping, aesthetics, quality of the built form and maintenance.

Other adjoining properties can be described as follows:

North

126 Fischer Street – Townhouse development with six two storey dwellings. A common driveway and landscape strip with approx. 2.5 metre high dense vegetation is located adjacent to the boundary fence. The garage wall of Townhouse 6 is on the common boundary and private open space is generally located on the north side of the dwellings. Townhouses 3 and 4 have first floor decks orientated south to the subject site affording blue water views.

East

7 Loch Ard Drive – Occupied by a single storey weatherboard dwelling with a pitched iron roof. The dwelling is sited close to the common boundary but is partially screened by vegetation within the fence line.

3 Madina Place – Abuts a small section of the eastern boundary. Occupied by a double storey brick dwelling set back more than 9 metres from the boundary.

South / West

Mixture of single and double storey dwellings of various styles, but mostly 1980s brick veneer with tiled roofs. A high solid fence delineates the street frontage of 2 Loch Ard Drive. The other properties do not have front fences. 8 Loch Ard Drive is vacant.

Loch Ard Drive is a fully sealed road with concrete kerb and channel, concrete footpaths, grassed nature strips and medium sized street trees on both sides. It connects Fischer Street with The Esplanade; Torquay's major foreshore boulevard.

Fischer Street is classified as a local collector road on Council's asset register, and currently extends approximately 3.1 kilometres north from Bristol Road in the town centre, terminating at a temporary dead-end north of White Street in Torquay North. Fischer Street is planned to extend further north to intersect with South Beach Road and on completion, it is expected to carry substantial traffic loads (up to 10,000 vehicles per day) as Torquay North develops.

In the vicinity of the site, Fischer Street has a 20 metre wide road reservation comprised of an 11 metre wide carriageway and one traffic lane and a bicycle lane in each direction. Parallel parking and concrete footpaths are provided on both sides.

The Torquay Town Centre is located 1.7 kilometres to the south and the Torquay North Neighbourhood Activity Centre is 900 metres to the north.

1.3 Background to the proposal

The subject land, formerly part of 1 Loch Ard Drive, has historically been identified for commercial use. A planning permit was issued in 1990 for the construction of eight commercial premises, of which only four were constructed. Site subdivision and subsequent changes to the Surf Coast Planning Scheme did not translate this intent into a commercial zoning on the subject land. 1 Loch Ard Drive is now zoned C1Z.

Council's Part A submission provided the following summary of the development history of 1 and 3 – 5 Loch Ard Drive:

The subject site at 3-5 Loch Ard Drive formerly comprised a single parcel with 1 Loch Ard Drive (former plan reference Lot 135 on L/P 132299) and was zoned "Local Business Zone" under the former Surf Coast Planning Scheme. The site was earmarked as a "Local Business Centre" in the 1992 Torquay-Jan Juc Structure Plan and 1996 Comprehensive Strategy Plan for Torquay-Jan Juc.

A planning permit was issued for the construction of eight shops and associated car parking in 1990 (PP 90/110C). Four shops were constructed as Stage 1 on land now contained within 1 Loch Ard Drive. The remaining four shops were never constructed. A planning permit was issued in 1997 (PP 97/6976) for subdivision of the existing shops and creation of a balance lot "S2" (3-5 Loch Ard Drive).

When the New Format Surf Coast Planning Scheme was approved in 2000, the whole of the land was rezoned Residential 1 Zone in spite of the existing shops and the role of the centre identified in strategic plans. 1 Loch Ard Drive was rezoned to Business 1 Zone in 2010 upon approval of Amendment C37 in recognition of the existing commercial use. The zoning of 3-5 Loch Ard Drive remained residential. Amendment C37 was publicly exhibited and a notice was sent to the landowner. The landowner did not make a submission.

Ministerial Amendment C94, gazetted in June 2014, changed the zoning of 1 Loch Ard Drive to C1Z and the zoning of 3-5 Loch Ard Drive to GRZ, following the introduction of the new residential and commercial zones in the Victorian Planning Provisions.

In 2011 a planning permit was granted for the construction of four two-storey dwellings at 3-5 Loch Ard Drive (PP 10/0115), but this development did not proceed and the permit lapsed.

1.4 Summary of issues raised in submissions

In response to the exhibition of the Amendment, ten submissions were received of which three opposed the Amendment. The key issues raised in the submissions were:

- whether there is a need for more commercial land
- viability of the new premises
- impact on existing businesses and activity centres
- appropriateness of commercial development in a residential area
- built form concerns
- amenity impacts
- traffic and access
- carparking and loading
- maintenance and condition of existing buildings at 1 Loch Ard Drive.

1.5 Post exhibition changes

In considering submissions to the Amendment and referring them to a Panel, Council at its meeting of the 28 August 2018 proposed:

- to revise the draft Planning Permit 17/0207 to delete reference to the waiving of the loading requirements of Clause 52.07 and to insert an additional amended plans condition to reduce the height of the proposed dwelling to no more than 7.5 metres above natural ground level
- require the landowner to enter into a section 173 Agreement under the *Planning and Environment Act 1987* to exclude take away food premises and convenience restaurants from being established on the land.

Submitters were provided with copies of the amended draft Planning Permit and s173 Agreement before Council's final consideration of submissions. No submissions were withdrawn.

1.6 Preliminary matters

(i) Planning Permit

Following an inspection of the subject land and a review of the Local Policy Framework (with its emphasis on urban design outcomes), the Panel's 8 October 2018 Directions sought additional plans from the proponent. These plans were to identify building materials, colours and finishes, details of landscaping, parking and access arrangements for the proposed dwelling and opportunities for more contemporary facade treatments.

During the Hearing Council presented revised site plans (Drawing no's TP2, TP3 and TP4 Issue D 24/10/18) provided to it by the proponent on the 30 October 2018. These plans provide additional rudimentary landscaping and external waste facility location information and details of facade materials, colours and finishes. The revised Plans are discussed further in Chapter 4.

The Panel's Directions identified the need for Council to review the permit description and use of the words 'commercial premises' which are not defined planning term. Council's Part B submission proposed further alterations to the draft Permit beyond those identified by Council in response to submissions. These changes include an amended Permit description and additional amended plans requirements relating to facade articulation, materials and finishes landscaping and rubbish collection, which are discussed further in Chapter 4.

1.7 Issues dealt with in this Report

The Panel considered all written submissions made in response to the exhibition of the Amendment and observations from site visits and other material presented to it during the Hearing.

This Report deals with the issues under the following headings:

- Planning context
- Issues with the Planning Scheme changes
- Issues with the Permit

- Building scale and design
- Amenity impacts
- Traffic, access and parking
- Landscaping
- Waste management.

The Panel notes that the issues raised in submissions generally do not distinguish between the Amendment (rezoning) and the potential impacts of the site development as proposed in the Permit application. While the report has attempted to separate the issues associated with the Planning Scheme changes from the permit issues there is an inevitable overlap

1.8 Issues not dealt with in this Report

(i) Section 173 Agreement

Council in response to submissions has proposed to require the proponent to enter into a s173 Agreement to exclude take away food premises and convenience restaurants from being established on the land.

The requirement for a s173 Agreement was not proposed to be applied as a Planning Permit condition of the draft Permit, but rather entered into prior to the rezoning of the land. The process for formalising the s173 Agreement was not identified in the Council report nor in its submission to the Panel, although it is understood that the Proponent has agreed to this arrangement.

The s173 agreement is not a matter for consideration before the Panel given it is not a proposed permit condition nor a component of the Amendment, and is being entered into voluntary basis (acknowledged in the Proponent's submission). The Panel makes the observation however, that while a legitimate tool it potentially fetters the mix of uses that might ordinarily be located in a neighbourhood activity centre and anticipated at Clause 21.08-4.

(ii) Permit referrals

Council gave notice of the Amendment and Permit to Barwon Water, Powercor and Downer utilities (AusNet Gas). The submissions from all three agencies raised no objection to the Amendment or Permit although Barwon Water and Powercor nominated conditions to be included on the Permit prior to certification.

Planning Permit 17/0207 does not propose subdivision. Barwon Water and Powercor are referral authorities for the subdivision of land only. The Panel considers that Council's position to exclude the proposed conditions from the Permit is appropriate.

(iii) Existing building condition

The submission from Mr Wilson provided photos of the condition of the neighbourhood centre at 1 Loch Ard Drive. The Panel's inspection of the land and surrounds supported Mr Wilson's observations that the building's facades and detailing and the landscaping was in a state of disrepair and generally unkempt. The inference of the submission is that this is what could be expected on the subject land. In considering the Permit application, the Panel is

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unable to include conditions or make recommendations about the presentation of 1 Loch Ard Drive and it is not a relevant consideration.

The Panel considers that the approval of development and its tie in with the adjoining building and carpark will provide an opportunity to refresh the existing commercial building and landscaping.

2 Planning context

2.1 Policy framework

2.1.1 Planning Policy Framework

The Amendment is consistent with the Planning Policy Framework of the Surf Coast Planning Scheme and supports the relevant objectives of:

- Clause 11.01-1S (Settlement) by consolidating activity around an existing activity centre to maximise accessibility to facilities and services
- Clause 11.02-1S (Supply of urban land) by encouraging intensification of an existing urban area taking into account neighbourhood character and landscape consideration through permit conditions
- Clause 11.03-1S (Activity centres) by encouraging commercial activities into an accessible activity centre
- Clause 11.03-4S (Coastal settlement) by encouraging a redevelopment opportunity
- Clause 11.03-5R (The Great Ocean Road region) by ensuring the development respects character
- Clause 13.05 (Noise) by managing the noise effects on sensitive uses through design and permit conditions
- Clause 13.07 (Amenity) by managing off-site effects through design and permit conditions
- Clause 15 (Built Environment and Heritage) by ensuring that the development recognises and responds to the surrounding landscape and built form character and by limiting height, materials and finishes and landscaping
- Clause 16 (Housing) by providing housing within the development
- Clause 17.02-1S (Business) by aggregating commercial activity, adding to the supply of commercial land and providing convenience shopping facilities adjacent to an existing commercial centre in a convenient and accessible location
- Clause 19.03 (Development Infrastructure) by ensuring the new development contributes to infrastructure provision.

The Panel considers the pertinent elements of these policies seek to:

- Manage Torquay's growth and provide for the provision of well-planned activity centres
- ensure development responds to its landscape, character and built form context
- manage on and off-site impacts of land use and development.

The Panel concludes that the Amendment and Permit are supported by, and implement, the relevant sections of the Planning Policy Framework.

2.1.2 Local Planning Policy Framework

The Amendment is consistent with the Planning Policy Framework of the Surf Coast Planning Scheme and supports the relevant objectives of:

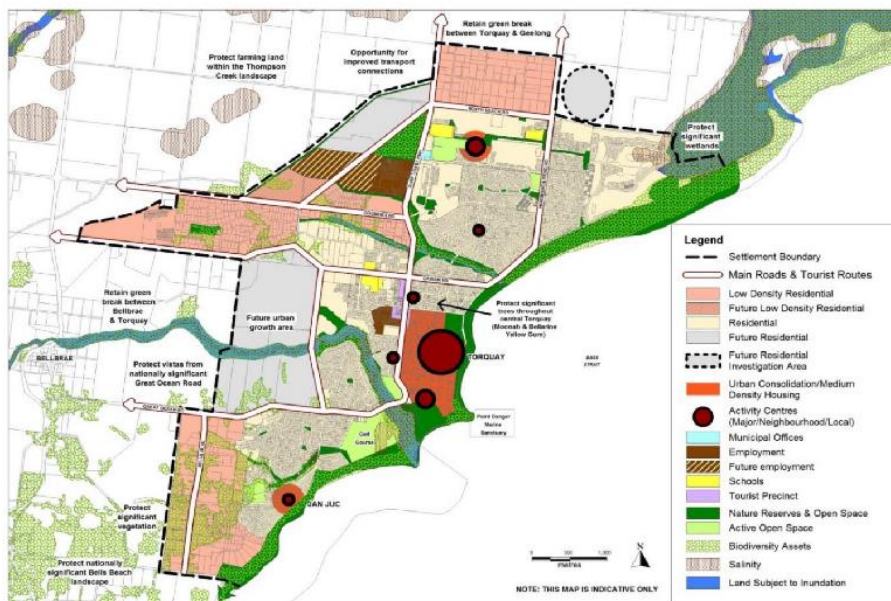
- Clause 21.01-4 (Municipal Framework Plan) which recognises that Torquay-Jan Juc can support substantial growth

- Clause 21.02 (Settlement, Built Environment, Heritage and Housing), which supports a strong hierarchy of multi functional, attractive and accessible activity centres by responding to the following strategies:
 - *Ensure activity centres are designed and scaled to embrace the local character of the township or neighbourhood in which they are located.*
 - *Facilitate a diversity of uses and activities within activity centres to support local employment opportunities which will make towns more self-contained and thus reduce motor vehicle dependency.*
 - *Encourage the provision of a horizontal and vertical mix of uses within activity centres, including active uses at ground floor level and offices and apartments at upper floors, where appropriate.*
 - *Ensure activity centres are easily accessible by pedestrians, cyclists and public transport from surrounding residential areas.*
 - *Encourage a coastal style of urban form within all coastal towns and coastal localities in all developments.*
 - *Recognise the key role vegetation plays in defining township character and in softening urban development.*
- Clause 21.08 (Torquay-Jan Juc Strategy)
 - Clause 21.08-2 (Settlement, Built Environment and Housing)
 - *Contain and consolidate urban development within the defined settlement boundary as indicated on Map 1 of Clause 21.08 – Torquay-Jan Juc Framework Map.*
 - *Provide a range of housing types, sizes and configurations at suitable densities to cater for the changing housing needs of current and future populations, taking account of the differential capacity of the various areas to accommodate housing growth and change (in accordance with Map 2 to Clause 21.08 – Torquay-Jan Juc Residential Development Framework).*
 - *Ensure new residential development is of a high standard and builds on the coastal character by incorporating contemporary designs, with an articulated built form and a range of visually interesting building materials, colours and façade treatments that respond to the local context and preferred character of the neighbourhood.*
 - Clause 21.08-4 (Economic development)
 - *Reinforce the hierarchy and role of the established and planned activity, tourist and employment centres in accordance with Map 3 to Clause 21.08 – Torquay-Jan Juc Activity Centre Hierarchy.*
 - *Consolidate and strengthen the role of the Torquay Town Centre as the major retail centre in Torquay-Jan Juc, promoting its status as a sub-regional centre and the place where higher order retailing and major activity will be directed, generally in accord with Map 4 of Clause 21.08 – Torquay Town Centre Precinct Plan.*
 - *Encourage the establishment of a neighbourhood activity centre in Torquay North providing a range of shopping and commercial services,*

- including a full line supermarket, to provide a hub to the growing community.*
- *Consider the establishment of small local activity centres (no more than 1 to 5 shops with a total retail floor area of 80-400 square metres) in areas where other activity centres are beyond convenient walking distance.*
 - *Ensure that development within the activity centres is of outstanding built form and design, using colours, materials, architectural features and landscaping that promotes and celebrates the surfing, beach and coastal image of Torquay-Jan Juc.*
 - *Encourage mixed-use development within activity centres, with shop-top apartments and offices, at an intensity and scale that is in keeping with the scale and character of the centre.*

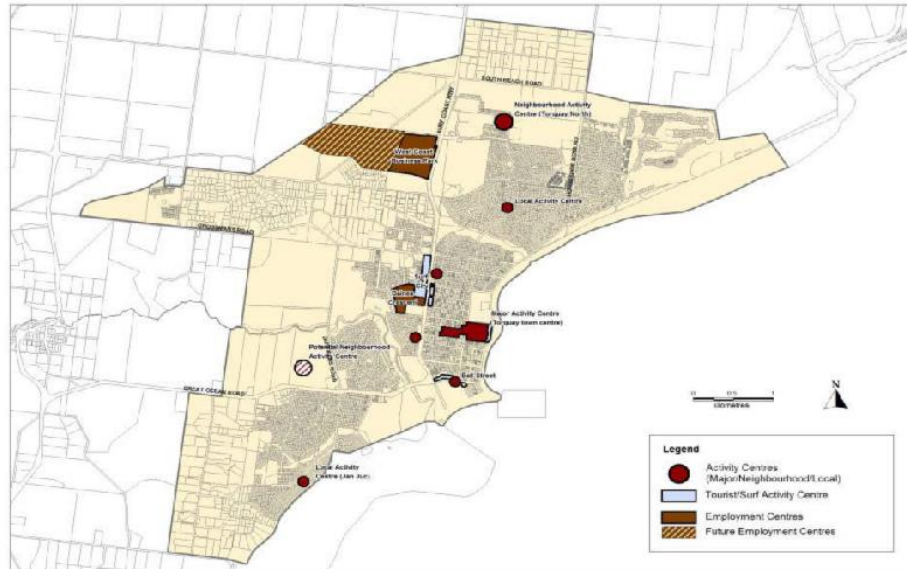
The Panel considers that the key local policies of the Surf Coast Planning Scheme relevant to the Amendment and Permit application are at Clauses 21.02 and 22.08. These policies support an activity centre hierarchy of multi-functional attractive centres, that are well designed and scaled to embrace local character and provide a mix of uses including shop top housing and offices. The existing Loch Ard Drive activity centre's context is identified in the Framework Map to Clause 21.08 (Figure 2).

Figure 2 Torquay-Jan Juc Framework Map



The activity centre hierarchy and location of the Loch Ard Drive activity centre is identified in Clause 21.08 and reproduced at Figure 3.

Figure 3 Clause 21.08 Activity Centre Hierarchy



The Panel concludes that the Amendment and Permit are supported by, and implement, the relevant sections of the Local Planning Policy Framework.

2.2 Relevant strategies

(i) Torquay and Jan Juc Structure Plan 2007

The *Torquay and Jan Juc Structure Plan 2007*, is a reference document in Clause 21.08 of the Surf Coast Planning Scheme and provides the following guidelines for land use in the area:

- to accommodate the population growth of the Surf Coast Shire within Torquay-Jan Juc as one of two main urban growth centres in the Shire.
- to create a planned township that makes efficient use of land in providing opportunities for residential growth and economic development.
- to maintain and enhance the distinct and unique surfing identity and coastal character of Torquay-Jan Juc.
- to achieve a diversity of housing types responsive to the needs of the community in styles that reflect the coastal image and character of the town and its natural environment.

The Panel considers that the Amendment is consistent with the Structure Plan.

(ii) Sustainable Futures Plan Torquay Jan Juc 2040

Adopted in 2014, the *Sustainable Futures Plan Torquay Jan Juc 2040* provides high level values and principles through which development of the area is guided. The Sustainable Futures Plan underpins the LPPF. It lists five core values:

- *Places for people – The importance of a close knit community*
- *The natural environment – Protecting and enhancing the natural environment*
- *The built environment – Fostering the unique coastal look and feel*
- *Services and infrastructure – Planning for services and infrastructure with development*
- *A local economy – Providing employment opportunities locally.*

The Panel considers that the Amendment is consistent with the Sustainable Futures Plan.

(iii) Torquay-Jan Juc Retail Strategy 2011

The *Torquay-Jan Juc Retail Strategy, 2011* provides a policy framework for Torquay-Jan Juc in response to population growth and retail floor space demand projections to 2021. The Strategy is a reference document to Clause 21.02 and Clause 21.08 of the Surf Coast Planning Scheme. The Strategy identifies Torquay Town Centre as the higher-order location for retail and commercial activity. It also accounts for the fact that, as urban development proceeds, appropriate retail and commercial development will be required at other locations and growth areas. The Strategy supports upper level housing and encourages the provision of office space in the Torquay-Jan Juc activity centres to underpin the centre hierarchy and provide opportunities for new investment and employment.

(iv) Torquay-Jan Juc Neighbourhood Character Study

The Character Study seeks to ensure development achieves architectural and urban design outcomes that are consistent, respectful and contributory to the preferred character of Torquay-Jan Juc.

The subject land is located within sub-precinct 2.2 (Wombah Park/Golden Beach Way). Sub-precinct 2.2 is identified as being characterised by:

- houses built since the 1980s, with a mix of architectural styles and predominantly conventional suburban architecture
- predominantly conventional building materials and colours
- mix of single and double storey dwellings
- lot sizes ranging from 300sqm to 800sqm
- relatively high building and hard surfaces site coverage
- limited indigenous vegetation, with most gardens comprising a mix of exotic and non-indigenous gardens.

The Plan indicates that this precinct is expected to undergo further incremental change. The Plan includes design guidelines for new dwellings.

(v) Torquay-Jan Juc Development Contributions Plan

The Plan divides Torquay-Jan Juc into 26 different charging areas with associated levies for Development Infrastructure and Community Infrastructure provision. The subject land is in area 10.

The exhibited Permit contains a condition (Condition 14) requiring an infrastructure contribution.

2.3 Planning scheme provisions

(i) Zones

The subject land is in the General Residential Zone 1. The purpose of this zone is to:

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

It is proposed to rezone the land to the Commercial 1 Zone, the purpose of which is to:

- *create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses*
- *provide for residential uses at densities complementary to the role and scale of the commercial centre.*

The Panel considers that the C1Z is the appropriate zone to apply to the subject land to support its commercial development.

(ii) Overlays

DDO21 extends over the subject land and adjoining residential areas. DDO21 allows construction of a building or works associated with a dwelling without a permit where:

- the height of the new building is not more than 7.5 metres above ground level
- a new garage or carport is set back from the street at least 1 metre further than the wall of the dwelling.

DDO21 is only applied to residential areas zoned GRZ1 in Old Torquay North, Wombah Park and Church Estate. It does not apply to the C1Z.

The Panel considers that it is not appropriate to retain DDO21 if the C1Z is to be applied to the subject land.

Development Contributions Plan Overlay Schedule 2 (DCPO2) also applies to the land (and all adjoining land), which triggers a planning permit for where a permit granted must:

- *Be consistent with the provisions of the relevant development contributions plan.*
- *Include any conditions required to give effect to any contributions or levies imposed, conditions or requirements set out in the relevant schedule to this overlay.*

The subject land is included in charging area 10. At a proposed leasable floor area of 460sqm and a rate of \$954.79 per 100sqm of commercial floor space, a contribution of \$4,392.03 is required. The proposed dwelling would also attract a Community Infrastructure Levy of \$1150. The exhibited permit includes a condition (Condition 14) for this to be made.

(iii) Particular provisions

The Particular Provisions of the Surf Coast Planning Scheme relevant to consideration of the Permit application include:

- Clause 34.01-8 (Commercial 1 zone – Decision guidelines).
- Clause 52.05 (Signs) – the Permit application does not include signage.
- Clause 52.06 (Car Parking) – Car parking is provided on-site to meet the ‘shop’ requirements. No car parking waiver has been sought.
- Clause 52.34 (Bicycle facilities) – the Permit application floor space does not trigger bicycle provision.
- Clause 65.01 (Decision Guidelines) identify the matters the responsible authority must consider before deciding on an application.

The Panel is satisfied that these matters have been considered by Council in assessing the Permit application. These considerations are discussed as relevant in Chapter 4.

2.4 Ministerial Directions and Practice Notes

Ministerial Directions

Council submitted that the Amendment meets the relevant requirements of:

- Ministerial Direction 11 (Strategic Assessment of Amendments)
- Ministerial Direction on the Form and Content of Planning Schemes under section 7(5) of the Act.

Planning Practice Notes

Council submitted that the Amendment is consistent with:

- Planning Practice Note 46 (PPN46) Strategic Assessment Guidelines, June 2015.

The Panel considers that the Amendment has considered and appropriately responded to the Ministerial Guidelines and Practice Notes.

2.5 Conclusion

The Panel concludes that the Amendment and Permit are supported by, and implements, the relevant sections of the State and Local Planning Policy Framework, and is consistent with the relevant Ministerial Directions and Practice Notes. The Amendment is well founded and strategically justified, and the Amendment should proceed subject to addressing the more specific issues raised in submissions as discussed in the following chapters.

3 Issues with the Planning Scheme changes

3.1 The issues

The issues associated with the Amendment are:

- whether the expansion of the Loch Ard Drive Neighbourhood Activity Centre is strategically justified?
- impacts on the Centre expansion on the neighbourhood.

3.2 Strategic basis for expansion of the Loch Ard Drive Neighbourhood Activity Centre

(i) Submissions

The issues received to the Amendment raise concerns about the appropriateness of the rezoning the land to allow for expansion of the existing neighbourhood centre because of the perceived lack of need for extra retail floor space and existing Centre vacancies.

Ms Donovan-Manners questioned the need for the expansion on the basis of their being an existing vacant shop in the adjoining complex and that there are enough shops in Torquay. The submission from Mr Wilson and Ms Varrella (Mr Wilson submission) indicated that there was a lack of adequate evidence provided to demonstrate viability of proposal and to understand the impact on other centres.

Council and the proponent referred to the impact assessment prepared by Tim Nott and submitted with the application. While acknowledging that the small additional floor space proposed by the Permit was “*at the limit of sensible assessment*” the assessment identified that the maximum financial turnover impact (at full occupation) to the closest neighbourhood centre (Torquay North) would be 9 per cent. However, Mr Nott’s assessment suggested the “*impact is more likely to be in the range 1%-4%*” and that with population and housing growth in the area the impact “*would be overcome within a year or so*”.

Mr Nott’s assessment suggested that cafes and take-away food establishments were more likely to compete with other centres. His assessment indicated that at least some of the of the proposed shop units would be occupied by small professional service enterprises, the number of which was unlikely to compete with the Torquay Town centre which was anecdotally constrained for such uses. This position was supported by Council’s submission that:

The Loch Ard Drive centre currently accommodates a convenience shop, sign business and fitness studio and previously housed a local architect, graphic/web designer and insurance broker. The type of premises suitable to these businesses are not readily available elsewhere in Torquay and the growth of the population, small businesses and the local economy will increase demand for such spaces.

In the context of need and impacts on individual traders Council identified:

- that VCAT decisions which supported the view that a demonstrated need for a development or use may be a relevant factor in a planning decision, but lack of a need will rarely be a ground for refusing to grant a permit.
- planning is not concerned with the economic impact on and financial viability of individual traders and that considerations should focus on:

... whether the proposal will affect the role, function, viability and network of activity centres, and consider net community benefit. It is accepted however that a struggling business or vacant tenancy could detract from the attractiveness and amenity of a centre.

Council's submitted that the use and development of the land for commercial purposes was consistent with the previously intended use of the site and the former strategic planning direction for the land, and that:

... the context of the land has changed with the progressive development of Torquay North up to South Beach Road and the establishment of the Torquay North Neighbourhood Activity Centre (NAC) on the corner of Fischer Street and Merrijig Drive. The NAC, with around 5,000 square metres of retail floor space and located approximately 1 km to the north of Loch Ard Drive, has taken over the role of the Loch Ard Drive centre in servicing the daily and weekly convenience needs of the Torquay North population, with the provision of a full-line supermarket, pharmacy, bakery, medical centre, food and drink premises and other retail and commercial services. Nevertheless, there is still a role for the Loch Ard Drive centre as a small local centre within a 400 metre walkable catchment.

... the centre performs a niche role in providing commercial spaces for small local businesses, particularly creative, professional, wellbeing and personal services. Small and local businesses play an important role in creating new and diverse job opportunities and it is often difficult for them to establish in areas like the Torquay Town Centre due to the lack of appropriately sized and affordable spaces. The Strategic Investment Facilitation Plan for the Torquay Town Centre Project (Essential Economics, 2017) states that opportunities for non-retail businesses to locate in the town centre are very limited given the relatively low share of non-retail businesses in shop front tenancies, and the lack of vacant dedicated office space. It is noted however that since this report was prepared, a number of new commercial and office developments have commenced construction or are nearing completion in the town centre, including in Pearl Street and Gilbert Street.

Council concluded that the:

... amendment will generate positive social and economic effects. It will support the existing pattern of commercial premises within the local centre, provide more choice in retail and commercial services for the local community within a walkable catchment, and increase employment opportunities and the supply of commercial spaces to meet local demand. The small scale of the development is conducive to attracting a diverse range of commercial enterprises, in

particular start-up and small businesses that generate a variety of local jobs. The small expansion of commercial floor space is not expected to undermine the retail hierarchy in Torquay or detrimentally affect the role and performance of other activity centres.

The Proponent submitted that the Amendment was consistent with the PPF and LPPF.

(ii) Discussion

The Panel considers that there is a strong historical basis for supporting the expansion of the existing centre onto the subject land.

From a policy perspective the subject land has over time been identified notionally or explicitly as having a commercial role as neighbourhood centre site (with 1 Loch Ard Drive) or having, by default, a residential role as summarised in Table 1.

Table 1 Commercial role of 1-5 Loch Ard Drive, Torquay

Strategy	Role	Designation
<i>Torquay-Jan Juc Structure Plan, 1980</i>	Proposed Neighbourhood Centre	Dot (Map 5 p30)
<i>Torquay-Jan Juc Structure Plan, 1992</i>	<i>'basic neighbourhood centre' (p29) 4 commercial premises (524 sqm) – First stage of development comprising 4 shops recently completed (p13)</i>	Dot (Figure 8)
<i>Comprehensive Strategy Plan, 1996</i>	'Local/Neighbourhood shops' 'small neighbourhood shopping centre'	-
<i>Torquay-Jan Juc Structure Plan, 2007</i>	Broad reference only	-
<i>Torquay-Jan Juc Retail Strategy, 2011</i>	Local centre providing milk bar and local office space. Development potential limited to reorganisation of existing space (Table 15)	Dot (Figure 11)

The Panel considers that a small expansion of the existing Centre as proposed will have limited impacts on other centres. The level of population growth within the developing northern estates of Torquay and additional population that will eventuate from even incremental housing change in the Wonga Park neighbourhood will readily absorb the small floor space extension.

The Panel inspected the Dunes Village Neighbourhood Activity Centre after the Directions Hearing and observed that the Centre appeared to be operating with no vacant tenancies,

good levels of patronage and activity despite the Dunes Estate not being completed or fully occupied.

The Panel considers that the Amendment is consistent with the PPF and local policy which support activity centre development to meet the needs of a growing community in areas that are highly accessible and provided with good infrastructure.

(iii) Conclusion

The Panel concludes that:

- The Amendment is consistent with the Planning Policy Framework and local policy.
- The Amendment supports the activity centre hierarchy.
- The application of the C1Z to the subject land is supported as exhibited.
- The deletion of DDO21 from the subject land is supported as exhibited.

3.3 Expanded Centre impacts on the neighbourhood

(i) Submissions

Submissions raised concerns about the amenity impacts of the commercial development of the subject land on amenity of residents in the neighbourhood, in terms of security, noise and traffic.

The submission from Ms Doble suggests that the expansion is an overdevelopment and further shops not required. She indicated that neighbourhood was well served by the Torquay North centre and the Bunnings Precinct on Surf Coast Highway.

Mr Wilson's submission considered that the application of the Commercial Zone will "undermine the peace and quiet of the area and family neighbourhood" with the resultant traffic, trucks and deliveries, noise and associated hazards.

The submission from Ms Donovan-Manners suggested that the development was not appropriate in a "short street" and that the site was "far more suited for residential purposes only".

Council submitted that it considered the site suitable for small scale commercial, office, business, health and other service uses and limited retail uses which cater for local and convenience needs. It also submitted that the Amendment:

... does not introduce a new land use in the area, but rather seeks to extend an established use. It is not uncommon for small commercial centres to be located in a residential area and to be surrounding by or directly adjoin residential properties.

(ii) Discussion

The Panel acknowledges that the Amendment provides for the expansion of the existing centre into a prevailing low-scale residential area. Aside from managing the residential interface with adjoining properties, there are no site or locational characteristics that would preclude a modest low-scale commercial built form response on the subject land. There are no places of heritage significance to respond to, nor are there any significant consistent, high

value urban design or landscape challenges which might limit the sites capacity to accommodate a commercial activity.

The site is relatively large, vacant and unconstrained. It has a regular shape, access to a connector road (via the adjoining commercial development) and a local street, a modest, no significant vegetation or other notable environmental features. The subject land's most significant visual interface is with the adjoining neighbourhood centre.

The rezoning of land provides the zone to facilitate a commercial development on the subject land. The Panel is of the view that the Permit stage of development is the most appropriate time to consider design detail and manage interface and amenity issues. This is not to say that the site could readily accommodate a large, bulky commercial development. Any commercial development of the site needs to respond to the provisions of the Surf Coast Planning Scheme and appropriately respond to its setting as envisaged by the LPPF. The detailed development response issues are considered in Chapter 4.

(iii) Conclusions

The Panel concludes that:

- The application of the C1Z to the subject land is supported as exhibited.

4 Issues with the Permit

4.1 The issues

The key issues associated with the Planning Permit application are:

- Building scale and design
- Amenity impacts on adjoining properties
- Traffic, access and parking
- Landscaping
- Waste management.

4.2 What is proposed?

(i) Exhibited Permit

The exhibited Permit allows “*Buildings and works associated with the construction of four commercial premises and a dwelling and waiving of the loading requirements of Clause 52.07 in accordance with endorsed documents*”. While the application was supported by plans there are no endorsed plans. Condition 1 of the Permit requires amended plans to be submitted to address a range of building and site design considerations.

Council’s Part A submission summarised the Permit application as a continuation of the existing commercial development at 1 Loch Ard Drive and presenting the following characteristics:

- 4 x commercial buildings at ground level with a combined retail floor space of 460 square metres
- 1 x dwelling at first floor with a ground floor element to the rear, comprising 5 x bedrooms, south-facing balcony and front and rear access
- An at-grade car park with provision for 18 x car spaces, including 1 x disabled space
- 2 x resident tandem car spaces to the side (east) of the building
- Vehicular access from Fischer Street via the existing crossover and car park
- A new accessway at the south western corner of the site to Loch Ard Drive
- A maximum building height of 9.2 metres
- Setbacks: south (front) – 19.8m, north (rear) – 3.14m, east (side) – 4.57m.

The Permit contained 15 conditions including:

- amended plans – condition 1
- landscaping – conditions 2 and 4
- acoustic report – conditions 4 and 5
- construction management plan – condition 6
- waste management – condition 7
- car parking and access – condition 8
- loading – condition 10
- plant, lighting and security alarm – conditions 11, 12 and 13.

(ii) Amended Permit

Council in its Part B submission to the Panel presented an amended permit which proposed:

- changes to the permit description to “*Construction of buildings and works comprising four tenancies, one dwelling and associated carparking in accordance with the endorsed documents*”
- inclusion of an amended plans condition 1e) relating to materials, colours and textures and, an amended condition 1f) relating to the use of natural colours
- inclusion of an amended landscaping condition 2b) relating to tree planting along the southern boundary
- inclusion of an amended waste management condition 7a) and 7b) relating to bin capacity and collection.

The amended Permit is included in Appendix A.

The proponent supported the proposed changes to the amended Permit.

Council submitted further site and elevation plans (amended Plans) provided by the proponent at the Hearing. These plans included:

- minor site plan changes including depiction of landscaping (no details of species or planting numbers), location of waste bin location (but no details of treatment)
- minor elevation plan changes providing indicative façade materials and colour information.

The Panel notes the revised floor plans still nominate the uses for the four premises (two convenience shops and two food and drink premises). Food and drink premises will not be permissible with the provisions of the proposed s173 Agreement and Council, for car parking purposes, has assessed the proposal on its probable use for shops or office. Both Council and the proponent acknowledged that this would need to be corrected on any plans endorsed by Council.

4.3 Building scale and design

(i) What the Permit says

Condition 1 of the amended Permit seeks to manage the proposed built form of the proposal by requiring amended plans to be submitted which:

- reduce the building height to 7.5 metres
- increase building articulation through materials and colours that respond to streetscape character.

(ii) Submissions

Ms Doble objected to the scale, height and excessive building bulk of the proposed development considering this would be out of character with the rest of the neighbourhood.

Mr Wilson submitted that it was inappropriate for the heights of the proposed plans to exceed the usual heights for residential buildings in the area and that the design profile was unsympathetic to the residential skyline. His submission opposed the removal of DDO21.

The Proponent submitted that the design of the proposal was consistent with the scale and built form of the existing development at 1 Loch Ard Drive and that it was intended to be complementary to the neighbourhood character, with the 7.5 metre height consistent with buildings in the area.

Council submitted that the proposed form of the commercial buildings was conservative and in keeping with the abutting land in the C1Z. Council indicated the reduction in height of the dwelling on the eastern edge and the scale of the building overall were considered appropriate in the context of the surrounding development.

(iii) Discussion

The Panel considers that the proposed built form is modest in form and height for a commercial development. The prevailing character of residential buildings is for a mix of architectural style and of one and two storey heights. There are large residential built forms in the neighbourhood and it is considered that the predominantly single storey form with the upper level housing element can be absorbed into its residential built form backdrop without significant streetscape character impact. Site landscaping and building finishes will be important to achieve a softening of the site buildings and carpark.

The proposed design largely replicates the existing Centre form which is dated and tired. The Panel considers that the proponent has missed an opportunity to modernise the existing Centre and use a more contemporary design form which would add to the Centre's attractiveness for both potential occupiers and patrons. The nearby Dunes Village Neighbourhood Activity Centre is a recent example where good urban design technique have been applied to create a vibrant centre with a strong sense of place.

The Panel acknowledges however, that the overall design response is constrained by the need to integrate both the building and the carpark on the adjoining Centre for the overall site to work efficiently.

While the Panel acknowledges that the Proponent had investigated a range of façade material finishes and colours, limited detail has been provided to enable a meaningful assessment. The Panel considers amended Plans conditions 1e) and 1 f) should be applied to ensure that the building appropriately responds to the residential setting and meets the local policy objectives and strategies.

The proposed amended Plans provide for a flat plane wall on the northern and eastern facades of the building which have a direct relationship with the more modest and articulated forms of adjoining dwellings. The Panel enquired during the Hearing if the Proponent was open to greater façade articulation than was shown on the amended plans. This included using protruding window eave elements that were depicted on the amended Plans as part of the cladding options (but not shown on the elevation drawings). The Panel considers that amended Plans condition 1e) should be applied to provide an appropriate level of articulation on all facades. This will enable Council to pursue further façade enhancements.

The Proponent has accepted Council's amended Permit condition to reduce the dwelling height to a maximum of 7.5 metres. Both the Proponent and Council acknowledged that this would be achieved by reducing ceiling to floor heights and replacing the skillion roof form with a flat roof. While the Panel understands the desire by Council to express a height limit which

reflects DDO21. To do so however is at odds with considering a roof form which creates a level of articulation, breaking up the flat roof form and consistency with the pitched roof typology in the neighbourhood.

The Panel notes that DDO21 is not a mandatory height provision but rather it is a trigger for a permit application. It is not intended to be applied as a tool to limit good design outcomes which meets the objectives of the control and planning scheme generally.

The Panel considers that condition 1a) should be amended to limit the 7.5 metre height limit to the parapet wall height and allow the projection of a skillion roof element above that height. The Panel considers that this will have minimal impact on the skyline, streetscape or outlook of adjoining dwellings and create a more appropriate level of articulation of the building that responds to its residential setting.

(iv) Conclusions

The Panel concludes that:

- The proposed built form is generally acceptable in its setting and in response to the adjoining Centre.
- Further design enhancements are required to ensure that the development includes an appropriate level of articulation and materials and finishes detail to respond to its setting.
- Condition 1 of the Permit be amended as shown in Appendix A except for condition 1a) which should be amended to read:
 - *The height of the dwelling parapet reduced to a maximum of 7.5 metres above natural ground level.*
- The other changes to Condition 1 as shown in Appendix A are appropriate.

(v) Recommendations

The Panel recommends:

Amend Condition 1a) of the Permit to read:

The height of the dwelling parapet reduced to a maximum of 7.5 metres above natural ground level.

4.4 Amenity impacts

(i) What the Permit says

The Permit includes the following conditions to manage offsite impacts:

- Condition 1d) – plant and equipment location
- Condition 6 – construction management plan
- Condition 7 – waste management
- Condition 10 – loading and unloading
- Condition 11 – plant
- Condition 12 – lighting
- Condition 13 – security alarm.

(ii) Submissions

Ms Doble submitted that the proposed development would result in the building overlooking residential properties and cause a loss of privacy. Further, it was submitted that would lead to overshadowing of surrounding properties and increased noise related to commercial activities.

Mr Wilson's submission raised similar concerns about the loss of privacy, overshadowing and increase in noise pollution.

Council submitted that there is reasonable separation between the proposed development and existing dwellings and that the proposed uses were not likely to be unreasonably noisy or require a permit. It suggested that proposed s173 agreement would reduce potential for off-site amenity impacts, and that the form of the building was not considered imposing or prominent. Council concluded that the proposal sufficiently responds to amenity concerns.

The Proponent considered that the proposal would not create unreasonable impacts on the existing neighbourhood character, nor would there be overshadowing or overlooking impacts on the adjoining properties.

(iii) Discussion

The Panel considers that off-site amenity impacts of plant and equipment noise, loading activity, lighting and waste management can be managed by the proposed Permit conditions.

The Panel considers that the location of on the northern and eastern facades of the building including the use of obscure glazing and high sill windows will manage any overlooking issues. The primary orientation and outlook from the upper deck area for the dwelling is to the street. The Panel considers that any overshadowing or overlooking has been managed in the design response in a manner that would meet ResCode standards.

(iv) Conclusions

The Panel concludes that:

- The proposed amended Permit conditions satisfactorily address off-site amenity issues.

4.5 Traffic, access and parking

(i) What the Permit says

The Permit includes the following conditions to manage access and parking impacts:

- Condition 8 and 9 – carparking and access
- Condition 10 – loading and unloading.

(ii) Submissions

Ms Doble submitted that the application provided insufficient provision of on-site car parking and would result in on-street congestion in Fischer Street and Loch Ard Drive, which have a high level of foot traffic, particularly from school children.

Mr Wilson submitted that there would be a significant increase in traffic as a result of the proposal, which would endanger both people and animals. He submitted that the traffic and parking assessments prepared for the proponent lacked critical knowledge of local area conditions. Mr Wilson raised concerns about further commercial development resulting in a worsening of the current parking of delivery trucks across private driveways.

A number of submissions raised concerns about the non-nomination of tenancy uses and the impact that other future uses might have on the street.

The Proponent submitted that the proposal, on the advice provided in the *GTA Consultants Transport Impact Statement* provided with the application traffic engineers, would not have an unreasonable impact on traffic or parking to the surrounding area. The capacity of the surrounding streets, namely Fischer Street, is such that it can carry 10,000 vehicles, and the new proposal would not increase the current load of approximately 4,000 vehicles beyond that upper limit.

Council submitted that the proposed provision of car parking spaces was in line with the requirements of Clause 52.06 and that adverse off-site parking impacts were considered unlikely as additional on-street parking will be available on Loch Ard Drive along the site frontage. Council indicated that given the small tenancies and anticipated nature of uses that the proposal would not require a large provision of space, and the current arrangement would be sufficient for the purpose.

(iii) Discussion

The Panel has considered the transport impact assessment provided by GTA Consultants for the Proponent and which is accepted by Council along with advice from its own engineers.

The Panel is generally satisfied that the site has provided sufficient on-site car parking given the application of a higher parking generating use associated with a shop. The Panel is also satisfied that the size and likely use of the tenancies are unlikely to be high parking demand generating uses or have large or daily delivery requirements that cannot be accommodated within the proposed carpark. Any changes in use that require a higher parking ratio will be considered at the time by the responsible authority (Council) on merit and in context of the balance of activities that exist on the site at the time.

The Panel notes concerns about on-street loading activities associated with the existing Centre. Council is in a position to enforce permit conditions or manage on-street parking and loading activities through other legislation to respond to such concerns.

The Panel is satisfied that the development will not result in access issues or street traffic capacity issues. The provision of two access points for the carpark will enhance the operation and useability of the carpark.

(iv) Conclusions

The Panel concludes that:

- The proposed Permit Conditions 8, 9 and 10 satisfactorily address access, parking and loading issues.

4.6 Landscaping

(i) What the Permit says

The Permit includes the following condition to manage access and parking impacts:

- Condition 2 – landscaping.

(ii) Submissions

Submissions raised concerns about the state of existing landscaping at the adjoining centre and lack of landscaping provided on site. Mr Wilson submission for example suggested that the proposal was cramped, with very little opportunity provided for vegetation in line with the neighbourhood character.

Council acknowledged that the exhibited landscaping condition did not provide clear direction around planting and proposed changes to Condition 2 in the amended Permit to require tree planting along the southern boundary.

The Proponent submitted that landscaping provision had been made to break up the open car parking area along the frontage site to ensure a green outlook onto the subject site and enhance the tree setting. It also said the proposal is also consistent with the objectives of Clause 22.02 in relation to streetscape and landscaping.

(iii) Discussion

The Panel considers that an appropriate landscape response on the subject land is required to assist in breaking the street view to buildings and the carpark and integrate the site into the street.

The Panel agrees with Council that this should include trees as they are part of the contextual residential landscape and provide for height and canopy benefits to soften the upper levels of the building. To provide room for planting and growth this may require minor alteration to the parking design to allow for root and trunk width growth, tree protection and watering.

The Panel does not consider it necessary to nominate species given the mix of nonindigenous and exotic species in the neighbourhood.

The Panel considers that the amended Permit Condition 7 provides the scope for Council to work with the Proponent to achieve an appropriate planting outcome.

(iv) Conclusions

The Panel concludes that:

- The proposed amended Permit Condition 2 satisfactorily addresses landscaping issues.

4.7 Waste management

(i) What the Permit says

The Permit includes the following condition to address waste management impacts:

- Condition 7 – waste management.

(ii) Submissions

Mr Wilson's submission raised concerns about the increase in pollution and rubbish because of the new developments.

The amended Plans submitted by Council during the hearing nominate waste bin locations but no detail of the nature of the bins or their collection. The amended Permit includes changes to condition 7a) requiring details of bin capacity and condition 7b) requiring details of rubbish collection points and method of collection.

The Proponent submitted that the waste areas nominated on the plans will not be visible from the public domain and will be easily accessible by each tenancy. It was further submitted that a condition of the permit ensures that the waste areas will not create any unreasonable amenity impacts to the adjoining properties.

(iii) Discussion

The Panel considers that it is appropriate and necessary for the Permit to seek details of on-site waste collection and removal. External storage of waste can create an amenity impact associated with odour and noise which need to be managed.

The panel is not satisfied that the amended Plans provide an adequate response to this issue. No detail is provided on what the bins will look like and how they will be accessed for removal or collection. Rather than provide four separate collection areas it seems more efficient to central a waste collection area. This area should be readily accessible for collection or bin removal. The current arrangement on the amended plans creates a potential conflict between bin access and collection and the tandem parking bays provided for the proposed dwelling. The amended Permit Condition 7 will enable these details to be resolved.

(iv) Conclusions

The Panel concludes that:

- The proposed amended Permit Condition 7 satisfactorily addresses on-site waste management.

Appendix A Amended Planning Permit

PLANNING PERMIT

GRANTED UNDER SECTION 96I OF THE
PLANNING AND ENVIRONMENT ACT 1987

Permit No.: 17/0207

Planning scheme: Surf Coast Planning Scheme

Responsible authority: Surf Coast Shire

ADDRESS OF THE LAND: 3-5 LOCH ARD DRIVE, TORQUAY (LOT S2 ON PS410328D)

THE PERMIT ALLOWS: [construction of](#) BUILDINGS AND WORKS [comprising four tenancies, one dwelling and associated car parking](#) ~~ASSOCIATED WITH THE CONSTRUCTION OF FOUR COMMERCIAL PREMISES AND A DWELLING AND WAIVING OF THE LOADING REQUIREMENTS OF CLAUSE 52.07~~ IN ACCORDANCE WITH THE ENDORSED DOCUMENTS

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

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 be generally in accordance with the plans submitted with the application but modified to show:
 - a) [The height of the dwelling reduced to no more than 7.5 metres above natural ground level;](#)
 - b) The location of external storage and waste disposal/collection areas;
 - c) Details of public litter bins to be installed including both general waste and recyclables;
 - d) The location of external plant and equipment, including but not limited to service units for heating, cooling and hot water, solar panels, service shafts, ventilation systems, which are to be located and designed so as not to be visually prominent from the public realm or neighbouring properties;
 - e) [Increased articulation using a combination of materials, colours and textures and with a particular focus on the north and east elevations;](#)
 - f) A schedule of all external materials, finishes and colours [incorporating natural colours and finishes that respond to the streetscape character.](#)

Date issued:

Date permit comes into operation:
(or if no date is specified, the permit
comes into operation on the same day as
the amendment to which the permit
applies comes into operation)

Signature for the responsible authority:

Permit No.:

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Landscaping

2. Before the development starts, a Landscape Plan to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The plan must show:
 - a) Site and building boundaries (at ground level) and any existing or proposed services or easements;
 - b) [Structured planting adjacent to the southern title boundary that includes at least three trees and a mix of mid and ground level planting](#)~~Details of surface finishes of pathways; accessways and car parking areas;~~
 - c) Details of proposed planting and landscaping works;
 - d) A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant;
 - e) The location of street trees that may be impacted by the proposed vehicle crossing and replacement of any tree removed with the same species;

All landscaping, including plant species selected, must be to the satisfaction of the responsible authority.

3. Prior to the occupation of the development, or by such later date as is approved by the responsible authority in writing, the landscaping works shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the responsible authority. All landscaping within the site must thereafter be maintained to the satisfaction of the responsible authority, including that any dead, diseased or damaged plants are to be replaced.

Acoustic Report

4. Before the development starts, a qualified acoustic expert must prepare an acoustic report and a copy must be provided to the responsible authority, that details the noise attenuation measures required to all habitable rooms within the proposed dwelling to ensure minimal impacts from noise sources external to the dwelling. The recommendations of the acoustic report must be approved by Council in writing and once approved implemented to the satisfaction of the responsible authority prior to the completion of the development.
5. Within one (1) month of the occupation of the commercial premises, acoustic testing shall be undertaken by a suitably qualified professional to assess compliance with the requirements of the endorsed acoustic report required by condition 4, the Guidelines: Noise from Industry in Regional Victoria, EPA Publication 1411 and State Environment Protection Policy (Control of Music Noise from Public Premises) No. N-2 (SEPP N-2). The assessment shall be provided to the responsible authority within one (1) month of completion of testing and shall include recommendations, if required, to achieve compliance. Any rectification recommendations must be implemented to the satisfaction of the responsible authority within one (1) month of the responsible authority's approval of the acoustic testing, unless an alternative timeframe is agreed in writing with the responsible authority.

Date issued:

Date permit comes into operation:
(or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)

Signature for the responsible authority:

Permit No.:

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Construction Management Plan

6. Before the development starts, 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:
- Details as to how traffic and pedestrian safety and amenity will be controlled within the vicinity of the land and its surrounds;
 - Measures to minimise the impact of construction vehicles arriving at, queuing, and departing from the land;
 - Measures to accommodate the 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;
 - Details of a 24 hour hotline for access to a contact person or project manager accountable for the project and compliance with CMP;
 - Arrangements for waste collection and other services to be provided during construction.

All works on the site must be carried out in accordance with the endorsed Construction Management Plan to the satisfaction of the responsible authority. The developer shall take all reasonable action necessary to protect adjoining residents and commercial tenants from dust, rubbish and undue noise during the construction stage.

Waste Management

7. Before the development starts, a Waste 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:
- Details of the storage and collection of waste, including the [capacity and](#) location of bins and the method, timing and frequency of collection;
 - [The rubbish collection point, including how the bins will be moved from the storage area to the point of collection;](#)
 - All bins and receptacles shall be maintained in a clean and tidy condition, kept free from offensive odour and adequately covered to minimise dispersal of material by wind or water and vermin and pest/insect access;
 - No garbage bin or waste materials generated by the commercial uses at the site shall be deposited or stored outside the site and bins must be returned to the waste storage area/s as soon as practicable after waste collection.

The storage and collection of waste from the property must thereafter be undertaken in accordance with the endorsed Waste Management Plan to the satisfaction of the Responsible Authority.

Car parking and access

8. Before the occupation of the development, the areas set-aside for the parking of vehicles and access lanes as shown on the endorsed plans must be constructed to the satisfaction of the responsible authority by being:
- properly formed to such levels that they can be used in accordance with the plans
 - surfaced with an all-weather-seal coat

Date issued:

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Signature for the responsible authority:

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- c) drained
- d) line marked to indicate each car space and all access lanes
- e) 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 shall be maintained to the satisfaction of the responsible authority and must be kept available for these purposes at all times.

9. The following requirements shall apply to vehicle crossings and driveways that shall be constructed to the satisfaction of the responsible authority:
- a) Vehicle crossings shall be constructed in reinforced concrete or other approved material;
 - b) New vehicle crossings to suit the proposed driveways shall be constructed;
 - c) Pathways shall be replaced with a section capable of sustaining traffic loadings where vehicle crossings are constructed or relocated;
 - d) A "Non-Utility – Minor Works" permit shall be obtained from the Coordinating Road Authority defined in the Roads Management Act 2004 prior to any works being undertaken in road reserves.

Loading and unloading of vehicles

10. The loading and unloading of goods from vehicles must only be carried out on the land or from designated public loading bays, unless otherwise approved by the responsible authority in writing.

Plant

11. No plant, equipment, services and substations other than those shown on the endorsed plans are permitted without the prior written consent of the responsible authority. All plant and equipment must be installed and located so that it does not adversely affect the amenity of the area due to the emission of noise to the satisfaction of the responsible authority.

Lighting

12. All outdoor lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the responsible authority.

Security alarm

13. All security alarms or similar devices installed on the land must be of a silent type approved by the Standards Association of Australia and be connected to a registered security service.

Developer Contributions

14. A Development Infrastructure Levy must be paid to the Collecting Agency (Surf Coast Shire Council) based on the net change in demand units in accordance with the provisions of the incorporated Torquay – Jan Juc Development Contributions Plan applying to the land.

Note: The Development Infrastructure Levy amount required to be paid will be adjusted annually on 1 July each year to cover inflation, by applying the Building Price Index June Quarter for Melbourne in Rawlinsons Australian Construction Handbook.

Endorsed plans

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

Expiry of Permit

16. This permit will expire if one of the following circumstances applies:
- The development is not started within two years of the date of this permit

Date issued:

Date permit comes into operation:
(or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)

Signature for the responsible authority:

Surf Coast Planning Scheme Amendment C123 and and Permit Application 17/0207 | Panel Report | 5 December 2018

- The development is not completed within four years of the date of this permit.

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.

Date issued:

Date permit comes into operation:
(or if no date is specified, the permit
comes into operation on the same day as
the amendment to which the permit
applies comes into operation)

Signature for the responsible authority:

Permit No.:

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IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

The Responsible Authority has issued a permit. The permit was granted by the Minister under section 96I of the **Planning and Environment Act 1987** on approval of Amendment No. C123 to the Surf Coast Planning Scheme.

WHEN DOES THE PERMIT BEGIN?

The permit operates from a day specified in the permit being a day on or after the day on which the amendment to which the permit applies comes into operation.

WHEN DOES A PERMIT EXPIRE?

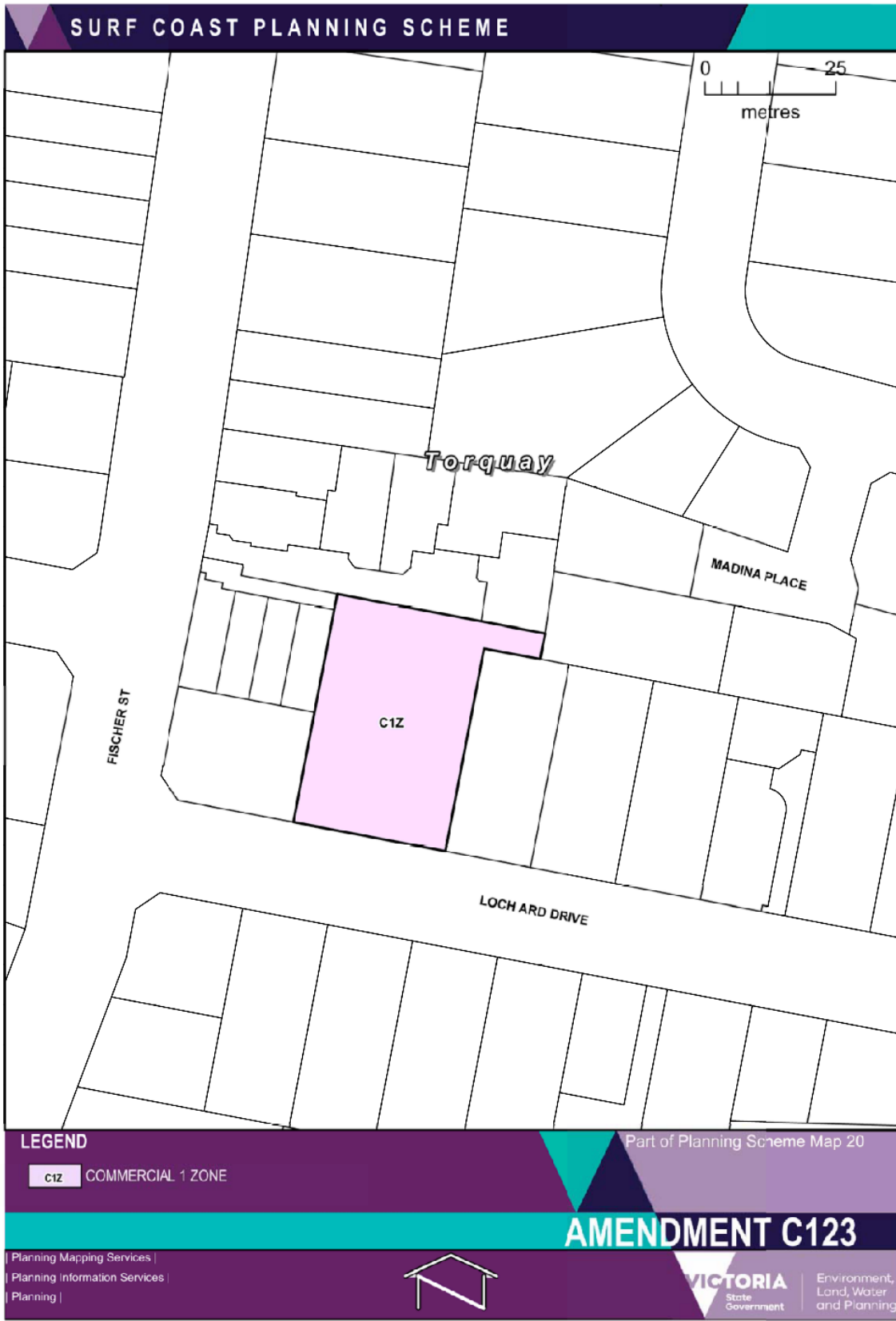
1. A permit for the development of land expires if—
 - the development or any stage of it does not start within the time specified in the permit; or
 - the development requires the certification of a plan of subdivision or consolidation under the **Subdivision Act 1988** and the plan is not certified within two years of the issue of a permit, unless the permit contains a different provision; or
 - the development or any stage is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit or in the case of a subdivision or consolidation within 5 years of the certification of the plan of subdivision or consolidation under the **Subdivision Act 1988**.
2. A permit for the use of land expires if—
 - the use does not start within the time specified in the permit, or if no time is specified, within two years after the issue of the permit; or
 - the use is discontinued for a period of two years.
3. A permit for the development and use of land expires if—
 - the development or any stage of it does not start within the time specified in the permit; or
 - the development or any stage of it is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit; or
 - the use does not start within the time specified in the permit, or, if no time is specified, within two years after the completion of the development; or
 - the use is discontinued for a period of two years.
4. If a permit for the use of land or the development and use of land or relating to any of the circumstances mentioned in section 6A(2) of the **Planning and Environment Act 1987**, or to any combination of use, development or any of those circumstances requires the certification of a plan under the **Subdivision Act 1988**, unless the permit contains a different provision—
 - the use or development of any stage is to be taken to have started when the plan is certified; and
 - the permit expires if the plan is not certified within two years of the issue of the permit.
5. The expiry of a permit does not affect the validity of anything done under that permit before the expiry.

WHAT ABOUT REVIEWS?

- In accordance with section 96M of the **Planning and Environment Act 1987**, the applicant may not apply to the Victorian Civil and Administrative Tribunal for a review of any condition in this permit.

2.2 Planning Scheme Amendment C123 - 3-5 Loch Ard Drive, Torquay - Panel Report

APPENDIX 2 C123 ZONE MAP



2.2 Planning Scheme Amendment C123 - 3-5 Loch Ard Drive, Torquay - Panel Report

APPENDIX 3 C123 OVERLAY MAP



2.2 Planning Scheme Amendment C123 - 3-5 Loch Ard Drive, Torquay - Panel Report

APPENDIX 4 C123 PLANNING PERMIT 17/0207

Planning and Environment Regulations 2015 - Form 9. Section 96J

PLANNING PERMIT

GRANTED UNDER SECTION 96I OF THE
PLANNING AND ENVIRONMENT ACT 1987

Permit No.: 17/0207

Planning scheme: Surf Coast Planning Scheme

Responsible authority: Surf Coast Shire

ADDRESS OF THE LAND: 3-5 LOCH ARD DRIVE, TORQUAY (LOT S2 ON PS410328D)

THE PERMIT ALLOWS: CONSTRUCTION OF BUILDINGS AND WORKS COMPRISING FOUR TENANCIES, ONE DWELLING AND ASSOCIATED CAR PARKING IN ACCORDANCE WITH THE ENDORSED DOCUMENTS

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

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 be generally in accordance with the plans submitted with the application but modified to show:
 - a) The height of the dwelling parapet reduced to a maximum of 7.5 metres above natural ground level;
 - b) The location of external storage and waste disposal/collection areas;
 - c) Details of public litter bins to be installed including both general waste and recyclables;
 - d) The location of external plant and equipment, including but not limited to service units for heating, cooling and hot water, solar panels, service shafts, ventilation systems, which are to be located and designed so as not to be visually prominent from the public realm or neighbouring properties;
 - e) Increased articulation using a combination of materials, colours and textures and with a particular focus on the north and east elevations;
 - f) A schedule of all external materials, finishes and colours incorporating natural colours and finishes that respond to the streetscape character.

Date issued:

Date permit comes into operation:

(or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)

Signature for the responsible authority:

Permit No.:

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Planning and Environment Regulations 2015 - Form 9. Section 96J

Landscaping

2. Before the development starts, a Landscape Plan to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The plan must show:
 - a) Site and building boundaries (at ground level) and any existing or proposed services or easements;
 - b) Structured planting adjacent to the southern title boundary that includes at least three trees and a mix of mid and ground level planting;
 - c) Details of proposed planting and landscaping works;
 - d) A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant;
 - e) The location of street trees that may be impacted by the proposed vehicle crossing and replacement of any tree removed with the same species;All landscaping, including plant species selected, must be to the satisfaction of the responsible authority.
3. Prior to the occupation of the development, or by such later date as is approved by the responsible authority in writing, the landscaping works shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the responsible authority. All landscaping within the site must thereafter be maintained to the satisfaction of the responsible authority, including that any dead, diseased or damaged plants are to be replaced.

Acoustic Report

4. Before the development starts, a qualified acoustic expert must prepare an acoustic report and a copy must be provided to the responsible authority, that details the noise attenuation measures required to all habitable rooms within the proposed dwelling to ensure minimal impacts from noise sources external to the dwelling. The recommendations of the acoustic report must be approved by Council in writing and once approved implemented to the satisfaction of the responsible authority prior to the completion of the development.
5. Within one (1) month of the occupation of the commercial premises, acoustic testing shall be undertaken by a suitably qualified professional to assess compliance with the requirements of the endorsed acoustic report required by condition 4, the Guidelines: Noise from Industry in Regional Victoria, EPA Publication 1411 and State Environment Protection Policy (Control of Music Noise from Public Premises) No. N-2 (SEPP N-2). The assessment shall be provided to the responsible authority within one (1) month of completion of testing and shall include recommendations, if required, to achieve compliance. Any rectification recommendations must be implemented to the satisfaction of the responsible authority within one (1) month of the responsible authority's approval of the acoustic testing, unless an alternative timeframe is agreed in writing with the responsible authority.

Date issued:	Date permit comes into operation: (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	Signature for the responsible authority:
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Planning and Environment Regulations 2015 - Form 9. Section 96J

Construction Management Plan

6. Before the development starts, 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) Details as to how traffic and pedestrian safety and amenity will be controlled within the vicinity of the land and its surrounds;
 - b) Measures to minimise the impact of construction vehicles arriving at, queuing, and departing from the land;
 - c) Measures to accommodate the private vehicles of workers/tradespersons;
 - d) Details of the location of all construction equipment and facilities, including delivery points, storerooms, toilets, temporary offices and workers' facilities;
 - e) 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;
 - f) Measures to minimise the generation and dispersal of dust;
 - g) Details of a 24 hour hotline for access to a contact person or project manager accountable for the project and compliance with CMP;
 - h) Arrangements for waste collection and other services to be provided during construction.

All works on the site must be carried out in accordance with the endorsed Construction Management Plan to the satisfaction of the responsible authority. The developer shall take all reasonable action necessary to protect adjoining residents and commercial tenants from dust, rubbish and undue noise during the construction stage.

Waste Management

7. Before the development starts, a Waste 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) Details of the storage and collection of waste, including the capacity and location of bins and the method, timing and frequency of collection;
 - b) The rubbish collection point, including how the bins will be moved from the storage area to the point of collection;
 - c) All bins and receptacles shall be maintained in a clean and tidy condition, kept free from offensive odour and adequately covered to minimise dispersal of material by wind or water and vermin and pest/insect access;
 - d) No garbage bin or waste materials generated by the commercial uses at the site shall be deposited or stored outside the site and bins must be returned to the waste storage area/s as soon as practicable after waste collection.

Date issued:	Date permit comes into operation: (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	Signature for the responsible authority:
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Planning and Environment Regulations 2015 - Form 9. Section 96J

The storage and collection of waste from the property must thereafter be undertaken in accordance with the endorsed Waste Management Plan to the satisfaction of the Responsible Authority.

Car parking and access

8. Before the occupation of the development, the areas set-aside for the parking of vehicles and access lanes as shown on the endorsed plans must be constructed to the satisfaction of the responsible authority by being:
- a) properly formed to such levels that they can be used in accordance with the plans
 - b) surfaced with an all-weather-seal coat
 - c) drained
 - d) line marked to indicate each car space and all access lanes
 - e) 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 shall be maintained to the satisfaction of the responsible authority and must be kept available for these purposes at all times.

9. The following requirements shall apply to vehicle crossings and driveways that shall be constructed to the satisfaction of the responsible authority:
- a) Vehicle crossings shall be constructed in reinforced concrete or other approved material;
 - b) New vehicle crossings to suit the proposed driveways shall be constructed;
 - c) Pathways shall be replaced with a section capable of sustaining traffic loadings where vehicle crossings are constructed or relocated;
 - d) A "Non-Utility – Minor Works" permit shall be obtained from the Coordinating Road Authority defined in the Roads Management Act 2004 prior to any works being undertaken in road reserves.

Loading and unloading of vehicles

10. The loading and unloading of goods from vehicles must only be carried out on the land or from designated public loading bays, unless otherwise approved by the responsible authority in writing.

Plant

11. No plant, equipment, services and substations other than those shown on the endorsed plans are permitted without the prior written consent of the responsible authority. All plant and equipment must be installed and located so that it does not adversely affect the amenity of the area due to the emission of noise to the satisfaction of the responsible authority.

Lighting

12. All outdoor lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the responsible authority.

Security alarm

13. All security alarms or similar devices installed on the land must be of a silent type approved by the Standards Association of Australia and be connected to a registered security service.

Date issued:	Date permit comes into operation: (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	Signature for the responsible authority:
---------------------	---	---

Planning and Environment Regulations 2015 - Form 9. Section 96J

Developer Contributions

14. A Development Infrastructure Levy must be paid to the Collecting Agency (Surf Coast Shire Council) based on the net change in demand units in accordance with the provisions of the incorporated Torquay – Jan Juc Development Contributions Plan applying to the land.

Note: The Development Infrastructure Levy amount required to be paid will be adjusted annually on 1 July each year to cover inflation, by applying the Building Price Index June Quarter for Melbourne in Rawlinsons Australian Construction Handbook.

Endorsed plans

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

Expiry of Permit

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

- The development is not started within two years of the date of this permit
- The development is not completed within four years of the date of this permit.

The Responsible Authority may extend the 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.

Date issued:

Date permit comes into operation:

(or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)

Signature for the responsible authority:

Permit No.:

Page 5 of 6

Planning and Environment Regulations 2015 - Form 9. Section 96J

IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

The Responsible Authority has issued a permit. The permit was granted by the Minister under section 96I of the **Planning and Environment Act 1987** on approval of Amendment No. C123 to the Surf Coast Planning Scheme.

WHEN DOES THE PERMIT BEGIN?

The permit operates from a day specified in the permit being a day on or after the day on which the amendment to which the permit applies comes into operation.

WHEN DOES A PERMIT EXPIRE?

1. A permit for the development of land expires if—
 - the development or any stage of it does not start within the time specified in the permit; or
 - the development requires the certification of a plan of subdivision or consolidation under the **Subdivision Act 1988** and the plan is not certified within two years of the issue of a permit, unless the permit contains a different provision; or
 - the development or any stage is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit or in the case of a subdivision or consolidation within 5 years of the certification of the plan of subdivision or consolidation under the **Subdivision Act 1988**.
2. A permit for the use of land expires if—
 - the use does not start within the time specified in the permit, or if no time is specified, within two years after the issue of the permit; or
 - the use is discontinued for a period of two years.
3. A permit for the development and use of land expires if—
 - the development or any stage of it does not start within the time specified in the permit; or
 - the development or any stage of it is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit; or
 - the use does not start within the time specified in the permit, or, if no time is specified, within two years after the completion of the development; or
 - the use is discontinued for a period of two years.
4. If a permit for the use of land or the development and use of land or relating to any of the circumstances mentioned in section 6A(2) of the **Planning and Environment Act 1987**, or to any combination of use, development or any of those circumstances requires the certification of a plan under the **Subdivision Act 1988**, unless the permit contains a different provision—
 - the use or development of any stage is to be taken to have started when the plan is certified; and
 - the permit expires if the plan is not certified within two years of the issue of the permit.
5. The expiry of a permit does not affect the validity of anything done under that permit before the expiry.

WHAT ABOUT REVIEWS?

- In accordance with section 96M of the **Planning and Environment Act 1987**, the applicant may not apply to the Victorian Civil and Administrative Tribunal for a review of any condition in this permit.

2.2 Planning Scheme Amendment C123 - 3-5 Loch Ard Drive, Torquay - Panel Report

APPENDIX 5 C123 DRAFT SECTION 173 AGREEMENT WITH PROPOSED CHANGES



**SECTION 173 AGREEMENT
PLANNING AND ENVIRONMENT ACT 1987**

SURF COAST SHIRE COUNCIL
Council

- and -

GELD INVESTMENTS PTY LTD
ACN 081 089 518
Registered Land Owner

in relation to land at:
3-5 Loch Ard Drive, Torquay, Vic, 3228

5AJS:21804463

Harwood Andrews
ABN 98 076 868 034
70 Gheninghap Street,
Geelong 3220, Victoria, Australia
DX 22019 Geelong
PO Box 101 Geelong Vic 3220

T 03 5225 5225 F 03 5225 5222

THIS AGREEMENT is made the _____ day of _____

PARTIES:

1. **Surf Coast Shire Council** of 1 Merrijig Drive, Torquay, Vic, 3228
(Council)
2. **GELD INVESTMENTS PTY LTD ACN 081 089 518** of C/o Frank Palermo 246 Hope Street
Brunswick West, Vic, 3055
(Owner)

RECITALS:

- R.1. The Owner is the registered proprietor of the land known as 3-5 Loch Ard Drive Torquay, 3228, Lot S2 on Plan of Subdivision 410328D, being the land described in Certificate of Title Volume 10536 Folio 294 (**Land**).
- R.2. The Owner is also the Proponent of Amendment C123 (**the Amendment**) to the Planning Scheme.
- R.3. Council is the Planning Authority for the Amendment.
- R.4. The Amendment is a combined planning permit application and planning scheme amendment.
- R.5. The Amendment proposes to:
 - a. Rezone the Land from General Residential Zone Schedule 1 to the Commercial 1 Zone.
 - b. Delete Schedule 21 to Clause 43.02 Design and Development Overlay from the Land.
- R.6. The planning permit application seeks approval for buildings and works associated with the construction of four commercial premises and a dwelling.
- R.7. The Amendment was placed on exhibition between 12 October 2017 and 13 November 2017.
- R.8. Council considered submissions regarding the Amendment at its meeting held 12 December 2017 and resolved to defer a decision on the Amendment to allow the Proponent to investigate a modified proposal.
- R.9. The Proponent has offered to enter into this Agreement to prohibit the use of the Land for a take away food premises and/or convenience restaurant.
- R.10. Council considered the Amendment at its meeting held 26 June 2018 and resolved:

That Council:

1. Require the landowner of 3-5 Loch Ard Drive, Torquay to enter into an agreement under section 173 of the Planning and Environment Act 1987 to exclude take away food premises and convenience restaurants from being established on the land.
2. Amend the draft planning permit to restrict the height of the dwelling to no greater than 7.5 metres above ground level.
3. Circulate the draft section 173 agreement and revised draft planning permit to all submitters with an invitation to withdraw, amend or add to their submission based on the changes within two weeks.
4. Report any withdrawn, amended or additional submissions received following the two week period to a future Council meeting no later than 31 August 2018

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- R.11. The Owner and Council voluntarily enter into this Agreement to prohibit the use of the Land for a take away food premises and/or convenience restaurant and to achieve and advance the objectives of planning in Victoria.
- R.12. The Land is subject to registered mortgage numbers W587837U and AG232097N in favour of the Commonwealth Bank of Australia, which mortgagee, as evidenced by its consent on the attestation pages, consents to this Agreement.

IT IS AGREED AS FOLLOWS:

1. DEFINITIONS

In this Agreement unless inconsistent with the context or subject matter:

- 1.1. **Act** means the *Planning and Environment Act 1987* (Vic).
- 1.2. **Agreement** means this Agreement and any agreement executed by the parties varying or expressed to be supplemental to this Agreement.
- 1.3. **Amendment** means Amendment C123 to the Planning Scheme and planning permit application 17/0207 made pursuant to section 96A of the Act.
- 1.4. **Council** means Surf Coast Shire Council in its capacity as:
- 1.4.1. the authority responsible for administering and enforcing the Planning Scheme;
- 1.4.2. the planning authority for the Amendment; and
- 1.4.3. a municipal council within the meaning of the *Local Government Act 1989* (Vic),

and includes its agents, officers, employees, servants, workers and contractors and any subsequent person or body which is the responsible authority or municipal council.

1.5. **Current Address for Service**

- 1.5.1. for Council means the address shown under the heading "Parties" in this Agreement, or any other principal office address listed on the website of Council; and
- 1.5.2. for the Owner means the address shown under the heading "Parties" in this Agreement or any other address provided by the Owner to Council for any purpose or purposes relating to the Land.

1.6. **Current Email Address for Service**

- 1.6.1. for Council means info@surfcoast.vic.gov.au, or any other email address listed on the website of Council; and
- 1.6.2. for the Owner means any email address provided by the Owner to Council for the express purpose of electronic communication regarding this Agreement.

1.7. **Current Number for Service**

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- 1.7.1. for Council means 03 5261 0525, or any other facsimile number listed on the website of Council; and
- 1.7.2. for the Owner means any facsimile number provided by the Owner to Council for the express purpose of facsimile communication regarding this Agreement.
- 1.8. **Land** means the land described in Recital R.1 and any reference to the Land includes any lot created by the subdivision of the Land or any part of it.
- 1.9. **Mortgagee** means the person or persons registered or entitled from time to time to be registered by the Registrar of Titles as Mortgagee of the Land or any part of it.
- 1.10. **Owner** means the person or persons registered or entitled from time to time to be registered by the Registrar of Titles as the proprietor or proprietors of an estate in fee simple of the Land or any part of it, and includes a Mortgagee in possession.
- 1.11. **Owner's Obligations** means the covenants, promises, agreements, indemnities, undertakings and warranties given by the Owner under this Agreement including the specific obligations imposed under clause 3.
- 1.12. **party** or **parties** means the Owner and Council under this Agreement as appropriate.
- 1.13. **Planning Scheme** means the Surf Coast Planning Scheme and any successor instrument or other planning scheme which applies to the Land.
- 1.14. **Proponent** means GELD INVESTMENTS PTY LTD ACN 081 089 518.

2. INTERPRETATION

In the interpretation of this Agreement unless inconsistent with the context or subject matter:

- 2.1. The singular includes the plural and the plural includes the singular.
- 2.2. A reference to a gender includes a reference to all other genders.
- 2.3. Words (including defined expressions) denoting persons will be deemed to include all trusts, bodies and associations, corporate or unincorporated, and vice versa.
- 2.4. A reference to a person includes a reference to a firm, corporation, association or other entity and their successors in law.
- 2.5. A reference to a statute includes any statute amending, consolidating or replacing that statute and includes any subordinate instruments made under that statute.
- 2.6. The Recitals to this Agreement are and will be deemed to form part of this Agreement including any terms defined within the Recitals.
- 2.7. References to the parties will include their transferees, heirs, assigns, and liquidators, executors and legal personal representatives as the case may be.
- 2.8. Reference to a document or agreement includes reference to that document or agreement as changed, novated or replaced from time to time.
- 2.9. Where a word or phrase is given a definite meaning in this Agreement, a part of speech or other grammatical form for that word or phrase has a corresponding meaning.

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- 2.10. Where a word or phrase is not defined in this Agreement, it has the meaning as defined in the Act, or, if it is not defined in the Act, it has its ordinary meaning.

3. SPECIFIC OBLIGATIONS OF THE OWNER

The Owner agrees with Council that the Land must not be:

- 3.1. used or developed for a take away food premises and/or convenience restaurant, **including as ancillary to another use of the land**
- 3.2. used for a different use that includes as an ancillary component activities in the nature of take away food premises or convenience restaurant.

Delete 3.2

4. FURTHER COVENANTS OF THE OWNER

The Owner warrants and covenants with Council that:

- 4.1. It is the registered proprietor (or entitled to be so) of the Land.
- 4.2. Save as shown in the certificate of title to the Land, there are no mortgages, liens, charges, easements or other encumbrances or any rights inherent in any person affecting the Land or any part of it and not disclosed by the usual searches.
- 4.3. Neither the Land nor any part of it is subject to any right obtained by adverse possession or subject to any easements, rights or encumbrances mentioned in section 42 of the *Transfer of Land Act 1958 (Vic)*.
- 4.4. It will not sell, transfer, dispose of, assign, mortgage or otherwise part with possession of the Land or any part of it without first providing to its successors a copy of this Agreement.
- 4.5. It will within 28 days of written demand pay to Council the Council's reasonable costs (including legal or other professional costs) and expenses of and incidental to the:
- 4.5.1. negotiation, preparation, execution and recording of this Agreement;
- 4.5.2. assessment, negotiation, preparation, execution and recording of any proposed amendment to this Agreement; and
- 4.5.3. determination of whether any of the Owner's obligations have been undertaken to the satisfaction of Council or to give consent to anything under this Agreement.

To the extent that such costs and expenses constitute legal professional costs, Council may at its absolute discretion have these costs assessed by the Law Institute of Victoria and in that event the parties will be bound by the amount of that assessment, with any fee for obtaining such an assessment being borne equally by Council and the Owner. Such costs payable by the Owner will include the costs and disbursements associated with the recording, cancellation or alteration of this Agreement in the Register.

- 4.6. It will do all that is necessary to enable Council to make application to the Registrar of Titles to record this Agreement in the Register in accordance with the Act, including the signing of any further agreement, acknowledgment or other document.
- 4.7. Until such time as this Agreement is recorded in the Register, the Owner must ensure that successors in title will give effect to this Agreement, and do all acts and sign all documents which will require those successors to give effect to this

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Agreement, including executing a deed agreeing to be bound by the terms of this Agreement.

5. FURTHER ASSURANCE

The parties to this Agreement will do all things necessary (including signing any further agreement, acknowledgement or document) to give full effect to the terms of this Agreement and to enable this Agreement to be recorded in the Register in accordance with the Act.

6. AMENDMENT

This Agreement may be amended only in accordance with the requirements of the Act.

7. NO WAIVER

No waiver by any party of any default in the strict and literal performance of or compliance with any provision, condition or requirement in this Agreement will be deemed to be a waiver of strict and literal performance of and compliance with any other provision, condition or requirement of this Agreement nor to be a waiver of or in any way release any party from compliance with any provision, condition or requirement in the future nor will any delay or omission of any party to exercise any right under this Agreement in any manner impair the exercise of such right accruing to it thereafter.

8. NO FETTERING OF POWERS OF COUNCIL

The parties acknowledge and agree that this Agreement does not fetter or restrict the power or discretion of Council to make any decision or impose any requirements or conditions in connection with the granting of any planning approval or certification of any plans of subdivision applicable to the Land or relating to any use or development of the Land.

9. INTEREST ON OVERDUE MONEYS

Any amount due under this Agreement but unpaid by the due date incurs interest at the rate prescribed under section 227A of the *Local Government Act 1989 (Vic)* and any payment made shall be first directed to payment of interest and then principal amount owing.

10. NOTICES

All notices and other communications under this Agreement will be sent by prepaid mail, by hand delivery, email or by facsimile to the Current Addresses for Service, Current Email Address for Service or Current Number for Service of the parties, and may be sent by an agent of the party sending the notice. Each notice or communication will be deemed to have been duly received:

- 10.1. not later than two business days after being deposited in the mail with postage prepaid;
- 10.2. when delivered by hand;
- 10.3. if sent by email, at the time of receipt in accordance with the *Electronic Transactions (Victoria) Act 2000 (Vic)*; or
- 10.4. if sent by facsimile transmission upon completion of that transmission and production of a transmission report stating that the facsimile was sent to the addressee's facsimile number.

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11. COSTS ON DEFAULT

If the Owner defaults in the performance of any obligations under this Agreement it will pay to Council its reasonable costs of action taken to achieve compliance with this Agreement.

12. INVALIDITY OF ANY CLAUSE

Notwithstanding anything to the contrary in this Agreement, if any provision of this Agreement will be invalid and not enforceable in accordance with its terms, all other provisions which are self-sustaining and capable of separate enforcement without regard to the invalid provisions will be and continue to be valid and enforceable in accordance with those terms.

13. AGREEMENT BINDING ON SUCCESSORS OF OWNERS

This Agreement will extend to and bind the Owner's successors, assigns, administrators, transferees and legal personal representatives and the obligations imposed upon them will also be binding on their successors, transferees, purchasers, mortgagees and assigns as if each of them had separately executed this Agreement.

14. JOINT OBLIGATIONS

In the case of each party that consists of more than one person (including in that expression any corporation) each of those persons covenants, agrees and declares that all of the covenants, agreements, declarations and consents contained in this Agreement and made and given by that party have been entered into, made and given and are binding upon that person both severally and also jointly with the other person or persons constituting that party.

15. ENTIRE AGREEMENT

This Agreement constitutes the entire agreement between the parties in connection with its subject matter and supersedes all previous agreements or understandings between the parties in connection with its subject matter.

16. COMMENCEMENT AND ENDING OF AGREEMENT

16.1. This Agreement will commence:

16.1.1. on the date that it bears; or

16.1.2. if it bears no date, on the date it is recorded in the Register.

16.2. This Agreement will end:

16.2.1. by agreement between the parties;

16.2.2. if Council abandons the Amendment;

16.2.3. if the Amendment lapses; or

16.2.4. otherwise in accordance with the provisions of the Act.

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EXECUTED AS A DEED

Signed on behalf of the Surf Coast Shire Council
by the Chief Executive Officer under delegation
in the presence of:

.....

.....
Witness

EXECUTED by GELD INVESTMENTS PTY LTD
ACN 081 089 518 in accordance with Section
127 of the Corporations Act 2001:

.....
Director

.....
Director/Secretary

.....
Full Name

.....
Full Name

.....
Address

.....
Address

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MORTGAGEE CONSENT

Commonwealth Bank of Australia as Mortgagee under Instrument of Mortgage No.'s W587837U and AG232097N consents to the Owner entering into this Agreement and agrees to be bound by the terms and conditions of this Agreement.

DATED:

Executed for and on behalf of

Commonwealth Bank of Australia

2.3 Planning Scheme Amendment C130 - The Sands Estate Torquay

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

General Manager: Ransce Salan
File No: F17/911
Trim No: IC19/39

Appendix:

1. Explanatory Report (D19/3566)
2. Sands Comprehensive Development Plan (D18/22681)
3. Schedule 2 to the Comprehensive Development Zone (D19/4787)

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 Planning Scheme Amendment C130 – The Sands Estate Torquay which seeks to insert the planning controls for the Sands Estate into the planning scheme and to consider the next steps of seeking Ministerial authorisation to prepare and exhibit the Amendment.

Summary

The planning controls for the Sands Estate Torquay are derived from Schedule 2 to the Comprehensive Development Zone (CDZ2) but sit outside of the planning scheme in detailed architectural design guidelines (the Code). Amendment C130 – The Sands Estate Torquay proposes to translate the residential buildings and works planning controls that are contained in the Code and insert them into the planning scheme at clause 37.02s2 (CDZ2) making them less dispersed and more transparent. The controls will ensure the ongoing retention of the character of the built form in The Sands Estate following the end of the developer's connection with the development.

Recommendation

That Council as the Planning Authority:

1. Seeks Ministerial authorisation to prepare Surf Coast Planning Scheme Amendment C130 – The Sands Estate Torquay.
2. Places Amendment C130 – the Sands Estate Torquay on public exhibition for a minimum of one month following Ministerial authorisation.

Council Resolution

MOVED Cr Martin Duke, Seconded Cr Margot Smith

That Council as the Planning Authority:

1. Seeks Ministerial authorisation to prepare Surf Coast Planning Scheme Amendment C130 – The Sands Estate Torquay.
2. Places Amendment C130 – the Sands Estate Torquay on public exhibition for a minimum of one month following Ministerial authorisation.

CARRIED 7:0

2.3 Planning Scheme Amendment C130 - The Sands Estate Torquay

Report

Background

The Sands Estate in Torquay North is a comprehensive golf course based residential estate developed since the early 2000s. The planning controls for the estate lie within Schedule 2 to the Comprehensive Development Zone (CDZ2) which was written to deliver an outcome specific to The Torquay Sands Estate.

Deriving from the zone but sitting outside of the planning scheme, detailed architectural design guidelines (the Code) have shaped the development of residential buildings within the estate to deliver a harmonised neighbourhood character. The Code has been administered externally by a consulting architect and planner (the Committee) and funded by the developer. The Committee, its responsibilities and the funding arrangement are given effect through a legal agreement made under section 173 of the Planning and Environment Act 1987.

Amendment C130 – The Torquay Sands Estate proposes to translate the residential buildings and works planning controls that are contained in the Code and insert them into the planning scheme at clause 37.02s2 (CDZ2) making them less dispersed and more transparent. The controls will ensure the ongoing retention of the character of the built form in The Sands Estate following the end of the developer's connection with the development.

Discussion

In 1995 the land that is now included in the Torquay Sands Estate was zoned "Golden Beach Resort Zone" to allow for a major resort development known as the Golden Beach Resort. At that time, the zone provisions required that the buildings and works parameters (siting, footprint, height, materials, access etc) be articulated in a development plan.

In 1999, a request was received by Council to extend and modify the area covered by the Golden Beach Resort Zone to allow a residential lakes and golf course development to proceed; this became Amendment R60. The Council meeting minutes of the day describe the major changes that were proposed through Amendment R60 as including an extension of the golf course onto the old tip site, an increase in the residential component (by 200 lots) and a reduction in the commercial component and the transfer of significant wetlands and moonah woodland into public ownership.

It was through amendment R60 that the existing zoning and its requirements (including the existing Section 173 Agreement and the Code) were established.

Figure 1 – Comprehensive Development Plan Estate

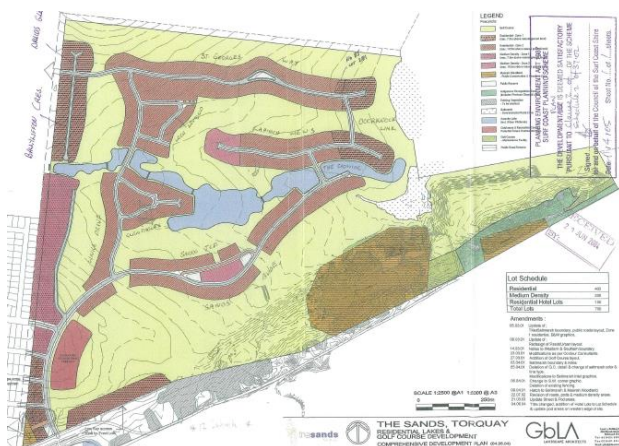


Figure 2 – Aerial showing the Torquay Sands Estate



Today, the land is zoned Comprehensive Development Zone, Schedule 2 with the schedule designed to achieve a neighbourhood character outcome specific to the Torquay Sands Estate. Based on available information, it is understood that the inclusion of neighbourhood character elements (including the Code) within the zone and in the referenced Section 173 Agreement was driven by a desire to manage the potential

2.3 Planning Scheme Amendment C130 - The Sands Estate Torquay

environmental and landscape character impacts *from* the development in addition to more localised character considerations *within* the Estate.

The current controls (including the Code) have shaped the development of buildings within the estate to deliver a harmonised neighbourhood character, distinct to the Torquay Sands Estate. The Code has been administered externally by a consulting architect and planner (the Golden Beach (Torquay Sands) Architectural Review Committee (the Committee)) and funded by the developer. The Committee, its responsibilities and the funding arrangement are given effect through a legal agreement made under section 173 of the Planning and Environment Act 1987.

The construct of the planning controls does not account for “life” after the maturation of the Sands Estate and with the sale of the final residential lots the developer is no longer funding the external consultants. While the need for the architectural review of proposals is diminishing, the Committee must be maintained under the requirements of the Section 173 Agreement (derived from the zone) and the Owners Corporation No. 1 (OC1) has funded the external consultants on the Committee to maintain the service.

The S173 Agreement articulates the required composition of the Committee. The Code rearranges this composition such that the Committee is comprised of a Sands architect and planner with Council planning officers responsible for making a decision on residential buildings and works applications subsequent to the Committee’s recommendation.

With the passage of time comes a growing risk of discontinuity of service in the management of approvals and with almost 20 years having passed since the controls were placed in the planning scheme, administrative changes are also required to align with the current planning controls in Victoria.

In their current form, the planning controls are dispersed and this creates complexities in their identification and use for customers, consumers (landowners) and for council’s planning officers. Amendment C130 seeks to translate the residential buildings and works design elements currently contained in the Code and insert them into the planning scheme at clause 37.02s2.

Specifically, the Amendment proposes to:

- Amend Clause 37.02s2 (The Sands Torquay Residential Lakes and Golf Course Comprehensive Development Plan) to more clearly reference the affected land.
- Amend Clause 37.02s2 at the table of uses to make minor language changes, delete buildings and works and other irrelevant or incorrectly located conditions, delete reference to telecommunications facility which conflicts with clause 62.01 and reference clause 62.01 in section 2 where the section 1 condition is not met.
- Insert the translated standards and guidelines at Clause 37.02s2 (The Sands Torquay Residential Lakes and Golf Course Comprehensive Development Plan) that are currently held outside of the planning scheme in the Sands Torquay Building Code.
- Delete redundant requirements under the heading ‘Agreement’ and references to The Sands Torquay Building Code and The Sands Torquay Architectural Review Committee at Clause 37.02s2 (The Sands Torquay Residential Lakes and Golf Course Comprehensive Development Plan).

Amendment C130 will also necessitate changes to the existing Section 173 Agreement and as the S173 Agreement provides for ongoing matters beyond those considered by the Amendment, it will need to be amended and not ended.

An amendment to the S173 Agreement would seek to remove the redundant clauses that directly relate to the Committee and the Code and to add those elements that are currently in the Code and cannot be included in the schedule to the zone. Those elements include building colours (external), fencing controls and residential landscaping.

While the Planning Scheme Amendment and the amendment of the S173 Agreement are intrinsically linked, the statutory requirements for each of the amendments are derived from different sections of the *Planning and Environment Act 1987*. Because of this, there are different processes for the planning scheme amendment and the amendment to the S173 Agreement and these must remain separate although there is merit in running concurrent processes.

2.3 Planning Scheme Amendment C130 - The Sands Estate Torquay

The draft CDZ2 has also been written to include exemptions so that a permit is not required where there is adherence to the prescriptions designed to achieve a preferred character outcome. This will minimise the burden on council's statutory planning unit without compromising the preferred character objectives.

Financial Implications

The Amendment will incur costs associated with the planning scheme amendment process and legal costs for the amendment of the associated S173 Agreement. The Owners Corporation 1 (OC1) has provided a verbal commitment to cover planning panel fees should they be incurred as a result of the Amendment. This will be confirmed through a legal agreement similar to those applied to private planning scheme amendments.

Council Plan

Theme 3 Balancing Growth
Objective 3.3 Strengthen township boundaries and support unique township character
Strategy Nil

Theme 5 High Performing Council
Objective 5.3 Provide quality customer service that is convenient, efficient, timely and responsive
Strategy 5.3.4 Continued reforms in statutory planning service delivery

Policy/Legal Implications

The amendment must be prepared, exhibited and considered in accordance with the requirements of the *Planning and Environment Act 1987*.

Officer Direct or Indirect Interest

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

Risk Assessment

There are no perceived risks associated with seeking authorisation to prepare the amendment.

Social Considerations

The Amendment will facilitate a social benefit by retaining the built form character of The Sands Estate which is highly valued by landowners within the Estate. The Estate also makes a positive contribution to the township of Torquay and has been highly regarded externally by urban designers and visitors to Torquay.

Community Engagement

The draft Schedule to the Comprehensive Development Zone was developed in conjunction with representatives of The Sands OC1 and informal consultation has occurred with landowners within the Sands Estate including a community meeting. The Amendment will be formally placed on public exhibition for a period of one month in accordance with the legislative requirements (Part 3) of the *Planning and Environment Act 1987*.

Environmental Implications

Amendment C130 – The Sands Estate Torquay is not expected to impact on the environment. The amendment translates existing built form controls and inserts them into the planning scheme in a manner that will not compromise the built form objectives currently in place. The amendment does not remove or alter the environmental protection initiatives currently in place.

Communication

Notices will be sent to all landowners and occupiers affected by the proposed changes including the Owners Corporations. Notices will also be published in local newspapers and exhibited on Council and the Department of Environment, Land Water and Planning websites.

2.3 Planning Scheme Amendment C130 - The Sands Estate Torquay

Options

Option 1 – Seek Ministerial authorisation to prepare the Amendment and exhibit for a period of one month

This option is recommended by officers as Amendment C130 will centralise the planning controls, strengthening the integrity of the associated planning process and making the controls more transparent and accessible. The planning scheme amendment is required to give legal effect to the proposed changes and Amendment C130 has been prepared to implement these in accordance with the requirements of the *Planning and Environment Act 1987*. Informal consultation has also occurred prior to this formal process. The amendment is now ready to proceed to the Minister of Planning to request authorisation to prepare and exhibit the amendment.

Option 2 – do not proceed with Amendment C130 – the Sands Estate Torquay

This option is not recommended by officers as the amendment and alteration to the section 173 agreement is a resolution of issues that currently exist with the planning controls in the Sands Estate and these would be deferred rather than resolved. The risk of failure of the current system would remain and place increased pressure on Council to resolve.

Conclusion

Amendment C130 – The Sands Estate Torquay has been prepared to translate the existing controls set out in the Code and insert them into the planning scheme at clause 37.02s2. Ministerial authorisation is required before Council can formally prepare and publicly exhibit the amendment. It is requested that Council seek authorisation from the Minister for Planning and upon authorisation, place the amendment on public exhibition for a period of one month. Following exhibition Council will hold a Hearing of Submissions (if required) and consider any submissions at a future Council meeting.

2.3 Planning Scheme Amendment C130 - The Sands Estate Torquay

APPENDIX 1 EXPLANATORY REPORT

Planning and Environment Act 1987

SURF COAST PLANNING SCHEME

AMENDMENT C130surf

EXPLANATORY REPORT

Who is the planning authority?

This amendment has been prepared by the Surf Coast Shire Council, which is the planning authority for this amendment.

Land affected by the Amendment

The Amendment applies to all land in the area covered by the Golden Beach Concept Plan (marked 'Golden Beach Residential Lakes and Golf Course Development, Torquay – Concept Plan. Revision F: 13.04.00'); an incorporated document at clause 72.04 of the Surf Coast Planning Scheme.

What the amendment does

The Amendment translates the current planning controls that are derived from the zone and held outside of the scheme and inserts the translated controls into Schedule 2 to the Comprehensive Development Zone.

Specifically, the Amendment:

- Amend Clause 37.02s2 (The Sands Torquay Residential Lakes and Golf Course Comprehensive Development Plan) to more clearly reference the affected land.
- Amend Clause 37.02s2 at the table of uses to make minor language changes, delete buildings and works and other irrelevant conditions, delete reference to telecommunications facility which conflicts with clause 62.01 and reference clause 62.01 in section 2 where the section 1 condition is not met.
- Delete redundant requirements under the heading 'Agreement' and references to The Sands Torquay Building Code and The Sands Torquay Architectural Review Committee at Clause 37.02s2 (The Sands Torquay Residential Lakes and Golf Course Comprehensive Development Plan).
- Insert the translated standards and guidelines at Clause 37.02s2 (The Sands Torquay Residential Lakes and Golf Course Comprehensive Development Plan) that are currently held outside of the planning scheme in the Sands Torquay Building Code.

Strategic assessment of the Amendment

Why is the Amendment required?

- The planning controls in the Torquay Sands Estate are derived from the Comprehensive Development Zone Schedule 2 and are held outside of the planning scheme. Amendment C130surf translates the residential buildings and works controls that are held in documents outside of the planning scheme and inserts them into the zone schedule.
- The planning controls were developed almost 20 years ago and were not structured in a way that foreshadows the maturation of the estate and the departure of the developer. Through a Section 173 Agreement referenced in the zone, the developer has obligations to maintain an Architectural Review Committee (Committee) set up to provide design recommendations for residential buildings and works proposals. With the sale of the final lots, the developer is no longer funding the Committee and this puts the neighbourhood character objectives for the Torquay Sands Estate at risk.

- Given the lapse of time since the planning controls were developed and inserted in the scheme, administrative changes are required to align them with the current planning controls in Victoria. In addition to centralising the Torquay Sands Estate planning controls that are currently dispersed, the amendment will provide an opportunity to carry out these administrative changes.
- The dispersal of the planning controls makes them less transparent and difficult to use for all users of the scheme including customers, consumers and council officers. The amendment seeks to resolve this difficulty.
- As the amendment is a translation of existing controls, it is expected to be generally neutral in terms of its impact on neighbourhood character and the environment and with the schedule being written to exempt development that meets the articulated standards, the financial burden brought about through the change will be minimised.

How does the Amendment implement the objectives of planning in Victoria?

The amendment implements the objectives of planning in Victoria (sections 4(1)(a) of the *Planning and Environment Act 1987*) by providing for the fair, orderly, economic and sustainable use and development of land by translating existing dispersed planning controls from outside of the planning scheme into a centralised and more accessible format within the planning scheme.

How does the Amendment address any environmental, social and economic effects?

Amendment C130surf is expected to be neutral as it relates to environmental, social and economic effects. The amendment seeks to maintain the "status quo" by translating existing controls that are derived from the zone but sit outside of the planning and present them in a more accessible format by inserting them into the scheme at Clause 37.02s2.

Does the Amendment address relevant bushfire risk?

The amendment seeks to create a more accessible suite of planning controls within the planning scheme drawn from those controls derived from Schedule 2 to the Comprehensive Development Zone but sitting outside of the scheme.

Much of Torquay is not Bushfire Prone; however, a small portion of the amendment site to the south is Bushfire Prone and is covered by a Bushfire Management Overlay, identifying that a small portion of the site has an increased risk of bushfire impacts. The amendment is expected to be generally neutral in its planning outcome and will not direct additional population growth to the area. Those properties that are identified as being at increased risk from bushfire through the application of the Bushfire Management Overlay are developed by dwellings; this will not change with the amendment.

Does the Amendment comply with the requirements of any Minister's Direction applicable to the amendment?

The amendment is consistent with the Ministerial Direction on the Form and Content of Planning Schemes under section 7(5) of the *Planning and Environment Act 1987*. It also complies with the requirements of Minister's direction No. 11 Strategic Assessment of Amendments.

How does the Amendment support or implement the Planning Policy Framework and any adopted State policy?

The amendment translates planning controls that are derived from the zone and held outside of the scheme and inserts them into the scheme to achieve a policy neutral outcome.

How does the Amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?

The amendment translates planning controls that are derived from the zone and held outside of the scheme and inserts them into the scheme to achieve a policy neutral outcome.

How does the amendment support or implement the Municipal Planning Strategy?

The amendment translates planning controls that are derived from the zone and held outside of the scheme and inserts them into the scheme to achieve a policy neutral outcome.

Does the Amendment make proper use of the Victoria Planning Provisions?

The amendment makes proper use of the Victoria Planning Provisions by bringing dispersed planning controls into the scheme using the existing zone schedule.

How does the Amendment address the views of any relevant agency?

The amendment will be exhibited to all relevant agencies and referral authorities in accordance with the requirements of the *Planning and Environment Act 1987*.

Does the Amendment address relevant requirements of the Transport Integration Act 2010?

The amendment is not expected to impact on the objectives, strategies and decision making principles of the *Transport Integration Act 2010*.

Resource and administrative costs

• **What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?**

The amendment is not expected to have any significant impact on the resource and administrative costs of Council.

Where you may inspect this Amendment

The Amendment is available for public inspection, free of charge, during office hours at the following places:

Surf Coast Shire Council, 1 Merrijig Drive, Torquay

The Amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at www.planning.vic.gov.au/public-inspection.

Submissions

Any person who may be affected by the Amendment [and/or planning permit] may make a submission to the planning authority. Submissions about the Amendment [and/or planning permit] must be received by [insert submissions due date].

A submission must be sent to: [insert Council's address]

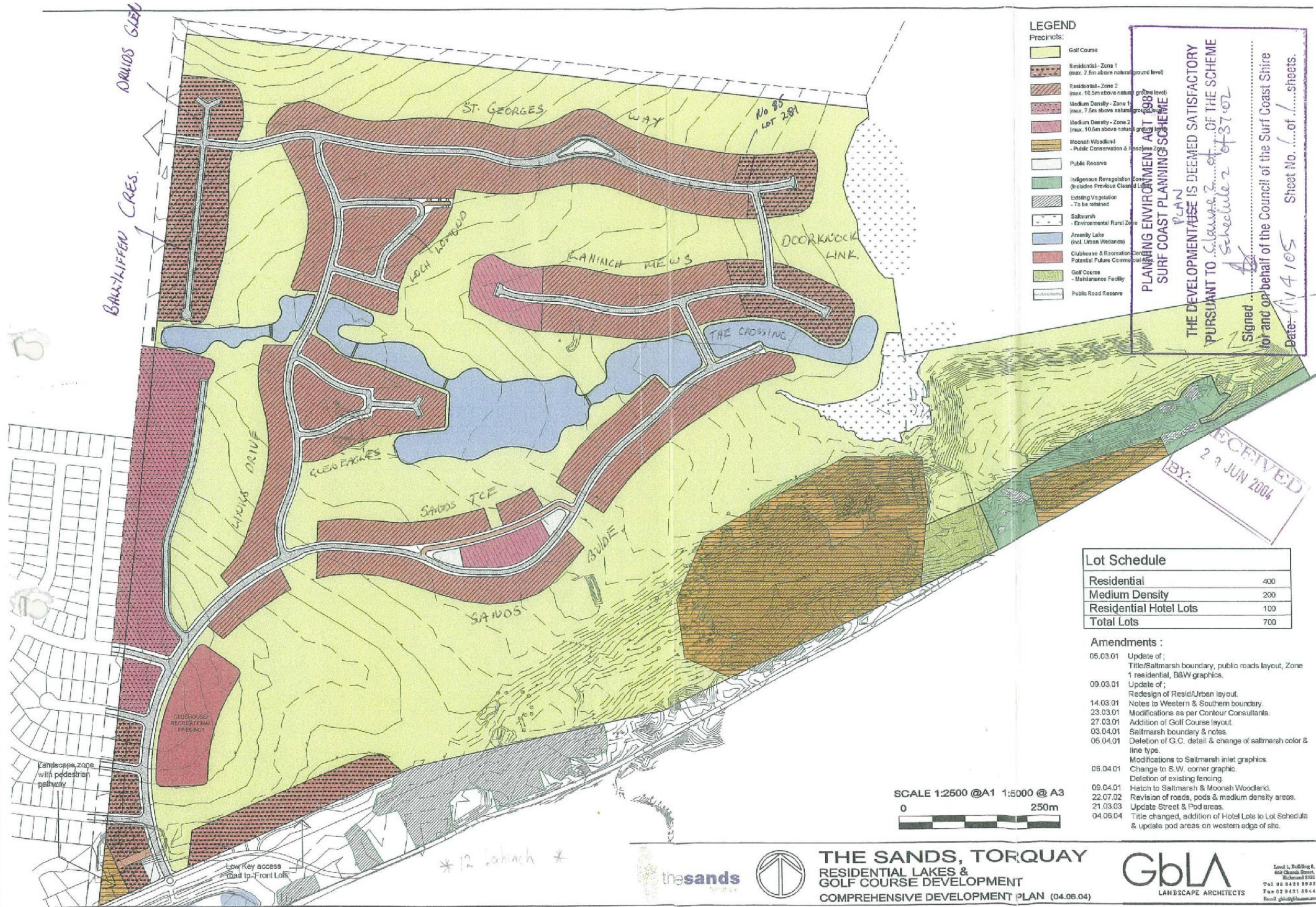
Panel hearing dates

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

- directions hearing: [insert directions hearing date]
- panel hearing: [insert panel hearing date]

2.3 Planning Scheme Amendment C130 - The Sands Estate Torquay

APPENDIX 2 SANDS COMPREHENSIVE DEVELOPMENT PLAN



LEGEND
Precincts:

- Golf Course
- Residential - Zone 1 (max. 7.5m above natural ground level)
- Residential - Zone 2 (max. 10.5m above natural ground level)
- Medium Density - Zone 1 (max. 7.5m above natural ground level)
- Medium Density - Zone 2 (max. 10.5m above natural ground level)
- Moonah Woodland - Public Conservation & Reserves Zone
- Public Reserve
- Indigenous Regeneration Area (Includes Previous Class 3 Lots)
- Existing Vegetation - To be retained
- Saltmarsh - Environmental Rural Zone
- Amenity Lake (incl. Urban Wetlands)
- Clubhouse & Recreation Centre
- Potential Future Commercial
- Golf Course - Maintenance Facility
- Public Road Reserve

PLANNING ENVIRONMENT ACT 1988
SURF COAST PLANNING SCHEME
PLAN
THE DEVELOPMENT/USE IS DEEMED SATISFACTORY
PURSUANT TO CLAUSE 2 OF THE SCHEME
Schedule 2 of S7.02
Signed: [Signature]
for and on behalf of the Council of the Surf Coast Shire
Date: 29 JUN 2004 Sheet No. 1 of 1 sheets.

RECEIVED
29 JUN 2004
BY: [Signature]

Lot Schedule

Residential	400
Medium Density	200
Residential Hotel Lots	100
Total Lots	700

- Amendments :**
- 05.03.01 Update of; Title/Saltmarsh boundary, public roads layout, Zone 1 residential, B&W graphics.
 - 09.03.01 Update of; Redesign of Resid/Urban layout.
 - 14.03.01 Notes to Western & Southern boundary.
 - 23.03.01 Modifications as per Contour Consultants.
 - 27.03.01 Addition of Golf Course layout.
 - 03.04.01 Saltmarsh boundary & notes.
 - 05.04.01 Deletion of G.C. detail & change of saltmarsh color & line type.
 - 05.04.01 Modifications to Saltmarsh inlet graphics.
 - 05.04.01 Change to S.W. corner graphic. Deletion of existing fencing.
 - 09.04.01 Hatch to Saltmarsh & Moonah Woodland.
 - 22.07.02 Revision of roads, pods & medium density areas.
 - 21.03.03 Update Street & Pod areas.
 - 04.06.04 Title changed, addition of Hotel Lots to Lot Schedule & update pod areas on western edge of site.

SCALE 1:2500 @A1 1:5000 @ A3
0 250m

2.3 Planning Scheme Amendment C130 - The Sands Estate Torquay

APPENDIX 3 SCHEDULE 2 TO THE COMPREHENSIVE DEVELOPMENT ZONE

SURF COAST PLANNING SCHEME

12/02/2015
C102

SCHEDULE 2 TO THE COMPREHENSIVE DEVELOPMENT ZONE

Shown on the planning scheme map as **CDZ2**.

**THE SANDS TORQUAY RESIDENTIAL LAKES AND GOLF COURSE
COMPREHENSIVE DEVELOPMENT PLAN**

The Golden Beach Concept Plan (marked 'Golden Beach Residential Lakes and golf Course Development, Torquay - Concept Plan, Revision F: 13.04.00') is the comprehensive plan for the land.

Land

This schedule applies to all land in the area covered by the Golden Beach Concept Plan

Purpose

To provide for the development of land adjacent to Whites Beach, Torquay for a residential lakes and golf course development and associated facilities ~~generally as set out in the Golden Beach Concept Plan (marked 'Golden Beach Residential Lakes and Golf Course Development, Torquay - Concept Plan, Revision F: 13.04.00') forming an Incorporated Document to this planning scheme but with refinements as provided by this Schedule.~~

To ensure that the development of the land within the zone is undertaken and staged in an orderly manner and does not prejudice the amenity and environmental values of the surrounding area.

To provide an appropriate balance of residential development including single detached dwellings and other residential dwelling types, contributing a diversity of dwelling types to the Torquay Jan Juc residential supply.

To require the preparation of detailed development plans showing the use and development of the land within the zone generally in accordance with the approved The Sands Torquay Comprehensive Development Plan.

To promote contemporary, site responsive design that provides visual harmony between development and coastal landscape and complements and enhances the natural coastal features and character of the area.

1.0

Table of uses

13/02/2014
Proposed C--
C92

Section 1 - Permit not required

Use	Condition
Car Park	Must be associated with the golf course
Dwelling (other than Bed and breakfast)	<u>Must be the only dwelling on the lot.</u> <u>Must not exceed one for each lot.</u> <u>Must not exceed 7.5 metres in height above natural ground level within building zone 1 of The Sands Torquay Comprehensive Development Plan and must not exceed 10.5 metres in height above natural ground level within building zone 2 of The Sands Torquay Comprehensive Development Plan.</u> <u>Must be in accordance with the residential lot number and mix as indicated in The Sands Torquay Comprehensive Development Plan.</u>

SURF COAST PLANNING SCHEME

Use	Condition
Golf Course (including club-house and maintenance facilities)	
Informal outdoor recreation	
Major Transmission Line	
Minor Utility Installation	
Railway	
Tramway	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01

DRAFT

SURF COAST PLANNING SCHEME

Section 2 - Permit required

Use	Condition
Art and craft centre	
Bed & Breakfast	No more than 6 persons may be accommodated away from their normal place of residence. At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.
Car Park if Section 1 condition is not met	
Child care centre	
Convenience Shop	The leasable floor area must not exceed 80 square metres. The site must not have direct access to a rural freeway.
Display Home	
Dwelling - if the Section 1 condition is not met	Must be no Not more than 700 dwellings may be permitted on land within this schedule. 100 of the 700 dwellings referred to must form part of a building constructed in the area designated Possible Future Commercial Area on The Sands Torquay Comprehensive Development Plan. Must be in accordance with the residential lot number and mix as indicated in The Sands Torquay Comprehensive Development Plan.
Function Centre	Must be contained within the area designated Possible Future Commercial Area on The Sands Torquay Comprehensive Development Plan.
Food and drink premises	Must be contained within the area designated Possible Future Commercial Area on The Sands Torquay Comprehensive Development Plan.
Group Accommodation	Must be contained within the area designated Condominium or Possible Future Commercial Area on The Sands Torquay Comprehensive Development Plan.
Hall	
Home Occupation	
Laundromat	Must be contained within the area designated Possible Future Commercial Area on The Sands Torquay Comprehensive Development Plan.
Minor sports and recreation facility (other than Informal outdoor recreation and Golf course)	
Office	Must be contained within the area designated Possible Future Commercial Area on The Sands Torquay Comprehensive Development Plan.
Place of assembly	Must be contained within the area designated Possible Future Commercial Area on The Sands Torquay Comprehensive Development Plan.

SURF COAST PLANNING SCHEME

Use	Condition
Place of worship Pleasure boat facility	
Residential hotel	Must be contained within the area designated Possible Future Commercial Area on The Sands Torquay Comprehensive Development Plan.
Residential village	Must be contained within an area designated Condominium on The Sands Torquay Comprehensive Development Plan.
Shop (other than convenience shop)	Must be contained within the area designated Possible Future Commercial Area on The Sands Torquay Comprehensive Development Plan. Must only be provided for tourist/resort retailing
Any use listed in Clause 62.01 – if the Section 1 condition is not met	
Telecommunications facility	Must accord with the requirements of Clause 52.19

Section 3 - Prohibited

Use
Any use not in Sections 1 or 2.

2.0

12/02/2015
Proposed C-
C102

Use of land

Agreement

Prior to commencement of any use or development of the land, the owner shall enter into an agreement with the Responsible Authority which shall provide for the following:

- The payment of fees in lieu of the planning permit fees in order to recompense the Responsible Authority for time spent considering various plans which the planning scheme provisions require to be assessed and approved.
- The construction and timing of The Esplanade east of Horseshoe Bend Road to the point where it provides access to the land and to provide for the contributions towards the costs of upgrading other roads in the locality.
- Contribution towards the cost of preparing construction plans to implement the Landscape Master Plan for the foreshore area known as Whites Beach.
- Contribution towards the cost of constructing a public access track and boardwalk to Whites Beach through designated and constructed access points and fencing directing such pedestrian access, and constructing the most westerly and easterly car parks shown on the Master Plan with a gravel surface and reasonable landscaping and planting.
- The staging of the provision of the infrastructure that will be required to service the proposed development on the land, such infrastructure to be provided at the owner's cost.
- The preparation and implementation of an Environmental Management Plan.
- The transfer to Trustees of the wetlands (being the land subject to a conservation covenant in favour of the Trust for Nature) who shall be representatives of the Council, the Owner and the Trust for Nature upon terms which require the wetlands to be preserved and maintained for public purposes consistent with their environmental significance.

SURF COAST PLANNING SCHEME

- ~~▪ The transfer to Council of the two parcels of Moonah woodlands, generally as identified on the Golden Beach Concept Plan, which will be deemed to satisfy any public open space contribution requirement for the subdivision and development of the land.~~
- ~~▪ The rehabilitation of the former tip site to the requirements of the Environment Protection Authority to the satisfaction of the responsible authority.~~
- ~~▪ The diversion into the lake stormwater drainage system of excess stormwater from The Esplanade catchment.~~
- ~~▪ The establishment of The Sands Torquay Architectural Review Committee to comprise representatives of the Developer, the Responsible Authority and an architect experienced in the design of dwellings sympathetic to the coastal environment at Torquay, to prepare and administer The Sands Torquay Building and Environment Management Code.~~

Environmental Management Plan

Prior to the commencement of any use or development of the land an environmental management plan must be approved by the Responsible Authority. The Environmental Management Plan must include, but not be limited to, the following:

- Recommendations concerning the content and layout of the Golden Beach Concept Plan to ensure achievement of the objectives of the Environmental Management Plan.
- A turf management plan which describes design considerations and management practices that will minimise risk and impact to the natural and aesthetic environment of and surrounding the land.
- A recommendation as to the siting of the 4th golf course green to avoid encroachment upon or damage to the adjacent Moonah woodland area.
- A recommendation as to the siting and construction of a walkway between the 4th golf course green and the 5th tee, taking into account the environmental sensitivity of the area.
- Detailed design recommendations concerning the layout of the 15th golf course hole, including appropriate buffer distances from the adjoining wetland area, landscape construction and drainage.

All use of land shall be in accordance with the requirements of the Environmental Management Plan approved by the Responsible Authority. The Environmental Management Plan may be amended with the approval of the Responsible Authority

The Sands Torquay Comprehensive Development Plan

Prior to the commencement of any use or development of the land a Comprehensive Development Plan must be approved by the Responsible Authority. The Comprehensive Development Plan must be generally in accordance with the Golden Beach Concept Plan but modified to the satisfaction of the Responsible Authority to take into account:

- The recommendations of the approved Environmental Management Plan.
- The recommendations of the Advisory Committee report dated March 2000 in relation to Amendment R60 to the Surf Coast Planning Scheme, particularly those recommendations relating to the proportion and mixture of dwelling types and layout, and the relationship of development to adjacent existing development in Fatimah Court.

Once approved The Sands Torquay Comprehensive Development Plan shall take precedence over the Golden Beach Concept Plan incorporated in this scheme.

The ~~approved~~ Comprehensive Development Plan ~~for The Sands Torquay~~ may be ~~modified with the further approval and amended~~ to the satisfaction of the Responsible Authority.

The Sands Torquay Building Code

~~Prior to the construction of any buildings and works on the land a building code must be approved by the Responsible Authority. The building code shall establish appropriate architectural standards for all buildings and works on the land and shall incorporate:~~

SURF COAST PLANNING SCHEME

~~Appropriate design standards relating to buildings abutting the saltmarsh, dealing with such matters as the impact of building bulk, reflective materials, lighting etc.~~

~~All relevant recommendations of the approved Environmental Management Plan.~~

~~The building code may be varied from time to time with the approval of the Responsible Authority as may be required to maintain and enhance the quality of development of the land.~~

3.0 Subdivision

19/01/2006
Proposed C--
VC37

A subdivision must be generally in accordance with The Sands Torquay Comprehensive Development Plan.

~~Subdivision must not create and not more than 700 residential lots shall be created on land within this schedule.~~

100 of the 700 residential lots referred to above must form part of a building constructed in the area designated Possible Future Commercial Area on The Sands Comprehensive Development Plan.

~~A subdivision application must be referred to a referral authority listed in Clause 66.~~

Exemption from notice and appeal

An application for subdivision is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

4.0 Buildings and works

12/02/2015
Proposed C--
C102

Construction and extension of single dwellingsdwellings

A permit is not required for the construction or extension of a single one dwelling on a lot designated as a residential lot on The Sands Comprehensive Development Plan within the zone provided all of the following criteria are met (as relevant):

- ~~The dwelling is connected to a reticulated sewerage system, a reticulated potable water supply and a reticulated drainage system. The collection and discharge of drainage waters shall-must be to the satisfaction of the responsible authority.~~
- ~~The building is setback a minimum of:
 - 4.5 metres from the front street
 - 3.0 metres from a side street
 - 3.0 metres from the rear boundary of a lot with a depth of 40 metres or less where the building is not more than 3.6 metres in height
 - 5.0 metres from the rear boundary for a lot with a depth greater than 40 metres where the building is not more than 3.6 metres in height
 - 5.0 metres from the rear boundary to any part greater than 3.6 metres in height
 - 1.2 metres from side boundaries to a height of 3.6 metres and in accordance with Standard A10 of Clause 54.04-1 to any part greater than 3.6 metres in height~~
- ~~A storey above ground floor storey has a setback from the front street 1.0 metre lesser or greater than the setback of the ground floor storey.~~
- ~~A new or extended Garage is setback at least 1 metre further from the front street than the front wall of the dwelling.~~
- ~~The site area covered by buildings does not exceed 60 per cent.~~
- ~~The plot ratio of buildings does not exceed 0.5.~~
- ~~The floor area of a storey above ground floor storey does not exceed 75 per cent of the ground floor storey floor area. Where an existing dwelling is being extended and this requirement is not met by the existing building, the ratio is not being increased.~~
- ~~At least 40 per cent of the site area is covered by pervious surfaces.~~

SURF COAST PLANNING SCHEME

- ~~The building has a maximum height of 7.5 metres above natural ground level.~~
- ~~External colours in accordance with The Torquay Sands Comprehensive Development Plan Colour Schedule.~~
- ~~External building materials incorporate no more than 50% masonry, excluding natural stone, rammed earth or mud brick.~~
- ~~A new or extended garage is not wider than the width of the dwelling as viewed from the street.~~
- ~~The building does not include a roller door which would be visible from the street.~~
- ~~A new outbuilding must share a wall with the dwelling.~~

Requirements

Where a permit is required for the construction or extension of a dwelling the following requirements must be met, as relevant:

- ~~The dwelling must be connected to a reticulated sewerage system, a reticulated potable water supply and a reticulated drainage system. The collection and discharge of drainage waters must be to the satisfaction of the responsible authority.~~
- ~~The building must be setback a minimum of:~~
 - ~~4.5 metres from the front street~~
 - ~~3.0 metres from a side street~~
 - ~~3.0 metres from the rear boundary of a lot with a depth of 40 metres or less where the building is not more than 3.6 metres in height~~
 - ~~5.0 metres from the rear boundary for a lot with a depth greater than 40 metres where the building is not more than 3.6 metres in height~~
 - ~~5.0 metres from the rear boundary to any part greater than 3.6 metres in height~~
 - ~~0 metres or 0.2 metres from one side boundary and 1.2 metres from the other side boundary to a height of 3.6 metres and in accordance with Standard A10 of Clause 54.04-1 to any part greater than 3.6 metres in height~~
- ~~A building must not be constructed to both side boundaries~~
- ~~A new garage must be setback at least 1 metre further from the front street than the front wall of the dwelling.~~
- ~~The site area covered by buildings must not exceed 60 per cent.~~
- ~~The plot ratio of buildings must not exceed 0.5.~~
- ~~At least 40 per cent of the site area must be covered by pervious surfaces.~~
- ~~On a lot in Residential – Zone 1 or Medium Density – Zone 1 on The Sands Comprehensive Development Plan the building height must not exceed 7.5 metres above natural ground level.~~
- ~~On a lot in Residential – Zone 2 or Medium Density – Zone 2 on The Sands Comprehensive Development Plan the building height must not exceed 10.5 metres above natural ground level.~~

~~The above requirements may be varied with a permit.~~

~~The development of a dwelling must be in accordance with The Sands Torquay Building Code to the satisfaction of the Responsible Authority.~~ **Application requirements**

~~An application for buildings and works associated with a single dwelling on the lot must should be accompanied by the following information, as relevant:~~

- ~~A site analysis including the location of adjoining buildings and the impact of proposed works on the amenity of neighbouring properties. A neighbourhood and site description using a site plan, photographs or other techniques and must accurately describe:~~

SURF COAST PLANNING SCHEME

- In relation to the neighbourhood:
 - The built form, scale and character of surrounding development including front fencing.
 - Architectural and roof styles.
 - Any other notable features or characteristics of the neighbourhood.
- In relation to the site:
 - Site shape, size, orientation and easements.
 - Levels of the site and the difference in levels between the site and surrounding properties.
 - Location of existing buildings on the site and on surrounding properties, including the location and height of walls built to the boundary of the site.
 - The use of surrounding buildings.
 - The location of secluded private open space and habitable room windows of surrounding properties which have an outlook to the site within 9 metres.
 - Solar access to the site and to surrounding properties.
 - Location of significant trees existing on the site and any significant trees removed from the site in the 12 months prior to the application being made, where known.
 - Any contaminated soils and filled areas, where known.
 - Views to and from the site.
 - Street frontage features such as poles, street trees and kerb crossovers.
 - Any other notable features or characteristics of the site.
- Fully dimensioned site plan showing the position of buildings, driveway, carparking areas, decks and paved areas, including front, side and rear boundary setbacks.
- Fully dimensioned floor plans, including boundary setbacks.
- Fully dimensioned roof plan including the location of rooftop plant and equipment.
- Fully dimensioned elevations and sections.
- External materials and colours.
- Summary of development data including gross-floor areas, site coverage, plot ratio and area of permeable surfaces.
- Landscape plan showing hard and soft landscaping including all paved areas, decks and driveways, areas of planting and general landscaping.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 43.02-5, the responsible authority must consider as appropriate:

- The objectives, standards and decision guidelines of Clause 54, Clause 55 or Clause 58.
- The Sands, Torquay Building and Environmental Management Code, June 2004.

Building design

- Whether the building design adopts architectural forms and rooflines which convey a lightweight, contemporary, coastal image and avoids a suburban appearance or historic replication.
- Whether the design achieves well resolved proportions and appropriate scale in relation to lot size and the existing streetscape.
- Whether the design is well articulated to break up and give interest to visible façades and avoid the appearance of mass, weight and large uninterrupted expanses of wall.
- Whether roof forms are complementary, simple and low profile without fussy detail, decoration or multiple hips and valleys.
- Whether roof eaves, verandahs and pergolas are integrated into the design to control sun and create shadow.

SURF COAST PLANNING SCHEME

- Whether the design of garages and other parking facilities will dominate the streetscape.

Materials and colours

- Whether buildings incorporate the use of external colours and finishes that are subtle, neutral, non-reflective and unobtrusive and reflect the preferred coastal character.
- Whether building materials include timber cladding and other lightweight materials as preferred to the use of conventional bricks and blockwork, and the combination of materials provides for good articulation.
- Whether variation in material, colours and textures is provided to external elevations.

Building siting

- Whether the siting of buildings allows for an interactive and active frontage to the street, including provision of entries, windows and balconies which address the street and contribute to an attractive streetscape character.
- Whether designs for corner sites address both street frontages with side elevations given equal attention on these sites to create multi-sided buildings.
- Whether building setbacks are designed to create articulated streetscapes which respect view corridors.
- Whether dwellings have been designed to avoid zero lot line setbacks on both side boundaries.

Building bulk

- Whether designs with plot ratios in excess of 0.5 have increased areas of landscaping and reduce site coverage to ensure that the building bulk is not excessive and quality landscape areas are provided.
- Whether the area of upper levels are visibly less than the ground floor storey when viewed from external to the land.

Construction of golf course, clubhouse and lakes

A permit is not required for the construction or carrying out of buildings and works in relation to the golf course, golf clubhouse and associated buildings or works including the course maintenance facility, or lakes provided the development is in accordance with a development plan or plans approved by the responsible authority. The development plans must be generally in accordance with The Sands Torquay Comprehensive Development Plan and must show:

- The layout and landscaping of the golf course and lakes.
- The location of the proposed golf clubhouse and associated buildings and works.
- The location of all vehicular and pedestrian access and egress within and to and from the golf course, golf clubhouse and course maintenance facility.
- The location and layout of all areas set aside for the accommodation of stationery vehicles, including bus parking areas associated with the golf course.
- The staging of the development and works.
- The location, floor layout, elevations and proposed building materials and treatment of all external finishes of the proposed buildings.

Before approving development plans for buildings, the responsible authority must consider the comments of The Sands Torquay Architectural Review Committee.

Application requirements

An application for development, other than a dwelling, must include plans prepared to the satisfaction of the responsible authority. The plans must be generally in accordance with The Sands Torquay Comprehensive Development Plan and must show, as relevant:

- The location, dimensions and floor areas of all buildings and works.

SURF COAST PLANNING SCHEME

- The height and elevations of all buildings using Australian Height Datum levels.
- The proposed building materials and treatment of all external finishes.
- The purpose or purposes for which it is intended that each building is to be used.
- The location of all vehicular and pedestrian access and egress within and to and from such development.
- The location and layout of all areas set aside for the accommodation of stationary vehicles including bus parking areas.
- The proposed landscaping associated with the development of the land.
- The location and layout of all areas set aside for the installation and use of gaming machines (as defined in the Gaming Machine Control Act 1991).
- The visual impact of the proposed development when viewed from Whites Beach.
- The provision, management and maintenance of open space, including:
 - identification of areas of open space that will be transferred as public open space contribution and other areas available to the public;
 - identification of areas of open space that will be available only to residents and employees;
 - specification of times when public areas will be available to the public and how it is intended to ensure that they will be available at those times;
 - proposals for the permanent management and upkeep of public areas;
 - landscape management plan for all public and non-public areas incorporating provisions for irrigation works and indicating proposed plant species; and
 - the integration with public open space land to the south and east of the zone.
- The provision of a reticulated water supply and the treatment and disposal of all wastewater and drainage water, including:
 - all works proposed to be undertaken to control and direct drainage water; and
 - measures by which collected drainage will be discharged into adjoining lands.

Before deciding on an application to use or subdivide land, construct a building, other than a dwelling, or construct or carry out works, or whether a development plan is satisfactory, the responsible authority must have regard to the following:

- The objectives and decision guidelines of the zone and The Sands Torquay Comprehensive Development Plan.
- The requirements of the approved Environmental Management Plan.
- The orderly and proper planning of the zone.
- ~~The comments, as appropriate, of The Sands Torquay Architectural Review Committee.~~
- Whether provision has been made for:
 - a satisfactory solution to the relationship between a proposed development and surrounding areas;
 - satisfactory design access to public open space and the foreshore for residents and visitors to the site;
 - a coherent design solution for the proposed development;
 - acceptable open space design including furniture, lighting and landscaping;
 - a satisfactory solution to the drainage of the site and the discharge of drainage water from the site;
 - bus and taxi parking;
 - adequate and efficient points of access to and egress from the site;
 - the layout of the areas set aside for the accommodation of stationary vehicles;
 - integrated pedestrian links with adjoining foreshore and residential areas;

SURF COAST PLANNING SCHEME

- acceptable management arrangements for the maintenance, upkeep and cleanliness of public open space areas;
- In the case of provision of open space and the Environmental Management Plan, the views of the Department of Environment, [Land, Water](#) and [Planning](#); and
- In the case of servicing arrangements, the views of Barwon Water, Department of Environment, [Land, Water](#) and [Planning](#) and, where appropriate, the Environment Protection Authority.

5.0 Advertising signs

[Advertising sign requirements are at Clause 52.05-9, Category 4 - Sensitive areas](#)

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2.4 Surf Coast Residential Land Supply and Demand Assessment

Author's Title: Principal Strategic Planner **General Manager:** Ransce Salan
Department: Planning & Development **File No:** F18/690
Division: Environment & Development **Trim No:** IC19/44

Appendix:

1. Surf Coast Land Supply Assessment Final V1.1 (D19/4472)

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 Surf Coast Residential Land Supply and Demand Assessment.

Summary

The report provides a detailed assessment of the historic, current and future assessment of residential land supply and demand across the Surf Coast Shire. The last Shire-wide land supply assessment was undertaken in 2015.

Adequacy of land supply (expressed in number of years) is the key output of the report. This relates to adequacy of land stocks to meet expected demand and importantly, satisfy the requirements contained in the State Planning Policy Framework which requires Council to maintain a fifteen year supply of residential land.

The Shire continues to see high annualised population growth at 2.7%. Coupled with this population growth are high rates of building approvals and lot construction, particularly over the last 3 to 5 years.

The Shire has adequate zoned broadhectare (greenfield) land stocks to meet short term demand (5-7 years). It also has sufficient unzoned broadhectare residential land stocks (9-12 years). This includes the Spring Creek growth area as it does not have an approved Precinct Structure Plan.

Whilst there is sufficient short term supply of zoned land stocks, the assessment recommends that the stock of zoned land should be increased to maintain both a competitive land supply market and meet underlying dwelling requirements.

Given recent commitments by the State Government in relation to the Spring Creek growth area, it is uncertain as to what will happen with the anticipated supply (1,939 lots). A loss/reduction of this land supply has the potential to significantly affect the adequacy of the Shire's residential land stocks.

The assessment findings will be used by Council officers, state government and agencies to inform strategic planning projects within the Shire. This would include the Distinctive Areas and Landscapes project being undertaken by the Department of Environment Land Water and Planning (DELWP).

Recommendation

That Council notes the findings of the Surf Coast Residential Land Supply and Demand Assessment.

Council Resolution

MOVED Cr David Bell, Seconded Cr Carol McGregor

That Council notes the findings of the Surf Coast Residential Land Supply and Demand Assessment.

CARRIED 7:0

2.4 Surf Coast Residential Land Supply and Demand Assessment

Report

Background

The assessment was undertaken to fulfil Council's ongoing commitment to monitor residential land supply on a Shire-wide basis but also to form part of a suite of technical documents that would be used to assist in the preparation of a Shire-wide Settlement Strategy. Council undertakes land supply analysis roughly every two years, although formerly they were included in the G21 land supply assessment.

The assessment builds on the 2015 residential land supply and demand assessment undertaken by the same consultants. This monitoring tool assists in the management and development of growth across the Shire and enables Council, public utilities, government and the development industry to have access to up-to-date and accurate information on residential land availability, development trends, new growth fronts, and their implications for planning and infrastructure investment. Since 2015, monitoring of land supply within Torquay has been undertaken to inform operational strategic planning work.

The key output of the assessment is the adequacy of residential land supply. The State Planning Policy Framework states that Council's must plan to accommodate projected population growth over at least a 15 year period and provide clear direction on locations where growth should occur.

Discussion

The Surf Coast Residential Land Supply and Demand Assessment is attached at **Appendix 1**.

The key findings of the report can be summarised as follows:

- The Shire continues to see high population growth: 2.7% growth per annum since 2011 (Torquay accounts for approximately 93% of this population growth over this period.)
- Associated with population growth are building approvals and lot construction: Building approvals in the last three years are at 460 per annum and lot construction over the last five years at 402 per annum (Torquay accounts for approximately 85% lot construction over the last five years.)
- Infill development: Across the Shire, a wide range of densities and a high proportion of medium density land products are being achieved. Infill development over the last five years represents approximately 24% of all lot construction. Infill development will continue to largely meet latent demand.
- Broadhectare (Greenfield) Land Stocks: There is provision for approximately 6,800 additional dwellings in broadhectare sites. This includes land zoned for residential development such as Torquay North and areas identified but not currently zoned for residential development such as Messmate Road.
- Adequacy of Land Stocks: There is approximately 5 to 7 years of zoned broadhectare land to satisfy projected demand. There is approximately 9-12 years of unzoned land to satisfy projected demand. (Unzoned land includes the Spring Creek precinct- this is counted as unzoned land until a Precinct Structure Plan (PSP) is approved but it is zoned for urban growth).
- The total stock of zoned broadhectare land is sufficient to meet short term requirements but the assessment considers that the stock of zoned land should be increased to maintain both a competitive land supply market (affordability) and meet underlying dwelling requirements (such as factors relating to increased First Time Home Owners Grants).

Notwithstanding the above figures, based on recent commitments made by the State Government in relation to the Spring Creek PSP area, the availability of the anticipated land supply (1,939 lots) is uncertain. A loss/reduction of this amount of supply would potentially leave the adequacy of future supply in question and Council's ability to satisfy the requirement to provide a 15 year residential land supply.

The assessment will be used as a key input to ongoing and future strategic planning projects within the Shire. One of those key projects is the DELWP driven Distinctive Areas and Landscapes project which will look closely at growth in the Torquay area with the intention of protecting areas of distinctiveness and landscape significance and also, the establishment of a permanent town boundary.

2.4 Surf Coast Residential Land Supply and Demand Assessment

Financial Implications

Council has budgeted for the technical assessment in the current financial year.

Council Plan

Theme 3 Balancing Growth

Objective 3.3 Strengthen township boundaries and support unique township character

Strategy 3.3.1 Work with the community to identify and define desired town footprints and ensure that Township Structure Plans reflect this

Theme 3 Balancing Growth

Objective 3.3 Strengthen township boundaries and support unique township character

Strategy 3.3.2 Encourage in-fill development and direct growth to designated areas

Policy/Legal Implications

The technical assessment assists Council in complying with the provisions of the Surf Coast Planning Scheme in so far as monitoring the supply of residential land within the municipality and ensuring there is an ongoing adequate supply of residential land to meet projected demand.

Officer Direct or Indirect Interest

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

Risk Assessment

The purpose of this Council report is for Council to note the findings of the technical assessment only.

Social Considerations

There are no discernible social impacts stemming from the outputs of this technical assessment.

Community Engagement

As a technical report the preparation of this report did not include community engagement.

Environmental Implications

There are no discernible implications on the environment based on the findings of this technical assessment.

Communication

The report will be made available to DELWP to assist with their ongoing strategic planning projects that affect the Shire. The report will also be made available on Council's website for the broader community and interested parties.

Conclusion

It is requested that Council note the findings of this operational technical assessment, including the implications for land supply within the Shire, and release the report. The report will inform the future Distinctive Areas and Landscapes project and future discussions with the community.

2.4 Surf Coast Residential Land Supply and Demand Assessment

APPENDIX 1 SURF COAST LAND SUPPLY ASSESSMENT FINAL V1.1

RESIDENTIAL LAND SUPPLY & DEMAND ASSESSMENT Surf Coast

September 2018

Final



09/09/2018

Final Version 1.1

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EXECUTIVE SUMMARY

The following report provides a detailed assessment of the historic, current and future assessment of residential land supply and demand across the Surf Coast Shire.

This study considers recent activity, projected demand, and adequacy of supply in terms of residential broadacre and major infill land.

Historic Population and Dwelling Growth

Population Growth

Population growth has increased on an average annual basis of 2.7% or 776 persons per annum from 2011 to 2017. The estimated population in the Surf Coast Shire in 2017 was 31,324. The resident population is located/distributed in:

- Torquay/Jan-Juc – 20,052 persons (64% share of total population base);
- Lorne/Anglesea – 5,273 persons (17% share of total population base);
- Winchelsea – 2,099 (7% share); and
- Rural Balance – 3,900 (12% share).

Dwelling Growth

Residential dwelling growth has largely reflected population growth patterns. Dwelling growth as measured from 2011 to 2017 increased on an average annual basis of 351 or 2.0% across the Shire. By region:

- Torquay/Jan-Juc – 274 dwellings, 3.2% growth;
- Lorne/Anglesea – 59 dwellings, 0.9% growth;
- Winchelsea – 5 dwellings, 0.5% growth; and
- Rural Balance – 13 dwellings, 0.8% growth.

In terms of dwelling stock measured at 2017, there was:

- Torquay/Jan-Juc – 9,498 dwellings (51% share of total dwelling stock);
- Lorne/Anglesea – 6,690 dwellings (36% share of total dwelling stock);
- Winchelsea – 969 (5% share); and
- Rural Balance – 1,619 (9% share).

Residential Development Activity

Residential Building Approvals

As measured from 2002/03 to 2017/18 (FYTD), residential building approvals within Surf Coast Shire averaged 427 per annum. Annual building approval activity have been relatively consistent ranging from an average of 444 between 2002 to 2009, to 394 from 2011 to 2018 (FYTD). The 2017/18 FYTD data suggest that it could experience a similar high peak likened to 2004/2005.

In the last three years, residential building approval activity has averaged approximately 460 per annum.

Residential Lot Construction

From 2007 to 2018 residential lot construction activity has averaged 365 per annum. However, in the last five years, residential lot construction activity has averaged 402. Lot construction activity peaked at 720 in 2016, declining to 140 in 2017 and is illustrating significant volumes at 607 in the current financial year.



Of the lot construction activity measured in the last five years:

- 5% was rural residential (20 lots per annum);
- 5% was major infill (20 lots per annum);
- 19% was dispersed/minor infill (75 lots per annum); and
- 71% was broadhectare (287 lots per annum).

Residential lot construction activity over the last five years was concentrated within the Torquay/Jan-Juc region at 85% of all lot activity or 340 lots per annum. Of the remaining lot construction activity:

- 9% was located in the Lorne/Anglesea region (average of 35 per annum);
- 6% in the Winchelsea region (23 per annum); and
- 1% in the Rural Balance region (4 per annum).

Minor Infill Lot Construction

Over the last three years, the majority of minor infill lot construction activity (57%) was sized less than 500 sqm. Nearly 34% of minor infill lot construction resulted in lots sized greater than 600 sqm. These 'larger' lots were typically constructed outside of the Torquay/Jan-Juc region.

Broadhectare/Major Infill Lot Construction

Of the broadhectare lot construction activity in the last five years:

- 2% were compact (sized less than 300 sqm);
- 58% were suburban (sized 300 to 500 sqm);
- 37% were large suburban (500 to 1,000 sqm); and
- 3% low density suburban (over 1,000 sqm).

This large diversity of lot size ranges has been a response by the development industry and the Surf Coast Shire council to affordability/pricing points, consumer preferences and land use planning objectives.

There is a general trend of increasing densities of broadhectare lot construction activity. In 2009, the median size of a constructed broadhectare lot was 653 sqm, declining to around 450 sqm in recent times. Current broadhectare lot construction densities across Surf Coast are comparable to that across the municipal area of Geelong.

Residential Vacant Land Sales Pricing

Since 2007, the median sales value of vacant residential lots has modestly increased in Surf Coast Shire from \$200,000 in 2007 to \$278,000 in 2017 – an annual average growth of 3.4% per annum. During this period, Greater Geelong increased from \$142,000 to \$205,000 – an annual average growth of 3.7% per annum.

From a pure price perspective, the broadhectare land market in Torquay has attracted a higher premium compared to all areas in the Greater Geelong and Surf Coast region. Although there is diversity within inland localities and those closer to Geelong, Torquay has continued to attract higher values despite the continued growth of neighbouring areas of Armstrong Creek and Mount Duneed.



Residential Land Supply

Broadhectare & Major Infill Land Stocks

In total, the Surf Coast Shire currently has capacity for the future provision of approximately 6,773 additional dwellings (including areas that are as yet, not zoned for residential development purposes), in broadhectare/major infill sites.

This capacity is comprised of:

- 4,131 unzoned broadhectare lots (61% of supply); and
- 2,642 zoned broadhectare lots (39% of supply).

Feedback from the development industry regarding their market expectations and development intentions suggests that over the next five years on average, **416 lots/dwellings** per annum will be constructed within existing zoned broadhectare/major infill sites. Historically, over the last three years, broadhectare/major infill lot construction has averaged **382** per annum. It is expected and highly probable that this level of anticipated development activity will likely occur.

Rural Residential

As at November 2017 across the Surf Coast municipal area there was a total lot stock of 1,205 rural residential allotments. Of this stock only 127 lots (11%) were vacant. The majority (61%) of the rural residential lot stock is located in the Torquay/Jan-Juc region.

Approximately 51% of the rural residential lot stock (both occupied and vacant) is less than one hectare in size. Only 13% of the rural residential lot stock (or 151 lots) is sized greater than three hectares.

There are currently two areas identified for future Low Density Residential (LDRZ) land stocks, they are currently zoned Farm (FZ). One is located in Moriac (11.5 hectares) and the other in Torquay (38 hectares).

Projected Housing Demand

Spatial Economics have developed a number of projected demand scenarios based on the most recently available evidence. These demand scenarios are outlined below.

Scenario One: idForecast – dwelling forecasts undertaken for the Shire of Surf Coast by ForecastID. Dwelling requirements from 2016 to 2031 at 382 per annum or 1.8% per annum growth rate (note this is trend growth as illustrated from 2011 to 2016).

Scenario Two: VIF2016 – current State Government dwelling projections. Dwelling requirements from 2016 to 2031 at 392 per annum or 1.9% per annum growth rate.

Scenario Three: Recent Trend – based on actual recent trend growth over the last three years continuing to 2031 and being constant. Dwelling requirements from 2016 to 2031 at 490 per annum or 2.3% per annum growth rate would result.

The largest and fastest growth in households across the Surf Coast Shire will be households with no children (*lone person and couples without children households*), growing at an average annual rate of 2.5% or 201 households per annum from 2016 and 2036. This household type is projected to represent 57% of the change in household structure to 2036.

The next largest (in terms of absolute growth) is households with children (*couples with kids & single parent families*), projected to grow at 96 households per annum or a 1.7% growth rate, with the larger gain expected to occur between 2026 and 2036.

The Victorian State Government has modified the FHOG to increase the FHOG to \$20,000 for eligible first-home buyers who buy or build their new home valued up to \$750,000 in regional Victoria. The Surf Coast Shire is defined as a regional area for the purpose of the FHOG.



Expressed demand levels for housing will increase during the implementation of the newly structured FHOG across Surf Coast. However, once this ceases, the level of expressed housing demand will be normalised (based on natural increase, household formation and population migration levels i.e. underlying demand).

Adequacy of Land Stocks

Years Supply – Broadhectare & Major Infill

In terms of **zoned** broadhectare/major infill residential land stocks it is estimated based on the identified supply and projected demand scenarios, there are sufficient land stocks to satisfy between 5 to 7 years of demand across the Surf Coast municipality.

In addition, there are sufficient **unzoned** broadhectare/major infill residential land stocks (this includes the Spring Creek land release area) to satisfy between 9 to 12 years of demand.

Spatial Economics consider that the total stock of zoned broadhectare residential land is sufficient to meet short-term requirements. However, in the interests of maintaining both a competitive land supply market and meeting underlying dwelling requirements, it is recommended that the stock of zoned broadhectare residential land be increased in the short term.



1.0 Introduction

1.1 Context

The following report is a residential land supply and demand assessment for the Surf Coast Shire.

The assessment includes:

- the identification of historical and current residential lot construction activity by supply type and location;
- identification of all zoned and unzoned major residential land supply stocks including estimates of lot yields on a project by project basis;
- identification of anticipated broadhectare/major infill residential lot construction activity (development timing);
- examination of the quantum and composition of future residential demand;
- presentation of potential future demand scenarios; and
- estimation of the years of supply of undeveloped broadhectare and major infill residential land stocks.

The assessment provides a robust and transparent assessment of the supply and demand for residential land across Surf Coast. Where appropriate, comparisons to other regional Victorian municipalities/urban centres are provided to further inform the relative 'state of play'. The assessment will facilitate informed decision making in terms of the existing and future broadhectare residential land supply requirements.

In addition, the information will be of assistance to other related planning processes such as infrastructure and service planning.

1.2 Purpose

The monitoring of land supply is a key tool to assist in the management and development of growth across the Surf Coast Shire. The primary purpose of monitoring residential land supply is to improve the management of urban growth by ensuring that council, public utilities, government and the development industry have access to up-to-date and accurate information on residential land availability, development trends, new growth fronts, and their implications for planning and infrastructure investment.

The following report provides accurate, consistent and updated intelligence on residential land supply, demand and consumption. This in turn assists decision-makers in:

- maintaining an adequate supply of residential land for future housing purposes;
- providing information to underpin strategic planning in urban centres;
- linking land use with infrastructure and service planning and provision;
- taking early action to address potential land supply shortfalls and infrastructure constraints; and
- contributing to the containment of public sector costs by the planned, coordinated provision of infrastructure to service the staged release of land for urban development.

2.0 Approach & Scope

The following provides a brief outline of the major methodologies and approach in the assessment of recent residential lot construction, residential land supply areas, dwelling demand scenarios and determination of assessing adequacy of residential land stocks.



The methodology that Spatial Economics has employed for this project is based on the simple premise of matching the supply type with demand. This methodology assesses recent construction and future supply using the same criteria with the supply type definitions based on outcomes and on a lot by lot basis rather than administrative boundaries.

The methodology used by Spatial Economics is consistent with other State Government methodologies around Australia, including the Victorian State Governments Regional Urban Development Program. The criteria used to define the supply types are explained below.

Future Dwelling Requirements

The Victorian State Government population and household projections undertaken by the Department of Environment, Land, Water & Planning (VIF2016) provide a sound basis for potential dwelling growth requirement projections as they are developed in the context of State population growth.

Population and dwelling projections undertaken by id Consulting commissioned by Surf Coast Shire are also included as a possible future demand scenario.

In addition, alternative dwelling demand scenarios are presented based on actual recent growth trends and the scenario of sustained high growth.

Land Supply Type Definitions

1. **Broadhectare** is defined as residential development on greenfield sites (sites that have not been used previously for urban development purposes or previously subdivided for normal/urban density development) and typically located on/or near the urban fringe.
2. **Major Infill** is defined by development or capacity greater than 10 lots/dwellings per site within the established urban area. There is often debate and "shades of grey" to the difference of major infill and broadhectare. Often, major infill can be described as remnant broadhectare i.e. greenfield land left undeveloped and urban development subsequently surrounding the site. Major infill sites are also characterised by having had no previous urban use/ activity.
3. **Dispersed Infill** is from a lot/dwelling construction perspective, residential development occurring within the established urban area (not on broadhectare or major infill sites) that yield less than 10 dwellings per individual construction project. Typically, it entails 'backyard' style subdivision projects.
4. **Rural Residential** is from a dwelling construction perspective, all activity on land zoned Rural Residential and Low Density Residential.



The images below illustrate the supply types.

Image 1: Broadhectare Supply and Lot Construction



Image 2: Major Infill Supply and Lot Construction



Image 3: Dispersed Infill Supply and Construction



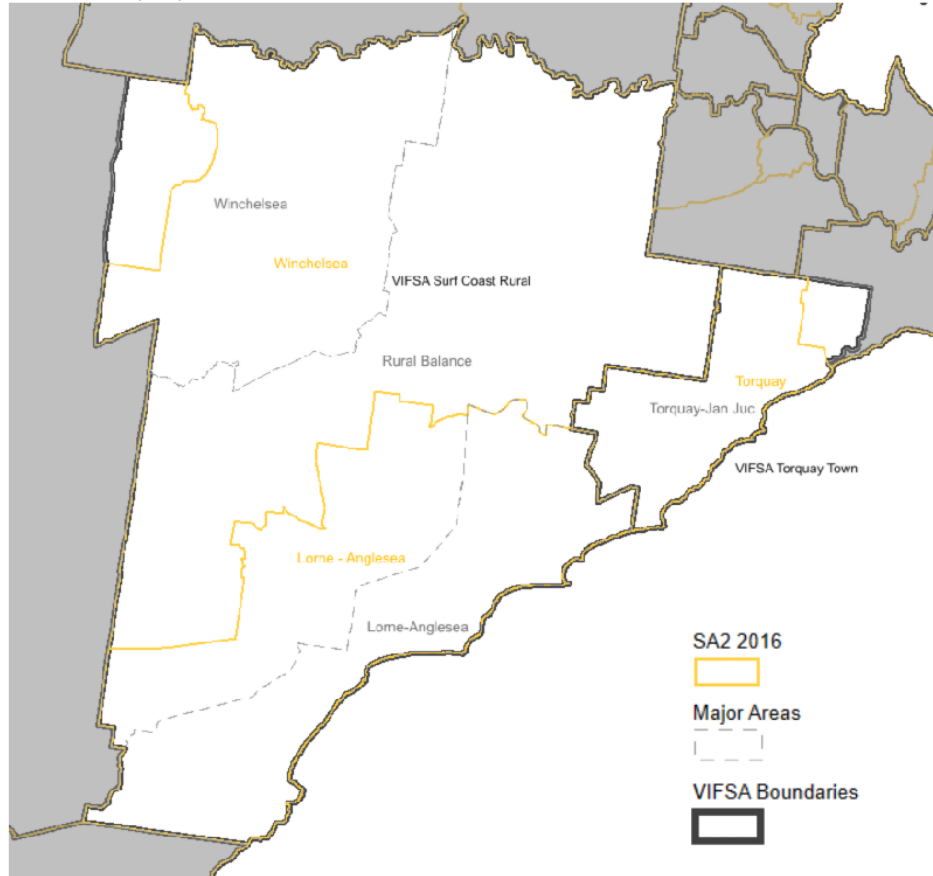
Image 4: Rural Residential Supply and Construction



Geography

The following geographic areas are utilised for the land supply assessment and demographic analysis.

Map 1: Surf Coast Shire and reporting geographies – Major Areas (regions), ABS 2016 Statistical Areas Level 2 (SA2) and Vic In Future Statistical Areas 2016



Major Areas (regions): These areas are derived by Spatial Economics and includes the localities of Torquay -Jan Juc, Lorne- Anglesea, Winchelsea and Rural Balance. These Major Areas (regions) are utilised to assess both the projected demand and supply of residential land stocks.

2016 ABS SA2: Australian Bureau of Statistics geographic definition that are a general-purpose medium sized area built from whole SA1s. Their aim is to represent a community that interacts together socially and economically. Surf Coast Shire comprises of three SA2 areas and with Lorne-Anglesea and Winchelsea SA2s geographically larger than the Major Areas (regions). The Torquay SA2 is slightly smaller than the corresponding major area (region) as it excludes a rural portion to its east. When combined, the 2016 SA2s are do not match the 2016 Surf Coast LGA.

VIFSAs: Victoria in Future (VIF) is now published for a series of newly-developed geographic areas known as Victoria in Future Small Areas (VIFSA). VIFSAs are based on SA2s but adjusted so as to be exact subsets of LGAs. In some cases, SA2s are aggregated, some are split, and a small number of



VIFSAs are identical to SA2s. Surf Coast Shire comprises two VIFSAs – Torquay/Jan Juc and Surf Coast Rural.

Residential Lot Construction

Residential lot construction has been determined via the assessment of the residential cadastre and the application of this cadastre to the land supply types identified above.

A constructed lot is defined by the year of construction and the finalisation of certificate of title.

Lot construction is only captured if it is for residential purposes.

It is noted, where new lot construction occurs (typically within mixed use type zones) and one lot results in multiple dwellings, the dwelling count is collected. Lot construction from the following assessment will largely result in one net additional dwelling.

Construction activity has been assessed on an annual financial year basis from 2007 to 2018.

Lot and dwelling construction has been undertaken for the following supply types:

- Rural Residential;
- Dispersed Infill;
- Major Infill; and
- Broadhectare.

Lot Yields

Lot yields on a site basis has been undertaken for only broadhectare and major infill residential supply.

In establishing the lot yield for each individual land parcel, the following information was used: incidence and location of native vegetation, zoning, natural features such as creeks, escarpments, floodways, localised current/recent market yields, ability to be seweraged, existing studies such as structure plans.

In addition to site specific issues, 'standard' land development take-outs are employed, including local and regional. The amount/proportion of such take-outs are dependent on the land parcel i.e. a 1ha site will have less take-outs than say a 50ha site. Further intelligence and verification is sourced from the local land development industry and Council officers.

Years of Supply

With the amount of supply and demand estimated, adequacy is described in years of supply. For example, it can be stated that there are X years of supply based on projected demand within a given geographic area.

In assessing the number of years of major residential land supply (broadhectare and major infill), only a component of the total projected demand is apportioned to estimate future demand. The remainder is apportioned for future demand of other forms of residential supply such as dispersed infill and rural residential.



3.0 Population and Dwelling Growth

Key Findings

Population growth has been particularly strong across Surf Coast Shire, growing at an annualised rate of 2.7% or 776 persons from 2011 to 2017. This population growth rate is significantly higher than its regional counterparts, Greater Ballarat (1.7%) and Greater Geelong (2.1%).

The most significant annual average population growth between 2011 and 2017 occurred in the following major areas:

- 4.2% or 724 persons per annum in Torquay-Jan Juc;
- 0.7% or 35 persons per annum in Lorne-Anglesea; and
- 0.5% or 18 persons per annum in Rural Balance.

Torquay-Jan Juc accounted for over 93% of the population gain in the Shire between 2011 and 2017.

Dwelling growth has largely reflected population growth, growing at an annualised rate of 2.0% or 351 dwellings per annum from 2011 to 2017.

The most significant annual average dwelling growth between 2011 and 2017 occurred in the following major areas:

- 3.2% or 274 dwellings in Torquay-Jan Juc;
- 0.9% or 59 dwellings in Lorne-Anglesea; and
- 0.8% or 13 dwellings in Rural Balance.

Torquay accounted for nearly 80% of dwelling growth within the Shire between 2011 and 2017.

In terms of dwelling stock measured at 2017, major areas with the most significant dwelling stocks:

- 9,498 dwellings located in Torquay-Jan Juc – 51% of the Shire's dwelling stock;
- 6,690 dwellings located in Lorne-Anglesea – 36% of the dwelling stock;
- 1,619 dwellings located in Rural Balance – 9% of the dwelling stock; and
- 969 dwellings located in Winchelsea – 5% of the dwelling stock.

The following section of the report details actual population and dwelling growth for Surf Coast and its composite small areas. In addition, where appropriate, comparison to other Victorian municipalities/urban centres is undertaken.

3.1 Historical Population Growth

Historical Population – Surf Coast SA2 areas

The following assessment of historical population growth is sourced from the Australian Bureau of Statistics Estimated Resident Population (ERPs) publication. The Torquay, Lorne-Anglesea and Winchelsea population estimates are collected at an ABS SA2 level.

Although the Surf Coast SA2 areas are slightly inconsistent with the major areas (regions), it is still highly valuable as a source to examine historic rates of population growth and comparative population growth to other jurisdictions.

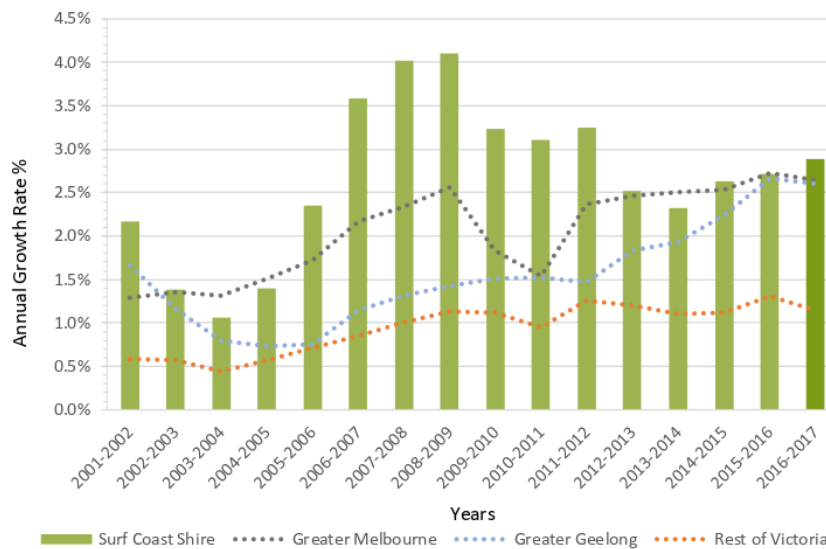
The ERP is calculated each year by the ABS and re-based after each Census with revised (final) estimates then re-published for the preceding five years. Most LGA level projections use ERPs as a base, rather than Census counts. Census data is great for telling us about the characteristics of the population, while ERPs are a better measure of the total number of people who normally reside in an area.



The most recent estimate of the Surf Coast's population is 31,324 people at 30 June 2017. The population grew by 879 people (2.9%) from the 30 June 2016 figure. This figure is the last available preliminary population estimate before all Estimated Resident Population (ERPs) are rebased in late 2018 using data from the 2016 Census and the preliminary 2017 total.

Historically, the Surf Coast Shire has consistently exceeded the growth rates experienced in Greater Geelong. Noteworthy is the significant higher annual growth rates in Surf Coast compared to metropolitan Melbourne during the 2005 to 2012 period. In the last five years, the Shire's growth rate has been relatively stable and are comparable to those of metropolitan Melbourne.

Graph 1: Estimated Resident Population Annual Growth Rate, 2001 to 2017 (%) – Surf Coast Shire, Greater Melbourne, Greater Geelong and Rest of Victoria



Source: Australian Bureau of Statistics. Estimated Resident Population
Note: Rest of Victoria excludes Greater Geelong

During the 2011-2016 period, Surf Coast Shire experienced net gains from across metropolitan Melbourne with the largest coming from Wyndham City (198 persons), Moonee Valley City (106) and Hobsons Bay (104). Meanwhile, there was an overall net loss to Greater Geelong (nearly 500 people) between 2011 to 2016.

The majority of the population loss to Greater Geelong were people aged 12 to 34 years. This suggests the departure of school aged and young adults moving to Greater Geelong for education (secondary and tertiary) and to access services and employment opportunities. In contrast, the Shire experienced some gain of people aged over 35 years between 2011 and 2016.

Historical Population – A Comparison

Surf Coast Shire, particularly the Torquay SA2, has shown strong and increasing growth in population in recent years. The resident population growth rate of Torquay compared to two major regional centres – Geelong and Ballarat are significantly greater. Torquay from 2011 to 2017 grew at an average annual rate of 4.2% compared to Ballarat at 1.7% and Geelong at 2.1%.



Graph 2: Estimated Resident Population Growth Rate, 2011 to 2017 (%) – Surf Coast SA2s Vs Selected Jurisdictions



* Includes Jan Juc area

Source: Australian Bureau of Statistics. Estimated Resident Population

The Torquay and Grovedale SA2s (4.1%) had similar population growth rates for this period. Grovedale SA2 is adjacent to Torquay SA2 and features the development fronts of Armstrong Creek (part), Marshall and Grovedale. The SA2 areas of Lorne-Anglesea and Winchelsea experienced significantly lower growth rates compared to the Torquay SA2 (less than 1% combined).

Melton and Wyndham LGAs – designated growth areas of metropolitan Melbourne experienced population growth rates of 4.8% and 6.4% respectively between 2011 and 2017.

3.2 Historical Population, Dwelling Growth – Major Areas (regions)

Analysis has been undertaken to further understand the dynamics of recent population growth, dwelling construction across the four major areas of Torquay-Jan Juc, Lorne-Anglesea, Winchelsea and Rural Balance. Australian Bureau of Statistics data from the 2011 and 2017 Census along with population and dwellings information from .id consulting has been used to identify the scale of recent population and dwelling change by these study areas.

Population & Dwelling Change – Study Areas

Rates of population and dwelling growth across Surf Coast Shire has been strong as measured from 2011 to 2017.

Population growth has increased on an average annual basis of 2.7% or 776 persons per annum. The estimated population in Surf Coast Shire in 2017 was 31,324. The location/distribution of the 2017 estimated resident population is shown in Table 1.



Table 1: 2017 Estimated Population and Population Growth, 2011 to 2017 – Major Areas (regions)

Major Areas	2017 Population		2011-2017 Population		
	Estimated 2017	Distribution (%)	Avg % Growth	Avg Growth	Distribution of Avg % Growth
Torquay-Jan Juc	20,052	64%	4.2%	724	93.3%
Lorne-Anglesea	5,273	17%	0.7%	35	4.5%
Winchelsea	2,099	7%	0.0%	-1	-0.1%
Rural Balance	3,900	12%	0.5%	18	2.3%
Surf Coast Shire	31,324	100%	2.7%	776	100%

Source: Surf Coast Shire profile.id; Australian Bureau of Statistics. Population and housing Census

The rate and quantum of population growth has largely followed the location of residential broadacre land development. Population growth was strongest in Torquay/Jan-Juc, growing at an average annual rate of 4.2% or 724 persons per annum. This average growth accounted for over 93% of the Shire's population growth while the other coastal major area of Lorne-Anglesea was the next highest as it accounted for 4.5% of population growth. Both inland major areas were relatively stable by comparison.

Residential **dwelling growth** has largely reflected population growth patterns. Dwelling growth as measured from 2011 to 2017 increased on an average annual basis of 351 dwellings or 2.0% across the Surf Coast Shire. The estimated number of dwellings for the Shire at 2017 was 18,776. Table 2 highlights the location/distribution of dwellings across the study areas.

Table 2: 2017 Estimated Dwellings & Dwelling Growth, 2011 to 2017 – Major Areas (regions)

Major Areas	2017 Dwellings		2011-2017 Dwellings		
	Estimated 2017	Distribution (%)	Avg % Growth	Avg Growth	Distribution of Avg % Growth
Torquay-Jan Juc	9,498	51%	3.2%	274	78.2%
Lorne-Anglesea	6,690	36%	0.9%	59	16.7%
Winchelsea	969	5%	0.5%	5	1.5%
Rural Balance	1,619	9%	0.8%	13	3.7%
Surf Coast Shire	18,776	100%	2.0%	351	100%

Source: Surf Coast Shire forecast.id; Australian Bureau of Statistics. Population and Housing Census. Forecast ID (2017)

The distribution of the 2017 dwelling stock was more evenly spread compared to the distribution of the population at 2017. This is not dissimilar to other coastal areas throughout Australia where there are more dwellings compared to resident population. Torquay leads in the growth of dwellings with an average annual rate of 274 or 3.2%. This accounts for more than 78% of the Shire's dwelling growth. The relative distribution of the population and dwelling stock illustrates the higher prevalence of families with children located in Torquay.

The Surf Coast Shire and other coastal areas throughout Australia where there are more dwellings compared to resident population result in a higher vacancy rate. As noted thus far, it is anticipated that in the short to medium term, Torquay-Jan Juc will increasingly be the location of population growth across Surf Coast Shire, primarily due to the relative availability of broadacre residential land stock, its location within the wider Geelong region and high level of amenity.

However, a smaller source of population growth has been driven by the increase in the occupancy of holiday houses that have been converted to places of residence. Between 2011 and 2016, there has been a 1.8% increase in the Shire's occupancy rate. This may be more prevalent in the future as demographic and lifestyle decisions change. Albeit small, all major areas (regions) have experienced an increase in occupancy rates between 2011 and 2016 with Torquay/Jan-Juc seen the most increase



during this period. Noteworthy is the significantly lower occupancy rate in Torquay-Jan Juc at 2016 compared to rates in Winchelsea and the Rural Balance.

Table 3: Occupancy Rates, 2011 to 2016 – Study Areas

Major Areas	Occupancy Rates		
	2011	2016	Difference (%)
Torquay-Jan Juc	70.6%	72.3%	1.7%
Lorne-Anglesea	31.3%	32.0%	0.7%
Winchelsea	87.0%	87.1%	0.1%
Rural Balance	83.2%	83.9%	0.7%
Surf Coast Shire	57.8%	59.6%	1.8%

Source: Surf Coast Shire profile.id; Australian Bureau of Statistics. Population and Housing Census

Key Issues

Whilst the Surf Coast Shire experienced moderate/strong growth in the last decade, it is Torquay-Jan Juc that continues to experience the strongest population and housing growth. This growth is comparable to some areas found on the peri-urban areas of metropolitan Melbourne (Melton) and Greater Geelong (Grovedale). Torquay-Jan Juc's coastal lifestyle, access to Geelong and residential land availability has made it highly desirable in the past decade. There are no socio-demographic factors that would indicate that this strong underlying demand will not continue. With increasing rates of population growth, it is imperative that strategic land use policy plans for a range of possible future demand levels.



4.0 Recent Residential Development Activity

Key Findings

Development Activity

As measured from 2002/03 to 2017/18 (FYTD), residential building approvals within Surf Coast Shire averaged 427 per annum. Annual building approval activity have been relatively consistent ranging from an average of 444 between 2002 to 2009, to 394 from 2011 to 2018 (FYTD). The 2017/18 FYTD data suggest that it could experience a similar high peak likened to 2004/2005.

In the last three years, residential building approval activity has averaged approximately 460 per annum.

The vast majority of building approvals (92%) since 2002/03 have been for separate houses with the residual being semi-detached dwellings/units/apartments.

From 2007 to 2018 residential lot construction activity has averaged 365 per annum. However, in the last five years, residential lot construction activity has averaged 402. Lot construction activity peaked at 720 in 2016, declining to 140 in 2017 and is illustrating significant volumes at 607 in the current financial year.

Of the lot construction activity measured in the last five years: 5% was rural residential (20 lots per annum); 5% was major infill (20 lots per annum); 19% was dispersed/minor infill (75 lots per annum); and 71% was broadhectare (287 lots per annum).

Residential lot construction activity over the last five years was concentrated within the Torquay/Jan-Juc region at 85% of all lot activity or 340 lots per annum. Of the remaining lot construction activity:

- 9% was located in the Lorne/Anglesea region (average of 35 per annum);
- 6% in the Winchelsea region (23 per annum); and
- 1% in the Rural Balance region (4 per annum).

Over the last three years, the majority of **minor infill** lot construction activity (57%) was sized less than 500 sqm. Nearly 34% of minor infill lot construction resulted in lots sized greater than 600 sqm. These 'larger' lots were typically constructed outside of the Torquay/Jan-Juc region.

Of the **minor infill** lots constructed 72% yielded two or over net lots/dwellings, 10% of lot construction activity was within projects yielding 6 to 9 dwellings. Approximately 50% of all dispersed infill projects were sourced from parent lots sized from 500 to 1,200 sqm.

As previously outlined, broadhectare lot construction activity has averaged 287 lots per annum over the last five years. Over the last three years, broadhectare lot construction has increased substantially to an average of 369 per annum. Of the broadhectare lot construction activity in the last five years:

- 2% were compact (sized less than 300 sqm);
- 58% were suburban (sized 300 to 500 sqm);
- 37% were large suburban (500 to 1,000 sqm); and
- 3% low density suburban (over 1,000 sqm).

Vacant Residential Lot Sales Activity

The median sales value of a vacant residential allotment in 2017 was:

- \$278,000 across the Surf Coast Shire);
- **\$281,000 in Torquay;**
- \$158,000 in Winchelsea;
- \$185,000 in Armstrong Creek; and
- \$240,000 in Ocean Grove



Section 4.0 of this report details the recent activity of residential lot construction and dwelling approvals in Surf Coast Shire. Residential lot construction activity is detailed from 2007 to 2018.

This section of the report details residential lot construction by location, supply type, achieved densities, project size/yield and sales pricing of constructed residential lots.

Where appropriate, comparisons to other regional Victorian jurisdictions is included.

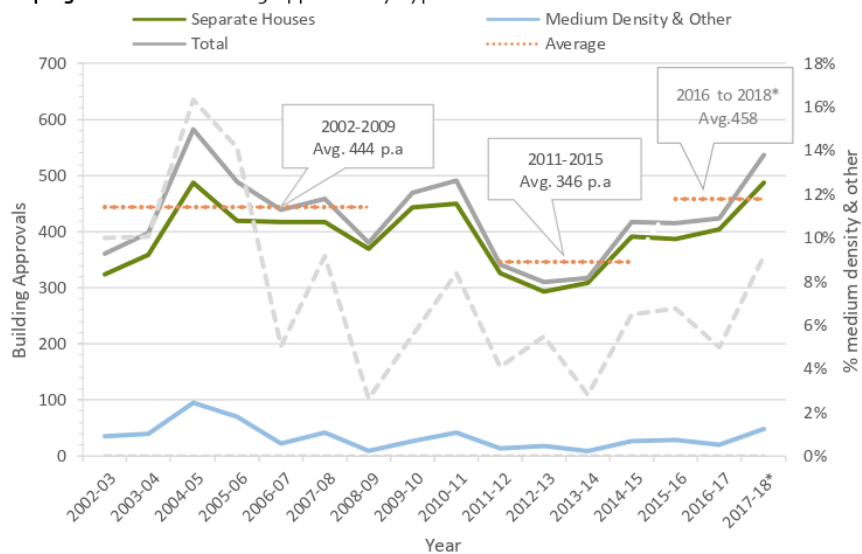
4.1 Residential Building Approvals

Although Surf Coast had a peak in 2004/05 of nearly 600 residential dwellings approved, residential building approval activity has been relatively consistent ranging approximately 400 to 450 dwellings per annum since 2002. Albeit slightly lower since 2011 at 394 approvals per annum, there was a fundamental and consistent upward shift in the volume of approval activity in the last two years. Please note that the 2017/18 building approvals data is incomplete and is the financial year-to-date at May 2018.

This consistent demand for new housing is consistent with population data from the Census.

The vast majority of building approvals (92%) since 2002/03 have been for separate houses with the residual being semi-detached dwellings/units/apartments. This proportion of non-separate dwellings has consistently remained under 10% since 2006. Prior to this, medium density dwelling approvals peaked at 16% of all approval activity in 2004/05 and 14% the year after. Graph 3 illustrates residential dwelling approval activity by type for the Surf Coast Shire.

Graph 3: Residential Building Approvals by Type – Surf Coast Shire



* 2017-2018 Financial year to date (to May 2018)

Source: Australian Bureau of Statistics

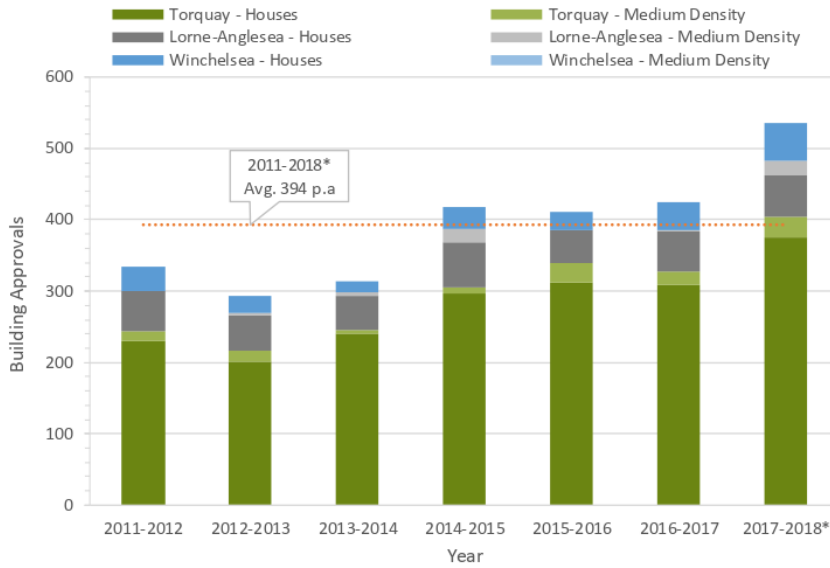
Since 2011, the Surf Coast municipality has averaged 394 building approvals per annum with 2017/18* being the highest peak (at 536 approvals) since 2004/2005.

An examination of ABS SA2 dwelling approvals data from 2011 to 2018 (FYTD) reveals most of these building approvals have been for separate houses in Torquay with a significant increase from 202 dwellings in 2012/13 to nearly 300 dwellings in 2014/2015. Total approvals in the Torquay SA2 in 2017/2018* has exceeded the Shire's annual average of 394 approvals at 404. This dominance is



consistent with the population and dwelling growth in the previous section of this report. Graph 4 illustrates building approval activity by type for all the SA2s in Surf Coast Shire.

Graph 4: Residential Building Approvals by ABS SA2s - 2011 to 2018 (FYTD)



* 2017-2018 Financial year to date (to May 2018)
Source: Australian Bureau of Statistics

Lorne-Anglesea comprised of the second most number of approvals for separate houses since 2011 with its scale been consistent at approximately 50-60 dwellings per annum. Building approvals in Winchelsea made up an average of 8% of total residential building approvals between 2011 and 2018* and were all for separate houses.



4.2 Residential Lot Construction

Analysis has been undertaken to determine, on a lot by lot basis, the location and amount of residential lot construction across the municipal area of Surf Coast by financial year from 2007 to 2018. Lot construction activity has been classified into distinct supply types and/or supply locations.

Compared to building approvals, residential lot construction is markedly more cyclical. From 2007 to 2018 residential lot construction activity has averaged 365 per annum. However, in the last five years, residential lot construction activity has averaged 402. Lot construction activity peaked at 720 in 2016, declining to 140 in 2017 and is illustrating significant volumes at 607 in the current financial year.

In the last three years, residential lot construction activity across the municipality has averaged 490.

Of the lot construction activity measured in the last five years:

- 5% was rural residential (20 lots per annum);
- 5% was major infill (20 lots per annum);
- 19% was dispersed/minor infill (75 lots per annum); and
- 71% was broadhectare (287 lots per annum).

4.3 Location of Residential Development Activity

Residential lot construction activity over the last five years was concentrated within the Torquay/Jan-Juc region at 85% of all lot activity or 340 lots per annum. Of the remaining lot construction activity:

- 9% was located in the Lorne/Anglesea region (average of 35 per annum);
- 6% in the Winchelsea region (23 per annum); and
- 1% in the Rural Balance region (4 per annum).

Table 4 below summarises the quantum of residential subdivision activity by location/financial year.

Table 4: Residential Subdivision Activity.

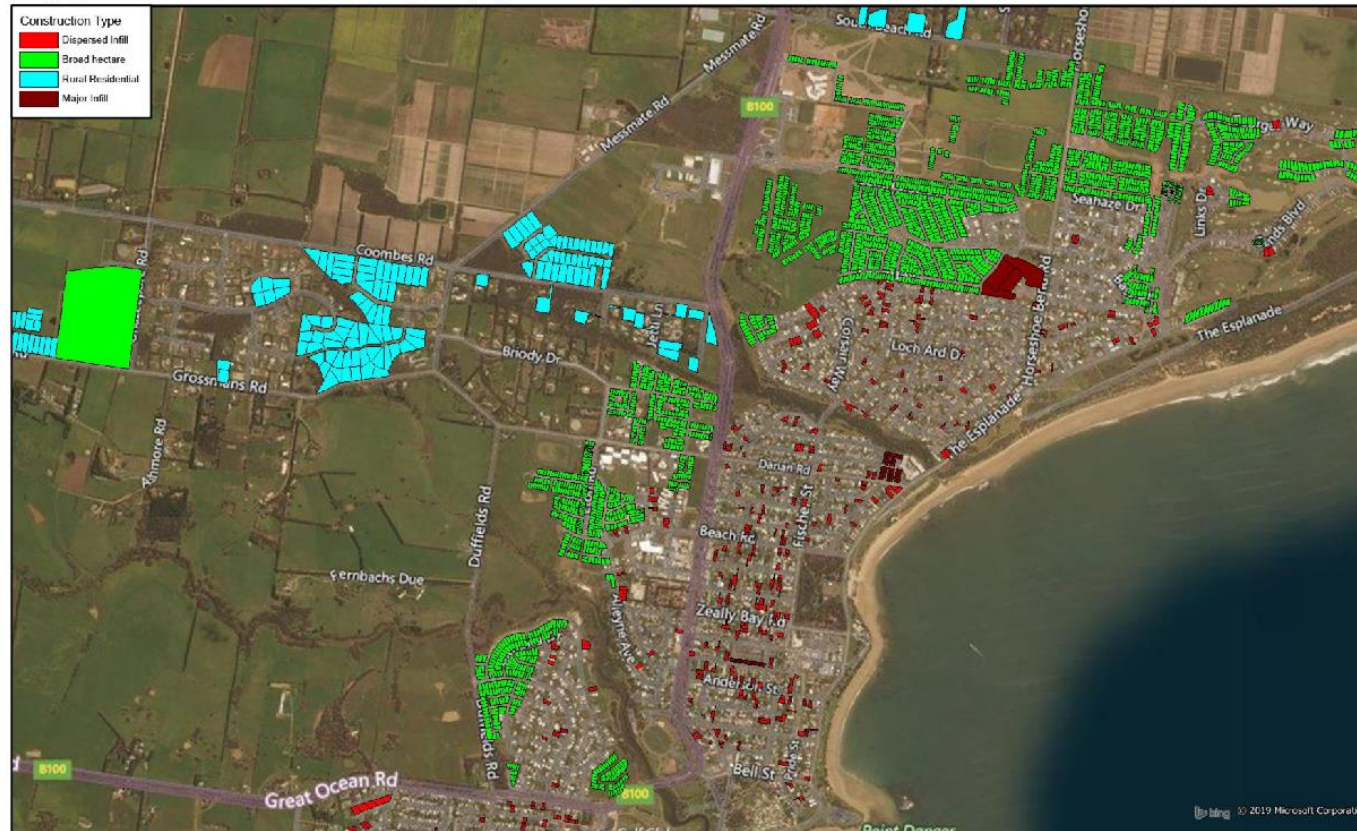
	2014	2015	2016	2017	2018
Lorne-Anglesea	15	49	68	4	37
Rural Balance	1	7	7	3	3
Torquay-Jan Juc	305	130	612	119	536
Winchelsea	0	34	36	14	31
Surf Coast Shire	321	220	723	140	607

Source: Spatial Economics Pty Ltd

Image 5 below highlights the location of residential development activity across the Torquay/Jan-Juc region from 2007 to 2018.



Image 5: Residential Lot Construction Activity, Torquay/Jan-Juc – 2007 to 2018



4.4 Lot Construction by Supply Type

Broadhectare residential lot construction has been and is currently the dominant form of residential development activity. Since 2007, this form of development activity has averaged 67% of the total. However, in the last five years, broadhectare lot construction activity has increased to 71% of the total residential construction activity.

As will be detailed later in the report, it is not expected that the reliance of broadhectare development activity will change in the short to medium term.

Dispersed infill development has consistently delivered approximately 20% of all lot construction activity. This is an important supply source, as will be detailed later it provides:

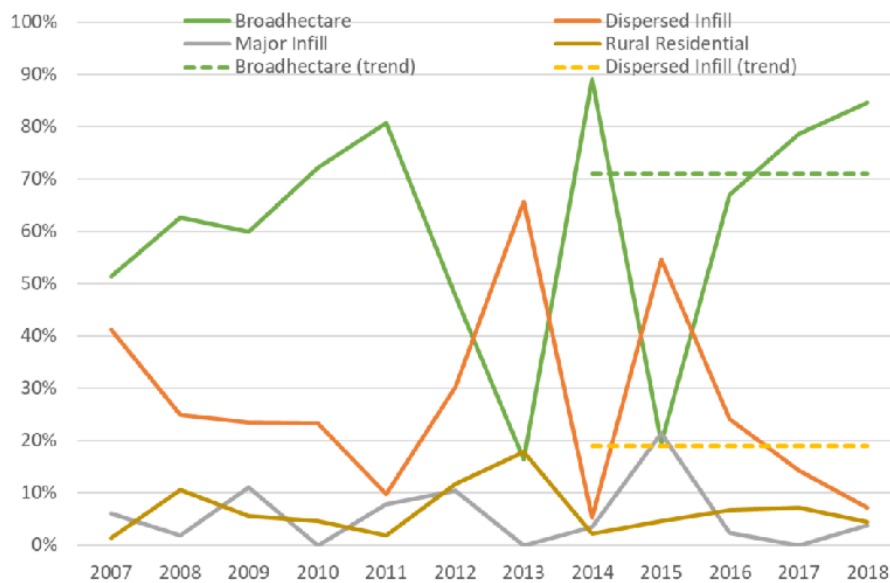
- a wide range of residential land products;
- distributed widely across the established urban area; and
- contributes to urban containment/development of under-utilised land parcels.

In addition, dispersed infill development across the Surf Coast municipality is not simply developing 'low hanging fruit'. Infill development is characterised by a wide range of yields, densities and project sizes. Dispersed infill development is currently a valuable and strategically important supply source, this as a supply source will become increasingly important over-time.

The contribution of rural residential and major infill lot construction activity is more sporadic. These forms of lot construction activity are project/development site specific and do not form any consistent and substantial contribution.

Graph 5 below illustrates the continued dominance of broadhectare lot construction activity.

Graph 5: Share of Residential Development Activity by Supply Type – Surf Coast



Source: Spatial Economics Pty Ltd

4.5 Dispersed/Minor Infill Lot Construction

The following provides an overview of the development outcomes of dispersed infill development activity across the Surf Coast municipal area. Dispersed infill activity is a significant supply source across the municipality, accounting for 19% of lot construction activity in the last five years. It is important to understand the characteristics of dispersed infill development, so land use planning policy can further enhance development outcomes and optimize this as a supply source in the future.

4.5.1 Dispersed/Minor Infill Supply – Achieved Densities

Dispersed infill lot construction activity across the Surf Coast municipality is achieving both 1) a wide range of densities and 2) a high proportion of medium density land products.

The experience in Geelong, Ballarat, Bacchus Marsh and Melbourne suggests that as the supply of larger parent lots decreases, and land prices continue to rise in the established urban area, the development industry will find it profitable to re-subdivide smaller parent lots.

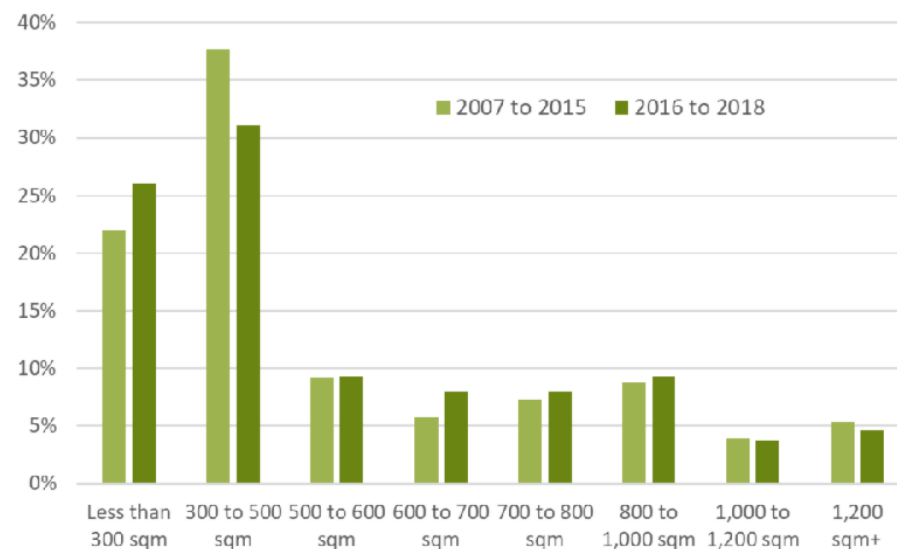
The size distribution of newly constructed minor infill lots is shown in the graph below.

In the last 3 years 26% of all minor infill development activity was sized less than 300 sqm, compared to 22% from 2007 to 2015. The size of minor infill lot construction over the last 3 years is slightly decreasing. It is suspected that in the short to medium term, this trend will likely continue in response to consumer demand, changing demographics and the cost of residential land.

Over the last three years, the majority of minor infill lot construction activity (57%) was sized less than 500 sqm. Nearly 34% of minor infill lot construction resulted in lots sized greater than 600 sqm. These 'larger' lots were typically constructed outside of the Torquay/Jan-Juc region.

The graph below illustrates the lot size range for constructed dispersed infill lots across the Surf Coast municipality.

Graph 6: Dispersed Infill - Achieved Lot Size Cohorts, 2007 to 2018



Source: Spatial Economics Pty Ltd



In summary dispersed infill lot construction across Surf Coast is characterised by medium density outcomes and a diverse range of larger lot sizes.

4.5.2 Dispersed/Minor Infill Supply – Parent Lot Size

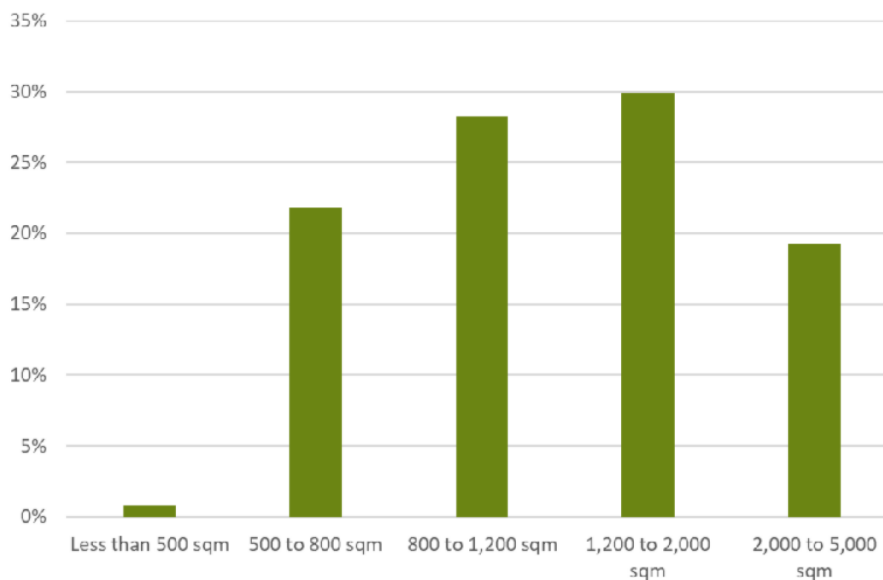
Dispersed residential infill development across Surf Coast is primarily sourced from 'moderately' sized 'parent' lots, whether vacant or with an existing dwelling. The graph below illustrates the 'parent' lot size distribution for dispersed infill development.

Of particular strategic importance is the significant volume of dispersed infill projects sourced from parent lots sized from 500 to 800 sqm and 800 to 1,200 sqm. Approximately 50% of all dispersed infill projects were sourced from parent lots sized from 500 to 1,200 sqm. Dispersed infill projects sourced from 'parent' lots sized greater than 2,000 sqm were typically located outside of the Torquay/Jan-Juc region

This reliance on relatively smaller parent lot sizes (within Torquay/Jan-Juc) illustrates the significant latent supply potential. There is not a significant reliance on 'larger' sized parent lots as a supply source for dispersed infill residential development within Torquay/Jan-Juc region.

Note: - parent lot size refers to the size of the allotment prior to subdivision.

Graph 7: Parent Lot Size of Dispersed Infill Projects (Surf Coast Shire), 2007 to 2018



Source: Spatial Economics Pty Ltd

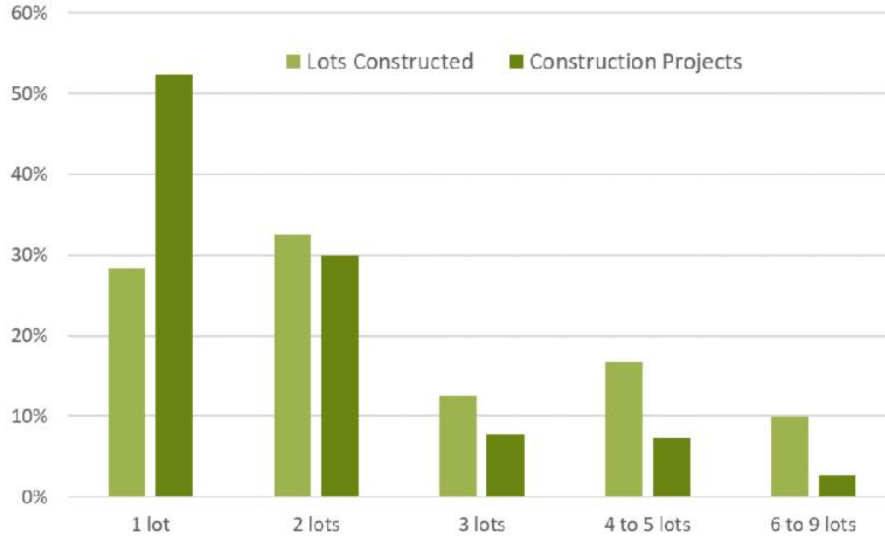
4.5.3 Dispersed/Minor Infill Supply – Project Size and Yield

In addition to the 1) diverse lot sizes delivered and 2) significant proportion of medium density lot size outcomes from dispersed infill development – dispersed infill development projects have relatively 'significant' **net** lot yields (in the context of a municipality with the dominant form of land supply sourced from greenfield land). This form of development can be categorised as typically suburban backyard subdivision projects undertaken by the cottage building industry.

Of the dispersed infill lots constructed 72% yielded two or over net lots/dwellings, 10% of lot construction activity was within projects yielding 6 to 9 dwellings.



Graph 8: Dispersed Infill Development – Lot Yield & Project Size Distribution, 2007 to 2018



Source: Spatial Economics Pty Ltd

Image 6: Dispersed Infill Lot Construction – Torquay/Jan-Juc region



4.6 Broadhectare Lot Construction

As previously outlined, broadhectare lot construction activity has averaged 287 lots per annum over the last five years. Over the last three years, broadhectare lot construction has increased substantially to an average of 369 per annum.

As outlined previously broadhectare lot construction represents approximately 71% of all residential lot construction activity across the municipality over the last five years. This contribution measured over-time has been relatively consistent, however, in the last three years, it has increased to 75%.

Over the last five years, the vast majority (94%) of broadhectare lot construction activity was located in the Torquay/Jan-Juc region.

4.6.1 Broadhectare Lot Construction – Diversity

Lots constructed from broadhectare supply sources have produced a wide diversity of lot sizes. Graph 9 below illustrates the diversity of lot construction.

Of the broadhectare lot construction activity in the last five years:

- 2% were compact (sized less than 300 sqm);
- 58% were suburban (sized 300 to 500 sqm);
- 37% were large suburban (500 to 1,000 sqm); and
- 3% low density suburban (over 1,000 sqm).

This large diversity of lot size ranges has been a response by the development industry and the Surf Coast Shire council to affordability/pricing points, consumer preferences and land use planning objectives.

The diversity of lot sizes has narrowed in recent times reflecting a general trend of increasing densities of broadhectare lot construction. The proportion of lots sized between 300 and 500 sqm increased from 26% to 61%. There has been a marked decline (from 46% to 12%) in the proportion of lots sized above 600 sqm.

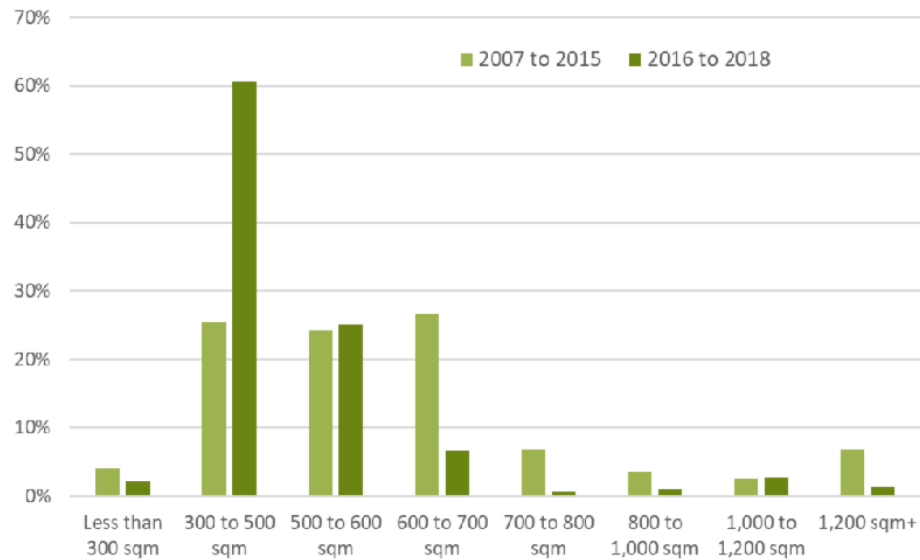
While consumer preference across Surf Coast has historically been for larger broadhectare lots, price pressures have driven the recent expressed demand for smaller allotments. This has been confirmed with the local land development industry.

Graphs 9 and 10 below illustrate both the median size and diversity of residential lot construction. The median lot size of constructed broadhectare lots varies over-time (due to the development outcomes of individual broadhectare land estates). However, there is a general trend of increasing densities of broadhectare lot construction activity.

In 2009, the median size of a constructed broadhectare lot was 653 sqm, declining to around 450 sqm in recent times. Current broadhectare lot construction densities across Surf Coast are comparable to that across the municipal area of Geelong.

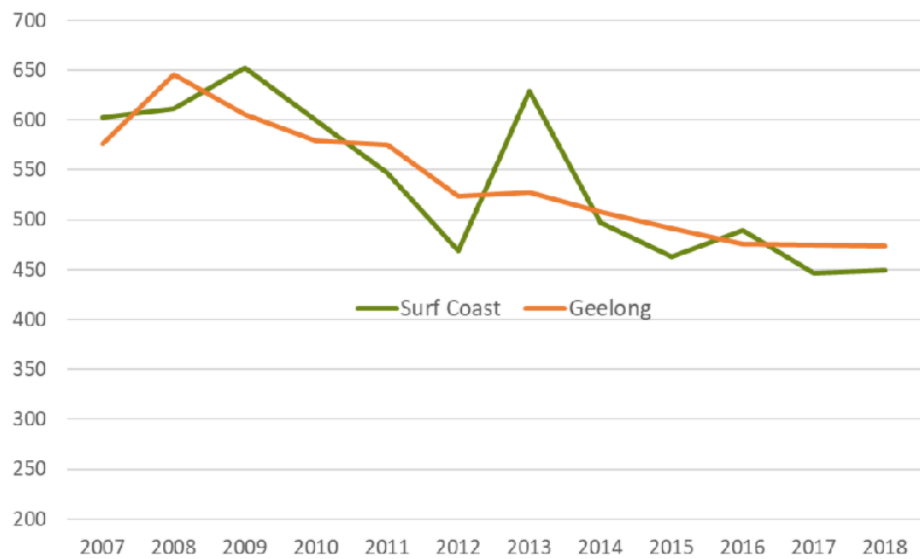


Graph 9: Broadhectare Lot Construction Size Distribution – Surf Coast Shire



Source: Spatial Economics Pty Ltd

Graph 10: Median Lot Size (sqm) – Broadhectare Lot Construction



Source: Spatial Economics Pty Ltd

4.6 Major Infill Lot Construction

Major infill lot/dwelling construction activity can be essentially described as remnant broadhectare development across the municipal area of Surf Coast. It is defined as developments, within the established urban area, with a capacity greater than 10 lots/dwellings per site. There is often debate



and "shades of grey" to the difference of major infill and broadhectare. Often, major infill sites are in effect broadhectare land left undeveloped as urban development proceeded on surrounding the sites.

Major infill lot construction measured over the last five has represented 5% of all lot construction activity.

Major infill development is characterised by slightly higher-density outcomes and relatively 'significant' project yields. As measured from 2013, the median lot/dwelling density by residential supply type was:

- 476 sqm for broadhectare;
- 429 sqm for dispersed infill; and
- 427 sqm for major infill.

4.7 Rural Residential Lot Construction

Rural residential lot construction activity over the last five years has represented 5% of all lot construction activity across the municipal area – or 20 lots per annum

Nearly 80% of rural residential lot construction was in the Torquay/Jan-Juc region. The typical constructed lot size was around 4,200 sqm.

4.8 Vacant Residential Lot Sales Pricing

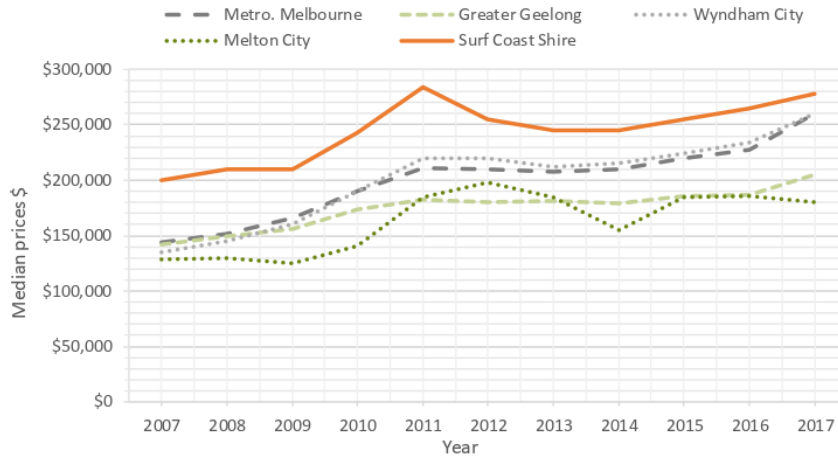
The sales value of vacant residential lots is a prime outcome indicator of the 'state of the land supply' market. It is a simple measure that captures both supply and demand dynamics.

Since 2007, the median sales value of vacant residential lots has modestly increased in Surf Coast Shire from \$200,000 in 2007 to \$278,000 in 2017 – an annual average growth of 3.4% per annum. During this period, Greater Geelong increased from \$142,000 to \$205,000 – an annual average growth of 3.7% per annum. Median price gains experienced in Wyndham City were reflective of those experienced throughout metropolitan Melbourne as a whole. Between 2007 and 2017, there was a:

- 6.1% average annual increase across metropolitan Melbourne;
- 3.7% average annual increase in Greater Geelong;
- 6.8% average annual increase in Wyndham City; and
- 3.4% average annual increase in Melton City.



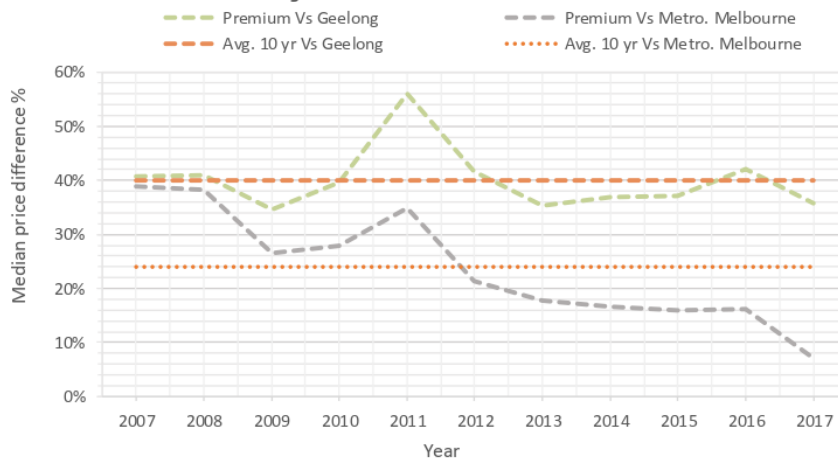
Graph 11: Median Sales Values – Vacant residential lots, 2007-2017 – Surf Coast Shire Vs Selected Jurisdictions



Source: Valuer General Victoria

Vacant lots in the Surf Coast Shire have historically sold at a premium compared to those in Greater Geelong and metropolitan Melbourne. Between 2007 and 2017, vacant lots in the Shire would attract on average a 40% premium compared to vacant lots sold in Greater Geelong. These vacant lots would attract on average a 24% premium compared to vacant lots sold in metropolitan Melbourne. Interesting is the decline of this premium against metropolitan Melbourne as median vacant lot values in Melbourne has increased at a higher rate compared to the Shire from 2013 onwards.

Graph 12: % Price difference - Vacant residential lots, 2007-2017 – Surf Coast Shire Vs Metropolitan Melbourne and Greater Geelong



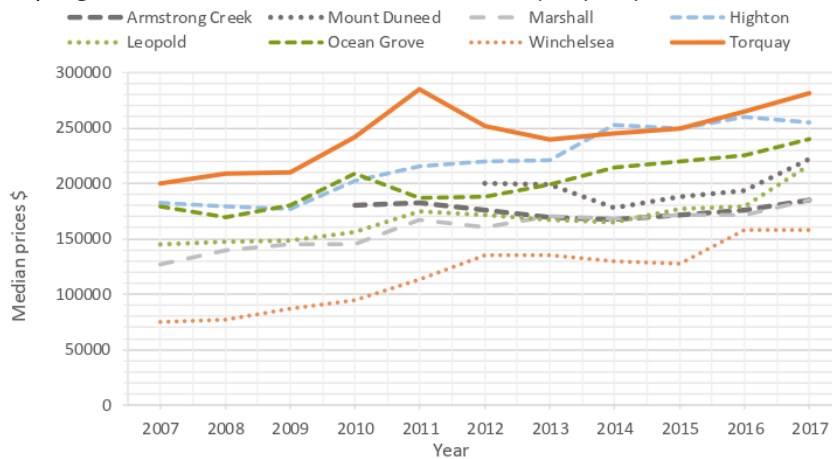
Source: Valuer General Victoria

Analysis of vacant residential land sales values by locality within Greater Geelong and the Bellarine Peninsula illustrates Torquay's premium on vacant residential lots compared to other development



fronts in the region. Torquay peaked in 2011 as it reached a median value of \$284,000. The release of residential lots in nearby Armstrong Creek (2010) and Mount Duneed (2012) around this time may have caused a slight pullback in Torquay in 2012 and 2013 before values increased in 2014. Although Armstrong Creek and Mount Duneed both experienced slight declines during their third-year of lot release, both localities have experienced gains in 2017 to surpass their initial median values at year one. Against Torquay, median values in Highton have been comparable in the last 5 years (albeit a slight decline in 2017) while Ocean Grove has trended in a similar pattern since 2007 at consistent lower values.

Graph 13: Median Sales Values (\$) – Vacant residential lots, 2007-2017 – Selected localities



Source: Valuer General Victoria

With Torquay providing most of Surf Coast Shire’s residential lots production since 2007, it has meant that median sale values of Torquay are largely reflective of the median values across the Shire. The significantly lower values in Winchelsea have not affected the Shire’s medians overall due to the relatively smaller sales volumes during this period. Table 5 highlights the diversity of median values for residential lots throughout the Greater Geelong and Surf Coast region.

Table 5: Median values – Vacant residential lots, Surf Coast Shire and Greater Geelong and selected localities

Localities & LGAs	Change 2016-2017	2017	2016-2017 % gain
Torquay	\$16,000	\$281,000	6.0%
Surf Coast Shire	\$13,500	\$278,500	5.1%
Highton	-\$5,000	\$255,000	-1.9%
Ocean Grove	\$15,000	\$240,000	6.7%
Mount Duneed	\$28,500	\$222,000	14.7%
Leopold	\$37,500	\$216,500	20.9%
Greater Geelong	\$18,500	\$205,000	9.9%
Armstrong Creek	\$9,500	\$185,000	5.4%
Marshall	\$13,500	\$185,000	7.9%
Winchelsea	\$0	\$158,000	0.0%

Source: Valuer General Victoria



From a pure price perspective, the broadhectare land market in Torquay has attracted a higher premium compared to all areas in the Greater Geelong and Surf Coast region. Although there is diversity within inland localities and those closer to Geelong, Torquay has continued to attract higher values despite the continued growth of neighbouring areas of Armstrong Creek and Mount Duneed.

Key Issues

As measured through building approval and residential lot construction activity, in the last three years there has been a sustained shift in increased demand levels for housing across the Surf Coast Shire, particularly in Torquay/Jan-Juc. This illustrates the need to plan for differing growth scenarios. Projecting future growth is an extremely difficult task.

To deal with this kind of uncertainty it is best to 'lean' on the side of assuming stronger growth overall and in any given market segment. That is to ensure that (within reason) there is scope to meet any unexpected upturn in demand. Secondly, to plan for a diversity of supply types and locations. Planning that locks in controls based on one set of demand projections is likely to make it very difficult for the market to adjust supply to cater for unexpected changes in housing demand.

Recent lot construction reveals the dominance of broadhectare lot construction compared to dispersed infill. There is ample latent supply that would readily support an increased share of dispersed infill development activity.

In the short to medium term, with an increase in housing demand levels, only the broadhectare land development industry has the 'ready' capacity of responding by increasing production. The dispersed infill land/housing industry simply does not have the resources and capacity to respond to short term increases in demand.

A prime outcome indicator of an imbalance of supply and demand is the rapid increase in sales values. Vacant residential lot sales pricing across the Shire has not experienced comparative excessive price increases.



5.0 Residential Land Supply

Key Findings

In total, the Surf Coast Shire currently has capacity for the future provision of approximately 6,773 additional dwellings (including areas that are as yet, not zoned for residential development purposes), in broadhectare/major infill sites.

This capacity is comprised of:

- 4,131 unzoned broadhectare lots (61% of supply); and
- 2,642 zoned broadhectare lots (39% of supply).

There are two land release areas located in the Briody Drive area, Torquay with a total lot/dwelling capacity 532 that are characterised by fragmented land holdings and significant existing low-density residential uses. Land parcels across these two land release areas range from 0.8 to 4.5 hectares. The typical land parcel is sized between 1 to 1.5 hectares. These two land release areas combined represent 8% of the broadhectare residential land stocks across the municipal area.

The vast majority (zoned and unzoned) broadhectare/major infill undeveloped residential land supply is located in Torquay/Jan-Juc (6414 lots), the remainder (397 lots) in Winchelsea.

Feedback from the development industry regarding their market expectations and development intentions suggests that over the next five years on average, **416 lots/dwellings** per annum will be constructed within existing zoned broadhectare/major infill sites. Historically, over the last three years, broadhectare/major infill lot construction has averaged **382** per annum. It is expected and highly probable that this level of anticipated development activity will likely occur.

As at November 2017 across the Surf Coast municipal area there was a total lot stock of 1,205 rural residential allotments. Of this stock only 127 lots (11%) were vacant. The majority (61%) of the rural residential lot stock is located in the Torquay/Jan-Juc region, followed by 26% in the Rural Balance region and 11% in the Winchelsea region. Approximately 51% of the rural residential lot stock (both occupied and vacant) is less than one hectare in size. Only 13% of the rural residential lot stock (or 151 lots) is sized greater than three hectares.

There are currently two areas identified for future Low Density Residential (LDRZ) land stocks, they are currently zoned Farm (FZ). One is located in Moriac (11.5 hectares) and the other in Torquay (38 hectares).

Section 5.0 of the report details the stock (measured in lots) of broadhectare/major infill residential land supply across the municipal area of Surf Coast as at July 2018.

In addition, it provides an overview of current rural residential land stocks.

For broadhectare/major infill land supply areas, anticipated lot construction timing is presented. This refers to the likely timing of lot construction, not dwelling construction. It is highlighted and highly recognised that the timing presented is a guide, it will not equate to full completion of activity, but rather a guide to likely broad development construction initiation.

The location of the anticipated lot construction activity illustrated will generally commence development (e.g. 0-2 years), although complete 'build-out' may not be achieved within the stated time-frames.



5.1 Stock of Zoned Broadhectare/Major Infill Land Stocks

As at July 2018, there was a residential lot capacity within zoned broadhectare/major infill sites of approximately 2,642.

The location of **zoned** broadhectare/major infill residential land stocks are distributed within the following regions within the municipality:

- Torquay/Jan-Juc – 2,430 lots (92% of supply); and
- Winchelsea – 207 lots (8% of supply).

Table 6 identifies the lot yield and estimated development timing of zoned broadhectare/major infill lot stock.

Table 6: Anticipated Broadhectare/Major Infill Lot Construction Activity, 2018

	Development Timing				Total Zoned	Potential Residential (Unzoned)	UGZ (Approved Structure Plan Required)	Total
	0-2 years	3-5 years	6-10 years	No Timing				
Lorne/Anglesea	5				5			5
Torquay/Jan-Juc	1050	820	202	358	2430	2,002	1939	6371
Winchelsea	42	165			207	190		397
Surf Coast	1097	985	202	358	2642	2192	1939	6773

Source: Spatial Economics Pty Ltd

Based on existing planning permits, recent construction activity and Council/Development Industry feedback it is anticipated that over the next five years, on average, **416 lots/dwellings** per annum will be constructed within existing zoned broadhectare/major infill sites. Historically, over the last three years, broadhectare/major infill lot construction has averaged **382** per annum. It is expected and highly probable that this level of anticipated development activity will likely occur.

In addition to the identified zoned broadhectare/major land stocks with an estimated development timing, there is broadhectare/major infill land stocks where a no timing status and in some cases no yield have been established. This is primarily due to the identified site being highly likely to be developed at some point however, due to for example existing or underutilised uses, the likely development timing is highly speculative.

Of the development sites with an estimated lot/dwelling yield (with a No-Timing status), all are located within the Torquay/Jan-Juc region. It is estimated that these sites will yield approximately 358 lots/dwellings. These development sites are highly fragmented with existing significant low density residential uses. It is expected, that over the course of time, these sites will be redeveloped to higher density residential uses. However, there can be no certainty to the eventual timing of re-development.

There are a further eight sites with a No Timing status (with no estimated yield estimates) with a total area of 28 hectares. The dwelling yield could feasibly range from 200 to 350 dwellings, based on recently achieved dwelling densities.

5.2 Stock of Un-Zoned Broadhectare Land Stocks

Analysis has been undertaken in conjunction with Council planning officers to identify the location and expected lot yield of currently unzoned residential land stocks. Sites for future residential development are identified within various Council strategy planning documents. Structure planning, and rezoning processes are required before residential development can proceed on such sites.



There are approximately 435 hectares of land (with an estimated yield of 4,131 dwellings) identified for potential future broad-hectare residential development across the municipal area as at July 2018.

Of the currently unzoned land stocks (i.e. can not be currently developed for normal residential lot/dwelling construction):

- A lot potential of 3,941 is located within the Torquay/Jan-Juc region; and
- A 190 lot potential is located in Winchelsea.

Of the significant unzoned potential future broad hectare residential land release areas located in Torquay, there are:

- 850 lots located in Messmate Road Future Growth Area;
- 165 lots in the Strathmore Drive area;
- 212 lots in the Briody Drive precinct;
- 760 lots in the North East Future Residential Investigation Area; and
- 1,939 lots in the Spring Creek Precinct Structure Plan area.

A major future residential land supply source is located within the Spring Creek Structure Plan, located within the Torquay/Jan-Juc region, the future land release area is summarised below.

Spring Creek Precinct Structure Plan (PSP) Area

- The PSP applies to approximately 245 hectares of land extending generally one-kilometre west of Duffields Road. The precinct is bounded by Grossmans Road to the north, Duffields Road to the east, Great Ocean Road to the south and rural land to the west.
- It is estimated to have a lot/dwelling yield of approximately 1,939.
- The PSP has been prepared by Surf Coast Shire Council with assistance from the Victorian Planning Authority (VPA) and in consultation with government agencies, service authorities and key stakeholders.
- Surf Coast Shire Council adopted Amendment C114 and the Spring Precinct Structure Plan, subject to changes, in October 2017. The Amendment and PSP were submitted to the Minister for Planning in March 2018.

5.3 Land Fragmentation

There are two major land release areas located in Torquay with a total lot/dwelling capacity 532 that are characterised by fragmented land holdings and significant existing low-density residential uses. These areas are illustrated in the image below. The southern land release area (shaded in red) is zoned for current normal residential density development and has a lot dwelling capacity of approximately 320. The northern land release area (shaded in green) is currently zoned Low Density Residential (LDRZ) is identified for future normal density residential development.



Image 7: Zoned and Unzoned Broadhectare Land Supply Areas (Fragmentation), Torquay



Land parcels across these two land release areas range from 0.8 to 4.5 hectares. The typical land parcel is sized between 1 to 1.5 hectares.

Given 1) the existing significant residential uses; and 2) the level of fragmentation/relatively small land parcel sizes; and 3) alternative broadhectare land supply sources (that are larger in size with limited existing uses) – it is considered that these land release areas can have no certainty to the likely timing of development.

It is observed in other jurisdictions, that similar sites to the above do get fully developed over the passage of time. However, a conservative approach in assessing the supply and demand equation is highlighted in the above context.

These two land release areas combined represent 8% of the broad hectare residential land stocks across the municipal area.

5.4 Rural Residential Land Stocks

The stock of both occupied and vacant rural residential allotments have been determined on a lot by lot basis as at November 2017. Occupied is defined as having evidence of a 'habitable' dwelling, commercial use, or other significant capital intensive land use. Vacant is defined as having no evidence of a significant capital intensive use (as verified via the interpretation of aerial imagery).

As at November 2017 across the Surf Coast Shire there was a total stock of 1,205 rural residential allotments. Of this stock, only 127 lots (11%) were vacant. Rural residential lots as a supply type is comparatively low across the Surf Coast Shire when compared to other regional municipalities across Victoria.

The majority (61%) of the rural residential lot stock is located in the Torquay/Jan-Juc region, followed by 26% in the Rural Balance region and 11% in the Winchelsea region.

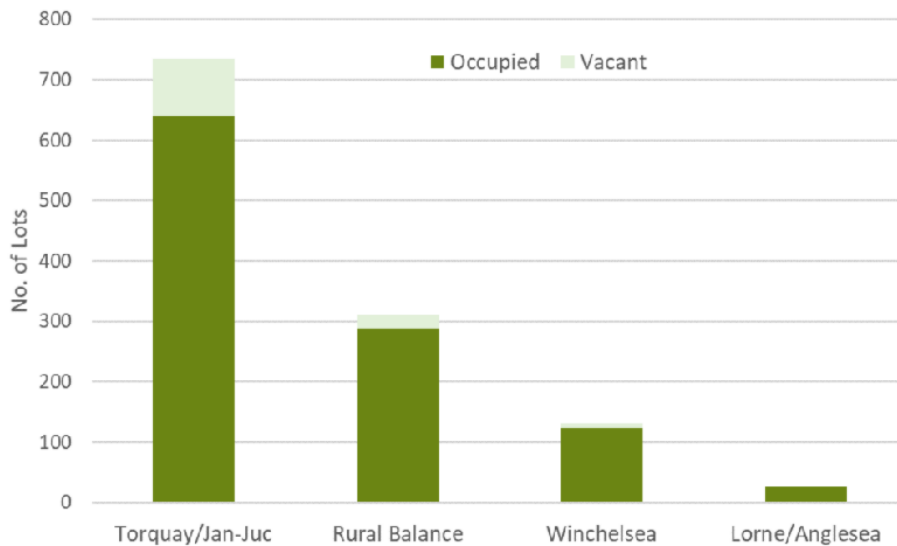
Graph 14 summarises the stock (lots) of both occupied and vacant rural residential allotments by region.



There is approximately 208 hectares of vacant rural residential land across the municipality. Of this vacant lot stock, 164 hectares is zoned Low Density Residential (LDRZ), the remaining 45 hectares is zoned Rural Living (RLZ).

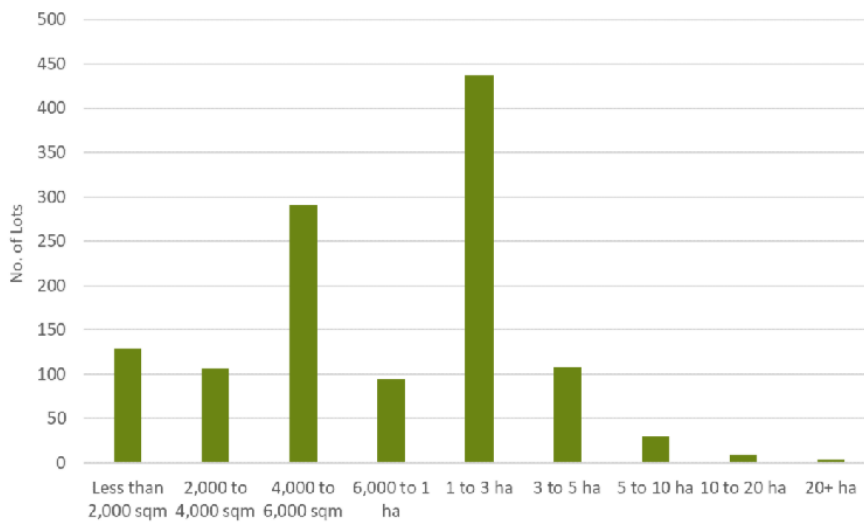
Graph 15 illustrates the size distribution of all existing rural residential allotments (occupied and vacant).

Graph 14: Stock of Rural Residential Allotments, 2017



Source: Spatial Economics Pty Ltd

Graph 15: Stock of Rural Residential Allotments by Lot Size Cohort, 2017



Source: Spatial Economics Pty Ltd



Approximately 51% of the rural residential lot stock (both occupied and vacant) is less than one hectare in size. Only 13% of the rural residential lot stock (or 151 lots) is sized greater than three hectares. The high proportion of smaller rural residential allotments results in a significant limitation in terms of any future feasible re-subdivision.

5.4.1 Short-Term Future Lot Construction - Rural Residential

Over the last three years, residential lot construction across the municipality has substantially increased compared to the longer-term average. This increase in activity is also illustrated for rural residential subdivision activity, averaging over the last three years 28 lots.

Based on subdivision approval data, it is anticipated that this trend is likely to continue and most probably increase. Currently, there is subdivision approval for 123 rural residential lots on individual land parcels yielding over 15 lots. These sites are located in the Torquay/Jan-Juc region (69 lots), the remaining 54 lots are located in the Rural Balance region (Moriac).

5.4.2 Future (Unzoned) Rural Residential Land Stocks

There are currently two areas identified for future Low Density Residential (LDRZ) land stocks, they are currently zoned Farm (FZ). One is located in Moriac (11.5 hectares) and the other in Torquay (38 hectares).

Key Issues

The estimated lot/dwelling capacity of existing zoned broadhectare/major infill land supply sites are essentially based on recent trends, planning permits and short to medium terms market expectations. Over the last ten years, the median broadhectare lot constructed within the growth areas of metropolitan Melbourne, Greater Geelong, major regional and urban centres such as Torquay has dramatically declined. Therefore, the estimate of broadhectare lot capacity can be seen as conservative. In the medium to longer term, it would be reasonable to expect broadhectare lot densities to increase, and thus, an increase in lot/dwelling capacity.

Although not assessed within this study, it is observed (through considerable experience), there is a high capacity for dispersed infill redevelopment in particularly Torquay/Jan-Juc. This means that there are readily alternative residential land supply stocks outside of undeveloped broadhectare/major infill estates - therefore a feasible opportunity to decrease the reliance on broadhectare land.

Caution is highlighted in terms of the composition of the existing undeveloped (zoned and unzoned) residential broadhectare land stocks. Significant levels of fragmentation, relatively small land parcels and significant existing uses are likely to delay the timely redevelopment of these areas. Spatial Economics consider that these areas will be developed over the passage of time. However, no certainty can be given to the likely timing of development.



Map 2: Anticipated Development Timing - Residential Broadacre/Major Infill Land Stocks (Torquay), 2018



Map 3: Anticipated Development Timing - Residential Broadhectare/Major Infill Land Stocks (Winchelsea), 2018



6.0 Projected Housing Demand

Key Findings

Spatial Economics has developed a number of projected demand scenarios based on the most recently available evidence available. These demand scenarios are outlined below:

Scenario One: *idForecast – dwelling forecasts undertaken for the Shire of Surf Coast by ForecastID. Dwelling requirements from 2016 to 2031 at 382 per annum or 1.8% per annum growth rate (note this is trend growth as illustrated from 2011 to 2016).*

Scenario Two: *VIF2016 – current State Government dwelling projections. Dwelling requirements from 2016 to 2031 at 392 per annum or 1.9% per annum growth rate.*

Scenario Three: *Recent Trend – based on actual recent trend growth over the last three years continuing to 2031 and being constant. Dwelling requirements from 2016 to 2031 at 490 per annum or 2.3% per annum growth rate would result.*

The largest and fastest growth in households across the Surf Coast Shire will be households with no children (*lone person and couples without children households*), growing at an average annual rate of 2.5% or 201 households per annum from 2016 and 2036. This household type is projected to represent 57% of the change in household structure to 2036. The growth of "households without kids" is largely reflecting the ageing of the existing population (i.e. children leaving home).

The next largest (in terms of absolute growth) is households with children (*couples with kids & single parent families*), projected to grow at 96 households per annum, a 1.7% growth rate.

Two age cohorts that are projected to increase at the greatest rates are:

- *Seniors (70 to 84) at 4.2% per annum; and*
- *Elderly aged (85+) at 5.6% per annum.*

The Victorian State Government has modified the FHOG to increase the FHOG to \$20,000 for eligible first-home buyers who buy or build their new home valued up to \$750,000 in regional Victoria. The Surf Coast Shire is defined as a regional area for the purpose of the FHOG. This will result in increased levels of expressed housing demand across the Surf Coast Shire. This assessment has not attempted to quantify 1) the level of brought forward demand; and 2) the potential/likely transferred demand across Surf Coast.

This assessment incorporates the most recently available demand figures to project dwelling requirements and future adequacy of residential land. These figures use current Victoria in Future 2016 (VIF2016): Population and Household Projections, undertaken by the Department of Environment, Land, Water and Planning and dwelling projections undertaken by id Consulting (id Forecasts) for the Surf Coast Shire (updated at October 2017) as the basis for projecting dwelling requirements.

VIF2016 details state-wide, regional and metropolitan areas as well as local government area population, household and dwelling projections. When produced they encompassed the latest available trends such as changes to levels of immigration or economic conditions, or changes to policy affecting population growth locations and levels, and subsequent demand for housing.

VIF2016 projections are undertaken at a VIFSA2 region. The VIFSA2 regions for Surf Coast are larger geographically than both the major areas (regions) and ABS SA2 areas. However, the Torquay VIFSA2 area is somewhat comparable to the SA2 as the additional rural portion has seen little change or future likely development.

The dwelling growth rates of the Torquay VIFSA2 sourced from VIF2016 have been applied to the dwelling stock as at 2016 sourced from the 2016 Australian Bureau of Statistics Population and Housing Census to the Torquay study area. This is then compared to each of the forecasts.

Projected dwelling requirements for the Surf Coast Shire sourced from VIF2016 indicate that from 2016 to 2031 there will be a total requirement for **5,892** additional dwellings (average annual growth of **393** dwellings or 1.9%). It is forecast that the Torquay VIFSA2 will account for nearly 80% of the total dwelling demand with an average annual growth of 311 per annum. For specific time cohorts, average annual dwelling requirements include:

- 2016 to 2021 – 389 (2.0%);
- 2021 to 2026 – 395 (1.9%); and
- 2026 to 2031 – 395 (1.7%).

Projected dwelling requirements sourced in Forecast indicate that from 2016 to 2031 there will be a total dwelling requirement of **5,723** (average annual growth of **382** dwellings or 1.8%). These are slightly lower than the dwelling demand forecasts compared to VIF2016 with Torquay-Jan-Juc area expected to supply approximately 78% of the Shire's dwelling growth. For specific time cohorts, average annual dwelling requirements include:

- 2016 to 2021 – 378 (2.0%);
- 2021 to 2026 – 385 (1.8%); and
- 2026 to 2031 – 382 (1.7%).

VIF2016 is currently being updated based on the results of the 2016 Census and updated State and national estimated resident population. There is no doubt that, based on the 2016 census outcomes, the State Government population and dwelling projections will be revised upwards.

The perfect 'demographic storm' Spatial Economics highlighted within the Geelong Settlement Strategy – background papers is gathering strength, just when it might have reached a point where it would not continue. The ingredients of that 'storm' were:

- high levels of net overseas migration (+180,000) to Australia, although this was down from the peak of 300,000 in 2007-08;
- but in Victoria's case this was embellished by a high share coming to Victoria - up to 36% in 2015-16 compared with the usual 20%-25%;
- record (at least since 1971) levels of net interstate migration to Victoria;
- high natural increase - record numbers of births. Although the fertility rate is going down migration adds to the pool of people who are in child bearing ages;
- deaths increasing but only slightly owing to continuing improvements in life expectancy; and
- in Torquay's case, its attractiveness as a coastal living option.

Then in May 2017 there was a radical upward revision of Victoria's 2016 population estimates which flowed through to settlements such as Torquay. In September 2017, we had the release of the March 2017 quarter population estimates for States and Territories. Importantly, what stands out, is the net overseas migration is again on the increase - up 45,000 in the year to 31st March 2017 compared with the year to March 2016.

Furthermore, Victoria's share remains high - at around 36%. With NSW, the two states account for 76% of net overseas migration (NOM). Victoria's NOM for 2016-17 is likely to be 16,000-18,000 higher than it was in 2015-16. There are several implications of this:

1. The high dwelling growth scenario presented below of 2.3% for the Surf Coast Shire is possible (likely to be a practical planning scenario).



2. The recent growth means that, when the ABS and DELWP do their next set of projections, there will be a considerable uplift in assumptions and the projected population for Melbourne by 2050. Spatial Economics estimate it will be closer to 9 million than 8 million. This new figure becomes a guide for planning, development and investment for Greater Melbourne (this includes implications/growth flow-on to Surf Coast, particularly Torquay/Jan-Juc).
3. This faster growth rate of population growth in Victoria has a marginal direct impact on Surf Coast. But the greater impact is likely to be the indirect one - the more quickly Melbourne fills up and outwards, the sooner and greater will be the overflow to Surf Coast.
4. This combination of interstate and overseas migration adds to the pool of young adults. It adds to births, and 20-40 years down the track, adds to the pool of future procreators.

6.1 Housing Demand Scenarios

Up front, Spatial Economics acknowledges that all projections are 'wrong'. That is to say, they will almost never exactly match the actual amount and timing of population growth. However, when they point us in the right *direction* then they are doing what they are intended for. In this context it is often most sensible to use a number of scenarios with various growth rates. This can help decision makers to better understand the range of uncertainty and to plan in a way that minimises the adverse effects of underestimating or overestimating growth.

Another factor influencing the accuracy/achievement of projected growth numbers is the availability and composition of residential land supply. If the land supply is restricted this will prevent the underlying demand for housing being realised.

So then what is the best course of action? In planning terms, we really need to be prepared for a range of possible futures of population and dwelling growth – this means considering a range of realistic growth forecasts and supply options.

Spatial Economics have developed a number of projected demand scenarios based on the most recently available evidence. These demand scenarios are outlined below.

Scenario One: idForecast – dwelling forecasts undertaken for the Shire of Surf Coast by ForecastID. Dwelling requirements from 2016 to 2031 at 382 per annum or 1.8% per annum growth rate (note this is trend growth as illustrated from 2011 to 2016).

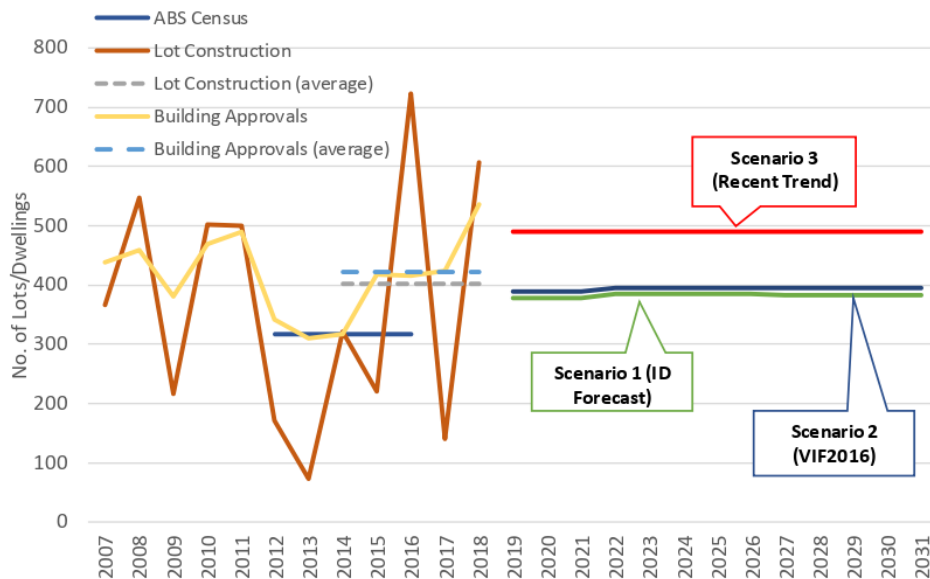
Scenario Two: VIF2016 – current State Government dwelling projections. Dwelling requirements from 2016 to 2031 at 392 per annum or 1.9% per annum growth rate.

Scenario Three: Recent Trend – based on actual recent trend growth over the last three years continuing to 2031 and being constant. Dwelling requirements from 2016 to 2031 at 490 per annum or 2.3% per annum growth rate would result.

Graph 16 summarises the projected demand scenarios for residential dwellings for the Surf Coast Shire. In addition, it highlights historic 'actual' demand for residential dwellings in the form of residential lot construction and net dwelling growth identified by the ABS Census.



Graph 16: Historic and Projected Demand for Residential Dwellings, 2007 to 2031



Source: DELWP. Victoria in Future 2016: Population and Household Projections Forecast ID - Surf Coast
 Australian Bureau of Statistics – 2011 and 2016 Population and Housing Census
 Australian Bureau of Statistics – Building Approvals
 Lot Construction - Spatial Economics Pty Ltd

First Home Owners Grant (FHOG)

The Victorian State Government has modified the FHOG to increase the FHOG to \$20,000 for eligible first-home buyers who buy or build their new home valued up to \$750,000 in regional Victoria. The Surf Coast Shire is defined as a regional area for the purpose of the FHOG.

A new home includes:

- A newly built home;
- An existing property which is being sold for the first time as a new residential premise;
- A land and building package, or
- Vacant land on which you will build a new home.

The \$20,000 FHOG will be applicable to:

- Contracts entered into from 1 July 2017 to 30 June 2020 for the purchase of a new home in regional Victoria;
- Comprehensive home building contracts entered into from 1 July 2017 to 30 June 2020 by the owner of land wholly in regional Victoria, or a person who on completion of the contract will be the owner of land wholly in regional Victoria, to have a home built on the land; and
- The building of a home wholly in regional Victoria if the building work commences between 1 July 2017 and 30 June 2020 inclusive.

At a macro level, initiatives such as the FHOG (when there is no geographical differentiation) simply brings forward underlying housing demand. Overall housing demand decreases proportionally once the grant ends and/or underlying demand for housing is satisfied.



However, with the current FHOG, underlying demand will be both brought forward and transferred geographically from potential competing metropolitan areas. This will likely have a marginal effect for Surf Coast in terms of transferring of demand but will likely bring forward underlying demand.

Expressed demand levels for housing will increase during the implementation of the newly structured FHOG across Surf Coast. However, once this ceases, the level of expressed housing demand will be normalised (based on natural increase, household formation and population migration levels i.e. underlying demand).

This assessment has not attempted to quantify 1) the level of brought forward demand; and 2) the potential/likely transferred demand to the Surf Coast municipality.

6.2 Changing Composition of Future Housing Demand – Household Types

Projections by household type have been commissioned and produced by .id consultancy for the period of 2016 to 2031 for the Surf Coast Shire. Household type projections provide useful insights to potential changes to the composition of future demand drivers.

The type of households that people live in and changing preferences over time affects the way in which a population changes. As people grow from children to adults and into old age, they change the type of households that they live in. The traditional path has been to start as a child in a family household, move into a group or lone person household as a youth, becoming a part of a couple relationship within 5-10 years. Rearing of children is followed by an 'empty-nester' period and ultimately being a lone person, as partners die.

Households at different ages are likely to have differing economic positions and needs. Young people are often more concerned with location than space, middle aged lone person household may be looking for more space for part-time care of kids, older lone person households are likely to want to retain space for visiting family, but perhaps lower maintenance.

The implication is that the demand for these different types of housing may be met somewhat by the existing housing stock. However, over time it will require new and different approaches to planning and land development to enable this more diverse housing to be made available in the future.

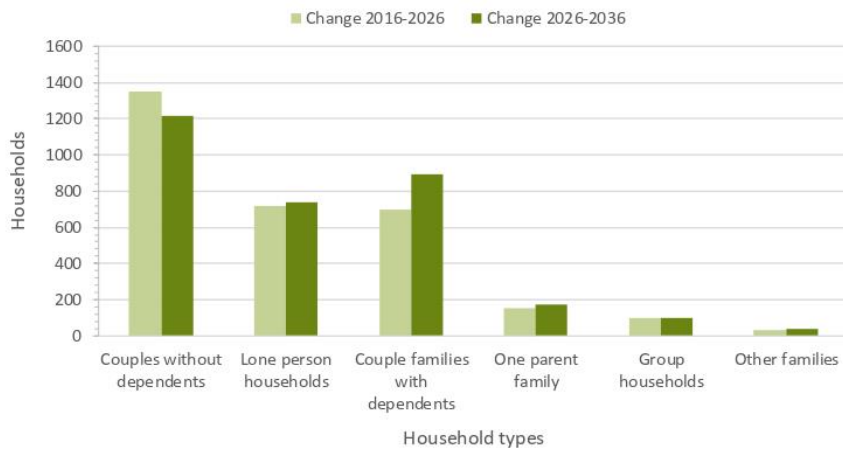
Understanding the changes that people make at different ages in their life, and the different types of housing they are likely to consume at those life stages is therefore an important factor in forecasting future population and household types.

The largest and fastest growth in households across the Surf Coast Shire will be households with no children (*lone person and couples without children households*), growing at an average annual rate of 2.5% or 201 households per annum from 2016 and 2036. This household type is projected to represent 57% of the change in household structure to 2036. A comparison of the 2016, 2026 and 2031 forecast periods projects the Shire will likely experience a slightly higher gain of households without dependents in the next decade compared to the 2026-2036 period.

The next largest (in terms of absolute growth) is households with children (*couples with kids & single parent families*), projected to grow at 96 households per annum or a 1.7% growth rate, with the larger gain expected to occur between 2026 and 2036.



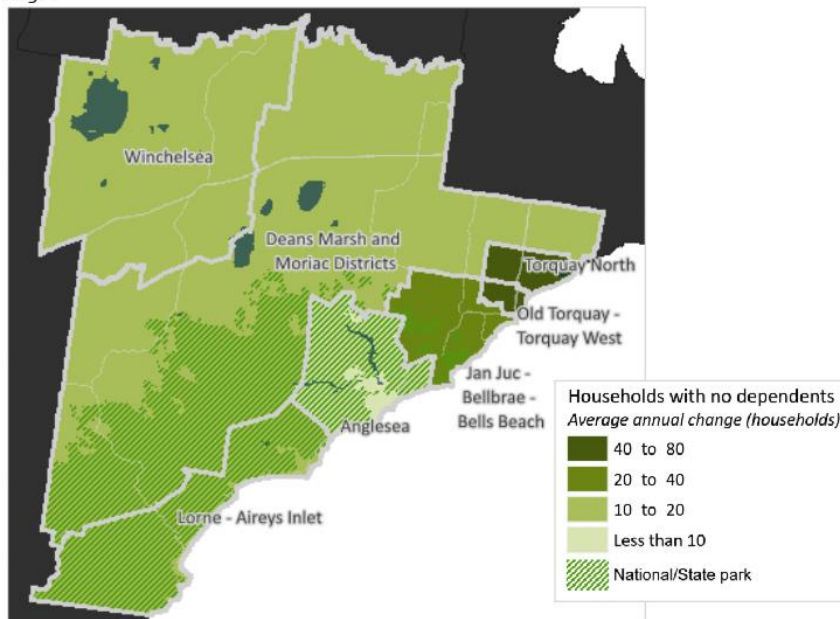
Graph 17: Projected Growth in Households by Type, Surf Coast Shire – 2016, 2026 to 2036



Source: forecast.id

The dominant growth of “households without kids” is largely reflecting the ageing of the existing population (i.e. children leaving home and retirees). Commissioned population forecasts by custom geographies project gains across the Shire with the largest expected to occur in the Torquay North (+ 78 households) and Old Torquay-Torquay West (+ 53 households) between 2016 and 2036.

Image 8: Surf Coast Shire - Average annual change of households without dependents, 2016 to 2036.



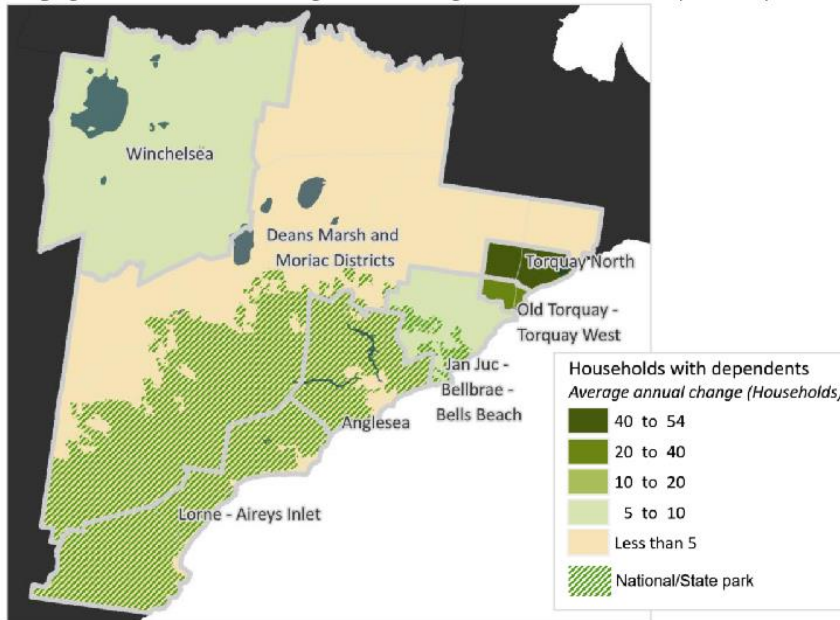
Source: forecast.id

The growth of “households with kids” correlates with the forecast residential development in the Shire. It is expected that the largest growth of this household is likely to occur in Torquay North (+



54 households) with some gains also expected in Old Torquay-Torquay West (+ 26 households) between 2016 and 2036. The areas of Anglesea, Lorne-Aireys Inlet, Deans Marsh and Moriac Districts are likely to experience little change.

Image 9: Surf Coast Shire - Average annual change of households with dependents, 2016 to 2036.



Looking at the growth in smaller household types from a demand composition perspective there is a significant opportunity for the housing development industry for the provision of further diversification of dwelling stock, particularly medium/higher density products. As explained previously, this will cater not just for new residents but offer opportunities for existing households to change dwelling types as household characteristics change.

6.3 Changing Composition of Future Housing Demand – Age Structure

The following provides an overview of the projected age structure of residents across the Surf Coast Shire. Similar to household structures it provides indications of influences and opportunities for future housing demand for differing housing types.

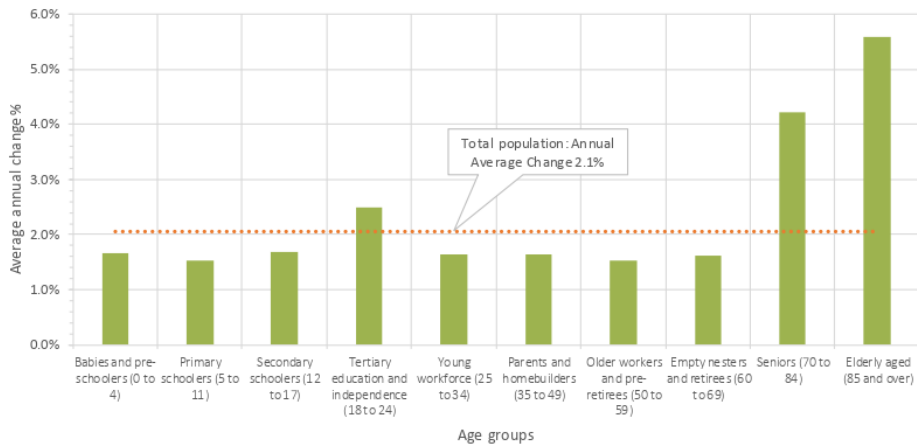
As Graph 18 illustrates the two age cohorts that are projected to increase at the greatest rates are:

- *Seniors* (70 to 84) at 4.2% per annum; and
- *Elderly aged* (85+) at 5.6% per annum.

This strong growth simply reflects the ageing of the existing resident population. However, most age cohorts are forecast to grow at similar or marginally below the overall projected population growth rate.



Graph 18: Average Annual % Change in Population by Age Cohort, 2016 to 2036

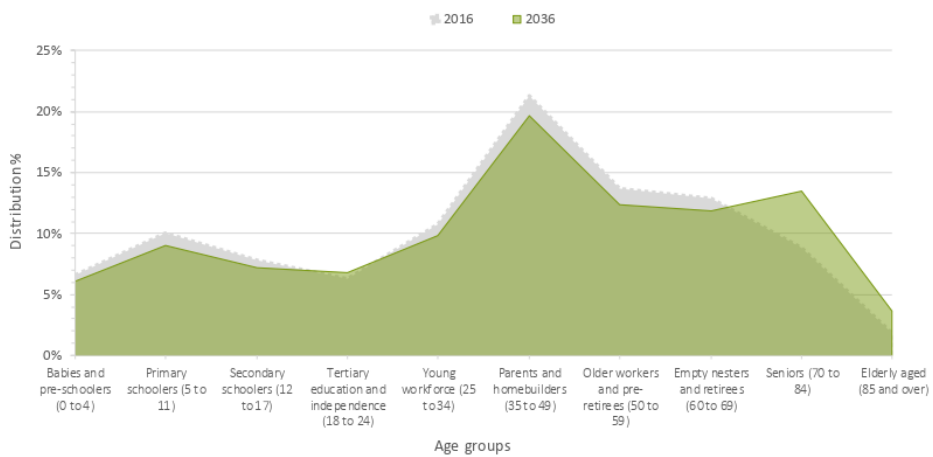


Source: Forecast id

It is often highlighted with various strategic planning exercises the issue of the ageing of the population and its various impacts on service provision and changing housing and accommodation needs. However, Graph 19 illustrates the proportional distribution of the population by age structure at 2016 and 2036. It effectively illustrates the age structure will largely be the same during this period with exception to a slightly higher proportion in the older age groups. Specifically, in 2016, 9% of the population of Surf Coast Shire is estimated to be aged 70 to 84, increasing to 13% of the population by 2036.

The key message is that there will be strong growth rates of elderly people in the future although the age structure will still be relatively likened to the current situation.

Graph 19: Proportional Population Distribution by Age Cohort, 2016 and 2036



Source: Forecast id



Key Issues

Up front, Spatial Economics state the notion that all projections are 'wrong'. That is to say, they are almost never *exactly* going to match the actual amount and timing of population growth. However, when they point us in the right *direction*, in particular giving us a picture of what the future is likely to be (with various growth rates), then they are doing exactly what they are intended for.

So, then what is the best course of action? In planning terms, we really need to be prepared for the range of possible futures of population and dwelling growth – this means considering a range of realistic options.

When planning for future housing demand (housing need) there are two key approaches can help with this kind of uncertainty:

First, to 'lean' on the side of assuming stronger growth overall and in any given market segment. That is to ensure that (within reason) there is scope to meet any unexpected upturn in demand; and

Secondly, to plan for a diversity of supply types and locations.

Planning that locks in controls based on one set of demand projections is likely to make it very difficult for the market to adjust supply to cater for unexpected changes in housing demand.

The Surf Coast Shire is projected to experience significant socio-demographic changes. Specifically, the majority of household growth will be for households with no children. This growth will be sourced by simply changing household structures and migration to the municipality. This significant household compositional change highlights the need/opportunity for the provision of diverse housing products across diverse locations.

The population across Surf Coast is ageing. That is, the proportion of older residents is increasing the most, with the fastest population growth of all age categories being in the 70 to 85+ year age group. This has implications in terms of ageing in place, service delivery, the potential 'churn' of housing stock i.e. downsizing of dwellings and the need for aged care housing (both independent and dependent housing/accommodation).

However, there will be significant, large amounts of growth of family aged adults, children and empty nesters. These household will likely demand and consume traditional separate dwellings.

The current FHOG, will bring forward underlying housing demand to the municipality.



7.0 Adequacy of Land Stocks

Key Findings

In terms of zoned broadhectare/major infill residential land stocks it is estimated based on the identified supply and projected demand scenarios, there are sufficient land stocks to satisfy between 5 to 7 years of demand across the Surf Coast municipality.

In addition, there are sufficient unzoned broadhectare/major infill residential land stocks (this includes the Spring Creek land release area) to satisfy between 9 to 12 years of demand

With the amount of supply and demand estimated, it is possible to describe the results in years of supply (a simple and understandable measure). For example, it can be stated that there are X years of supply based on projected demand within a given housing market and by supply type.

This succinct way of describing adequacy is standard across most State Governments in Australia and incorporates a wealth of information into a single figure. A series of adequacy numbers can be provided to reflect differing demand scenarios.

It is also possible to describe adequacy in a qualitative sense but with both the private and public sector familiar to this methodology, it seems appropriate to adopt the above approach. Years of supply can also be linked to trigger points relating to the need for additional land and more importantly triggering specific strategic land use planning responses. The adequacy of broadhectare/major infill residential land supply sources is calculated as a residual taking into account the state of the other supply types.

Analysis has been undertaken to estimate the years of broadhectare/major infill residential land stocks for the Surf Coast municipal area – this is outlined below.

7.1 Years of Supply – Surf Coast

Three future demand scenarios are used and assessed against the identified stock of broadhectare and major infill land. The demand scenarios are detailed in the previous section of the report. In summary these include:

Scenario One: idForecast – dwelling forecasts undertaken for the Shire of Surf Coast by ForecastID. Dwelling requirements from 2016 to 2031 at 382 per annum or 1.8% per annum growth rate (note this is trend growth as illustrated from 2011 to 2016).

Scenario Two: VIF2016 – current State Government dwelling projections. Dwelling requirements from 2016 to 2031 at 392 per annum or 1.9% per annum growth rate.

Scenario Three: Recent Trend – based on actual recent trend growth over the last three years continuing to 2031 and being constant. Dwelling requirements from 2016 to 2031 at 490 per annum or 2.3% per annum growth rate would result.

The share of broadhectare/major infill lot construction activity is assumed at 76%. This benchmark is assumed constant over-time and is seen as a conservative assumption. In addition, the land release areas that have previously been identified (both zoned and unzoned) that are highly fragmented/with existing significant uses have been excluded from the below years of supply estimates. These land release areas combined equate to approximately 1.4 to 2 years supply.

Table 7 summarise the estimated years of supply by demand scenario for broadhectare/major infill residential land stocks across the Surf Coast municipal area as at July 2018.

In terms of **zoned** broadhectare/major infill residential land stocks, it is estimated based on the identified supply and projected demand scenarios, there are sufficient land stocks to satisfy between **5 to 7 years** of demand across the Surf Coast municipality. In addition, there are sufficient **unzoned** broadhectare/major infill residential land stocks (this includes the Spring Creek land release area) to satisfy between **9 to 12** years of demand



Table 7: Estimated Years of Broadhectare/Major Infill Residential Land Supply, 2018

	Zoned	Potential Residential (unzoned)	Total
Scenario 1	7	12	19
Scenario 2	7	12	19
Scenario 3	5	9	14

Source: Spatial Economics Pty Ltd

Spatial Economics consider that the total stock of zoned broadhectare residential land is sufficient to meet short-term requirements. However, Spatial Economics recommend that the stock of zoned residential broadhectare land is increased in the short-term to maintain both a) a competitive land supply market; and b) meeting underlying dwelling requirements.

The years of supply is not only dependent on the projected number of dwellings in total, the share of total dwellings within major/broadhectare supply areas but also the timely realisation of the identified supply opportunities.

Therefore, caution is highlighted in the interpretation of the years of major/broadhectare land supply, as a major assumption is that the identified supply is realised in a development timing setting.

Key Issues

Clause 11.02 of the State Planning Policy Framework includes under 'Strategies' the need to:

"Plan to accommodate projected population growth over at least a 15 year period and provide clear direction on locations where growth should occur. Residential land supply will be considered on a municipal basis, rather than a town-by-town basis."

The broadhectare/major infill residential supply assessment included within this assessment (the method employed replicates the current State Governments methodology), illustrates that there is between **14 to 19 years** zoned and unzoned broadhectare/major infill residential land stocks.

Spatial Economics consider that the total stock of **zoned** broadhectare residential land is sufficient to meet short-term requirements. However, Spatial Economics recommend that the stock of zoned residential broadhectare land is increased in the short-term to maintain both a) a competitive land supply market; and b) meeting underlying dwelling requirements.



6.3 Positive Ageing Reform Update and Guiding Principles

Author's Title: Project Manager - Positive Ageing **General Manager:** Damian Waight
Department: Community Strengthening **File No:** F18/1215
Division: Culture & Community **Trim No:** IC18/2076

Appendix:

1. Positive Ageing Guiding Principles - Service Provider Perspective (D19/3576)
2. Positive Ageing Guiding Principles - Client's Perspective (D19/3575)

Officer Direct or Indirect Conflict of Interest:

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

Yes

No

Reason: Nil

Status:

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

Yes

No

Reason: Nil

Purpose

The purpose of this report is to provide an update on the Positive Ageing Reform Project and request Council adopt the Positive Ageing Guiding Principles for Council's Reform Readiness Plan.

Summary

After an extensive review by Council's Business Improvement Unit, prompted by the Commonwealth Government's Aged Care Reform Agenda, Council endorsed the Positive Ageing Service Review – Community Options paper at the 24 July 2018 Council Meeting. Option 2 – Plan for Change (Plan and Act) was endorsed, in order to prepare for the implications of national reforms to aged care and disability services.

Council endorsed the establishment of a Positive Ageing Advisory Committee and requested feedback from this Committee, once established, on the draft Guiding Principles prior to finalising them via Council Resolution. The development of a Reform Readiness Plan, with assistance from the Positive Ageing Advisory Committee, was also requested.

Since the July 2018 Meeting, the Positive Ageing Advisory Committee has been established, two Committee meetings held, one on the 9 November 2018 and the second on 7 December 2018.

The *Guiding Principles – Client's Perspective* were reviewed and redefined at the initial meeting, with a second draft presented at the subsequent meeting. The final version was agreed upon at this meeting and is presented in this report for Council's consideration.

Additionally, the initial focus areas for the Reform Readiness Plan were presented to the Advisory committee for discussion at the second meeting and received support for further exploration.

Recommendation

That Council:

1. Notes the progress of the Positive Ageing Reform Project.
2. Notes the latest developments in the Federal Government's Aged Care Reform Agenda.
3. Adopts the Guiding Principles for Council's Reform Readiness Plan as attached as Appendix 1 and Appendix 2.
4. Notes that the Positive Ageing Reform Readiness Plan will be presented to Council by June 2019.

Council Resolution

MOVED Cr Margot Smith, Seconded Cr David Bell

That Council:

1. Notes the progress of the Positive Ageing Reform Project.
2. Notes the latest developments in the Federal Government's Aged Care Reform Agenda.
3. Adopts the Guiding Principles for Council's Reform Readiness Plan as attached as Appendix 1 and Appendix 2.
4. Notes that the Positive Ageing Reform Readiness Plan will be presented to Council by June 2019.

CARRIED 7:0

6.3 Positive Ageing Reform Update and Guiding Principles

Report

Background

The Commonwealth Government has determined that reform is necessary to ensure that aged care and disability service system is best placed to meet the needs of an ageing population in an efficient, fair and sustainable way.

All local governments are grappling with how to move forward, with some exiting from service provision already, others relinquishing some aspects of their services and several just commencing their review processes to determine next steps.

Surf Coast Shire has been proactive in reviewing the potential impact of these reforms for almost 2 years, to ensure our community is best served in the new Aged Care system.

Council Meeting – 24 July 2018:

After an extensive 18-month review, Council's Business Improvement Unit offered 3 possible recommendations for Council's consideration.

Council resolved to:

- Endorse Option 2 Plan for Change (PLAN AND ACT) in order to prepare for the implications of national reforms to aged care and disability services.
- Seek feedback from the Positive Ageing Advisory Committee on the draft guiding principles prior to finalising them via Council resolution in order to inform future decision-making.
- Develop a Reform Readiness Plan, with assistance from the Positive Ageing Advisory Committee, in accordance with the resolutions arising from this report.
- Consider progress reports on the delivery of the Reform Readiness Plan at least twice a year or as Council decisions are required.

Council Meeting – 28 August 2018:

Council further resolved to:

- Adopt the Positive Ageing Advisory Committee Terms of Reference.
- Commence the Expression of Interest process for the Positive Ageing Advisory Committee.
- Receive a report at its October 2018 Ordinary Meeting with recommendations on the membership of the Positive Ageing Advisory Committee.

Council Meeting - 23 October 2018:

Council resolved on the membership of the Positive Ageing Advisory Committee.

Discussion

Progress of the Positive Ageing Reform Project

In accordance with the Plan for Change (PLAN AND ACT) direction set by the Council, there has been steady progress made in the Positive Ageing Reform Project:

- A Project Manager for Positive Ageing was engaged and commenced employment in October 2018.
- The Positive Ageing Committee was established in October and has met twice, once in November, followed by a December meeting. They will be meeting in January, and thereafter there is a commitment from the Committee to meet every 4-6 weeks.
- *Guiding Principles – Client's Perspective* have been developed and endorsed by the Advisory Committee.
- *Guiding Principles – Service Provider Perspective* have also been developed.
- Reform Readiness initial focus areas have been discussed and reviewed by the Advisory Committee. These Focus areas which are to be further explored include:
 1. Explore potential options for service delivery to Non-Community Home Support clients (approximately 93 clients).
 2. Review Community Home Support Program current service delivery framework (approximately 637 clients) to make it as efficient and productive as possible.
 3. Review community activities / social connectedness model.
 4. Develop model for new advocacy, information, referral and monitoring service.

6.3 Positive Ageing Reform Update and Guiding Principles

The latest developments in the Federal Government's Aged Care Reform Agenda

There are many developments impacting on the Federal Government's Aged Care Reform Agenda.

Key changes and uncertainty impacting the Reform include:

1. *Royal Commission into Aged Care Quality and Safety* - Draft Report is due October 2019, with the final Report due April 2020.
2. *Regional Assessment Service* - Council has the current contract for this service, which was to cease in June 2019. This contract has recently been extended until June 2020, as the renewed Assessment model has not been finalised by the Commonwealth Department. Officers are currently putting together a submission in response to the *Streamlined Consumer Assessment for Aged Care* report, to have input into the new Model.
3. *Community Home Support Program (CHSP)* - This is Council's main service delivery component, servicing approximately 680 clients. No decisions have been made by the Commonwealth as to the future model of this Program beyond 2020. It is possible that this timeframe will be extended to give further time to develop the new model. The Municipals Association of Victoria is advocating for a three year delay.
4. *Federal Election* - Potential changes with upcoming Federal election may impact on the set direction and model development.

Guiding Principles for Council's Reform Readiness Plan (Appendix 1 and Appendix 2)

As directed by Council, the first action of the Positive Ageing Advisory Committee at their November 2018 meeting was to review and redefine the *Guiding Principles – Client's Perspective* to inform Council decision-making. Robust discussion was held, and a reworking of the initial principles occurred.

The second draft of the *Guiding Principles – Client's Perspective* were tabled at the Advisory Committee's December 2018 meeting. Further discussion occurred, with minor alterations made. From this, the *Final Guiding Principles – Client's Perspective* were agreed upon by the Committee by consensus.

A secondary set of Principles are also attached. These *Guiding Principles – Service Provider perspective* are drawn from the 'success criteria' component of the Business Review Process and will support future decision making through a service provider lens. Several of these were included in the initial set of principles considered by Council in July 2018.

Positive Ageing Reform Readiness Plan

As the landscape changes in regards to the development of the Aged Care Reform Model, including external factors such as the Royal Commission and upcoming Federal Election, further exploration and developmental time has been set to ensure the Reform Readiness Plan is aligned with external factors. Further exploration of the initial Focus Areas will continue, with the Reform Readiness Plan being presented to Council for the June 2019 meeting. Investigations and research will be conducted in four focus areas to inform the plan:

- Community Home Support Program
- All other programs
- Social / Community Connect Activities
- Advocacy, Information, Referral and Monitoring.

Financial Implications

There are no significant financial implications in considering this report. Future recommendations relating to Council's services and role in the aged care sector have the potential to have significant implications for Council's cost of service.

Council Plan

Theme 1 Community Wellbeing
Objective 1.4 Provide support for people in need
Strategy 1.4.2 Pursue Age Friendly City status

Theme 5 High Performing Council
Objective 5.4 Ensure the community has access to the services they need
Strategy 5.4.1 Review Council-delivered services to ensure they are of high quality and delivering best value

6.3 Positive Ageing Reform Update and Guiding Principles

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

There are no significant policy or legal implications arising from this report. The Positive Ageing Guiding Principles are a lens through which to assess future options. They will be called upon to inform policy.

Officer Direct or Indirect Interest

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

Risk Assessment

The *Guiding Principles – Clients Perspective* have been reviewed and redeveloped by the Positive Ageing Advisory Committee. There is a risk should Council not adopt the Principles that the Committee, as representatives of the community, may question Council's decision-making and the reputation and relationship with community may be at risk.

The *Guiding Principles – Service Provider Perspective* recognise Council's obligations under the current funding regime (e.g. compliance with standards) and the implications of an open provider market (e.g. competitive neutrality).

Planning for the future is very difficult in a changing and uncertain reform environment which is compounded by the proximity of a Federal election. Officers are proposing taking several months to finalise the first version of the Reform Readiness Plan. Inevitably this plan will need to be a 'living' document responding to changes as they are announced by the Federal Government in coming years.

Social Considerations

The Guiding Principles affirm the community's voice and concerns raised throughout the review consultation process. Used as a lens from client's perspective, these Guiding Principles are integral as a foundation for setting future direction, keeping community needs at the forefront of decision-making.

Community Engagement

Officers continue to draw on the extensive community engagement conducted during the business improvement review. In addition the newly appointed Positive Ageing Advisory Committee now provides a valuable source of analysis and advice to Council. It is premature to conduct any further community or client engagement until Council has considered its Reform Readiness Plan and determined any course of action relating to current services.

Environmental Implications

There are no environmental implications associated with this report.

Communication

The Advisory Committee will be informed of Council's resolution. Staff will be informed through staff meeting processes. Clients, stakeholders and the wider community will be informed through various communication mediums including the Positive Ageing Newsletters, website, local media opportunities as part of Positive Ageing updates. A 12-month Communication Plan is currently being developed.

Options

Option 1 – Council adopts the Positive Ageing Guiding Principles

This option is recommended by officers as it aligns with Council's request for the Draft Guiding Principles received in July 2018 to be reviewed and considered by the Positive Ageing Committee prior to finalising them via Council resolution as the Committee's first task. The Client's Perspective Principles align with community's voice as heard through the review process. The *Guiding Principles – Service Providers Perspective* are drawn from principles already used throughout the Review process thus far and ensure Council takes a rounded approach to considering future actions and its viability as a provider.

6.3 Positive Ageing Reform Update and Guiding Principles

Option 2 – Council adopts the Positive Ageing Guiding Principles with changes

This option is not recommended by officers as the Advisory Committee have reviewed and redeveloped the *Guiding Principles – Clients Perspective* throughout their first two meetings and believe the Principles cover what is necessary in supporting future direction. Prolonged exploration of these would impact on the next stage of investigations informing the development of the Reform Readiness Plan. The *Guiding Principles – Service Providers Perspective* are drawn from principles already used throughout the review process and ensure Council takes a rounded approach to considering future actions and its viability as a provider.

Option 3 – Council does not adopt any Positive Ageing Guiding Principles.

This option is not recommended by officers as the Principles are highly valuable as a guide for future decision-making. This is particularly important as many separate decisions on Council's role will be required over an extended period of time and consistent decision-making will be desirable. Additionally at the July 2018 Council meeting, Council requested the development of Guiding Principles.

Conclusion

The Guiding Principles are paramount in ensuring that our community members are at the forefront of our decision making when setting future direction given the Commonwealth Reform implications.

After an extensive Business Review it was made clear from community that any changes in regards to service provision must ensure the community members, especially those most vulnerable in our community, are heard and considered as a priority, alongside service provider implications such as cost of service and service viability.

The development of *Guiding Principles – Client's Perspective* and *Guiding Principles – Service Provider Perspective*, ensures future work undertaken by the Committee and Council has a solid and agreed upon foundation from which to set future directions.

6.3 Positive Ageing Reform Update and Guiding Principles

APPENDIX 1 POSITIVE AGEING GUIDING PRINCIPLES - SERVICE PROVIDER PERSPECTIVE



Positive Ageing Guiding Principles Service Provider Perspective

These Guiding Principles are the lens we use, as a service provider, in order to inform future decision making.

Council will:

1. Only make significant changes to existing services through formal resolution
2. Ensure its services meet quality standards and are efficient and viable
3. Support staff through changes associated with the age care reforms
4. Ensure its actions do not inhibit the creation of a competitive market
5. Prepare for an open and competitive aged care market by moving towards competitive neutrality
6. Ensure that the community is not left without access to services currently provided by Council
7. Treat reductions in Council's cost of services as a contribution towards the business improvement program savings target

6.3 Positive Ageing Reform Update and Guiding Principles

APPENDIX 2 POSITIVE AGEING GUIDING PRINCIPLES - CLIENT'S PERSPECTIVE



Positive Ageing Guiding Principles Client's Perspective

These Guiding Principles are the lens we use, from a client's perspective, in order to inform future decision making.

1. I am well informed about aged care options and I understand the information because it is clear, up to date and makes sense
2. I have opportunities to discuss and clarify the changes and the new system
3. I have time to understand any changes to my service that may occur
4. I can ring the Council and they will help me work out what's available for me, how to get it and costs involved
5. I know Council will work hard to ensure the services I receive are of a high standard, meet quality guidelines, are monitored well and always work towards continuity of care
6. I can find my way through the service system easily either on my own or with assistance
7. I can choose my preferred service provider or if I'm unable to choose I can get help to make the best choice
8. Services and supports are flexible and will meet my needs

3. OFFICE OF THE CEO

3.1 Workplace Health and Safety Report - January 2019

Author's Title: Manager People & Culture

General Manager: Damian Waight

Department: People & Culture

File No: F17/309

Division: Culture & Community

Trim No: IC19/45

Appendix:

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 strategic and significant Workplace Health and Safety (WHS) issues to the Council.

Summary

The strategic and significant WHS issues relating to the period 27 November 2018 to 11 January 2019 are included in this report.

Recommendation

That Council notes the Workplace Health and Safety report - January 2019.

Council Resolution

MOVED Cr Martin Duke, Seconded Cr Carol McGregor

That Council notes the Workplace Health and Safety report - January 2019.

CARRIED 7:0

3.1 Workplace Health and Safety Report - January 2019

Report

Background

Council adopted the SCS-038 Councillor Workplace Health and Safety policy at its 27 November 2018 ordinary meeting. The policy requires the Council to receive information regarding strategic or significant WHS issues to enable it to fulfil its responsibility to provide leadership on workplace health and safety issues.

Council's safety framework is comprised of the policies relating to health and safety, internal audit program, strategies to address key focus areas identified through the management review process and OHSMS18001/4801 certification.

Strategic focus areas identified as part of Council's safety framework are:

- Occupational Violence & Aggression
- Manual Handling
- Mental Health
- Incident & Hazard reporting.

Discussion

Current and emerging WHS issues relating to Council's safety framework are detailed in Table 1 below:

Table 1 – Safety Framework Issues

Safety Framework element	Issues arising
Policies	<ul style="list-style-type: none"> • Policy reviews completed: MPP-021 Code Red & Extreme Fire Danger and WHS-022 Working in Seasonal Heat • Policy reviews in progress: SCS-014 Workplace Health & Safety
Internal WHS Audit program	<ul style="list-style-type: none"> • No internal WHS audits were scheduled to be completed by the WHS team during December and January.
Strategic Focus Areas <ul style="list-style-type: none"> • Occupational Violence & Aggression • Manual Handling • Mental Health • Incident & Hazard reporting rates 	<ul style="list-style-type: none"> • Incidents relating to occupational violence and aggression are trending upwards. Seven reports of violence and aggression towards staff by members of the public were reported in the past three months compared with two incidents in the preceding three months. A program has been established to educate and equip staff with the skills to diffuse and manage violence and aggression. Two incidents were reported to police. Counselling has been offered via the Employee Assistance Program. • Next Management review: March 2019
OHSMS18001/4801 Certification	<ul style="list-style-type: none"> • Next audit due: April 2019

Table 2 – Other emerging WHS Issues

Other emerging WHS issues are detailed in Table 2 below:

Emerging Issues	Description
Notifiable incidents (to WorkSafe)	<ul style="list-style-type: none"> • One notifiable incident occurred relating to works undertaken by an external contractor working on a Council site. The contractor contacted underground services whilst digging and the incident required to be notified to WorkSafe by the contractor. No improvement notice was issued to Council. Onsite contractor inductions will continue to focus on ensuring risks are adequately identified and controlled.
Reportable incidents (to police and/or other authorities)	<ul style="list-style-type: none"> • Two occupational violence & aggression incidents reported to police as outlined in Table 1
WorkSafe improvements	<ul style="list-style-type: none"> • One outstanding WorkSafe improvement notice relating to asbestos management. Actions are in progress to complete by 1 February 2019.
Benchmarks	<ul style="list-style-type: none"> • MAV benchmarking data released in December 2018 indicate Council's results for lost time injuries compare favourably with similar sized councils.

3.1 Workplace Health and Safety Report - January 2019

Financial Implications

None.

Council Plan

Theme 5 High Performing Council

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

Strategy Select Strategy

Policy/Legal Implications

This report aligns with SCS-038 Councillor Workplace Health & Safety Policy.

Officer Direct or Indirect Interest

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

Risk Assessment

No risks have been identified.

Social Considerations

Not applicable

Community Engagement

Not applicable

Environmental Implications

Not applicable

Communication

Not applicable

Options

Option 1 –Note the Workplace Health & Safety report

This option is recommended by officers as it demonstrates Council's commitment to workplace health and safety and complies with the Councillor Workplace Health & Safety policy.

Option 2 – Do not note the Workplace Health & Safety report

This option is not recommended by officers as is contradictory to the procedures outlines in the Councillor Health and Safety policy.

Conclusion

It is recommended that Council note the Workplace Health and Safety Report for January 2019.

4. GOVERNANCE & INFRASTRUCTURE

4.1 Project Budget Adjustments and Cash Reserve Transfers - January 2019

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

Department: Finance **File No:** F18/850

Division: Governance & Infrastructure **Trim No:** IC19/88

Appendix:

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

The project budget adjustments relating to January 2019 are included in this report. All figures in this report are exclusive of GST.

Recommendation

That Council:

1. Approve the Project Budget Adjustments outlined in Tables 1 and 5 in this report.
2. 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	12,720
Adopted Strategy Implementation Reserve	(233,000)
Asset Renewal Reserve	(22,718)
Grand Total	(242,998)

Council Resolution

MOVED Cr Margot Smith, Seconded Cr Clive Goldsworthy

That Council:

1. Approve the Project Budget Adjustments outlined in Tables 1 and 5 in this report.
2. 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	12,720
Adopted Strategy Implementation Reserve	(233,000)
Asset Renewal Reserve	(22,718)
Grand Total	(242,998)

CARRIED 7:0

4.1 Project Budget Adjustments and Cash Reserve Transfers - January 2019

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 \$
Asset Protection Zone Expansion Plan	Grant Funded	Funding agreement signed with DEWLP for Council to deliver project	147,267
Torquay Kinder Front Outdoor Playspace Improvement	Contribution Funded	Funding agreement signed with Torquay Kindergarten Parents Advisory Group to fund project. Project Management funded by Community Project Management Support Fund	10,408

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 \$
Drainage Discretionary - 33 Parker Street, Anglesea private works request	Contribution Funded	Funding agreement signed for private works. Total project cost is \$34,570 with Council contribution from Drainage Discretionary of \$13,042 and body corporate contribution of \$21,528.	21,528
Municipal Strategic Statement	Adopted Strategy Implementation Reserve	Scoping for a major planning scheme review will be undertaken after DELWP undertake the policy neutral Planning Policy Framework translation planned to commence early 2019.	(100,000)

4.1 Project Budget Adjustments and Cash Reserve Transfers - January 2019

Project Name	Funding Source	Basis for Variation	Project Allocation \$
Significant Landscapes Study	Adopted Strategy Implementation Reserve	The State Government has committed to the Surf Coast being declared a Distinctive Area and Landscape with more permanent town boundaries, therefore all the work under Strengthening Town Boundaries (Settlement Strategy, Environmental Study, and Significant landscape) are on hold and possibly redundant as the State will be undertaking some of the work	(39,000)
Shire Wide Settlement Strategy	Adopted Strategy Implementation Reserve	The State Government has committed to the Surf Coast being declared a Distinctive Area and Landscape with more permanent town boundaries, therefore all the work under Strengthening Town Boundaries (Settlement Strategy, Environmental Study, and Significant landscape) are on hold and possibly redundant as the State will be undertaking some of the work	(49,000)
Environmental Study	Adopted Strategy Implementation Reserve	The State Government has committed to the Surf Coast being declared a Distinctive Area and Landscape with more permanent town boundaries, therefore all the work under Strengthening Town Boundaries (Settlement Strategy, Environmental Study, and Significant landscape) are on hold and possibly redundant as the State will be undertaking some of the work	(45,000)
e-waste Facility Lorne and Winchelsea	Grant Funded	Funding agreements signed with Sustainability Victoria for \$100K contribution to upgrade e-waste collection and storage at both Lorne Transfer Station and Winchelsea Transfer Station	200,000
Anglesea Transfer Station e-waste Facility	Grant Funded	Funding agreements signed with Sustainability Victoria for \$100K contribution to upgrade e-waste collection and storage at Anglesea Transfer Station	100,000
Bob Pettitt Reserve Tennis Court Light Pole Replacement	Asset Renewal Reserve	Project complete and savings can be returned to source	(4,214)
Winchelsea Netball Pavilion Upgrade	Project Account	Construction contract has been let for combination of pavilion upgrade and adjacent public toilet facility therefore recommended to combine budgets	160,000

4.1 Project Budget Adjustments and Cash Reserve Transfers - January 2019

Project Name	Funding Source	Basis for Variation	Project Allocation \$
Stribling Reserve Stair Renewal	Asset Renewal Reserve	Additional project management funds required due to re-tendering and additional materials and services costs	2,517

The following budget transfers detailed in Table 3 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.

Table 3 – Projects to be Closed

Project Name	Funding Source	Basis for Variation	Project Allocation \$
Mt Moriac Depot Rehabilitation Stage 1	Accumulated Unallocated Cash Reserve	Overspend on this project is offset against the sales revenue we received in September and placed in the Accumulated Unallocated Cash Reserve	12,720
Darian Road Reconstruction	Asset Renewal Reserve	P Project complete and savings can be returned to source	(553)
Connewarre Riding Club Dressage Arenas	Project Savings Account	Project complete and savings can be returned to source	(5,490)
Surf Coast Shire Theatre Feasibility Study	Project Savings Account	Project complete and savings can be returned to source	(2,700)
Roof Renewal	Asset Renewal Reserve	Project complete and savings can be returned to source	(9,168)
Bob Pettitt Reserve Tennis Court Renewal	Asset Renewal Reserve	Project complete and savings can be returned to source	(11,300)
Torquay Central Business Area	Project Savings Account	Project complete and savings can be returned to source	(703)
Grenville Oval Landscaping Deferred	Project Savings Account	Project complete and savings can be returned to source	(4,879)

The following budget transfers detailed in Table 4 represent projects, that due to exceptional circumstances, the Chief Executive Officer has approved project budget adjustments that now require Council ratification.

4.1 Project Budget Adjustments and Cash Reserve Transfers - January 2019

Table 4 – Ratification of CEO Approved Transfers

Project Name	Funding Source	Basis for Variation	Project Allocation \$
Anglesea Men's Shed Storage Area Refurbishment	Contribution Funded	A funding agreement has been signed with the Anglesea Men's Shed (auspiced by Anglesea Community House) to refurbish the storage shed	29,530
Stribling Reserve Electronic Scoreboard	Contribution Funded	Cost of scoreboard higher than budget therefore community is contributing additional funds	30,327

Table 3 – 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	651	297	(165)
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	(1,448)	-	-	-
December Net Allocations Proposed	(13)	-	-	-
Closing Balance *	651	297	(165)	(664)

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

4.1 Project Budget Adjustments and Cash Reserve Transfers - January 2019

Accumulated Unallocated Cash Reserve	2018-19 \$'000
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)
July 2018 - Eastern Reserve Land Purchase	(720)
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)
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 - Community Project Development Program Investigations	(18)
September 2018 - Rural Hinterland Strategy	(8)
September 2018 - Sale of Hendy Main Road Mount Moriac Blocks	663
October 2018 - Positive Ageing Service Review	0
October 2018 - Records Management Program - BC 17/18	(2)
October 2018 - Rural Hinterland Strategy	(10)
November 2018 - Modewarre Cricket Training Facility	(30)
November 2018 - RACV Water Harvesting Agreement Licence	(4)
November 2018 - Stribling Reserve Stadium Ventilation	(40)
November 2018 - Anglesea Cricket Pavilion Upgrade Stage 1	(61)
Net Allocations (From)/To	(1,448)
January Net Allocations Proposed	
Mt Moriac Depot Rehabilitation Stage 1	(13)
January Net Allocations (From)/To	(13)

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.

4.1 Project Budget Adjustments and Cash Reserve Transfers - January 2019

Social Considerations

Not applicable.

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 January 2019 and ratify the project budget adjustments relating to the finalisation of accounts for the prior year.

4.2 Quarterly Finance Report - December 2018

Author's Title: Coordinator Management Accounting **General Manager:** Anne Howard
Department: Finance **File No:** F18/850
Division: Governance & Infrastructure **Trim No:** IC19/21
Appendix:

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 notes the December 2018 Quarterly Finance Report.

Summary

The December 2018 Quarterly Finance report includes the Comprehensive Income Statement, Balance Sheet, Statement of Cash Flows, Statement of Changes in Equity and Statement of Capital Works.

Recommendation

That Council notes the quarterly financial report for December 2018.

Council Resolution

MOVED Cr Clive Goldsworthy, Seconded Cr Margot Smith

That Council notes the quarterly financial report for December 2018.

CARRIED 7:0

4.2 Quarterly Finance Report - December 2018

Report

Background

Council reports quarterly on its financial results in accordance with section 138 of the Local Government Act.

Discussion

Quarterly financial statements included with the attached report include:

- Comprehensive Income Statement:
 - Comparison of Council's actual versus budget income and revenue for the period 1 July 2018 to 31 December 2018.
- Balance Sheet:
 - Comparison of Council's actual assets and liabilities versus budget as at 31 December 2018.
- Statement of Cash Flows:
 - Statement of cash flows related to Council's actual operations and activities, and reconciliation to Council's total cash holdings versus budget for the period 1 July 2018 to 31 December 2018.
- Statement of Changes in Equity:
 - Council's actual equity position versus budget as at 31 December 2018.
- Statement of Capital Works:
 - Statement of Council's capital works expenditure versus budget for period 1 July 2018 to 31 December 2018.

Council's year to date net surplus is \$34.0 million, which is \$7.8 million ahead of the year to date budget. This is mainly due to unbudgeted project grant funding; earlier processing of granted assets and increased activity in landfill gate fees and Gherang gravel pit sales.

4.2 Quarterly Finance Report - December 2018

COMPREHENSIVE INCOME STATEMENT

For the quarter ended 31 December 2018

	Notes	YTD	YTD	Annual	Variances		Variances	
		Actuals	Budget	Budget	Actual v	Actual v	YTD Budget	Annual Budget
		\$'000	\$'000	\$'000	\$'000	%	\$'000	%
Income								
Rates and charges		52,026	51,784	51,910	242	0%	116	0%
Statutory fees and fines		1,177	745	1,872	431	58%	(696)	37%
User charges	1	3,931	3,316	6,598	615	19%	(2,666)	40%
Grants - Operating		3,604	3,155	5,780	449	14%	(2,176)	38%
Grants - Capital	2	2,358	153	252	2,205	1443%	2,106	836%
Contributions - monetary		2,758	1,846	3,647	911	49%	(889)	24%
Contributions - non-monetary assets	3	2,830	1,440	12,265	1,390	97%	(9,435)	77%
Other Income		648	451	903	197	44%	(255)	28%
Total Income		69,331	62,891	83,226	6,441	10%	(13,895)	17%
Expenses								
Employee costs	4	14,877	15,132	30,997	254	2%	16,120	52%
Materials and services	5	12,713	13,098	25,426	385	3%	12,713	50%
Bad and doubtful debts		52	34	77	(18)	53%	25	32%
Depreciation		6,415	6,748	13,495	332	5%	7,080	52%
Borrowing costs		541	576	1,155	36	6%	614	53%
Net loss on disposal of property infrastructure, plant and equipment		173	462	923	289	62%	749	81%
Other Expenses		569	681	1,319	112	16%	749	57%
Total expenses		35,340	36,731	73,391	1,391	4%	38,050	52%
Surplus/(deficit) for the year		33,991	26,160	9,835	7,831	30%	24,156	246%
Other Comprehensive Income								
Items that will not be reclassified to surplus or deficit in future periods								
Net asset revaluation increment		-	-	4,608	-	0%	(4,608)	100%
Total Comprehensive Result		33,991	26,160	14,443	7,831	30%	19,548	135%

1. Landfill Gate fees, activity higher than expected; increase in Gherang Gravel pit sales.
2. Project grants not budgeted including Surf Coast Multi Purpose Indoor Stadium and Disaster Relief projects.
3. Timing of Granted assets.
4. Employee Costs mainly due to vacancies and timing of delivery of programs.
5. Materials and Services mainly relates to timing of delivery of programs and expensed capital works.

4.2 Quarterly Finance Report - December 2018

BALANCE SHEET

As at 31 December 2018

	Notes	YTD Actuals \$'000	YTD Budget \$'000	Annual Budget \$'000	Variances Actual v YTD Budget \$'000 %		Variances Actual v Annual Budget \$'000 %	
Assets								
Current assets								
Cash and cash equivalents	1	925	20,970	25,059	(20,045)	96%	(24,134)	96%
Trade and other receivables		26,709	28,123	3,602	(1,413)	5%	23,107	642%
Other financial assets	1	54,110	15,000	15,000	39,110	261%	39,110	261%
Inventories		252	284	289	(31)	11%	(37)	13%
Non-current assets classified as held for sale		-	-	-	-	0%	-	0%
Other assets		444	310	651	134	43%	(207)	32%
Total current assets		82,441	64,686	44,601	17,754	27%	37,840	85%
Non-current assets								
Trade and other receivables		80	79	79	1	1%	1	1%
Other financial assets	1	-	1,000	1,000	(1,000)	100%	(1,000)	100%
Property, infrastructure plant & equipment	2	763,486	540,959	557,976	222,527	41%	205,510	37%
Investments in associates and joint ventures		457	457	457	0	0%	0	0%
Total non-current assets		764,022	542,495	559,512	221,528	41%	204,510	37%
Total assets		846,463	607,181	604,113	239,282	39%	242,350	40%
Liabilities								
Current liabilities								
Trade and other payables		2,138	1,400	6,738	(738)	53%	4,600	68%
Trust funds and deposits	3	5,481	2,453	2,298	(3,029)	123%	(3,184)	139%
Provisions		5,628	5,546	5,543	(82)	1%	(85)	2%
Interest bearing liabilities	4	506	493	1,303	(13)	3%	797	61%
Other Liabilities		196	100	155	(96)	96%	(41)	26%
Total current liabilities		13,949	9,991	16,038	(3,958)	40%	2,089	13%
Non-current liabilities								
Provisions	5	10,945	11,243	11,247	299	3%	303	3%
Interest bearing liabilities	4	16,285	16,310	18,908	25	0%	2,623	14%
Total non-current liabilities		27,229	27,553	30,155	324	1%	2,926	10%
Total liabilities		41,179	37,545	46,193	(3,634)	10%	5,014	11%
Net assets		805,284	569,636	557,920	235,648	41%	247,364	44%
Equity								
Accumulated surplus		470,499	262,932	233,249	207,567	79%	237,250	102%
Asset revaluation reserve		314,612	282,343	286,951	32,269	11%	27,661	10%
Other reserves		20,174	24,362	37,720	(4,187)	17%	(17,546)	47%
Total equity		805,284	569,636	557,920	235,648	41%	247,364	44%

- Total cash and investment variance is \$17.2m, mix of short and medium term investments weighted differently. \$4.4m relates to opening balance.
- Property, infrastructure plant & equipment opening balance higher than budget mainly due to revaluation and recognition of previously unrecognised assets.
- Fire Services Levy to be paid to Essential Services Commission \$2.4m and opening balance higher than budgeted \$614k.
- Interest bearing liabilities budget current and non-current budget split corrected. June 2018 borrowings taken at 2.3% lower than budget.
- Provision variance is mainly due to a lower actual opening balance compared to forecast.

4.2 Quarterly Finance Report - December 2018

STATEMENT OF CASH FLOWS

For the quarter ended 31 December 2018

Notes	YTD	YTD	Annual	Variances		Variances		
	Actuals	Budget	Budget	Actual v	Actual v	Actual v	Actual v	
	\$'000	\$'000	\$'000	YTD Budget	%	Annual Budget	%	
Cash flow from operating activities								
Rates and charges	1	28,536	26,586	51,910	1,950	7%	(23,374)	45%
Grants - operating		3,764	3,266	5,977	498	15%	(2,212)	37%
Grants - capital	2	3,559	153	252	3,406	2229%	3,307	1313%
Contributions		2,758	1,846	3,647	911	49%	(889)	24%
Interest received		567	451	903	116	26%	(336)	37%
Statutory fees and fines		1,177	745	1,872	431	58%	(696)	37%
User charges		4,166	3,755	6,757	411	11%	(2,591)	38%
Net GST refund/payment		2,197	2,984	3,814	(787)	26%	(1,617)	42%
Trust funds received/(refunded)	3	2,615	200	45	2,415	1208%	2,570	5705%
Employee costs		(14,738)	(15,100)	(30,934)	362	2%	16,195	52%
Materials and Services		(18,641)	(21,710)	(31,014)	3,069	14%	12,373	40%
Net cash provided from operating activities		15,960	3,178	13,229	12,782	402%	2,731	21%
Cash Flows from investing activities								
Proceeds from sale of property, plant & equipment		815	-	439	815	0%	377	86%
Payments for property, plant, equipment & infrastructure assets		(7,516)	(7,553)	(16,784)	36	0%	9,267	55%
Cash Flows from investing activities	4	(9,090)	-	-	(9,090)	0%	(9,090)	0%
Net cash used in investing activities		(15,791)	(7,553)	(16,345)	(8,238)	109%	554	3%
Cash flows from financing activities								
Finance costs		(541)	(576)	(1,155)	36	6%	614	53%
Proceeds from interest bearing loans and borrowings		-	-	3,900	-	0%	(3,900)	100%
Repayment of interest bearing loans and borrowings		(471)	(459)	(951)	(12)	3%	480	50%
Net cash provided from financing activities		(1,012)	(1,035)	1,795	24	2%	(2,806)	156%
Net increase/(decrease) in cash & cash equivalents held								
Cash & cash equivalents at the beginning of the period		1,768	26,380	26,380	(24,612)	93%	(24,612)	93%
Cash & cash equivalents at the end of the period		925	20,970	25,059	(20,045)	96%	(24,134)	96%
Investments (current and non-current financial assets)								
		54,110	16,000	16,000	38,110	238%	38,110	238%
						0%		0%
Total cash & investments at the end of the period		55,035	36,970	41,059	18,065	49%	13,976	34%

1. Rates & Charges timing.
2. Grants Capital receipt of black spot funding relating to prior year and receipt of grants not budgeted.
3. Fire Services Levy unpaid.
4. Cash flow from investing activities is a movement of cash between financial assets and cash and cash equivalents.

STATEMENT OF CHANGES IN EQUITY

As at 31 December 2018

	YTD	YTD	Annual	Variances		Variances	
	Actuals	Budget	Budget	Actual v	Actual v	Actual v	Actual v
	\$'000	\$'000	\$'000	\$'000	%	\$'000	%
Equity Opening Balance	771,293	543,477	543,477	227,817	42%	227,817	42%
Surplus for the Year	33,991	26,160	9,835	7,831	30%	24,156	246%
Net Asset Revaluation	-	-	4,608	-	0%	(4,608)	100%
Total Equity	805,284	569,636	557,920	235,648	41%	247,364	44%

4.2 Quarterly Finance Report - December 2018

STATEMENT OF CAPITAL WORKS

As at 31 December 2018

	Notes	YTD	YTD	Annual	Variances		Variances	
		Actuals	Budget	Budget	Actual v		Actual v	
		\$'000	\$'000	\$'000	YTD Budget	%	Annual Budget	%
					\$'000		\$'000	
Property								
Land	1	1,486		1	(1,486)	330201%	(1,485)	148535%
Buildings		1,333	741	1,846	(592)	80%	513	28%
Total Property		2,819	741	1,847	(2,078)	280%	(972)	53%
Plant and Equipment								
Plant, Machinery and Equipment		803	840	1,867	37	4%	1,064	57%
Fixtures, Fitting and Furniture		8	92	205	84	91%	197	96%
Computers and Telecommunications		496	261	580	(235)	90%	84	14%
Total Plant and Equipment		1,308	1,193	2,652	(115)	10%	1,344	51%
Infrastructure								
Bridges		12	441	980	429	97%	968	99%
Drainage and Sewerage		12	102	228	90	88%	215	95%
Footpaths and Cycleways		794	732	1,627	(62)	8%	833	51%
Parks, Open Space and Streetscapes		340	360	801	20	6%	461	58%
Recreation, Leisure and Community Facilities		562	1,262	2,604	700	55%	2,043	78%
Roads		1,668	2,720	6,044	1,052	39%	4,376	72%
Offstreet Car Parks		-	-	-	-	0%	-	0%
Expensed Capital Works		1,520	1,612	3,582	92	6%	2,063	58%
Landfill Provision Works		1	25	55	24	98%	54	99%
Total Infrastructure		4,909	7,255	15,922	2,346	32%	11,013	69%
Total Capital Works		9,036	9,189	20,421	153	2%	11,385	56%
Represented by:								
New		2,816	955	2,122	(1,861)	195%	(693)	33%
Renewal		3,093	3,599	7,999	507	14%	4,906	61%
Expansion		12	8	17	(5)	61%	5	27%
Upgrade		1,595	2,991	6,646	1,396	47%	5,051	76%
Expensed Capital Works		1,520	1,612	3,582	92	6%	2,063	58%
Landfill Provision Works		1	25	55	24	98%	54	99%
Total Capital Works		9,036	9,189	20,421	153	2%	11,385	56%

Generally all project spend variations are only timing and spend of carry forward of unspent budgeted funds.

Financial Implications

Financial implications of variances to the adopted budget at the end of December do not fully determine the financial position at year end. The end of December figures will inform a rigorous financial year forecast to be undertaken during January.

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

Section 138(1) of the Local Government Act states that:

'At least every 3 months, the Chief Executive Officer must ensure that a statement comparing the budgeted revenue and expenditure for the financial year with the actual revenue and expenditure is presented to the Council at a Council meeting which is open to the public.'

The Quarterly Finance Report fulfils this requirement.

4.2 Quarterly Finance Report - December 2018

Officer Direct or Indirect Interest

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

Risk Assessment

Not applicable.

Social Considerations

Not applicable.

Community Engagement

Not applicable.

Environmental Implications

Not applicable.

Communication

Not applicable.

Conclusion

Council remains in a sound financial position.

4.3 Quarterly Report Councillors Expenses 1 October 2018 to 31 December 2018

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

Department: Governance & Risk **File No:** F11/786

Division: Governance & Infrastructure **Trim No:** IC19/13

Appendix:

1. Surf Coast Shire - Quarter 2 - Councillor Payment Summary 1 October to 31 December 2018 (D19/1415)

Officer Direct or Indirect Conflict of Interest:

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

Yes

No

Status:

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

Yes

No

Reason: Nil

Reason: Nil

Purpose

The purpose of this report is to present Councillor allowances and expenses paid during the period from 1 October 2018 to 31 December 2018.

Summary

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

Accordingly a report covering Councillor allowances and expenses for the period from 1 October 2018 to 31 December 2018 is attached.

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

Recommendation

That Council:

1. Notes the attached summary of Councillor allowances and expenses for the period 1 October 2018 to 31 December 2018 (Appendix 1).
2. Publishes the summary on Council's website.

Council Resolution

MOVED Cr Margot Smith, Seconded Cr Clive Goldsworthy

That Council:

1. Notes the attached summary of Councillor allowances and expenses for the period 1 October 2018 to 31 December 2018 (Appendix 1).
2. Publishes the summary on Council's website.

CARRIED 7:0

4.3 Quarterly Report Councillors Expenses 1 October 2018 to 31 December 2018

Report

Background

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

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

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

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

Discussion

The attached report outlines Councillor allowances and expenses that have been paid during the period from 1 October 2018 to 31 December 2018 in the following categories:

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

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

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

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

Financial Implications

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

Council Plan

Theme	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

4.3 Quarterly Report Councillors Expenses 1 October 2018 to 31 December 2018

Policy/Legal Implications

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

Officer Direct or Indirect Interest

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

Risk Assessment

Not applicable

Social Considerations

Not applicable

Community Engagement

Not applicable

Environmental Implications

Not applicable

Communication

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

Options

Option 1 – Reject proposed recommendations

This option is not recommended by officers as it is contrary to Council's earlier resolution.

Option 2 – Adopt proposed recommendations

This option is recommended by officers as it is consistent with Council's resolution.

Conclusion

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

4.3 Quarterly Report Councillors Expenses 1 October 2018 to 31 December 2018

**APPENDIX 1 SURF COAST SHIRE - QUARTER 2 - COUNCILLOR PAYMENT SUMMARY 1 OCTOBER
TO 31 DECEMBER 2018**



Surf Coast Shire Council Councillor Payment Summary Between 1 October to 31 December 2018										
Councillor	Allowances (\$)	Expenses Reimbursed				Items Provided			Contributions	Total (\$)
		Parking (\$)	Phone (\$)	Travel (\$)	Company Director Education & Membership (\$)	Motor Vehicle (\$)	Mobile Phone (\$)	Internet (\$)	By Councillors (\$)	
Cr Brian McKitterick	7,055.38	-	-	-	-	-	94.08	39.54	-	7,189.00
Cr Carol McGregor	7,055.38	-	-	427.28	-	-	94.08	39.54	-	7,616.28
Cr Clive Goldsworthy	7,055.38	-	-	1,988.64	-	-	114.08	39.54	-	9,197.64
Cr David Bell *	12,839.97	-	-	-	-	954.68	94.08	39.54	-	13,928.27
Cr Heather Wellington	7,055.38	-	-	-	-	-	94.08	39.54	-	7,189.00
Cr Libby Coker	7,055.38	-	-	-	-	-	94.08	39.54	-	7,189.00
Cr Margot Smith	7,055.38	-	-	2,022.72	-	-	94.08	39.54	-	9,211.72
Cr Martin Duke	7,055.38	-	-	-	-	-	94.08	39.54	-	7,189.00
Cr Rose Hodge **	16,049.08	-	-	128.38	-	1,356.66	94.08	39.54	(140.00)	17,527.73
Total	78,276.73	-	-	4,567.02	-	2,311.34	866.72	355.86	(140.00)	86,237.67

Notes:

* Cr David Bell (Mayor period: 08/11/2017 - 07/11/2018).
 ** Cr Rose Hodge (Mayor period: 08/11/2018 - Present).
 Allowances include superannuation.
 Mobile phone and internet expenditure includes supplier invoices received.
 Figures exclude GST.

4.4 Bellbrae School Proposed Second Crossing

Author's Title: Manager Engineering Services

General Manager: Anne Howard

Department: Engineering Services

File No: F18/44

Division: Governance & Infrastructure

Trim No: IC19/102

Appendix:

1. Pedestrian Crossing Data Collection Form - School Road and Cemetery Road (D18/169589)

Officer Direct or Indirect Conflict of Interest:

Status:

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

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

Yes

No

Yes

No

Reason: Nil

Reason: Nil

Purpose

The purpose of this report is to consider the request from the Bellbrae school community to the 28 August 2018 Ordinary Council Meeting for an additional school crossing and supervisor in School Road, Bellbrae.

Summary

Bellbrae School community has continued to raise concerns with road safety on School Road during school drop off and pick up periods. At an ordinary meeting of Council held on 28 August 2018, the school community representatives asked a number of questions and requests for an additional crossing supervisor at the intersection of School Road and Cemetery Road.

A pedestrian count survey has been conducted at this location during both the morning and afternoon school times. The survey measured five children using the crossing location in the morning and 16 children using the crossing point after school.

Given the higher use and level of traffic congestion on School Road in the afternoon officers are proposing that a crossing supervisor be provided for the afternoon pick up and continue to monitor the location in the morning through the school year to confirm if crossing numbers increase to warrant a supervisor. This recommendation is in line with VicRoads guidelines.

Recommendation

That Council:

1. Determines to establish a supervised school crossing at School Road, Bellbrae for the after school period only and seeks VicRoads urgent support for this crossing
2. Allocates \$5,000 from the Accumulated Unallocated Cash Reserve to fund the infrastructure required.
3. Notes that the operational cost of the supervised school crossing is unbudgeted for the 2018-19 financial year and will incur an unfavourable variance compared to the budget
4. Notes that the establishment of the additional supervised school crossing will result in an increase to its recurrent budget of \$10,000 commencing in the 2019-20 financial year.
5. Writes to the Bellbrae School Council and advise it of Council decision.

Council Resolution

MOVED Cr Martin Duke, Seconded Cr Margot Smith

That Council:

1. Determines to establish a supervised school crossing at School Road, Bellbrae for the after school period only and seeks VicRoads urgent support for this crossing
2. Allocates \$5,000 from the Accumulated Unallocated Cash Reserve to fund the infrastructure required.
3. Notes that the operational cost of the supervised school crossing is unbudgeted for the 2018-19 financial year and will incur an unfavourable variance compared to the budget
4. Notes that the establishment of the additional supervised school crossing will result in an increase to its recurrent budget of \$10,000 commencing in the 2019-20 financial year.
5. Writes to the Bellbrae School Council and advise it of Council decision.

CARRIED 7:0

4.4 Bellbrae School Proposed Second Crossing

Report

Background

Bellbrae Primary School and school council representatives have raised concerns regarding safety and the need for an additional school crossing supervisor close to the intersection of School Road and Cemetery Road, Bellbrae. These discussions have been ongoing for a number of years, over which period Council has invested approx. \$600k to understand and address the road safety issues. Council has completed studies and strategic planning work and undertaken a range of safety improvements in the area that include:

- Parking and pathway improvements at Cemetery Road.
- Parking and safety improvements at the school entrance (including a crossing supervisor)
- Drainage upgrade works
- Bellbrae streetscape improvements.

At the Ordinary Meeting of Council held on 28 August 2018, school community representatives from the Bellbrae Primary School asked a number of questions relating to road safety and requested Council support for an additional crossing supervisor for the school. The response to these questions explained that further data was needed to understand the issues and inform Council's consideration of the matter.

Discussion

Factors that contribute to the road safety challenges around the Bellbrae School include:

- Continuing growth in student numbers at the school without the Department of Education planning or addressing supporting traffic or parking infrastructure on-site or in precinct
- Lack of existing parking spaces in close or immediate proximity to the school and difficulties in providing additional parking as the single frontage to school limits opportunity
- School catchment mainly from outside immediate area (Jan Juc, Torquay, Freshwater Creek, Ocean views/Ocean Acres) which results in heavy dependency on vehicles for student drop-off/pick-up
- Similar to other schools, parents seeking most convenient parking rather than sometimes choosing safest options, as evidenced by observations of double-parking near schools rather than walking further from a safer place
- Parents are reluctant to allow children to cross School Road at the formalised crossing location by themselves
- Parents want to drop and go at Cemetery Road and not leave car and have supervisor to help children cross School road
- Parents not adhering to speed limit or parking related signs and adding to congestion outside school frontage
- Lack of path infrastructure in a rural environment.

Officers have carried out two pedestrian surveys at the requested location on School Road and Cemetery Road intersection for an additional supervisor, one count in the morning and one in the afternoon to measure the current usage. These surveys indicated that in the morning drop off, usage was quiet low with only five children crossing or walked across the road by adults, while in the afternoon it is busier with 16 children crossing or walked by adults within close proximity of this crossing location.

During the surveys officers made the following observations:

- Majority of children were walked to and from school by adults
- Low usage in the morning may be a result of parents being able to get a parking spot close to school due to the varying arrival times
- Higher usage in afternoon is due to larger volume of cars present at same time and no available parking outside school needing the use of Cemetery Road as alternative parking
- In the afternoon parents parked on Cemetery Road and walked to school before returning with children.
- Adults crossing themselves or with children did not use pedestrian crossing point
- Children crossing on own did use the pedestrian crossing location
- Minimum required number for state government subsidised school crossing supervisor is 20 primary school children crossing any one location, this figure was not met in either survey count.
- Vehicle numbers per day are 930vpd. 1hr peak vehicle numbers were experienced during morning drop offs at 330vph each day and similar in afternoon, making two-thirds of overall traffic on this road, this is above the required minimum 100vph
- Vehicle speeds at this location during school times are 45km/hr, outside school time it was 57km/hr.

4.4 Bellbrae School Proposed Second Crossing

To attract share funding with the State Government, a supervised crossing must have the following:

- Min 20 pedestrian movements per hour.
- Minimum 100 vehicle movements per hour
- When multiplied together must achieve a score of 5,000 (Warrant Score).

The school is about to embark on a major redevelopment plan which will increase the traffic volumes and requirements for parking. Providing a safer route to school during this period would also reduce the risks to the community.

With the majority of children coming from outside the area parents could walk their children across the road without the school crossing, but it is considered safer if this is done in a controlled manner. In the morning parents can utilise the 2 minute drop off zone at the front of the school which provides a facility that reduces the need to children to cross the road. In the afternoon this opportunity is greatly reduced as parents arrive at the same time to collect their children. Based on the current numbers the afternoon numbers would almost meet the funding requirements and it is suggested that as a transition that a supervisor be provided for the afternoon shift and officers continue to monitor the usage.

Financial Implications

If Council decides to install an additional school crossing supervisor the cost would be approximately \$18,000 per annum (if both morning and afternoon shifts are manned) and approximately \$10,000 if only one shift is manned. A capital cost of \$5,000 would be incurred to install the crossing.

As the crossing does not meet the warrants this would be required to be fully funded by Council.

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 Select Theme

Objective Select Objective

Strategy Select Strategy

Theme Select Theme

Objective Select Objective

Strategy Select Strategy

Policy/Legal Implications

Several Councils across the state have withdrawn from providing school crossing services altogether. In response the government has committed to providing 50% of the costs, but at this time Council is still proving the greater share of the provision of this service. The current proposal would not attract funding in the balance of this financial year or the 2019-20 financial year. Monitoring will continue to determine if it would meet the warrants in 2020/21 financial year.

Officer Direct or Indirect Interest

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

Risk Assessment

The provision of school crossing supervisors was established to mitigate against the known traffic hazard risks that occur around schools. The number of students that are being driven to school has risen dramatically as the school population grows. Parents are using a carpark further along School Road and then crossing the road to the formal path on the western side of the road. This crossing would duplicate the crossing further down the road, but it provides a more formalised pedestrian route to the school entrance.

Social Considerations

Under the current arrangements for school crossings, Council has a role to play in keeping our school communities safe. Being able to make equitable decisions between different school communities is challenging and more work is being undertaken in this space.

4.4 Bellbrae School Proposed Second Crossing

Community Engagement

This has been raised numerous times with Council including representations to Council at its Ordinary meeting on the 28 August 2018.

Council Officers have provided verbal update on the survey results to the Bellbrae School principal.

Environmental Implications

There are no foreseen environmental impacts

Communication

Councils decision will need to be conveyed back to the School community following its determination.

Options

Option 1 – Not provide the crossing supervisor

This option is not recommended by officers as this would leave the matter unresolved and it has already been a matter of contention for many years.

Option 2 – Provide the crossing supervisor in the afternoon period

This option is recommended by officers as this provides a safer crossing point for the children at the busiest time and therefore addresses the higher risk time of day.

Option 3 – Provide the crossing supervisor for both periods

This option is not recommended by officers as the current numbers do not warrant this and by providing it on a part-time bases this starts a more controlled behaviour and allows Council to continue to monitor the location.

Conclusion

Providing a supervised school crossing provides a safer way of managing the known traffic risks to children around schools. While the situation around the school is known, regulating the pedestrian movements will enhance the traffic flow as well the safety of our community. As the traffic and pedestrian volumes become more regulated, future counts will be undertaken to determine if they meet the VicRoads warrant for funding.

4.4 Bellbrae School Proposed Second Crossing

APPENDIX 1 PEDESTRIAN CROSSING DATA COLLECTION FORM - SCHOOL ROAD AND CEMETERY ROAD

Pedestrian crossing count School Road Bellbare near intersection of Cemetery Road

		West-East →	East-West ←
		A	B
From	To		
3.00	3.15	0	0
3.15	3.30	0	0
3.30	3.45	9 adults 14(children)	9 adults
3.45	4.00	2(children) 1(adult)	2 adults
Total		10 Adults and 16 children	11 Adults



Date: 18/10/2018
 Weather: Overcast
 Data Collector: Nick Eades

Observations:
 Adults crossing by themselves or with children - do not use the pedestrian crossing
 Children crossing by themselves - do use the pedestrian crossing
 Majority of adults that cross in the B direction come back with children and cross in the A direction

Pedestrian crossing count School Road Bellbare near intersection of Cemetery Road

		West-East →	East-West ←
		A	B
From	To		
8.00	8.15	0	0
8.15	8.30	2(Adults)	0
8.30	8.45	0	1 (Adult) 3 (Children)
8.45	9.00	0	2(Adults) 2(Children)
Total		2 Adults	3 Adults 5 Children



Date: 23/10/2018
 Weather: Overcast
 Data Collector: Nick Eades

Observations:
 Only one child crossed without adult supervision

4.5 Instrument of Appointment and Authorisation - Planning and Environment Act 1987

Author's Title: Manager Governance & Risk

General Manager: Anne Howard

Department: Governance & Risk

File No: F17/51

Division: Governance & Infrastructure

Trim No: IC18/2060

Appendix:

1. Instrument of Appointment and Authorisation - Planning and Environment Act 1987 - January 2019 (D18/162158)

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 for authorised officers under the *Planning & Environment Act 1987* through the updated instrument of authorisation and appointment. This request results from recent staff changes.

Summary

The Chief Executive Officer appoints the majority of authorised officers under section 224 of the *Local Government Act 1989*, in reliance of Council's delegation to the Chief Executive Officer. However the appointment of authorised officers under the *Planning and Environment Act 1987* cannot be delegated and must be made through resolution of Council.

The attached instrument of authorisation and appointment has been reviewed and updated following the appointment of Principal Strategic Planner, Samantha Natt.

The updated instrument of appointment and authorisation under the *Planning and Environment Act 1987* is attached for Council's endorsement.

Recommendation

That Council in the exercise of the powers conferred by section 224 of the *Local Government Act 1989* and the legislation referred to in the attached instrument of appointment and authorisation ('the instrument'), resolves that:

1. The members of Council staff referred to in the instrument as shown in Appendix 1 be appointed and authorised as set out in the instrument.
2. The Chief Executive Officer is authorised to execute the instrument by affixing the common seal in accordance with Local Law No. 2 of 2018 Council Meeting Procedures & Common Seal.
3. The instrument comes into force immediately upon execution and remains in force until Council determines to vary or revoke it.
4. The previous instrument dated 30 November 2018 is revoked.

Council Resolution

MOVED Cr Carol McGregor, Seconded Cr Libby Coker

That Council in the exercise of the powers conferred by section 224 of the *Local Government Act 1989* and the legislation referred to in the attached instrument of appointment and authorisation ('the instrument'), resolves that:

1. The members of Council staff referred to in the instrument as shown in Appendix 1 be appointed and authorised as set out in the instrument.
2. The Chief Executive Officer is authorised to execute the instrument by affixing the common seal in accordance with Local Law No. 2 of 2018 Council Meeting Procedures & Common Seal.
3. The instrument comes into force immediately upon execution and remains in force until Council determines to vary or revoke it.
4. The previous instrument dated 30 November 2018 is revoked.

CARRIED 7:0

4.5 Instrument of Appointment and Authorisation - Planning and Environment Act 1987

Report

Background

The Chief Executive Officer appoints the majority of authorised officers under section 224 of the *Local Government Act 1989*, in reliance of Council's delegation to the Chief Executive Officer. However the appointment of authorised officers under the *Planning and Environment Act 1987* cannot be delegated and must be made through resolution of Council.

Discussion

Officers authorised to act under the *Planning and Environment Act 1987* have authorisation to enter sites, gather evidence or serve legal notices etc. if required, as appropriate to their level of experience and qualifications.

The specific authorisations provided through this instrument include:

1. under section 147(4) of the *Planning and Environment Act 1987* – appointment as an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
2. under section 232 of the *Local Government Act 1989* authorisation generally to institute proceedings for offences against the Act and/or any regulations.

The attached instrument of authorisation and appointment has been reviewed and updated.

Summary of changes:

Amended following the appointment of Principal Strategic Planner, Samantha Natt.

Financial Implications

Not applicable.

Council Plan

Theme	5 High Performing Council
Objective	Nil
Strategy	Nil

Policy/Legal Implications

The appointment of authorised officers under the *Planning and Environment Act 1987* ensures Council is compliant with the legislation and that officers are able to carry out their enforcement roles.

Officer Direct or Indirect Interest

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

Risk Assessment

The appointment of authorised officers under the *Planning and Environment Act 1987* ensures Council is compliant with the legislation and that officers are able to carry out their enforcement roles.

Social Considerations

Not applicable.

Community Engagement

Not applicable.

Environmental Implications

Not applicable.

4.5 Instrument of Appointment and Authorisation - Planning and Environment Act 1987

Options

Option 1 – Endorse the updated instrument of authorisation and appointment

This option is recommended by officers as it will ensure Environmental Health Officers and Local Laws Officers are appropriately authorised under the *Planning & Environment Act 1987*.

Option 2 – Not endorse the updated instrument of authorisation and appointment

This option is not recommended by officers as it will limit the authorisations and authority of Environmental Health Officers and Local Laws Officers.

Communication

The relevant parties will be notified and the Public Register of Authorised Officers updated.

Conclusion

By authorising the relevant officers to act under the *Planning and Environment Act 1987* Council will ensure they have the required authority to carry out their roles within legislated requirements.

4.5 Instrument of Appointment and Authorisation - Planning and Environment Act 1987

APPENDIX 1 INSTRUMENT OF APPOINTMENT AND AUTHORISATION - PLANNING AND ENVIRONMENT ACT 1987 - JANUARY 2019



**Instrument of Appointment and Authorisation
(Planning and Environment Act 1987)**

In this instrument "officers" means -

William Cathcart
Ben Schmied
Michelle Watt
Maggie Juniper
Roger Curnow
Jennifer Davidson
Carol Mitchell
Sarah Smith
Cameron Hayes
Michelle Warren
Karen Hose
Sally Conway
Barbara Noelker
Claire Cowan
Andrew Hewitt
Karen Campbell
Bianca Wilkin
Trent Blackmore
Nick Helliwell
James Hamilton
Shaun Barling

Jozo Majic
Robert Pitcher
Trevor Doueal
Tony Rolfs
John Bauer
Luke Shanhun
Wayne Sandars
Ben O'Regan
Adam Lee
Sarah Farrer
Rhonda Gambetta
Jonathan Brett
Rochelle Humphrey
Callum Thompson
Brendan Walsh
Trevor Britten
Marshall Sullivan
Donna Groves
Leah Protyniak
Jayde Whitten
Samantha Natt

By this instrument of appointment and authorisation Surf Coast Shire Council -

1. under section 147(4) of the *Planning and Environment Act 1987* - appoints the officers to be authorised officers for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
2. under section 232 of the *Local Government Act 1989* authorises the officers generally to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument -

- (a) comes into force immediately upon its execution;
- (b) remains in force until varied or revoked.

Executed by the Chief Executive Officer on behalf of the Surf Coast Shire Council pursuant to the Council resolution dated 22 January 2019.

The COMMON SEAL of SURF COAST)
SHIRE COUNCIL was affixed in the)
presence of:)

.....
Chief Executive Officer

.....
Mayor/Deputy Mayor

.....
Witness

.....
Date

5. ENVIRONMENT & DEVELOPMENT

Cr Clive Goldsworthy declared an indirect conflict of interest for Item 5.1 – Funding Request: Great Ocean Road Regional Tourism Centenary of Commencement of Construction Celebration of the open agenda under Section 78B of the Local Government Act 1989 – conflicting duty. The nature of the interest being Cr Clive Goldsworthy is an independent member of the Great Ocean Road Regional Tourism Board.

Cr Clive Goldsworthy left the meeting at 06:33 pm.

5.1 Funding Request: Great Ocean Road Regional Tourism - Centenary of Commencement of Construction Celebration

Author's Title: Manager Economic Development & Tourism

General Manager: Ransce Salan

Department: Economic Development & Tourism

File No: F18/857

Division: Environment & Development

Trim No: IC18/2048

Appendix:

1. Funding Request - 100 Year Celebration - Commencement of Construction of the Great Ocean Road (D18/154509)

Officer Direct or Indirect Conflict of Interest:

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

Yes

No

Reason: Nil

Status:

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

Yes

No

Reason: Nil

Purpose

The purpose of this report is to consider a \$25,000 funding request from Great Ocean Road Regional Tourism to partner in the Centenary of the Commencement of Construction of the Great Ocean Road project.

Summary

September 2019 will mark the centenary of the commencement of construction of the Great Ocean Road. In recognition of this, Great Ocean Road Regional Tourism (GORRT) facilitated discussions with stakeholders with the aim of identifying and scoping a series of celebrations.

GORRT has now confirmed they have secured \$420,000 grant funding to undertake a range of celebrations extending from July – October 2019. Although significant, there is a need for additional cash funding to ensure the celebrations can be delivered and marketed as scoped.

The celebrations are envisaged to attract significant media attention, and as a result attract visitors to the Great Ocean Road region during the off peak season.

GORRT has requested a \$25,000 contribution from Council to assist in the delivery of the project. Surf Coast Shire, as the eastern start of the Great Ocean Road and a focal point of construction activity by ex-service men, has a significant connection to the centenary milestone.

The request for \$25,000 (5% of the total project cost) is recommended to be accepted.

Recommendation

That Council approves the request from Great Ocean Road Regional Tourism seeking a \$25,000 (excl.GST) contribution towards the Centenary of the Commencement of Construction of the Great Ocean Road celebrations and authorises the funds to come from the Accumulated Unallocated Cash Reserve.

Council Resolution

MOVED Cr Margot Smith, Seconded Cr Libby Coker

That Council approves the request from Great Ocean Road Regional Tourism seeking a \$25,000 (excl.GST) contribution towards the Centenary of the Commencement of Construction of the Great Ocean Road celebrations and authorises the funds to come from the Accumulated Unallocated Cash Reserve.

CARRIED 6:0

5.1 Funding Request: Great Ocean Road Regional Tourism - Centenary of Commencement of Construction Celebration

Report

Background

September 2019 will mark the centenary of the commencement of construction of the Great Ocean Road.

Constructed by more than 3,000 returned servicemen from World War I, the Great Ocean Road is a memorial to the lost lives and sacrifices of Australian soldiers. Steep cliffs, difficult terrain and poor weather were just part of the challenge in linking the then isolated towns along Victoria's south western coastline.

Seeking to recognise this milestone, in mid-2018 GORRT facilitated discussions with a number of stakeholders, including Surf Coast Shire, on the development of potential project concepts to mark the centenary.

Funding applications for three projects were submitted by GORRT with a total of \$420,000 secured for the following projects. The total quantum received was less than what was applied for.

- \$70,000 secured for the development of a documentary on the role WWI Veterans played in building the Great Ocean Road and shaping local communities. Program: Department of Premier & Cabinet – Victoria Remembers Fund.
- \$150,000 secured for an event program including a Gala screening and a series of pop up cinemas for four weeks from mid-September to mid-October 2019, to share the documentary and the stories developed with local communities and visitors to the region. Program: Regional Events Fund.
- \$200,000 secured for a beacon technology & park bench installation project to use digital technology and augmented reality to provide visitors with the stories of the road, its construction, the industries it spawned and the landscape they are travelling. Program: Regional Events & Innovation Fund.

All planned activities will take place in the municipalities of Surf Coast Shire and Colac Otway Shire.

Discussion

The nature of the planned projects and the 100 year anniversary are envisaged to attract significant national and international media exposure.

As the eastern start of the Great Ocean Road and the focal point of work undertaken by service men and women, Surf Coast Shire has a strong connection to the Great Ocean Road.

The projects present the opportunity to share curated stories with, and educate visitors on, the breadth of product on offer along the Great Ocean Road. The events planned have direct alignment with current Council Plan actions to advocate and drive the Great Ocean Road economy and develop major and signature events.

The three projects will seek to influence visitor behaviour, encourage dispersal through the region and therefore greater length of stay and expenditure.

Although GORRT secured \$420,000 from three funding programs, the funding received is less than what was sought via funding applications to complete the projects.

In late November GORRT wrote to Council formally requesting an investment of \$25,000 to partner with GORRT in the delivery of the program. See Appendix 1.

The funding sought is not contained within the 2018-2019 budget and would need to come from the Accumulated Unallocated Cash Reserve.

A similar financial request has also been sought from Colac Otway Shire. Should the funding not be received:

- Surf Coast Shire would not be recognised in the delivery by GORRT
- GORRT's ability to properly market the projects will be diminished
- Some projects may be moved to focus more on Colac Otway Shire.

5.1 Funding Request: Great Ocean Road Regional Tourism - Centenary of Commencement of Construction Celebration

Financial Implications

GORRT has requested a \$25,000 contribution from Surf Coast Shire to assist in staging the planned events. This contribution will build on the \$420,000 already secured by GORRT and a further \$25,000 requested from Colac Otway Shire.

Should both Councils fund the project, the total budget would be \$490,000. Surf Coast Shire's contribution would therefore represent approximately 5% of total funding.

The \$25,000 requested is not provisioned for in the 2018 – 2019 budget. As such, Should Councillors agree to the request, the funding will be required to be provided from the Accumulated Unallocated Cash Reserve.

Council Plan

Theme 4 Vibrant Economy
Objective 4.4 Support key industry sectors such as surfing, tourism, home-based, construction and rural businesses
Strategy 4.4.3 Advocate for and drive the Great Ocean Road visitor economy

Theme 4 Vibrant Economy
Objective 4.2 Facilitate high quality events throughout the year
Strategy 4.4.1 Work with key stakeholders to encourage visitors to stay longer and spend more in the shire

Policy/Legal Implications

There are no policy or legal implications contained in this report.

Officer Direct or Indirect Interest

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

Risk Assessment

Should Council decline GORRT's request the following risks may present:

- Surf Coast Shire would not be recognised in the project delivery by GORRT: With no provision of funding Surf Coast Shire would receive no recognition as an event partner. This may reflect poorly with the community given the role of the ex-servicemen in constructing the eastern start of the Great Ocean Road between Torquay and Cumberland River.
- GORRT's ability to properly market the projects will be diminished: The significance of the 100 year celebration is envisaged to receive international exposure. Funding from Surf Coast Shire will assist in the implementation of an effective marketing campaign. This campaign would be diminished without the funding and the resultant economic benefits from visitation may not be realised.

Social Considerations

There are no social implications contained in this report. Supporting the 100 year celebrations is a positive outcome for the community.

Community Engagement

Trader groups were consulted in the initial phases of project scoping by GORRT. A marketing campaign will be implemented to inform the community of the events taking place.

Environmental Implications

There are no environmental implications contained in this report.

Communication

A letter will be provided to GORRT advising on the outcome of Council's decision.

5.1 Funding Request: Great Ocean Road Regional Tourism - Centenary of Commencement of Construction Celebration

Options

Option 1 – Approve the request from GORRT seeking \$25,000 towards the Centenary of the Commencement of Construction of the Great Ocean Road celebrations and authorise the funds to come from the Accumulated Unallocated Cash Reserve in 2018-19

This option is recommended by officers as Surf Coast Shire, the eastern start of the Great Ocean Road and a focal point of construction activity by ex-servicemen has a significant connection to the centenary milestone. This contribution not only ensures proper marketing of the events, but also recognises the significance of the Road itself.

Option 2 – Approve an alternative amount towards the Centenary of the Commencement of Construction of the Great Ocean Road celebrations and authorise the funds to come from the Accumulated Unallocated Cash Reserve in 2018-19

This option is not recommended by officers as an alternative amount (if lower) may compromise the ability for GORRT to deliver the projects as scoped.

Option 3 – Reject the request from GORRT seeking \$25,000 towards the Centenary of the Commencement of Construction of the Great Ocean Road celebrations.

This option is not recommended by officers as the centenary milestone is significant in the history of the Great Ocean Road. As the eastern start of the Road there is a significant connection to the Surf Coast Shire. Rejecting the request would also compromise the delivery of the scoped celebration events and their respective marketing campaigns.

Conclusion

The Great Ocean Road forms a significant part of Surf Coast Shires history, identity and visitor economy. Great Ocean Road Regional Tourism is seeking a \$25,000 contribution from Surf Coast Shire towards the Centenary of the Commencement of Construction of the Great Ocean Road celebrations.

This request is leveraged by significant funding already secured by GORRT of \$420,000 from three State government funding programs. The planned celebrations have a direct link to a number of Council Plan strategies and therefore the request should be supported.

5.1 Funding Request: Great Ocean Road Regional Tourism - Centenary of Commencement of Construction Celebration

APPENDIX 1 FUNDING REQUEST - 100 YEAR CELEBRATION - COMMENCEMENT OF CONSTRUCTION OF THE GREAT OCEAN ROAD



GREAT OCEAN ROAD
REGIONAL TOURISM LIMITED

Keith Baillie
Via email: kbaillie@surfcoast.vic.gov.au

Dear Keith,

RE: CENTENARY OF THE COMMENCEMENT OF THE CONSTRUCTION OF THE GOR

Great Ocean Road Regional Tourism Ltd (GORRT) has been successful in securing \$420k in State Government funding for the region, for a series of projects, to celebrate the Centenary of the Commencement of Construction of the Great Ocean Road.

The projects include:-

- a) Development of a Documentary on the role WWI Veterans played in building the Great Ocean Road and shaping local communities. (\$70k from Department of Premier & Cabinet – Victoria Remembers Fund)
- b) A beacon technology & park bench installation project to use digital technology and augmented reality to provide visitors with the stories of the road, its construction, the industries it spawned and the landscape they are travelling (\$200k from the Regional Events & Innovation Fund); and
- c) An event program including a Gala screening and a series of pop up cinemas for four weeks from mid-September to mid-October, to share the documentary and the stories developed with local communities and visitors to the region (\$150k from the Regional Events Fund).

GORRT facilitated the development of the project concept and the applications for funding in consultation with Surf Coast and Colac Otways Shire Councils, Visit Victoria, Regional Development Victoria, Vic Roads and the local tourism and trader organisations of Business & Tourism Anglesea, Lorne Business & Tourism and the Apollo Bay Chamber of Commerce.

The funding received to date is \$80k less than what was sought through grant programs. With the projects only being rolled out across the Colac Otway and Surf Coast Council areas of the region, we are now seeking to formally request an investment of \$25k from Surf Coast and Colac Otway Shire's to partner with GORRT in the delivery of this program.

This milestone facilitates an enormous opportunity to leverage national and international media, , provides the catalyst to stimulate visitation off peak and delivers legacy tools to engage visitors in the region, to share with them our stories and educate them on the breadth of product on offer to influence their behaviour encouraging them to disperse through the region, stay longer, spend more and have a more engaging visit to the region.

This project provides a significant opportunity for the region and for the Surf Coast Shire and we look forward to your favourable consideration of joining us as a partner in the delivery of the program.

Please do not hesitate to contact me to discuss the project in detail or to answer any of your questions.

Yours sincerely,



Liz Price
General Manager

cc. Matt Taylor - mtaylor@surfcoast.vic.gov.au
Simon Loone – sloone@surfcoast.vic.gov.au
Kate Patterson – kpatterson@surfcoast.vic.gov.au

5.2 Funding Request: Rural & Peri Urban Scoping Study (Multi-Purpose Saleyards Facility)

Cr Clive Goldsworthy returned to the meeting at 06:36 pm.

Author's Title: Manager Economic Development & Tourism

General Manager: Ransce Salan

Department: Economic Development & Tourism

File No: F16/1530

Division: Environment & Development

Trim No: IC19/55

Appendix:

1. Funding Request - Rural and Peri Urban Scoping Study (D18/160482)

Officer Direct or Indirect Conflict of Interest:

Status:

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

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

Yes

No

Yes

No

Reason: Nil

Reason: Nil

Purpose

The purpose of this report is to consider a request from City of Greater Geelong seeking a \$20,000 contribution towards the proposed Rural and Peri Urban Scoping Study (a scoping study for a multi-purpose livestock and information exchange).

Summary

On 23 November 2018 City of Greater Geelong wrote to Surf Coast Shire Council seeking a \$20,000 contribution towards a scoping study for a multi-purpose livestock and information exchange in the G21 region (scoping study).

Since the full closure of the Geelong Saleyards on 31 August 2017 significant staff time has been spent monitoring of the sale of sheep and cattle originating from Surf Coast Shire via various saleyards and sale platforms to confirm if adequate pathways to market exist.

Additional aspects associated with the multi-purpose facility such as education, food and branding are covered in actions contained in the Sustainable Agribusiness Strategy for the G21 Region 2017 – 2022 and do not require a saleyard facility to enact.

Data collected indicates multiple pathways to market exist and are being accessed by Surf Coast based livestock producers. Additional components of the proposed project are being delivered by other organisations and actions. Further, it also reveals that unmet demand for an additional livestock exchange facility does not exist in the Surf Coast region.

Recommendation

That Council:

1. Notes the letter from City Greater Geelong dated 23 November 2018, seeking a \$20,000 (excl. GST) contribution for the purpose of commissioning a scoping study for a multi-purpose livestock and information exchange (Rural and Peri Urban Scoping Study).
2. Declines the funding request based on data compiled by officers over the past 12 months indicating such a facility and therefore the study is not required.

Council Resolution

MOVED Cr Carol McGregor, Seconded Cr Libby Coker

That Council:

1. Notes the letter from City Greater Geelong dated 23 November 2018, seeking a \$20,000 (excl. GST) contribution for the purpose of commissioning a scoping study for a multi-purpose livestock and information exchange (Rural and Peri Urban Scoping Study).
2. Defers a decision on the request for funding until further information is received regarding bio-security issues and the full scope of the proposed study.
3. Writes to City of Greater Geelong advising of Council's position to defer a decision on the request for funding.
4. Considers the request for funding as part of the 2019 – 2020 budget processes.

CARRIED 7:0

5.2 Funding Request: Rural & Peri Urban Scoping Study (Multi-Purpose Saleyards Facility)

Report

Background

Since being notified of City of Greater Geelong's staged withdrawal of operation at the Geelong Saleyards in November 2016 Surf Coast Shire Council has had an active role in undertaking research and financially contributing to independent reports and the saleyard transition process.

This has included a \$10,000 contribution towards the 2017 'Preparing for change: A new saleyard user demographic' (Mercado report), and a further \$7,000 towards the transition of the Colac Saleyards sheep sales facilities in line with recommendations made within the report.

Since the full closure of the Geelong Saleyards on 31 August 2017 significant staff time has been spent monitoring of the sale of sheep and cattle originating from Surf Coast Shire via various saleyards and sale platforms to confirm if adequate pathways to market exist.

At the City of Greater Geelong Council meeting on 9 October 2018 a report on behalf of Rural and Peri Urban Advisory Committee was presented which sought the commissioning of a scoping study for a multi-purpose livestock and information exchange. The City of Greater Geelong (COGG) resolved to write to relevant Councils to determine each Council's cost contribution to the scoping study.

On 23 November 2018 COGG wrote to Surf Coast Shire Council seeking a \$20,000 contribution towards the scoping study for a multi-purpose livestock and information exchange in the G21 region (scoping study). The total cost of the scoping study is estimated in the letter to be \$100,000 and is proposed to be undertaken in the 2019 – 2020 financial year. Similar requests have also been sent to Wyndham City Council, Golden Plains Shire Council and Moorabool Shire Council. A copy of the letter of request is attached in Appendix 1.

Discussion

At the culmination of the 12 month transition plan period the following insights were obtained from both a range of saleyard facilities within 30 minutes – 2 hours of Surf Coast Shire and emerging online sale platforms:

Colac Saleyards

- In line with commitments under the Saleyards transition plan, Colac Otway Shire upgraded their sheep yards and continues to offer sheep sale options.
- The Colac Saleyards experienced an increase in cattle throughput of 22.5% over the transition period from 14,139 in 2016-17 to 17,320 in 2017-18.
- Surf Coast producers contributed 2,944 cattle over the transition period to Colac cattle sales. This represented a 72% increase on 2017 numbers.
- Colac Otway Shire Council has indicated they intend to continue offering sheep and cattle sale options.

Ballarat Saleyards

- In addition to Colac Saleyards, available origin of stock data revealed many Surf Coast sheep producers chose to offer stock via Ballarat.
- According to Meat & Livestock Australia data, sheep throughput at Ballarat Saleyards increased by approximately 90,000 head from 1,327,845 to 1,421,809 during the transition period.
- Data analysis of top performing yardings from Ballarat Stock and Station Agents Association reveals a minimum of 66 Surf Coast based sheep producers accessed the Ballarat facility during the transition. This represents 61% of sheep producers in the Surf Coast.
- In contrast to the Colac and newly opened Mortlake saleyards, cattle throughput decreased slightly from 11,204 to 10,938 in 2018.
- On 23 October 2018, the new state of the art Central Victoria Livestock Exchange (CVLX) Miners Rest facility opened, replacing the Latrobe Street, Ballarat saleyards. It has been observed that sheep throughput at Ballarat increased dramatically from October/ November 2017 figures.

5.2 Funding Request: Rural & Peri Urban Scoping Study (Multi-Purpose Saleyards Facility)

Bendigo Saleyards

- According to Meat & Livestock Australia data, sheep throughput at Bendigo Saleyards increased by approximately 202,000 head from 913,913 to 1,116,625 during the transition period. This facility is favoured by producers with non-conventional sheep varieties providing a further pathway to market.

Mortlake & Camperdown Saleyards

- A new regional livestock exchange in Mortlake (WVLX) opened in January 2018. Mortlake experienced throughput of 22,600 head of cattle by the end of the saleyards observation period.
- Discussions with agents and livestock producers from Surf Coast indicated that Mortlake and Camperdown saleyard facilities were being accessed as a pathway to market.
- It is understood that Camperdown Saleyards is also being leased and upgraded by CVLX management. This will enable CVLX to potentially capture a larger share of the dairy cattle market. Situated 100 km west of Winchelsea, Camperdown provides an additional pathway to market for Surf Coast livestock producers with a focus on dairy cattle.

Online Platforms

- Research also reveals online platform AuctionsPlus, the Australian online livestock trading platform, has increased their accessibility and marketing to enable smaller scale producers to buy and sell livestock. Data showed 1,691 sheep from Surf Coast were listed in regular lamb and sheep auctions during the transition period.
- Biosecurity concerns were flagged in the Mercado report relating to a potential grey market developing with unregulated livestock trading on Facebook and Gumtree. In response to these concerns, Agriculture Victoria has provided clear guidance on the requirements for listing livestock for sale.
- Moderators of Facebook farming classifieds and livestock trading pages are actively enforcing these requirements. Facebook has been reported to have suspended or permanently closed pages where non-compliant livestock advertisements have been listed.

General Observations

- During 2017 and 2018 staff undertook significant consultation sessions regarding the development of the Rural Hinterland Futures Strategy. No submissions or comments regarding the lack of pathways to market or the need for an alternative saleyard facility were raised during these consultations.
- During the transition period officers did not receive any notifications from Surf Coast livestock producers that they were not able to find a way to sell their sheep or cattle.
- Agriculture Victoria's communications on advertising livestock for sale not through saleyards or an agent have been in line with the Livestock Disease Control Regulations, 2017 and amendments in September 2018.
- In brief the guidelines state Victorian owners of livestock selling livestock species online or in print media are now required to include the Property Identification Code (PIC) of the property at which the livestock are kept in any advertisement for the sale (including giving away or bartering) of those livestock. It is an offence for the vendor to fail to include the PIC in the advertisement, or for the media organisation that publishes the advertisement not to contain a PIC.
- The guidelines can be accessed on the Victorian government's website www.legislation.vic.gov.au
- In 2017 Agriculture Victoria announced \$350,000 funding towards officers to promote effective land management, animal welfare and bio security. One of the focus regions is the Geelong region.
- Additional aspects associated with the multi-purpose facility such as education, food and branding are covered in actions contained in the Sustainable Agribusiness Strategy for the G21 Region 2017 – 2022 and do not require a saleyard facility to enact.

Further, the 2017 Mercado report stated that any upgrades to a "fit-for-purpose" saleyard facility or additional service be in response to demand and with agent support. This report recognised that a small-scale producer facility would not attract large producers or large throughput and it is highly unlikely that agent support would be achieved.

Data collected indicates multiple pathways to market exist and are being accessed by Surf Coast based livestock producers. Further, it also reveals that unmet demand for an additional livestock exchange facility does not exist in the Surf Coast region. Additional components of the proposed project are being delivered by other organisations or under actions in existing strategies.

5.2 Funding Request: Rural & Peri Urban Scoping Study (Multi-Purpose Saleyards Facility)

For this reason the officer position is to decline the \$20,000 request for funding towards the Rural and Peri Urban Scoping Study.

Financial Implications

Discussions with City of Greater Geelong indicated the funding would not be required this financial year. If the officer recommendation is not accepted the request for \$20,000 would need to be allocated in the 2019 – 2020 budget.

Council Plan

Theme 4 Vibrant Economy
Objective 4.4 Support key industry sectors such as surfing, tourism, home-based, construction and rural businesses
Strategy 4.4.4 Develop and implement an agribusiness strategy

Policy/Legal Implications

There are no policy or legal implications contained in this report.

Officer Direct or Indirect Interest

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

Risk Assessment

Not agreeing to the funding request may result in the scoping study not being undertaken. Data collected by officers suggests pathways exist and being accessed. Proposed support activities are already catered for in existing strategy documents without the need for a multi-purpose facility.

Social Considerations

There are no social implications contained in this report.

Community Engagement

Responding to the letter of request from City of Greater Geelong does not require community engagement.

Significant community engagement was undertaken during the draft Hinterland Futures Strategy. No submissions or comments were received regarding the need for a saleyard facility by Surf Coast Shire land livestock producers.

No complaints have been received from Surf Coast Shire based livestock producers regarding the need for a multi-purpose saleyard facility since monitoring commenced in mid-2017.

Environmental Implications

There are no environmental implications contained in this report.

Communication

A letter will be sent to City of Greater Geelong advising of Surf Coast Shire's position after the January Council meeting.

Options

Option 1 – Reject the request from City of Greater Geelong seeking \$20,000 towards Rural and Peri Urban Scoping Study

This option is recommended by officers as data gathered since 2017 indicates multiple pathways to market exist and are being accessed by Surf Coast based livestock producers. Further, it also reveals that unmet demand for an additional livestock exchange facility does not exist in the Surf Coast region and additional components of the proposed project are being delivered by other organisations and strategy actions.

Option 2 – Accept the request from City of Greater Geelong seeking \$20,000 towards Rural and Peri Urban Scoping Study and pre allocate the amount in the 2019 – 2020 budget

This option is not recommended by officers as data gathered indicates the proposed Scoping Study is not warranted due to existing pathways to market existing.

Option 3 – Approve an alternative amount towards the Rural and Peri Urban Scoping Study and pre allocate the amount in the 2019 – 2020 budget

5.2 Funding Request: Rural & Peri Urban Scoping Study (Multi-Purpose Saleyards Facility)

This option is not recommended by officers as data gathered indicates the proposed Scoping Study is not warranted due to existing pathways to market existing.

Conclusion

On 23 November 2018 City of Greater Geelong wrote to Surf Coast Shire Council seeking a \$20,000 contribution towards a scoping study for a multi-purpose livestock and information exchange in the G21 region (scoping study).

Data gathered by officers indicates multiple pathways to market exist and are being accessed by Surf Coast based livestock producers. Further, it also reveals that unmet demand for an additional livestock exchange facility does not exist in the Surf Coast region and additional components of the proposed project are being delivered by other organisations or actions in existing strategies.

The request for funding should be rejected and a letter be sent to City of Greater Geelong advising of this position.

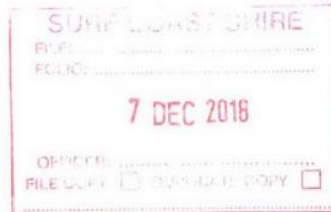
5.2 Funding Request: Rural & Peri Urban Scoping Study (Multi-Purpose Saleyards Facility)

APPENDIX 1 FUNDING REQUEST - RURAL AND PERI URBAN SCOPING STUDY

CITY OF GREATER GEELONG

PO Box 104,
Geelong VIC 3220
DX 22063 Geelong

P: 03 5272 5272
E: contactus@geelongcity.vic.gov.au
www.geelongaustralia.com.au



Mr Keith Baille
Chief Executive Officer
Surf Coast Shire
1 Merrijig Drive
TORQUAY VIC 3228

23 November 2018

Doc No: D18-463078

Dear Keith

Re: Funding support for the Rural and Peri Urban scoping study

In February 2018 the City of Greater Geelong Council endorsed the formation of a Rural and Peri Urban Advisory Committee. This committee is chaired by Cr Jim Mason and has representation from a wide group of rural interests & skills. Cr Carol McGregor from Surf Coast Shire is an active participant on the committee.

The objective of the committee is to consider and provide advice to Council on matters relevant to rural and peri urban constituents. A number of matters are being considered by the committee. One of the primary areas of focus and discussion for the committee has been the transition strategies for saleyard services following the full closure of the Geelong Saleyards in 2017. The saleyard services included a livestock exchange, an information exchange and hygiene/vehicle wash down.

The Rural and Peri Urban Advisory Committee, through Cr Mason presented a report to the City of Greater Geelong Council which recommended to Council that:

- a. *A scoping study for a multi- purpose small-scale livestock and information exchange in the G21 region (Scoping Study) to be commissioned that pulls together existing reports, industry information and analyses existing data relating to the local use of saleyards including demographics of the users, with further consideration to economic, social and environmental benefits and the current behaviours and needs of stakeholders;*
- b. *The Committee supports, in principle, a shared funding arrangement between stakeholder Councils for the Scoping Study. The Committee recommends that the Council engage with each interested Council to determine each Council's cost contribution; and*
- c. *That the outcomes of the Scoping Study be the subject of further recommendations from the Committee to the Council.*

The following Council resolution was carried at the Community Focus Council Meeting on 9 October 2018:

That Council:

1. **Notes the update of the activities of the Committee;**
2. **Notes the recommendations of the Committee;**
3. **Refers the consideration of an allocation of adequate funding to conduct the Scoping Study to the 2019/20 budget process; and**
4. **Requests the Chief Executive Officer to engage with the relevant Councils to determine each Council's cost contribution to the Scoping Study.**

Carried.

The committee believe \$100,000 would be a suitable sum to undertake a scoping study for a multi-purpose small scale livestock information exchange. The committee also discussed and agreed that funding for a study should be shared across interested Council's and financial contributions would be based on a usage model derived from historical data from previous volumes at the Geelong Saleyards.

The G21 Geelong Regional Alliance has indicated it will consider an allocation of funding to support this project. This letter is to seek a financial contribution of \$20,000 from Surf Coast Shire. We will be considering our contribution through our budget process and will also request financial contributions from Wyndham City Council, Golden Plains Shire Council and Moorabool Shire Council.

Should you have any questions relating to this letter or the Rural and Peri Urban Advisory Committee, please do not hesitate to contact Tim Ellis, Manager Economic Development & Events on tim.ellis@geelongcity.vic.gov.au or 0439 143 656.

Yours sincerely



**MARTIN CUTTER
CHIEF EXECUTIVE OFFICER**

5.3 Event Grants Program 2019-20

Author's Title: Coordinator Events
Department: Tourism & Events
Division: Environment & Development

General Manager: Ransce Salan
File No: F18/801
Trim No: IC19/17

Appendix:

Nil

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

Yes

No

Reason: Nil

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

Yes

No

Reason: Nil

Purpose

The purpose of this report is to consider funding for Major and Community Event Grants for the 2019-20 financial year.

Summary

Released each September to inform funding for the next financial year, Council's Event Grants Program has now been running for five years. In this time, the program has assisted in improving the sustainability, spread and positive impact of events held within the Surf Coast Shire.

Thirty three applications were received under the 2019-20 Event Grants Program, seeking a total of \$187,200 in funding. The Major Events category received 14 applications (total funding request of \$114,400) and the Community Events category received 19 applications (total funding request of \$72,800).

Following the assessment process, 11 Major Events and 13 Community Events are considered appropriate to receive funding, to a total of \$88,000.

A breakdown of the proposed number of events (combined categories) and funding allocations by Ward is provided below (Table 1):

Ward	Submitted	Supported	Supported Allocation
Anglesea	10	9	\$43,000
Lorne	8	6	\$19,500
Torquay	12	7	\$24,500
Winchelsea	3	2	\$1,000
Total:	33	24	\$88,000

Table 1: Event Grants Program Allocations by Ward

5.3 Event Grants Program 2019-20

Recommendation

That Council:

1. Approves the proposed funding for the 2019-20 Event Grants Program to 24 events to the value of \$88,000 as outlined in Table 3 of this report.
2. Commits \$88,000 to be included in the 2019-20 Annual Budget to support the 2019-20 Events Grants Program.
3. Authorises officers to enter into funding agreements with all successful event grant applicants.
4. Authorises officers to advise all successful and unsuccessful grant applicants of the outcome of their submission.
5. Notes officers commence promotion for the 2020-2021 Event Grant Program in September 2019.

Council Resolution

MOVED Cr Margot Smith, Seconded Cr Martin Duke

That Council:

1. Approves the proposed funding for the 2019-20 Event Grants Program to 24 events to the value of \$88,000 as outlined in Table 3 of this report.
2. Commits \$88,000 to be included in the 2019-20 Annual Budget to support the 2019-20 Events Grants Program.
3. Authorises officers to enter into funding agreements with all successful event grant applicants.
4. Authorises officers to advise all successful and unsuccessful grant applicants of the outcome of their submission.
5. Notes officers commence promotion for the 2020-2021 Event Grant Program in September 2019.

CARRIED 7:0

5.3 Event Grants Program 2019-20

Report

Background

Council's Event Grants Program recognises the important role events play in shaping the Surf Coast Shire's identity, prosperity and vitality by allocating funding to a range of Major and Community Events each year. Events provide an opportunity to increase off-peak visitation and strengthen the local community and economy.

The Event Grants Program Guidelines outline the process for groups and organisations to apply for Council funding for an event held within the Shire. The program encompasses three categories: Signature, Major and Community Events.

- **Signature Events** are not considered in this report, as they have a different application process.
- **Major Events** may occur annually, biennially or be a one-off event, and are regional, State or nationally recognised. The primary evaluation is the generated economic return to Surf Coast Shire. Marketing and branding opportunities for Surf Coast Shire and its townships at a regional scale (or beyond) must also be displayed. Applicants in this category may seek funding to a maximum of \$10,000.
- **Community Events** support participation and celebration of our local communities. They are usually smaller in scale and have a dominant social and community focus. Economic and/or marketing outcomes are not the main benefit for Council. Applicants in this category may seek funding to a maximum of \$5,000.

All grant applications received were assessed in accordance with the assessment criteria outlined in Table 2 below:

ASSESSMENT CATEGORY	CATEGORY DESCRIPTION	WEIGHTING	
		Major	Community
Economic Development	Describe how the project stimulates visitation/tourism, involves local businesses and increases economic development opportunities for Surf Coast Shire residents and the extent of marketing and promotion opportunities.	40%	10%
Social	Community benefits provided by the event – short and long term.	20%	35%
Cultural	The event's contribution towards the development of arts and culture, networks, programs and/or projects.	20%	35%
Environmental Sustainability	Does the event plan for and contribute to positive environmental sustainable outcomes? Does the event adhere to the plastic wise policy?	20%	20%

Table 2: Event Grants Program Assessment Criteria for Major and Community Events

To support the release of the 2019-20 Event Grants Program, a communications plan was delivered to inform previous and potential event organisers of the opportunity.

Discussion

Submissions

The current round of the Event Grants Program (for events to be held in the 2019-20 financial year) accepted applications from 1 to 30 September 2018.

Thirty three (33) applications were received across the two event categories, seeking a total of \$187,200 in funding requests. This represents a significant increase from the 2018-19 program, which had 26 applications seeking a total of \$119,050.

The breakdown between categories was 14 Major Events (total funding request of \$114,400) and 19 Community Events (total funding request of \$72,800).

5.3 Event Grants Program 2019-20

Of the 14 Major Event Grant applications assessed by officers:

- 11 applications are supported for funding to a total of \$68,500
- 2 are new recipients of Event Grants
- Of the 3 not funded, 2 were ineligible and 1 was determined to not require funding through Council's grants program.

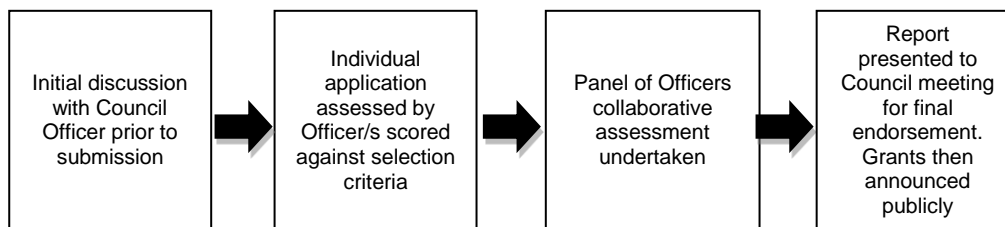
Of the 19 Community Event Grant applications assessed by officers:

- 13 applications are supported for funding to a total of \$19,500
- 3 are new recipients of Event Grants
- Of the 6 not funded, 3 were ineligible; 2 were determined to not require funding through Council's grants program; and 1 required additional information for proper evaluation.

In summary, a total of 24 events are considered appropriate to receive funding across the Major and Community categories, to a total of \$88,000. This represents a funding amount of \$9,550 above the figure allocated in the 2018-19 financial year.

Assessment Process

The process in evaluating submissions is summarised in the flowchart below:



The assessment panel comprised members of staff with relevant experience in each category. Submissions were rated individually against the key criteria and a score was provided based on the weighting.

A collaborative meeting was then held to discuss individual scores and to come to consensus on the allocation of grants.

It should be noted that in assessing the funding submissions, not all event applications received a recommendation for the full amount requested.

Table 3 below lists all applications received across the Major and Community Events categories, and the funding allocation following assessment:

Major Events 2019-20	Ward	Supported funding amount
Deans Marsh Festival	Lorne	\$10,000
Kids Adventure Outdoors Anglesea	Anglesea	\$10,000
Surf Coast Century and Trail Running Series Race #4	Anglesea	\$10,000
The Sound Doctor Presents 2019/2020 program	Anglesea	\$7,500
Afterglow Night Run	Torquay	\$5,000
Art of the Minds	Torquay	\$5,000
Australian Indigenous Surfing Titles	Torquay	\$5,000
Festival of Performing Arts (FOPA)	Lorne	\$5,000
Surf Coast Trail Marathon	Torquay	\$5,000
Sprint Series Adventure Race *	Anglesea	\$3,000
Wonderfalls Trail Run *	Lorne	\$3,000
Bushwalking Victoria Federation Walks	Lorne	\$0
Great Victorian Bike Ride	Lorne	\$0
Toast to the Coast	Torquay	\$0
Total supported Major Events funding:		\$68,500

5.3 Event Grants Program 2019-20

Community Events 2019-20	Ward	Supported funding amount
ANGAIR Wildflower and Art Weekend	Anglesea	\$3,000
Love Winter in Aireys	Anglesea	\$3,000
Sun Bear Children's Festival *	Anglesea	\$3,000
The Kite Festival	Torquay	\$3,000
The Sunday Literary Lunch	Anglesea	\$3,000
10th Annual Bells Beach Surf Film Festival	Torquay	\$1,000
Run The Marsh *	Lorne	\$500
Winter Solstice	Lorne	\$500
Deans Marsh Dog Trials	Lorne	\$500
Carols by the Sea (Torquay)	Torquay	\$500
Moriac Community Christmas Carols *	Winchelsea	\$500
Carols by Candlelight (Anglesea)	Anglesea	\$500
Festival of Colours 2020	Winchelsea	\$500
Bells Bash Run / Danger Swim Series	Torquay	\$0
Community Solidarity	Winchelsea	\$0
King of Concrete	Torquay	\$0
Ocean Minds Volunteer Appreciation Night	Torquay	\$0
Rock2Ramp Ocean Swim	Anglesea	\$0
Torquay Lions 50 Years of Community Service	Torquay	\$0
Total supported Community Events funding:		\$19,500

Table 3: Event Grants Program – supported funding amounts by category
* denotes new recipient of funding under Council's Event Grants Program

Financial Implications

This report involves a recommended funding amount of \$88,000. Endorsement of the individual event funding allocations through the resolution of this report will constitute a commitment by Council to pre-allocate \$88,000 in the 2019/20 budget.

Of the \$88,000, \$68,500 is recommended to Major Event Grants, and \$19,500 recommended to Community Event Grants.

Council Plan

Theme 4 Vibrant Economy
Objective 4.2 Facilitate high quality events throughout the year
Strategy 4.2.1 Further develop diverse, major and signature events, communication and promotion program

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

Each event will be required to prepare its own Event Management Plan which will identify risks and mitigating actions. Staff in the Events team will work with event organisers to ensure all required permits are in place.

All applicants are required to provide evidence of adequate public liability insurance as part of the eligibility criteria.

5.3 Event Grants Program 2019-20

Social Considerations

Social considerations are part of the assessment process, carrying a 20% weighting for Major Events and 35% for Community Events. The Event Grants Program Guidelines provide a list of desired social outcomes which are used to assess applications.

Community Engagement

The following community engagement was undertaken:

- Email sent to database of all event organisers advising of program release and closure dates
- Program was advertised in local papers (Surf Coast Times, Winchelsea Star and Lorne Independent), together with the Small Grants Program
- All applicants were required to discuss their proposal with a Council officer prior to submission
- One-on-one sessions were offered with event organisers to assist in preparing their applications to maximise their chance of success
- Information with application form and guidelines placed on Council's website
- Promotion via Council's website and social channels.

Environmental Implications

Environmental outcomes are part of the assessment process, carrying a 20% weighting. All funded events are required to adhere to Council's Plastic Wise Events and Markets Policy.

Communication

Successful applicants will be sent a letter confirming the amount of funding awarded. Unsuccessful applicants will be sent a letter advising their submission did not receive funding. All successful applications will be listed on Council's website, including funded amounts.

Options

Option 1 – Approve the supported funding amounts listed in Table 3 of this report for Major and Community Event Grants to the value of \$88,000 and pre-allocate in the 2019/20 budget

This option is recommended by officers as it is based on detailed assessment of submissions against the Event Grants Program Guidelines which have been approved by Council.

Option 2 – Approve alternative funding amounts for submissions under the 2019-20 Event Grants Program

This option is not recommended by officers as a detailed assessment of submissions has already been undertaken.

Option 3 – Do not approve any funding under the 2019-20 Event Grants Program

This option is not recommended by officers as the Event Grants Program is a key component of Council's efforts towards boosting the economy and supporting the community. Not awarding the funding would place many successful events at risk.

Conclusion

A total of 33 submissions were received for funding under Council's 2019/20 Event Grants Program, to a total value of \$187,200. After thorough assessment against eligibility criteria, funding towards 24 of these events – representing 11 Major Events and 13 Community Events – is supported to a total amount of \$88,000.

5.4 Environment & Development Monthly Report - November-December 2018

Author's Title: Executive Assistant
Department: Environment & Development
Division: Environment & Development

General Manager: Ransce Salan
File No: F18/1519
Trim No: IC18/2049

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

Status:
Information classified confidential under Section 77
of the Local Government Act:

Yes

No

Reason: Nil

Yes

No

Reason: Nil

Purpose

The purpose of this report is to receive and note the Environment & Development monthly activity report for November-December 2018.

Summary

The monthly report provides an overview of the Environment & Development division's key activities undertaken in November-December 2018.

Recommendation

That Council receives the Environment & Development Monthly Activity Report for November-December 2018 and notes the following items:

1. Council's Plastic Wise Policy continues to receive recognition for its leadership and positive environmental impact, being announced as a finalist in the Sustainability Initiative category of the LGPro 2019 Awards for Excellence. The winners of the Awards will be announced on the evening of Thursday 21 February 2019 at the LGPro Annual Conference Dinner.
2. In November 85% of all planning applications were issued within 60 statutory days. This increased to 89% in December. The comparative average score for the Peri Urban Group for November was 70% (December result is yet to be published).
3. Council received four VCAT decisions during the month. Council's position was supported for two of these matters.
4. Council emergency management officers conducted a series of Emergency Relief Centre (ERC) training sessions for Surf Coast, Colac Otway and Corangamite Shire Council staff that may be required to assist in an ERC during an emergency.
5. The Australian National Surfing Museum received its highest visitation levels in 18 years and fourth highest since opening in 1994.
6. Several major events have been staged attracting thousands of visitors to the Surf Coast including Falls Festival, Kite-Surf World Cup Torquay and Afterglow with the Pier to Pub, Cadel Evans Great Ocean Road Race and NightJar Festivals to be staged in January 2019.
7. A five-year licence agreement has been successfully finalised between Council and the World Surf League, for Rip Curl Pro Bells Beach 2019-23.
8. Joint beach patrols with GORCC using a dedicated beach vehicle commenced on Boxing Day focussing on Torquay beaches. Patrols will run through the busy summer period and Easter periods.

5.4 Environment & Development Monthly Report - November-December 2018

Council Resolution

MOVED Cr Clive Goldsworthy, Seconded Cr Carol McGregor

That Council receives the Environment & Development Monthly Activity Report for November-December 2018 and notes the following items:

1. Council's Plastic Wise Policy continues to receive recognition for its leadership and positive environmental impact, being announced as a finalist in the Sustainability Initiative category of the LGPro 2019 Awards for Excellence. The winners of the Awards will be announced on the evening of Thursday 21 February 2019 at the LGPro Annual Conference Dinner.
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CARRIED 7:0

5.4 Environment & Development Monthly Report - November-December 2018

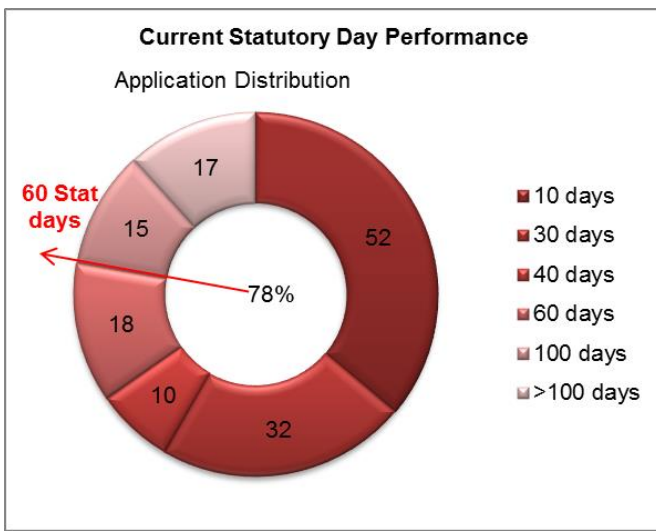
PLANNING & DEVELOPMENT

Measure: 60 Statutory Days

In November, 85% of all planning applications were issued within 60 statutory days. This increased to 89% in December. The comparative average score for the Peri Urban Group for November was 70% (December result is yet to be published).

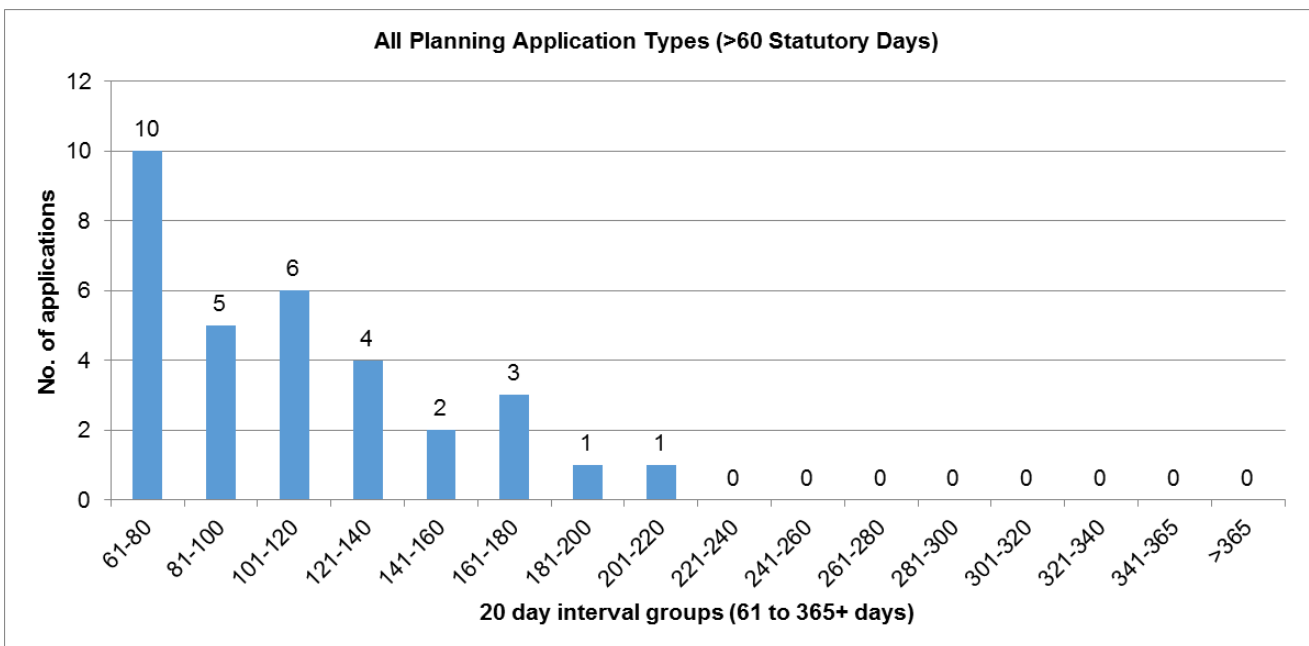
Measure: Current Statutory Day Performance (>60 Statutory Days)

The backlog of applications continues to be reduced (backlog being those applications greater than 60 statutory days). The statistics below are as at 7 January 2019. They show 78% of applications are within the 60 statutory days. January figures typically see the impact of the Christmas break and it's expected that this will return to above 80% within the month.



Measure: Backlog tail (>60 Statutory Days)

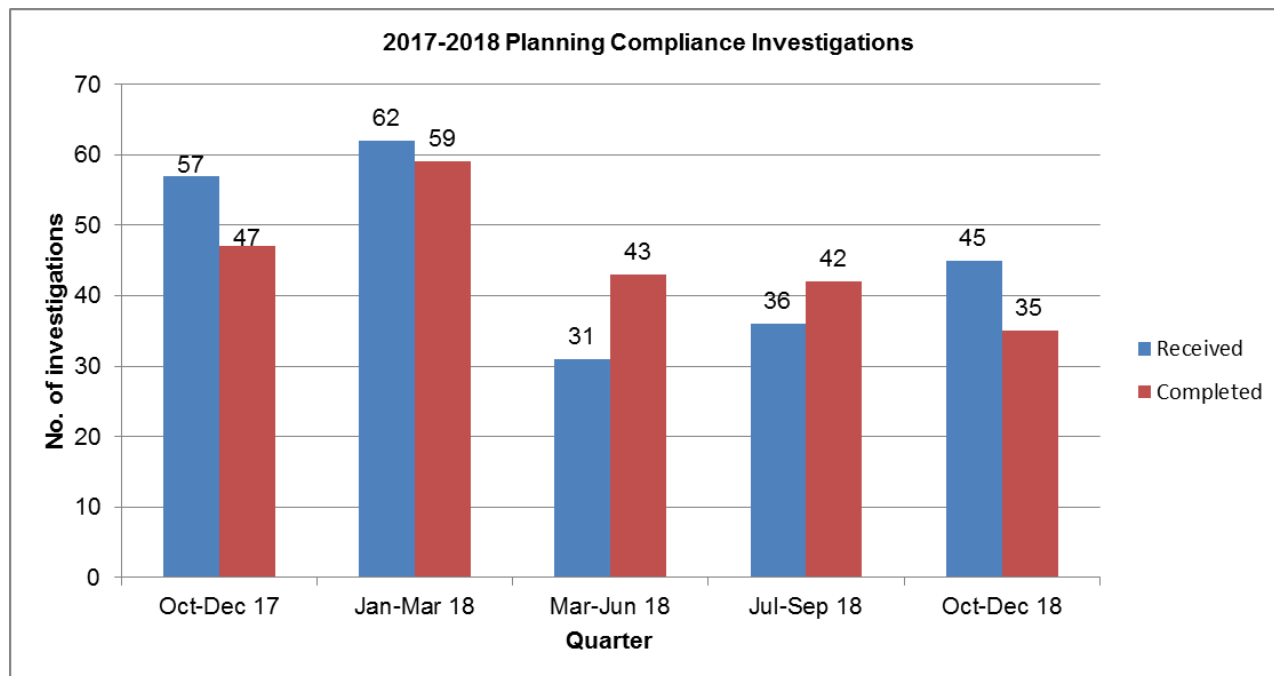
This measure provides a breakdown of the applications that are currently greater than 60 statutory days (as at 7 January 2019). The focus is continuing on reduction of this group of applications. The system has continued to improve planner's ability to track and progress applications with 86% of all applications processed within 100 Statutory Days.



5.4 Environment & Development Monthly Report - November-December 2018

Measure: Compliance Open Investigations

The Planning Compliance team focus continues to be on progressing investigations that involve impacts on community members by the actions of others. The aim is to keep this type of complaint to less than 50 live investigations by June 2019 to address compliance investigations in a timely way. Seasonal impacts do occur with the peak in complaints over the summer months.



VCAT Decisions

Four VCAT decisions were received by Council in November and December, with two of the decisions supporting Council's position on these matters.

1133 Surf Coast Highway, Mount Duneed

Council's decision to grant a permit was challenged by objectors that occupy the subject site (Beach Tree Nursery) and nearby neighbours, including 1125 Surf Coast Highway, Mount Duneed to the north. The issues in contention were the visual impact associated with the telecommunications tower; the telecommunications tower is not compatible with existing uses, potential detriment to existing businesses located on the site and that there may be alternate locations.

The Tribunal supported Council's decision with only minor variations to conditions. The tribunal found the location of the proposed tower will avoid unreasonable visual impacts to the dwelling at 1125 Surf Coast Highway due to the existing vegetation (row of pine trees) and the separation distance between the tower and the dwelling (over 100 metres) and that a single monopole will not undermine the settlement break between Armstrong Creek and Torquay settlements.

The Tribunal also found that the tower will be compatible with the existing plant nursery on the subject site.

30 Beales Street, Torquay

The application considered the development of two side by side three storey dwellings and subdivision of the land into two lots. The application was refused by the former Surf Coast Planning Committee against a recommendation of the planning officer to grant a permit. In overturning Council's decision the Tribunal found that the site was within a location where the development of two dwellings is appropriate and that it was the achievement of the preferred character rather than respecting the existing character which was important.

It was found the proposal is respectful of the emerging character within Old Torquay and that a reduced street setback was acceptable in the context of this being an area where consolidation is encouraged.

5.4 Environment & Development Monthly Report - November-December 2018

The Tribunal considered the "provision of a roof deck to be acceptable in this location given that it will not have a detrimental impact on the amenity of the adjoining properties" but the roof access structure to be imposing and visually dominating, requiring its deletion. It also found that the rear elevation to be imposing and has required that the upper level be setback 9m from the rear boundary.

A detailed landscape plan was presented as expert evidence and was accepted by the Tribunal as providing for the enhancement of the landscape character through new plantings.

420 Coombes Road, Freshwater Creek

The review for failure to determine within the prescribed timeframe was brought about by the applicant through the major cases list at VCAT. The decision of Council was set aside. VCAT determined to direct Council to issue the permit to allow use of the land for a helicopter landing site. The Tribunal did not find the noise to be greatly different to, or louder than, the traffic noise along Coombes Road when reviewed from the closest noise sensitive location being 415 Coombes Road, and from the other two locations. It was only once the helicopter was airborne and at a height of at least 500m that the helicopter could be heard.

The Tribunal also found that no permit is required under the zone for the helicopter landing site as there is no buildings and works proposed. A concrete area as well as a grassed area that can be used for the helicopter landing site already exist and the concrete area was constructed in association with the dwelling and shed located on the land.

The Tribunal noted that as the activities such as emergency services or agriculture are exempt these possible activities do not come within the realm of our consideration as to how, if and when the site could be used for emergency services, land management and/or agriculture. As such we are not dealing with a cumulative number of flights but only with the four movements per day as requested by the permit applicant. There has been no application for any commercial operation.

In addition the Tribunal noted that there is nothing within the application that leads to the conclusion that the land is to be used to store the helicopter as part of a contractor's depot. Locating the helicopter within the existing building on the subject land is not different to parking any other vehicle used by the residents such use is ancillary to the use of the dwelling and there is no separate requirement for a permit for a store, therefore condition 16 was deleted and replaced with 'the north-west concrete helipad is to be the only helipad to be used for taking- off and landing unless the north-west helipad is being maintained or in use by helicopters that are operated by emergency services or land management services'.

Conditions were varied as follows:

11 No refuelling of helicopters or storage of helicopter fuel is permitted on the land without first obtaining the necessary approvals from the relevant authorities to the satisfaction of the responsible authority.

12 Except with the consent of the relevant authority the helicopter landing site, other than the activities listed within Table of exemptions for use of Clause 52.15 of the Surf Coast Planning Scheme, must only be used by the following helicopter types:

- (a) Bell206B-3 Jet Ranger Helicopter
- (b) Eurocopter AS350

Condition 6 as proposed by the council is overly restrictive and should be amended to read: The helicopter landing site may only be used twice a day (comprising two flights from the land and two flights to the land).

86-92 The Esplanade Torquay

A preliminary hearing was held to determine whether a cultural heritage management plan (CHMP) was required under the Aboriginal Heritage Act and Regulations; the applicant taking the position that the whole of the site had been subject to past significant ground disturbance voiding the need for a CHMP and Council having resolved that the evidence put forward by the application was inconclusive in this respect.

The applicant called a new expert to give evidence at the hearing who stated that in their view the site had been subject to significant ground disturbance starting in the 1880s when the land was subdivided and was likely to have been cleared and levelled by horse drawn machinery.

5.4 Environment & Development Monthly Report - November-December 2018

Having considered the information presented to it (which was more expansive than that provided to Council), the Tribunal was "not persuaded that the entirety of the activity area has been subject to significant ground disturbance" with some of the evidence presented by the applicant moving towards "indirect inferences".

Finding that a CHMP is required, the statutory clock has not commenced to run; therefore the application has been made prematurely and has been dismissed by the Tribunal for want of jurisdiction. Council will now formally decide the planning permit application. A notice of refusal will be issued under delegation in accordance with Council's resolved position on the application.

ePlanning Portal

The target full Go-Live date for the ePlanning Portal is currently 4 February 2019. This date may vary as there are components such as the Word to PDF tool that are required prior to full Go-Live. Work is continuing on to meet this target date including the development of a detailed communications plan and a launch event.

Current Strategic Planning Projects

- **Hinterland Futures Strategy:** Council officers have met with the CFA and are working on a revised bushfire risk map for the Shire which will inform changes to the strategy to reflect the new State Bushfire Policy in the planning scheme. Other changes to the strategy in accordance with Council's October 2017 resolution are also being drafted.
- **CORA, Cape Otway Road Australia elite sports facility and tourist development:** The Minister for Planning has recently directed that an advisory committee be appointed to consider the CORA proposal. The terms of reference for the advisory committee have not yet been released by the Minister for Planning.
- **Anglesea Futures:** In October, the State Government released the final version of the Land Use Framework Plan. The next steps are for DELWP to implement the land use framework plan within the Surf Coast Planning Scheme.
- **Winchelsea town centre urban design guidelines:** During November and December council and the consultant undertook a number of successful community engagement activities in Winchelsea as part of the development of the urban design guidelines.
- **Lorne Structure Plan:** Council has engaged a bushfire management consultant to undertake a new assessment of the Lorne township and undeveloped sites in Lorne as part of the technical background work for this project.
- **Spring Creek and Distinctive Areas and Landscapes:** Council is awaiting announcements by the Minister for Planning and DELWP regarding the proposed process to determine the western settlement boundary for Torquay and consultation on the Distinctive Areas and Landscape project for Surf Coast Shire.
- **Torquay Town Centre:** an economic report has been prepared to inform that future planning scheme amendment to implement the Torquay Town Centre study and a report is being drafted by consultants on the urban design guidelines.

Planning Scheme Amendments

- **C114: Spring Creek PSP:** The issues raised prior to the State Election regarding the final location of the western settlement boundary for Torquay have put Amendment C114 on hold until the State Government concludes community consultation. The process is yet to be announced.
- **C120: Growing Winchelsea implementation.** The amendment to implement the Growing Winchelsea Strategy into the planning scheme was adopted by Council at the December Council meeting and has been sent to the Minister for Planning for approval. Council adopted the amendment with changes as recommended by the independent Panel.
- **C123: Proposed section 96A application with rezoning of 3-5 Loch Ard Drive, Torquay from General Residential to Commercial 1 Zone and a planning permit for shops and first floor dwelling.** At the August Council meeting, Council resolved to send the unresolved submissions to an independent panel hearing. The Panel hearing took place in November with the report received in December. The matter will be reported to Council for final consideration.

5.4 Environment & Development Monthly Report - November-December 2018

There has been no change in the status of the following Planning Scheme Amendments since the October report:

- C118: Rezoning and planning permit for subdivision to create an additional 4 hectares of Industrial 3 land to the West Coast Business Park.
- C124: Proposed section 96A application for rezoning of 600-640 Cape Otway Road Moriac from Farming to Low Density Residential in accordance with the Moriac Structure Plan.
- Rezoning application for Strathmore Drive, Jan Juc.
- 2995 Princes Highway/Andersons Road, Winchelsea: Rezoning from Farming Zone to Low Density Residential Zone.

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ENVIRONMENT & COMMUNITY SAFETY

Grasstree Park Nature Reserve – Masterplan Works

Over 1,000 native plants have been planted at the reserve in the past two months and will be watered as required over the summer. Access to the reserve has been shifted from the Surf Coast Highway to the new Messmate Road car park.

Anglesea River Supplemental Flows

To protect its recreational values and reduce the risk of acid water events in the Anglesea River estuary, Barwon Water released 25 ML into the river before Christmas to bring water levels to approximately 1.3m. This release was well received by several local businesses that rely on the river for their business operations. Additional water is in storage if required to maintain minimum river levels through to the end of March.

Community Emergency Engagement

With our emergency management colleagues, including CFA, Forest Fire Management Victoria and Parks Victoria, 17 community fire information events were delivered throughout the Shire during November and December 2018. Target audiences included seasonal and permanent Victoria Police officers, local men's shed, our Visitor Information Centre, office staff and vulnerable socially isolated people. At the Winchelsea market we gave away our 1000th copy of the Fire Game.



Winchelsea's Darren Wilkie was the lucky winner of the 1000th Fire Game giveaway.

Emergency Management Training

Council emergency management officers conducted a series of Emergency Relief Centre (ERC) training sessions for Surf Coast, Colac Otway and Corangamite Shire Council staff that may be required to assist in an ERC during an emergency. This is part of an ongoing resource sharing partnership that Surf Coast has with Colac Otway and Corangamite and compliments other training and preparedness activities involving dozens of officers from across the three Councils.

Mosquito Surveillance

Council has been undertaking mosquito surveillance and treatment in Anglesea and Torquay as part of its response to the Ross River outbreak in the 2016-2017 mosquito season. The number of people diagnosed with the virus through pathological specimen in 2017 was 92. In 2018 this number declined to two. So far this season, lower mosquito numbers are being observed, probably due to the relatively dry weather. Surveillance will continue throughout this season and more treatments can be undertaken if required.

Plastic Wise Policy – adopted by Great Ocean Road Coast Committee

At their November meeting, the Great Ocean Road Coast Committee's (GORCC) Board adopted Council's updated Plastic Wise Policy to replace their existing policy (based on Council's previous policy). GORCC will add their logo and acknowledge Surf Coast Shire Council for developing the policy.

GORCC's role in developing, implementing and reviewing the Plastic Wise Policy has contributed to its success to date, by setting shared expectations for people organising events and markets in the Surf Coast Shire.

It is also exciting to note that Council's Plastic Wise Policy continues to receive recognition for its leadership and positive environmental impact, being announced as a finalist in the Sustainability Initiative category of

5.4 Environment & Development Monthly Report - November-December 2018

the LGPro 2019 Awards for Excellence. The winners of the Awards will be announced on the evening of Thursday 21 February 2019 at the LGPro Annual Conference Dinner.

Anglesea Food Organics Collection Pilot

Since 12 December 2018 food scraps, garden waste and other organics collected in Anglesea through Council's kerbside collection system are now being turned into a resource – compost – that will be put to good use in parks, gardens and farms. Over 800 surveys about the pilot were returned by Anglesea residents and ratepayers providing valuable information about people's knowledge, attitudes and behaviours related to kerbside bins and the new organics service before the service commenced. The majority were very positive about the new organics collection. Some concerns raised include odours, managing nappies, educating holiday home owners and visitors. Surveys will also be conducted during and at the end of the pilot to inform our review of how the service has been implemented and received in Anglesea and this will help Council consider if the pilot should be expanded to other areas.

Powered by Positive – empowering our community to use less energy and make their own

An initiative of Council's 25% by 2020 Renewable Energy Task Force, Powered by Positive will help our community transition to a renewable energy future by supporting them to use less energy and make their own. The program website www.poweredbypositive.com.au provides information and case studies to help people overcome barriers to taking action, which might include:

- Confusion over what to do or where to start;
- Understanding who they can trust to help; and
- Finding ways to fund improvements.

The website is also supported by an energy advice phone line (1300 21 53 86) providing our community with an opportunity to speak with an energy expert from Moreland Energy Foundation. Council officers and the Task Force are excited to have launched the program and look forward to delivering a significant communications and engagement campaign throughout 2019, beginning with stalls at two Nightjar markets in January.

Local Food Program

Eating locally produced food means getting food that's grown in sync with the seasons, is fresher, requires less energy to produce and transport, and supports local producers. It alleviates the reliance on long-distance transport and refrigeration of foods that are grown thousands of kilometres away. Council's Local Food Program is well underway with the following key actions:

- Instigating and coordinating a local government local food officer network to share ideas and learnings;
- Strengthening the community garden network through hosting networking and knowledge sharing events;
- Investigating the feasibility of adapting the program 'my smart garden' for the Surf Coast -a whole of community capacity building program that focuses on teaching people how to grow, cook and preserve food in their own homes;
- With Torquay College, investigating opportunities to develop the first edible schoolyard and embed edible education curriculum across a wider range of subject areas; and
- Developing a number of Surf Coast community resources from a 'what to plant when' guide to what locally grown food is available seasonally throughout our shire.

5.4 Environment & Development Monthly Report - November-December 2018

ECONOMIC DEVELOPMENT & TOURISM

Events

With peak season officially kicking off in mid-December, the focus of the Events team has shifted from planning to operational and marketing delivery mode.

November-December events included:

- The fifth annual **Afterglow** night trail run was held on 24 November, attracting 600 runners across the three distances (21k, 13k and the new 5k 'mini-glow').
- The inaugural **Kite-Surf World Cup Torquay** was held at Point Danger from 12-16 December. In spite of less than ideal weather and swell conditions, organisers and athletes were delighted with the host location, and the men's and women's world champions were crowned at Bombora's on the Sunday afternoon. Highlights included strong social media engagement which resulted in Torquay being promoted around the world as Australia's premier kitesurf destination, good media coverage and great local business engagement. Post-event debriefs and reporting will be finalised in early 2019.



- The summer participation events season successfully kicked off at the end of December, with Anglesea's **Roo Run** and **Rock2Ramp** swim events both attracting record numbers in perfect conditions.
- The Events team co-ordinated a behind-the-scenes industry tour for event organisers and Council officers at **Falls Festival** on 31 December, to examine on-site waste and sustainable event management practices, crowd behaviour management and emergency/medical service co-ordination.
- Fireworks were again staged in Torquay (10pm) and Lorne (9:30 & midnight) on **New Year's Eve** in line with the harm minimisation approach. This approach has a focus on community safety.
- A workshop session was held in November between organisers of **Amy's Gran Fondo** and the Lorne community, to gather feedback and suggestions from local traders and agencies in relation to the delivery and impact of the event within Lorne. It generated a robust and productive discussion, and all parties agreed with the concept of establishing a closer 'partnership' between the event and the LBTA as well as the broader economic benefits the event delivers.

In addition to the above activity the following has been undertaken over the December-January period.

- A five-year licence agreement has been successfully finalised between Council and the World Surf League, for **Rip Curl Pro Bells Beach 2019-23**.
- Preparations are in full swing for the 2019 **Cadel Evans Great Ocean Road Race** and Council's **Welcome Wave** event, to be held from 23 to 27 January.
- Preparations for the 2019 Rip Curl Pro Bells Beach are advancing well.

5.4 Environment & Development Monthly Report - November-December 2018

Visitor Information Centres & National Australian Surfing Museum

The Australian National Surfing Museum has continued its visitor growth with 2018 being its highest visitor numbers for the past 17 years! Attendance every month throughout 2018 recorded an increase on the previous year with the Museum attracting an additional 4,000 visitors from 2017. Total visitation for 2018 was 17,354.

Importantly local visitation has increased with the local community being attracted to the current Fossil Beach – Mega Predators of the Surf Coast exhibition and rediscovering the Museum as a relevant and accessible cultural asset.

The current Fossil Beach exhibition tells a local story which is part of the Museums plan to engage our local communities and contribute to the communities overall cultural outcomes. In the near future the Museum will develop a more comprehensive public programs calendar to future engage our local visitors. The Museum has continued to receive excellent reviews from media and visitors with one 94 year old visitor recently describing it as “the best museum he has ever visited”.



In 2018 our Visitor information Centres (VIC's) received 223,714 visitor requests for information. While representing a decrease on 2017 levels of enquiry (a national trend) the figures still result in Surf Coast VIC's being some of the busiest in Victoria.

Any decline in numbers is not necessarily an indication of their reduced importance in the changing visitor trends. In fact, they are a key driver in influencing visitor behaviour.

Surf Coast Shire is also exploring the future directions of visitor servicing and the role of Visitor Centres by participating in a Great Ocean Road Regional Tourism project that is reviewing current servicing and developing models for the future.

The retail operations at Lorne and Torquay have continued to develop and offset a percentage of the total operational costs while also supporting local products and artists. The collocation with Heritage Centre (Lorne) and Australian National Surfing Museum (Torquay) contribute to overall visitor numbers, especially for Torquay where the Museum has now become a key drawcard.

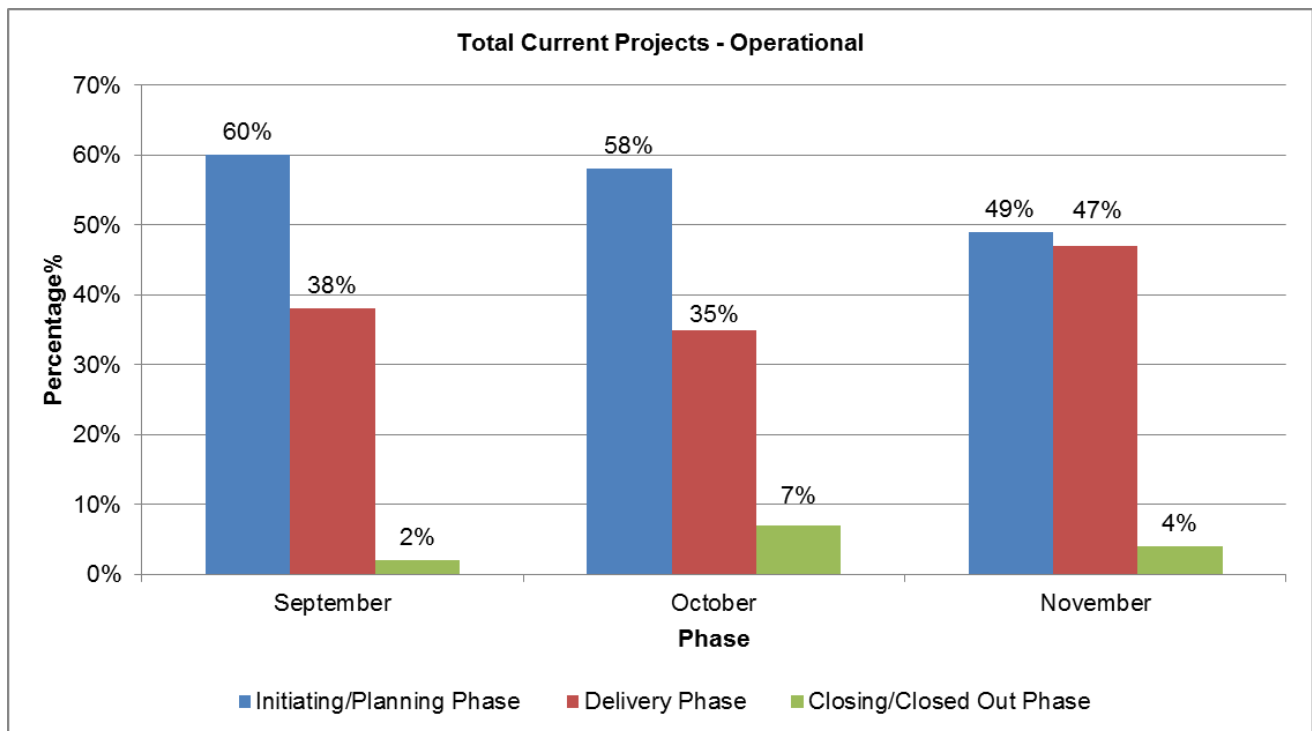
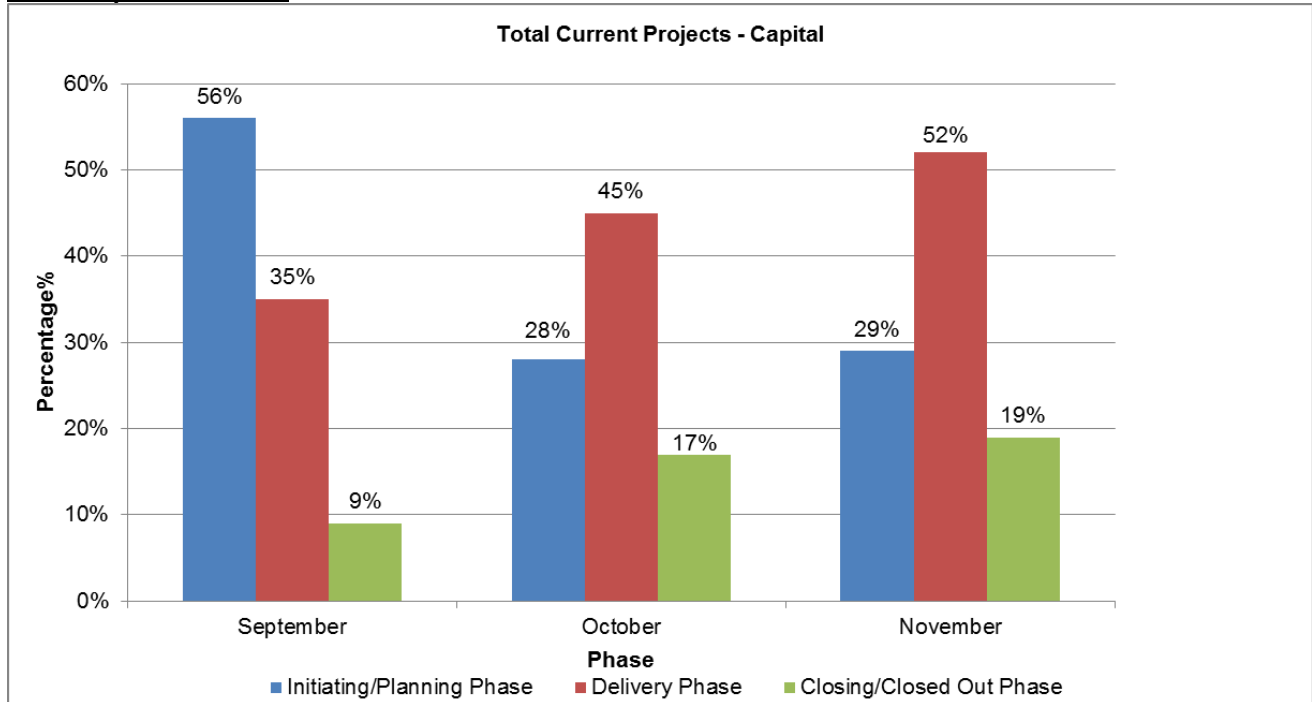
Visitor numbers for November and December are tabled below:

Visitor Centre	Nov – Dev 2017	Nov – Dec 2018
Anglesea	2,646	2,202
Lorne	29,157	25,774
Torquay	15,276	14,261
Winchelsea	152	157

5.4 Environment & Development Monthly Report - November-December 2018

PROGRAM MANAGEMENT OFFICE

Total Projects Overview



As at 31 December 2018:

- 153 Capital Projects
- 49 Operational Projects.

Projects are progressively moving out of the Initiating/Planning phase into the Delivering and Closing/Closed Out phases. This form of phase reporting has only been initiated in 2018/19 so there is no trend to compare with prior years, however the capital and overall percentage Year To Date delivery is more favourable than 2017/19.

5.4 Environment & Development Monthly Report - November-December 2018










The Operational Project spend has been negatively influenced by a number of Environment and Development Division projects that are on hold due to Victorian Government initiatives and announcements. The January transfer table will include recommendations for operational projects to be transferred to the adopted strategy reserve until requirements become clearer.

Percentage of YTD Spend Target at 31/12/18	2017/18	2018/19
Capital	82%	98%
Operational	62%	53%
Overall	81%	94%

5.4 Environment & Development Monthly Report - November-December 2018

BUSINESS IMPROVEMENT, RANGER SERVICES AND BUILDING COMPLIANCE




Departmental critical functions – performance overview

	Business Improvement	Ranger Services	Building Compliance	
Financial				Underspent against budget
CRMs				27 of 232 Ranger Services CRMs in Nov/Dec were completed past the nominated due date
OHS				Active surveillance, compliant

Key:



Business Improvement

Deliverable	Overview	Status
Develop 2018/19 Business Improvement Program		Completed
Deliver 2018/19 Program		Underway <ul style="list-style-type: none"> • One review complete, one cancelled • Five reviews underway • Four yet to commence
Deliver identified savings		Underway

The leadership group have been engaged to identify further operational savings through development of the 2019/20 budget to help deliver the identified savings target.

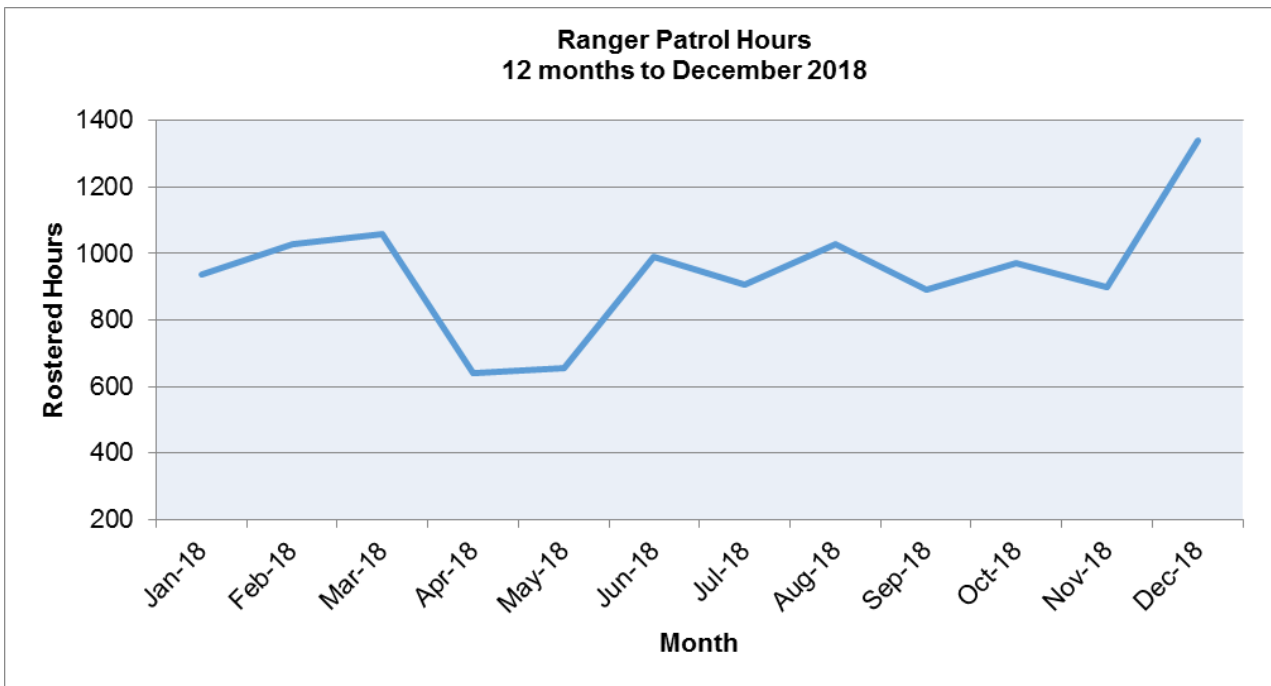
Ranger Services

The following chart indicates the high volume of Ranger Services resources deployed to deliver services.

In the past six months the Team has;

- Attended to 735 Customer Requests with a 95% completion rate;
- Impounded 94 animals (73 dogs / 21 cats) with a dog return rate of 95% which is an outstanding result;
- Responded to 71 after hours calls;
- Reviewed 428 infringement penalty appeals;
- 16 appearances at the Magistrates Court for a 100% success rate; and
- Managed a range of services including AI Fresco permits, Disabled Permits and Skip Bins permits.

5.4 Environment & Development Monthly Report - November-December 2018



The staffing profile has been bolstered for the summer peak period as seen in the chart. This will continue through January and February and is expected to have a positive impact on compliance and service provided to the community.

A key action out of the Domestic Animal Management Plan approved in 2018 was to improve compliance presences on our beaches by conducting joint beach patrols with GORCC using a dedicated beach vehicle.

Patrols commenced on Boxing Day focussed on Torquay beaches.

The patrols have been very successful to date and a large number of educational conversations have been had with beach goers in relation to both local laws and environmental protection matters.

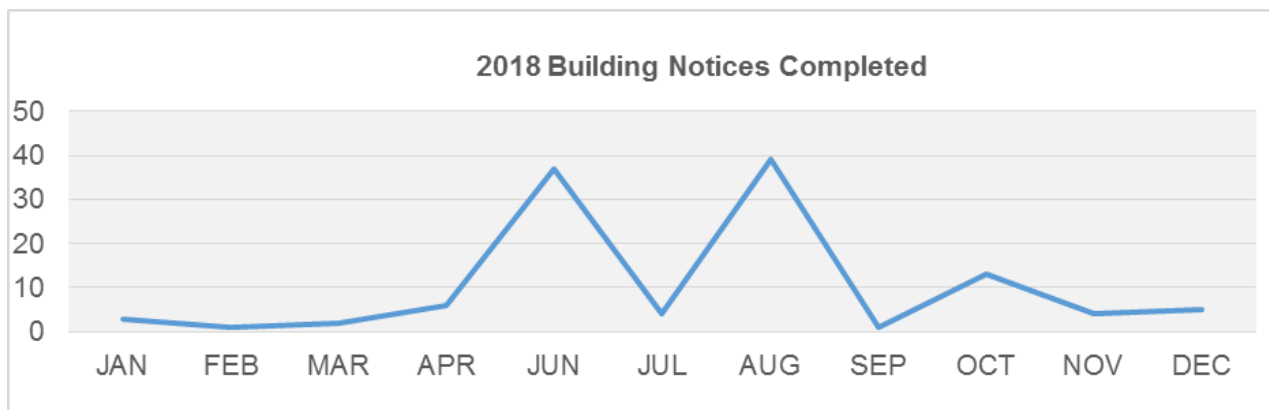
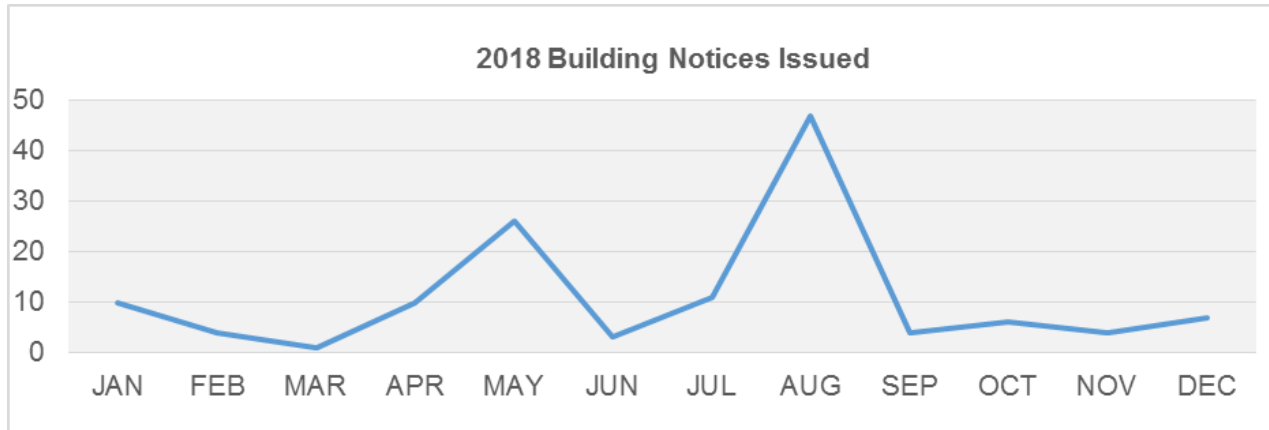


5.4 Environment & Development Monthly Report - November-December 2018

Building Compliance

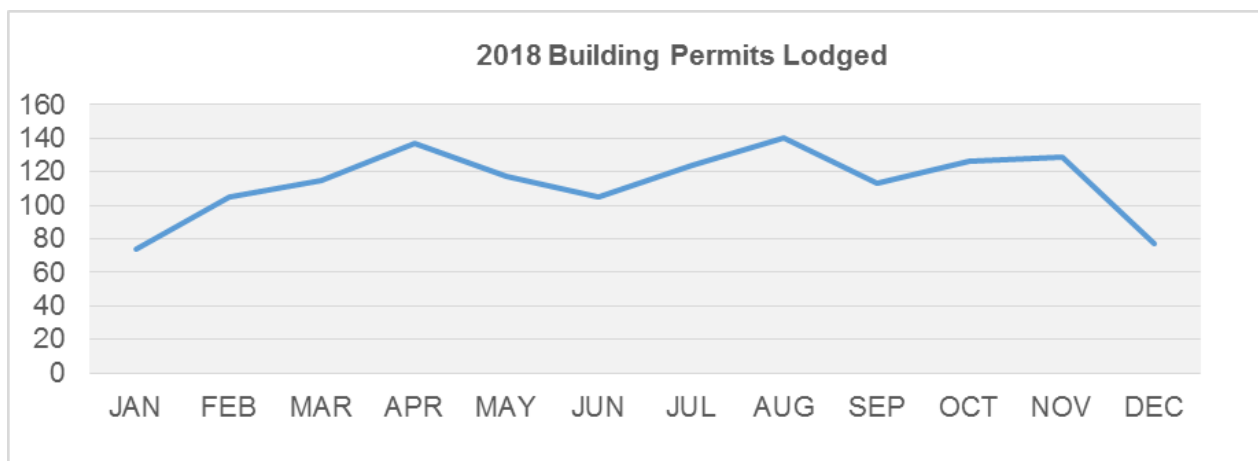
Key Statistics

A Building Notice is a show cause notice issued by Council's Building Compliance team when they discover illegal building works that have been carried out without a valid Building Permit. Stats below show the Building Notice activity for the 2018 calendar year.



As at the end of December 2018 Council had 461 outstanding Building Notices of which 161 are overdue. Additional resources have been provided to address this backlog. Open building notices are forecast to decline in 2018/19 when a full staff complement is achieved, and more notices are resolved than issued.

Other key workload indicators for the Building Compliance team are shown below. These service delivery tasks are generated by the high level of building activity in the Shire. This is a significant workload for Council staff to manage, particularly the high number of Building Permits that are lodged (1,362 in 2018).



6. CULTURE & COMMUNITY

Cr Libby Coker declared an indirect conflict of interest for Item 6.1 – Advocacy Priorities Update of the open agenda under Section 78B of the Local Government Act 1989 – conflicting duty. The nature of the interest being Cr Libby Coker endorsed candidate in the upcoming Federal Election.

Cr Libby Coker left the meeting at 06:46 pm.

6.1 Advocacy Priorities Update

Author's Title: Community Relations Manager

General Manager: Damian Waight

Department: Community Relations

File No: F17/968

Division: Culture & Community

Trim No: IC18/2079

Appendix:

1. Advocacy Priority List Update - January 2019 (D19/6745)

Officer Direct or Indirect Conflict of Interest:

Status:

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

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

Yes

No

Yes

No

Reason: Nil

Reason: Nil

Purpose

The purpose of this report is to affirm Council's advocacy priorities and receive an update on advocacy activities since October 2018.

Summary

One of Council's roles is to advocate on behalf of its community. Often advocacy takes the form of building strategic partnerships with government, non-government and community organisations.

A feature of Council's advocacy program is having a defined set of priorities. This strengthens Council's position when discussing opportunities for funding partnerships with State and Federal Government and ensures potential projects are sufficiently scoped to be ready for grant funding applications.

Given the fluid nature of advocacy, it is appropriate for Council to reaffirm its advocacy priorities on a regular basis.

The State Election was held in November 2018. Priorities of significance to Surf Coast Shire that received attention and support by the newly elected State Government include; Shipwreck Coast Masterplan, Lorne Point Grey Redevelopment, Review of Spring Creek land development, Upgrading Grant Pavilion, Coordinated Great Ocean Road Management, 15 hours kindergarten funded for 3 year olds and Surf Coast Aquatic Centre.

The Federal Election will be held before the end of June 2019. It is now timely for Council to identify Federal Election priorities when adopting its advocacy priorities.

6.1 Advocacy Priorities Update

Recommendation

That Council:

1. Confirms the current strategic advocacy priorities (with associated projects detailed in Appendix 1) as:
 - 1.1 Great Ocean Road Visitor Economy.
 - 1.2 Towards Environmental Leadership.
 - 1.3 Building our Future.
 - 1.4 Key Policy Campaigns.
 - 1.5 Community and Partner-Led Priorities including the Community Project Development program.
2. Adopts the revised Federal Election priorities as detailed in Appendix 1.

Amended Recommendation

That Council:

1. Confirms the current strategic advocacy priorities (with associated projects detailed in Appendix 1) as:
 - 1.1 Great Ocean Road Visitor Economy.
 - 1.2 Towards Environmental Leadership.
 - 1.3 Building our Future.
 - 1.4 Key Policy Campaigns.
 - 1.5 Community and Partner-Led Priorities including the Community Project Development program.
2. Adopts the revised Federal Election priorities as detailed in Appendix 1, subject to the amendments in the following two tables

Project	Description
Nautical Rise Indigenous Garden	Provision of a community garden focusing on indigenous edible plants and in doing so activating the space
Torquay Football Club Interchange boxes	Replace the player interchange boxes with facilities that meet standards and also for cater for umpires and interchange stewards
Quay Reserve Public Toilet	Providing a unisex accessible toilet extension at Quay Reserve Pavilion to accommodate a huge increase in casual use of the reserve
Great Ocean Views Reserve Activation	Activating and improving facilities at this reserve to encourage community connections
Anglesea Hall Sound Lighting and Projection Improvements	Provision of new lighting sound system and projection equipment and upgraded curtaining to accommodate a greater ranges of performances and reduce set up time and reduce the amount of equipment community groups are required to hire.
Newling Reserve Basket Swing	Provision of an all abilities basket swing and rubberised access pathway connecting to the swing
Torquay and District Historical Signs	Provision of 30 signs throughout Torquay to mark and acknowledge the town's significant history
Torquay Pre School Play Space Redevelopment	Replacing the 12 year old playground equipment at the Torquay preschool with a redeveloped space focusing on natural products and access.

Table 2 Deletions to existing priorities

Project	Description and reason for removal
Anglesea Men's Shed – repurpose and refit 2 storage spaces	Men's Shed to reconfigure storage areas – extend community room, creating private meeting space and

6.1 Advocacy Priorities Update

	relocate welding area. NOW IN PROGRESS. FULLY FUNDED (Mens' Shed, Council, DHHS)
Lorne Skate Park Shelter	Siting and installing of a shelter at the Lorne Skate Park with the main aim of providing a shaded gathering and seating area for skate park users and spectators. NOW DELIVERED. FULLY FUNDED (Council, Lorne Lions Club)
Quay Reserve – BBQ/picnic shelter	Proposal for provision of a shelter /shade structure to cover the BBQ and picnic area COMPLETE - FULLY FUNDED (Council, TCE, RACV Torquay Resort)
Freshwater Creek Res old Tennis Clubroom – Recommission	Internal refurbishment of the old Freshwater Creek Reserve Tennis Clubrooms to support and encourage casual and group use of the recently developed tennis play space area. IN PROGRESS FULLY FUNDED (Council)
Anglesea Recreation & Sports Club – power connection	Connection of power to the Anglesea Recreation & Sports Club to allow the installation of security and fire services (fire sprinkler system proposed). IN PROGRESS. FULLY FUNDED (Council, Anglesea Recreation and Sports Club)
Anglesea Netball Club –additional netball shelters	Investigate addition of 3 new netball shelters at the Anglesea Netball Club facility to address inadequate shelters for participants, officials and spectators. IN PROGRESS. FULLY FUNDED (Council, Anglesea Netball Club, Anglesea Lions Club)

Council Resolution

MOVED Cr Margot Smith, Seconded Cr Martin Duke

That Council:

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6.1 Advocacy Priorities Update

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CARRIED 6:0

6.1 Advocacy Priorities Update

Report

Background

In order to fulfil its Purpose: 'To help our community and environment to thrive' Council advocates on topics of strategic importance. Advocacy activities include meetings with key community groups and government and non-government organisations; meetings with Members of Parliament, Ministers and senior government officers; and applications to grant funds.

Council has adopted a series of specific advocacy priorities grouped under three themes:

- Great Ocean Road Visitor Economy
- Towards Environmental Leadership
- Building Our Future.

These are supplemented by:

- Key Policy Campaigns
- Community and Partner Led Priorities.

In determining priorities, Council takes into account how and where support might be available. This requires an understanding of government, opposition and other major party policy positions as well as eligibility criteria for grant programs.

Priorities are also influenced by timing. Typically grant programs require projects to be in a ready state for commencement. It's also understood funding opportunities intensify in the lead up to elections.

The Victorian Government election was held on 24 November 2018. The newly elected Government provided support for priorities of strategic significance to Surf Coast Shire including; Shipwreck Coast Masterplan, Lorne Point Grey Redevelopment, Review of Spring Creek land development, Upgrading Grant Pavilion, Coordinated Great Ocean Road Management and 15 hours kinder funded for 3 year olds. The newly elected government committed funding to an Aquatic Centre.

There has been an announcement that, if elected, the Federal Labor party will commit funding to an Aquatic Facility in Surf Coast Shire. Council will need to consider the aquatic facility project after the Federal Election when information is available.

The Federal Election is due to take place before the end of June 2019. At the time of writing this report an election date had not been set.

Discussion

Update on advocacy activities

A number of actions have occurred since Council's affirmed its advocacy priorities in October 2018:

Jan Juc SLSC received funding commitments from both major parties in the lead up to the State Election and the newly elected government will contribute \$600,000 to this project.

The newly elected State Government pledged to upgrade the Torquay Community Health Centre into a community hospital. Detail on this project is yet to be confirmed.

Council submitted a grant application to the Federal Government's Building Better Regions Fund for a \$6.6 million project to upgrade the pavilion at Stribling Reserve, Lorne.

Council was represented at the G21 Canberra delegation in December which met with high-level Federal department officials on key infrastructure and community development projects. This delegation focussed on and the next steps for the City Deal for Geelong and Great Ocean Road. The CEOs advocated for their municipalities' own local projects, in the context of gaining federal government grant assistance.

Council officers met with State and Federal Government officials to discuss and advise of local mobile and internet black spots.

6.1 Advocacy Priorities Update

The Mayor wrote to State Government Ministers congratulating them on their appointments, invited meetings and communicated priorities of importance to Surf Coast Shire.

Council held a meeting with Torquay community members and newly elected South Barwon State MP, Darren Cheeseman to discuss growth in Torquay including the State Government's policy on the Spring Creek Development.

Officers have communicated with community members interested in the public transport priority including understanding community advocacy efforts and providing advice on Council's advocacy work.

Officers have responded to a number of requests for information on Council's advocacy priorities from Members of Parliament and candidates. Communication and planning has occurred to establish meetings between representatives of other levels of Government and Council.

The Federal Government announced a contribution of \$154 million to the Geelong City Deal including a commitment of up to \$8 million to go towards the redevelopment of public spaces at Point Grey in Lorne and \$58 million investment in the Shipwreck Coast Master Plan.

The City Deal includes funding for a feasibility study to link Skenes Creek via Lorne to the Surf Coast Walk.

Council invited key political figures to the 2018 Good Times Great Breaks to further discuss the State Government taking greater responsibility for the program or providing more permanent and greater funding for it.

Soon after Council's report in October 2018, the State Government moved into caretaker period which limited the State Government's communication and decision making capabilities for most of November.

Changes to advocacy priorities

The overall change to Council's attached advocacy priorities is to identify the Federal Election priorities as it approaches. Action plans and communication for these priorities will then be updated. Based on the activities recorded above it is proposed to alter Council's advocacy priorities list as follows:

Remove

Point Grey Redevelopment Lorne (partner led priority) as this received funding in the Federal Government City Deal announcement.

Move to long term priorities

Continued investment in Shipwreck Coast Masterplan Implementation as this received significant funding in the Federal Government City Deal announcement. There is more to do in the longer term, but active lobbying the Federal Government soon after this announcement is not required at this time as the work associated with this funding needs to occur.

Add

Winchelsea Adventure Playground. Project planning has progressed to enable a more defined advocacy action plan to commence. This is part of the overall vision in the Council's 'Growing Winchelsea' strategic plan and has links to other projects funded or seeking funding in Winchelsea.

Torquay Theatre and Arts Space. Council received and endorsed a theatre feasibility study in November 2018 which included a concept plan and cost estimates. This now enables more defined advocacy actions and helps describe what Council is seeking for this project.

Bellbrae Hall Extension. This project is listed on Council's Recreation and Open Space project forward planner and it is timely to add it to the Council's Advocacy Priorities.

Grant Pavilion Redevelopment - Stage 2. Funding for Stage 1 expansion on the North side of the pavilion was announced by the newly elected State Government. Stage 2 seeks to provide additional spectator viewing and change room expansion.

Modewarre Netball Pavilion and Amenities Upgrade - Mt Moriac Reserve. This is the next identified netball facility upgrade in Surf Coast Shire.

6.1 Advocacy Priorities Update

Torquay Bowling Club (partner led) – Support for the Torquay Bowling club to deliver stage 1 of their redevelopment which includes a synthetic surface and a roof over a green to help increase participation.

Financial Implications

As demonstrated successful advocacy can result in a significant funding boost to Council projects. Typically government grants are allocated on the basis of a contribution from Council. Therefore Council needs to consider how its financial contribution to such projects would impact on its capacity to deliver other capital projects in future budgets.

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

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 Local Government Act 1989 articulates that a role of a Council includes 'advocating the interests of the local community to other communities and governments.'

A review of State and Federal Government objectives informs Council's advocacy program. Council's advocacy seeks to influence government policy to deliver positive outcomes for the Surf Coast Shire community.

Officer Direct or Indirect Interest

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

Risk Assessment

Failure to determine clear advocacy priorities may limit Council's ability to achieve support for its priorities. An advocacy plan that clearly articulates priorities and is regularly reviewed mitigates against this risk.

Social Considerations

Council's advocacy program has the ability to deliver significant benefits to community members. Advocacy has contributed to funding and policy provisions that support many communities within Surf Coast Shire.

Community Engagement

Previous community engagement activities have informed the choice of advocacy priorities. This includes engagement undertaken to develop the Council Plan and incorporated Health and Wellbeing Plan, as well as engagement on master plans, Developer Contribution Plans and project specific consultation activities.

Environmental Implications

One of the three overarching advocacy themes is Towards Environmental Leadership. Priorities related to this theme are aimed at delivering a net environmental benefit to the shire, including a target to increase use of renewable energy.

Communication

Council will communicate its advocacy priorities through its own communication channels and invite media coverage on the topic. Individual advocacy priorities will be communicated as major milestones occur.

Options

Option 1 – Affirm the proposed advocacy priorities

This option is recommended by officers as the advocacy priorities align to Council's strategic priorities as articulated in the Council Plan 2017-21 and through other strategic plans. The three strategic advocacy priorities provide consistency and clarity to potential funding partners on what constitutes Council's priorities. By reviewing and affirming its advocacy list Council can ensure its priorities remain current and aligned to its strategic goals.

6.1 Advocacy Priorities Update

Option 2 – Alter the projects in the advocacy program

This option is not recommended by officers as the projects included in the program have been identified as having a close alignment to Council's strategic goals and community expectations.

Option 3 – Do not adopt advocacy priorities

This option is not recommended by officers as Council's ability to attract funding support is reliant on having a clearly articulated set of priorities and by maintaining a positive working relationship with other levels of government, key community groups and organisations.

Conclusion

Reviewing and affirming advocacy priorities and implementing actions to gain support gives Council its best chance of advocacy success. Maintaining a clearly defined list of advocacy priorities ensures Council is ready for opportunities that may arise and can articulate a compelling narrative about its advocacy objectives.

The Federal Election will happen in the coming months and defining Council's advocacy priorities will help increase the chance of gaining federal support.



6.1 Advocacy Priorities Update







APPENDIX 1 ADVOCACY PRIORITY LIST UPDATE - JANUARY 2019


Appendix 1 – Project Information – Surf Coast Shire Advocacy Priorities – January 2019

COUNCIL-LED PRIORITIES

- Federal Election Priority
DCP = Developer Contributions Plan



Project	Description	Project Cost	Council Contribution
GREAT OCEAN ROAD VISITOR ECONOMY - Federal Election Priorities			
 Walking the Painkalac	This project is aligned with the Great Ocean Road Visitor Economy. This project proposes establishing a nature-based walking experience that is a unique offering on Great Ocean Road.	\$1 - \$2.8 million	TBC
 Winchelsea River Loop Walk Memorial Cairns Adventure Playground	This will connect Winchelsea with pathways along the beautiful Barwon River and provide a new pedestrian bridge. The 'Walk of Honour' will continue to recognise men and women who have served Australia in conflicts by delivering two new memorial cairns to compliment the current WW1 Cairn. The pathways, decking and boardwalks will support Winchelsea's growing economy by attracting visitors and will provide better connections for the community. The adventure playground is a key component of the Growing Winchelsea strategic plan and will benefit locals and encourage more visitation	\$1,400,000	\$130,000
GREAT OCEAN ROAD VISITOR ECONOMY - Long-Term Priorities			
Shipwreck Coast Master Plan (Partner led priority)	Advocate on behalf of partner organisations to continue the implementation of the Shipwreck Coast Masterplan and improve visitor connections to Surf Coast Shire. Increasing visitation along the Great Ocean Road will benefit all of its communities and the region's economy.	\$174,000,000	Nil Partner Led
Continued investment in Great Ocean Road renewal	Funding needs to continue in road renewal to ensure it meets visitor expectation and local needs for future years.	As required estimated at \$20m per annum	Not required. Govt infrastructure
Great Ocean Road Gateway Experience	Creating a 'must do' destination at the beginning of the Great Ocean Road to frame and influence the visitor journey along the Great Ocean Road. This would be achieved through combination of various elements, including: <ul style="list-style-type: none"> • A Great Ocean Road Gateway experience • An enhanced Australian National Surfing Museum • A visitor transit hub and visitor centre 	TBC	\$50,000
Alcoa Site Regeneration – Anglesea	Consultation on the future use of the Alcoa site in Anglesea is continuing. Council is pursuing positive environmental and community outcomes for the site consistent with community aspirations put forward through the consultation.	TBC	TBC




Project	Description	Project Cost	Council Contribution
Growing Adventure Tourism – Surf Coast Trails	Complete the enhancement of the existing Surf Coast Walk to enable dual use by pedestrians and cyclists.	\$210,000	\$100,000
TOWARDS ENVIRONMENTAL LEADERSHIP – Federal Election Priorities			
 Thompson Valley Feasibility and Investment Prospectus	This project explores the feasibility of the use of recycled water in the Thompson Valley area. It will consider aspects such as soil quality, water quality, required infrastructure land availability and market sounding.	\$250,000	TBC
TOWARDS ENVIRONMENTAL LEADERSHIP - Long Term Priorities			
Hinterland Futures	Capitalising on new opportunities in Surf Coast Shire's beautiful and productive hinterland through local food, niche tourism and agricultural exports.	TBC	TBC
Strengthening Town Boundaries	Current town boundaries are capable of accommodating forecast population growth and retain township character. Residential and other urban development will occur within defined settlement boundaries. Surf Coast shire seeks government policies which support Council's land use planning.	Nil	Policy Support
BUILDING OUR FUTURE - Federal Election Priorities			
 Stribling Reserve Redevelopment	Completing reserve redevelopment by upgrading male and female change facilities to enable more use for local sport and community events. The project will enhance the capability of the reserve to play a key role in emergency management.	\$6,600,000	\$3,300,000
 Torquay Theatre and Arts Space	Provision of a black box theatre, exhibition space and work shop areas in the current Torquay Sport and Recreation Centre to deliver arts and culture opportunities for participants and audiences. This is a necessary asset for communities that are renowned as creative and vibrant. It will deliver community wellbeing and economic benefits for years to come.	\$2,000,000	TBC
 Torquay Town Centre Place Making	Improving central Torquay through streetscape works, play and dwell spaces, sculpture treatments and event areas. Delivering these elements would transform the town centre and help grow the Great Ocean Road Visitor Economy and Build for our Future.	\$6,000,000	\$1,000,000
 Surf Coast Shire Economic Development Strategy	Develop a ten-year strategy to drive positive change through economic development. The strategy would include a situation analysis, a skills and emerging industries audit, a discussion on the economy we need and the key programs that would support future industry and jobs growth and maximise the shire's potential.	\$260,000	\$65,000
 Modewarre Netball Pavilion and Amenities Upgrade - Mt Moriac Reserve	An exciting pavilion upgrade to improve the player and spectator experience and increase participation particularly for females.	\$700,000	TBC

Project	Description	Project Cost	Council Contribution
 Improved Phone and Internet Coverage	Mobile towers are needed in Surf Coast Shire to improve mobile and internet coverage. There is a particular focus on equitable access to the nbn services where towers do not cover all households in a particular location. Due to the topography of the Surf Coast Shire, mobile and internet coverage is poor in many places. Even the larger towns experience poor reception.	Federal Government infrastructure	Not required. Govt infrastructure
BUILDING OUR FUTURE – Long-Term Priorities			
South Beach Road upgrade	Upgrade of South Beach Road in anticipation of VicRoads' project to construct a roundabout at the intersection of South Beach Road and Surf Coast Highway.	TBC	TBC
Torquay Walking and Cycling Connections (DCP project)	Investing in walking and bike paths will help keep the Surf Coast community an active community and enhance our reputation as a home for major events such as the Cadel Evans Road Race.	\$2,600,000	\$600,000
Bellbrae Hall Extension	A redevelopment and extension to Bellbrae Hall to accommodate events, social activities and community classes into the future.	\$700,000	TBC
Cape Otway / Winchelsea Deans Marsh Road Intersection	This project aims to improve the safety of the intersection by constructing a roundabout to reduce the incidence of cross intersection crashes.	\$5,000,000	TBC
Grant Pavilion Redevelopment - Stage 2	Building on the Stage 1 expansion on the North side of the pavilion that was announced by the newly elected State Government. Stage 2 seeks to provide additional spectator viewing and change room expansion on the South side of Grant Pavilion to improve the facility and increase local participation.	\$2,200,000	TBC

N.B. - Projects in DCPs are contractual commitments and Council has a funding obligation to deliver these projects.

KEY POLICY CAMPAIGNS

Policy	Description
 Retaining Funding for Councils for Rural Access programs.	Funding of Rural Access programs in councils is not guaranteed beyond 30 June 2018. Funding will transition from the Victorian Department of Health and Human Services (DHHS) to the National Disability Insurance Scheme (NDIS). Council will advocate that this funding is retained in the NDIS so councils can continue to improve access and inclusion.
 Public transport improvements to include: • Investment from the State Government to reroute an existing V/Line service to link Anglesea and Waurn Ponds and the future addition of a bus service from Surf Coast Shire to Waurn Ponds • Surf Coast Shire to be included in future planning	Council will advocate that the State Government invest in rerouting a Great Ocean Road bus service so there is a public transport option for travel between Anglesea and Waurn Ponds. Council seeks the State Government invest in additional, more direct services into Geelong from Surf Coast Shire including more direct services from Torquay to Waurn Ponds. Council will advocate to be included by other levels of government in future public transport planning.

 Coastal agency and Great Ocean Road Governance coordination.	Many agencies have coastal management responsibilities in Victoria. Council will advocate for better coordination between these agencies to deliver better outcomes for the community and environment. Council encourages the State Government to continue streamlining governance and management of the Great Ocean Road.
 Sustainable future for emergency services.	Council will advocate that emergency services (SES, Marine Rescue, and Surf Life Saving) in Victoria are funded adequately by the State Government.
 Funding for 15 hours kindergarten access to continue.	Seeking support from the Victorian Government to deliver its commitment to make Victoria the Education State by advocating to the Federal Government for ongoing funding for 15 hours of kindergarten. Council will support the MAV advocacy campaign to strengthen local government's voice with the federal government.
Retain funding for Good Times and Great Breaks	This is the last year of confirmed funding from the state government for this program, which is aimed at managing safety during school leaver celebrations. Council is advocating for funding to continue.

 **PRIORITIES DEVELOPED BY COMMUNITY AND PARTNERS – All considered Federal Election Priorities** 

Project	Description
Barwon Park Fire Protection	Establishing water supply and fire protection systems to protect this heritage and economic asset.
Anglesea Motor Yacht Club Upgrade	Extend & renovate existing clubrooms to better serve the needs of the increased club membership and other community groups, including the addition of a lift for disabled access.
Torquay Bowling Club	The Torquay Bowling club has plans to deliver stage 1 of their redevelopment which includes a synthetic surface and a roof over a green to help increase participation.
PROJECTS IN COUNCIL'S COMMUNITY DEVELOPMENT PROGRAM	
Anglesea Men's Shed – repurpose and refit 2 storage spaces	Men's Shed to reconfigure storage areas – extend community room, creating private meeting space + relocate welding area.
Lorne Skate Park Shelter	Siting and installing of a shelter at the Lorne Skate Park with the main aim of providing a shaded gathering and seating area for skate park users and spectators.
Deep Creek Reserve Tennis Court multi-use area	Additional activities to be included on the 2 asphalt community tennis courts at Deep Creek Reserve to complement the adjacent play space.
Mt Moriac Reserve Oval 1 net behind goals	Supply and installation of barrier netting behind football goal posts at Mt Moriac Reserve to address safety of participants, spectators and vehicles accessing the reserve and for training and game day functionality.
Quay Reserve – BBQ/picnic shelter	Quay Residents Association proposal for provision of a shelter /shade structure to cover the BBQ and picnic area at Quay Reserve.
Freshwater Creek Res old Tennis Clubroom – Recommission	Internal refurbishment of the old Freshwater Creek Reserve Tennis Clubrooms to support and encourage casual and group use of the recently developed tennis play space area.
Anglesea Recreation & Sports Club – power connection	Connection of power to the Anglesea Recreation & Sports Club to allow the installation of security and fire services (fire sprinkler system proposed).
Anglesea Netball Club –additional netball shelters	Investigate addition of 3 new netball shelters at the Anglesea Netball Club facility to address inadequate shelters for participants, officials and spectators.

1st Torquay Scouts storage extension	Extending the 1st Torquay Scouts building to the north (car park area) to accommodate additional storage area accessible directly from car park, existing building modifications to address OH&S and DDA issues.
Deans Marsh Reserve Multi-purpose shelter / outdoor stage	Proposal for a multi-purpose shade shelter and all-weather stage in the Deans Marsh Memorial Reserve – a permanent performance stage, shelter and shade for watching sport and other activities on the oval and also for casual use by reserve visitors.

6.2 Alcohol and Other Drug Action Plan 2018-2021

Cr Libby Coker returned to the meeting at 06:48 pm.

Author's Title: Health & Wellbeing Officer

General Manager: Damian Waight

Department: Community Relations

File No: F18/303

Division: Culture & Community

Trim No: IC19/31

Appendix:

1. Alcohol and Other Drug Action Plan 2018-2021 (D19/3802)

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 document research findings regarding alcohol and other drug related harm across the Surf Coast Shire, and adopt an action plan that will address identified issues.

Summary

In 2017 the Surf Coast Shire integrated its Municipal Public Health and Wellbeing Plan (MPHWP) into the 2017-2021 Council Plan. Accordingly, the Council Plan includes the strategic objective to 'support people to be healthy and active'. To achieve this objective the Council Plan commits to four strategies one of which is to 'develop and implement an alcohol, tobacco and drug strategy based on local evidence and best practice'.

Council staff undertook research to determine the prevalence of alcohol and other drug related harm in Surf Coast Shire and to provide a recommended course of action.

The data indicates that Surf Coast Shire residents use tobacco and illicit drugs at lower rates than the state average, but are at much higher risk of alcohol related harm than the average Victorian. Surf Coast Shire has the second highest risk rating for long and short term alcohol harm out of all 79 Councils. Alcohol related harms (both single occasion and lifetime) refer to traffic accidents, falls, drowning's, assaults, suicide, acute alcohol toxicity, preventable chronic disease and early death. The chronic diseases that alcohol consumption is linked to include; cancer (bowel, breast, throat, mouth, liver), liver disease, cardiovascular disease, stroke, diabetes and mental health problems.

Research identified current best practice approaches to preventing and reducing alcohol, tobacco and illicit drug related harms. Interventions in line with the approach were assessed and explored further in consultation with the relevant stakeholders. As a result of this process, the draft Surf Coast Shire Council Alcohol and Other Drug Action Plan 2018-2021 was developed. The proposed Action Plan can be found in Appendix 1. The Action Plan provides Council and its partners with the direction required to address alcohol and other drug related harm within the Surf Coast Shire, and in doing so improve the health and wellbeing of residents.

6.2 Alcohol and Other Drug Action Plan 2018-2021

Recommendation

That Council:

1. Notes the alcohol and other drug research findings outlined in this report.
2. Adopts the Surf Coast Shire Council Alcohol and Other Drug Action Plan 2018-2021 as attached at Appendix 1 with three year implementation cost of \$18,000.
3. Notes that implementation costs of \$3,000 for the current financial year will be funded through existing operating budgets.
4. Allocates \$15,000 from the Accumulated Unallocated Cash Reserve to a project to fund the balance of the Action Plan costs.
5. Receives updates on the implementation of the plan and its impact at least annually.

Council Resolution

MOVED Cr Martin Duke, Seconded Cr Margot Smith

That Council:

1. Notes the alcohol and other drug research findings outlined in this report.
2. Adopts the Surf Coast Shire Council Alcohol and Other Drug Action Plan 2018-2021 as attached at Appendix 1 with three year implementation cost of \$18,000.
3. Notes that implementation costs of \$3,000 for the current financial year will be funded through existing operating budgets.
4. Allocates \$15,000 from the Accumulated Unallocated Cash Reserve to a project to fund the balance of the Action Plan costs.
5. Receives updates on the implementation of the plan and its impact at least annually.

CARRIED 7:0

6.2 Alcohol and Other Drug Action Plan 2018-2021

Report

Background

Local governments are legislated under both the Local Government Act 1989 and the Municipal Public Health and Wellbeing Act 2008 to 'endeavour to achieve the best outcomes for the local community'. The *Municipal Public Health and Wellbeing Act 2008* impose a number of responsibilities on Councils including 'to protect, improve and promote public health and wellbeing within the municipal district' and identifies public health and wellbeing as 'the absence of disease, illness, injury, disability or premature death and the collective state of public health and wellbeing'.

In 2017 the Surf Coast Shire integrated its Municipal Public Health and Wellbeing Plan into the 2017-2021 Council Plan. Accordingly, the Council Plan includes the strategic objective to 'support people to be healthy and active'. To achieve this objective the Council Plan commits to four strategies one of which is to 'develop and implement an alcohol, tobacco and drug strategy based on local evidence and best practice'.

To action this commitment the Community Health and Development Unit undertook research to determine the prevalence of alcohol and other drug related harm on the Surf Coast and recommend a course of action.

The alcohol and other drug data analysed through this process included:

- VicHealth Indicators Survey data 2015.
- Victorian Population Health Survey LGA Quick Stats 2014.
- Turning Point, Ambo-AOD stats 2018.
- Victorian Commission for Gambling and Liquor Regulation, Liquor Data 2018.
- Australian Institute of Health and Welfare, National Drug Strategy Household Survey 2016.
- Australian Bureau of Statistics, National Health Survey 2014-15.

Following the data analysis, further research was conducted to understand what action is currently being undertaken by Council and other stakeholders as well as to determine current best practice approaches to address alcohol and other drug related harm. This process included:

- Review of the literature.
- Desktop search of current best practice interventions in line with the literature.
- Meetings internally with Council staff from the following teams; Recreation and Open Space Planning, Youth Development, Early Years, Events, Planning and Development, Governance and Risk, Environment and Community Safety, Development Compliance and Local Laws.
- Meetings externally with staff from the following organisations; Australian Drug Foundation, Victoria Police, VicHealth, Cancer Council, Western Victoria PHN, Department of Health and Human Services, headspace Geelong, Barwon Child Youth and Family, Barwon Health, Geelong Cats, Leisure Networks and the Great Ocean Road Coastal Committee.

Discussion

Research Findings

What are alcohol and other drug related harms?

Alcohol and other drug related harm can be defined as a pattern of drug and/or alcohol use that causes negative health, social and economic impacts.

Potential health harms from alcohol and other drugs include preventable chronic diseases, injuries and road trauma. Preventable chronic diseases correlated with alcohol, tobacco and drug use include respiratory diseases, cancers (such as lung, breast, mouth, liver, bowel, pharyngeal and oesophagus), liver disease, pancreatitis, diabetes, cardiovascular disease, stroke, endocrine disorders, brain damage, mental illness, epilepsy, Hepatitis C, Hepatitis B and HIV/AIDS. Injuries resulting from alcohol and other drug use includes falls, drowning, violence related injury, overdose, self-harm and suicide.

Social harms caused by alcohol and other drug use include crime, assaults, family violence, childhood trauma and intergenerational trauma.

Economic harms include healthcare and law enforcement costs, decreased productivity, marginalisation and disadvantage.

6.2 Alcohol and Other Drug Action Plan 2018-2021

Is alcohol and other drug related harm an issue in the Surf Coast Shire?

Tobacco

10% of Surf Coast residents aged 18 or over are current smokers, which is lower than the Victorian average (13.1%). Due to effective long term health promotion interventions, smoking rates in Australia have been on a downward trend for over a decade. The National Drug Strategy Household Survey (NDSHS) showed that between 1991 and 2016 the proportion of persons smoking daily has halved (from 24% to 12.2%). Despite this progress, tobacco remains the leading cause of cancer and the second leading cause of preventable death in Australia. 'Tobacco free living' has therefore remained a priority within the Victorian Public Health and Wellbeing Plan 2015 – 2019.

Illicit Drugs

Rates of illicit drug offences in the Surf Coast Shire are well below the Victorian average. Interestingly drug related crime rates are low, but drug related ambulance attendances have increased from 9 attendances in 2011/12 to 38 attendances in 2017/18. The highest proportion of attendances in 2017/18 was for those aged 15 – 24 years (57.8%).

Alcohol

Surf Coast Shire is second in the state (out of 79 Victorian local government areas) for residents at increased risk of alcohol-related harm on a single occasion of drinking; otherwise known as binge drinking (see figure 1). Harms associated with binge drinking include road traffic accidents, falls, drowning's, assaults, suicide and acute alcohol toxicity.

Evidence also highlights that the Surf Coast Shire has a higher proportion of residents with an attitude that reinforces a binge drinking culture than the rest of the state, with almost 1 in 3 (32.5%) residents agreeing that getting drunk every now and then is okay.

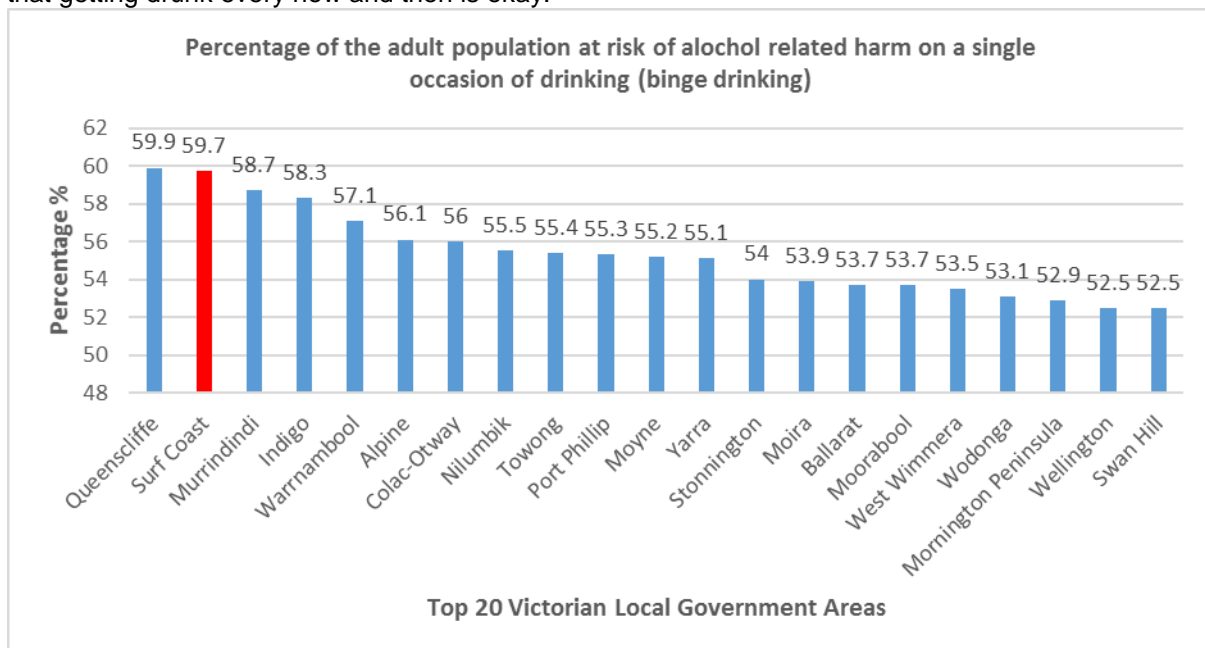


Figure 1: Victorian Population Health Survey 2014, risk of alcohol related harm on a single occasion.

79.7% Surf Coast residents aged 18 years and over are drinking at levels that put them at 'lifetime risk of alcohol-related harm' (see figure 2). Lifetime risk of alcohol related harm refers to the cumulative risk of experiencing injury, accidents, preventable chronic disease and early death.

This rate of almost 80% of residents 18 years and over is of significant concern. It is 20.5 % higher than the Victorian average (59.2%) and places Surf Coast second out of 79 Councils for the percentage of adult population at lifetime risk of alcohol related harm as represented by the table below.

6.2 Alcohol and Other Drug Action Plan 2018-2021

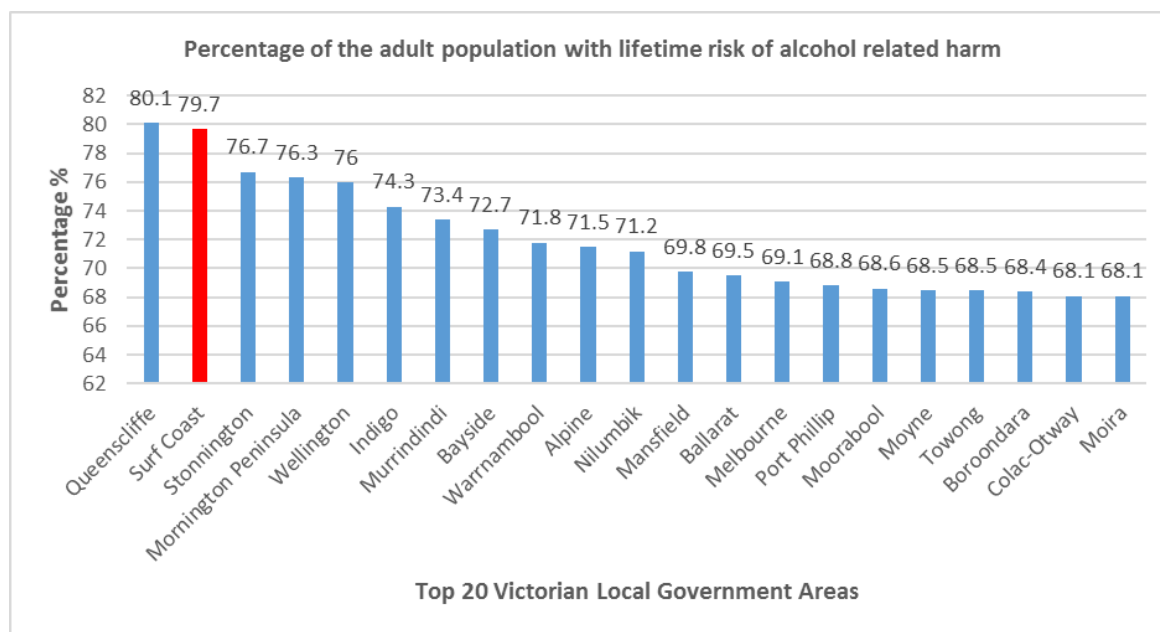


Figure 2: Victorian Population Health Survey 2014, alcohol related lifetime risk.

Alcohol is a drug that once consumed, affects the nervous system responsible for overall body control. Therefore drinking too much on a single occasion (binge drinking) is causally linked to alcohol-related road incidents. Over the past five years there has been an upward trend in the number of drink driving fatalities on Australian roads and Surf Coast is not immune. In fact the Surf Coast Shire experiences a higher rate of alcohol related serious road injury than the rest of the state (Surf Coast 6.3 vs Victoria 4.1, per 10,000 population).

What is the best practice approach to alcohol and Other Drug related harm?

Harm minimisation is considered the best practice approach to preventing and reducing harm associated with alcohol and other drugs. Harm minimisation involves a coordinated approach addressing three pillars: supply reduction, demand reduction and harm reduction.

Supply reduction strategies are those which aim to restrict the availability and accessibility of alcohol and other drugs. Strategies include:

- Regulating retail and wholesale sale (such as trading hours, age, density, dry areas, lockouts).
- Border control or disrupting production and distribution (illicit drugs).
- Implementation of real-time monitoring of prescription medications.

Demand reduction strategies refer to those which intend to delay, prevent or reduce use. Strategies that affect demand include:

- Price mechanisms
- Community education, reducing stigma and promoting help seeking
- Restrictions on advertising and marketing
- Programs focused on building protective factors and social engagement
- Treatment services and brief intervention.

Harm reduction strategies target specific risks that arise from alcohol and other drug use. These are risks that can affect the individual who is using drugs, but also others such as family members, friends and the broader community. Strategies that affect harm reduction include:

- Creating safer settings
- Safe transport and sobering up services
- Protecting children from another's drug use
- Protecting the community from infectious disease
- Reducing driving under the influence of alcohol or other drugs
- Opioid treatment programs.

6.2 Alcohol and Other Drug Action Plan 2018-2021

What harm minimisation interventions are currently being delivered by Surf Coast Shire Council?

Multiple departments have a role in the monitoring and compliance of tobacco and alcohol. Through a service agreement with the Municipal Association of Victoria (MAV) and Department of Health and Human Services (DHHS) these Surf Coast Shire departments enforce provisions in the *Tobacco Act 197* across tobacco retailers, eating establishments and licensed premises. Local laws enforce the provisions relating to alcohol in the 'Surf Coast Shire Council Community Amenity Local Law', although due to safety concerns these incidents are often referred to Victoria Police.

The Planning and Development department are responsible for issuing planning permits for licenced premises. Within the *Surf Coast Shire Local Planning Scheme, section 52.27 Licence Premises*, it states that the purpose of the provision is 'to ensure that licensed premises are situated in appropriate locations' and 'to ensure that the impact of the licensed premises on the amenity of the surrounding area is considered'.

Beyond these legislated roles, Surf Coast Shire Council does not currently have any other programs that aim to reduce the harm residents are experiencing as a result of alcohol and other drugs.

What harm minimisation interventions are currently being delivered by other organisations within the Surf Coast Shire?

The research identified that some regional agencies are funded to provide an alcohol and other drug service to Surf Coast Shire residents but do not currently provide an accessible service within the municipality. Residents are currently required to travel to Geelong to access the services. Given that, Surf Coast Shire residents are second in the state for short and long term risk of alcohol related harm; Council has a role and a responsibility to ensure equitable access to these regionally funded services.

Outside of service provision, the research uncovered that Good Sports (Australian Drug Foundation initiative) is the only harm minimisation program offered within the Surf Coast Shire. However this is not a coordinated offering within local government areas, with individual sports clubs required to initiate the process.

What harm minimisation interventions could be delivered within the Surf Coast Shire?

The research process identified a number of best practice opportunities that Surf Coast Shire Council could facilitate or implement to reduce the alcohol and other drug issues identified. The full list of recommended actions can be found in the Alcohol and Other Drug Action Plan 2018 to 2021 (Appendix 1), some example actions are included below.

Smoke –free beaches and Council facilities; To reduce the social acceptability of smoking and to prevent poor role modelling to children and young people (evidence highlights role modelling as a contributing factor to use) Council will work with the Great Ocean Road Coastal Committee (GORCC), Parks Victoria and Surf Life Saving Victoria to improve enforcement of smoking bans on beaches and work towards creating smoke-free Council facilities (including sport and recreation facilities).

Achievement Program (Cancer Council) and Good Sports health promotion programs; Council will work with partners, including Barwon Health and Leisure Networks, to ensure the coordinated delivery of best practice health promotion programs that enable organisations to create health promoting environments that prevent harm from alcohol and other drugs. These environments will include Surf Coast Shire Councils kindergartens and local sporting clubs.

Just Think Program; Council will work with headspace Geelong, Barwon Child Youth and Family and Geelong Cats to facilitate the roll out of the 'Just Think' program to students attending secondary school within the Surf Coast Shire. Delaying and preventing early use of illicit drugs has shown to reduce both short and long term issues including dependence.

Alcohol and Other Drug service provision; Council will work with regional service providers to facilitate the offering of funded alcohol and Other Drug services to residents within the municipality. Such services include the alcohol and other drug brief intervention service which is funded by the Primary Health Care Network and delivered by Barwon Child, Youth and Family.

6.2 Alcohol and Other Drug Action Plan 2018-2021

Explore possibilities to reduce supply of packaged liquor; Increased density and availability of alcohol has been shown to lead to increased alcohol consumption and increased levels of alcohol related assaults, family violence and preventable chronic disease. Given that nearly 80% of alcohol consumed in Australia is sold at packaged liquor outlets, Council will explore using the local planning scheme to reduce the density of packaged liquor within the municipality. This action item would have health and safety benefits for the current and future community.

'Hello Sunday Morning campaign'; Hello Sunday Morning is an evidence based program targeted at altering alcohol culture and supporting individuals and communities to establish a healthy relationships with alcohol. Council will work with the Hello Sunday Morning organisation as well as interested community groups and local businesses to offer Hello Sunday Morning to residents in Surf Coast Shire.

Financial Implications

In 2004-05 the economic, health and social costs of alcohol and other drug related harm was estimated to cost Australians \$55.5 billion per annum. Whilst the financial cost of alcohol and other drug related harm for Surf Coast Shire residents and services specifically is not known, the statistics strongly suggest it is a considerable economic burden to residents.

The investment required from Council to implement the recommended Alcohol and Other Drug Action Plan 2018-2021 is \$18,000 per annum until 2021, plus staff time. Specific expenses will include;

- Advertising new alcohol and other drug services available
- Promotion of the Hello Sunday Morning community campaign
- Contribution to signage to create smoke free beaches
- Catering for the AOD Community of Practice
- Achievement Program training materials for Surf Coast Shire Kindergartens.

Council Plan

Theme 1 Community Wellbeing

Objective 1.2 Support people to be healthy and active

Strategy 1.2.3 Develop and implement an alcohol, tobacco and drug strategy based on local evidence and best practice

Policy/Legal Implications

The Public Health and Wellbeing Act 2008 outlines all Victorian Councils have a legislated responsibility to protect, improve, and promote public health and wellbeing within the municipal district. *The Act (2008)* outlines a range of specific responsibilities for Councils including developing and implementing a Municipal Public Health and Wellbeing Plan that;

- (a) creates an environment which supports the health of members of the local community and strengthens the capacity of the community and individuals to achieve better health
- (b) identifies goals and strategies based on available evidence for creating a local community in which people can achieve maximum health and wellbeing; and
- (c) developing and implementing public health policies and programs within the municipal district.

In line with *The Act (2008)* Surf Coast Shire Councils Municipal Public Health and Wellbeing Plan, integrated into the Council Plan 2017-2021, identifies alcohol and other drugs as one of Surf Coast Shires most significant public health issues and commits to developing and implementing an alcohol, tobacco and drug strategy to address the issue.

Implementing the proposed Alcohol and Other Drug Action Plan (2018-2021) ensures Council meets its legislative responsibilities described above. Failing to take action, risks Council not satisfying its legislated responsibilities outline in the Public Health and Wellbeing Act 2008.

Officer Direct or Indirect Interest

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

6.2 Alcohol and Other Drug Action Plan 2018-2021

Risk Assessment

There are no risks associated with the adoption and implementation of the proposed Alcohol and Other Drug Action Plan (2018-2021).

Not implementing Alcohol and Other Drug Action Plan (2018-2021) poses the following risks for Council;

- Alcohol and other drug related harm across the Surf Coast Shire will remain very high and could increase creating a more pervasive public health issue to address.
- Residents will continue to be at risk of preventable injuries, accidents and health issues.
- Reputational risks associated with Council not delivering on commitments outlined in the Council Plan (2017-2021).
- Legal risks of not upholding legislated responsibilities outlined in *The Public Health and Wellbeing Act (2008)*

Social Considerations

Misuse of alcohol and other drugs causes a range of economic, health and social harms. Social harms caused by alcohol and other drug use include crime, assaults, family violence, childhood trauma and intergenerational trauma.

Data shows that incidents of family, domestic or sexual violence often occur in the context of alcohol and Other Drug use. The 2016 national Personal Safety Survey showed that of women who have experienced male perpetrated physical or sexual violence in the past 10 years, around half reported that they believed alcohol or another substance use contributed to their experience.

With 79.7% of Surf Coast residents aged 18 years and over at lifetime risk of all alcohol-related harms and 59.7% at risk of short-term harm, a very high number of residents are at risk of experiencing the detrimental social harms outlined above.

Failing to address local alcohol issues will result in residents continuing to experience, or be at risk of experiencing, these detrimental social harms.

Community Engagement

Significant community engagement was undertaken to develop the integrated Council Plan and Municipal Public Health and Wellbeing Plan, which identified alcohol and other drugs as an issue.

Further engagement was undertaken with numerous internal and external stakeholders to identify opportunities to address the issues and design the action plan.

Environmental Implications

Some of the proposed action items will have a positive impact on the natural environment. In particular targeting smoking on beaches and on council owned facilities intends to reduce glass and cigarette butt litter.

Communication

Following Council's resolution on this report, Council officers will develop a communications plan.

The communications plan will include making the action plan publically available on the Surf Coast Shire Council website and promoting it to the community via social and print media channels.

Council officers will convene a Alcohol and Other Drug (AOD) Community of Practice (CoP) meeting which will bring all partners (internal and external) involved in implementing the action plan together. The first AOD CoP meeting will launch the action plan and ensure all stakeholders are clear about its existence and contents. Subsequent CoP meetings (quarterly) will enable ongoing communication between stakeholders regarding implementation progress and learnings.

The Community Health and Development Unit will monitor and evaluate the progress and effectiveness of the Alcohol and Other Drug Action Plan (2018-2021), and report findings to Councillors and the community at least annually.

6.2 Alcohol and Other Drug Action Plan 2018-2021

Options

Option 1 – Council note the alcohol and other drug research findings, and adopt the recommendation to endorse and implement the Surf Coast Shire Council Alcohol and Other Drug Action Plan 2018-2021 (Appendix 1).

This option is recommended by officers as it considers the latest evidence and best practice methods to addressing alcohol and other drug related harm in Surf Coast Shire.

Option 2 – Council note the alcohol and other drug research findings and only partially adopt the proposed Surf Coast Shire Council Alcohol and Other Drug Action Plan 2018-2021 (i.e. adopt some initiatives in the action plan but not others).

This option is not recommended by officers as the research process identified a need to include all initiatives in the action plan to adequately address the issues. Adopting only parts of the action plan may result in some alcohol and other drug issues not being addressed.

Option 3 – Council note the alcohol and other drug research findings and consider another course of action (e.g. invest more significantly in providing services to address alcohol and other drug related harm on the Surf Coast)

This option is not recommended by officers as the proposed action plan contains the best opportunities for Council considering local government's role in the issue.

Conclusion

Addressing Alcohol and Other Drug related harm is a priority in the Surf Coast Shire Council Plan 2017-2021.

Data indicates that Surf Coast Shire residents are at a much high risk of alcohol related harm (both single occasion and lifetime).

The Alcohol and Other Drug Action Plan 2018-2021 provides Council and its partners with the best practice approaches required to address alcohol and other drug related harm within the Surf Coast Shire.

6.2 Alcohol and Other Drug Action Plan 2018-2021

APPENDIX 1 ALCOHOL AND OTHER DRUG ACTION PLAN 2018-2021



Alcohol and Other Drug Action Plan

2018-2021



Background

The Alcohol and Other Drug Action Plan 2018-2021 details the best practice approach to prevent and reduce alcohol and other drug related harm across the Surf Coast Shire.

Council Plan Commitment

In 2017 the Surf Coast Shire integrated the Municipal Public Health and Wellbeing into the 2017-2021 Council Plan. The Council Plan includes the strategic objective to 'support people to be healthy and active'. Within this objective the Council Plan commits to four strategies one of which is to 'develop and implement an alcohol, tobacco and drug strategy based on local evidence and best practice'.

As per the Council Plan, research has been undertaken to determine the prevalence of alcohol and other drug related harm within the Surf Coast Shire and develop an action plan to address issues identified.

What is alcohol and other drug related harm?

Alcohol and other drug related harm is defined as a pattern of use that causes negative health, social and economic impacts.

Health harms that arise from alcohol and other drugs include preventable chronic diseases, injuries and road trauma.

Social harms caused by alcohol and other drug use include crime, assaults, family violence, childhood trauma and intergenerational trauma.

Economic harms include healthcare and law enforcement costs, decreased productivity, marginalisation and disadvantage.

What is harm minimisation?

Harm minimisation is considered the best practice approach to preventing and reducing harm associated with alcohol and other drugs. Harm minimisation involves a coordinated approach addressing three pillars: supply, demand and harm reduction.

Supply reduction strategies are those which aim to restrict the availability and accessibility of alcohol and other drugs. Whereas demand reduction strategies intended to delay, prevent or reduce use. Harm reduction strategies target specific risks that arise from alcohol and other drug use such as drink driving campaign.



Alcohol and other drug related harm in the Surf Coast Shire

Harms from alcohol and other drugs affect all Australian communities, families and individuals, either directly or indirectly. Research was conducted to uncover the impact that alcohol and other drug use has within the Surf Coast Shire.

Tobacco

10% of Surf Coast residents aged 18 or over are current smokers, which is lower than the Victorian average (13.1%). Due to effective long term health promotion interventions, smoking rates in Australia have been on a downward trend for over a decade. The National Drug Strategy Household Survey (NDSHS) showed that between 1991 and 2016 the proportion of persons smoking daily has halved (from 24% to 12.2%). Although despite this progress, tobacco remains the leading cause of cancer and the second leading cause of preventable death in Australia.

Illicit Drugs

In 2016, 4 in 10 (or 43%) Australians aged 14 and over had illicitly used a drug during their lifetime. With the most commonly used illicit drugs being cannabis (10.4%), misuse of pharmaceuticals (3.6%), cocaine (2.5%) and ecstasy (2.2%). Interestingly, rates of illicit drug offences within the Surf Coast Shire are well below the Victorian average but drug related ambulance attendances have increased from 9 attendances in 2011/12 to 38 attendances in 2017/18. The highest proportion of these attendances was for those aged 15 – 24 years (57.8%).

Alcohol

58.7% of Surf Coast Shire residents are at increased risk of alcohol-related harm on a single occasion of drinking; otherwise known as binge drinking. These figures are significantly higher than the Victorian average which is 42.5%. Harms associated with binge drinking include road traffic accidents, falls, drownings, assaults, suicide and acute alcohol toxicity. Evidence also highlights that the Surf Coast Shire has a higher proportion of residents with an attitude that reinforces a binge drinking culture.

79.7% Surf Coast residents aged 18 years and over are drinking at levels that put them at 'lifetime risk of alcohol-related harm'. Lifetime risk of alcohol related harm refers to the cumulative risk of experiencing injury, accidents, preventable chronic disease and early death. This rate is of significant concern given that it is 20.5% higher than the Victorian average (59.2%) and places Surf Coast second out of 79 Councils for lifetime risk of alcohol related harm.

Alcohol is a drug that once consumed, affects the nervous system responsible for overall body control. Therefore drinking too much on a single occasion (binge drinking) is causally linked to alcohol-related road incidents. Over the past five years there has been an upward trend in the number of drink driving fatalities on Australian roads and Surf Coast is not immune. In fact the Surf Coast Shire experiences a higher rate of alcohol related serious road injury than the rest of the state (Surf Coast 6.3 vs Victoria 4.1, per 10,000 population).



Alcohol and Other Drug: Action Plan 2018-2021

Council Plan Strategy 6	Pillar 1: Supply Reduction		
	Deliverables	Partners	Timeframe
Develop and implement an alcohol, tobacco and other drug strategy based on local evidence and best practice	Restricting the density of packaged liquor retail outlets Explore using the local planning scheme to support the health, wellbeing and safety of the future community.	Victorian Commission for Gambling and Liquor Regulation (VCGLR) Planning and Development Community Health and Development	Dec 2018 – January 2020
	Licence Agreement Inclusion Include and reinforce legislative requirements relating to alcohol management and tobacco.	Recreation and Open Space Planning Governance and Risk Community Health and Development	Dec 2018 – January 2020
	Supply to Minors Monitoring and Support Provide support to identified packaged liquor retail outlets and sporting clubs to reduce the sale of alcohol to minors.	Barwon Child, Youth and Family VCGLR Youth Development Recreation and Open Space Planning Community Health and Development	July 2019 – January 2020
	Smoke-free Council Facilities Reduce the social acceptability of smoking in family friendly and health promoting environments.	Development Compliance and Local Laws Environment and Community Safety Recreation and Open Space Planning Community Health and Development	December 2018 – January 2020
	Smoke-free Beaches Reduce the social acceptability of smoking in family friendly and health promoting environments.	GORCC Parks Victoria Surf Life Saving Victoria Development Compliance and Local Laws Recreation and Open Space Planning Community Health and Development	Dec 2018 – January 2020



Pillar 2: Demand Reduction		
Deliverables	Partners	Timeframe
<p>Hello Sunday Morning Coordinate the delivery of this evidence based community alcohol culture change program.</p>	<p>Hello Sunday Morning Community Groups Local Businesses Recreation and Open Space Planning Community Health and Development</p>	<p>January 2019 – January 2020</p>
<p>'Just Think' Program Coordinate the delivery of this 'whole of school' approach to reducing harms and preventing early uptake of alcohol and other drugs.</p>	<p>headspace Geelong Barwon Child Youth and Family Secondary Schools Youth Development Community Health and Development</p>	<p>June 2018 – June 2019</p>
<p>Quit Campaign - Dentists Build the capacity of dentists to provide information and/or referral to quit support services.</p>	<p>Cancer Council Dentists Barwon Health (Be Smoke Free) Western PHN Community Health and Development</p>	<p>July 2019 – January 2020</p>
<p>Alcohol Screening – General Practice (AUDIT-C) Build the capacity of local general practitioners to identify and provide information and/or referral to specialist alcohol and other drug services.</p>	<p>General Practice Barwon CYF Western PHN Community Health and Development</p>	<p>January 2019 – June 2019</p>
<p>Alcohol and other Drug Brief Intervention Service Ensure access to this regionally funded service within the municipality.</p>	<p>Western PHN Barwon Health Community Health and Development</p>	<p>January 2019 – Jun2019</p>



Pillar 3: Harm Reduction		
Deliverables	Partners	Timeframe
<p>Achievement Program – Workplace Settings Support the delivery of this best practice health promotion program which requires organisations to meet six benchmarks, including the Alcohol and Other Drugs and Smoking.</p>	<p>Cancer Council Barwon Health People and Culture Community Health and Development</p>	<p>January 2019 – January 2020</p>
<p>Achievement Program – Early Childhood Settings Coordinate the delivery of this best practice health promotion program which requires organisations to meet six benchmarks, including the Alcohol and Other Drugs and Smoking.</p>	<p>Cancer Council Bellarine Community Health Early Years (Kindergartens) Community Health and Development</p>	<p>Dec 2018 – January 2020</p>
<p>Smoke and Alcohol Free Events Explore the potential to develop community event grant criteria that reduces the number of Council funded events supplying alcohol to the public.</p>	<p>Event organisers Events Team Community Health and Development</p>	<p>January 2019 – January 2020</p>
<p>Good Sports Facilitate the delivery of this nationally recognised health promotion program to reduce harm associated with alcohol and tobacco within the sports club environment.</p>	<p>Good Sports Leisure Networks Sports Clubs Recreation and Open Space Planning Community Health and Development</p>	<p>January 2019 – January 2020</p>
<p>Surf Coast Alcohol and Other Drug Community of Practice Work in partnership to enhance outcomes and to monitor, evaluate and report progress annually.</p>	<p>All organisations and businesses working in harm minimisation for alcohol and other drugs across the Surf Coast Shire Community Health and Development</p>	<p>March 2019 – January 2020</p>

Item - 6.3 Positive Ageing Reform Update and Guiding Principles - has been moved to another part of the document.

6.4 Stribling Reserve Sports Lighting Project Update

Author's Title: Recreation Planning Coordinator **General Manager:** Damian Waight
Department: Recreation & Open Space Planning **File No:** F15/1510
Division: Culture & Community **Trim No:** IC19/96

Appendix:

Nil

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

Yes

No

Reason: Nil

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

Yes

No

Reason: Nil

Purpose

The purpose of this report is to receive an update on the Stribling Reserve Sports Lighting Upgrade project including consideration of a \$260,000 allocation of additional funds.

Summary

The Stribling Reserve Sports Lighting Upgrade is identified as a high priority project in the Stribling Reserve Masterplan 2017. The detailed design and community consultation stage is complete and the market response to a procurement process has identified there is budget shortfall of \$260,000.

The additional funds required to complete the intended scope of works are due to challenging site conditions requiring larger footings, power upgrade infrastructure requirements and increased pole heights to direct light more precisely to the playing surface to reduce light spill off the reserve to adjoining properties.

At its 23 October 2018 Ordinary Meeting, Council previously committed \$198,000 from the Open Space cash reserve to its Building Better Regions Fund (BBRF) Round Three application to upgrade the Stribling Reserve Pavilion. The outcome of the application is pending and expected to be known prior to the 2019 Federal election.

An opportunity exists for Council to re-allocate these funds to the more immediate need identified in the high sports lighting upgrade project. Should the BBRF funding application be successful, Council could fully fund its contribution from borrowings, rather than including a contribution from the Open Space cash reserve.

This report is recommending that Council allocate a further \$260,000 to complete the intended scope of the works in addition to funds already allocated. This proactive measure will manage the risk of further delays to deliver the project. The project is funded in partnership with the Federal Government (\$200,000) and Victorian Government (\$100,000).

Recommendation

That Council:

1. Notes the progress of the Stribling Reserve Sports Lighting Upgrade project.
2. Notes there is an estimated budget shortfall of \$260,000 to complete the intended project scope.
3. Allocates additional funding to achieve the intended project scope as follows:
 - 3.1 \$198,000 from the Open Space cash reserve;
 - 3.2 \$62,000 from the 2018-19 Project Savings Account as funds become available.
4. Notes at its 23 October 2018 Ordinary Meeting, Council previously committed \$198,000 from the Open Space cash reserve to its Building Better Regions Fund Round Three application to upgrade the Stribling Reserve Pavilion and the outcome of the application is expected to be known prior to the 2019 Federal election.
5. Agrees that should the Building Better Regions Fund Round Three application be successful, Council will fund its contribution of up to \$3.3million from borrowings, rather than including a contribution from the Open Space cash reserve.
6. Notes that any unspent funds will be returned to source at the completion of the project.

6.4 Stribling Reserve Sports Lighting Project Update

Council Resolution

MOVED Cr Clive Goldsworthy, Seconded Cr Libby Coker

That Council:

1. Notes the progress of the Stribling Reserve Sports Lighting Upgrade project.
2. Notes there is an estimated budget shortfall of \$260,000 to complete the intended project scope.
3. Allocates additional funding to achieve the intended project scope as follows:
 - 3.1 \$198,000 from the Open Space cash reserve;
 - 3.2 \$62,000 from the 2018-19 Project Savings Account as funds become available.
4. Notes at its 23 October 2018 Ordinary Meeting, Council previously committed \$198,000 from the Open Space cash reserve to its Building Better Regions Fund Round Three application to upgrade the Stribling Reserve Pavilion and the outcome of the application is expected to be known prior to the 2019 Federal election.
5. Agrees that should the Building Better Regions Fund Round Three application be successful, Council will fund its contribution of up to \$3.3million from borrowings, rather than including a contribution from the Open Space cash reserve.
6. Notes that any unspent funds will be returned to source at the completion of the project.

CARRIED 7:0

6.4 Stribling Reserve Sports Lighting Project Update

Report

Background

The Stribling Reserve Sports Lighting Upgrade is identified as a high priority project in the Stribling Reserve Masterplan 2017. The detailed design and community consultation stage is complete and the market response through a procurement process has identified a budget shortfall of \$260,000.

The additional funds required to complete the intended scope of works are due to challenging site conditions requiring larger footings, power upgrade infrastructure requirements and increased pole heights to prevent light spill to adjoining properties.

The financial principles for Council's Program Management approach centre on providing transparency and highlighting issues early including a decision point it is identified that if projects require further financial support and returning savings for completed projects.

Discussion

Council has completed a detailed design for the Stribling Reserve Sports Lighting Upgrade. The detailed design process has included participation from club representatives on the Project Control Group. The approved design is 200 lux capacity and this is a requirement included in the Federal and State funding agreements.

In order to deliver to project's intended scope and meet the requirements of Council's funding obligations, an additional funding allocation is required. A summary of what's required, why it's required and what will be funded is as follows:

Stribling Reserve Sports Lighting Upgrade

- Total project budget \$391,000
- Market response to procurement has identified a budget shortfall
- An allocation of \$260,000 of additional funds is required in order to deliver the intended project scope and mitigate the risk of further delays (includes an increased contingency allocation).

The additional allocation to meet the intended scope includes:

- Poles - Stribling pole height 2 x 32m & 2 x 35m. Majority of lighting projects have poles heights of 27m to 30m. Stribling Reserve requires higher poles to prevent light spill to adjoining properties which are in close proximity to the reserve.
- Larger footings are required for larger poles and steep embankment on the eastern boundary (ocean side) of Stribling Reserve.
- Additional switchboards required for power upgrade (including upgraded control panel).
- Additional conduits/cabling required for scoreboard communications and netball pavilion as part of site upgrade.
- Method for installation of underground services is by boring, not trenching due to limited space and risks to irrigation.

The project includes a significant site power upgrade which escalates the total project cost. The power upgrade services the lights, electronic scoreboard and future pavilion as per redevelopment plans included in the Stribling Reserve Masterplan 2017.

Financial Implications

This report is recommending that Council allocate a further \$260,000 to complete the intended scope of the works. This will manage the risk of further delays to deliver the project. The project is funded in partnership with the Federal Government (\$200,000) and Victorian State Government (\$100,000).

At its 23 October 2018 Ordinary Meeting, Council previously committed \$198,000 from the Open Space cash reserve to its Building Better Regions Fund (BBRF) Round Three application to upgrade the Stribling Reserve Pavilion. The outcome of the application is pending and expected to be known prior to the 2019 Federal election.

6.4 Stribling Reserve Sports Lighting Project Update

An opportunity exists for Council to re-allocate these funds to the more immediate sports lighting upgrade project. Should the BBRF funding application be successful, Council could fully fund its contribution from borrowings, rather than including a contribution from the Open Space cash reserve.

Based on Council's capital works program status, Officers anticipate an estimated \$60,000 - \$70,000 will be returned to the 2018-19 Project Savings Account at the February 2019 Council meeting.

Any unspent funds would be returned to source at the completion of the project.

Council Plan

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

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

Policy/Legal Implications

There are no policy or legal implications related to the recommendations in this report.

Officer Direct or Indirect Interest

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

Risk Assessment

There is a reputation risk with the State and Federal Governments if Council were not able to meet the conditions of the respective funding agreements. In order to complete the intended scope of works additional funds are required to manage risk and progress the procurement process.

There is a risk that delivering the project with a reduced scope would be contrary to community members' expectation and this would be a less than optimal outcome. Many scope reduction options will only deliver minor savings so this is not considered a viable option.

Social Considerations

Officers are focussed on progressing this project quickly to enable the facility to be available to the community as early as possible. The implementation of this key recreation and open space project supports many of Council's objectives in meeting community aspirations, responding to changing community needs and supporting the growth of physical activity and participation across Surf Coast Shire.

Community Engagement

The Stribling Reserve Committee of Management and Lorne Football Netball Club are represented on the Project Control Group. There was community wide engagement and support for the sports lighting and electronic scoreboard upgrades through the Stribling Reserve Masterplan 2017 process.

The concept design for the lights and scoreboard was also shared with the community (including concept images of how they would sit in the landscape) via letter box drop, on website, public notice and on-site signage at the reserve (still on display).

Environmental Implications

There are no environmental implications relating to the recommendations in this report.

Communication

The Project Control Group, including representatives from The Stribling Reserve Committee of Management and Lorne Football Netball Club will receive an update based on the outcomes of this report.

6.4 Stribling Reserve Sports Lighting Project Update

Options

Option 1 – Note the progress of the Stribling Reserve Sports Lighting Project and allocate \$260,000 additional funds to complete the intended scope in line with the recommendations of this report

This option is recommended by officers as it will complete the project without further delay, delivers a quality outcome for our community, ensure no reputational damage with community or funding partners and is strongly supported by the facility users and

Option 2 – Note the progress of the Stribling Reserve Sports Lighting Project and do not allocate additional funds to complete the intended scope in line with the recommendations of this report

This option is not recommended by officers as the project will not have an adequate budget allocated to progress the procurement process and will place the project funding from other levels of government at risk.

Option 3 – Note the progress of the Stribling Reserve Sports Lighting Project and negotiate with the Federal and State Government to reduce the scope requirements for each project

This option is not recommended by officers as there is the potential for funding partners to deny the request due to an already agreed scope of 200 lux lighting and place the partner funding at risk. Many options to reduce the scope of the project offer relatively minor savings and officers' assessment is the risk significantly outweighs the benefit. This approach presents a reputational damage risk with community and funding partners.

Conclusion

Council is progressing the Stribling Reserve Sports Lighting Upgrade project that when completed will significantly enhance sport participation opportunities for the community. The project has an identified budget shortfall and requires additional funds to progress due to challenging site conditions requiring larger footings, power upgrade infrastructure requirements and increased pole heights to prevent light spill to adjoining properties

It is recommended that Council allocate additional funds to complete the project with the intended scope to deliver a quality outcome for reserve users, meet our funding requirements and meet community members' expectations. Any funds not required will be returned to source.

7. URGENT BUSINESS

Cr David Bell declared a direct conflict of interest for Items 7.1 Urgent Business – Confidential Council Governance Matters of the open agenda and 10.5 Confidential Council Governance Matters of the confidential agenda under Section 77A of the Local Government Act 1989. The nature of the interest being content of report refers directly to Cr David Bell.

Cr David Bell left the meeting at 06:55 pm.

7.1 Council Governance Matters

Accept Item of Urgent Business

Council Resolution

MOVED Cr Margot Smith, Seconded Cr Clive Goldsworthy

That Council agree to admit one confidential item of urgent business to the meeting when closed to the public, to be considered as 10.5 Council Governance Matters.

CARRIED 6:0

Cr David Bell returned to the meeting at 06:56 pm.

8. PROCEDURAL BUSINESS

8.1 Advisory Committee Minutes

Author's Title: Executive Assistant Community

General Manager: Damian Waight

Department: Culture & Community

File No: F18/221

Division: Culture & Community

Trim No: IC19/41

Appendix:

1. Positive Ageing Advisory Committee Minutes - 7 December 2018 (D18/163851)
2. Positive Ageing Advisory Committee Minutes - 9 November 2018 (D18/148113)
3. All Abilities Advisory Committee Minutes - 6 December 2018 (D18/160489)
4. Municipal Emergency Management Planning Committee (MEMPC) Minutes - 22 November 2018 (D19/3300)

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. Positive Ageing Advisory Committee – 7 December 2018.
2. Positive Ageing Advisory Committee – 9 November 2018.
3. All Abilities Advisory Committee – 6 December 2018.
4. Municipal Emergency Management Planning Committee (MEMPC) – 22 November 2018.

Council Resolution

MOVED Cr Margot Smith, Seconded Cr David Bell

That Council receives and notes the minutes of the following Advisory Committee meetings:

1. Positive Ageing Advisory Committee – 7 December 2018.
2. Positive Ageing Advisory Committee – 9 November 2018.
3. All Abilities Advisory Committee – 6 December 2018.
4. Municipal Emergency Management Planning Committee (MEMPC) – 22 November 2018.


CARRIED 7:0

8.1 Advisory Committee Minutes

APPENDIX 1 POSITIVE AGEING ADVISORY COMMITTEE MINUTES - 7 DECEMBER 2018

MINUTES

Positive Ageing Advisory Committee Meeting 2
Friday 7 December 2018. 9.30am to 11.30am
Aireys Inlet Room, Surf Coast Shire Council Civic Centre
1 Merrijig Drive, Torquay




Committee Members: Cr Margot Smith, Magdalena Wheatland, Brian Butterworth, Elizabeth Bills, Pam Aylward, Keith Perkin, Gary Allen, Christine Brooks, Deb Campbell, Jenny Mathison,

Non- Committee Members: Jemma James, Nicole Langtip, Chris Pike, Jill Moodie, Carolyn Trowell, and Jennine Templar (Minute Taker), Rebecca Smith (COGG)

Apologies: Kristln McDonald

Topic	Details Discussed	Points of Discussion	Further Action Follow Up - Required
1. Welcome.	<ul style="list-style-type: none"> - Welcome. - Introduce Jill Moodie. - Introduce Chris Pike. 	<ul style="list-style-type: none"> - All members were warmly welcomed to the second Positive Ageing Advisory Committee Meeting. Introducing Jill Moodie, the new Manager, Community Strengthening (the department formerly known as Aged & Family). Jill joins us from Barwon Health where she was the Executive Director, Barwon Health Foundation and Future Fund. - Introducing Chris Pike. Chris is the General Manager of Culture and Community. Chris is one of 3 General Managers at the Shire, who report directly to the CEO. Chris will attend meetings as possible. 	
2. Business Arising.	<ul style="list-style-type: none"> - Actions from last meeting. - Questions arising from last meeting? 	<ul style="list-style-type: none"> - No actions or questions arising from last meeting. 	
3. HR Police Check & WWCC.	<ul style="list-style-type: none"> - Clarify Working With Children and Police Check Policy. 	<ul style="list-style-type: none"> - Jemma James (People and Culture) provided further information regarding Working With Children Checks in response to questions raised at previous meeting. - Surf Coast Shire is committed to being a child safe organisation (zero tolerance to child abuse) and part of Council's leadership role is to promote positive change in this area. - Working With Children Check is only one component of the seven Child Safe Standards required to become a Child Safe Organisation. 	<p>ALL</p> <ul style="list-style-type: none"> - Further assistance can be provided (if required) to support members applying for a Working With Children Check. <p>ALL</p> <ul style="list-style-type: none"> - Policy, Code of Conduct and information regarding Reportable Conduct Scheme is available (if required).

<p>4. Establishing Chairperson.</p>	<ul style="list-style-type: none"> - Nominations. - Formal endorsement. 	<ul style="list-style-type: none"> - Nominees were formally endorsed. Congratulations to Christine Brooks (Chair) and Brian Butterworth (Deputy Chair). Secret ballot by exhaustive preferential voting was not required. - Nicole Langtip will continue to provide assistance in her role as Facilitator. 	
<p>5. Guiding Principles.</p>	<ul style="list-style-type: none"> - Handout: <ul style="list-style-type: none"> • Review categories. • Review new suggested principles. • Any gaps / new suggestions. - Recommendations to Council. 	<ul style="list-style-type: none"> - Nicole provided a hard copy - Draft Version 2 Guiding Principles and a list of Home Care Common Standards. - Discussion was held, with adjustments agreed upon. - Positive Ageing Advisory Committee endorsed Draft Guiding Principles (on the proviso minor changes are imbedded in the FINAL Version). 	<p>NICOLE</p> <ul style="list-style-type: none"> - Imbed minor changes in the FINAL Version Guiding Principles. <p>NICOLE</p> <ul style="list-style-type: none"> - To provide an explanation - What Guiding Principles are?
<p>6. Municipal Association of Victoria (MAV).</p>	<ul style="list-style-type: none"> - Guest Speaker – Rebecca Smith. - Overview of state-wide response to current Reforms. <p>NB Unfortunately Ro Marks from MAV was unable to attend. Rebecca Smith from City of Greater Geelong offered to Present report on her behalf.</p>	<ul style="list-style-type: none"> - During 2000s key national reports completed for future sustainability of the sector. Identifying growth, cost unaffordable, significant system weaknesses. <p>MAV Aspiration:</p> <ul style="list-style-type: none"> • Continue bilateral agreement with Victoria. • Continue the CHSP beyond June 2020 for a further 3 years. • Commit to continued block funding for a further 3 years. • Clarify the future of the RAS with the Victorian government. • Establish a new funding stream. • Ensure stewardship by government. • Include Victoria in the wellness and reablement trials. 	<p>ALL</p> <ul style="list-style-type: none"> - Request a copy of PowerPoint Presentation in PDF format and a copy of New Standards. - Hard copy to be posted to Elizabeth Bills. <p>NICOLE</p> <ul style="list-style-type: none"> - Develop a Glossary - Frequently Used Acronyms. Example: CHSP Commonwealth Home Support Program. Example: RAS Regional Assessment Service. Example: DVA Department of Veterans' Affairs. Example: ACAS Aged Care Assessment Service.
<p>7. Reform Readiness Plan.</p>	<ul style="list-style-type: none"> - Overview of framework developed. - Discussion on set direction. - Plan / further information needed. 	<ul style="list-style-type: none"> - Reform Readiness Plan PowerPoint presentation discussed. Surf Coast Shire is at a "Plan for Change (Plan and Act)" stage (July 2018 Council Meeting Endorsement). Four Elements were discussed, with exploration of these elements agreed to be next action for Project Manager. 	<p>ALL</p> <ul style="list-style-type: none"> - Request a copy of PowerPoint Presentation in PDF format - Hard copy to be posted to Elizabeth Bills. <p>NICOLE</p> <ul style="list-style-type: none"> - To explore all four elements - options and background information prepared in readiness for discussion at next meeting.

<p>Reform Readiness Plan (Continued)....</p>		<ul style="list-style-type: none"> - Reform Readiness Plan (4 Elements) include:- <ul style="list-style-type: none"> • Element One: Non-Community Home Support Program Service (CHSP). • Element Two: CHSP. • Element Three: Social/Community Connect Activities. • Element Four: Advocacy, Information, Referral and Monitoring. - Action Summary <ul style="list-style-type: none"> • Explore options for Clients of non – CHSP Services. • Review CHSP current service delivery framework. • Review community activities/social connective model. • Develop model for new advocacy, information, referral and monitoring service arm. 	<p>CHRIS</p> <ul style="list-style-type: none"> - To update Councillors at meeting scheduled January/February 2019.
<p>8. Future.</p>	<ul style="list-style-type: none"> - Future meeting dates. - Close. 	 <p>Next Meeting: Friday 18 January 2019. Time: 9.30am to 11.30am.</p> <p>Meetings to be scheduled every 4 - 6 weeks initially.</p>	

8.1 Advisory Committee Minutes

APPENDIX 2 POSITIVE AGEING ADVISORY COMMITTEE MINUTES - 9 NOVEMBER 2018


MINUTES

Positive Ageing Advisory Committee Meeting 1
Friday 9 November 2018. 10.30am – 1pm
Winchelsea Room, Surf Coast Shire Council Civic Centre
1 Merrijig Drive, Torquay



Committee Members: Cr Margot Smith, Magdalena Wheatland, Brian Butterworth, Elizabeth Bills, Kristln McDonald, Pam Aylward, Keith Perkin, Gary Allen, Christine Brooks, Deb Campbell, Jenny Mathison, Damian Waight, Carolyn Trowell, Jennine Templar (Minute Taker) and Nicole Langtip (Chair)

Topic	Details Discussed	Points of Discussion	Further Action Follow Up - Required
1. Welcome and Introductions	<ul style="list-style-type: none"> - Welcome. - Welcome Packs. - Members' introduction. 	<ul style="list-style-type: none"> - Cr Smith acknowledged the traditional owners of the land and welcomed all members to the inaugural Positive Ageing Advisory Committee Meeting. - Members introduced themselves. Kaleidoscope of passionate locals (from different locations in Surf Coast Shire) with a personal and/or professional interest in the Federal Government's Aged Care Reform. - All Committee members have highly valued areas of expertise and are all committed to represent and advocate best outcomes for <u>all</u> older persons from our community. 	
2. Terms of Reference and Committee Role	<ul style="list-style-type: none"> - Overview of Terms of Reference. - Overview of Council Decision Making process. - Making Recommendations as the Advisory Committee. 	<ul style="list-style-type: none"> - PowerPoint presentation reflecting Council decision-making process and overview of Terms of Reference. 	
3. Overview of Review	<ul style="list-style-type: none"> - Context – funding changes 2019 / 2020. - Overview of the last 2 years work from Business Development. - July 2018 Council Recommendations. - Employment of Positive Ageing Project Manager. - Establishment of Advisory Committee. 	<ul style="list-style-type: none"> - Overview of Government set direction, funding implications, and Councils Review over the past 18 months in response to the set changes. - Members raised concerns regarding potential gaps and queried community consultation process. - Further robust conversations will be ongoing and discussed in greater detail (eg: competitive market). - Members suggest no bureaucratic dialogue. Common language preferred. 	<ul style="list-style-type: none"> - Nicole to email Aged Care Road Map to Committee members.

<p>Continued..... Overview of Review</p>		<p>- Part 4: Next Stage - Planning for Change The Committee will provide input and recommendations into the planning stage of Council strategies, plans and policies which relate to older people.</p>	
<p>4. Current Status</p>	<ul style="list-style-type: none"> - Creating a Reform Readiness Plan. - Age Friendly Communities. 	<ul style="list-style-type: none"> - The Committee will review and have input into a Reform Readiness Plan that will inform Council's role in community support and services for older people and people with a disability. This Plan will be presented to Council for endorsement. 	<ul style="list-style-type: none"> - Nicole to present DRAFT Reform Readiness Plan at next meeting.
<p>5. Membership requirements</p>	<ul style="list-style-type: none"> - Police Checks and Working With Children Checks. - Conflict of Interest and Privacy & Confidentiality including Conflict of Interest Statement of Disclosure form. 	<ul style="list-style-type: none"> - Advisory Committee members are requested to obtain a volunteer Working with Children Check and Police Check. Further assistance will be provided (if required) to support members with this process. Some members queried the need for this and discussion was held regarding Council's policy. Nicole offered the opportunity for anyone with further concerns to discuss with herself in the break or after the meeting. - Wendy Hope and Maureen White from Governance provided a Presentation regarding Conflict of Interest and Confidentiality. - Advisory Committee members are required to complete and return Confidentiality and Conflict of Interest Agreement Form to Nicole. Form included in Welcome Pack. 	<ul style="list-style-type: none"> - Committee members are encouraged to read the "Conflict of Interest" booklet included in the Welcome Pack and to contact either Wendy Hope for Governance queries and Maureen White for Privacy and confidentiality queries. Any questions are welcomed.
<p>6. Feedback on Guiding Principles</p>	<ul style="list-style-type: none"> - Presentation of draft Guiding Principles. - Background. - Feedback on the draft principles. - Discussion. 	<ul style="list-style-type: none"> - "Brainstorm Activity" - series of questions posed to members. Feedback from Activity was recorded and will be collated and presented to members at our next meeting. 	<ul style="list-style-type: none"> - Nicole will collate feedback from Activity in readiness for presentation to members. - Nicole to follow up:- <ul style="list-style-type: none"> ✓ Define the word "quality". ✓ Remove word "navigate" in sentence. Revised sentence - "I can find my way through the Aged Care System easily either on my own or with assistance".
<p>7. Future</p>	<ul style="list-style-type: none"> - Future meeting dates. - Electing a chairperson at next meeting. - Minute taker. - Close. 	 <p>Next Meeting: Friday 7 December 2018. Time: 9.30am to 11.30am.</p> <p>Meetings to be scheduled every 4 - 6 weeks initially.</p>	<p>All - Please contact Nicole prior to next meeting if you are interested in the position of Chair and/or Deputy Chair.</p> <p>Should there be more than one nomination the members will elect the Chair or Deputy Chair by secret ballot by exhaustive preferential voting.</p> <p>Nicole's details:- E: nlangtip@surfcoast.vic.gov.au M: 0432 558 119</p>

8.1 Advisory Committee Minutes

APPENDIX 3 ALL ABILITIES ADVISORY COMMITTEE MINUTES - 6 DECEMBER 2018

**All Abilities Advisory Committee (AAAC) Minutes Thursday 6 December 2018, 11am – 1pm
Surf Coast Shire Council, 1 Merrijig Drive Torquay**

Attendees: Caroline Maplesden (Chairperson), Cr Rose Hodge, Janet Brown, Michael Chan, Manny Pimentel, Laurel Wieland, Leone Mervin, Helen Shepherd, Kerri Deague (Surf Coast Shire), Darryn Chiller (Surf Coast Shire)

Apologies: Cr Heather Wellington, Kate Marshall, Dan Remenyi, Richard Porter

Ag. No.	Issue Topic	Time	Points of Discussion Details/ Decision	Agreement/ Action/Timeframe	Responsible
1.1	Welcome, introductions and acknowledgements	5	Our meeting is being held on the traditional lands of the Wadawurrung people and we acknowledge them as Traditional owners. We pay our respects to their elders, past and present.		C Maplesden
1.2	Minutes from previous meeting	2	The minutes from Thursday 11 October were submitted at the Council meeting on November 27 2018.	Accepted: J Brown Seconded: M Pimentel Carried: All	C Maplesden
1.3	Conflicts of Interest	2	Declaration of conflict of interest	Nil	C Maplesden
2	Business Arising				
2.1	Group discussion about newsworthy items or new resources in the space of access and inclusion	15	Michael: Choices and Rights – 3CRs 12 hour broadcast for International Day of People with a Disability is highly recommended. www.3cr.org.au/disabilityday2018 Kerri: All Aboard disAbility Services participant Victoria Marshall has been offered a position into the Back 2 Back Theatre ensemble. A dream come true for Victoria https://backtobacktheatre.com/about/about-us/ Janet: Invictus Games broadcast was noted as having enormous positive impact on community perceptions. Leone: has received feedback from NDIA participants and families that the system is more streamlined and easier to access. Manny: "Diversity Rocks" Geelong gig in October featuring the "Rockheads" (band founded by Manny) and internationally acclaimed "Rudely Interrupted" band was a huge success. K Deague will send out the report to all members.		All members

2.2	Pedestrian safety on footpaths. Bicycle and motorised scooter regulations on footpaths	5	Caroline advised that she had contacted RACV to discuss their 2016 report "Assessment of new recreational transport devices" and was unable to speak with relevant personnel. RACV suggested an email be sent to them with specific enquiries about the report.	Action: K Deague and C Maplesden will meet prior to the next meeting to develop a clear plan of action to improve pedestrian safety in the Surf Coast Shire.	C Maplesden K Deague
2.3	Adult Changing Places project update	2	The design plans for Anglesea and Winchelsea site were viewed by members. Members raised the following questions/ concerns: The public toilets in Winchelsea will reduce from five existing to two new unisex toilets and the Changing Place facility. What provision will be made to cater for large groups of people attending the community facility? Will there be a baby change table available in the facility? Do the guidelines allow for a privacy screen around the adult change table? Do the guidelines allow for a bidet style toilet?	Action: K Deague will raise items as a member of the project team and seek information and resolution.	K Deague
2.4	All Aboard DisAbility Services Volunteers required	5	Progress update on volunteer recruits. Council's CEO and Councillors could be invited to an onsite meet and greet visit to All Aboard at Freshwater Creek Cottages. Thereafter an invite to staff could follow to encourage volunteer opportunities for part time council staff.	Carried forward to next meeting	K Marshall
2.5	International Day of People with a Disability (IDPwD) 2018 events	10	Inclusive Cowrie Market day: A reThink disAbility stall, a flashmob led by All Aboard disAbility Services participants and DJ Fuzzy Logic performed throughout the day. Access for All film screening in Torquay: Attended by 45 community members including people with a disability. Both events created opportunities for people to participate actively in Surf Coast events and to raise awareness about the contribution that people of all abilities make in their community. Kerri acknowledged and thanked the event planning group members from All Aboard disAbility Services, Gen U Community Services, Scope Community Inclusion, and Barwon Child Youth and Family Services.		

3.	New Business				
3.1	2019 project proposal- Surf Coast Shire Accessible Accommodation resource	15	A preliminary discussion took place about developing a new on-line accessible accommodation resource for visitors to Surf Coast Shire townships. A recommendation was made to investigate a similar resource developed by Barwon Disability Resource Council in Geelong.	Action: K Deague will investigate existing State wide accommodation resources to assist with decision to develop a Surf Coast Shire resource	All
3.2	Proposed process for AAAC to have input into Council projects with access implications Rowena Frost (Manager of Program Management Office)	20	Rowena proposed the following approaches to ensure AAAC have input at the project proposal and design stages of project implementation: <ol style="list-style-type: none"> 1. Provide a bi-monthly report to AAAC that lists projects with access and inclusion design requirements and a description of what is in place to ensure these design requirements are considered. 2. By exception, the AAAC can recommend that a representative of AAAC participate in design review activities for particular projects, as may be agreed with the project sponsor. 3. Rural Access Officer to represent the interest of people with a disability when project proposals are being developed. 	Action: R Frost will attend the first AAAC meeting in February 2019 to seek member input into relevant Council projects	R Frost
3.3	Discussion and feedback: Draft Council Communication and Engagement Strategy Robyn Lucas (Community Engagement Officer)	20	Robyn sought feedback on preferred methods of communication and accessible methods of engagement as part of Council's review of its Communications and Engagement Strategy. AAAC members feedback: Surf Coast Shire Facebook communication is accessible by smartphone and is frequently used Township newsletters and online community notice boards are popular Newspapers and Groundswell are popular Members were not necessarily aware that Surf Coast Calendar listed local events and markets Suggested methods to improve access to communications and engagement include: On-line communications Paper based and on-line survey options	Action: K Deague will explore opportunities for the customer satisfaction survey to include a question aimed at individuals with access requirements	R Lucas

			<p>Availability of text version of on-line publications (no graphics) alongside PDF version (with graphics) High colour contrast for low vision readers Option to increase text size for on-line communications All on-line video could have captioning feature Audio option for web content be considered for people who are blind or have low vision Community consultations need to be located in accessible venues The State Government's Customer Satisfaction Survey could include a relevant access related question.</p>		
4.	Next meeting	2	11am – 1pm first Thursday of every second month commencing February 2019.	Action: A 2019 meeting schedule will be circulated in January 2019	
<p>Ground Rules for our Meeting We start on time and finish on time We all participate and contribute – everyone is given an opportunity to voice their opinions We use improvement tools that enhance meeting efficiency and effectiveness We actively listen to what others have to say, seeking first to understand then to be understood</p>			<p>We follow-up actions for which we are assigned responsibility and complete them on time We give and receive open and honest feedback in a constructive manner We use data to make decisions (whenever possible) We strive to continually improve our meeting process and build time into each agenda for reflection</p>		
2019 meeting times: TBC					

8.1 Advisory Committee Minutes

**APPENDIX 4 MUNICIPAL EMERGENCY MANAGEMENT PLANNING COMMITTEE (MEMPC) MINUTES - 22
NOVEMBER 2018**



Municipal Emergency Management Planning Committee

MINUTES

22 November 2018, 10.45am-12.15pm
Surf Coast Shire Council offices, Chambers

Members:

Rowan Mackenzie, **Chair:** Municipal Emergency Manager (MEM)
Martin Duke – Surf Coast Shire Councillor
Peter Ashton – Surf Coast Shire Council (MERO)
Elaine Anderson, Pam Aylwar – Australian Red Cross (ARC)

Mick McGuinness, Tony Field – Country Fire Authority (CFA)
Terry Murrin – Dept. of Health & Human Services (DHHS)
Paul McCoughtry – Forest Fire Management (FFM)
Paul Lunny – Life Saving Victoria (LSV)
Aaron Ledden – Parks Victoria (Parks Vic)

Ian Carlton – State Emergency Service (SES)
Kerrie Williams – Surf Coast Shire Council (SCS)
Marianne Messer – VCC Emergencies Ministry (VCC EM)
Richard Curwell – VicRoads
Robert Wilby – Victoria Police (VicPol)

Apologies: Rowan Mackenzie, Steven Pefanis, Matthew Chamberlain, Jake Johnson, Wayne Aylmer, Lorne Community Hospital

Issue Topic	Points of Discussion	Agreement / Action	R/O
1	Welcome and apologies		
1.1	Attendance sheet circulated <i>Please place your signature next to your name and mark any changes to your contact information</i>	Quorum achieved – yes / no	
2	Confirmation of previous minutes		
2.1	Previous minutes Minutes of meeting held 13 September 2018 <i>Moved: Elaine Anderson, Seconded: Aaron Ledden</i>		
2.2	Actions outstanding and arising		Chair
3	Correspondence		
3.1	Received D18/124486 Comments on CERA risk profile review		
3.2	Outgoing		
SPECIAL ITEM – COMMUNITY EMERGENCY RISK ASSESSMENT (CERA)			
4	CERA risk profile voting Ilan Carlton from State Emergency Service (SES) facilitated the voting risk voting process for two new risks for the CERA. These risks are: <ul style="list-style-type: none"> Terrorism / Car Attack 	Consolidate voting results and update CERA.	Ilan Carlton

Issue Topic		Points of Discussion	Agreement / Action	R/O
		<ul style="list-style-type: none"> • Mass Gatherings – Events <p>The risk profiles have been circulated to the Committee for review and all comments received have been incorporated. The Committee then reviewed and voted on the:</p> <ul style="list-style-type: none"> • Maximum Foreseeable Consequence • Mitigation / Control effectiveness • Confidence in risk rating • Collaboration 		
STANDING AGENDA ITEMS				
5	Regional committees			
5.1	REMEC	Regional Emergency Management Executive Committee Meeting scheduled for 22 November.		Brenda Begally
5.2	Other working groups	Great Ocean Road Working Group – meeting scheduled for mid-December.		Brenda Begally
6	Sub-committee / Working Group reports			
6.1	Municipal Fire Management Planning Committee	<p>Meeting of 22 November 2018</p> <p>The Municipal Fire Management Planning Committee met on 22 November 2018, issues discussed included the following:</p> <ul style="list-style-type: none"> • Life Saving Victoria reported on upgrades to Surf Life Saving Clubs in the Shire. They are working with council and agencies to look at how to improve safety outcomes, including for bushfire, at facilities. • Nuisance and escaped fires in the spring, prior to the Fire Danger Period. The Committee will develop a communications plan around burning off safely and also looking at other ways to engage the community their responsibilities. • Timing of the start of the Fire Danger Period, and the possibility of bringing it into line with Colac Otway Shire which commences 1 November. 		Wayne Aylmer
6.2	Cross Council Relief & Recovery Committee	Nothing to report		Pete Ashton
6.3	Flood Planning Committee	Nothing to report		Ian Carlton

Issue Topic		Points of Discussion	Agreement / Action	R/O
6.4	Community Impact Advisory Committee (CIAC)	Minutes to be circulated	Circulate events list Add all events to EMCOP Provide list of events and contact information for VicPol.	Kerrie Williams
7	MEMPLAN UPDATE			
7.1	MEMPlan updates	Contact directory; Legislative changes; EMMV updates • Nothing to report		
7.2	Revision of Municipal Emergency Management Plan	Feedback from <i>Part 9 – Transition of Response to Recovery Activities</i> to be reviewed next; and <i>Part 10 – Emergency Recovery Arrangements</i> <i>Next section to review – the next section to be reviewed is the Appendices.</i>	Circulate MEMP Appendices section for review	Kerrie Williams
7.3	MEMPlan Exercise	Corangamite Shire Council hosted and Emergency Relief Centre Exercise on 9 November 2018. Surf Coast Shire Council will be running some desktop exercises with council staff and management in the lead up to the summer fire season.		
7.4	Revision of risk/s (CERA)	Discussion and voting on Terrorism and Car Attacks CERA profile Complete		Ian Carlton
8	Community engagement	Surf Coast Shire Council has commenced the FireUp! Program for this season and are continuing to distribute copies of The Fire Game to the community. Visitor Information Centres have improved messaging for Code Red and Extreme days when the centres will be closed. Preseason briefings will be conducted with seasonal VicPolice staff which will cover issues such as local risk and Neighbourhood Safe Places. DELWP recently ran an emergency exercise. VCC Emergencies Ministry and Red Cross participated with Council in the Café Style Program which aims to engage older members of the community. Red Cross is also working with SES on community preparedness.		All
GENERAL AGENDA ITEMS				

Issue Topic		Points of Discussion	Agreement / Action	R/O
9	Bushfire Places of Last Resort	Nothing to report.		Pete Ashton
10	Incidents	<p>Committee to discuss and report on incidents</p> <ul style="list-style-type: none"> • There have been a number of near drowning incidents in Torquay recently. • A significant vehicle accident / incident closed the Surf Coast Highway at Mt Duneed road. • DELWP are managing the pink algae gloom and a whale carcass washed up in Ocean Grove. 		All
11	Risk review	No new risks were identified.		
OTHER BUSINESS				
12	AGENCY REPORTS <i>By exception</i>			
12.1		<p>Agency reports were received from VCC Emergencies Ministry, Red Cross and DHHS.</p> <p>CFA reported that land has been acquired near the bottom shops in Aireys Inlet for a new fire station. Works are not yet funded. The Armstrong Creek Fire Station is seeking to secure land for a new station, this land may be in the Surf Coast Shire.</p>	Circulate agency reports with the minutes of meeting.	
13	MEETING CLOSE	Next meetings – 2019 meeting calendar to be advised		

Assembly of Councillors report required? **yes / no**

MEMP COMMITTEE ACTIONS REGISTER			
Date	Action	Status	Responsible
Aug 2017	The Committee to consider exercise opportunities for the MEMP to be tabled at the November meeting.	See agenda item 7.3.	All
Aug 2017	SES to draft a CERA risk profile for Terrorism and Car Attack for review at next MEMPC meeting.	See item 4	SES

MEMP COMMITTEE ACTIONS REGISTER			
Date	Action	Status	Responsible
Feb 2018	The Fire Committee made a recommendation to the MEMPC that they raise concern with the REMPC regarding the number of large events being held on long weekends and during peak season and the complexities this adds to managing the already high fire risk over the summer season.	Complete	Chair
May 2018	<i>Part 9 – Transition of Response to Recovery Activities</i> to be reviewed next; and <i>Part 10 – Emergency Recovery Arrangements</i> Need to review council's role in response. Review part 9.	No feedback received.	All
Feb 2018	Develop procedure documentation for activating BPLRs – estimated capacity, onsite infrastructure, car parking capacity, how are gates unlocked, access to nearby halls and buildings etc.	Council is working with the Municipal Fire Management Planning Committee on this piece of work. Complete.	Peter Ashton (MERPs)
Feb 2018	Demonstrate Crisisworks for the MEMPC at a future meeting.	Carry over	SCS
Sep 2018	Circulate minutes of the following sub committees: <ul style="list-style-type: none"> • Municipal Fire Management Planning Committee • Cross Council Relief & Recovery Committee • Community Impact Advisory Committee 		KW
Sep 2018	Incorporate changes to the EMMV into working draft of Municipal Emergency Management Plan.	Ongoing	KW
Sep 2018	Review and update Parts 9 and 10 of the Municipal Emergency Management Plan (MEMP) Circulate MEMP Appendices for review prior to meeting in November.	In progress	DHHS KW
Sep 2018	Investigate what other councils do to exercise their MEMP Committees, with a view to running an exercise at a future meeting.	In progress	KW / PA

8.2 Assemblies of Councillors

Author's Title: Senior Governance Officer
Department: Governance & Risk
Division: Governance & Infrastructure

General Manager: Anne Howard
File No: F18/225
Trim No: IC18/2031

Appendix:

1. Assembly of Councillors - Councillor Briefings - 4 December 2018 (D18/147657)
2. Assembly of Councillors - Responsible & Planning Authority Briefing - 11 December 2018 (D18/162045)
3. Assembly of Councillors - Councillor Briefings - 11 December 2018 (D18/162046)

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 – 4 December 2018.
2. Responsible and Planning Authority Briefing – 11 December 2018.
3. Councillor Briefings – 11 December 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 – 4 December 2018.
2. Responsible and Planning Authority Briefing – 11 December 2018.
3. Councillor Briefings – 11 December 2018.

CARRIED 7:0

8.2 Assemblies of Councillors

APPENDIX 1 ASSEMBLY OF COUNCILLORS - COUNCILLOR BRIEFINGS - 4 DECEMBER 2018




Assembly of Councillors Record

Description of Meeting: Councillor Briefings
Responsible Officer: Anne Howard – General Manager Governance & Infrastructure
Date: 4 December 2018
In Attendance: Yes (✓) No (X) N/R (Not Required)

Councillors		Officers		Externals	
Cr. Rose Hodge, Mayor	✓	Chief Executive Officer - Keith Baillie	✓		
Cr. David Bell	✓	General Manager Governance & Infrastructure - Anne Howard	✓		
Cr. Libby Coker (arrived at 12.04pm)	✓	General Manager Environment & Development - Ransce Salan	X		
Cr. Martin Duke	✓	General Manager Culture & Community - Chris Pike	✓		
Cr. Clive Goldsworthy	X	Manager Planning and Development – Bill Cathcart	✓		
Cr. Carol McGregor	✓	Coordinator Governance and Corporate Planning - Danielle Foster	✓		
Cr. Brian McKiterick	✓	Administration Governance Officer – Sandra Robertson (minutes)	✓		
Cr. Margot Smith	✓	Manager Finance – John Brockway	✓		
Cr. Heather Wellington	X	Project Manager Capital and Operational Projects – Karyn Rice	✓		
		Coordinator Revenue – Jade McKenzie	✓		
		Principal Strategic Planner – Sally Conway	✓		
		Coordinator Strategic Planning – Karen Hose	✓		
		Manager Recreation & Open Space Planning – Shaan Briggs	✓		
		Open Space Planning Coordinator – Chris Lewis	✓		
		Customer Experience Coordinator – Virginia Morris	✓		
		Coordinator Communications and Community Relations – Darryn Chiller	✓		
		Communications and Community Engagement – Rochelle Griffith	✓		
		Manager People and Culture – Leanne Perryman	✓		
		Strategic Asset Manager – John Bertoldi	✓		
		Manager Environment & Community Safety - Rowan McKenzie	✓		
		Coordinator Environment - Kate Smallwood	✓		



MEETING COMMENCED	10.00am	MEETING CONCLUDED	12.58pm
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Matters considered at the meeting		
1. Confirmation of Council Briefing Minutes – 20 November 2018 and 27 November 2018		
2. Conflicts of Interest		
3. Petition Response – Protect the Great Australian Bight from Big Oil		
4. Post State Election - Discussion		
5. CEO Protocol Update		
6. Winchelsea Infrastructure Project Review		
7. Rating Strategy		
8. Surf Coast Shire Planning Scheme Amendment C120 – Growing Winchelsea Implementation		
9. Draft Torquay Jan Juc Social Infrastructure Study – Stage 1		
10. Community Satisfaction Survey 2019		
11. Communications & Community Engagement Strategy		
12. 2018 Employee Engagement Survey Results		
13. Council Plan Review		
14. SCS-005 Strategic Asset Management Policy - Review		
Councillor/Officer Declarations of Interest		
Councillor/Officer	Left Meeting (Yes/No)	Type & Details of Interest(s) Disclosed
Nil		Nil Declared
Responsible Officer Signature:		Print Name: Anne Howard
		
Date: 4 December 2018		
To be completed on conclusion of session and provided to Governance Administration Officer.		

General Information:

- An assembly of Councillors means a meeting of an advisory committee of the Council, if at least one Councillor is present, or a planned or scheduled meeting of at least half of the Councillors and one member of Council staff which considers matters that are intended or likely to be -
- (a) the subject of a decision of the Council; or
 - (b) subject to the exercise of a function, duty or power of the Council that has been delegated to a person or committee— but does not include a meeting of the Council, a special committee of the Council, an audit committee established under section 139, a club, association, peak body, political party or other organisation;
- The CEO must also ensure that the written record of an assembly of Councillors is kept for 4 years after the date of the assembly, and made available for public inspection at the Council offices for 12 months after the date of the assembly [s80A(2)].
 - The CEO must ensure that at an assembly of Councillors, a written record is kept of the names of all Councillors and members of Council staff attending the meeting, the matters considered at the meeting, and any conflict of interest disclosures made by a Councillor attending [s. 80A(1)].
 - A Councillor must disclose the conflict of interest either immediately before the matter is considered, or where the Councillor realises he or she has a conflict of interest after consideration of the matter has begun, as soon as the Councillor becomes aware he or she has a conflict of interest [s.80A(4)].
 - A Councillor attending an assembly of Councillors must disclose a conflict of interest and leave the assembly while a matter is being considered, if he or she knows that the particular matter is one that if it was to be considered and decided by Council, he or she would have to disclose a conflict of interest* under the Act [s.80A(3)].

8.2 Assemblies of Councillors

APPENDIX 2 ASSEMBLY OF COUNCILLORS - RESPONSIBLE & PLANNING AUTHORITY BRIEFING - 11 DECEMBER 2018



Assembly of Councillors Record

Description of Meeting: Responsible & Planning Authority Briefing Minutes
Responsible Officer: Rance Salan – General Manager Environment & Development
Date: 11 December 2018
In Attendance: Yes (✓) No (X) N/R (Not Required)

Councillors	✓	Officers		Externals	
Cr. Rose Hodge, Mayor	✓	Chief Executive Officer - Keith Baillie	X		
Cr. David Bell	X	Acting Chief Executive Officer - Anne Howard		✓	
Cr. Libby Coker	X	Acting General Manager Governance & Infrastructure – Neil McQuinn		✓	
Cr. Martin Duke	✓	General Manager Culture & Community - Chris Pike		✓	
Cr. Clive Goldsworthy	X	General Manager Environment & Development - Rance Salan		✓	
Cr. Carol McGregor	✓	Senior Governance Officer - Daniella Vasiloski (minutes)		✓	
Cr. Brian McKiterick	X	Principal Strategic Planner - Sally Conway		✓	
Cr. Margot Smith	✓	Coordinator Strategic Planning - Karen Hose		✓	
Cr. Heather Wellington	X				

MEETING COMMENCED	4.01pm	MEETING CONCLUDED	4.06pm
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Matters considered at the meeting
1. Surf Coast Shire Planning Scheme Amendment C120 – Growing Winchelsea Implementation

Councillor/Officer Declarations of Interest		
Councillor/Officer	Left Meeting (Yes/No)	Type & Details of Interest(s) Disclosed
Nil		Nil Declared

Responsible Officer Signature:  **Print Name:** Rance Salan

Date: 11 December 2018

To be completed on conclusion of session and provided to Governance Administration Officer.

General Information:
An assembly of Councillors means a meeting of an advisory committee of the Council, if at least one Councillor is present, or a planned or scheduled meeting of at least half of the Councillors and one member of Council staff which considers matters that are intended or likely to be -
(a) the subject of a decision of the Council; or
(b) subject to the exercise of a function, duty or power of the Council that has been delegated to a person or committee— but does not include a meeting of the Council, a special committee of the Council, an audit committee established under section 139, a club, association, peak body, political party or other organisation;

- The CEO must also ensure that the written record of an assembly of Councillors is kept for 4 years after the date of the assembly, and made available for public inspection at the Council offices for 12 months after the date of the assembly [s80A(2)].
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- 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)].

8.2 Assemblies of Councillors

APPENDIX 3 ASSEMBLY OF COUNCILLORS - COUNCILLOR BRIEFINGS - 11 DECEMBER 2018



Assembly of Councillors Record

Description of Meeting: Councillor Briefings Minutes
Responsible Officer: Neil McQuinn – Acting General Manager Governance & Infrastructure
Date: 11 December 2018
In Attendance: Yes (✓) No (X) N/R (Not Required)

Councillors	✓	Officers		Externals
Cr. Rose Hodge, Mayor	✓	Chief Executive Officer – Keith Baillie	X	
Cr. David Bell	X	Acting Chief Executive Officer – Anne Howard	✓	
Cr. Libby Coker	X	Acting General Manager Governance & Infrastructure – Neil McQuinn	✓	
Cr. Martin Duke	✓	General Manager Environment & Development – Ransce Salan	✓	
Cr. Clive Goldsworthy	X	General Manager Culture & Community – Chris Pike	✓	
Cr. Carol McGregor	✓	Senior Governance Officer – Daniella Vasiloski (minutes)	✓	
Cr. Brian McKiterick	X	Rowena Frost – Manager Program Management Office	✓	
Cr. Margot Smith	✓			
Cr. Heather Wellington	X			

MEETING COMMENCED	4.06pm	MEETING CONCLUDED	4.33pm
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Matters considered at the meeting

1. Monthly Program Status Update – November 2018
2. Agenda Review - 11 December 2018 Council Meeting Agenda

Councillor/Officer Declarations of Interest

Councillor/Officer	Left Meeting (Yes/No)	Type & Details of Interest(s) Disclosed
Nil		Nil Declared

Responsible Officer Signature:

Print Name: Neil McQuinn

Date: 11 December 2018

To be completed on conclusion of session and provided to Governance Administration Officer.

General Information:

- An assembly of Councillors means a meeting of an advisory committee of the Council, if at least one Councillor is present, or a planned or scheduled meeting of at least half of the Councillors and one member of Council staff which considers matters that are intended or likely to be -
- (a) the subject of a decision of the Council; or
 - (b) subject to the exercise of a function, duty or power of the Council that has been delegated to a person or committee— but does not include a meeting of the Council, a special committee of the Council, an audit committee established under section 139, a club, association, peak body, political party or other organisation;
- The CEO must also ensure that the written record of an assembly of Councillors is kept for 4 years after the date of the assembly, and made available for public inspection at the Council offices for 12 months after the date of the assembly [s80A(2)].
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 - 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)].

9. NOTICE OF MOTIONS

Nil

10. CLOSED SECTION

Council Resolution

MOVED Cr Margot Smith, Seconded Cr Libby Coker

That Council pursuant to section 89(2)(h) other matters and section 89(2)(d) contractual matters of the Local Government Act 1989, close the meeting to members of the public at 6.57pm to resolve on matters pertaining to the following items:

- 10.1 **Section 86 Committees of Management - Membership Update** (section 89(2)(h) other matters)
- 10.2 **Appointment of Independent Chairperson to CEO Employment Matters Committee** (section 89(2)(d) contractual matters)
- 10.3 **T19-012 - Dry Plant and Equipment Hire** (section 89(2)(d) contractual matters)
- 10.4 **Confidential Assemblies of Councillors** (section 89(2)(h) other matters)
- 10.5 **Council Governance Matters** (section 89(2)(h) other matters)

CARRIED 7:0

Close: There being no further items of business the meeting closed at 7.07pm.