

Minutes

Ordinary Meeting of Council
Tuesday, 28 May 2019

Held in the
Council Chambers
1 Merrijig Drive, Torquay
Commencing at 6:00pm

Council:

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

MINUTES FOR THE ORDINARY MEETING OF SURF COAST SHIRE COUNCIL
HELD IN THE COUNCIL CHAMBERS, 1 MERRIJIG DRIVE, TORQUAY
ON TUESDAY 28 MAY 2019 COMMENCING AT 6:00PM

PRESENT:

Cr Rose Hodge (Mayor)
Cr Martin Duke
Cr Clive Goldsworthy
Cr Carol McGregor
Cr Margot Smith
Cr Heather Wellington

In Attendance:

Chief Executive Officer – Keith Baillie
General Manager Governance & Infrastructure – Anne Howard
General Manager Culture & Community – Chris Pike
Acting General Manager Environment & Development – Matt Taylor
Governance Officer (minutes) – Julie Anderson
Administration Officer Governance (minutes) – Jocelyn Christensen

9 members of staff
21 members of the public
1 member 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 Margot Smith recited the pledge on behalf of all Councillors.

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

APOLOGIES:

Cr David Bell
Cr Brian McKiterick

Apology

Council Resolution

MOVED Cr Margot Smith, Seconded Cr Carol McGregor

That an apology be received from Cr David Bell, Cr Brian McKiterick.

CARRIED 6:0

CONFIRMATION OF MINUTES:

Council Resolution

MOVED Cr Clive Goldsworthy, Seconded Cr Martin Duke

That Council note the minutes of the Ordinary meeting of Council held on 23 April 2019, and the Special meeting of Council held on 14 May 2019, as correct records of the meetings.

CARRIED 6:0

LEAVE OF ABSENCE REQUESTS:

Nil.

CONFLICTS OF INTEREST:

Nil.

PRESENTATIONS:

CEO Keith Baillie acknowledged Cr Libby Coker's resignation due to being successfully elected as member for COrangaminte in the federal election.

Mayor Rose Hodge accepted a certificate of appreciation from Bob Tyler, president of the Torquay RSL, in recognition of Council's involvement with their 2019 Relay for Life.

Cr Martin Duke paid tribute to Victoria (Tori) Marshall, a young and vibrant Torquay resident who passed away earlier this year.

PUBLIC QUESTION TIME:

Questions without Notice relating to tonight's agenda (4 questions in total)

Question 1 received from Lloyd Fletcher

Question: Painkalac Creek

What are the details of the information requested from the applicant and as the notice paper advises, were they provided to Council as the basis of Council's consideration of land management consent and why are they not included in the notice paper?

This question is taken on notice and will be responded to within 5 business days.

Question 2 received from Barbara Fletcher

Question: Painkalac Creek

How can Council justify land manager consent for an application which will alienate public land indefinitely, is contrary to the purposes of the Public Conservation and Resource Zone, and will put at risk the Statement of Environmental Significance and the Environmental Objectives of Schedule 1 of the Environmental Significance Overlay, both of which apply to the site?

This question is taken on notice and will be responded to within 5 business days.

Questions without Notice not relating to tonight's agenda (1 questions in total)

Question 3 received from Mary Lewis

Question: Use of microphones in Council Meetings

Would it be possible for the Councillors to stand and speak into the microphones when they speak on any issue?

Mayor Hodge asked that Councillors note this request when speaking on matters during the course of Council meetings.

Continuation of Questions without Notice relating to tonight's agenda

Question 4 received from Anne Porter

Question: Painkalac Creek

In what way has Council satisfied itself that the security of the Applicant's lease with the owner of Lot 3 provides significant assurance that it and the community's risks are to be fully underwritten for the design, construction, and ongoing maintenance and operation of the bridge, and the protection of its environs?

This question is taken on notice and will be responded to within 5 business days.

Questions without Notice relating to tonight's agenda (4 questions in total)

Question 5 received from Ian Porter

Question: Painkalac Creek

Under what provisions of Section 149 of the Planning and Environment Act can the applicant challenge a Council decision to refuse land management consent?

Acting General Manager Environment and Development Matt Taylor responded:

S 149 of the Planning and Environment Act relates to a matter that went to VCAT in 2009. It was Deakin University vs Whitehorse City Council. Deakin University wanted to construct a bridge straddling two parts of land either side of the creek for access for their students. Whitehorse City Council refused to consent and it went to VCAT. The result was that the member found that written consent required under the zone is the kind of consent required under review of the S 149 of the Planning And Environment Act; they found that, yes, the matter could be reviewed and sent to VCAT.

Motion

Council Resolution

MOVED Cr Margot Smith, Seconded Cr Martin Duke

That Council consider items 5.1- Rural Hinterland Futures Strategy – Final Draft, 5.2 – Painkalac Creek – Construction of Bridge – Request for Land Manager Consent, and 4.1 – Adoption of Local Law No. 2 of 2019 – Council Meeting Procedures and Common Seal, of the Agenda out of order for the benefit of the gallery.

CARRIED 6:0

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5.1 Rural Hinterland Futures Strategy - Final Draft

Author's Title: Coordinator Strategic/Land Use
Planning

General Manager: Matthew Taylor

Department: Planning & Development

File No: F17/961

Division: Environment & Development

Trim No: IC19/549

Appendix:

1. Final Draft Rural Hinterland Futures Strategy (D19/31039)
2. Rural Hinterland Futures Strategy Response to Submissions (D19/51575)
3. Rural Hinterland Futures Strategy Bushfire Assessment - February 2019 (D19/27765)

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 comments from submitters on the final draft of the Rural Hinterland Futures Strategy and to consider adoption of the strategy.

Summary

In October 2018 Council considered submissions to the draft Hinterland Futures Strategy and resolved to undertake further work and make changes to the draft strategy prior to final adoption. The further work required including a Shire-wide bushfire assessment in consultation with the CFA this was completed by February 2019. The final draft was exhibited on the website from 7 March to 4 April 2019 and submitters to the previous draft were consulted on the final version.

In response to this final round of consultation with submitters, ten (10) submissions were received. Seven submissions were positive and complementary about the improved document, two made suggestions or comments and one opposed the strategy.

One of the primary bodies of work to be completed was a bushfire assessment of the Shire and the incorporation of that assessment into the strategy. The strategy now includes updated maps, principles, actions and planning context. The CFA has advised of their support for the final draft of the strategy and has acknowledged the significant input that has been included throughout the document. As a result of submissions, no further changes are required.

It is considered that the strategy as now presented is in a suitable form to be adopted by Council. The strategy is the culmination of a significant body of work by various units in the Environment and Development Division and has taken over four years to produce and for the first time provides an economic and planning strategy for Council's rural areas.

Recommendation

That Council:

1. Receives and notes submissions to the final draft of the Rural Hinterland Futures Strategy.
2. Adopts the Rural Hinterland Futures Strategy as attached in Appendix 1 of this report.
3. Advises all submitters and agencies which had input into the strategy and thank them for their input.
4. Makes the strategy available on Council's website.

5.1 Rural Hinterland Futures Strategy - Final Draft

Amended Recommendation

That Council:

1. Notes that officers have advised:
 - a. There is an error in the report as follows:
 - i. The statement “*One submission from the South Grossmans Road Group included a photocopy of a previous petition with 72 signatures*” is incorrect;
 - ii. The statement should have been “*One submission from the Grossmans Road South Landholders was supported by 72 signatories*”.
 - b. That they regret any offence that this error may have caused.
2. Receives and notes submissions to the final draft of the Rural Hinterland Futures Strategy.
3. Adopts the Rural Hinterland Futures Strategy as attached in Appendix 1 of this report.
4. Advises all submitters and agencies which had input into the strategy and thank them for their input.
5. Makes the strategy available on Council’s website.

Council Resolution

MOVED Cr Carol McGregor, Seconded Cr Margot Smith

That Council:

1. Notes that officers have advised:
 - a. There is an error in the report as follows:
 - i. The statement “*One submission from the South Grossmans Road Group included a photocopy of a previous petition with 72 signatures*” is incorrect;
 - ii. The statement should have been “*One submission from the Grossmans Road South Landholders was supported by 72 signatories*”.
 - b. That they regret any offence that this error may have caused.
2. Receives and notes submissions to the final draft of the Rural Hinterland Futures Strategy.
3. Adopts the Rural Hinterland Futures Strategy as attached in Appendix 1 of this report.
4. Advises all submitters and agencies which had input into the strategy and thank them for their input.
5. Makes the strategy available on Council’s website.

Amendment

MOVED Cr Heather Wellington

Cr Wellington moved:

That Council:

1. Notes that officers have advised:
 - a. There is an error in the report as follows:
 - i. The statement “*One submission from the South Grossmans Road Group included a photocopy of a previous petition with 72 signatures*” is incorrect;
 - ii. The statement should have been “*One submission from the Grossmans Road South Landholders was supported by 72 signatories*”.
 - b. That they regret any offence that this error may have caused.
2. Receives and notes submissions to the final draft of the Rural Hinterland Tourism and Economic Strategy.
3. Adopts the Rural Hinterland Tourism and Economic Strategy as attached in Appendix 1 of this report.
4. Advises all submitters and agencies which had input into the strategy and thank them for their input.
Makes the strategy available on Council’s website.

The amendment lapsed due to want of a seconder.

The substantive motion was put and CARRIED

Division

Councillor Wellington called for division, voted on which was as follows:

For	Against	Abstained
Cr Duke	Cr Wellington	Nil
Cr Goldsworthy		
Mayor Hodge		
Cr McGregor		
Cr Smith		

CARRIED 5:1

5.1 Rural Hinterland Futures Strategy - Final Draft

Report

Background

Council exhibited the Draft Hinterland Futures Strategy in 2018 and held a Hearing of Submissions on 2 October 2018. The Strategy was then considered at the Ordinary Council meeting on 23 October 2018.

At that meeting, Council resolved to undertake further work on a number of matters in response to the 94 submissions including:

- Elevating the primacy of rural production
- Emphasising the protection of environmental values and the natural environment
- Additional work on bushfire risk
- Changes to clarify maps
- Adding definitions
- Introducing principles to guide decision-making on tourist-focussed development and land use conflict.

On 23 October 2018, Council also resolved to consult with the submitters on the revised strategy and exhibit it on Council's website for four weeks. Council also resolved to consider the revised strategy at a future Council meeting following completion of the further work outlined in the Council report and the changes listed in the document attached to the 23 October Council report.

From October 2018 to February 2019 Council officers from planning, economic development and community emergency management worked on revisions to the strategy and the maps to respond to the changes resolved by Council. This included working with the CFA to respond to the new State bushfire planning policy. A new bushfire assessment for the Surf Coast Shire was produced which incorporates a landscape assessment. (Refer to attachment to this report). The bushfire assessment informed changes to the strategy and was exhibited on the website with the final draft of the strategy for four weeks. All previous submitters received email or hard copy notification of the final draft strategy and advice on how to make a submission.

Councillors received information on the changes to the Strategy and the content of the final draft in March 2019 prior to the commencement of exhibition of the final draft from 7 March to 4 April 2019. The major changes to the strategy include:

- References to environmental values in addition to the original landscape values throughout the document.
- Alterations to Objectives and actions to include the protection of environmental values.
- The introduction of seven key principles to underpin the strategy (page 19), which, amongst other things, emphasise agriculture as the primary purpose of the farming zone; the avoidance of loss of productive land; and ensures that the siting and design of new development does not negatively impact on agriculture, environmental or landscape values.
- Changes to maps and the addition of new definitions to provide greater clarity, including marking all maps as "indicative" and addressing what "complementary" uses mean. Changes to the maps include the removal of the imprecise hatching of the existing green break areas.
- Changes to the Indicative Map showing 'Areas Well Suited to Tourism' (Page 24) to reflect high bushfire areas and indicate the areas of the Shire which have good road access, scenic vistas, existing tourism facilities and a variety of soil types and lot sizes.
- The addition of two acknowledgements of the importance of Aboriginal Cultural Heritage of the Wadawurrung and the Eastern Maar in the hinterland on page 2 and page 10 within the "Social and Cultural Value of the Hinterland" section.
- Reordering of parts of the document including objectives to elevate the importance of agriculture and agri-business in the document.
- Expanded consideration of bushfire risk context (page 14 and 51) and reference to bushfire risk in all development references in the document including principles. Page 51 now outlines key matters to consider when planning developments in high bushfire areas. The indicative map showing areas "Well Suited to Tourism" has been altered to respond to the bushfire assessment report of the Shire.

5.1 Rural Hinterland Futures Strategy - Final Draft

It is considered that the final draft of the strategy has greater clarity and veracity which will assist in the drafting and support for the future planning scheme amendment; which is one of the next steps for implementation following adoption.

Discussion

In response to consultation with previous submitters and the CFA: 10 submissions were received to the final draft of the strategy. One submission from the South Grossmans Road Group included a photocopy of a previous petition with 72 signatures. Seven submissions support the strategy, with positive comments about the improvements to the document. One submission is opposed to the strategy, and two make comments suggesting actions or further changes.

The CFA has advised of its support for the final draft and acknowledged the significant input (responding to bushfire assessment) throughout the document.

Councillors have received a copy of all submissions and a summary of the submissions with officer comments is attached to this report. It is considered that no further changes are required to the document. Council has responded well to the 94 submissions received in 2018 and received compliments on the final draft, which has been described as "much improved" and "forward thinking". The submissions that have suggested changes either (a) do not require a change to the document or (b) request a major change in Council policy such as the rezoning of land in a green break.

The next step is for Council to consider formally adopting the strategy and commence implementation of the actions.

Financial Implications

The further work resolved to be undertaken in October 2018 has been completed within budget. The implementation of the strategy will be separately funded and considered in future budget considerations. The planning scheme amendment proposed was already funded in 2018/2019 and can commence at the appropriate time.

Council Plan

Theme 2 Environmental Leadership
Objective 2.3 Support local food production
Strategy Nil

Theme 3 Balancing Growth
Objective 3.1 Retain and enhance rural land for appropriate and sustainable uses
Strategy 3.1.1 Finalise and implement the Rural Hinterland Strategy

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

The strategy will set a new direction in Council policy. Part of the implementation of the strategy includes a planning scheme amendment which is likely to include a new planning policy. Currently a gap exists in local policy for consideration of discretionary uses in the Farming Zone. One of the objectives of this strategy was to fill that gap. In addition, clearer direction is required in the planning scheme for consideration of tourist uses in the rural areas of the Shire.

The strategy is consistent with the G21 Agribusiness Strategy and other relevant strategies and studies.

Officer Direct or Indirect Interest

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

Risk Assessment

There are no risks to Council in adopting the strategy.

5.1 Rural Hinterland Futures Strategy - Final Draft

Social Considerations

The Hinterland Futures project affects all land within the Surf Coast Shire hinterland area, the majority of which is Farming Zoned land. A large variety of businesses operate within this area, from agribusiness and farming activities to tourism based uses. The project has a close connection with local food production. As the strategy has such a broad base, it has the ability to affect a large number of people, properties and businesses.

A key finding of consultation on the Issues and Opportunities Paper and the draft strategy found that the Hinterland is greatly valued by the community, not only for its economic value, but also its environmental, landscape and amenity attributes. This is acknowledged in the strategy. In the final draft of the strategy, the importance of the cultural value of the hinterland to the local indigenous Aboriginal peoples has been recognised and added to two parts of the document.

Community Engagement

Extensive community engagement has been undertaken on the Hinterland Strategy over four years and two stages of the document. The final draft of the strategy is the culmination of community engagement on the Background Report and Issues and Opportunities Paper (2017), the Draft Hinterland Futures Strategy (2018) and Final Draft (2019). Ninety-four submissions were received to the first draft and ten have been received to the final draft.

A Hearing of Submissions committee meeting was held on 2 October 2018.

Environmental Implications

One of the primary objectives of the Council plan and the planning scheme is to protect and enhance the Shire's significant environmental assets and scenic landscapes. This remains a key foundation for the Strategy, with Objective One seeking to elevate the importance of the rural landscapes *"as a defining feature of the Surf Coast hinterland and its significance to the local economy"*. The clustering of development in appropriate locations is also designed to reduce the potential for impact on significant environmental and rural assets in the Shire and encourage co-location of complementary uses.

In response to submissions to the draft strategy, the importance of the environment in the hinterland has received greater emphasis in the final draft. Where previously the strategy referred to significant landscapes, it now refers to significant landscapes and environmental assets. Although it does not seek to be an environmental strategy, the importance of protecting the environment has been elevated in the document including actions and objectives.

Communication

All submitters will be advised of Council's decision. If Council adopts the final draft, the front cover will be updated to reflect that and published on Council's website.

Options

Option 1 – Adopt the Final Draft of the Strategy as the Final Strategy

This option is recommended by officers as the majority of submissions to the final draft support the strategy in its current form. The small number of submissions is taken as a positive.

Option 2 – Amend the Strategy Prior to Adoption

This option is not recommended by officers as the positive response to the final draft indicates that Council has responded well to submissions. The CFA supports the final draft and the incorporation of bushfire risk throughout the document.

Option 3 – Abandon the Strategy

This option is not recommended by officers as significant resources have been deployed in the development of the strategy and extensive community engagement has occurred. The Strategy will add significant value to economic development in the Shire and provide direction for future planning policy.

Conclusion

The final draft of the strategy has been well received with the majority of submissions supporting the document. The additional work on bushfire policy implications and clarification to text and maps within the strategy has greatly improved the strategy (acknowledged by the majority of submitters). It is recommended that Council adopt the final draft as the final version of the strategy.

5.2 Painkalac Creek - Construction of Bridge - Request for Land Manager Consent

Author's Title: Environment Officer Biodiversity **General Manager:** Matthew Taylor
Department: Environment & Community Safety **File No:** 18/0208
Division: Environment & Development **Trim No:** IC19/739

Appendix:

1. Site Layout - Proposed Use of a Road (Bridge) (D19/67728)

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 request for Council land manager consent for a neighbouring landowner to apply for a planning permit to construct a bridge on public land to span over Painkalac Creek, Aireys Inlet.

Summary

The owner of Aireys Inlet horse riding business Blazing Saddles, has applied to Council for land manager consent to construct a private bridge over Painkalac Creek. The bridge will be used to move horses between the Blazing Saddles riding centre on the west of Painkalac Creek and leased land (Lot 3) on the east (see Appendix 1 Site Layout).

The proposed bridge is on Council managed Crown land and the connected fenced laneway for stock to reach the bridge is on Council freehold land. Both areas of land are zoned Public Conservation and Resource Zone (PCRZ) under the Surf Coast Planning Scheme. Use of the land for a bridge is a permissible use of the land as a 'road' in the PCRZ but requires a planning permit unless the use is by or on behalf of a public land manager.

In order to make a valid planning permit application, the applicant is required to obtain consent of Council as the public land manager. Granting land manager consent enables the applicant to submit a valid planning permit application – it does not constitute Council approval of the bridge proposal.

Both the Department of Environment, Land, Water & Planning and the Corangamite Catchment Management Authority have provided written 'in principle' support for the proposal.

Council officers recommend granting land manager consent to the applicant to make a planning permit application for the proposed bridge. Siting, design and operational controls can be used to manage environmental and public open space issues. Enabling a valid planning permit to be submitted will facilitate a public advertising and submission process providing for wider community input and a planning assessment of the merits of the proposal.

Recommendation

That Council:

1. Notes that due to the zoning of the land as Public Conservation and Resource Zone, the consent of Council as land manager is required for a valid planning permit application to be submitted.
2. Grants land manager consent to the applicant to make a planning permit application under the Public Conservation and Resource Zone for the use and development of part of 61A and 89A Bambra Road Aireys Inlet (part of Crown Allotment 15C and Crown Allotment 2006 Parish of Angahook and Reserve No 1 PS 421010T) for a bridge.
3. Notes that this consent is to the submission of the planning permit application only and does not constitute planning permit approval or land manager approval for the use and development of the land.

5.2 Painkalac Creek - Construction of Bridge - Request for Land Manager Consent

Council Resolution

MOVED Cr Clive Goldsworthy, Seconded Cr Carol McGregor

That Council:

1. Notes that due to the zoning of the land as Public Conservation and Resource Zone, the consent of Council as land manager is required for a valid planning permit application to be submitted.
2. Grants land manager consent to the applicant to make a planning permit application under the Public Conservation and Resource Zone for the use and development of part of 61A and 89A Bambra Road Aireys Inlet (part of Crown Allotment 15C and Crown Allotment 2006 Parish of Angahook and Reserve No 1 PS 421010T) for a bridge.
3. Notes that this consent is to the submission of the planning permit application only and does not constitute planning permit approval or land manager approval for the use and development of the land.

CARRIED 6:0

5.2 Painkalac Creek - Construction of Bridge - Request for Land Manager Consent

Report

Background

Blazing Saddles has operated a horse riding/trail riding business in Fairhaven since 1995, incorporating both freehold land on the western side of Painkalac Creek and leased land on the eastern side. Prior to 2018 the three leased lots on the eastern side were held by the one owner and Blazing Saddles moved stock between the different sides of the creek utilising a bridge leading to Lot 2 (see Appendix 1). In 2018, two of the lots were sold. Blazing Saddles no longer has access to Lot 2 but does have a long-term lease arrangement with the new owner of Lot 3 for use of the majority of Lot 3.

In May 2018 the owner of Blazing Saddles, approached Council seeking to lodge a planning permit application to construct a private bridge over Painkalac Creek. The proposed bridge would be used approximately twice a day to move horses and farm vehicles between land owned by the applicant on the western bank (115 Bimbadeen Drive) and land leased by the applicant on the eastern bank (Part 95 Bambra Road). The bridge would remain the property of the applicant and would not be open to public access. It would cross over Crown land water frontage managed by Council and the connecting laneway would cross Council freehold land (see Appendix 1 Site Layout). Under the Public Conservation and Resource Zone which applies to the land, a bridge and associated access is considered to be use of land as a 'Road' under the Planning and Environment Act 1987 which is a permit required use.

Council planning staff notified the applicant by letter on 7 June 2018 that the application was invalid and would not be progressed. The applicant was advised that in order to make a future valid planning permit application, they needed the consent of Council as land manager of the public land (including the Crown land), and were required to provide additional information on a range of matters.

Since June 2018, the applicant has sought to address the additional information requirements. The applicant obtained in principle approval from the Department of Environment, Land, Water and Planning and the Corangamite Catchment Management Authority for the bridge and liaised with Council staff regarding required information. The applicant submitted their final application for land manager consent on 21 February 2019, providing the additional information requested by Council officers.

Prior to 2018 the applicant moved stock across the creek using an existing bridge north of the proposed location and relying on access to Lot 2, which has now been sold. With access to the current bridge no longer available from Lot 2, the applicant is moving horses between their freehold and leased land using Bambra and Old Coach Roads. The existing bridge has not been constructed to any relevant standards and there is no record of permission being granted for its construction. In their application for land manager consent, the applicant has offered to remove the existing bridge.

The location of the proposed bridge is shown on the aerial plan in Appendix 1. Council is the delegated land manager of the Crown frontage public purposes reserve along the creek and also owns a freehold strip of land adjoining the Crown reserve. This land was transferred to Council when the adjoining land on the east was subdivided into three lots. Both areas are zoned Public Conservation and Resource Zone (PCRZ) under the Surf Coast Planning Scheme.

The proposed use of a strip of the Council managed and owned land for a stock and farm vehicle bridge and connecting fenced laneway is considered to be a permissible use of the land as a 'Road'. In the PCRZ, this use requires a planning permit unless it is conducted by or on behalf of a public land manager or Parks Victoria. To make a valid planning permit application, the applicant must have land manager consent to make the application from Council as the public land manager.

5.2 Painkalac Creek - Construction of Bridge - Request for Land Manager Consent

Discussion

Rationale for Bridge

Blazing Saddles has advised that a farm bridge over Painkalac Creek is an integral part of their business, enabling them to move horses safely and cost effectively twice a day between their yards on the west and their leased grazing land on the east. As they no longer lease Lot 2 (see Appendix 1), the existing bridge is unusable. Council investigations have not been able to confirm when the bridge was constructed and by whom. It appears to have not been constructed to any relevant standards. The new bridge proposed by the applicant would link with the southern part of Lot 3 for which they hold a long-term lease agreement with the new owners.

Land manager consent to submission of a planning permit application is not agreeing to the bridge

Granting land manager consent to submission of a planning permit application does not constitute approval of the applicant's proposal to construct a bridge. Land manager consent enables the applicant to submit a valid planning permit application and be subject to standard planning permit processes, including public notice and the opportunity for public submissions. If the planning permit application is successful, further approvals would be required, including Council land manager consent through a lease/licence to the proposed use and development of the land.

Information requested from Applicant

Council requested the applicant provide detailed information prior to Council formally considering their request for land manager consent to submit a planning permit application. This information included:

- written in principle support from the Department of Environment, Land, Water & Planning (DELWP) and the Corangamite Catchment Management Authority (CCMA) (both letters have been obtained)
- detailed design plans
- information on any native vegetation to be impacted (impacts can be avoided by offsite prefabrication, siting and choice of footings),
- demonstration of how continuous public access along the creek frontage can be maintained (gates in the linking laneway will provide public access)
- location of the bridge in relation to conservation management plan areas contained within the Section 173 on the adjoining freehold (Lot 3) (the conservation management areas are being avoided)
- a construction management plan demonstrating how construction can be managed to avoid impacts related to the installation works.

The applicant has provided all the requested information to Council officers.

Bridge Location and Construction Management

Various meetings have been held on site with the applicant, Council officers, DELWP and the CCMA regarding the bridge proposal. The applicant has obtained in principle approval from DELWP and the CCMA, with the CCMA selecting the bridge location based on the height of the banks, flooding levels and the ability for canoeists to pass under a bridge at this location. A cultural heritage assessment has been completed and the results provided to Council.

The bridge and associated laneway fencing have been sited to avoid two large Manna Gums. The understorey is primarily introduced pasture grasses. The bridge would be prefabricated offsite and craned into place to avoid other vegetation/soil disturbance impacts. The laneway fencing leading to the bridge crosses the Council managed reserve. To ensure continued public access to the public creek frontage, especially if a pathway is constructed in the future, it is proposed the laneway fencing will have gates to manage potential conflicts between stock and pedestrians. The gates can be closed temporarily twice a day when the horses cross and then reopened.

As part of their application for land manager consent, the applicant has said it will remove the existing bridge. This should be a condition of any land manager consent.

5.2 Painkalac Creek - Construction of Bridge - Request for Land Manager Consent

Bridge Ownership & Public Access

The new bridge would remain the property of the applicant. A lease or licence agreement between Council and the applicant would be necessary to control management arrangements and address insurance and public liability matters. The bridge would not be open to public access (the existing bridge was not publically accessible) as otherwise the structure could result in liabilities for Council. A condition would be included in the lease/licence regarding removal of the structure in the event of any change in ownership/leasing arrangements.

The proposed location for the bridge is 220m from Bambra Road and therefore should not be easily visible. The bridge is in an area where there is currently little public use. It is approximately a 720m walk in from Old Coach Road and a 1.5km walk in from Bambra Road including crossing two rivulets, one of which is flooded continuously when the river mouth is closed.

Financial Implications

All costs associated with the proposed road (bridge) would be met by the applicant.

Council Plan

Theme	4 Vibrant Economy
Objective	4.1 Support the creation and retention of jobs in existing and new businesses to meet the needs of a growing community
Strategy	4.1.1 Support and build capability of businesses and business / tourism groups
Theme	3 Balancing Growth
Objective	3.1 Retain and enhance rural land for appropriate and sustainable uses
Strategy	3.1.2 Develop partnerships to better manage interfaces between public and private land
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

Policy/Legal Implications

Land manager consent enables an applicant to make a valid planning permit application, not commence works. The proposed use of the land as a road is a permitted use in the Public Conservation and Resource Zone, subject to obtaining a planning permit, and does not affect the implementation of the Conservation Management Plan forming part of the Section 173 for all three lots on the eastern side. If the proposal receives all the necessary approvals, Council would have to enter into a lease or licence arrangement with the applicant prior to any works commencing.

If Council refuses to grant land manager consent, the applicant can challenge Council's decision at the Victorian Civil and Administrative Tribunal (VCAT). Council officers do not believe that the decision to grant consent can be appealed to VCAT by a third party, other than another referral/planning authority.

Officer Direct or Indirect Interest

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

Risk Assessment

The applicant will need to manage use and operation of the bridge to avoid potential conflict between livestock and any members of the public using the creek and its frontage. The proposed laneway leading to the bridge and the associated pedestrian gates will be used by the applicant to manage this risk. The gates will be closed twice a day for a short period while the livestock are crossing.

Any lease or licence governing use of the bridge would need to include provisions such as insurance and operational requirements to address risk management. The applicant could be required to remove the current bridge before any new bridge can be constructed and to rehabilitate the area around the current bridge.

If there is no bridge enabling horse access between the yards on the west and leased grazing land on the east, Blazing Saddles will have horses on Bambra Road more often, increasing potential horse and rider interactions with vehicle traffic.

5.2 Painkalac Creek - Construction of Bridge - Request for Land Manager Consent

Social Considerations

The Painkalac Creek frontage is a potentially important strip of public open space. While access is currently limited given the lack of a formal pathway and the rivulets which make continuous access difficult, there have been several proposals to construct a continuous walking track with the most recent being the 'Walk the Painkalac' project. On the eastern side, the applicant is proposing to control horse access to the bridge by a fenced laneway that will funnel stock to and from the bridge. This laneway would have pedestrian gates which will generally remain opened but can be closed briefly twice a day when stock cross the bridge.

The Painkalac Valley is an important asset to the local community. Aireys Inlet District Association (AIDA) is aware of the bridge proposal and has written to Council advising that it regards the proposal as a prohibited use and requesting that Council refuse landowner consent. AIDA's concerns include the previous subdivision history of the three lots on the east, inappropriate use of the Crown creek frontage, conflicts with any future walking track, public liability risks to Council, damage to the creek environs and changed appearance of the valley.

The applicant has indicated that access between land owned and leased by the applicant is important to the operations of the tourism business which is well supported by visitors and the local community.

Community Engagement

There has been very limited public engagement on the proposal to date. An information session is proposed to be conducted on the site to help inform the community about the proposal.

Environmental Implications

The Painkalac Valley environs are an important local asset and its importance is recognised in the Environmental Significance Overlay covering the site. Siting (approximately 220m from the nearest road), design and operational controls can potentially be used to maintain environmental values within this rural setting if the proposed use were to receive the required approvals.

Communication

If Council land manager consent is granted to submission of a planning permit application and the applicant submits a valid application, the permit process will enable public advertising of the proposal and public submissions. In addition, the applicant has agreed to an information meeting where interested members of the public and the applicant can meet to discuss the proposal and work on ways of addressing issues raised by community members. This would occur prior to the lodgement of the application for a planning permit.

Options

Option 1 – Council grants land manager consent to make a planning permit application for the proposed bridge:

This option is recommended by officers as siting, design and use controls can be put in place to maintain environmental, social and public open space values while providing for the proposed use. Granting land manager consent to submission of a planning permit application would allow for formal public consultation on the proposal to commence, as part of the planning permit process. Further, Council land manager consent would be required for the subsequent use and development of the land should the planning permit application be successful.

Option 2 – Council refuses land manager consent to make a planning permit application for the proposed bridge:

This option is not recommended by officers as the proposal is a permitted use under the Surf Coast Planning Scheme and there is the potential to satisfy concerns through siting, design and use controls.

Conclusion

Granting Council land manager consent to the applicant would enable it to submit a valid planning permit application for the proposed bridge over Painkalac Creek for the movement of stock and farm vehicles. Siting, design and operational controls can be used to manage environmental and public open space issues. Enabling a valid planning permit to be submitted will facilitate a public advertising and submission process providing for wider community input on the proposal and a planning assessment of the merits of the proposal.

4.1 Adoption of Local Law No. 2 of 2019 - Council Meeting Procedures and Common Seal

Author's Title: Coordinator Governance & Corporate Planning
General Manager: Anne Howard

Department: Governance & Risk

File No: F18/1898

Division: Governance & Infrastructure

Trim No: IC19/643

Appendix:

1. Summary of Submissions Received (D19/73199)
2. Final Local Law No. 2 of 2019 - Meeting Procedures and Common Seal (D19/73847)

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 enable Council's consideration of the final version of Local Law No. 2 of 2019 - Council Meeting Procedures & Common Seal (the Local Law) for adoption.

Summary

Local Law No. 2 of 2019 - Council Meeting Procedures and Common Seal was reviewed by Council at its Ordinary Meeting on 26 February 2019 and in accordance with sections 119 and 223 of the Local Government Act 1989, a draft was placed on public exhibition along with the Local Law Community Impact Statement. The draft Local Law included a range of proposed changes developed by Councillors through workshops and discussions and was facilitated by an experienced legal advisor with experience in Local Government legislation and Local Laws.

Forty-nine public submissions and one organisation submission were received, with ten submitters presenting to the Hearing of Submissions Committee on 7 May 2019. A summary of public submissions received is attached as Appendix One. Having regard to the submissions received, two further amendments have been made to the Local Law to address two issues that raised concerns amongst the majority of submitters.

The final version of the Local Law, as attached at Appendix Two, is now presented for final adoption in accordance with the Local Government Act 1989 (the Act) section 119. If adopted, Council will be required to advertise adoption of the local law in the Government Gazette and via a public notice, with a copy of the final gazetted local law being submitted to the Minister of Local Government.

Recommendation

That Council:

1. Notes that 49 public submissions and one organisation submission were received in relation to the draft Local Law No. 2 of 2019 – Council Meeting Procedures & Common Seal.
2. Notes that three amendments have been made to the draft Local Law No. 2 of 2019 - Council Meeting Procedure & Common Seal following consideration of submissions including:
 - a) The addition of clause 19.16 to add "Where multiple questions requiring broadly similar responses have been received, the Chair may read out one statement that answers the matters raised, without the need for each question to be read out individually. The questions and statement shall be recorded in the minutes".
 - b) The retention of clause 20.3 from Local Law No. 2 of 2018 Meeting Procedures and Common Seal "Questions without notice may be asked at the meeting with a written copy of the question to be tabled in a form approved or permitted by Council (in accordance with Schedule A) stating the name and address of the person asking the question." Included in Appendix Two "Local Law No. 2 of 2019 Meeting Procedures and Common Seal at clause 19.3.
 - c) A reduction in the number of councillors required to support a notice of motion as included at clause 21.1 of the "Draft - Local Law No. 2 of 2019 Meeting Procedures and Common Seal" as publically exhibited, with Clause 20.1 (a) included in Appendix Two "Local Law No. 2 of 2019 Meeting Procedures and Common Seal now stating that "A notice of motion must:

4.1 Adoption of Local Law No. 2 of 2019 - Council Meeting Procedures and Common Seal

- (a) identify two supporting Councillors who are not obliged to move, second or vote in favour of the motion but are of the opinion that the proposed motion relates to a matter sufficiently important that it warrants formal consideration by Council;
3. Notes that the numbering of clauses in the Local Law No. 2 of 2019 – Council Meeting Procedures & Common Seal as included at Appendix Two has been updated since exhibition of the draft Local Law to reflect the final amendments.
4. Adopts Local Law No. 2 of 2019 – Council Meeting Procedures & Common Seal as included at Appendix Two, to come into effect on 17 June 2019, in accordance with section 121 of the Local Government Act 1989.
5. Submits a copy of Local Law No. 2 of 2019 – Council Meeting Procedures & Common Seal to the Minister for Local Government and makes the Local Law available for inspection by the public, in accordance with Section 119 of the Local Government Act 1989.

Council Resolution

MOVED Cr Margot Smith, Seconded Cr Carol McGregor

That Council:

1. Notes that 49 public submissions and one organisation submission were received in relation to the draft Local Law No. 2 of 2019 – Council Meeting Procedures & Common Seal.
2. Notes that three amendments have been made to the draft Local Law No. 2 of 2019 - Council Meeting Procedure & Common Seal following consideration of submissions including:
 - a. The addition of clause 19.16 to add “Where multiple questions requiring broadly similar responses have been received, the Chair may read out one statement that answers the matters raised, without the need for each question to be read out individually. The questions and statement shall be recorded in the minutes”.
 - b. The retention of clause 20.3 from Local Law No. 2 of 2018 Meeting Procedures and Common Seal “Questions without notice may be asked at the meeting with a written copy of the question to be tabled in a form approved or permitted by Council (in accordance with Schedule A) stating the name and address of the person asking the question.” Included in Appendix Two “Local Law No. 2 of 2019 Meeting Procedures and Common Seal at clause 19.3.
 - c. A reduction in the number of councillors required to support a notice of motion as included at clause 21.1 of the “Draft - Local Law No. 2 of 2019 Meeting Procedures and Common Seal” as publically exhibited, with Clause 20.1 (a) included in Appendix Two “Local Law No. 2 of 2019 Meeting Procedures and Common Seal now stating that “A notice of motion must:
 - i. identify two supporting Councillors who are not obliged to move, second or vote in favour of the motion but are of the opinion that the proposed motion relates to a matter sufficiently important that it warrants formal consideration by Council;
3. Notes that the numbering of clauses in the Local Law No. 2 of 2019 – Council Meeting Procedures & Common Seal as included at Appendix Two has been updated since exhibition of the draft Local Law to reflect the final amendments.
4. Adopts Local Law No. 2 of 2019 – Council Meeting Procedures & Common Seal as included at Appendix Two, to come into effect on 17 June 2019, in accordance with section 121 of the Local Government Act 1989, subject to the following corrections:
 - a. Replace clause 20.7 in Appendix 2 with a new clause 20.7 that states “*If both Councillors who have given a notice of motion*”
 - b. Replace clause 20.9 in Appendix 2 with a new clause 20.9 that states “*Before the notice of motion is put to the vote, it may be withdrawn by the two Councillors*”
 - c. Replace text above the Councillor Signature space in Schedule 2 in Appendix 2 with new text that states (*To be signed by Councillor lodging this notice and one other Surf Coast Shire Councillor*)
5. Submits a copy of Local Law No. 2 of 2019 – Council Meeting Procedures & Common Seal to the Minister for Local Government and makes the Local Law available for inspection by the public, in accordance with Section 119 of the Local Government Act 1989.

Amendment

MOVED Cr Heather Wellington

Cr Wellington moved an addition to the original motion as follows:

Excludes clause 19.5, subclause 19.5.1, which refers to questions from members of the public may be

4.1 Adoption of Local Law No. 2 of 2019 - Council Meeting Procedures and Common Seal

disallowed by the Chairperson if they consider the questions are aimed at drawing opinions from Councillors about matters that will be considered at the meeting or a future meeting of Council.

The amendment lapsed due to want of a seconder.

Amendment

MOVED Cr Heather Wellington

Cr Wellington moved an addition to the original motion as follows:

Excludes clause 19.9 which refers to Councillors other than the chairperson will not be permitted to answer any questions at a Council meeting relating to an item on the agenda for the meeting.

The amendment lapsed due to want of a seconder.

Amendment

MOVED Cr Heather Wellington

Cr Wellington moved an addition to the original motion as follows:

Excludes clause 19.6 which refers to Questions from the public at a Council meeting will be subject to a word limit of 200 words (inclusive of supporting documentation).

The amendment lapsed due to want of a seconder.

Amendment

MOVED Cr Heather Wellington

Cr Wellington moved an addition to the original motion as follows:

Excludes clause 20.2 which refers to a limit of 500 words will be imposed on supporting documentation for a Councillor's notice of motion.

The amendment lapsed due to want of a seconder.

Amendment

MOVED Cr Heather Wellington

Cr Wellington moved an addition to the original motion as follows:

Excludes the clauses that remove the existing opportunity for the Councillor intending to move a notice of motion to speak for five minutes to explain the notice.

The amendment lapsed due to want of a seconder.

Amendment

MOVED Cr Heather Wellington

Cr Wellington moved an addition to the original motion as follows:

Excludes clauses that mean Councillors will not be permitted to ask questions in the Chamber seeking re-iteration of an answer that was provided prior to the meeting.

The amendment lapsed due to want of a seconder.

The substantive motion was put and CARRIED

Division

Councillor Wellington called for division, voted on which was as follows:

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Cr Duke Cr Goldsworthy Mayor Hodge Cr McGregor Cr Smith	Cr Wellington	Nil

CARRIED 5:1

4.1 Adoption of Local Law No. 2 of 2019 - Council Meeting Procedures and Common Seal

Report

Background

Council's current Local Law No. 2 does not sunset until 2028, however a review was considered desirable by Council to improve governance and a number of procedures. Other administrative changes have also been proposed in light of comparison with other Council's Local Laws.

Terry Bramham of Macquarie Lawyers facilitated the review, which included reference to the Better Practice Local Laws website developed by Local Government Victoria and LGPro in 2008, and engagement with Councillors and staff.

As required by section 119 of the Local Government Act 1989, the proposed Local Law No.2 Council Meeting Procedures & Common Seal of 2019 was placed on public exhibition along with the Local Laws Community Impact Statement. At the same time a notice was placed in the Government Gazette, Surf Coast Times and on Council's website.

Submissions were invited via email, hardcopy mail or through Council's Your Say webpage with a closing date of 21 April 2019.

The timeline for formal adoption of the local law was set as follows:

Status/Date	Action
Completed	Officer review and benchmarking with other Councils. Review included request for feedback from Councillors and legal advice in relation to some sections.
Completed	EMT consideration.
Completed	Councillor Briefing.
Completed	Council meeting resolution to approve the proposed Local Law and place on public exhibition.
Completed	Public notice and Government Gazettal of intention to amend the local law including invitation for public submissions 21 March 2019. Publishing of Community Impact Statement (LLCIS) with draft local law.
Completed	Public exhibition period ends 21 April 2019 (at least 28 days)
Completed	Hearing of Submissions Committee to consider public comments and hear submissions on 7 May 2019. Where appropriate, incorporate any amendments suggested during the submissions process.
28 May 2019	Council to consider submissions and adopt finalised local law.
May	Prepare advertisements for newspapers and Government Gazette.
June 2019	Submit an updated copy to the Minister.
17 June 2019	Local Law No. 2 of 2019 commences.

4.1 Adoption of Local Law No. 2 of 2019 - Council Meeting Procedures and Common Seal

Discussion

Forty-nine public submissions and one organisation submission were received during the public exhibition period.

Common themes identified in the public submissions received included concerns with:-

- Changes to the number of signatures required for a Notices of Motion
- Public Question Time
- Communication and Public Access to Council
- Democracy/ Transparency and Community Engagement
- Timing of the review.

Other comments included concerns with live streaming, limits on public questions and Councillors' being able to represent the community.

Refer Appendix One for a summary of all submissions received, including late submissions and one organisation submission.

The following table provides a summary of suggested changes to the draft Local Law following the public exhibition period and receipt of submissions:

Clause Number	Changes to the draft Local Law following exhibition	Reason for Change.
19.16 (Add)	To add 'Where multiple questions requiring broadly similar responses have been received, the Chair may read out one statement that answers the matters raised, without the need for each question to be read out individually. The questions and statement shall be recorded in the minutes'.	The inclusion would provide greater clarity that this practice may be adopted by the Chair if deemed appropriate given the similarity or duplication of question submitted and to provide an opportunity to improve efficiency of the meeting.
19.3 (Add)	Questions without notice may be asked at the meeting with a written copy of the question to be tabled in a form approved or permitted by Council (in accordance with Schedule A) stating the name and address of the person asking the question.	The proposed clause in the exhibited draft of the Local Law garnered strong community feedback and the consideration of Questions without Notice can remain with the Chair as has been previous practice
21.1 (a) (Modified)	A notice of motion must: (a) identify two supporting Councillors who are not obliged to move, second or vote in favour of the motion but are of the opinion that the proposed motion relates to a matter sufficiently important that it warrants formal consideration by Council."	The proposed provisions in the exhibited draft of the Local Law, requiring three Councillors to support a Notice of Motion, garnered strong community feedback. While the proposed change was to provide consistency with other provisions such as rescission motions, a reasonable outcome would be for two councillors to support a Notice of Motion which still indicates sufficient interest in the matter to warrant the resources required to prepare an officer assessment and report.

With the finalisation of the clauses in the proposed Local Law - including the deletion of clause 13, Call of Council, from the 2018 version of the Local Law - all clauses and subclauses have now been renumbered in preparation for the final version's adoption.

4.1 Adoption of Local Law No. 2 of 2019 - Council Meeting Procedures and Common Seal

The Local Law is now being presented for final adoption in accordance with the Local Government Act 1989 (the Act) section 119.

If approved, Council will be required to advertise adoption of the local law in the Government Gazette and via a public notice, with a copy of the final gazetted local law being submitted to the Minister.

The Local Law No. 2 is expected to come into operation on 17 June 2019 to allow time for the statutory processes to be completed. The local law will be available on Council's website and at the Council office for inspection during normal business hours.

Financial Implications

There are no future financial implications associated with this report.

Council Plan

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

Policy/Legal Implications

This process complies with sections 119 and 223 of the Local Government Act.

Officer Direct or Indirect Interest

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

Risk Assessment

A risk assessment was completed during the process of updating the Local Law.

Social Considerations

Officers have assessed this proposed Local Law for compatibility with the Charter of Human Rights and Responsibilities Act 2006, and it is not considered that the rights of any individual would be adversely impacted. The proposed changes are intended to provide for the efficient and orderly conduct of the meetings, and are considered reasonable and justifiable pursuant to section 7(2) of the Act. The request for members of the public to sign in aligns with Council's procedures during normal business hours.

Community Engagement

The community was provided with an opportunity to comment through the section 223 process described in the Act.

Environmental Implications

Not applicable

Communication

The required public notices will be published within the local media and in the Government Gazette pursuant to section 119 of the Act. A copy of the final Local Law will be available for public inspection at Council's offices, on the website and a copy forwarded to the Minister.

Options

Option 1 – Adopts the Local Law as attached

This option is recommended by officers as the Local Law has been through a robust review process in consultation with officers, Councillors, legal advisors and through benchmarking against other Councils. The final amendments are informed by public submissions.

Option 2 – Adopts the Local Law with further changes

This option is not recommended by officers as the attached Local law has been developed through a compliant and transparent process inclusive of public submissions. Further changes may not align well to the process under which the Local Law is to be developed

4.1 Adoption of Local Law No. 2 of 2019 - Council Meeting Procedures and Common Seal

Option 3 – Do not update the Local Law at this time

This option is not recommended by officers as this update provides an opportunity to streamline the meeting procedure to improve the governance of Council meetings.

Conclusion

The proposed Local Law No. 2 of 2019 - Council Meeting Procedures & Common Seal is now presented to Council after the completion of a review and adherence to section 119 and section 223 of the Local Government Act 1989. If adopted, the statutory process described in section 119 of the Act will be undertaken with the Local Law expected to come into effect on 17 June 2019.

4.1 Adoption of Local Law No. 2 of 2019 - Council Meeting Procedures and Common Seal



Local Law No. 2 of 2019

**Council Meeting Procedures
&
Common Seal**

(Adopted by Council 28 May 2019)

4.1 Adoption of Local Law No. 2 of 2019 - Council Meeting Procedures and Common Seal

Local Law No.2 of 2019 Council Meeting Procedures & Common Seal

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4.1 Adoption of Local Law No. 2 of 2019 - Council Meeting Procedures and Common Seal

LOCAL LAW NO. 2 of 2019 COUNCIL MEETING PROCEDURES & COMMON SEAL

PART 1 - PRELIMINARY PROVISIONS

1 Title

- 1.1 This Local Law is titled Local Law No.2 of 2019 – Council Meeting Procedures & Common Seal.

2 Purpose of Local Law

- The purpose of this Local Law is to facilitate good governance by:
- 2.1 Regulating proceedings for the election of the Mayor and Deputy Mayor;
 - 2.2 Regulating proceedings of Ordinary and Special meetings of Council;
 - 2.3 Regulating proceedings of Special Committee meetings;
 - 2.4 Regulating proceedings of other meetings conducted by or on behalf of Council where Council has resolved that the provisions of this Local Law are to apply;
 - 2.5 Promoting and encouraging community participation in the system of Local Government by providing mechanisms within the meeting arrangements for the Council to ascertain the community's views and expectations;
 - 2.6 Regulating and controlling the use of Council's Common Seal; and
 - 2.7 Repealing Local Law No. 2 of 2018 – Council Meeting Procedures & Common Seal.

3 Power for Making this Local Law

- This Local Law:
- 3.1 Is made under Sections 5 and 91, and Part 5, in particular Section 111 (1) of the Act; and
 - 3.2 Was prepared following due consideration of the Charter of Human Rights and Responsibilities Act 2006.

4 Revocation

- 4.1 Local Law No. 2 of 2018 – Council Meeting Procedures and Common Seal is revoked on the day this Local Law comes into operation, save that any notice or consent given or any business, matter or thing commenced, made or done under the repealed local law is not affected.

5 Sunset Provision

- 5.1 This Local Law ceases to operate on the tenth anniversary of its commencement, unless earlier revoked.

6 Commencement

- 6.1 This Local Law comes into operation on 17 June 2019.

7 Definitions

Unless the contrary intention appears in this Local Law, the following words and phrases are defined to mean:

'absolute majority' means a number of votes greater than one-half of the total number of ballot papers (excluding ballot-papers which are rejected) and if necessary includes the vote by lot;

'Act' means the *Local Government Act 1989*;

'Acting Mayor' means the Councillor appointed to represent the Mayor in the event of the Mayor and Deputy Mayor's absence or where there is a need to fill the role;

'agenda' means the notice of a meeting setting out the business to be transacted at the meeting;

'amendment' means a proposed alteration to the wording of a motion without being contradictory;

'authorised officer' means a person appointed as such by Council under section 224 of the Act;

4.1 Adoption of Local Law No. 2 of 2019 - Council Meeting Procedures and Common Seal

'Chairperson' means the Chairperson of the meeting and includes acting, temporary and a substitute Chairperson;

'Chief Executive Officer' means the Chief Executive Officer of Council, and includes a person acting as Chief Executive Officer;

'clause' means a clause of this Local Law;

'Common Seal' means the Common Seal of Council;

'Council' means the Surf Coast Shire Council;

'Councillor' means a Councillor of Council who has taken the oath of office in accordance with Section 63 of the Act;

'Council meeting' is an Ordinary meeting and a Special meeting of Council;

'day' means a Council business day;

'deliver' means to hand over or mail to a recipient and includes transmission by electronic means, electronic mail or published on Council's internet site;

'Deputy Mayor' means the Councillor appointed to represent the Mayor and act in the Mayor's role in the event of the Mayor's absence. Elected in accordance with this Local Law;

'Formal Motion' means a motion related to a formal procedure as per Schedule C;

'gallery' means the area set aside in the Council chamber or meeting room for the public;

'Joint Letter' means a formal application to Council in the form of a letter which has been signed by at least ten people or executive/committee representatives from ten separate entities whose names and physical addresses also appear on the letter. A letter from a single entity or organisation that is signed by multiple parties from that organisation or entity will not be classed as a joint letter;

'leave of absence' means a period, approved through Council resolution, where a Councillor will not perform the duties or functions of a Councillor during the period, that may be inclusive of any Ordinary meeting of Council;

'Mayor' means the Mayor of Council and/or any person acting as Mayor;

'meeting' means an Ordinary or Special meeting of Council or Special Committee meeting;

'minutes' mean the collective record of proceedings of Council (meeting records);

'Municipal district' means the municipal district of Council;

'notice of motion' means a notice in writing conforming with clause 20 and the requirements of Schedule B;

'offence' means an act or default contrary to this Local Law;

'Ordinary Meeting' means a meeting of Council at which general business of Council may be transacted;

'penalty unit' means penalty units as prescribed in the *Sentencing Act 1992*;

'petition' means a formal written application addressed to Council, submitted in printed or electronic format without erasure, signed or electronically endorsed by at least ten people whose names and physical addresses also appear, and on which each page of the petition bears the wording of the whole of the petition

'resident' means a person who has a place of residence within the Municipal District;

'resolution' means a formal determination by a meeting of Council or special committee;

'Special Committee' means a special committee established by Council under Section 86 of the Act;

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'Special Meeting' means a meeting of Council convened in accordance with Section 84 of the Act and is a meeting at which business specified in the notice calling the meeting is transacted;

'visitor' means any person (other than a Councillor, or member of Council staff) who is in attendance at a Council meeting or a special committee; and

'written' includes duplicated, photocopied, photographed, emailed, faxed, printed and typed.

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PART 2 – THE MAYOR

(Pursuant to Section 71 of the Act – Election of Mayor)

8 Procedure for Election of Mayor

- 8.1 Any Councillor is eligible for election or re-election to the office of Mayor.
- 8.2 The agenda for the meeting to elect the Mayor may include:
 - 8.2.1 The taking of the oath of office by each Councillor, under Section 63 of the Act;
 - 8.2.2 The fixing of allowances for the Mayor and Councillors under Section 74 of the Act; and
 - 8.2.3 The appointment of Councillor representatives to various bodies.
- 8.3 The Chief Executive Officer will be the temporary Chairperson of the meeting at which the election of Mayor is to be conducted but will have no voting rights.
- 8.4 The meeting to elect the Mayor shall be held in accordance with the Act.
- 8.5 The Chief Executive Officer shall be responsible for the counting of votes.
- 8.6 The election of the Mayor shall be by a show of hands.
- 8.7 The Councillor who receives an absolute majority of votes cast must be declared elected.
- 8.8 For the purposes of this clause the following will apply:
 - 8.8.1 Nominations must be moved and seconded;
 - 8.8.2 Where only one nomination is received, that Councillor must be declared elected; or
 - 8.8.3 Where two nominations are received:
 - (a) the Councillor with an absolute majority of votes cast must be declared elected; or
 - (b) if all votes cast are equally divided, the election must be determined by lot conducted by the Chief Executive Officer in the presence of the meeting; or
 - 8.8.4 Where there are more than two nominations received, the Councillor who receives an absolute majority at the first round of votes cast must be declared elected, or if no candidate receives an absolute majority of votes, the candidate with the least number of votes must be eliminated as a candidate and a further ballot conducted between the remaining candidates. If there are several candidates, this procedure must be repeated until a candidate receives an absolute majority of votes and that candidate shall be declared elected. If, after elimination of candidates, two candidates remain and those two candidates receive an equal number of votes, the election must be determined by lot conducted by the Chief Executive Officer in the presence of the meeting.
 - 8.8.5 If for the purpose of eliminating the candidate with the least number of votes, two or more candidates have the same least number of votes, the candidate to be eliminated shall be determined by simple majority vote. If there is an equality of votes with respect to the candidate to be eliminated, the candidate to be eliminated shall then be determined by lot conducted by the Chief Executive Officer in presence of the meeting.

9 Procedure for Election of Deputy Mayor or Acting Mayor

Where the Council has resolved to appoint a Deputy or Acting Mayor the provisions contained in clause 8 for the election of the Mayor will apply to the election of the Deputy or Acting Mayor save that the Mayor shall preside over the election.

10 Mayor to Take Chair

- 10.1 After the election of the Mayor is determined, the Mayor must take the Chair.
- 10.2 The Mayor must take the chair at all Council meetings at which he or she is present unless precluded from doing so because of a conflict of interest.
- 10.3 In the absence of the Mayor, the Deputy Mayor, if previously elected, shall take the chair.
- 10.4 If a Deputy Mayor has not been previously elected and the Mayor is absent, a Councillor shall be elected to take the chair, in accordance with the election process in clause 8 save that the Mayor shall preside over the election.

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PART 3 - COUNCIL MEETINGS

The purpose of this Part is to regulate proceedings at all meetings of the Council.

11 Chairperson's Duties & Responsibilities

The Chairperson's duties and responsibilities are to:

- 11.1 Formally declare the meeting open, after ascertaining that a quorum is present and to welcome guest speakers, and other visitors;
- 11.2 At the start of each Council meeting, to recite the Pledge or allocate this role to another Councillor;
- 11.3 Preside over and control the meeting, conduct it impartially and according to this Local Law and established protocols in order to ensure the smooth passage of the business;
- 11.4 Sign minutes of meetings as correct when they have been confirmed;
- 11.5 Present any reports for which he or she is responsible;
- 11.6 Ensure that debate is conducted in the correct manner;
- 11.7 Declare the results of all votes;
- 11.8 Give rulings on points of order and other questions of procedure;
- 11.9 Preserve order, and, if necessary, name offending members; and
- 11.10 Adjourn (when so resolved) or formally declare the meeting closed when all business has been concluded.

12 Quorum

- 12.1 A quorum is a majority of the number of Councillors entitled to be present and to vote at the meeting.
- 12.2 If a quorum is not present within 30 minutes of the time appointed for the commencement of a Council meeting:
 - 12.2.1 The meeting shall be deemed to have lapsed;
 - 12.2.2 The Mayor must convene another Council meeting and ensure that the agenda for such meeting is identical to the agenda for the meeting which is deemed to have lapsed; and
 - 12.2.3 The Chief Executive Officer must give all Councillors notice of the meeting convened by the Mayor.
- 12.3 If a quorum fails after a Council meeting has begun, the meeting lapses.
- 12.4 If the meeting lapses, the undisposed business must, unless it has already been disposed of at a Special meeting, be included in the agenda for the next Ordinary meeting.

13 Attendance & Notice of Meetings

(Pursuant to Section 84 of the Act)

- 13.1 The Chief Executive Officer must give notice to the public of any meeting of the Council by public notice at least seven days prior to the meeting and via Council's website.
- 13.2 The dates, time and place for all Ordinary Council meetings shall be fixed by the Council from time to time.
- 13.3 An electronic agenda will be delivered to Councillors at least 48 hours before an Ordinary meeting.
- 13.4 Despite subclause 13.3, the Chief Executive Officer may deliver an agenda for a Special meeting to Councillors in less than 48 hours, if the Chief Executive Officer considers that in view of the urgency of the matter(s) this should occur.
- 13.5 Despite subclause 13.3, an item of business which has:
 - 13.5.1 been referred to Council by a Special Committee which has met since the agenda was prepared; or
 - 13.5.2 arisen since the preparation of the agenda, and is the subject of a written supplementary report by a member of Council staff may be considered by Council if it so resolves.
- 13.6 Members of the public will be requested to sign in before entering the meeting area.

14 Time Limit for Meetings

- 14.1 Council meetings must conclude no later than 10pm unless a resolution is carried to extend the meeting (in which case the meeting shall conclude no later than 11pm).
- 14.2 An extension of a meeting will be in a block period of 30 minutes.
- 14.3 After the initial 30 minute extension the meeting must not continue unless a majority of Councillors present vote in favour of its continuance.
- 14.4 In the absence of such continuance, the meeting must stand adjourned to a time, date and place to be then and there announced by the Chairperson.

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- 14.5 The Chief Executive Officer must give notice to each Councillor of the date, time and venue to which the meeting stands adjourned and of the business remaining to be considered.

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PART 4 - BUSINESS: DESCRIPTION & PROCEDURE

15 Conduct of Business

- 15.1 The order of business will be determined by the Chief Executive Officer to facilitate and maintain open, efficient and effective processes of government.
- 15.2 Once an agenda has been sent to Councillors the order of business for that meeting may only be altered by resolution of the Council.
- 15.3 The Chief Executive Officer may include any matter on an agenda, which he or she thinks should be considered by the meeting.

16 Disclosure of Conflicts of Interest

(Pursuant to Sections 77, 78, 79 and 80C of the Act.)

A Councillor, or Council officer providing advice to a meeting, must disclose any conflicts of interest in accordance with the Act.

- 16.1 In every case where disclosure of a conflict of interest is made at a meeting, the minutes shall record:
 - 16.1.1 The name of the Councillor or Council officer making the disclosure; and
 - 16.1.2 The type and nature of interest; and
 - 16.1.3 Whether the Councillor left the room prior to discussion of the matter and remained outside while the vote was taken; and
 - 16.1.4 The exact times that the Councillor left the room and returned.
- 16.2 Councillors and Council officers will be required to complete a Conflict of Interest Declaration form for each conflict of interest declared at a Council meeting.

17 Confirmation of Minutes

(Pursuant to Section 93 of the Act)

At every meeting of Council the minutes of the preceding meeting(s) must be dealt with as set out below:

- 17.1 If the minutes have been delivered to each Councillor at least 48 hours before the meeting, a motion must be put for the confirmation of the minutes.
- 17.2 If the minutes have not been delivered, they must be read and a motion must be put for the confirmation of the minutes.
- 17.3 The minutes must be signed by the Chairperson of the meeting at which they have been confirmed.
- 17.4 The minutes shall record the business of the meeting and in particular:
 - 17.4.1 The date, place, time and nature of the meeting;
 - 17.4.2 The names of the Councillors present and those who have submitted apologies or been granted leave of absence;
 - 17.4.3 The disclosure of conflicts of interest made by a Councillor and the type and nature of such interest;
 - 17.4.4 Arrivals and departures of Councillors during the course of the meeting;
 - 17.4.5 Each motion and amendment moved and seconded;
 - 17.4.6 The vote cast by each Councillor upon a division;
 - 17.4.7 The total numbers of Councillors voting for, against and abstaining;
 - 17.4.8 Questions upon notice and responses if provided at the meeting;
 - 17.4.9 The failure of a quorum;
 - 17.4.10 When requested by a Councillor, a record of their opposition to any motion; and
 - 17.4.11 Closure of the meeting to members of the public and the reasons for such closure.
- 17.5 No discussion or debate on the confirmation of minutes is permitted except where their accuracy as a record of the proceedings of the meeting to which they relate is questioned.
- 17.6 Council may defer the confirmation of minutes until later in the Council meeting or until the next Council meeting if considered appropriate.
- 17.7 Council meeting minutes from meetings that are open to the public will be confirmed in the open section of the agenda. Minutes from closed meetings will be confirmed in the closed section of the meeting.

18 Petitions and Joint Letters

- 18.1 A petition or joint letter must be presented to the next available Ordinary meeting of Council where the petition or joint letter is received at least seven business days before the Ordinary meeting of Council.

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- 18.2 A petition or joint letter shall not be presented at a meeting of Council or received by Council unless it meets the definition under this Local Law, unless it is specifically resolved by Council to receive the petition or joint letter in a non-conforming format.
- 18.3 When a petition or joint letter presented to a meeting of the Council relates to a planning application, it will be received by Council at the next available Council meeting and subsequently considered as a formal submission to the planning application whether the application is determined by Council or under delegation.
- 18.4 When a petition or joint letter presented to a meeting of the Council relates to an item of business on the agenda, the submission is to be considered by Council as part of its deliberations on such item.
- 18.5 Unless Council determines to consider it as an item of urgent business, no motion (other than a motion to receive the same) may be made on any petition or joint letter, until the next Ordinary meeting of Council after that at which the petition or joint letter has been presented, unless it is addressed under subclauses 18.3 or 18.4.
- 18.6 The Chairperson may disallow any petition or joint letter which is considered to:
- 18.6.1 Relate to a matter beyond the power or duties of Council;
 - 18.6.2 Be defamatory, indecent, offensive, abusive, irrelevant, trivial or objectionable in language or nature;
 - 18.6.3 Be confidential in nature or of legal significance;
 - 18.6.4 Be repetitive of a question already answered (whether at the same or any earlier meeting);
 - 18.6.5 Be aimed to embarrass a Councillor or member of Council staff;
 - 18.6.6 Relate to personnel matters;
 - 18.6.7 Relate to the personal hardship of any resident or ratepayer;
 - 18.6.8 Relate to proposed developments or legal advice;
 - 18.6.9 Relate to matters affecting the security of Council property;
 - 18.6.10 Relate to a matter which has already been acted on;
 - 18.6.11 Relate to any other matter which Council considers would prejudice the Council or any person;
- or
- 18.6.12 Relate to a matter for which there is already a primary avenue of redress such as planning permits or amendments which will be addressed through the planning submissions process.
- 18.7 An officer report pertaining to any petition or joint letter may be required at the next Ordinary Meeting of Council (if the petition has not been dealt with in accordance with the provisions of subclauses 18.3, 18.4 or 18.5).

19 Public Question Time

- 19.1 There shall be a public question time of up to 30 minutes, unless extended at the discretion of the Chair, at every Ordinary Meeting of Council to enable members of the public to submit questions to Council.
- 19.2 Questions with notice must be submitted to Council in writing by 10am on the day of the meeting generally in accordance with Schedule A stating the name, address, telephone and email contact details of the person submitting the question.
- 19.3 Questions without notice may be asked at the meeting with a written copy of the question to be tabled in a form approved or permitted by Council (in accordance with Schedule A) stating the name and address of the person asking the question.
- 19.4 No person may submit more than two questions at any one meeting.
- 19.5 A question may be disallowed by the Chairperson if it is considered to:
- 19.5.1 Relate to a matter beyond the power or duties of Council;
 - 19.5.2 Be defamatory, indecent, offensive, abusive, irrelevant, trivial or objectionable in language or nature;
 - 19.5.3 Be confidential in nature or of legal significance;
 - 19.5.4 Be generally repetitive of a question already answered (whether at the same or any earlier meeting);
 - 19.5.5 Be aimed to embarrass a Councillor or member of Council staff;
 - 19.5.6 Relate to personnel matters;
 - 19.5.7 Relate to the personal hardship of any resident or ratepayer;
 - 19.5.8 Relate to proposed developments or legal advice;
 - 19.5.9 Relate to matters affecting the security of Council property;
 - 19.5.10 Relate to any other matter which Council considers would prejudice the Council or any person;
- or
- 19.5.11 Be aimed to drawing opinions from Councillors about matters that will be considered at the meeting or a future meeting of Council.
- 19.6 All questions must be as brief as possible and no greater than 200 words in length, inclusive of any supporting or contextual information.
- 19.7 No discussion shall be entered into in asking or responding to questions, other than through a request from a Councillor, directed through the Chairperson, for the purposes of clarification.

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- 19.8 All questions must be directed to Council as a whole and not to individual or specific Councillors.
- 19.9 The Chairperson may answer a question or nominate a member of Council staff to briefly answer a question. Councillors, other than the Chairperson, will not answer any question relating to an item on the agenda.
- 19.10 Every reasonable attempt will be made to substantively answer a question with notice at the meeting unless the person asking the question has been contacted beforehand and advised of the reason for the question not being answered at the meeting in which case the answer will be provided within five days.
- 19.11 If the nominated member of Council staff advises Council that it is their opinion that the reply to a question should be given in a meeting closed to the public, they must state briefly the reason why the reply should be given in a closed meeting and, unless Council resolves to the contrary, the reply to such question shall be so given.
- 19.12 The question and the name and suburb address of the person who asked the question shall be read out and recorded in the minutes.
- 19.13 The name of the member of Council staff who responded to the question received with notice and their response, if provided at the meeting, shall be recorded in the minutes.
- 19.14 A question shall not be read out unless the person asking the question, or their proxy, is in the gallery at the time it is due to be read.
- 19.15 If the question is not read at the meeting because the person submitting the question or their proxy is not present, it will not be recorded in the minutes of the meeting.
- 19.16 Where multiple questions requiring broadly similar responses have been received, the Chair may read out one statement that answers the matters raised, without the need for each question to be read out individually. The questions and statement shall be recorded in the minutes.
- 19.17 As an alternative to submitting a question with notice to Council under subclause 19.2, a person may lodge a submission not exceeding 200 words, on a matter listed on the agenda, by 10am on the day of the meeting provided that a prior opportunity to make a submission concerning the matter has not been afforded to the person at a Council meeting, Special Committee meeting or Assembly of Councillors.
- 19.18 Any submission received in accordance with subclause 19.17 shall be made available to Councillors prior to the meeting in electronic format. These submissions will not be incorporated into the meeting minutes.

20 Notice of Motion

- 20.1 A notice of motion must:
- (a) identify two supporting Councillors who are not obliged to move, second or vote in favour of the motion but are of the opinion that the proposed motion relates to a matter sufficiently important that it warrants formal consideration by Council;
 - (b) briefly explain the rationale for the proposed motion; and
 - (c) be lodged in the format provided for this purpose as appearing in Schedule B, either electronically or in writing, with the Chief Executive Officer by 5pm on the seventh working day prior to the date of the meeting to allow sufficient time for the notice of motion to be included in the Agenda for the next Council meeting.
- 20.2 Any supporting documentation must be attached to the notice of motion for inclusion in the agenda, but must not be longer than 500 words inclusive of proposed motion.
- 20.3 The Chief Executive Officer must cause all notices of motion to be numbered, dated and entered in the notice of motion register in the order in which they were received.
- 20.4 Any notice of motion which in the opinion of the Chief Executive Officer or the Chairperson is:
- (a) defamatory; or
 - (b) objectionable in language or nature; or
 - (c) outside the powers of the Council,
- must not be accepted by the Chairperson.
- 20.5 Except by resolution of Council, notices of motion before any Council meeting must be considered in the order in which they were recorded in the notice of motion register.
- 20.6 To assist Councillors to make an informed decision regarding a notice of motion, the Chief Executive Officer must provide a written report prior to the meeting at which the notice of motion is to be considered, however the report is not to contain a recommendation.
- 20.7 If both Councillors who have given a notice of motion:
- 20.7.1 are absent from the Council meeting; or
 - 20.7.2 fail to move the motion when called upon by the Chairperson;
- any other Councillor may move the notice of motion.
- 20.8 If a notice of motion is not moved and seconded at the Council meeting for which it was included on the agenda, it lapses.
- 20.9 Before the notice of motion is put to the vote, it may be withdrawn by the two Councillors.

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21 Rescission or Amendment

- 21.1 A Councillor may propose a motion to amend or rescind a previous resolution of Council provided the notice of motion is signed by three Councillors and delivered to the Chief Executive Officer no later than 72 hours following the meeting of Council at which the resolution proposed to be rescinded or amended was adopted.
- 21.2 Notices of motion to rescind or amend a previous resolution of Council are to be lodged in the format provided for this purpose as appearing in Schedule C.
- 21.3 No action will be taken to implement a resolution on which a notice to rescind or amend the resolution has been given pursuant to clause 21.1.
- 21.4 A notice of motion to rescind or amend a previous resolution of Council shall be deemed to have been withdrawn if not moved at the next meeting at which such business may be transacted.
- 21.5 A Councillor may not propose a motion to rescind or amend a resolution of the Council which has been acted upon.
- 21.6 A resolution will be considered as having been acted upon once its details have been formally communicated to persons affected by or reliant on the resolution or where a statutory procedure has commenced or been carried out.
- 21.7 A second or subsequent notice to rescind or amend an earlier resolution must not be accepted by the Chief Executive Officer until a period of three months has elapsed since the date of the meeting at which the previous motion of rescission or amendment was dealt with.

22 Formal or Procedural Motions

- 22.1 Formal or procedural motions, unless otherwise prohibited, may be moved at any time and shall be dealt with in accordance with Schedule C.
- 22.2 Formal or procedural motions require a seconder.
- 22.3 Debate on a formal or procedural motion is not permitted and the mover does not have a right of reply.
- 22.4 A formal motion cannot be amended.

23 Urgent Business

- 23.1 Business must not be admitted as urgent business unless:
 - 23.1.1 It relates to or arises out of a matter which has arisen since distribution of the agenda; and
 - 23.1.2 It cannot safely or conveniently be deferred until the next Ordinary meeting; and
 - 23.1.3 The Council resolves to admit an item considered to be urgent business.
- 23.2 Items of urgent business are to be supported by an officer's report.
- 23.3 Notices of motion will not be admitted into urgent business and will be dealt with in accordance with clause 20.
- 23.4 Unless a majority of Councillors present resolve to deal with another matter as Urgent Business, no business can be transacted at a Council meeting unless it appears on the agenda.

24 Reports from Officers

- 24.1 Any report(s) by Officers to a Council meeting must contain a recommendation except for a report responding to a notice of motion, and be in the appropriate report style format.
- 24.2 When Officer reports are before a Council meeting and after all Councillors have asked any questions in relation to the report, the Chairperson must then ask a Councillor to move an appropriate motion. If the motion is seconded the motion is dealt with in the normal manner.

25 Reports from Committees

- 25.1 Any report(s) by a Special Committee or an Advisory Committee to a Council meeting must contain a recommendation and must be listed on the next scheduled Council meeting agenda.
- 25.2 When the report(s) of a Committee is before a Council meeting:
 - 25.2.1 The Chairperson must ask whether any Councillor wishes to speak to any report and record the item number of any such report; and
 - 25.2.2 After all Councillors have indicated the reports which they wish to speak to, the Chairperson may ask for a motion to adopt all reports to which no requests to speak have been expressed and proceed to deal with that motion.
 - 25.2.3 The Chairperson of the Audit and Risk Committee may request a report be tabled at any Council meeting.

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26 Councillors seeking Leave of Absence

- 26.1 Any Councillor seeking leave of absence for a period of time from Council duties must do so and provide the reason for the leave of absence at a prior Council meeting or, if this is not practicable, the Councillor must give the Chief Executive Officer written notice of their intention to do so and the stated reason prior to the Council meeting.
- 26.2 A Councillor who will be absent from a Council meeting but who does not intend to seek leave of absence, should convey their apology to the Mayor's office beforehand to enable the apology to be disclosed to the meeting.
- 26.3 In the event that a Councillor is incapacitated or unable to provide written notice of their intention to seek a leave of absence from Council, the Mayor shall provide this written notice to the Chief Executive Officer including the stated reason, prior to the Council meeting.

27 Confidential Reports

(Pursuant to Section 89 of the Act.)

- 27.1 The Chief Executive Officer must ensure that a report is classified as confidential if the Chief Executive Officer considers it has been prepared for consideration in respect of a matter which is expected to be the subject of a resolution under section 89(2) of the Act to close the Council meeting to the public while that report is discussed.
- 27.2 The Chairperson must call for a motion to close the meeting to the public and this motion must be carried prior to commencing any business pertaining to confidential reports. The time of this motion must be recorded in the minutes of the meeting.
- 27.3 The motion must contain the reasons why the meeting is being closed to the public by referencing that it is pursuant to section 89(2) of the Local Government Act and inserting the appropriate clause for each closed item. All confidential reports to be considered must be listed as part of this motion.
- 27.4 The Chairperson must advise those present in the public gallery that an item is required to be considered in a closed meeting and request that they vacate the chamber while the confidential matter(s) is discussed and determined.
- 27.5 The Chairperson must call for a motion to re-open the meeting to the public. This motion must be carried and the time recorded in the minutes of the meeting.
- 27.6 If an item or recommendation is to be moved out of the closed part of the meeting:
 - 27.6.1 The Chairperson must call for a motion to move all or part of the item or items into open Council; and
 - 27.6.2 That report or section must be included in the minutes of the Ordinary meeting showing the Council decision that was made in the closed section of the meeting.
- 27.7 All items that are considered confidential pursuant to Section 89 of the Act remain confidential, inclusive of report content, recommendations, motions, and resolutions until Council has passed a resolution that specifying that all or part of the information is no longer confidential.

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PART 5 - CONDUCT OF DEBATE AND RULES OF SPEAKING

28 Addressing the Council Meeting

- 28.1 Councillors and any other person addressing the Chair must refer to the Chairperson as:
- 28.1.1 'Madam Mayor'; or
 - 28.1.2 'Mr Mayor'; or
 - 28.1.3 'Madam Chair'; or
 - 28.1.4 'Mr Chair'
- As the case may be.
- 28.2 All Councillors other than the Mayor must be addressed as Councillor (surname).
- 28.3 All members of Council staff must be addressed as Mr or Ms (surname) as appropriate or by their official title.

29 Priority of Address

- 29.1 In the case of competition for the right to speak, the Chairperson must decide the order in which the Councillors concerned will be heard.

30 Time Limits

- 30.1 A Councillor must not speak longer than the time set out below, unless granted an extension by the Chairperson:
- 30.1.1 The mover of a motion or an amendment: 5 minutes;
 - 30.1.2 Any other Councillor: 3 minutes; and
 - 30.1.3 The mover of a motion exercising a right of reply: 2 minutes.

31 Debate

- 31.1 Councillors may stand to address the Chairperson, to move or second a motion or amendment, or to take part in a debate.
- 31.2 The Councillor acknowledged by the Chairperson is to speak and must not be interrupted unless:
- 31.2.1 He or she is called to order; or
 - 31.2.2 His or her speaking time has expired; or
 - 31.2.3 A point of order is raised; or
 - 31.2.4 A formal motion is moved.
- 31.3 Councillors must designate each other by their official titles during debate and throughout the meeting.

32 Conduct of Meetings

- 32.1 A motion or an amendment to a motion must:
- 32.2.1 Not be defamatory;
 - 32.2.2 Not be objectionable in language or nature;
 - 32.2.3 Relate to the powers or functions of Council;
 - 32.2.4 Be in writing, if requested by the Chairperson;
 - 32.2.5 Except in the case of urgent business, be relevant to an item of business on the agenda; and
 - 32.2.6 Be moved and seconded, otherwise it lapses.
- 32.3 The Chairperson may refuse to accept any motion, amendment or question which contravenes subclause 32.2 or which:
- 32.3.1 Is not relevant to the item of business on the Agenda and has not been admitted as urgent business; or
 - 32.3.2 Purports to be an amendment but is not consistent with clause 35 and relevant subclauses.
- 32.4 A motion or amendment cannot be withdrawn without the consent of the meeting.

33 Procedures with Respect to Seeking Clarification or Asking Questions of Officers

- 33.1 Officers will support the meeting process through provision of reports for the agenda and Councillors should make every effort to seek clarification from officers in advance of the meeting.
- 33.2 Where Councillors need to seek clarification by asking questions of officers during the meeting, that were not able to be asked prior to the meeting, such questions need to be:
- 33.2.1 Directed through the CEO;
 - 33.2.2 Relevant to an item on the agenda;
 - 33.2.3 Seeking genuine clarification of a matter that is not already addressed in the officer's report;
 - 33.2.4 Not objectionable in language, nature or tone;
 - 33.2.5 Not intended to draw officers into debating a matter or justifying a recommendation; and

4.1 Adoption of Local Law No. 2 of 2019 - Council Meeting Procedures and Common Seal

- 33.2.6 Not seek re-iteration of an answer that was provided prior to the meeting;
- 33.2.7 Not designed to canvass matters or disseminate information to the public.

34 Procedures with Respect to Recommendations and Motions

- 34.1 The Chairperson will summarise the report recommendation.
- 34.2 The Chairperson will call for a mover and seconder.
- 34.3 If there is no mover and/or seconder the motion lapses.
- 34.4 The Chairperson shall ask immediately after a motion is moved and seconded and after the mover has spoken to the motion (or deferred speaking), whether it is opposed. If no opposition is indicated the Chairperson may then put it to the vote, without debate.
- 34.5 The mover of a motion has the right of reply with respect to the debate on his or her motion immediately before the vote is taken, but that right of reply is lost if an amendment to the motion is carried.
- 34.6 Apart from the mover's right of reply referred to in sub-clause 34.5 a Councillor may only speak once on the motion.
- 34.7 The mover of a motion must not introduce new material when exercising any right of reply.

35 Procedures with Respect to Amendments and Foreshadowed Motions

- 35.1 No notice needs to be given of any amendment to a motion.
- 35.2 Amendments must be dealt with one at a time.
- 35.3 An amendment must be relevant to the motion upon which it is moved.
- 35.4 An amendment must not amount to a direct contradiction of the motion.
- 35.5 The mover or seconder of a motion cannot move an amendment to it.
- 35.6 A second or subsequent amendment cannot be moved until the immediately preceding amendment is disposed of, unless both the mover and seconder of the original amendment agree to this.
- 35.7 A Councillor proposing an amendment must first state briefly the nature of the amendment and then move it, without speaking to it.
- 35.8 Chairperson is to ask for seconder.
- 35.9 If the amendment is not seconded the amendment lapses for want of a seconder.
- 35.10 After the amendment has been seconded the Chairperson must call upon the mover of the amendment to speak to the amendment.
- 35.11 After the mover of the amendment has spoken the Chairperson must call upon the seconder to speak to the amendment. The seconder can reserve their right.
- 35.12 After the mover and seconder of the amendment have spoken the Chairperson must call upon any other Councillor who may wish to speak to the amendment.
- 35.13 After any other Councillor has spoken to the amendment or if no Councillor has indicated an intention to speak the Chairperson will put the amendment to the vote.
- 35.14 If the amendment effectively negates the substance of the motion before the Chair, it is ruled to be a foreshadowed motion and shall only be considered in the event that the motion before the Chair is lost.
- 35.15 If an amendment is adopted it becomes the substantive motion and, as such, shall be put to the vote by the Chairperson, or be subject to amendment.
- 35.16 A Councillor cannot move more than two (2) amendments in succession.
- 35.17 With the leave of the Chairperson another amendment or a new motion can be foreshadowed by any Councillor stating in brief terms the nature of it.
- 35.18 A Councillor can only speak once on the amendment.

36 Interruptions, Interjections, Questions and Relevance

- 36.1 A Councillor must not be interrupted except by the Chairperson or upon a point of order or personal explanation.
- 36.2 If a Councillor is interrupted by the Chairperson or upon a point of order or personal explanation, he or she must remain silent until the Chairperson has ceased speaking, the point of order has been determined or the personal explanation has been given (as appropriate).
- 36.3 Questions are not to be asked between moving and seconding a motion except to seek clarification on the motion received.
- 36.4 A Councillor must not digress from the subject matter of the motion or business under discussion.

37 Repeating Motion, Amendment or Question

- 37.1 Before any matter is put to the vote, a Councillor may require that the question, motion or amendment be read again.

4.1 Adoption of Local Law No. 2 of 2019 - Council Meeting Procedures and Common Seal

- 37.2 The Chairperson without being so requested may direct the Chief Executive Officer (or other person authorised by the Chief Executive Officer) to read the question, motion or amendment to the meeting before the vote is taken.

38 Adjournment & Resumption of Adjourned Debate

- 38.1 The Council may by resolution adjourn a meeting to a later time on the day for which the meeting was called or for a period not exceeding seven (7) days.
- 38.2 When a motion to adjourn a meeting is before the Council, the Chairperson must not allow discussion on the motion to adjourn. If the Council fails to pass the motion to adjourn, the Chairperson must resume the meeting at the item of business under consideration.
- 38.3 The Chief Executive Officer must deliver written notice of an adjourned meeting to all Councillors, except when the meeting is adjourned to a later time on the same day, in which case any form of notice may be given to all Councillors.
- 38.4 If a debate is adjourned by motion, the Councillor moving the adjournment has the right to be the first speaker upon the resumption of debate unless he or she has already spoken to the motion or amendment.

39 Voting

(Pursuant to Section 90 of the Act.)

- 39.1 Except where a Councillor may call for a division, Councillors must remain seated in silence while a vote is being taken.
- 39.2 Unless this Local Law provides otherwise or Council otherwise determines, voting must be by a show of hands.
- 39.3 The Chairperson may direct that the vote be recounted as often as may be necessary for him or her to satisfy himself or herself of the result.
- 39.4 A Councillor can abstain from voting however, the decision to do so should not be taken lightly. Not participating in decisions taken by Council could be seen as an abrogation of a Councillor's oath of office and responsibility to represent the community.

40 Division

- 40.1 Immediately after any motion, amendment or question is put to a meeting and before the next item of business has commenced, a Councillor may call for a division.
- 40.2 When a division is called, the Chairperson must:
- 40.2.1 First ask each Councillor wishing to vote for the motion to stand. The Chairperson must then state, and the Chief Executive Officer (or person authorised by the Chief Executive Officer to take the minutes of the meeting) must record the names of those Councillors voting for the motion;
 - 40.2.2 Then ask each Councillor wishing to vote against the motion to stand. The Chairperson must then state, and the Chief Executive Officer (or person authorised by the Chief Executive Officer to take the minutes of the meeting) must record the names of those Councillors voting against the motion;
 - 40.2.3 Then if not all Councillors have declared either for or against the motion, ask each Councillor wishing to abstain to stand. The Chairperson must then state, and the Chief Executive Officer (or person authorised by the Chief Executive Officer to take the minutes of the meeting) must record the names of those Councillors abstaining from voting.
- 40.3 The Chairperson must declare the result of the vote or division as soon as it is taken.

41 Recording of Opposition or Support for Motion

- 41.1 Any Councillor may request that his or her opposition to, or support for, a motion adopted by the meeting be recorded. It must then be recorded in the minutes of the Council meeting.

42 Recording of Proceedings

- 42.1 Council will record the proceedings at each Council meeting, unless there is a specific resolution not to do so, and may livestream recordings of open Council meetings. This will take whatever form the Council has decided.
- 42.2 Except where Council conducts the recording, no video or audio recording of proceedings of Council meetings shall be permitted without specific approval by resolution of the meeting.
- 42.3 Council will also make the recordings of open Council meetings subsequently available to the public.

4.1 Adoption of Local Law No. 2 of 2019 - Council Meeting Procedures and Common Seal

43 Points of Order

- 43.1 A point of order is an objection that the motion, amendment or statement made is:
- 43.1.1 Contrary to this Local Law;
 - 43.1.2 Defamatory;
 - 43.1.3 Irrelevant;
 - 43.1.4 Improper; or
 - 43.1.5 Outside Council's legal powers and may be made despite the fact that the Councillor or Chairperson is speaking at the time.
- 43.2 A point of order must be taken by stating:
- 43.2.1 The matter complained of; and
 - 43.2.2 The reason constituting the point of order;
- 43.3 The Chairperson may raise a point of order without it having been made by a Councillor.
- 43.4 When called to order, a Councillor must remain silent until the point of order is decided unless he or she is requested by the Chairperson to provide an explanation.
- 43.5 The Chairperson may adjourn the meeting to consider a point of order but must otherwise rule upon it as soon as it is taken.
- 43.6 The Chairperson must, when ruling on a point of order, give reasons for the ruling.
- 43.7 The Chairperson's ruling shall be final unless the majority of Councillors present at the meeting vote in favour of a motion of dissent that is moved and seconded immediately after the Chairperson's ruling is given.
- 43.8 A motion of dissent must state the provision or practice in substitution for the Chairperson's ruling.
- 43.9 A motion of dissent that is carried must be acted upon by the Chairperson.
- 43.10 Only the mover of a motion of dissent and the Chairperson can speak to the motion before it is put. The mover of the motion does not have a right of reply.
- 43.11 The Chairperson is not required to vacate the chair.

44 Suspension of Standing Orders

- 44.1 The provisions of this Local Law, except the quorum requirements applying under clause 12, may be suspended for any part of a meeting at the Chairperson's discretion. The Chairperson can accept a motion to suspend standing orders where he/she believes the Councillors or Public Gallery need a break due to the intensity or length of the meeting, or to seek technical advice from a person not listed as an official attendee. Such suspension would normally be for five minutes or less.
- 44.2 A suspension is not intended for Councillors to discuss the issue or seek to reach agreement outside a formal debate.
- 44.3 No motion, except one which proposes the resumption of standing orders, may be accepted by the Chairperson or be lawfully dealt with during any suspension of standing orders.
- 44.4 Resumption of standing orders should occur as soon as possible after any discussion or break is concluded.

45 Chairperson's Right to Speak

- 45.1 The Chairperson may address a meeting upon any matter under discussion, following presentations by all Councillors, and is not deemed to have left the Chair on such occasions. The Chairperson may physically 'step away' from the Chair to make their point in a discussion in which case they are not deemed to have left the Chair.
- 45.2 The Chairperson may choose to vacate the Chair for the duration of any item under discussion whereupon a temporary Chairperson (usually the Deputy Mayor) or other Councillor elected by the meeting through resolution shall take the Chair until such item has been disposed of.

46 Clarification by Chief Executive Officer or another member of Council staff

- 46.1 With the prior consent, or at the request of the Chairperson, the Chief Executive Officer or a member of Council staff may address any item to clarify a statement made by a Councillor during the course of debate.

47 Ordering Withdrawal of Remark

- 47.1 The Chairperson may require a Councillor to withdraw any remark which is defamatory, indecent, abusive, offensive, disorderly or objectionable in language, substance or nature.
- 47.2 A Councillor required to withdraw a remark must do so immediately without qualification or explanation.

4.1 Adoption of Local Law No. 2 of 2019 - Council Meeting Procedures and Common Seal

48 Suspensions

(Pursuant to Section 66 of the Act)

- 48.1 Council may by resolution suspend from a meeting, and for the balance of the meeting, any Councillor whose actions have disrupted the business of Council, and have impeded its orderly conduct, provided the Councillor in question has received an initial warning from the Chairperson that his/her conduct is, in the Chairperson's opinion, impeding the orderly conduct of the meeting.

49 Chairperson may Adjourn Disorderly Meeting

- 49.1 If the Chairperson is of the opinion that disorder at the Council table or in the gallery makes it desirable to adjourn the meeting, he or she may adjourn the meeting to a later time on the same day or to some later day as he or she thinks proper.

50 Public Behaviour

- 50.1 Any member of the public addressing Council must extend courtesy and respect to the Council and the processes under which it operates and must take direction from the Chairperson whenever called on to do so.

51 Removal from Chamber or Meeting Room

- 51.1 The Chairperson, may ask any Authorised Officer, member of the Police Force or person appointed by Council to maintain security, to remove from the Chamber or meeting room any person who acts in breach of this Local Law.

4.1 Adoption of Local Law No. 2 of 2019 - Council Meeting Procedures and Common Seal

PART 6 - COMMITTEES

*The purpose of this Division is to regulate proceedings at Committee meetings.
(Pursuant to Section 86 of the Act.)*

Part 1 – Special Committees

52 Application Generally

- 52.1 Except as provided in this Part, if Council establishes a Special Committee, all of the provisions of this Local Law shall apply with any necessary modifications.
- 52.2 For the purposes of clause 52.1, a reference to:
- 52.2.1 A Council Meeting is to be read as a reference to a meeting of the Special Committee; and
- 52.2.2 The Mayor is to be read as a reference to the Chairperson of the Special Committee.
- 52.3 The following provisions of this local law do not apply to Special Committees:
- 52.3.1 All of Part 2
- 52.3.2 Part 4, clauses 18 and 19 (Petitions and Public Question Time)
- 52.4 Public participation in a meeting of a Special Committee shall be permitted in accordance with guidelines and policies adopted by Council from time to time.

53 Quorum

- 53.1 The quorum of a meeting of a Special Committee is the number fixed by Council, being at least a majority, or if no number has been fixed, a majority of the number of members of the Committee.

54 Addressing a Special Committee Meeting

- 54.1 It is not necessary for a Member to rise when addressing a Special Committee meeting.

55 Hearing of Submissions

- 55.1 Where Council has set up a Hearing of Submissions Committee to hear public submissions, the following procedures shall apply:
- 55.1.1 Submissions must be provided by the deadline specified in the public notice/advertisement. For submissions made under the Planning and Environment Act 1987, late speakers may be accepted up to 10am on the day of the Hearing of Submissions meeting.
- 55.1.2 Submitters will be allocated a maximum of 5 minutes to speak to their submission, and applicants a maximum of 10 minutes.
- 55.1.3 In the case of joint submissions, a maximum of 5 minutes will be allocated per submission and one person shall be nominated to speak on behalf of the submitters.
- 55.1.4 Requests for variations to the process outlined above shall be decided by the Committee.

56 Application Specifically

- 56.1 Despite subclause 52.1 if Council establishes a Special Committee, Council may resolve that any provisions contained within this Local Law do not apply.

Part 2 – Advisory Committees

57 Application Specifically

- 57.1 If Council establishes an Advisory Committee, Council may resolve that various provisions of this Local Law apply to that Advisory Committee with any necessary modifications.

4.1 Adoption of Local Law No. 2 of 2019 - Council Meeting Procedures and Common Seal

PART 7 – COMMON SEAL

The purpose of this Part is to regulate the use of the Common Seal, which is a device which formally and solemnly records the collective will of the Council. The purpose of this Part is to prohibit the use of the Common Seal or any device resembling the Common Seal, as required by section 5 (3)(b) and (c) of the Act.

58 Common Seal

- 58.1 The Council must authorise the use of the Common Seal by resolution.
- 58.2 The Common Seal and words to be used accompanying it on any document to which it is affixed are as follows:

*The COMMON SEAL of SURF COAST)
SHIRE COUNCIL was affixed in the) [Affix common seal here]
presence of:)*

.....
Chief Executive Officer

.....
Mayor/Deputy Mayor

- 58.3 The Chief Executive Officer and, either the Mayor or Deputy Mayor of the day, must sign every document to which the Common Seal is affixed. The Common Seal may only be used to sign, seal, issue, revoke or cancel any notice, document, order or agreement pursuant to a decision of Council.
- 58.4 It is an offence for a person to use the Common Seal or any device or representation resembling the Common Seal without authority given by resolution of the Council.
- 58.5 The Chief Executive Officer must keep the Common Seal in safe custody at all times.

4.1 Adoption of Local Law No. 2 of 2019 - Council Meeting Procedures and Common Seal

PART 8 – OFFENCES AND PENALTIES

59 Offences

It is an offence:

- 59.1 For a Councillor to not withdraw an expression which is considered by the Chairperson to be defamatory, indecent, abusive, offensive, disorderly or objectionable, and to not satisfactorily apologise when called upon twice by the Chairperson to do so.
Infringement Notice Penalty: 2 units
Penalty: 5 penalty units
- 59.2 For any person, not being a Councillor, who is guilty of any improper or disorderly conduct to not leave the meeting when requested by the Chairperson to do so.
Infringement Notice Penalty: 2 units
Penalty: 5 penalty units
- 59.3 For any person, not being a Councillor, who is guilty of any improper or disorderly conduct at the meeting.
Infringement Notice Penalty: 2 units
Penalty: 5 penalty units
- 59.4 For any person to fail to obey a direction of the Chairperson relating to the conduct of the meeting and the maintenance of order.
Infringement Notice Penalty: 2 units
Penalty: 5 Penalty Units
- 59.5 For a Councillor to refuse to leave the chamber on suspension.
Infringement Notice Penalty: 2 units
Penalty: 5 Penalty Units
- 59.6 For any person to use the common seal of Council or any device resembling the common seal without the authority of Council.
Infringement Notice Penalty: 10 units
Penalty: 20 penalty units

60 Infringement Penalties

- 60.1 If an offence is committed against this Local Law, the Chairperson shall request the Chief Executive Officer to issue to the offender an infringement notice in a form approved by Council for the relevant number of penalty units as an alternative to a prosecution for the offence.
- 60.2 To avoid prosecution, a person to whom an infringement notice has been issued must pay to Council the amount specified in the notice within 28 days.
- 60.3 A person in receipt of an infringement notice is entitled to disregard the notice and defend a prosecution in court.

4.1 Adoption of Local Law No. 2 of 2019 - Council Meeting Procedures and Common Seal

This Local Law was made by resolution of the Surf Coast Shire Council on 28 May 2019.

*The COMMON SEAL of SURF COAST)
SHIRE COUNCIL was affixed in the)
presence of:)*

.....
Chief Executive Officer

.....
Mayor/Deputy Mayor

4.1 Adoption of Local Law No. 2 of 2019 - Council Meeting Procedures and Common Seal

SCHEDULE A – PUBLIC QUESTION TIME FORM



Public questions will be considered by Council at an ordinary Council meeting subject to receipt by 10am on the day of the meeting. Questions can be emailed to info@surfcoast.vic.gov.au, faxed to 5261 0525 or hand delivered to Council's Offices, 1 Merrijig Drive, Torquay.

All questions must be as brief as possible and no greater than 200 words in length, inclusive of any supporting or contextual information.

Public question time runs for up to 30 minutes prior to consideration of the formal Agenda by Council. Questions will be considered in the following order:

1. Questions with Notice that relate to items on the agenda coming before Council on the night.
2. Questions with Notice that relate to other matters not relating to the agenda.

Questions received without notice (ie received after 10am on the day of the meeting) will be addressed in accordance with clause 19.3 of Local Law No. 2 – Council Meeting Procedures & Common Seal. The question will not be read, recorded or responded to at the meeting without a resolution of Council.

Personal Information

Date:

Surname:

First Name:

Postal address:

Suburb:

Post Code:

Phone:

Mobile:

Email:

Suburb to be disclosed: Yes No

IMPORTANT INFORMATION: Please note that as required by Council's Local Law, your name and address will be read out in a public meeting and form part of the minutes of the Council meeting. If you desire that only your name, and not your address, is to be called, please indicate this above.

Questions

Date of Council meeting:

Subject:

Question(s) (Please note: There is a limit of two questions per person, per meeting)

[Insert Council's Privacy Statement]

4.1 Adoption of Local Law No. 2 of 2019 - Council Meeting Procedures and Common Seal

SCHEDULE B - NOTICE OF MOTION



This form lodges a notice of intention to move a motion in accordance with clause 20 of Local Law No.2 – Council Meeting Procedures and Common Seal.

Note – Proposed motion and rationale not to exceed 500 words

I, Councillor _____ give notice of my intention to move the following motion at the Ordinary Meeting of Council to be held on ____ / ____ / _____, namely:

(Insert wording of motion)

Rationale

(To be signed by Councillor lodging this notice and one other Surf Coast Shire Councillor)

COUNCILLOR

COUNCILLOR

Chief Executive Officer to complete

This notice was received by me at _____ am/pm on _____

CHIEF EXECUTIVE OFFICER

4.1 Adoption of Local Law No. 2 of 2019 - Council Meeting Procedures and Common Seal

SCHEDULE C – NOTICE OF MOTION TO RESCIND OR AMEND



NOTICE OF MOTION TO RESCIND OR AMEND

This form lodges a notice of intention to move that a resolution passed by Council be rescinded or amended in accordance with Clause 21 of Local Law No.2 – Council Meeting Procedures and Common Seal.

I, Councillor _____ give notice of my intention to move at the Ordinary Meeting of Council to be held on ____ / ____ / _____ that the resolution of Council passed on ____ / ____ / _____, namely:

(Wording of resolution proposed to be amended/rescinded)

be rescinded OR amended *(Please tick one box)*

and subject to that motion being carried, in its place, Or _____

proposes to move that Council:

(Wording of proposed motion to replace/amend above)

(To be signed by Councillor lodging this notice and two other Surf Coast Shire Councillors)

COUNCILLOR

COUNCILLOR

COUNCILLOR

Chief Executive Officer to complete

This notice was received by me at _____ am/pm on _____

CHIEF EXECUTIVE OFFICER

4.1 Adoption of Local Law No. 2 of 2019 - Council Meeting Procedures and Common Seal

SCHEDULE D - FORMAL MOTIONS PROCEDURE AND EFFECT

FORMAL MOTION	FORM	WHO CAN MOVE OR SECOND	IS A SECONDER REQUIRED	MATTERS IN RESPECT OF WHICH MOTION MAY BE MOVED	EFFECT IF CARRIED	EFFECT IF LOST	WHEN MOTION PROHIBITED
Adjournment of debate to later hour/date	That this matter be adjourned until...	Any Councillor	Yes	Any matter except where prohibited	Motion and amendments postponed to the stated time/date.	Debate continues unaffected	(a) During the election of the Chairperson (b) When another Councillor is speaking
Adjournment of debate indefinitely	That this matter be adjourned until further notice.	Any Councillor	Yes	Any matter except where prohibited	Motion and amendments postponed but may be resumed: (a) At the same meeting upon motion to resume (b) At any later meeting if on the Agenda.	Debate continues unaffected.	(a) During the election of the Chairperson (b) when another Councillor is speaking (c) when the matter is one in respect of which a call of Council has been made (d) When a motion would have the effect of causing Council to be in breach of a legislative requirement
Adjournment of meeting to later hour/date	That this meeting be adjourned until...	Any Councillor	Yes	Any matter except where prohibited	As per adjournment of debate	Debate continues unaffected	As for adjournment of debate
Adjournment of meeting indefinitely	That this meeting be adjourned until further notice.	Any Councillor	Yes	Any matter except where prohibited	Meeting adjourns until further notice.	Debate continues unaffected	(a) During the election of the Chairperson (b) when another Councillor is speaking (c) During a meeting which is a call of the Council.

4.1 Adoption of Local Law No. 2 of 2019 - Council Meeting Procedures and Common Seal

SCHEDULE D (Cont)

FORMAL MOTION	FORM	WHO CAN MOVE OR SECOND	IS A SECONDER REQUIRED	MATTERS IN RESPECT OF WHICH MOTION MAY BE MOVED	WHEN MOTION PROHIBITED	EFFECT IF CARRIED	EFFECT IF LOST
The closure	That the question be now put.	A Councillor who has not moved, seconded or spoken to the motion or any amendment of it	Yes	Any matter except where prohibited	During nominations for Chairperson (A closure motion shall not be accepted by the Chairperson unless the Chairperson considers there has been sufficient debate for and against the original motion or amendment)	Motion or amendment in respect of which the closure carried is put to the vote immediately, without further debate, subject to any Councillor exercising his or her right to ask any question concerning or arising out of the motion	Debate continues unaffected
Proceeding to the next item of business	That the meeting proceed to the next item of business.	A Councillor who has not moved, seconded or spoken to the motion or any amendment of it	Yes	Any matter except where prohibited	(a) During the election of the Chairperson (b) When another Councillor is speaking (c) During a meeting which is a call of the Council (d) When a motion would have the effect of causing Council to be in breach of a legislative requirement	(a) If carried in respect to a formal motion, its effect is to remove that motion from consideration – no vote or further discussion on the motion until it is places on an Agenda for a later Council Meeting (b) If carried in respect to an amendment, its effect is to dispose of the amendment and debate resumes upon the motion.	Debate resumed at point of interruption and continues unaffected

1. PETITIONS & JOINT LETTERS

1.1 Petition Requesting - Future use of Former Winchelsea Shire Hall

Author's Title: Recreation Officer
Department: Recreation & Open Space Planning
Division: Culture & Community

General Manager: Chris Pike
File No: F18/1865
Trim No: IC19/647

Appendix:

1. 103370 - Future Use of Winchelsea Shire Hall_Redacted (D19/58928)

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 petition requesting that Council review the future use of the former Winchelsea Shire Hall.

The petition consists of 289 signatures.

Recommendation

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

1. Receives and notes the petition requesting that Council review the future use of the former Winchelsea Shire Hall.
2. Refers the petition to the General Manager Culture and Community for consideration.
3. Requires a report on the petition be presented to the 25 June 2019 Ordinary Council Meeting.

Amended Recommendation

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

1. Receives and notes the petition requesting that Council review the future use of the former Winchelsea Shire Hall.
2. Refers the petition to the General Manager Culture and Community for consideration.
3. Requires a response to the petition be included in the report on the findings of the Winchelsea Former Shire Hall Community Working Group to be presented to the 23 July 2019 Ordinary Council Meeting.

Council Resolution

MOVED Cr Clive Goldsworthy, Seconded Cr Heather Wellington

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

1. Receives and notes the petition requesting that Council review the future use of the former Winchelsea Shire Hall.
2. Refers the petition to the General Manager Culture and Community for consideration.
3. Requires a response to the petition be included in the report on the findings of the Winchelsea Former Shire Hall Community Working Group to be presented to the 23 July 2019 Ordinary Council Meeting.

CARRIED 6:0

2. RESPONSIBLE & PLANNING AUTHORITIES

2.1 Planning Scheme Amendment C128surf - Miscellaneous Corrections of Anomalies in the Surf Coast Planning Scheme

Author's Title: Principal Strategic Planner

General Manager: Matthew Taylor

Department: Strategic Planning

File No: F18/1564

Division: Environment & Development

Trim No: IC19/386

Appendix:

1. Surf Coast C128surf Explanatory Report Adopted (D19/70257)
2. Amendment C128surf - Summary of Submitters (D19/64926)

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 submissions received following public exhibition of Amendment C128surf to the Surf Coast Planning Scheme and to consider adoption of the amendment.

Summary

Amendment C128surf seeks to amend various provisions in the Surf Coast Planning Scheme to correct a number of miscellaneous items by making mapping and ordinance changes. Appendix 1 provides a list of the miscellaneous changes to the Planning Scheme and the specific land affected.

At its ordinary meeting of 29 June 2018, Council resolved to seek ministerial authorisation to prepare and exhibit the amendment. The amendment was publicly exhibited from 28 February 2019 until 1 April 2019. Five submissions were received to the amendment, none of which raised any objections. Appendix 2 provides a summary of the submissions and Council officer response, where relevant.

A number of minor consequential changes have been made to the amendment since public exhibition. These changes have been incorporated into the final amendment documentation and are described in the discussion section of this report.

Following public exhibition and the consideration of submissions, it is recommended that Council adopt amendment C128surf as exhibited, subject to the minor changes outlined in this report.

Recommendation

That Council:

1. Adopts amendment C128surf as exhibited, subject to the following changes:
 - 1.1. Retaining schedule 12 to the Development Plan Overlay 12 (DPO12) on the land formerly known as the former Anglesea Primary School.
 - 1.2. Removal of Crown Allotment 8D at 460 Bambra-Aireys Inlet Road, Boonah from land to be rezoned from the Public Conservation and Resource Zone (PCRZ) to the Farming Zone (FZ).
2. Forwards the adopted amendment C128surf to the Minister for Planning for approval pursuant to Section 31 of the *Planning and Environment Act 1987*.

Council Resolution

MOVED Cr Heather Wellington, Seconded Cr Margot Smith

That Council:

1. Adopts amendment C128surf as exhibited, subject to the following changes:
 - 1.1. Retaining schedule 12 to the Development Plan Overlay 12 (DPO12) on the land formerly known as the former Anglesea Primary School.
 - 1.2. Removal of Crown Allotment 8D at 460 Bambra-Aireys Inlet Road, Boonah from the parcels of land identified for rezoning from the Public Conservation and Resource Zone (PCRZ) to the Farming Zone (FZ).
2. Forwards the adopted amendment C128surf to the Minister for Planning for approval pursuant to Section 31 of the *Planning and Environment Act 1987*.

CARRIED 6:0

2.1 Planning Scheme Amendment C128surf - Miscellaneous Corrections of Anomalies in the Surf Coast Planning Scheme

Report

Background

Planning scheme amendment C128surf seeks to correct various miscellaneous items (both maps and ordinance) in the Surf Coast Planning Scheme. The amendment is part of Council's continuous improvement process of the Surf Coast Planning Scheme and is considered to be a 'tidy-up' of the planning scheme that is undertaken on a regular basis. The amendment makes changes to multiple planning scheme provisions which affect specific properties and respective areas within the municipality. It also modifies a number of clauses to ensure consistency with the Ministerial Direction on the Form and Content of Planning Schemes and the new structure of Planning Schemes as introduced by Amendment VC148. The various mapping and ordinance changes are described in Appendix 1.

Following Council's resolution at its meeting on 29 June 2018 to seek ministerial authorisation to prepare and exhibit the amendment, authorisation was received from the Department of Environment, Land, Water and Planning (DELWP) on 31 January 2019 to exhibit the amendment.

The amendment was placed on public exhibition from 28 February 2019 to 1 April 2019. Notices were sent to all owners/occupiers affected by specific changes and notice of the amendment was published in the local newspaper (Surf Coast Times) and the Government Gazette on 28 February 2019. The amendment was also available for viewing on Council's website and DELWP's website.

As a consequence of the exhibition, a total of five submissions were received to the amendment. No objections were received. A Hearing of Submissions was scheduled to take place on 16 April 2019 but did not take place as no request to be heard was received from submitters.

Discussion

Enquiries

During the exhibition period a number of verbal enquiries were received. These generally asked for clarification regarding specific parts of the amendment, which were satisfactorily addressed by Council officers.

Five email enquiries were also received regarding the amendment in relation to the specific sites in Anglesea, Deans Marsh and Lorne. Upon satisfying the enquiries, Council officers received confirmation from the interested parties that they did not constitute formal submissions to the amendment.

Submissions

A total of five submissions were received to the amendment. Appendix 2 provides a summary of the submissions and Council officer response, where relevant.

Four submissions were from Government agencies and service providers. DELWP, Barwon Water, Department of Transport and First Nations Legal and Research Services all raised no objections to the amendment.

One submission was received from an affected landowner in relation to the rezoning of licensed land for commercial plantation forestry in Boonah, Wensleydale and Bamba from Public Conservation and Recreation Zone (PCRZ) to the Farming Zone (FZ). The submission supported the proposed rezoning of the affected land.

As there are no unresolved submissions to the amendment, a request to the Minister for Planning to appoint an Independent Panel is not required.

2.1 Planning Scheme Amendment C128surf - Miscellaneous Corrections of Anomalies in the Surf Coast Planning Scheme

Post exhibition changes

Since exhibiting the amendment, it has come to light that a number of consequential changes are required to the amendment. These consist of the following:

1. Retaining schedule 12 to the Development Plan Overlay 12 (DPO12) on the land formerly known as the former Anglesea Primary School.

As exhibited, the amendment proposed the deletion of DPO12. The original intent of DPO12 was to require the preparation of a Development Plan prior to the development of the land to co-ordinate and guide its future use and development.

It was initially considered that as the Development Plan has been approved and that a plan of subdivision has been approved with subdivision of the land undertaken in accordance with the Development Plan, DPO12 was redundant and no longer required.

However, during exhibition it was identified that there are unforeseen consequences to removing the Development Plan Overlay. The *Anglesea Design Guidelines, 22-28 Camp Road, Anglesea* form part of the approved Development Plan. These guidelines introduced a set of design standards that assist in implementing various character objectives. They provide variations to the Neighbourhood Character Overlay 3 (NCO3) and Clause 54 (Rescode) in the Surf Coast Planning Scheme and relate to site coverage, plot ratio, setbacks, building height, design details, fences and landscaping. Therefore, the guidelines will need to be retained to inform all future decision making on development on individual lots to assist in achieving the identified character objectives. Consequently, the retention of the overlay will ensure that the development plan and its provisions remain a guiding document.

Affected landowners were notified of the proposed deletion of DPO12 from their land as part of the public exhibition of the amendment. Consequently, these landowners will need to be re-notified of the retention of DPO12 for the reasons outlined above. Letters will be sent to affected landowners upon adoption of the amendment.

2. Removal of Crown Allotment 8D at 460 Bambra-Aireys Inlet Road, Boonah from land proposed to be rezoned from the Public Conservation and Resource Zone (PCRZ) to the Farming Zone (FZ).

This land was inadvertently included within the rezoning of land licensed to a private operator to undertake commercial plantation forestry. This parcel of land does not form part of the licensed area as it constitutes part of the Great Otway National Park. Consequently, it is appropriate to delete crown allotment 8D from the amendment.

Financial Implications

The 2018/2019 budget has adequate provision for the processing of this planning scheme amendment.

Council Plan

Theme	3 Balancing Growth
Objective	3.1 Retain and enhance rural land for appropriate and sustainable uses
Strategy	Nil

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

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

Policy/Legal Implications

The proposed amendment complies with the Planning and Environment Act 1987 and relevant Ministerial Directions. There are no legal ramifications.

2.1 Planning Scheme Amendment C128surf - Miscellaneous Corrections of Anomalies in the Surf Coast Planning Scheme

Officer Direct or Indirect Interest

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

Risk Assessment

There are no demonstrated risks associated with adopting the amendment.

Social Considerations

This amendment continues the on-going improvement to the content of the Surf Coast Planning Scheme, having regard to improved social and economic outcomes in accordance with the objectives of planning in Victoria.

Community Engagement

This amendment has been formally exhibited in accordance with the Planning and Environment Act 1987. This process provided an opportunity for full public comment. Targeted notices were sent to all owners/occupiers affected by specific changes and notice of the amendment was published in the local newspaper (Surf Coast Times) and the Government Gazette. The amendment was also available for viewing on Council's website and the Department of Environment, Land, Water and Planning website.

Environmental Implications

The amendment will not have any significant environmental effects since it is 'correctional' in nature. The proposed rezoning of land relates to ownership changes and reflects the current use of the site and has no environmental impacts.

Communication

Letters have been sent to all submitters advising them of the Council meeting. Submitters will be notified in writing and minutes will appear on Council's website of the Council's decision to either adopt or abandon the Amendment. As discussed above, landowners affected by the consequential changes to the exhibited amendment will be notified.

Options

Option 1 – adopt amendment C128surf subject to minor changes identified post exhibition

This option is recommended by officers as the changes are required in respect of continuing to achieve policy objectives and to ensure it relates to the correct affected land.

Option2 – adopt amendment C128surf without the proposed changes

This option is not recommended by officers as the changes are necessary and justified.

Option 3 – abandon amendment C128surf

This option not recommended by officers as there is insufficient justification to abandon the amendment and the changes to the scheme will improve the operation of the scheme.

Conclusion

Having considered all submissions, it is recommended that amendment C128surf be adopted as exhibited subject to the identified post exhibition changes discussed above, and forwarded to the Minister for Planning for approval.

3. OFFICE OF THE CEO

3.1 Workplace Health and Safety Report - May 2019

Author's Title: Co-ordinator WHS

General Manager: Chris Pike

Department: People & Culture

File No: F17/309

Division: Culture & Community

Trim No: IC19/763

Appendix:

Nil

Officer Direct or Indirect Conflict of Interest:

Status:

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

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

Yes

No

Yes

No

Reason: Nil

Reason: Nil

Purpose

The purpose of this report is to present strategic and significant Workplace Health and Safety (WHS) issues to the Council.

Summary

The strategic and significant WHS issues relating to the period 17 April 2019 to 12 May 2019 are included in this report.

Recommendation

That Council notes the Workplace Health and Safety Report – May 2019.

Council Resolution

MOVED Cr Margot Smith, Seconded Cr Martin Duke

That Council notes the Workplace Health and Safety Report – May 2019.

CARRIED 6:0

3.1 Workplace Health and Safety Report - May 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 & Procedures	<ul style="list-style-type: none"> • Policy and procedure reviews completed in the period are: <ul style="list-style-type: none"> ○ MPP 018 Staff Workplace Health and Safety Policy ○ WHS 1.0 Issue Resolution ○ WHS 6.0 Workplace Facilities Inspection ○ WHS 15.0 Contractor WHS Evaluation for Contracted or Tendered Services ○ WHS 16.0 Plant Safety ○ WHS 18.0 Auditing WHS Compliance ○ WHS 25.0 Safe Work Method Statements ○ WHS 32.0 Infectious Diseases ○ WHS 33.0 Working Alone
Internal WHS Audit Program	<ul style="list-style-type: none"> • Audit criteria are based on OHSMS18001/4801 requirements. Five internal audits were completed during the reporting period: <ul style="list-style-type: none"> ○ Winchelsea Kindergarten ○ Family Day Care Educators (x2) ○ Parks Crew – Winchelsea Riverbank ○ Civil Crew – Ghazeepore Road • No critical issues were identified. Action plans have been developed in response to findings and implementation will be monitored within Council's risk management software system.
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"> • Mental health in the workplace training has been scheduled for June. All staff are being encouraged to attend. • Four staff and one Councillor attended a session facilitated by WorkSafe in Geelong - Preventing mental injury in your workplace. Learnings from this session will be shared at the next people leader's forum. • Next six-monthly Management Review meeting scheduled 8th August 2019.

3.1 Workplace Health and Safety Report - May 2019

Safety Framework element	Issues arising
<p>Safety system certification</p> <ul style="list-style-type: none"> • OHSMS18001 – International standard • AS/NZ 4801 – National standard 	<p>An annual audit of Council’s safety management system was completed by external auditors, SGS in May 2019. The objectives of this audit were to determine conformity of the management system, or parts of it with audit criteria and its:</p> <ul style="list-style-type: none"> • ability to ensure applicable statutory, regulatory and contractual requirements are met • effectiveness to ensure the client can reasonably expect to achieve specified objective • ability to identify as applicable areas for potential improvement. <p>The audit team conducted a process-based audit focusing on significant aspects/risks/objectives required by the standard(s). The audit methods used were interviews, observation of activities and review of documentation and records.</p> <p>The audit team concludes that the organisation has established and maintained its management system in line with the requirements of the standard and demonstrated the ability of the system to systematically achieve agreed requirements for products or services within the scope and the organisation’s policy and objectives</p> <p>The surveillance Audit conducted 26 April 2019 identified;</p> <ul style="list-style-type: none"> ○ Three minor non-conformances ○ 17 observations <p>Non-conformities will be addressed through the organisation’s corrective action process, in accordance with the relevant corrective action requirements of the audit standard. It will include actions to analyse the cause of the nonconformity and prevent recurrence. Records will be maintained.</p> <p>The auditor was complementary of the safety system and the efforts being made to enhance workplace health and safety.</p> <p>The auditing body recommends that, based on the results of this audit and the system’s demonstrated state of development and maturity, management system certification be continued.</p> <p>Next audit due: 17 February 2020. This audit will determine conformity of the management system, or parts of it, with audit criteria.</p>

Table 2 – Other emerging WHS Issues

Emerging Issues	Description
Notifiable incidents (to WorkSafe)	<ul style="list-style-type: none"> • One notifiable incident was reported to WorkSafe when a worker suffered a laceration to their left hand requiring stitches.
Reportable incidents (to police and/or other authorities)	<ul style="list-style-type: none"> • No incidents were reported to authorities in the reporting period
WorkSafe improvements	<ul style="list-style-type: none"> • No WorkSafe improvement notices were received or remain open for the reporting period

3.1 Workplace Health and Safety Report - May 2019

Emerging Issues	Description
WorkSafe Visits	<ul style="list-style-type: none">• WorkSafe visit occurred at a Council owned but not operated premises (Torquay Men's Shed). No improvement notices were issued to Council or the premise operator.• WorkSafe visit was conducted as a result of the notifiable incident (left hand laceration as outlined above). The inspector reviewed the incident investigation and corrective action plan. No improvement notices were issued.

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 Nil

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

This report alerts Council to strategic or significant WHS risks.

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 outlined in the Councillor Health and Safety policy.

Conclusion

It is recommended that Council notes the Workplace Health and Safety Report for May 2019.

4. GOVERNANCE & INFRASTRUCTURE

4.2 Asset Management Strategy Review

Author's Title: Strategic Asset Manager

General Manager: Anne Howard

Department: Asset Management

File No: F12/1997

Division: Governance & Infrastructure

Trim No: IC19/840

Appendix:

1. Asset Management Strategy (D17/114295)

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 an updated Asset Management Strategy to Council.

Summary

Council has adopted a strategic approach to the management of its various assets, founded on SCS-005 Strategic Asset Management Policy. The Asset Management Strategy is a key part of this framework that ensures that Council continues to progressively improve its approach to asset management.

Council's Asset Management Strategy has been reviewed following consultation with relevant stakeholders, including the Asset Management Steering Committee and Executive Management Team and is presented to Council for its consideration.

Recommendation

That Council adopts the updated Asset Management Strategy as attached at Appendix 1.

Council Resolution

MOVED Cr Martin Duke, Seconded Cr Margot Smith

That Council adopts the updated Asset Management Strategy as attached at Appendix 1.

CARRIED 6:0

4.2 Asset Management Strategy Review

Report

Background

This Asset Management Strategy is a key document in Council's Asset Management Framework and underpins the long term management of Council's infrastructure assets. The strategy establishes the framework that determines the nature and direction of asset management and outlines how Council will meet its commitments to asset management as established in Council's Asset Management Policy SCS-005.

The objective of this strategy is to provide a structured set of actions aimed at enabling improved asset management by the organisation. The development of an Asset Management Strategy will assist the Council and Councillors improve their current asset management practices.

Discussion

Council's Asset Management Strategy has been reviewed following consultation with relevant stakeholders, including the Asset Management Steering Committee and Executive Management Team. The changes within the strategy include the update of:

- Figures within the document to better reflect Council's Asset Management Framework and processes
- Municipal Association of Victoria National Asset Management Assessment Framework scorecard
- Asset Management Strategy Action Plan

Financial Implications

There are no financial implications in relation to adoption of this policy.

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

Policy/Legal Implications

Council has the ability to endorse an Asset Management Strategy

Officer Direct or Indirect Interest

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

Risk Assessment

Adoption of this strategy will result in officers having a clearer understanding of Council's Asset Management direction.

Social Considerations

Not Applicable

Community Engagement

Not Applicable

Environmental Implications

Not Applicable

Communication

The strategy will be included on Council's intranet site and relevant staff will be made aware of the updates.

Options

Option 1 – Adopt the revised Strategy

This option is recommended by officers as it updates the Strategy to provide officers with a clearer understanding of Council's asset management directions and actions.

Option 2 – Not Adopt the revised Policy

This option is not recommended by officers as the out of date Strategy would remain in place which includes an out of date Action Plan.

4.2 Asset Management Strategy Review

Conclusion

The revised Asset Management Strategy will result in officers having a clearer understanding of Council's Asset Management direction and a clear Action Plan.

4.2 Asset Management Strategy Review



Asset Management Strategy

Amendment Register

Issue	Date	Details	By
1	Mar 2019	Final draft review	EMT

4.2 Asset Management Strategy Review

Asset Management Strategy

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4.2 Asset Management Strategy Review

Asset Management Strategy

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4.2 Asset Management Strategy Review

Asset Management Strategy

1 Executive Summary

This Asset Management Strategy is a key document in Council's Asset Management Framework (Figure 1) and underpins the long term management of Council's infrastructure assets. The strategy establishes the framework that determines the nature and direction of asset management and outlines how Council will meet its commitments to asset management as established in Council's Asset Management Policy SCS-005.

The objective of this strategy is to provide a structured set of actions aimed at enabling improved asset management by the organisation. The development of an Asset Management Strategy will assist the Council and Councillors to improve their current asset management practices.

4.2 Asset Management Strategy Review

Asset Management Strategy

2 Context

The Asset Management Strategy (AMS) document is a companion to the Asset Management Policy (Policy SCS – 005) that outlines why management of Council's infrastructure assets will be undertaken across the organisation. The policy defines the key principles that underpin asset management decision-making and actions for the council.

Developed in accordance with policy and strategy, individual asset management plans will detail strategies and actions that are specific to that asset group. The major categories of assets managed by Council are summarised in the Table below:

Table 1 Overview of Council's Assets (as at 30 June 2018)

Overview of Council's Assets	
480 km Unsealed Roads	312 Buildings/Amenities
588 km Sealed Roads	5144 Open Space Items
377 km Footpaths and Cycleways	194 Heavy & Small Plant items
415 km Kerb	47 Light Fleet items
Stormwater Drainage - 317 km of pipes	36 Software Packages
Stormwater Drainage- 11,089 pits	18 Bridges

3 Purpose

The purpose of this document is to provide specific actions to be undertaken in order to improve or enhance Council's asset management capability and to achieve strategic objectives in the following key areas:

- Efficiently and effectively managing Council assets
- Provide infrastructure services that are responsive to the community needs.
- Provide high quality and functional community and civic facilities
- Investigate and assess benchmarking opportunities with other Councils.
- Review and develop Council strategies that address future growth and changing demographics.

4 References

- Council Plan (Surf Coast Shire)
- Asset Management Policy (Surf Coast Shire)
- Asset Management Strategy Template (MAV)
- Asset Management Plans

5 Linkages With Other Documents

The strategy also forms part of a planning and policy framework within Council itself as demonstrated below.

4.2 Asset Management Strategy Review

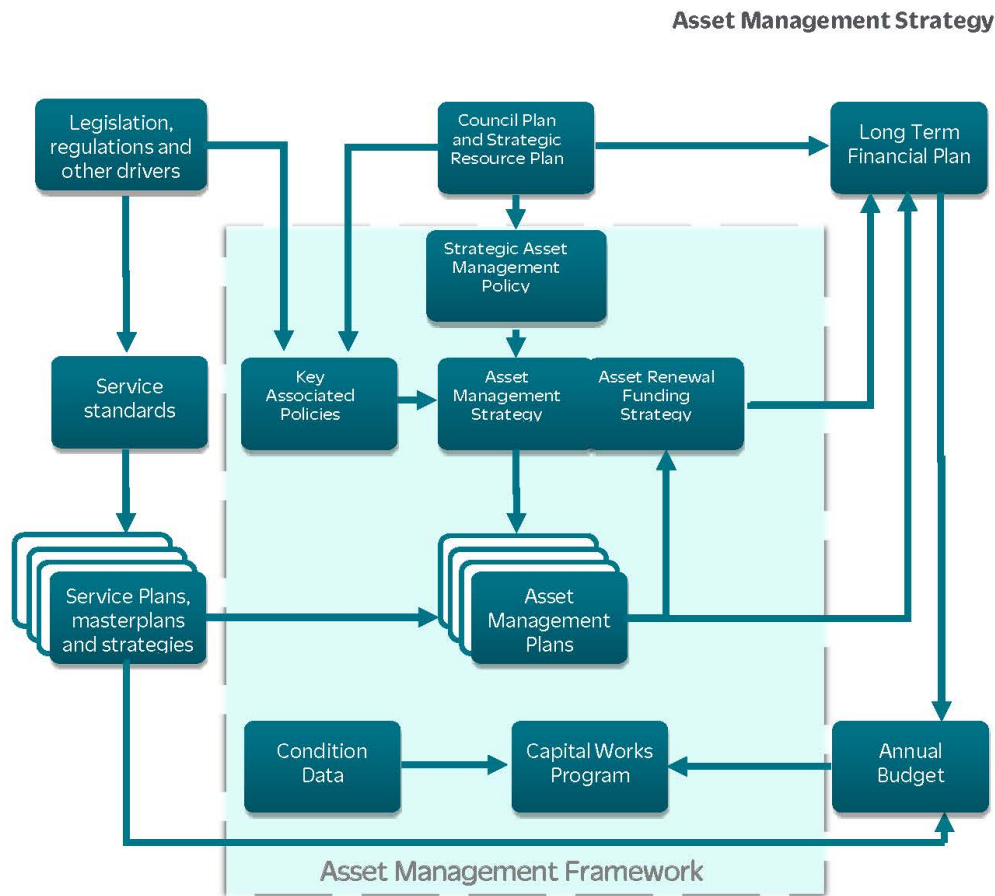


Figure 1 Council's Asset Management Planning Framework

The Council Plan (2017-2021) provides the strategic vision to meet present and future needs of the community. The Vision of Surf Coast Shire: "Surf Coast Shire will be an engaged, innovative and sustainable community."

The Asset Management Policy complements and builds upon the Council Plan vision to provide a more formalised approach to asset management principles and methodology. Surf Coast Shire is committed to achieve a Core Level of asset management practices as defined by the MAV Asset Management Step program. Core Level will be achieved following the Action Plan in Appendix A: in line with the MAV Regional Asset Management & Services Program.

The core objective of the Asset Management Strategy is to optimise the lifecycle cost of assets over the long term; ensuring capital budget is used effectively and in the best interests of the community. The following flow chart shown in Figure 2 will reveal the Capital Expenditure Program.

4.2 Asset Management Strategy Review

Asset Management Strategy

Capital Expenditure Program

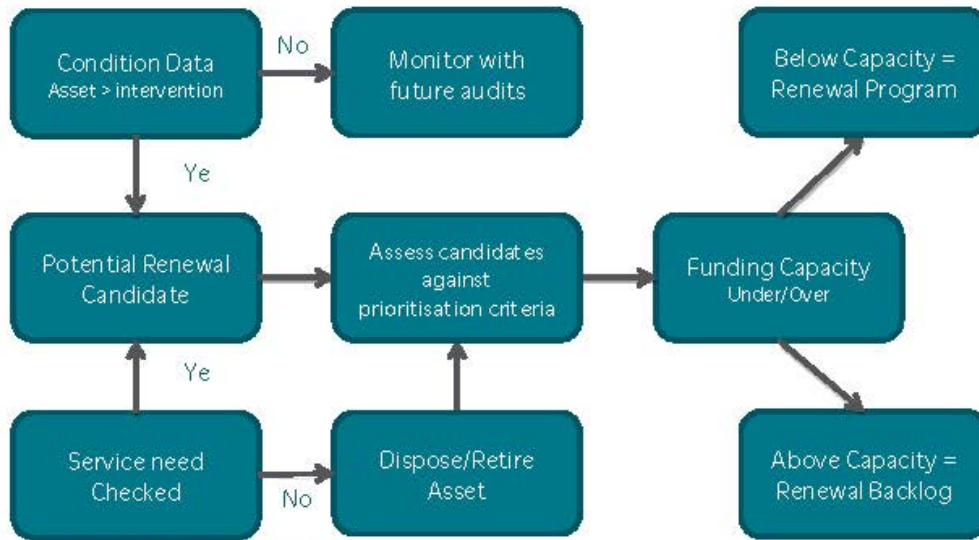


Figure 2 Capital Expenditure Program

4.2 Asset Management Strategy Review

Asset Management Strategy

6 Definitions

The following terms detailed in Table 2 are used in this strategy:

Table 2 Asset Management Strategy Definitions

Term	Definition
<i>MAV</i>	Municipal Association of Victoria
<i>NAMAF</i>	National Asset Management Assessment Framework
<i>Asset</i>	A physical component of a facility which has value, enables services to be provided and has an economic life of greater than 12 months Asset Management. The combination of management, financial, economic, engineering and other practices applied to physical assets with the objective of providing the required level of service in the most cost-effective manner.
<i>Asset Management Plan</i>	A plan developed for the management of infrastructure assets associated with the delivery of a service. The plan combines multi-disciplinary management techniques (including technical and financial) over the lifecycle of the asset in the most cost effective manner to provide a specified level of service. A significant component of the plan is a long-term cash flow projection for the activities.
<i>Level of Service</i>	Meeting community expectations in relation to the quality and quantity of services delivered by Council. In the context of asset management, this applies to the following asset classes: roads, facilities, open space and stormwater.
<i>Gap Analysis</i>	A method of assessing the gap between a business' current asset management practices and the future desirable asset management practices. Also called needs analysis or improvement planning.
<i>Life</i>	A measure of the anticipated life of an asset or component; such as time, number of cycles, distance intervals etc.
<i>Lifecycle Cost</i>	The total cost of an asset throughout its life including planning, design, construction, acquisition, operation and maintenance, rehabilitation and disposal costs.
<i>Replacement</i>	The replacement of an asset that has reached the end of its life, that provides a similar or agreed alternative, level of service.
<i>Replacement Cost</i>	The cost of replacing an existing asset with a substantially identical similar new asset at current market costs.
<i>Risk Management</i>	Coordinated activities to direct and control an organisation with regard to risk. Refer to Surf Coast Shire Risk Management Strategy.
<i>STEP</i>	Refers to the Municipal Association of Victoria "STEP" Asset Management Improvement program which has been running the since 2004. Surf Coast Shire has participated in Maturity Assessment of a Council which assesses where Council is on the Asset Management maturity curve.

4.2 Asset Management Strategy Review

Asset Management Strategy

7 Vision and Other Strategic Objectives

The Asset Management Strategy is to provide clear courses of action for managing Asset Management at the Surf Coast Shire. It fundamentally supports the Asset Management Policy and outlines the following:

- Council's current position with respect to Asset Management practice.
- Council's future needs with respect to Asset Management practice.
- A current maturity level with respect to the Council's position to manage infrastructure assets.
- An Action Plan on how the Council intends to achieve future needs.
- Performance Monitoring Process.

8 Overview of the Strategy

The AMS describes the core functional actions required to support Surf Coast Shire Council's objectives and provides an action plan for delivering improvements to Council asset management and financial planning practices, to enable delivery of efficient and effective services. The action plan in this strategy will be focused on management of major infrastructure assets on a lifecycle basis, with full knowledge of the social, environmental and financial costs, benefits and risks associated with the asset. The lifecycle model must give consideration to each phase of an asset's life from the planning phase through to disposal. This lifecycle model is illustrated in Figure 3:

Lifecycle Model

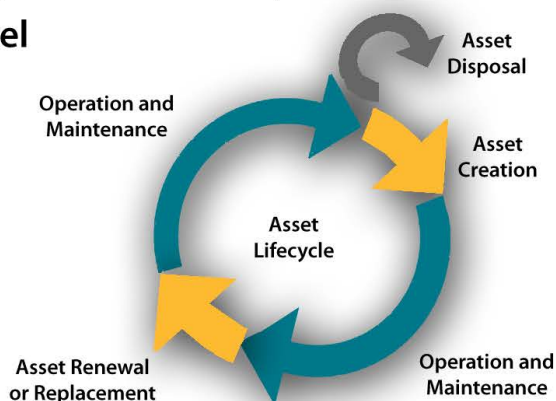


Figure 3 Asset Management Lifecycle Model

4.2 Asset Management Strategy Review

Asset Management Strategy

9 Elements of the Strategy

9.1 Stakeholders

Council is responsible for the operation of infrastructure and the management of assets to ensure the delivery of services to its stakeholders. The key stakeholders of Council are:

- Residents;
- Ratepayers;
- Businesses;
- Councillors;
- Staff;
- Users of Council services;
- The travelling public/Tourists/ Holiday Makers; and
- Government Departments/Agencies.

Other stakeholders with a vested interest in the performance of Council are:

- Utilities;
- Developers;
- Community Groups / Volunteers;
- Contractors / Suppliers; and
- Insurers.

Council officers are also in effect a key stakeholder in the delivery of services to the community.

9.2 Asset Management Drivers

Asset Management Strategy provides guidelines at a strategic level with respect to:

- Existing and future demand;
- Levels of service;
- Life-cycle management;
- Management policies and strategies;
- Risk management; and
- Social, Economic and Legal issues.

The following diagram depicted in Figure 4 shows some of the influences and drivers which affect Asset Management implementation.

4.2 Asset Management Strategy Review

Asset Management Strategy

Influential Factors for Asset Management

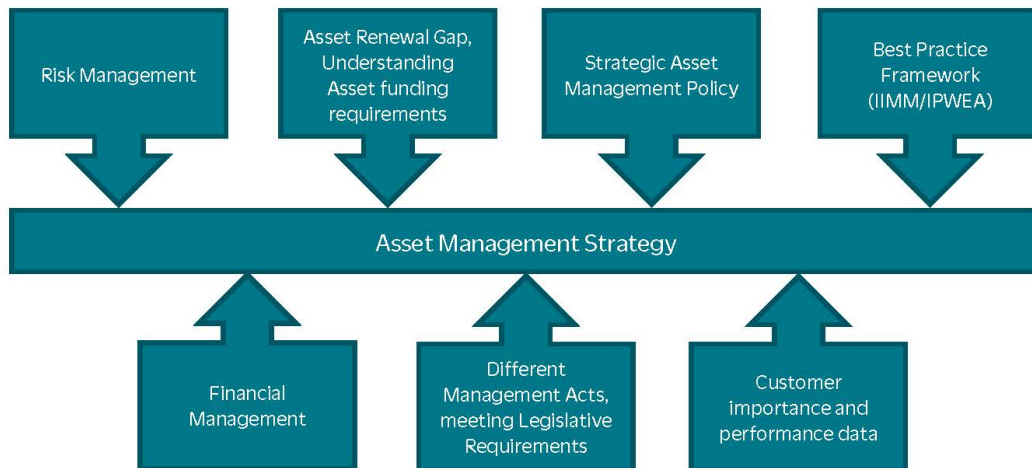


Figure 4 Influential factors for Asset Management

9.3 Current Status of Asset Management

Council measures its asset management maturity in the context of the National Asset Management Assessment Framework (NAMAF). The NAMAF makes an assessment against 11 elements, as drawn from the Local Government and Planning Ministers' Council National Local Government Sustainability Frameworks as follows:

- Framework 2: Asset Planning and Management (May 2009)
- Framework 3: Financial Planning and Reporting (May 2009)

The graphs below show the current Council core maturity status and Council Performance, as at February 2019. Further details of how these AM maturity scores have been derived can be viewed via reference to Council's NAMAF assessment.

4.2 Asset Management Strategy Review

Asset Management Strategy

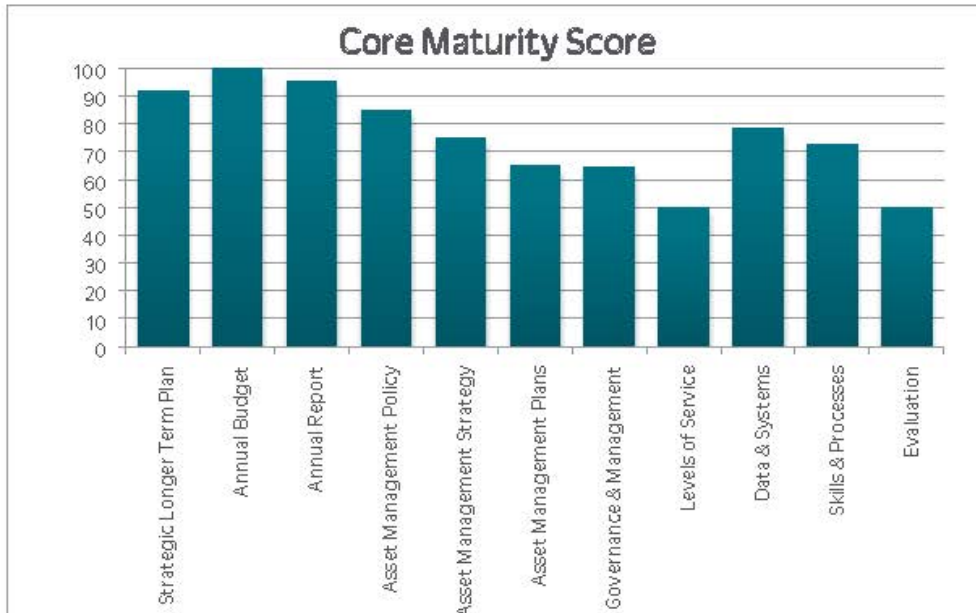


Figure 5 SCS Core Maturity Score

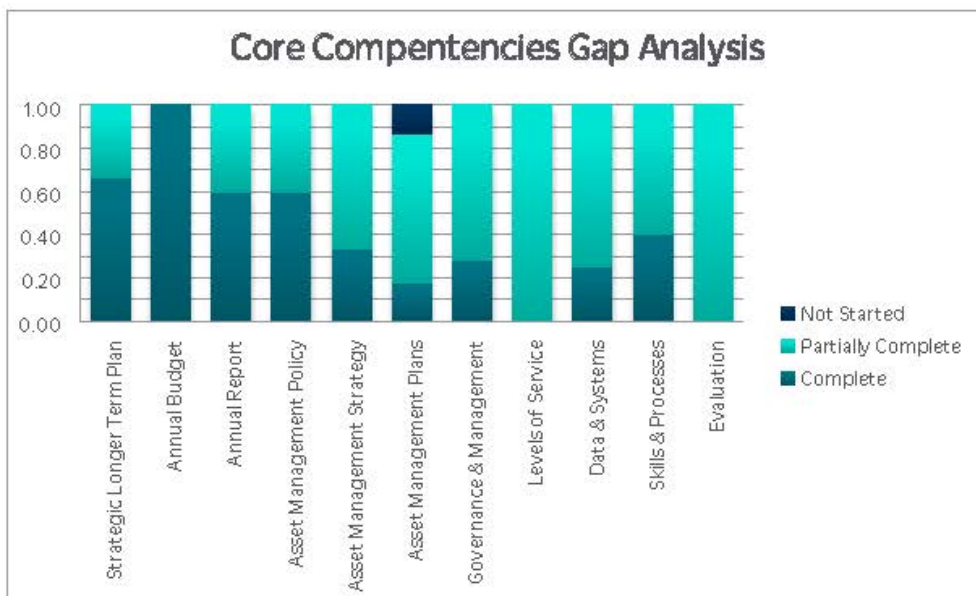


Figure 6 SCS Core Competencies Gap analysis

4.2 Asset Management Strategy Review

Asset Management Strategy

A brief summary of the current Council core maturity status, as at February 2019 is shown in Table 3.

Table 3 NAMAF Council maturity status

NAMAF Element	Core Maturity Status as at February 2019	Definition
<i>Strategic Planning</i>	<i>Excellence</i>	Best appropriate practice for this Council, including defined processes and practices which are consistently engaged.
<i>Annual Budget</i>	<i>Excellence</i>	Same as above
<i>Annual Report</i>	<i>Excellence</i>	Same as above
<i>AM Policy</i>	<i>Excellence</i>	Same as above
<i>AM Strategy</i>	<i>Proficient</i>	The planning, processes, procedures, systems and asset and services management are well defined and approach best appropriate practice.
<i>AM Plans</i>	<i>Proficient</i>	Same as above
<i>Governance and Management</i>	<i>Proficient</i>	Same as above
<i>Data and Systems</i>	<i>Proficient</i>	Same as above
<i>Skills and Processes</i>	<i>Proficient</i>	Same as above
<i>Levels of Service</i>	<i>Systematic</i>	Defined processes and practices are available and used to support asset and services management.
<i>Evaluation</i>	<i>Systematic</i>	Same as above

9.4 Current State of Asset Management Practices

9.4.1 Asset Management Data sources

Assets were previously managed using a variety of systems and tools. In 2013 Council commenced a project to consolidate asset data and works scheduling to reduce the risk of using disparate systems and processes. This has now resulted in an asset database which has been “cleansed” of duplicate and out of date data. This will be an on-going process.

9.4.1.1 Asset register

The master asset data sits within the Civica Authority Asset Management module. Civica Authority core enterprise suite includes the existing Financials module resulting in a consolidated asset register.

9.4.1.2 Linkage from asset management to financial system

The consolidated asset register sits within the Civica Authority core enterprise suite. The asset data is stored in the asset management module with links to the financials module. Additional asset data, captured from activities such as condition audits, will be loaded into the asset register in the form of summary condition data, estimated useful life and valuations.

4.2 Asset Management Strategy Review

Asset Management Strategy

9.4.1.3 Accountabilities for asset management system and data maintenance

The Asset Management Analyst and Asset Officer as part of the Asset Management Team are the data owners of the Asset Register. Works related data is the responsibility of the Field Service Manager and their respective business units.

9.4.1.4 Strategic Asset Modelling

Built within Authority is the Strategic Asset Modelling module. This module is utilised to model future renewal needs and requirements for each asset class within the asset register. It directly links to the asset register and financial systems to provide current remaining life, new useful life, replacement costs, condition ratings and is able to model against budget.

The outputs are implemented into Council's AMPs and inform future renewal programs and required funding going forward.

9.4.2 Renewal/ Replacement Intervention Levels

Council will apply a consistent approach to the condition assessment and intervention of all asset classes. Through providing repeatable condition assessment methodologies and renewal strategies this will provide clarity, transparency and reliability within our asset and modelling data. The following section detail Council's condition rating systems and intervention levels.

9.4.2.1 Asset Condition

Complex assets such as roads are scored on a 1 to 10 scale while most other assets are generally scored on a 1 to 5 scale as follows:

Table 4 Asset Condition Ratings

Condition 1 - 10	Condition 1 - 5	Description
1	1	New/Very Good
2		
3	2	Good
4		
5	3	Fair
6		
7	4	Poor
8		
9	5	Very Poor
10		

Table 5 Asset Condition Ratings by Category

Category	Rating Scale	Intervention
Land	<i>Not Applicable</i>	
Buildings - Overall	1-10	8
Building Components	1-5	4
Plant & Equipment	<i>Based on age / optimum resale</i>	
Roads	1-10	8
Kerb	1-10	9
Bridges	1-10	8

4.2 Asset Management Strategy Review

Asset Management Strategy

Category	Rating Scale	Intervention
Footpaths	1-5	4
Drainage	1-5	4
Sewer	1-5	4
Recreational, Leisure & Community	1-5	4
Parks Open Space & Streetscapes	1-5	4
Off-street Car Parks	<i>Included in roads</i>	

9.4.2.2 Scheduling of renewal works

Scheduling of renewal works is based on modelling of Council's assets based on condition data and a degradation curve as shown in Figure 7. Through regular condition assessments, modelling and degradation curves Council is able to assess how an assets condition is likely to change and when intervention is reached or may be required. Council has determined that intervention will occur as listed in Table 5 Asset Condition Ratings by Category for our various asset classes, this is typically when an assets has expended 75-90% of its useful life.

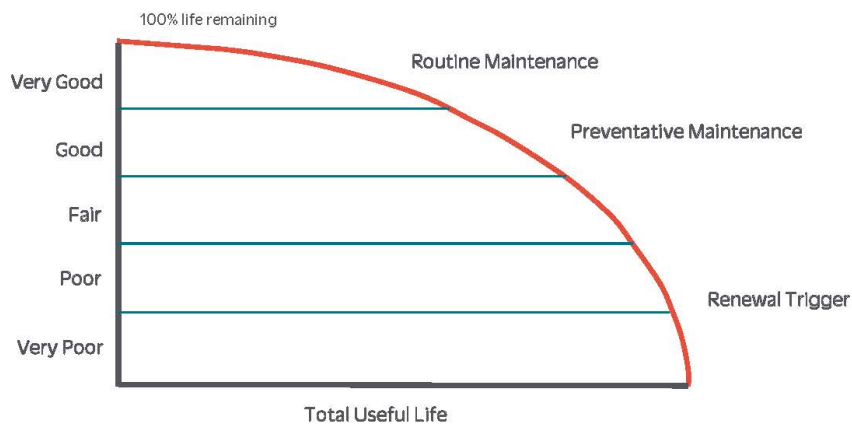


Figure 7 Typical Degradation curve

4.2 Asset Management Strategy Review

Asset Management Strategy

10 Resourcing

Existing staff and resources are planned to deliver the actions identified however the responsible parties may need additional assistance or external help in some instances. The improvements nominated in this report will require appropriate expenditure for resourcing the implementation of Action Plans. The plan is based on achieving a core standard with many of the improvements such as data management and the execution of new Asset Management System throughout the council.

Additional periodical resources will be required for gathering and assessing asset condition data. These costs will form part of the capital budget in the assets renewal area.

If external consultant assistance requires maintaining and enhancing core asset management systems and processes, additional funding will be required from the allocated funding source for asset management.

10.1 Roles and Accountabilities

10.1.1 Councillors

Councillors are responsible for stewardship of the assets through the Infrastructure Asset Management policy.

10.1.2 Executive Management Team

The Executive Management Team (EMT) will be responsible for endorsing and adopting the Asset Management Strategy and Asset Management Plans.

10.1.3 Asset Management Steering Committee (AMSC)

The AMSC is responsible to oversee and promote best practice Asset Management throughout council. The AMSC monitors and guides the development and implementation of the Asset Management Policy, Asset Management Strategy, related policies and procedures and Asset Management Plans.

The membership of the Asset Management Steering Committee is comprised of:

- General Manager Governance and Infrastructure
- Strategic Asset Manager
- Manager Finance
- Manager Engineering Services
- Manager Facilities and Open Space Operations
- Manager Information Management
- Manager Recreation and Open Space Planning
- Asset Management Analyst.

10.1.4 General Manager Governance and Infrastructure

General Manager Governance and Infrastructure is responsible for ensuring that an Asset Management Action Plan is established, implemented and maintained in accordance with the Asset

4.2 Asset Management Strategy Review

Asset Management Strategy

Management Policy, and for the assignment of responsibilities in relation to asset management. General Manager Governance & Infrastructure is also responsible for:

- Reporting on the status and effectiveness of asset management within Council.
- development of strategic plans for the current and future management of Council's Physical Assets
- Implementing the Asset Management Policy and Asset Management Action Plan throughout all the departments effectively.

10.1.5 General Managers, Managers and Coordinators

Managers and Coordinators are responsible for the day to day management of assets as described in the Asset Management Policy, Asset Management Action Plan and individual Asset Management Plans. This includes the timely identification, assessment and recording of defects and referral to the persons responsible for the day to day management of that asset. Managing operational, renewal and capital projects within their area of responsibility.

10.1.6 All Officers Generally

Further to the responsibilities and accountabilities outlined under each asset management category all officers have responsibilities for managing assets in their activities and workplace and are accountable through their individual work plans and position descriptions.

Officers are required to cooperate and be actively involved in the development and implementation of the Asset Management Action Plan. This collaborative approach will ensure a quality system delivering measurable outcomes.

11 Benefits Management

The key benefits for Council in improving current asset management practices are:

- managing Council's assets to optimise the life of its assets
- implementing processes that will allow improved asset management and financial planning
- demonstrating sound governance of the Council's assets
- stakeholder participation
- responding to the changing drivers within the industry
- allowing for environmental pressures without compromising service delivery
- monitoring asset performance and responding accordingly
- ensuring cost effective solutions for the management of the assets
- obtaining consistent and reliable data across asset groups
- Maintaining Council's asset management system; providing the tools necessary to analyse the performance of assets and develop Asset Management Plans, to determine future funding requirements required to deliver adopted levels of service

12 Performance Measurement

Council's objective is to achieve Core Maturity for each of the 11 NAMA elements through following the Appendix A: . This is defined as achieving at least an Advanced Assessment Score for each question for any given element, as part of the NAMA core assessment. An Asset Management Maturity Matrix is provided in Appendix A: , to demonstrate Council's performance towards achieving the Asset Management Targets over time and allow continuous monitoring of improvement activity outcomes.

4.2 Asset Management Strategy Review

Asset Management Strategy

Based on the NAMAF requirements for a level of core asset management practice, an asset management improvement action plan for 2019-2020 has been developed and is included as Appendix A: to this strategy. The improvement plan is based around the structure and key improvement areas as outlined in the assessment framework. The action plan outlines Improvement Opportunities, Priority, Responsibility and Timetable.

13 Communication

Implementation of the Action Plan will be generally managed by the relevant organisational unit within Council and overseen by the Asset Management Steering Committee. Figure 8 the management of the improvement process.

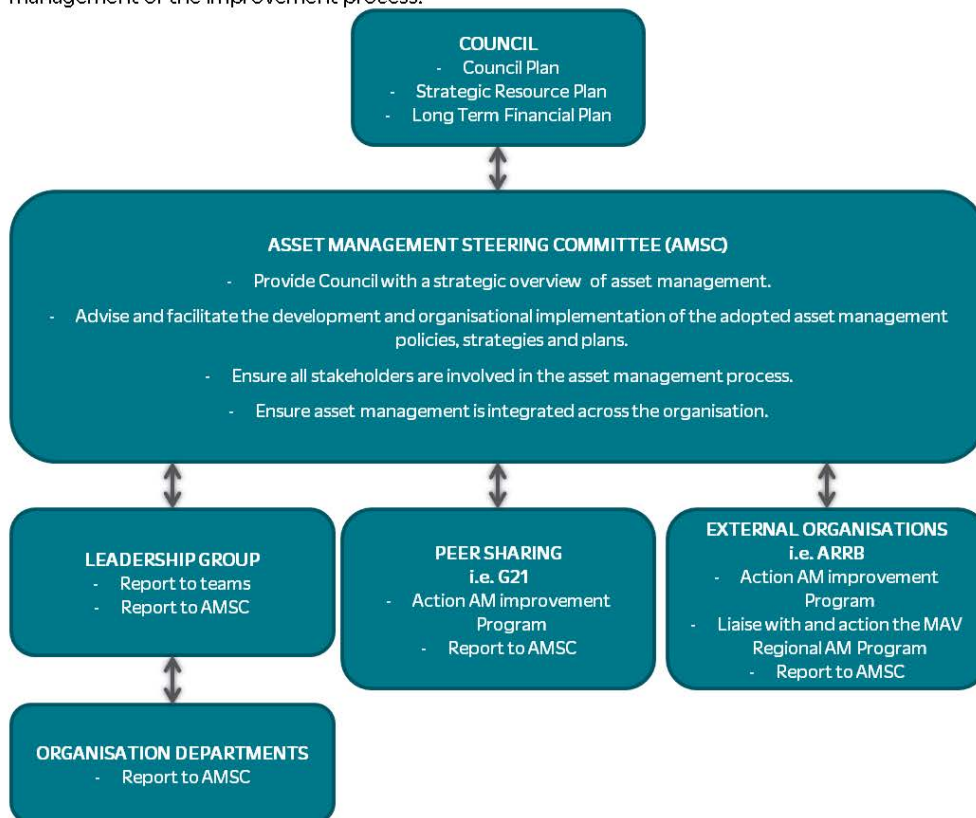


Figure 8 Improvement process management

4.2 Asset Management Strategy Review

Asset Management Strategy

14 Review

A full review of this Asset Management Strategy will take place in every four years and an updated Asset Management Strategy will be presented to Council for its endorsement.

A review of the Appendix A: and Asset Management Maturity Matrix (Section 9) will be updated annually by the Asset Management Steering Committee, following the annual review of the Council Plan, Long Term Financial Plan and Budget. Appendix A: will be monitored and reviewed by the Asset Management Steering Committee and it will be reported in the Long Term Financial Plan (LTFP).

The Asset Management Steering Committee shall be responsible for the:

- control of this strategy;
- distribution of the strategy;
- control and issue of any amendments; and
- report annually to the Executive Management Team (EMT) on progress in implementing the strategy.

The next Asset Management Strategy review is due in 2022.

4.2 Asset Management Strategy Review

Asset Management Strategy

15 Appendix A: Action Plan

The Action Plan has been identified in the following table and programmed with the view to completing the above improvement opportunities over the next 5 years. The actions have been structured to address the Council Plan Key Response Areas to provide the required outcomes. The timing of activities is based on the time required to achieve outcomes while recognising that some improvements must be completed prior to other activities.

No	Action Source	Improvement Opportunities	Priority	Responsibility	Timetable
1	NAMAF	Develop a roles and responsibilities matrix.	H	AMU	May, 2019
2	NAMAF	Upon completing the roles and responsibilities matrix and skills matrix (ref 121) review staff PDs	L	AMSC	Sep, 2019
3	NAMAF	Document the capital evaluation project process	L	AMU	Dec, 2019
4	NAMAF	Develop Internal Processes to promote Asset Management across council.	L	AMSC	On Going
5	NAMAF	Confirm a list of services provided by Council. Research current plans eg Access & Inclusion, Heritage study. Etc.and identifies and gaps. Adopt a model and template for Service Plans and implement.	H	AMSC	Target Date Not Set
6	NAMAF	As part of the completion of Service Plans develop Levels of Service. Consider model and examples developed by the regional AM project.	H	Service Providers	Target Date Not Set
7	NAMAF	Upon completion of 87 Levels of Service include in the AMPs	M	AMU	Target Date Not Set
8	NAMAF	Upon completion of 87 Levels of Service review existing service agreements and add technical levels of service as required.	L	Service Providers	Target Date Not Set
9	NAMAF	Review if additional needs for benchmarking are required above the current state models based on NAMAF and renewal data.	L	N/A	N/A
10	NAMAF	Undertake Strategic Modelling of Council Asset classes to forecast future renewal needs to include in LTFP	L	AMU	Nov, 2019
11	NAMAF	Develop a "Renewal rates and useful lives justification report".	M	AMU	Oct, 2019

4.2 Asset Management Strategy Review

Asset Management Strategy

No	Action Source	Improvement Opportunities	Priority	Responsibility	Timetable
12	NAMAF	Document basic process (with steps, responsibility and timeframe) for operations, maintenance, renewal, new & upgrade and disposal planning. Record in AMP's or AM Strategy	M	AMU	When AMP is due for Review
13	NAMAF	Review the process to update the current Asset Management Plans	M	AMU	When AMP is due for Review
14	NAMAF	Document the process by which financial projections developed in the AMPs is provided to the LTFP.	H	AMU	When AMP is due for Review
15	NAMAF	Complete a skills matrix (consider using the regional AM model developed)	M	AMSC	Target Date Not Set
16	NAMAF	Document the process by which any changes in asset responsibilities are informed to the relevant person/group.	H	AMU	Started
17	NAMAF	Ongoing training and development on key asset management topics for Councillors.	L	CEO	2020 Councillor induction or as needed
18	NAMAF	Develop methodology (responsibilities, timeframes, and documentation) by which Technical and community levels of service are reported. Consider how to report to the community.	M	AMSC	Target Date Not Set
19	AMSC	Develop Asset Renewal Funding Strategy	H	AMU	May 2019
20	AMSC	Review all current Asset Management Plans <ul style="list-style-type: none"> • Roads • Buildings • Open Space • Drainage • Fleet 	H	AMU	June 2020
21	AMSC	Develop Pathways Asset Management Plan	H	AMU	May 2019
22	AMSC	Implementation of Mobile Inspection Applications	M	DT	Sept 2019

4.2 Asset Management Strategy Review

Asset Management Strategy

No	Action Source	Improvement Opportunities	Priority	Responsibility	Timetable
23	AMSC	Develop Asset Recognition Rules for Council assets	M	AMU	May 2019
24	AMSC	Reassess Council participation in the MAV Step Asset Management Program	M	AMSC	December 2019

Note:

AMU	Asset Management Unit
AMSC	Asset Management Steering Committee
R & R Matrix	Roles & Responsibilities Matrix
CEO	Chief Executive Officer
DT	Digital Transformation

4.3 Resource Recovery Infrastructure Fund Grants - Round 4 Applications

Author's Title: Manager Engineering Services

General Manager: Anne Howard

Department: Engineering Services

File No: F18/2259

Division: Governance & Infrastructure

Trim No: IC19/811

Appendix:

1. Signed copy - Resource Recovery Infrastructure Fund Grants Round 4 Guidelines & Application (D19/73036)

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 advise Council of a grant application submitted to Sustainability Victoria.

Summary

Sustainability Victoria has requested applications for the fourth Round of the Resource Recovery Infrastructure Fund Grant Program. The program is to improve the capabilities and capacity to recover and reprocess higher value priority materials to a commercial grade to supply to local and international markets.

The grant criteria have been amended to include organics, providing Council with the ability to seek external funds for the potential roll-out of a food organics collection program in townships across Surf Coast Shire. The closing date for funding applications was 30 April 2019 which fell between Council meetings and so officers submitted the application in anticipation of Council's support because the program aligns to Council's current strategic direction and has been tested through the recent Anglesea Food Organics pilot project.

If successful, the funding application will support the purchase and delivery of food caddies for a broader program for Surf Coast Shire. Council will be required to contribute \$342,000 cash contribution from Council, towards a total project budget of \$567,000 (including some in-kind contribution from Council). Council's contribution would be funded from revenue through the garbage charges, consistent with the purpose of this charge in delivering waste services, and would not impact on any initiatives outside of the waste management functions.

Recommendation

That Council:

1. Notes and ratifies the funding application lodged with Sustainability Victoria, seeking \$150,000 from the Resource Recovery Infrastructure Fund to support the expansion of the Food Organic Collection program across the Surf Coast Shire; and
2. Endorses the allocation of \$342,000 of financial contribution from the Waste Reserve should the application be successful; and
3. Authorises the Chief Executive Officer to enter into a funding agreement for this project on behalf of Council.

Council Resolution

MOVED Cr Margot Smith, Seconded Cr Carol McGregor

That Council:

1. Notes and ratifies the funding application lodged with Sustainability Victoria, seeking \$150,000 from the Resource Recovery Infrastructure Fund to support the expansion of the Food Organic Collection program across the Surf Coast Shire; and
2. Endorses the allocation of \$342,000 of financial contribution from the Waste Reserve should the application be successful; and
3. Authorises the Chief Executive Officer to enter into a funding agreement for this project on behalf of Council.

CARRIED 6:0

4.3 Resource Recovery Infrastructure Fund Grants - Round 4 Applications

Report

Background

Sustainability Victoria has requested applications for round 4 of Resource Recovery Infrastructure Fund Grants Program. This year they have included organics collection and diversion from landfill within the criteria.

Discussion

Surf Coast Shire Council's purpose is to 'help our community and environment to thrive', and Council is committed to showing demonstrating environmental leadership. One of Council's focuses in recent years has been diverting waste from landfill with food organics being the key material identified for recovery. Council included in its 2017-2021 Council Plan objectives to investigate and implement a food organics recovery system.

On 12 December 2018 Council commenced a kerbside Food Organics Garden Organics (FOGO) pilot involving the entire township of Anglesea (3,000 residential properties) to determine the community's acceptance of a FOGO system. The system piloted was based on a 2018 study conducted by Blue Environment for the Barwon South West Waste and Resource Recovery Group WRRG to identify the optimum FOGO system. For a high performing system, Blue Environment determined that FOGO collections should be weekly with landfill (general waste) collections conducted fortnightly. The other key factor identified for a high performing FOGO system was the supply of kitchen caddies and compostable liners.

As per these recommendations, the system introduced for the Anglesea pilot was a weekly 240L organics collection, fortnightly 120L landfill collection and fortnightly 240L recycle collection. Each household received an 8L kitchen caddy and a roll of 150 compostable liners. The organic material collected (food and garden waste) is processed into mulch, compost and soil to be used on farms, parks and gardens. As part of the pilot Council undertook a thorough community engagement program including three community surveys and two audits of each waste stream.

The pilot will conclude in May 2019; however community feedback to date overwhelmingly supports the introduction of the FOGO system. Already, 24% less waste was sent to landfill from Anglesea collections compared with the same period last year, (12 December 2018 to 24 April 2019). A full evaluation will be conducted in June 2019, however, based on results so far, Council officers are finalising the review of the pilot which may include a full roll out of the FOGO system to the remaining 14,000 urban properties.

Based on the success of the FOGO pilot in Anglesea, if this program was to roll-out across the balance of the municipality this could assist in recovering all compostable material; however for the Anglesea food collection pilot a 24% reduction in waste to landfill has been observed compared to the same period last year. While this is a good start, Council will be aiming to divert at least 30% of the current 6,570 tonnes of waste going to landfill.

This application, if successful would reduce Councils cost to implement the pilot to the remainder of the municipality. This application would have no impact on any future report on the FOGO project. Due to the timing of Council meeting this application has been lodged to assist any future budget bid but does not bind Council to accept it.

Financial Implications

If Council supports the proposal to expand the FOGO program to across the Shire, a comprehensive project budget for implementation will be developed. The program would require up-front costs to be funded but offers financial and environmental benefits in the future. The total project budget is not yet known, but the purchase of the caddies will be an important part of any roll-out and can be undertaken as a discrete activity as per the proposal in the funding application.

If Sustainability Victoria supports the funding application, Council will be required to contribute \$342,000 cash contribution in 2019-20 in addition to in-kind contribution. Council's contribution would be funded from revenue through the garbage charges, consistent with the purpose of this charge in delivering waste services, and would not impact on any initiatives outside of the waste management functions.

4.3 Resource Recovery Infrastructure Fund Grants - Round 4 Applications

Council Plan

Theme 2 Environmental Leadership
Objective 2.2 Improve the re-use of resources
Strategy 2.2.2 Develop and implement a waste reduction program to increase the life of the landfill

Policy/Legal Implications

By approving this recommendation and if Council does not implement the FOGO program to the balance of the municipality it would need to not accept the grant.

Officer Direct or Indirect Interest

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

Risk Assessment

The application has been submitted prior to Council's formal consideration of this roll-out. If Council is successful and it does not proceed with the roll-out then the funds would be returned.

Social Considerations

There are no anticipated social impacts by approving this recommendation.

Community Engagement

Council has undertaken a pilot in Anglesea which has provided a reduction in the amount of waste deposited at the landfill. Council will need to review this pilot to determine if it should be extended to the balance of the municipality. This application has been submitted prior to Council considering this proposal, but will not impact on any future decision.

Environmental Implications

The roll-out of the Food Organics program to the balance of the municipality increase the volume of material

Communication

Council will consider a future report on the FOGO pilot that was implemented at Anglesea. If Council approves a future roll-out of the FOGO program to the remainder of the municipality, this funding will assist with the overall funding of the project.

Options

Option 1 – Approve the recommendation

This option is recommended by officers as it seeks a contribution towards the potential roll-out of the Food Organics program to the remainder of the municipality.

Option 2 – Reject the recommendation

This option is not recommended by officers as it does not allow Council to access some external funds through this program.

Conclusion

The Victorian Government is committed to providing a safe, resilient and effective recycling system and with the recent Chinese restrictions on low quality or unsorted materials has placed greater strain on the industry. The government is working to drive demand for recovered resources and as part of this drive they have widened the criteria for this funding program. This is a great opportunity to apply for some funding from the Government to drive this demand to assist in more materials to be recovered.

4.4 Parliamentary Inquiry into Recycling and Waste Management

Author's Title: Manager Engineering Services

General Manager: Anne Howard

Department: Engineering Services

File No: F18/417

Division: Governance & Infrastructure

Trim No: IC19/784

Appendix:

1. Parliamentary Inquiry into Recycling & Waste Management - Surf Coast Shire Council submission FINAL (D19/65419)

Officer Direct or Indirect Conflict of Interest:

Status:

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

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

Yes

No

Yes

No

Reason: Nil

Reason: Nil

Purpose

The purpose of this report is to provide Council with details of Council's submission to the Parliamentary Inquiry into Recycling and Waste Management.

Summary

The Victorian Legislative Council's Environment and Planning Committee is undertaking an inquiry into recycling and waste management. The committee has requested submissions by Friday, 10 May 2019. Officers have prepared a draft submission that is included for Council's consideration.

Recommendation

That Council endorses the submission to the Parliamentary Inquiry into Recycling and Waste Management as attached.

Council Resolution

MOVED Cr Margot Smith, Seconded Cr Carol McGregor

That Council endorses the submission to the Parliamentary Inquiry into Recycling and Waste Management as attached.

CARRIED 6:0

4.4 Parliamentary Inquiry into Recycling and Waste Management

Report

Background

The Victorian Legislative Council has required the Environmental and Planning Committee to undertake an inquiry into recycling and waste management. This committee is seeking submissions from organisations and individuals.

Discussion

Recently, there has been considerable publicity on the recycling and waste industry regarding unsustainable processes. The fires in recycling facilities and hazardous chemical stores have drawn attention to poor practices within the industry. The China National Sword Policy has also placed greater strain on the recycling industry due to contamination rates in our exported products. Exporting our waste overseas has shown this to be a short-sighted process.

This policy change from China provides an opportunity to develop industries in Australia that reuse our recyclable products. However, in Victoria there are currently only 4 major companies that are processing recycled product.

Due to these failures, the Legislative Council has set up an inquiry into the Waste and Waste Management Industry with the following terms of reference:-

1. the responsibility of the Victorian government to establish and maintain a coherent, efficient and environmentally responsible approach to solid waste management across the state, including assistance to local councils;
2. whether the China National Sword policy was anticipated and responded to properly;
3. identifying short and long-term solutions to the recycling and waste management system crisis, taking into account:
 - a. the need to avoid dangerous stockpiling and ensure recyclable waste is actually being recycled;
 - b. the cleaning and sorting capabilities and the processing capabilities in Victoria and the potential to expand the local recycling industry;
 - c. how to better enable the use of recycled materials in local manufacturing;
 - d. the existing business model and economic challenges facing the existing industry;
 - e. the quantifiable benefits, including job creation and greenhouse gas emissions reduction, of pursuing elements of a circular economy in Victoria;
 - f. the existing Sustainability Fund and how it can be used to fund solutions to the waste crisis;
4. strategies to reduce waste generation and better manage all waste such as soft plastics, compostable paper and pulp, and commercial waste, including, but not limited to:
 - a. product stewardship;
 - b. container deposit schemes;
 - c. banning single-use plastics;
 - d. government procurement policies;
5. relevant reviews, inquiries and reports into the waste and recycling industry in other Australian jurisdictions and internationally;
6. any other related matters.

The Municipal Association of Victoria has sought feedback from Councils on its draft submission. In developing the Surf Coast Shire Council's submission, the views of the MAV have been taken into consideration. Council's draft submission is attached which incorporates the Council position.

Financial Implications

There are no financial implications from this report.

4.4 Parliamentary Inquiry into Recycling and Waste Management

Council Plan

Theme 2 Environmental Leadership
Objective 2.2 Improve the re-use of resources
Strategy 2.2.2 Develop and implement a waste reduction program to increase the life of the landfill

Policy/Legal Implications

The submission provides support to encourage government to consider changes to that will have influences on further developing a sustainable recycling and waste industry.

Officer Direct or Indirect Interest

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

Risk Assessment

There are no risks to the organisation from this report.

Social Considerations

Council's submission provides guidance on how the Government can change policy to assist in a creating more sustainable community and environment.

Community Engagement

There has been no formal community engagement on the submission to the Inquiry. The submission is based on industry directions.

Environmental Implications

The purpose of this inquiry is to improve the recycling process to a more sustainable base. By improving this process will reduce the environmental impacts.

Communication

The submission will be provided to the Parliamentary Inquiry, which is required to present its findings in August this year. The final report will be presented to parliament.

Options

Option 1 – Approve the recommendation

This option is recommended by officers as it provides the Inquiry with Council's position.

Option 2 – Reject the recommendation

This option is not recommended by officers as this does not provide a sustainable approach to recycling and waste management.

Conclusion

With the current issues within the recycling industry and the impacts these have had on our community, the Inquiry is a positive step forward. This inquiry provides a very good platform for the Surf Coast Shire and Local Government more broadly, to contribute to the Inquiry's recommendations, and to actively contribute to the conversation of how we achieve a more sustainable future.

4.4 Parliamentary Inquiry into Recycling and Waste Management



Our Ref: AH:IS F18/417:D19/60164
Contact: Ian Stewart 5261 0600

8 May 2019

Legislative Council Environment and Planning Committee
Inquiry into Recycling and Waste Management

recyclinginquiry@parliament.vic.gov.au

Parliamentary Inquiry into Recycling and Waste Management – Call for Submissions

Thank you for seeking submissions on the inquiry into recycling and waste management industries.

Council is supportive of the Municipal Association of Victoria (MAV) submission to the inquiry, and wishes to highlight through this Council submission what Council believes to be priority areas or issues for action or further consideration.

1. The waste hierarchy must be applied as the fundamental principal in considering how we manage waste. The hierarchy ranks waste management options in the following order from most to least preferred– Avoid; Reduce; Reuse; Recycle; and Dispose.
2. Effective State and Federal Government legislation is needed to ensure the waste hierarchy is applied across all levels and across supply chains.
3. The State needs to establish a coherent, coordinated, effective and environmentally responsible approach to recycling and waste management.

Having various government departments and Waste & Resource Recovery groups has to date not delivered the outcome our communities or the environment deserve. A review of the current arrangements needs be a high priority and this should consider a single lead agency approach to increase effectiveness and reduce costs.

4. Competition in the recycling industry needs to improve.

The lack of competition in the recycling industry has contributed to failures that have impacted Victorian communities recently. All levels of government need to work with industry to investigate ways that will increase competition and resilience of the recycling system, with a focus on local processing.

5. Deliver product stewardship

The current waste and resource recovery system provides limited incentive for designers, manufacturers and importers to take responsibility for the full lifecycle of their products and packaging. Product stewardship is the biggest issue that all levels of government need to address by applying a united approach to its resolution.

4.4 Parliamentary Inquiry into Recycling and Waste Management



6. Encourage local manufacturing of products from recycled content

All levels of governments should be advocating for and encouraging local processing and manufacturing of useful products from recycled materials. This may include a review of procurement policies for government departments and agencies, requiring them to purchase a percentage of products that are made from or include recycled materials. Both seeking and purchasing products made with recycled content will drive market development and encourage local manufacturing of these products.

7. Introduce a Container Deposit Scheme

All States except Tasmania and Victoria have introduced container deposit schemes. It is important that Victoria follows suit. Such schemes have been shown to reduce litter, remove a number of items from the kerbside collection and result in higher quality end products (e.g. paper and cardboard that remains in the kerbside collection has less contamination from broken glass). A system that involves the separation of materials prior to collection makes processing more efficient and leads to higher quality end products. Container Deposit Schemes can only be sustainable with Federal and State Government support.

8. Work towards banning single use disposable plastics and hard-to-recycle materials

All levels of Governments should be working together to legislate the banning of single use plastics to reduce the harm of plastic litter to our marine and freshwater environments, and the volume of plastic materials that need to be recycled. This legislation should also include the banning of hard-to-recycle materials (e.g. expanded polystyrene, liquid paperboard, plastic lined coffee cups) where alternatives exist.

Council looks forward to seeing DELWP's Plastic Pollution Prevention Plan when it is released. We have seen success ourselves in reducing single use plastics in the shire through implementing the Surf Coast Plastic Wise Policy for Events and Markets (attached), and encourage the broader application of such policies and/or legislation.

9. Better management of litter on public land

Despite everyone's efforts, it is inevitable that some waste is dumped or littered. Currently there are few programs to deal with litter on roadsides, railways and other similar public land. Plastic is a particularly problem where it accumulates on these lands and/or enters our marine and freshwater environments through wind and stormwater. The relevant land owners and managers need to take responsibility for litter and other waste that has found its way onto its land. Government assistance on this matter would be beneficial.

10. Community education and engagement

In addition to its traditional roles of collecting and disposing of kerbside waste, local government recognises it plays a very important role in helping to educate our community on how to reduce waste, increase diversion of waste from landfill, and ensure materials can be recycled. Local government needs to continue advocating through its associations to encourage market expansion of industries and products that use recycled content.

4.4 Parliamentary Inquiry into Recycling and Waste Management



11. Landfill Levy

Council encourages the government to use of the Landfill levy (Sustainability Fund) to assist the industry to improve the waste and resource recovery sector by encouraging waste reduction, increasing Victoria's capacity to process recyclable materials and developing markets that provide long term gains for the community and the environment.

12. Recycling and recovery of food and garden organics

Council is currently undertaking a Food Organics Garden Organics (FOGO) pilot service in the township of Anglesea that is diverting food waste from the waste stream to be composted: creating soil, reducing carbon emissions and reducing the amount of waste being sent to landfill.

Already there has been a 24% decrease in the volume of waste going to landfill from the Anglesea community since introducing the pilot. These types of local initiatives are assisting Council and the community to reduce our reliance on landfills, and should be introduced throughout Victoria.

13. Increasing recycling in commercial organisations

Currently, within our Shire and others, there is only a relatively small proportion of commercial organisations with effective recycling systems in place, resulting in a large volume of recyclable materials ending up in landfill. There needs to be further investigation into how this can be improved.

If you have any enquiries concerning this matter please contact Ian Stewart on **5261 0600**.

Yours faithfully

Cr Rose Hodge
Mayor

4.5 Special Charge Scheme, Torquay Surf City Precinct Footpath Construction

Author's Title: Coordinator Special Projects

General Manager: Anne Howard

Department: Engineering Services

File No: F16/491

Division: Governance & Infrastructure

Trim No: IC19/449

Appendix:

1. Map Beach Road and Baines Crescent Footpath Scheme (D19/28841)
2. Benefit Ratio Calculations (D19/65566)
3. Cost Estimate (D19/65578)
4. Schedule D - Cost Apportionment (D19/65583)
5. Photos of Existing Conditions (D19/65658)

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 proposed use of a Special Charge Scheme to assist with the funding of new footpaths in Beach Road and Baines Cres, Torquay.

Summary

To improve pedestrian safety in the Torquay Surf City precinct the 2018-19 Capex program includes a \$224,000 project for the construction pathways in Beach Road & Baines Cres, Torquay. Council has received a \$100,000 grant from the Transport Accident Commission (TAC) towards improving pedestrian safety within the precinct and the project funding anticipates raising income of \$24,000 from sixty-five "benefiting" properties via a Special Charge Scheme.

In March 2019 Council circulated an information brochure to the sixty abutting/adjacent property owners who are considered to receive a "special benefit" arising from the works. Eleven owners provided feedback. Six have indicated support in principle to the construction and associated Special Charge Scheme proceeding and five indicate that they would prefer that no construction be undertaken.

4.5 Special Charge Scheme, Torquay Surf City Precinct Footpath Construction

Recommendation

That Council:

1. Gives notice of its intention to declare a Special Charge Scheme in accordance with Section 163 (1) of the Local Government Act of 1989 as amended, as follows:
 - 1.1 The Special Charge is declared for the purpose of defraying part of the estimated \$220,000 to be incurred by Council in relation to the construction of footpaths in Beach Road and Baines Cres, Torquay. Council considers that the works will be of special benefit to those persons required to pay the Special Charge.
 - 1.2 The Special Charge is declared for a period of four (4) years, commencing upon completion of the works.
 - 1.3 The Special Charge is declared for sixty-five (65) properties shown on the Footpath Scheme Map and listed in Schedule D - Appendix 1 & 4.
 - 1.4 A maximum Benefit Ratio of 0.19 calculated in accordance with Section 163 (2A) of the Act is considered to reflect the special benefits to the properties in the Scheme.
 - 1.5 The Scheme costs are apportioned on the basis that each property will receive improved pedestrian access. The apportionment of the Special Charge reflects the relative benefits derived from improvement to each property access.
 - 1.6 The Special Charge so declared will be levied by sending a notice to the person who is liable to pay, pursuant to Section 163 (4) and 163 (1C) of the Act.
 - 1.7 Having regard to the preceding parts of this resolution but subject to Section 166 (1) of the Act, it is recorded that:
 - 1.7.1 the owners of the properties listed in Schedule D are estimated to be liable for the respective amounts as set out in Column F of Schedule D; and
 - 1.7.2 Such owners may, subject to any further resolution of Council, pay the Special Charge in the following manner:
 - 1.7.2(a) The Charge shall become due and payable within one (1) month of the issue of an invoice requesting payment pursuant to Section 167 (3) of the Act and may be paid in sixteen (16) quarterly instalments from that date.
 - 1.7.2(b) If payments are made by instalments, interest will be charged on the outstanding balance owing to Council. The interest rate charged will be the borrowing cost applicable at the time of declaration plus 1% administrative charge.
 - 1.7.2(c) In accordance with Section 172 of the Act, the rate of interest payable on the Special Charge which has not been paid by the specific date as set out by Council shall be the rate fixed under the Penalty Interest Rate Act.
 - 1.8 Prior to making a declaration under Section 163 (1A) of the Act, Council will review any submissions made in accordance with Sections 163A, 163B and 223 of the Act, via a Hearing of Submissions.
 - 1.9 The formal Scheme declaration will be considered by Council on 23 July 2019 or at a subsequent meeting, following consideration of any submissions. Council will consider whether to make a declaration in the form proposed, in accordance with the provisions of Section 163B of the Act.
- 2 Authorises the Chief Executive Officer to give Public Notice of the proposed declaration, and to advise each person who will be liable to pay the Special Charge in accordance with Section 163 (1A), 1(B), 1(C) and 163 B (3) of the Local Government Act.

4.5 Special Charge Scheme, Torquay Surf City Precinct Footpath Construction

Council Resolution

MOVED Cr Martin Duke, Seconded Cr Margot Smith

That Council:

1. Gives notice of its intention to declare a Special Charge Scheme in accordance with Section 163 (1) of the Local Government Act of 1989 as amended, as follows:
 - 1.1 The Special Charge is declared for the purpose of defraying part of the estimated \$220,000 to be incurred by Council in relation to the construction of footpaths in Beach Road and Baines Cres, Torquay. Council considers that the works will be of special benefit to those persons required to pay the Special Charge.
 - 1.2 The Special Charge is declared for a period of four (4) years, commencing upon completion of the works.
 - 1.3 The Special Charge is declared for sixty-five (65) properties shown on the Footpath Scheme Map and listed in Schedule D - Appendix 1 & 4.
 - 1.4 A maximum Benefit Ratio of 0.19 calculated in accordance with Section 163 (2A) of the Act is considered to reflect the special benefits to the properties in the Scheme.
 - 1.5 The Scheme costs are apportioned on the basis that each property will receive improved pedestrian access. The apportionment of the Special Charge reflects the relative benefits derived from improvement to each property access.
 - 1.6 The Special Charge so declared will be levied by sending a notice to the person who is liable to pay, pursuant to Section 163 (4) and 163 (1C) of the Act.
 - 1.7 Having regard to the preceding parts of this resolution but subject to Section 166 (1) of the Act, it is recorded that:
 - 1.7.1 the owners of the properties listed in Schedule D are estimated to be liable for the respective amounts as set out in Column F of Schedule D; and
 - 1.7.2 Such owners may, subject to any further resolution of Council, pay the Special Charge in the following manner:
 - 1.7.2(a) The Charge shall become due and payable within one (1) month of the issue of an invoice requesting payment pursuant to Section 167 (3) of the Act and may be paid in sixteen (16) quarterly instalments from that date.
 - 1.7.2(b) If payments are made by instalments, interest will be charged on the outstanding balance owing to Council. The interest rate charged will be the borrowing cost applicable at the time of declaration plus 1% administrative charge.
 - 1.7.2(c) In accordance with Section 172 of the Act, the rate of interest payable on the Special Charge which has not been paid by the specific date as set out by Council shall be the rate fixed under the Penalty Interest Rate Act.
 - 1.8 Prior to making a declaration under Section 163 (1A) of the Act, Council will review any submissions made in accordance with Sections 163A, 163B and 223 of the Act, via a Hearing of Submissions.
 - 1.9 The formal Scheme declaration will be considered by Council on 23 July 2019 or at a subsequent meeting, following consideration of any submissions. Council will consider whether to make a declaration in the form proposed, in accordance with the provisions of Section 163B of the Act.
- 2 Authorises the Chief Executive Officer to give Public Notice of the proposed declaration, and to advise each person who will be liable to pay the Special Charge in accordance with Section 163 (1A), 1(B), 1(C) and 163 B (3) of the Local Government Act.

CARRIED 6:0

4.5 Special Charge Scheme, Torquay Surf City Precinct Footpath Construction

Report

Background

In December 2016, Council consulted with property owners about a proposal to construct a footpath along Beach Road between Attunga Drive (West) and Koorunga Place. Council received sixteen submissions from the thirty-four affected property owners. Of the sixteen responses a majority indicated support to investigate the matter however, the project did not proceed at that time. Subsequent requests from the public indicated that it would be beneficial to widen the scope of works to include a path along the northern section Baines Cres which is currently without a path.

In March 2019 Council wrote to the sixty abutting/adjacent property owners advising them of the proposed works and the proposed Special Charge Scheme to raise \$24,000 towards the project cost. Council has received feedback from eleven property owners, the majority of whom express support in principle for the planned work. Expressions of concern include having to contribute financially to the project, a preference for not constructing the path or for construction on opposite side of street, questioning the priority for this work over other sites in Torquay and the current inadequacy of parking/parking controls along the street.

Discussion

Existing Conditions

Beach Road and Baines Crescent were created as part of land development in the 1990's. The streets were constructed to contemporary practice at the time - without footpaths. As development has progressed the volumes of traffic (motorised and other) has increased. Today both streets are classified in our road hierarchy as Secondary Collectors and carry daily vehicle volumes in excess of 2,000 vehicles. The streets provide access to many commercial properties and community facilities, including child care centres, the skate park, the National Surfing Museum and the Sport and Recreation Centre.

The nature strips are generally uneven and often blocked by parked vehicles forcing "non-motorised traffic" to share the road pavement with higher speed motor vehicles.

Photos of existing conditions are attached at Appendix 5.

Proposed Works

The proposed scope includes construction of 1.5 m wide concrete footpaths along the North side of Beach Rd and the West/South side of Baines Crescent. The TAC funding will also provide road safety works including a pedestrian refuge and painted road surface gateway treatments.

Special Benefit and Cost Apportionment

The Local Government Act and Council's Special Charge Scheme Policy provide guidance in relation to the cost sharing between Council and the benefiting property owners. The maximum proportion of a project cost that can be apportioned to benefiting property owners is known as the Benefit Ratio. Ministerial Guidelines provide Councils with advice about how this must be calculated. Council's contribution must reflect the community benefit while the affected property owners must not be charged more than the benefit received. It is expected that there will be significant wider community use of these footpaths to access the commercial and community facilities and is reflected in a maximum Benefit Ratio of 0.19 - the equivalent to 19% of the project cost.

The proposed Scheme includes all properties that abut both sides of the 2 streets where there is currently no footpath (on either side).

The proposed apportionment of the Scheme costs amongst the benefiting properties shown on the aerial photo, Appendix 1 and detailed in Schedule D (Appendix 4), and is based upon improved access criteria. The access benefit has been apportioned on the basis that a commercial property generates/attracts twice the number of pedestrian movements to that of a residential property. Under the proposed cost apportionment benefiting residential and commercial properties will be charged \$218 and \$436 respectively to reflect the relative special benefits.

Presuming that Council borrowing rates remain unchanged the interest rate charged to property owners who choose repayment by instalments will be 3.67%.

4.5 Special Charge Scheme, Torquay Surf City Precinct Footpath Construction

Financial Implications

Estimated Project Cost:	\$220,000
Estimated Special Charge:	\$24,000
TAC funding:	\$100,000
Council Funding	\$100,000

Council's funding is included in the current Capex budget. Construction is not expected until late in the calendar year and it is proposed that the funding be carried forward into 2019-20.

Project design and consultation with the affected property owners, will require a significant commitment of officer time, the cost of which would be recouped if the Scheme proceeds.

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 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 proposed Scheme is being prepared in accordance with the provisions of the Local Government Act. Council's Special Charge Scheme Policy, which sets out the strategic framework for the construction of infrastructure, requires Council to discontinue a Scheme if more than 40% of the affected owners object to the scheme in instances where Council is seeking to raise over two thirds (66%) of the total project cost through the Special Charge. In this instance the proposed Charge will raise 11% of the project cost.

Officer Direct or Indirect Interest

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

Risk Assessment

The construction of footpaths will provide a much safer option for pedestrian who currently walk along uneven nature strips or share the road pavement with motor vehicles.

Social Considerations

The works will provide a significant improvement in the level of service and individual safety. In accordance with the Local Government Act legislation, the terms of the proposed Scheme provides the option for owners to pay in full upon completion of the works, or sixteen instalments over 4 years - a quarterly payment of up to \$28 plus interest per quarter. Any property owner who expresses concern about their ability to pay the charge will be advised that they can apply under Council's Rates Assistance Policy SCS-003 for Rate Deferment.

Community Engagement

All affected owners have been advised in writing of the proposed works and associated Special Charge Scheme. The letter included an information brochure about the scope of works and likely Scheme amounts. Property owners were invited to provide feedback.

Environmental Implications

One owner has expressed concern about the loss of ambience resulting from the concrete pathway construction,

Communication

Should Council formally resolve its intention to declare a Special Charge Scheme, all affected property owners will be formally notified in writing, inviting submissions in accordance with Section 223 of the Local Government Act. A public notice will also be placed in the Surfcoast Times allowing twenty-eight days in which to make a submission.

4.5 Special Charge Scheme, Torquay Surf City Precinct Footpath Construction

Options

Option 1 – Decide to “resolve its intention to declare a Special Charge Scheme” and authorise Council’s Chief Executive Officer to give Public Notice

This option is recommended by officers as it will improve pedestrian safety in the Torquay Surf City Precinct.

Option 2 - Decide **not** to “resolve its intention to declare a Special Charge Scheme”

This option is not recommended by officers as it will cause an estimated \$24,000 shortfall in funds for an important project and create a precedent when preparing future Special Charge Schemes.

Conclusion

The proposed footpath construction will improve the access and safety for pedestrians and non-motorised vehicular traffic moving to & from properties both within the Special Charge Scheme boundary and the wider community.

The feedback from affected property owners indicated little concern regarding the proposed pathway construction and associated Special Charge Scheme. The proposed Special Charge Scheme, prepared in accordance with the Local Government Act provisions, is considered to equitably apportion the estimated costs amongst the benefiting properties.

4.6 Project Budget Adjustments and Cash Reserve Transfers - May 2019

Author's Title: Coordinator Management Accounting **General Manager:** Anne Howard
Department: Finance **File No:** F18/850
Division: Governance & Infrastructure **Trim No:** IC19/817

Appendix:

Nil

Officer Direct or Indirect Conflict of Interest:
In accordance with Local Government Act 1989 –
Section 80C:

Yes

No

Reason: Nil

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

Yes

No

Reason: Nil

Purpose

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

Summary

The project budget adjustments relating to May 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 to 4 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
Adopted Strategy Implementation Reserve	(20,000)
Asset Renewal Reserve	(176,397)
Developer Contributions Reserve	3,000
Grand Total	(193,397)

Council Resolution

MOVED Cr Clive Goldsworthy, Seconded Cr Margot Smith

That Council:

1. Approve the Project Budget Adjustments outlined in Tables 1 to 4 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
Adopted Strategy Implementation Reserve	(20,000)
Asset Renewal Reserve	(176,397)
Developer Contributions Reserve	3,000
Grand Total	(193,397)

CARRIED 6:0

4.6 Project Budget Adjustments and Cash Reserve Transfers - May 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 \$
VicHealth Walk to School - Healthy Eating and Active Living Action Plan 2018 - 2021	Grant Funded	Successful grant application for VicHealth Walk to School partnership. This project forms part of the Healthy Eating and Active Living Action Plan 2018 - 2021 program presented to Council in February 2019.	15,000

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

Table 2 – Project Budgets Requiring Adjustment

Project Name	Funding Source	Basis for Variation	Project Allocation \$
Coogoorah Park Playground Renewal	Asset Renewal Reserve	Project has been delayed and project manager has changed. Budget increase for project management to complete the project is still within 10% of overall project budget.	6,000
Barwon River Playground Renewal	Asset Renewal Reserve	Project has been delayed, including exploring grant options, and project manager has changed. Budget increase for project management to complete the project is still within 10% of overall project budget.	4,000

4.6 Project Budget Adjustments and Cash Reserve Transfers - May 2019

Project Name	Funding Source	Basis for Variation	Project Allocation \$
Street Light Upgrades and Maintenance	Contribution Funded	Contribution of \$1,488 agreed with resident. Request to bring \$3,000 funds from Developer Contributions Reserve to replace non-standard street light which has been damaged.	1,488
	Developer Contributions Reserve		3,000
Anglesea Shopping Centre Pathway	Asset Renewal Reserve	Initial scoping of the project allowed for removal of existing footpath pavers and replacement with exposed aggregate concrete. Detailed scoping has identified need to remove existing trees and replace with more appropriate species.	15,000
Fencing Renewal	Asset Renewal Reserve	Current budget shortfall to complete replacement of swimming pool fence at Winchelsea Pool	1,000

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 \$
Strengthening Town Boundaries - Towards Environmental Leadership Program	Project Account	Strengthening Town Boundaries objectives are fully funded by the Settlement Strategy project currently held in the Adopted Strategy Reserve therefore these funds can be returned to the TEL Program account W7042.	(35,000)
Torquay Football Club Safety Nets Behind Goals	Project Savings Account	Scope complete and savings can be returned to source.	(1,521)
Anglesea Recreation and Sports Club Asset Protection	Project Savings Account	Scope complete and savings can be returned to source.	(1,814)
Lorne Skate Park Shelter	Project Savings Account	Scope complete and savings can be returned to source.	(507)
Anglesea Preschool Swing Installation	Project Savings Account	Scope complete and savings can be returned to source.	(1,245)
Fischer Street Renewal - Zeally Bay Road to Highlander Road	Asset Renewal Reserve	Minor adjustment to project closed in March due to tender advertising cost.	186
Smith Street Lorne Footpath Renewal	Asset Renewal Reserve	Scope complete and savings can be returned to source.	(66,542)

4.6 Project Budget Adjustments and Cash Reserve Transfers - May 2019

Project Name	Funding Source	Basis for Variation	Project Allocation \$
Growing Winchelsea Planning Panel - Surf Coast Planning Scheme Amendment C120	Project Savings Account	Scope complete and savings can be returned to source.	(6,050)
Soft Playing Surface Renewal	Asset Renewal Reserve	Scope complete and savings can be returned to source.	(296)
Bob Pettitt Reserve Tennis Court Renewal	Asset Renewal Reserve	Project was closed in January with \$4,050 saving for project management and \$5,000 saving for contingency. Small value of project management cost was not processed prior to closure.	1,000
Stribling Reserve Stadium Ventilation	Project Savings Account	Scope complete and savings can be returned to source.	(18,670)
Anglesea Motor Yacht Club Redevelopment Contribution	Adopted Strategy Implementation Reserve	Funds to be held in Adopted Strategy Implementation Reserve until project ready to proceed.	(20,000)
Park Furniture Renewal	Asset Renewal Reserve	Scope complete and savings can be returned to source.	(34,056)
Footpath Renewal	Asset Renewal Reserve	Scope complete and savings can be returned to source.	(59,911)
Winchelsea Mens Shed Extension	Project Savings Account	Scope complete and savings can be returned to source.	(400)
Anglesea Bowling Club - Storage Shed and defect period	Project Savings Account	Scope complete. When substantive project was previously closed, some club funds should have been retained (by agreement with the club) for the defects period however were returned to accumulated unallocated cash. \$25,001 is required to be returned to the club.	24,447
Deep Creek Playground Renewal	Asset Renewal Reserve	Scope complete and savings can be returned to source.	(42,778)

Table 4 – 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	220	(134)	(596)
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	(1,891)	-	-	-
May Net Allocations Proposed	-	-	-	-
Closing Balance *	220	(134)	(596)	(1,095)

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

4.6 Project Budget Adjustments and Cash Reserve Transfers - May 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)
January 2019 - Mt Moriac Depot Rehabilitation Stage 1	(13)
January 2019 - Bellbrae School Second Crossing	(5)
January 2019 - Great Ocean Road Regional Tourism - Centenary Celebration	(25)
January 2019 - Alcohol and Other Drug Action Plan 2018-2021	(15)
February 2019 - Bellbrae Heart Space Sculpture Installation	(2)
February 2019 - Street Light Program Upgrade	(100)
February 2019 - Winchelsea Shire Hall Future Use	(20)
February 2019 - Healthy Eating and Active Living Action Plan 2018 - 2021	(13)
February 2019 - Djila Tjarri Skate Bowl Leak Investigation	(50)
March 2019 - Cnr Grossman Road and Anglesea Road upgrade	(25)
March 2019 - Beach Road Path - Alleyne to Kooringa (Pedestrian Safety in Surf Precinct)	(32)
March 2019 - Freshwater Creek Riding Club - Additional Fencing/Ground Works	(1)
March 2019 - Anglesea Art House Car Park and Landscaping	(2)
March 2019 - Surf Coast Basketball Association Contribution	(15)
April 2019 - Business Improvement Officer	(30)
April 2019 - Winchelsea Toilet Block Door Counters	(5)
April 2019 - Surfworld Fencing	(3)
April 2019 - Fischer Street and Merrijig Drive Roundabout	(88)
Net Allocations (From)/To	(1,891)
May Net Allocations Proposed	
N/A	

4.6 Project Budget Adjustments and Cash Reserve Transfers - May 2019

Financial Implications

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

Council Plan

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

Policy/Legal Implications

Not applicable.

Officer Direct or Indirect Interest

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

Risk Assessment

Not applicable.

Social Considerations

Not applicable.

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 May 2019.

5. ENVIRONMENT & DEVELOPMENT

5.3 Environment & Development Monthly Report - April 2019

Author's Title: Executive Assistant

General Manager: Matthew Taylor

Department: Environment & Development

File No: F18/1519

Division: Environment & Development

Trim No: IC19/649

Appendix:

1. VCAT Decisions - April 2019 (D19/71539)

Officer Direct or Indirect Conflict of Interest:

Status:

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

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

Yes

No

Yes

No

Reason: Nil

Reason: Nil

Purpose

The purpose of this report is to receive and note the Environment & Development monthly activity report for April 2019.

Summary

The monthly report provides an overview of the Environment & Development Division's key activities undertaken in April 2019.

Recommendation

That Council receives the Environment & Development Monthly Activity Report for April 2019, and notes the following items:

1. In April, 87% of all planning applications were issued within 60 statutory days. The comparative average score for the Peri Urban Group for April was 69%. This result is ahead of the KPI of 80% in the Council Plan.
2. Michael Connell & Associates have been appointed as the consultants to deliver Council's Skills & Emerging Industries Audit (SEIA) and associated Economic Development Strategy.
3. April provided a fitting finale to the peak events season, culminating with a bumper Easter/Anzac extended long weekend, which saw the delivery of four ANZAC Day ceremonies, the final Cowrie Market for the season, the Great Ocean & Otway Classic cycling participation event, a sell-out The Drop Festival and the 58th Rip Curl Pro.
4. The Green Living Festival, run by the Anglesea Community Garden volunteers, was held in Anglesea resulting in over 3,500 people attending the event.
5. The Department of Environment, Land, Water & Planning (DELWP) have commenced the Distinctive Areas and Landscapes Project with community engagement commencing in May.
6. Surf Coast Shire Council is one of four councils in Victoria working with Local Government Victoria and other parts of emergency management sector to develop an audit tool to help enhance the emergency management capability of local government.
7. The overall result for the Program against year-to-date Spend Target is 100% (99.53). This is very favourable compared to 81% at the same time in 2018.
8. Increased staffing over the Easter period had a positive impact on compliance and responsiveness to community service requests particularly with events such as the Rip Curl Pro and The Drop Festival.

5.3 Environment & Development Monthly Report - April 2019

Council Resolution

MOVED Cr Heather Wellington, Seconded Cr Margot Smith

That Council receives the Environment & Development Monthly Activity Report for April 2019, and notes the following items:

1. In April, 87% of all planning applications were issued within 60 statutory days. The comparative average score for the Peri Urban Group for April was 69%. This result is ahead of the KPI of 80% in the Council Plan.
2. Michael Connell & Associates have been appointed as the consultants to deliver Council's Skills & Emerging Industries Audit (SEIA) and associated Economic Development Strategy.
3. April provided a fitting finale to the peak events season, culminating with a bumper Easter/Anzac extended long weekend, which saw the delivery of four ANZAC Day ceremonies, the final Cowrie Market for the season, the Great Ocean & Otway Classic cycling participation event, a sell-out The Drop Festival and the 58th Rip Curl Pro.
4. The Green Living Festival, run by the Anglesea Community Garden volunteers, was held in Anglesea resulting in over 3,500 people attending the event.
5. The Department of Environment, Land, Water & Planning (DELWP) have commenced the Distinctive Areas and Landscapes Project with community engagement commencing in May.
6. Surf Coast Shire Council is one of four councils in Victoria working with Local Government Victoria and other parts of emergency management sector to develop an audit tool to help enhance the emergency management capability of local government.
7. The overall result for the Program against year-to-date Spend Target is 100% (99.53). This is very favourable compared to 81% at the same time in 2018.
8. Increased staffing over the Easter period had a positive impact on compliance and responsiveness to community service requests particularly with events such as the Rip Curl Pro and The Drop Festival.

CARRIED 6:0

5.3 Environment & Development Monthly Report - April 2019

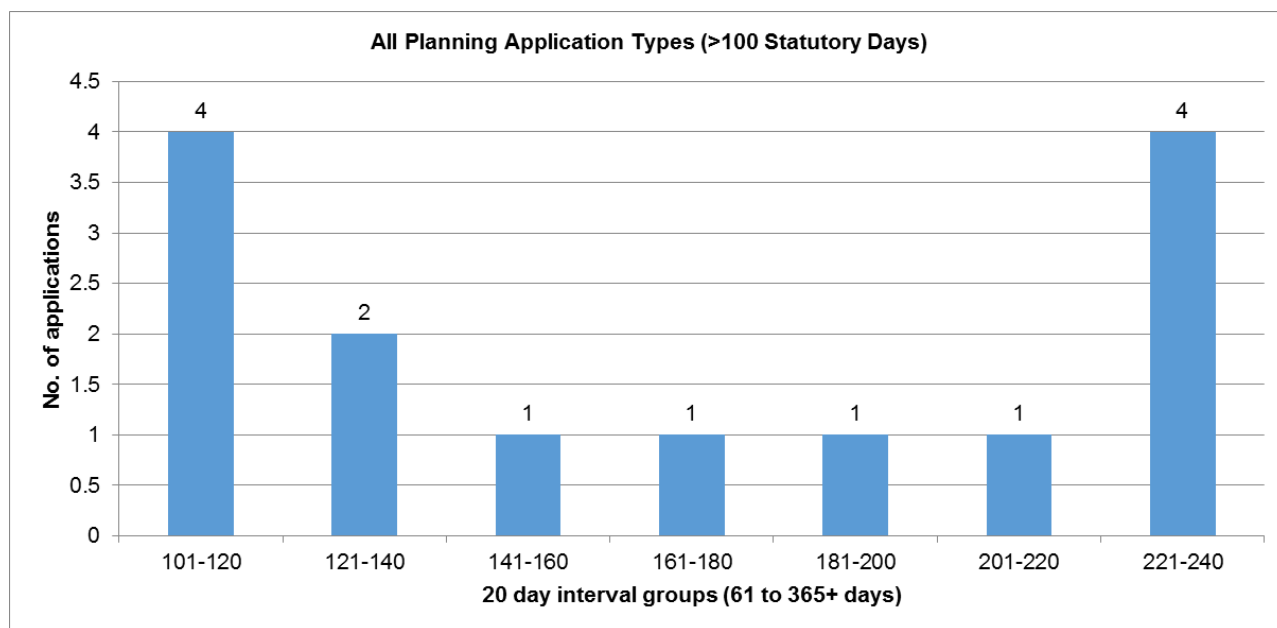
PLANNING & DEVELOPMENT

Measure: 60 Statutory Days

In April, 87% of all planning applications were issued within 60 statutory days. The comparative average score for the Peri Urban Group for April was 69%. This result is ahead of the KPI of 80% under the Council Plan.

Measure: Current Statutory Day Performance (>100 Statutory Days)

Council has set a new KPI this year of achieving 90% within 100 statutory days. While this is measured on the completion of the application, it is informative to look at the reason behind the applications currently being within the “tail”.



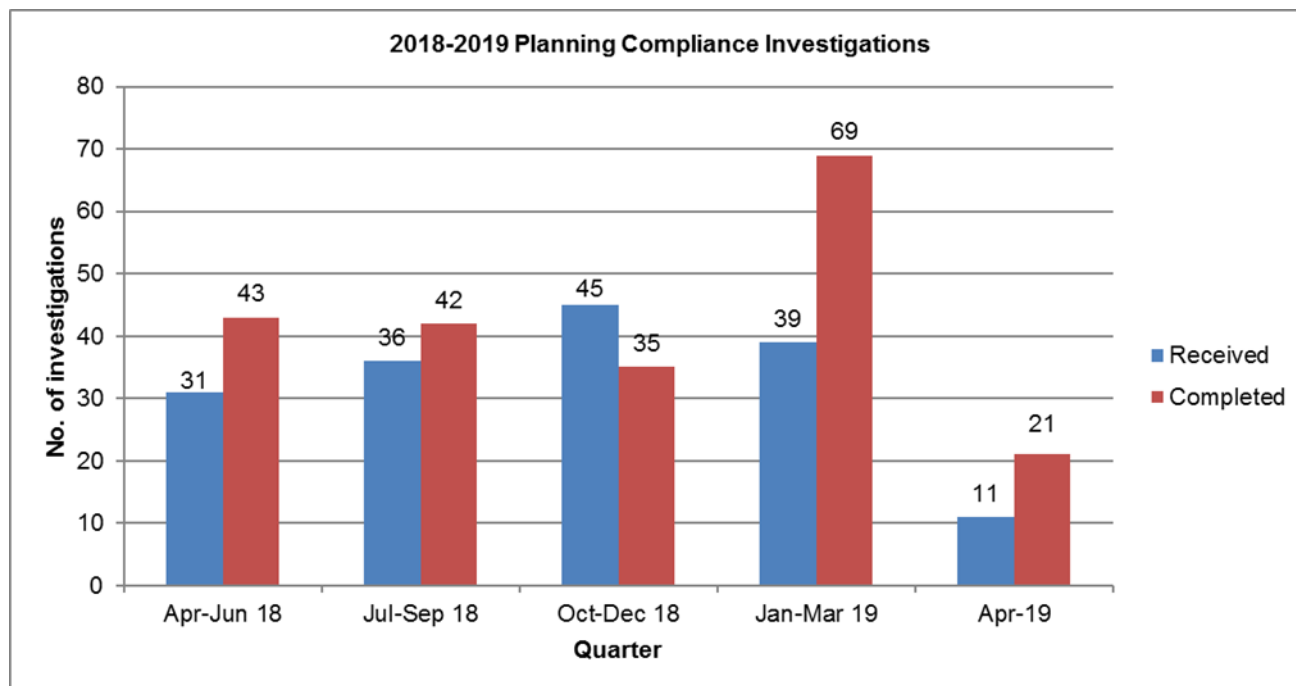
The table below provides an explanation as to why the result is currently over the 100 statutory days.

Categories/Types of Reasons	Number of applications
Ready for decision	5
Applicant requested application is put on hold	1
Tied to application to Amend a Section 173 Agreement which is yet to be resolved	1
Applicant required to submit a Bushfire Management Statement; once submitted the statutory clock will reset at zero days	1
Applicant investigating alternate locations. If amended plans submitted, statutory clock will reset at zero days	1
Changes to common property required, when amended statutory clock will reset at zero days	1
Complications with bushfire related issues and links with proposed subdivision of adjoining land. Applicant determining way forward, if amended the statutory clock will reset at zero days	1
Linked to a VCAT appeal which has only recently been determined	1
Section 96A applications linked to planning scheme amendment process. These types of applications are not subject to the 60 statutory day time frame and require the Minister for Planning approval as part of the Planning Scheme Amendment	2

5.3 Environment & Development Monthly Report - April 2019

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 reduce this type of complaint to less than 50 live investigations by June 2019 to address compliance investigations in a timely way. Significant progress towards the target has been made. As at end April there were 60 live investigations, down from 76 at the end of January.



VCAT Decisions

Four VCAT decisions were received by Council in April 2019, the outcome of each is listed below:

Planning Application	Decision	
195 Clarkes Road, Winchelsea	Set Aside	Did not support Council's decision
850 Hendy Main Road, Moriac	Affirmed	Supported Council's decision
14-16 Ocean Road South, Lorne (Appeal #1)	Affirmed	Supported Council's decision
14-16 Ocean Road South, Lorne (Appeal #2)	Varied	Supported Council's decision with some agreed changes made
42 The Esplanade, Torquay	Set Aside	Did not support Council's decision to refuse but an agreed approval was negotiated

Further information is included in Appendix 1.

ePlanning Portal

Software provider (Open Office) is addressing the final changes required to ensure community members lodging submissions through the portal have the ability to receive documents through the portal. A public launch will not be scheduled until the system is fully tested and ready for wide public use. A revised 'go live' date for the project is being determined.

Current Strategic Planning Projects

- Rural Hinterland Futures Strategy: The Strategy has been updated in accordance with Council's resolution of October 2019. The final draft of the strategy was exhibited from 7 March 2019 to 4 April 2019. The final draft and submissions were due to be considered at the April Council meeting between Easter and ANZAC day, but given the importance of the strategy, it was postponed to the May Council meeting to consider adoption.

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- CORA, Cape Otway Road Australia elite sports facility and tourist development: The Advisory Committee appointed by the Minister for Planning submitted their report to the Minister for Planning on 17 May. The Minister will release the report at his discretion.
- Anglesea Futures Land Use Framework Plan: In October 2018, the State Government released the final version of the Framework Plan. DELWP are currently drafting new policy to reflect the objectives and strategies of the Framework Plan that will subsequently be implemented within the Surf Coast Planning Scheme.
- Winchelsea Town Centre Urban Design Guidelines: Following extensive community engagement in November and December, the draft urban design guidelines have been completed and placed on exhibition until 14 May.
- Lorne Structure Plan Review: Technical background work is in progress including the review of planning controls.
- Spring Creek Urban Growth Area and Distinctive Areas and Landscapes: DELWP has commenced the Distinctive Areas and Landscapes project with community engagement commencing in May. The project will include consultation on the western settlement boundary for Torquay/Jan Juc at Spring Creek.
- Council officers are working with Tract Consultants, engaged by DELWP to translate the Surf Coast Planning Scheme into the new format gazetted in 2018. Preliminary work is being undertaken to support the translation.

Planning Scheme Amendments

- C114 Spring Creek PSP: The issues raised prior to the State Election regarding the final location of Torquay's western settlement boundary have put Amendment C114 on hold until the State Government concludes community consultation. The consultation will occur as part of the broader Distinctive Areas and Landscapes project, as mentioned above.
- C118: Rezoning and planning permit for subdivision to create an additional 4 hectares of Industrial 3 land to the West Coast Business Park. The amendment has been approved by the Minister and Council has issued the permit.
- C120: Growing Winchelsea implementation: The amendment was recently approved by the Minister for Planning.
- C128: Miscellaneous/Anomalies Amendment: Council undertakes an anomalies amendment to the planning scheme every one to two years to keep the planning scheme up to date. The amendment was on exhibition until 1 April and is contained in the May Council meeting agenda to consider for adoption.

There has been no change in the status of the following Planning Scheme Amendments since the April report:

- C123: 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.
- C124: Section 96A application for rezoning of 600-640 Cape Otway Road Moriac from Farming to Low Density Residential and planning permit application for multi-lot staged subdivision.
- C126: Proposed rezoning of land at 125/135 Strathmore Drive from Low Density Residential Zone to General Residential Zone.
- C127: Section 96A application with rezoning of land at 2995 Princes Highway from Farming Zone to Low Density Residential Zone and planning permit application for an 86 lot subdivision.
- C130: The Sands, Torquay, Residential Development Planning Review.

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ENVIRONMENT & COMMUNITY SAFETY

Anglesea Green Living Festival

On Saturday 13 April, the Anglesea Community Garden hosted the Green Living Festival in Anglesea. The day aimed to celebrate the amazing things being done by the community around sustainability, and encourage people to think seasonally, grow locally, live more sustainably and most importantly have fun along the way. The Anglesea Community Garden volunteers did an incredible job of planning and running a fabulous event and should be commended for their efforts. Over 3500 people attended the event.

Council's Sustainability Team attended and hosted a number of workshops including:

- The secrets to an energy efficient home (as part of the Powered by Positive campaign)
- Speed date a stylist - how to rock your wardrobe with upcycling (under our waste education campaign)
- A number of local food-related topics including vegetarian and vegan cooking, sourdough bread making, how to create a worm farm and wicking bed, backyard aquaponics and edible garden design (all part of Council's Home Grown Series of workshops).

The sustainability team also hosted a market stall to engage with residents on our various sustainability programs, including Powered by Positive, Home Grown, and the Anglesea Food Organics Pilot. We found residents were really engaged in the programs, keen to sign up for more involvement. Many of those attending provided positive feedback on the programs Council deliver.

Rip Curl Pro 2019 – Environmental Initiatives

The environment has become a significant focus of the Rip Curl Pro over recent years. Managing thousands of visitors over a short period of time in a nature reserve is a significant challenge. Environment unit staff and the Bells Beach Committee worked with Surfing Victoria to identify various ways to help ensure event spectators wanting a better view didn't 'jump the fence' and trample the fragile native vegetation areas. This year actions included additional security patrolling relevant areas, new signage (see image below) and installation of cyclone fencing in hotspot areas.

The actions proved more successful this year compared to previous years. There were minimal incursions, which were promptly addressed.

Waste management was once again a priority focus with the event continuing its recycling, plastic avoidance and a successful organic recycling trial with the food vendors. Congratulations to Surfing Victoria, World Surf League, Rip Curl and all other sponsors and participants for their environmental leadership.



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Pest Plant & Animal Management

Woody weed works have been completed for this season and blackberry management has been conducted in several key reserves, including Painkalac Creek and Deep Creek. Spotlight counts have been conducted in Council's rabbit management sites to help assess effectiveness of our extensive rabbit management work. The results are currently being shared with stakeholders prior to confirming work priorities for the 2019/20 season.

Microplastics Monitoring

Surf Coast Shire Council's EPA Officer for the Protection of the Local Environment (OPLE) has been sampling local beaches to better understand the source and extent of microplastics along the coast. Microplastic is broken down plastic that has made its way to the sea. Initial surveys have shown Styrofoam (most likely from building sites) and cigarette butts to be the most prevalent. The OPLE plans to undertake microplastics monitoring in line with an approach developed by Sustainability Victoria and EPA to better inform existing litter programs.

Safer Together - community engagement on reducing bushfire fuels on private land

Council is working with the State government on the Safer Together approach to bushfire risk which includes:

- Improved assessments of where and when to use fuel management and other risk reduction activities
- avoiding unacceptable impacts on the environment and communities
- better integration across public and private land
- land and fire managers working together, along with communities to plan and deliver integrated bushfire management
- involving local communities in decision making, drawing on local values and insights to promote resilience
- using world-leading science to manage fire and ecosystems

During April, with support from Forest Fire Management Victoria we continued our community engagement and investigations into significantly expanding fuel reductions on larger private property in high risk township areas. Feedback received from the Lorne area community members that may be directly impacted has been positive. The next stage of the project is to undertake on-ground assessments.

Councils and Emergencies Project stage – audit tool

Surf Coast Shire Council is one of four councils in Victoria working with Local Government Victoria and other parts of emergency management sector to develop an audit tool to help enhance the emergency management capability of local government. The audit tool helps councils to identify both their target and actual capability. This will help staff identify areas of improvement needed in the system to enable provision of appropriate emergency management services to our community.

Staff Flu Immunisations

Over 250 Council staff have now received the current flu immunisation from the Environmental Health team as part of Council's staff health and wellbeing program. Research has indicated providing a workplace flu immunisation program reduces absenteeism from work due to influenza related symptoms by 43%.

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ECONOMIC DEVELOPMENT & TOURISM

Economic Development Projects

Skills & Emerging Industry Audit & Economic Development Strategy Consultants Appointed

Michael Connell & Associates has been appointed as the lead consultant to deliver Council's Skills & Emerging Industries Audit (SEIA) and associated Economic Development Strategy. Michael's team includes Sally Hirst (Hirst Communications) and Jen Lilburn (Kismet Forward) plus a number of other industry specialists.

The project will seek to uncover the significance of emerging industries (such as creative industries) on the Surf Coast, understand existing skill sets and what will be required to meet demands in the future. The SEIA will complement the Economic Development Strategy, which will deliver a ten-year strategy that identifies our economic identity, values and key drivers and the priority actions to drive positive change for Surf Coast Shire.

Community engagement and education is an important part of the development of the strategy. Targeted engagement will commence this month with the main community consultation scheduled between July and September.

2019 Surfing Medicine International World Surfing Medical Conference - RACV 10- 13 April

Over the past 12 months the Economic Development team worked with the Melbourne Convention Bureau to secure the Surfing Medical International Conference/Expo 2019. The bid was successful and the international conference was held from 10-13 April at the RACV Torquay.

The aim of the Surfing Medicine International World Surfing Medical Conference is to share knowledge, skills and experiences to inform and educate the estimated 37 million surfers worldwide, industry stakeholders and the general public.

The conference was timed to coincide with the Bells Beach Rip Curl Pro and The Drop Festival to create a focus on surfing over Easter.

Attendees to the conference came from around the globe and Australia to receive the latest information from industry experts on:

- Surfer Health & Injury Prevention - Major trauma and infectious diseases
- Training and Performance - latest research on surfing performance, and
- Ocean environment - temperature, ocean clean up, prevalence of plastics, influence of currents and many other topics.

An Expo complemented the conference and hosted a range of interesting stands and topics including:

- Drowning resuscitation, Water skills and retrieval, SurfFirstAid™, and
- Medical aspects including Surfer's Ear, Surfer's Shoulder, Strength, Nutrition and Mental Health.

The Surfing Medicine International World Surfing Medical Conference organisers were very happy with attendance levels and the assistance provided by the Economic Development team.

Events

April provided a fitting finale to the peak events season, culminating with a bumper Easter/Anzac extended long weekend, which saw the delivery of four ANZAC Day ceremonies, the final Cowrie Market for the season, the Great Ocean & Otway Classic cycling participation event, a sell-out The Drop Festival and the Rip Curl Pro.

Council officers authorised and/or were involved in the delivery of 24 events and markets across the month of April, including three events funded under the Event Grants Program:

1. KAOS - Kids Adventure Outdoors Anglesea (Major Event)
2. Great Ocean & Otway Classic Ride (Major Event)
3. Sunday Literary Lunch Series (Community Event)

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In addition, the Events team planned and delivered its second official Rip Curl Pro launch event, featuring a Welcome to Country held in spectacular conditions on Bells Beach; and co-ordinated another highly successful Live Site program, aimed at integrating local businesses with the Rip Curl Pro. This year over 50 businesses participated in the Live Site program around the Surf Coast.

Rip Curl Pro (Bells Beach, 17-27 April)

The 58th annual Rip Curl Pro needed the full 10-day waiting period, with poor swell leading to a number of lay days early in the week. Excitement started building with predictions of the '50 year storm' arriving just in time for the final days, with the giant surf attracting front cover stories of both The Age and Herald Sun, and global media coverage shining a spotlight on Torquay and Bells Beach as a world renowned surfing location.

Kelly Slater went so far as to call Torquay the 'surf city of the world' in this interview:

<https://www.facebook.com/surfcoasttimes/videos/580451605795979/>

The event was ultimately won by Courtney Conlogue (USA) and John John Florence (HAW), with Cr Martin Duke presenting the runners up women's trophy to Malia Manuel (HAW).



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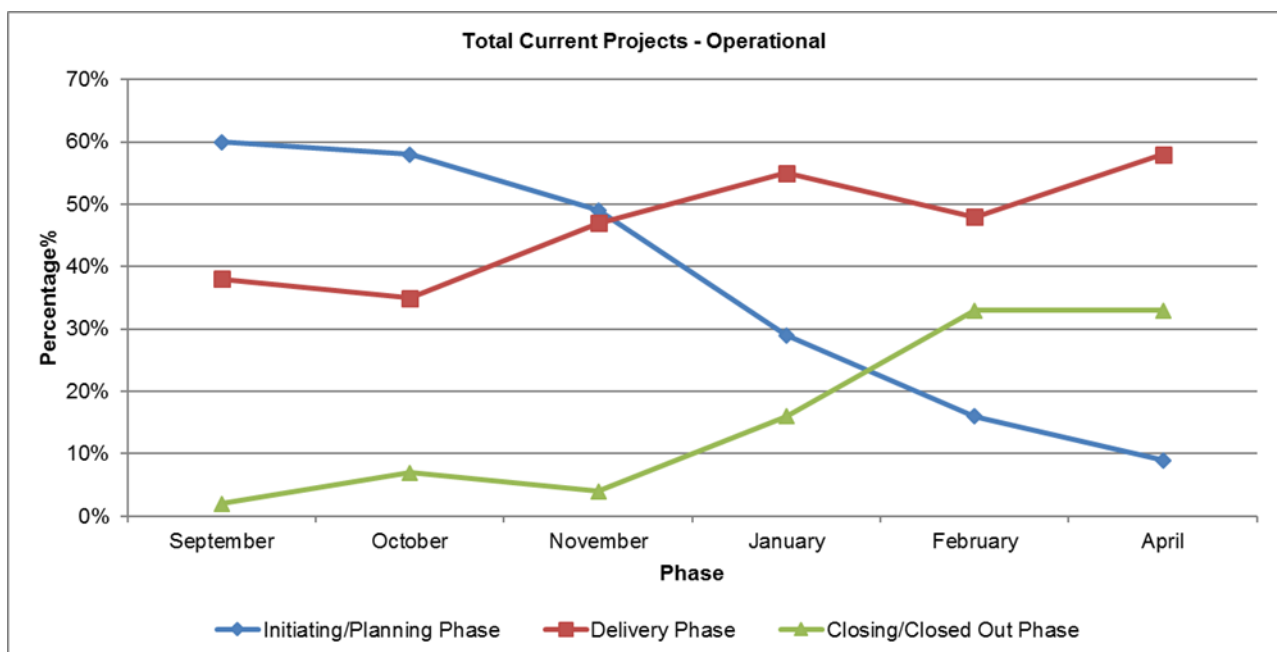
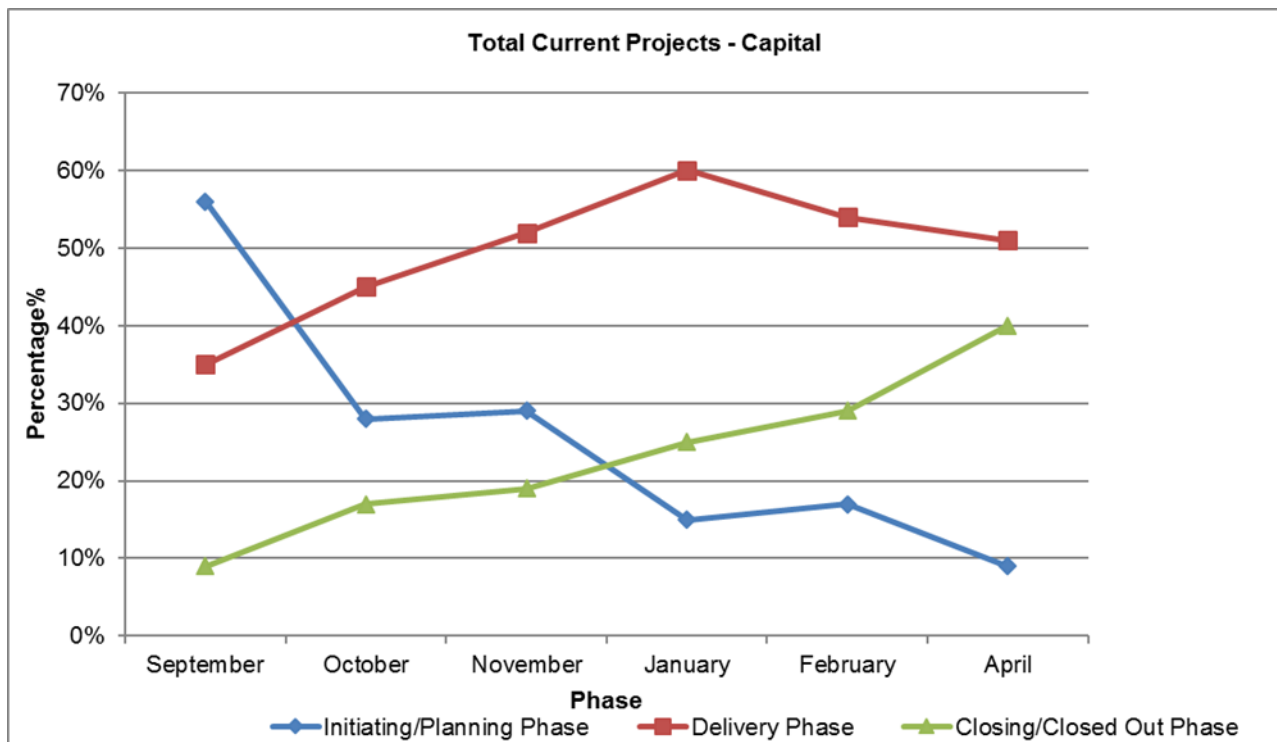
PROGRAM MANAGEMENT OFFICE

Total Projects Overview

As at 30 April 2019:

- 167 Capital Projects
- 45 Operational Projects

Projects in the Initiating/Planning phase are generally those which have been added to the Program during the year or have been delayed due to external factors. Projects are continuing to move out of Delivering phase to Closing/Closed Out phase.












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Percentage of YTD Spend Target at 30 April 2019	2017/18	2018/19
Capital	82%	101%
Operational	64%	88%
Overall	81%	100%

5.3 Environment & Development Monthly Report - April 2019

BUSINESS IMPROVEMENT, RANGER SERVICES AND BUILDING COMPLIANCE




Departmental critical functions – performance overview

	Business Improvement	Ranger Services	Building Compliance	
Financial				Both expenditure and revenue are very favourable to budget and forecast
CRMs				102 of the 118 CRMs completed in April were completed on time
OHS				Active surveillance, compliant

Key:

 On track  Minor delay  Off track

Business Improvement

Deliverable	Overview	Status
Develop 2018/19 Business Improvement Program		Completed
Deliver 2018/19 Program		Underway <ul style="list-style-type: none"> • Four reviews complete, one cancelled • Two reviews underway • Two unlikely to commence / deferred
Deliver identified savings		Target Achieved

The savings target for the Business Improvement program was achieved in March 2019 and communicated to Councillors. The savings Thermometer will be finalised with the 2019-20 Budget in May.

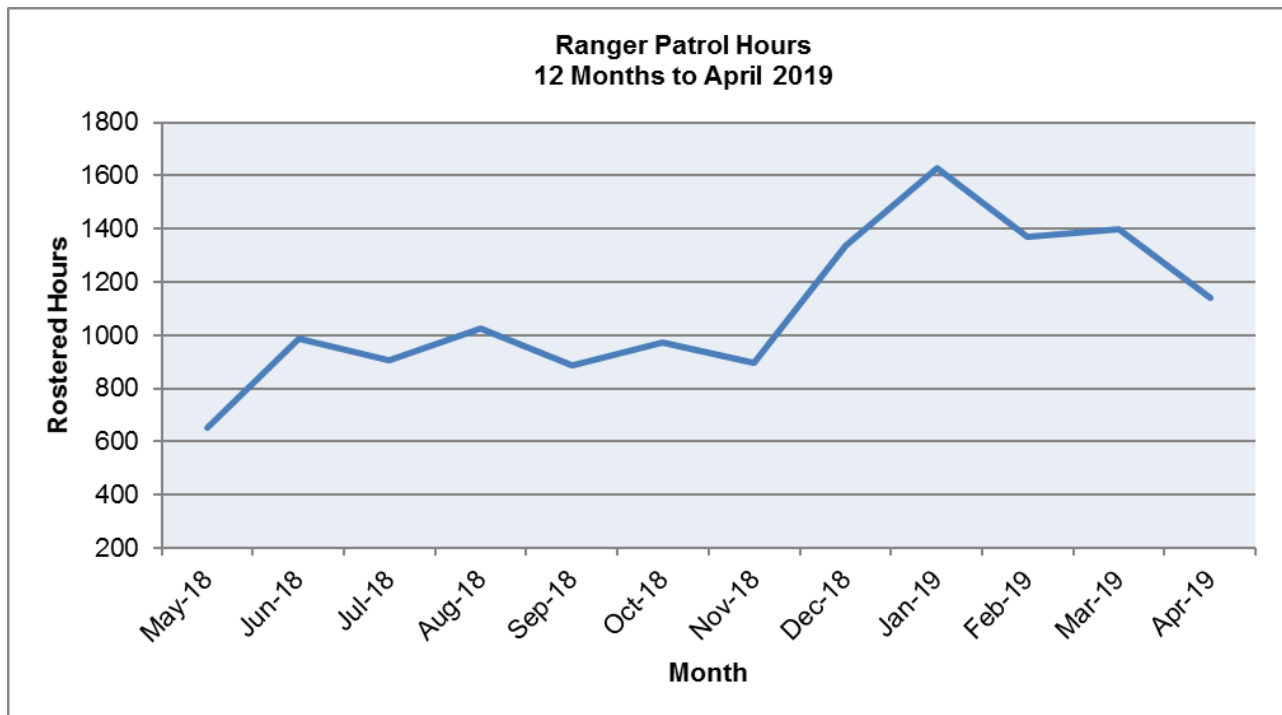
Ranger Services

The following chart indicates the high volume of Ranger Services resources deployed to deliver services.

The Easter period was extremely busy across all coastal towns though particularly in Torquay with events such as the Rip Curl Pro, The Drop Festival and the Fight for the Bight Paddle Out. Increased staffing over this period had a positive impact on compliance and responsiveness to community service requests.

The rostered hours for the team will now be reduce to more historical levels with the decrease in visitation.

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During April, Rangers received 95 CRMs and completed 118 CRMs. One hundred and two of these were completed within the allocated time frame. At the end of April there were 13 outstanding CRMs with four of these overdue. This represents a significant improvement in the percentage of CRMs completed within the due date for the month. With a strong focus on this, it is expected that this improved performance will continue.

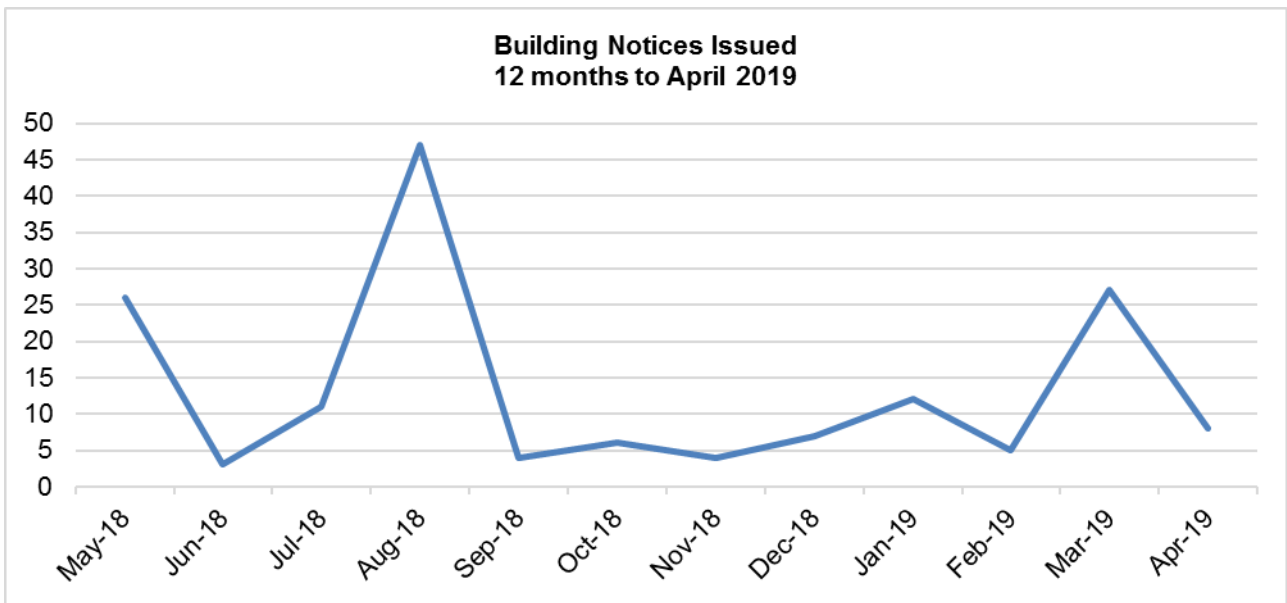
Officers continued to respond to a much lower level of community dissatisfaction regarding increased animal registration fees. Plans are in place to provide additional information in registration reminder notices planned for distribution in May. There are currently approximately 1,500 animals that have not been registered in the time frame provided – approximately 20% of all registered animals. This is consistent with previous years.

Building Compliance

Key Statistics

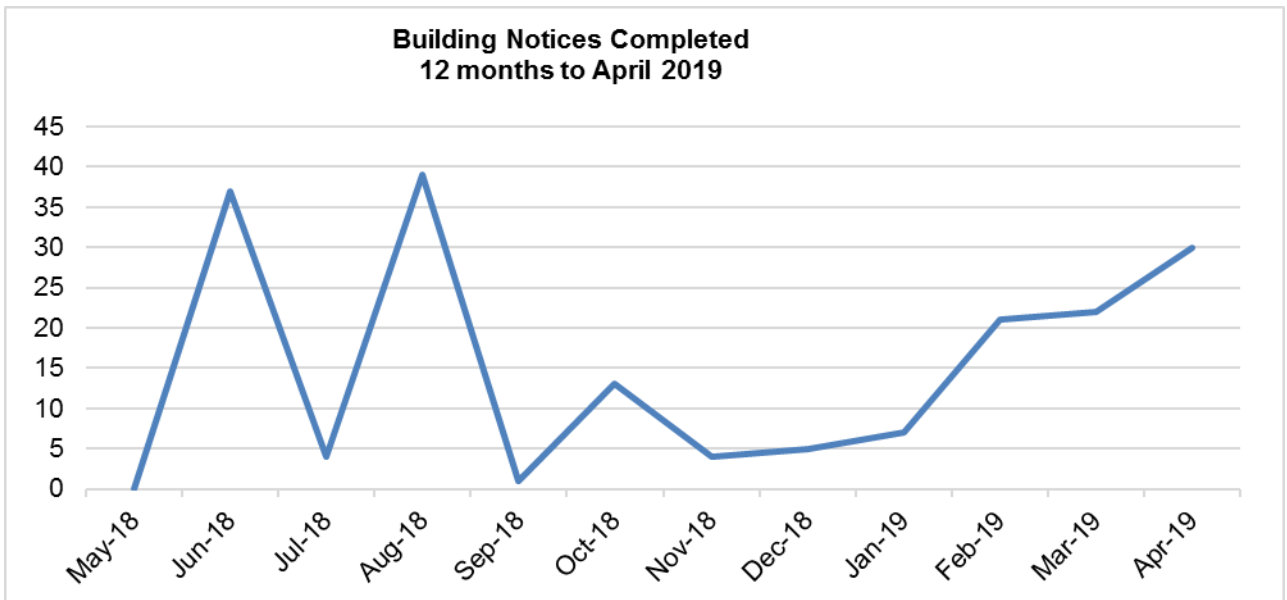
A Building Notice is a show cause notice issued by Council's Building Compliance team when they discover illegal building works that have been carried out without a valid Building Permit. Statistics below show the Building Notice activity 12 months to April 2019.

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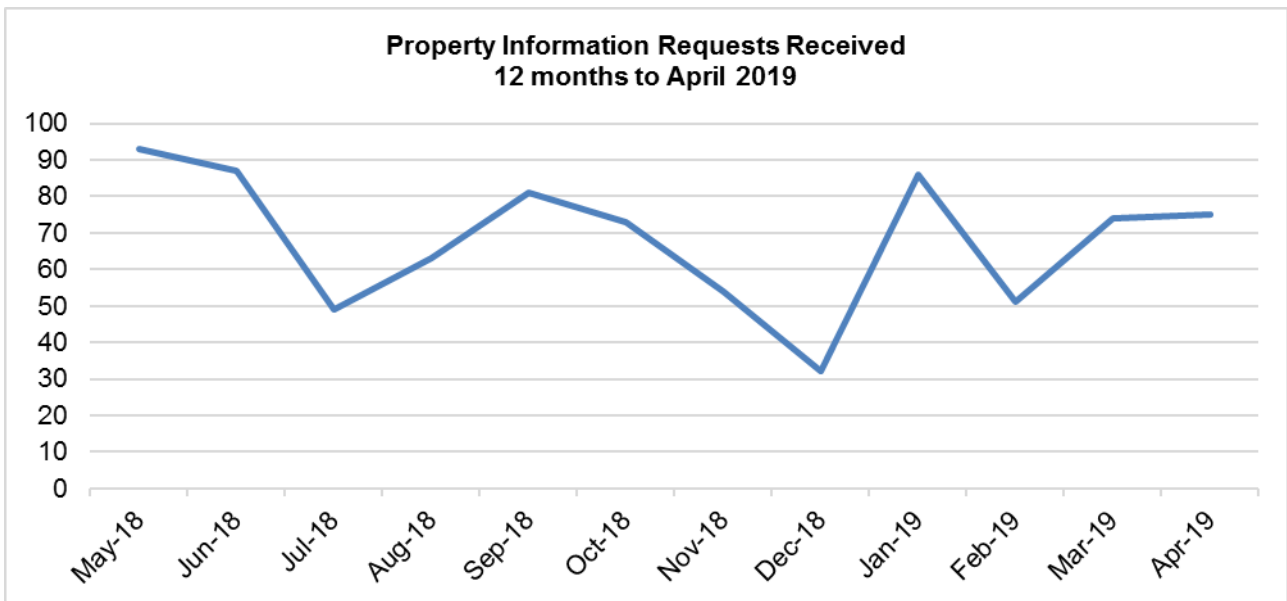
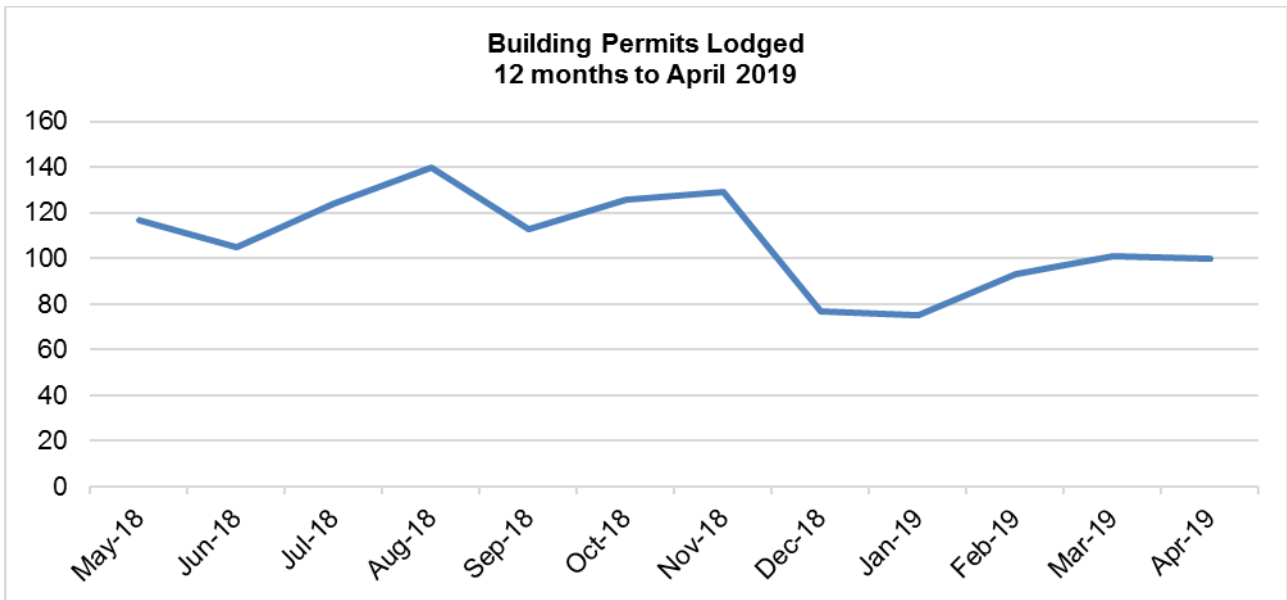
The team has performed well this month completing 30 Building Notices including reducing the number of overdue notices by 9. As at the end of April 2019, Council had 459 open Building Notices of which 127 are overdue. The overdue figure has been reduced by 37 (23%) over the past three months. The graph below shows this very positive recent trend.

A consultant Building Surveyor has commenced and will work with Council two days per week from until the end of June. The key focus will be closing out overdue Building Notices. Recruitment continues for a Building Inspector, the final role to complete the team structure. Applications for this role close in early May.



5.3 Environment & Development Monthly Report - April 2019

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.



5.4 Quarterly Program Status Report - January to March 2019

Author's Title: Manager Program Management Office **General Manager:** Matthew Taylor
Department: Program Management Office **File No:** F18/189
Division: Environment & Development **Trim No:** IC19/570

Appendix:

1. Capital Projects - 31 March 2019 (D19/62322)
2. Capital Programs - 31 March 2019 (D19/62323)
3. Operational Projects - 31 March 2019 (D19/62324)

Officer Direct or Indirect Conflict of Interest:

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

Yes

No

Reason: Nil

Status:

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

Yes

No

Reason: Nil

Purpose

The purpose of this report is to receive and note the Quarterly Program Status Report for the January to March 2019 quarter, for capital and operational projects excluding Digital Transformation.

Summary

The Program Status Report provides an overview of the program, progress of program delivery and the status of time, cost and scope for each capital and operational project. This information provides a flag for risks to individual project delivery and the overall program. The report attachments reflect changes to the program that have been approved by Council including new projects, changes to project budgets, scope or time, and projects that have been completed or cancelled.

The overall result of 97% spend for the program as at 31 March 2019 is favourable compared with the result of 86% for same time last year.

The year to date program spend as at 31 March 2019 is 63% of the full year target. This is close to the planned position of 65% which is based on historical trend.

Recommendation

That Council notes the Quarterly Program Status Report for January to March 2019.

Council Resolution

MOVED Cr Martin Duke, Seconded Cr Clive Goldsworthy

That Council notes the Quarterly Program Status Report for January to March 2019.

CARRIED 6:0

5.4 Quarterly Program Status Report - January to March 2019

Report

Background

The Program Management Office (PMO) has responsibility to provide leadership, support and analysis for best practice project management, including standardising and building Surf Coast Shire Council's project management capability and methods. The PMO has responsibility to support successful delivery of Council's program of projects with the right approach and level of resources.

The Program Status Report is intended to provide high level analysis to Executive Management Team and Council on progress of the overall program of capital and operational projects, and provide a point of accountability for project managers to provide accurate status information including time, cost and scope. It also provides high level information for the PMO to identify where project teams may require assistance to address issues impacting on project delivery.

A snapshot of the overall status of the Program is provided to Council via a communications report at monthly briefing. This quarterly report includes more detail with individual project status detailed in appendices.

The financial data in the appendices is drawn from Council's finance system. The relevant project manager comments on status and provides an Estimate to Complete on behalf of the project team. The 'traffic light' indicators for time, cost and scope provide a snapshot of issues that project teams are addressing to progress the project, and that may result in a request to Council to re-baseline.

Project teams consider the relationship of time, cost and scope at each of the 'gates' between project phases / stages defined in the Project Delivery Process below:

Project Delivery Process – controlling the project through defined phases/stages						
Identify Phase	Initiate Phase	Plan Phase	Deliver Phase			Close Phase
Idea (Project proposal)	Verify (Charter)	Details/Method (Project Plan)	Requirements Stage	Procurement Stage	Implement Stage	Wrap-up and Learn (Closure Report)
Prepare			Do			Review

Project definition develops through each of these phases / stages and at each gate the Sponsor can recommend that the project:

- progress as planned
- change
- stop (be deferred or cancelled).

If project planning determines that the project will not deliver the intended outcome within the parameters of time, cost and scope approved by Council, officers may recommend that the project be cancelled or funds transferred to the Adopted Strategy Implementation Reserve (or other relevant reserve) while a new project proposal is prepared for Council to consider.

Projects are reported 'Life to Date' therefore multi-year project financial data includes actual spend from years prior and future allocations to represent the total project budget approved by Council.

Project budgets are reported excluding contingency. Contingency funds for each project are centralised in a separate account to be drawn on as requested by the Sponsor and reviewed / approved by the PMO.

5.4 Quarterly Program Status Report - January to March 2019

A spend target has been established for the 2018/19 program based on:

- the program allocation made by Council in the 2018/19 Budget
- PLUS carry forwards from 2017/18
- LESS
 - Multi-year project funding that is planned to be expended in future years
 - Projects awaiting outcomes, such as grant or project partners preparedness, or high external risk i.e. subject to significant consultation or external approvals
 - Project funding in the process of being accumulated
 - Land transactions
 - Project contingency
 - DT (Digital Transformation) related projects

Spend targets for the 2018/19 Capital and Operational Programs were presented to Council on 28 August 2018.

	Actual Spend 2015/16	Actual Spend 2016/17	Actual Spend 2017/18	Spend Target 2018/19
	\$'000	\$'000	\$'000	\$'000
Capital	14,966	19,547	20,527	19,350
Operational	1,922	3,168	1,526	1,957
TOTAL	16,888	22,715	22,053	21,307
	<i>Historically High Figure</i>	<i>Record Spend in previous two years</i>		<i>New Challenge</i>

The quarterly profile for 2018/19 spend to produce the report graphs below is based on historical trend:

Quarter	Percentage (%) of annual spend	Cumulative %
July to September	15	15
October to December	30	45
January to March	20	65
April to June	35	100

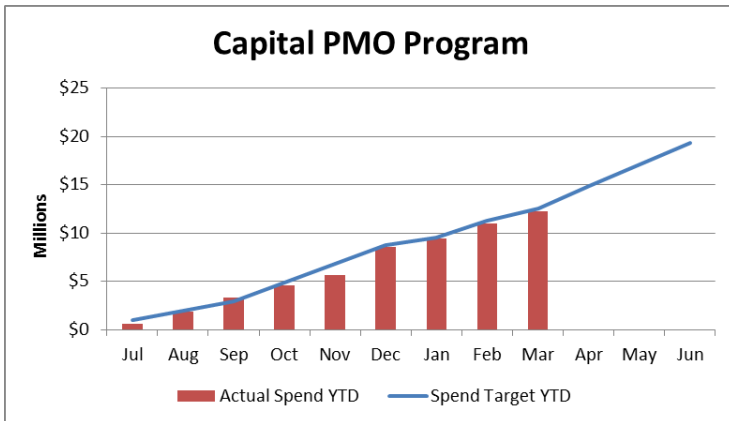
A statement of Capital Works by category for annual budget, year to date budget and actual budget is included in the quarterly Finance Report to Council.

Discussion

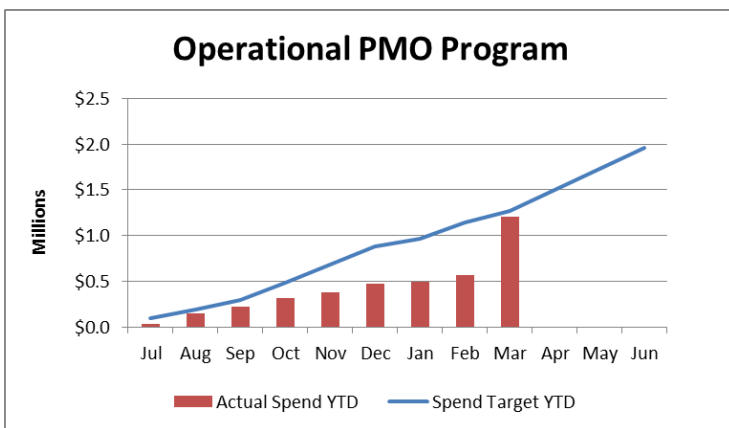
The following results do not include Digital Transformation projects or non-project allocations in the program such as funding for fixed term staff roles or fixed term grants for activities such as Freeza. Separate reports are provided to Council for these items.

5.4 Quarterly Program Status Report - January to March 2019

Spend for the Capital Project Program at 31 March 2019 is represented in the graph below:

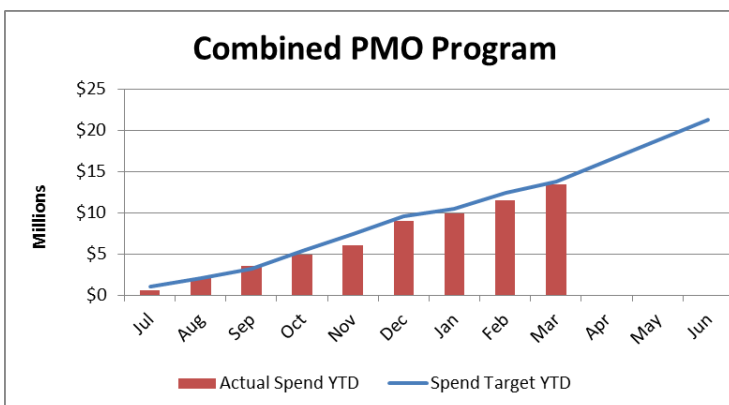


Spend for the Operational Project Program at 31 March 2019 is represented in the graph below:



Uplift in the Operational Program is associated with implementation of the Street Lighting Upgrade Program.

Spend for the overall Project Program at 31 March 2019 is represented in the graph below:



5.4 Quarterly Program Status Report - January to March 2019

Financial results for the Program at 31 March 2019 are detailed in the table below:

	Capital \$	Operational \$	Total \$
YTD Spend Target	12,577,500	1,272,050	13,849,550
YTD Actual Spend	12,279,821	1,201,698	13,481,519
Percentage Actual Spend of Target	98%	94%	97%
Spend during Month	1,287,635	634,137	1,921,772
Value under contract	5,207,172	236,175	5,443,347

Individual project status is detailed in:

- Appendix 1 - Capital Projects
- Appendix 2 - Capital Programs
- Appendix 3 - Operational Projects.

Financial Implications

Requests to Council regarding change to project budgets are considered monthly via the Project Budget Adjustments and Cash Reserves Transfers report. Officers make recommendations to Council to create project budgets, change project budgets (increase or decrease), cancel projects and close projects. This provides transparency for variations to project budgets and acknowledgement of projects completed under budget with savings returned to source.

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

There are no Council Plan strategies or actions directly relevant to the purpose of this report. The overall program of projects is selected and funded by Council to deliver strategies and actions in the Council Plan.

Policy/Legal Implications

There are no significant policy or legal implications arising from this report.

Officer Direct or Indirect Interest

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

Risk Assessment

Project risk assessments are prepared, monitored and reviewed as part of project initiation and delivery. Any risk associated with the status of time, cost and scope for each project is managed by the Project Sponsor in conjunction with the governance group for the project, and subject matter experts where relevant.

Project managers are required to provide data on time, cost and scope for each project each month. This supports early identification and resolution of issues.

5.4 Quarterly Program Status Report - January to March 2019

The indicators used to describe risk in monthly reporting for individual project status are described below:

TIME

Green	Expected to be completed within approved schedule	
Amber	Delayed however expected to be completed within approved schedule	Schedule is over-estimated and it may be possible to reduce approved schedule
Red	Delayed and NOT expected to be completed within approved schedule	

COST

Green	Expected to be completed within approved budget	
Amber	Budget may not be adequate and use of contingency may be required	Budget is over-estimated and it may be possible to return funds to source early
Red	Budget including contingency will NOT be adequate	

SCOPE

Green	No material change to scope expected
Amber	Material change to scope may be required
Red	Material change to scope is required OR Scope is yet to be defined

Social Considerations

Any significant social issues associated with the status of time, cost and scope for each project are considered by the Project Sponsor in conjunction with others participating in governance for the project, and other subject matter experts where relevant.

Community Engagement

Community communications and engagement plans are prepared, monitored and reviewed as part of project initiation and delivery when relevant. Any emerging issues that require communications and engagement due to variations in time, cost and scope for each project are managed by the Project Sponsor in conjunction with others participating in governance for the project, and other subject matter experts where relevant. Project delivery supports Council's Communications and Community Engagement Strategy 2019 - 2021 and complies with Council policy where relevant.

The Manager Program Management Office prepares a report for the bi-monthly Abilities Advisory Committee Meeting to advise arrangements in place for considering access and inclusion in project governance and design, and to address any specific questions raised by the Committee about projects.

Environmental Implications

There are no significant environmental implications arising from this report.

Environmental implications of individual projects are considered in the 'Identify' and 'Initiation' and 'Planning' phases as part of project approach and scope. Environmental deliverables may be specified as part of the project outcomes and benefits. Project delivery complies with Council policy where relevant.

Communication

Comments or questions from Council or community arising from this report will be communicated to the relevant Project Sponsor or Program Management Office and responded to.

5.4 Quarterly Program Status Report - January to March 2019

Options

Option 1 – That Council notes the Quarterly Program Status Report for January to March 2019.

This option **is recommended** by officers as the report represents factual information and provides transparency on the progress of projects for councillors and community.

Option 2 – That Council does not note the Quarterly Program Status Report for January to March 2019

This option is not recommended by officers as it is contradictory to the Council Plan Objective 5.2 Ensure that Council decision making is balanced and transparent and that the community is involved and informed.

Conclusion

Delivery of the 2018-19 Program of projects is progressing well with a spend result of 98% of the year to date target for the Capital Program and 94% of the Operational Program target.

The overall program spend result is 97% of the 31 March 2019 target.

This compares favourably to prior years.

6. CULTURE & COMMUNITY

6.2 Small Grants Program March 2019

Author's Title: Community Project Officer

General Manager: Chris Pike

Department: Community Health & Development

File No: F18/1897

Division: Culture & Community

Trim No: IC19/254

Appendix:

1. Appendix 1 - March 2019 Small Grants Program - Recommended Projects (D19/49396)
2. Appendix 2 - March 2019 Small Grants Program - Ineligible, Not Recommended and Withdrawn Projects (D19/49395)

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 allocate funding for the March 2018-19 Round 2 Small Grants Program

Summary

The Small Grants Program aims to support community groups, projects and local initiatives. It is a grass roots program which enables community strengthening and helps to build vibrant and healthy communities within the Surf Coast.

A total of 30 applications were received. Eligible applications were assessed by Council Officers against the Small Grants Program selection criteria in the categories of 'Community Initiatives', 'Culture and Arts', 'Environment' and 'Recreation and Leisure'. A recommended project funding list has been developed for Council endorsement (see Appendix 1).

A total of 19 applications are recommended for funding in the Small Grants Program. Five applications were assessed as ineligible, five applications not recommended by officers and one application was withdrawn (see Appendix 2).

Recommendation

That Council allocates funding for the March round of the 2018-19 Small Grants Program to 19 projects to the value of \$36,118.80 as per Appendix 1.

Council Resolution

MOVED Cr Clive Goldsworthy, Seconded Cr Martin Duke

That Council allocates funding for the March round of the 2018-19 Small Grants Program to 19 projects to the value of \$36,118.80 as per Appendix 1.

CARRIED 6:0

6.2 Small Grants Program March 2019

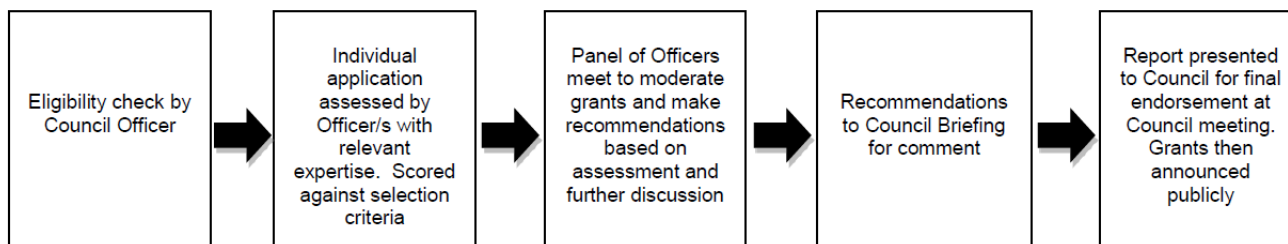
Report

Background

For a number of years Council has supported the Small Grants Program with two funding rounds held in September (Round 1) and March (Round 2) each year.

The Small Grants Program follows a formal application process in which applicants submit responses to key questions based around weighted selection criteria. The assessment process is undertaken in-line with Small Grant Policy SCS-031.

The diagram below details the assessment process:



The Small Grants Program is a merit based grants process and does not aim to achieve equal distribution of funding across categories, as some categories are more popular than others.

All successful groups or their auspice agency are required to sign a small grant funding agreement confirming that they agree to set conditions. This agreement clearly outlines any special conditions which may relate to the provision of funds, for example obtaining appropriate public liability insurance or relevant permits. Successful groups are required to report on the outcomes of their grant within 12 months of receiving funding via a grant acquittal process.

Funding is available for community-based projects or activities that:

- encourage and enable the participation of a wide variety of local residents
- address an important community need
- encourage and enable groups or individuals across the Shire to collaborate and share knowledge, skills and resources.

Projects not funded under the Small Grants Program include:

- capital items with a total project cost greater than \$10,000
- building maintenance works
- general administrative, wages or contracts
- projects funded under other programs supported by the Surf Coast Shire
- projects that have already commenced or already occurred
- projects that are part of curriculum-based activities in schools
- projects that are fundraising in nature (unless the project provides considerable community benefit)
- recurrent funding for ongoing projects or projects which have already been funded.

Organisations ineligible to apply for a Small Grant include:

- individuals (applicants will need to approach an organisation to auspice the project)
- any Committees of the Surf Coast Shire Council including Advisory Committees, Committees of Management or Sub Committees
- organisations who have received a Surf Coast Shire Small Grant in the previous funding round
- organisations that have not completed an Acquittal Report for a previously funded Surf Coast Shire Small Grant
- for profit or commercial organisations - unless the application can demonstrate that the proposed project or activity will have considerable tangible community benefit.

6.2 Small Grants Program March 2019

Funds are provided for projects and activities that fall into the following broad categories:

- Community Initiatives: Local partnerships that contribute to the wellbeing and quality of life of Surf Coast Shire residents.
- Environment: Projects or activities that protect or enhance the local environment or work towards sustainability.
- Culture and Arts: Community arts projects that support the development of quality arts initiatives and increase involvement in arts and culture by the community. Heritage projects that support participation, learning and recording of the cultural history of the Surf Coast Shire and its residents.
- Recreation and Leisure: Innovative or new projects that promote recreation, physical activity and increase participation for all abilities.

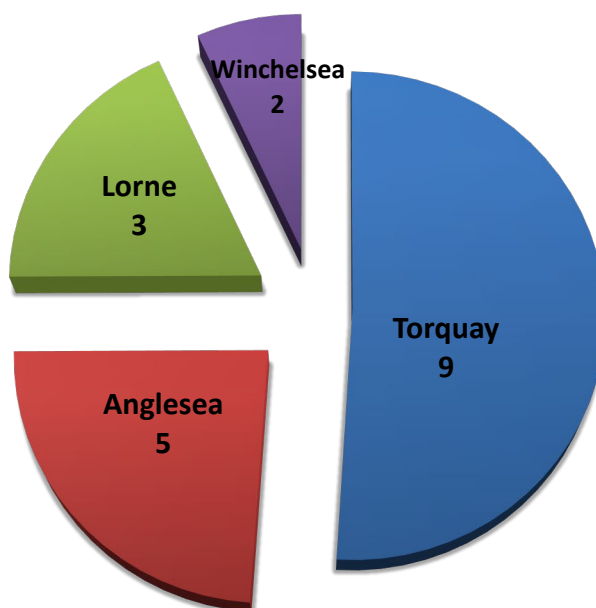
Discussion

A total of 30 applications were received. Five projects have been assessed as ineligible, five not recommended and one withdrawn as detailed in appendix 2. Officers will work with all unsuccessful applicants to improve their project applications for future rounds. Following a thorough assessment process, the officers' recommendation is to fund a total of \$36,118.80 to deliver 19 projects.

The breakdown of the 19 recommended projects by Ward is as follows:

Ward	Number of eligible applications	Number of projects recommended for funding	Total recommended funding amount
Torquay	10	9	\$18,435.00
Anglesea	9	5	\$8,627.80
Winchelsea	2	2	\$2,500.00
Lorne	4	3	\$6,556.00
Total	25	19	\$36,118.80

Funding Allocation by Ward

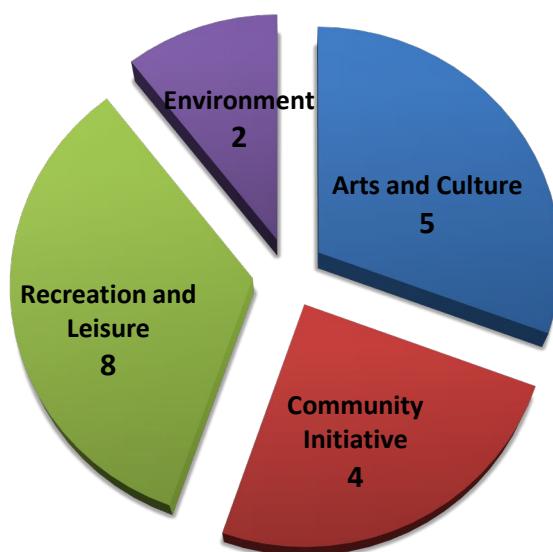


6.2 Small Grants Program March 2019

The breakdown of the 19 recommended projects by category is as follows:

Category	Number of projects recommended	Total recommended funding amount
Arts and Culture	5	\$11,051.00
Community Initiatives	4	\$8,940.00
Environment	2	\$3,827.80
Recreation and Leisure	8	\$12,300.00
Total	19	\$36,118.80

Funding Allocation by Category



Appendix 1 lists the applications submitted across each of the four Small Grant categories – Community Initiatives, Environment, Culture and Arts, Recreation and Leisure and the proposed funding for each project.

The grant guidelines confirm that grants up to \$2,000 are available and at the discretion of Council some projects that meet additional community need may be considered for funding up to \$5,000. To be considered for additional funding, projects need to demonstrate:

- High evidence of need and participation by a wide variety of key audiences
- A provide track record in managing similar size projects
- Have a well-developed project plan
- Appropriate expenditure and resourcing.

6.2 Small Grants Program March 2019

A total of three projects have been recommended to receive a contribution greater than \$2,000. They are:

Applicant	Torquay Community House
Project name	Community House Programs - Support and Sustainability Project
Description	Support for 6 community groups and programs including: <ul style="list-style-type: none"> • Worm farm, seedlings, compost, wood work vice, first aid training and Hi-Vis vests for Woman's Sharing Shed • Transport for Tech Help volunteer • Art and Craft supplies for Little Divincis • Trestle tables and hanging wire for Studio14 art programs • Art supplies for Painting with Parkinson's • Purchase of craft materials for M.O.T.H.E.R.S. refugee group
Comments	Project supports six local groups and programs that provide a wide range of community benefit
Recommended funding	\$3,500

Applicant	Jimi Crispe Group (Auspiced by Surf Coast Arts)
Project name	Jimi Crispe – Surf City Album
Description	Recording, mixing and mastering of the Surf City Album using local producers, engineers and musicians. Recordings will be free to community online
Comments	The project helps to showcase music, culture and talent in the Surf Coast Shire and facilitates collaboration, sharing of knowledge, skills and resources
Recommended funding	\$3,000

Applicant	Picturing History of Deans Marsh (Auspiced by Deans Marsh Community Cottage)
Project name	Picturing History Deans Marsh
Description	Purchase high resolution scanner, two hard drives and IT support to collect, upload and display collection of 2,000 photographs of Deans Marsh held in private and family collections to the central portal for Victorian's Cultural Treasures
Comments	This is a sister project to 'Deans Marsh Town Stories'. The project contributes to the preservation and sharing of cultural history of the Deans Marsh district
Recommended funding	\$2,556

Financial Implications

The total pool for two rounds allocated to Small Grants in the 2018/19 budget is \$75,000. In Round 1 September 2018, \$38,857.95 was allocated to small grants leaving \$36,142.05 available for this round.

Council Plan

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

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

6.2 Small Grants Program March 2019

Policy/Legal Implications

The Small Grants Program supports the Council Plan (2017-21) objective 'Support people to participate in and contribute to community life'. The process was conducted in accordance with the adopted Small Grant Policy SCS-031.

Officer Direct or Indirect Interest

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

Risk Assessment

All projects have been reviewed by Council's Risk Management Coordinator. Depending on the level of risk some applicants will be required to provide public liability insurance to the value of \$20,000,000 as a condition of receiving a funding grant.

Social Considerations

The Small Grants Program enable community groups to draw on their skills, networks and resources and leverage Council funding to deliver community strengthening activities that contribute to the social and cultural wellbeing of the Surf Coast Shire.

Community Engagement

Communications and engagement activities prior to the March round of grants include:

- media campaign including advertising in the Surf Coast Times, Winchelsea Star and Lorne Independent
- promotion via Council officer e-mail networks, word of mouth, community house and men's shed networks
- grant writing assistance sessions
- direct email to previous grant recipients
- direct contact with potential grant recipients
- promotion via the Surf Coast Shire website and social media.

Environmental Implications

The Small Grants Program is often accessed by local environment groups. Three applications have been received under the 'Environment' category and two projects have been recommended for funding.

Communication

Following adoption at the 28 May 2019 Council meeting, all applicants will receive a letter informing them of the outcome of their application and results will be communicated to the broader community through Council's communication channels and the local media.

Options

Option 1 – Allocate funding for the March round of the 2018-19 Small Grants Program to 19 projects to the value of \$36,118.80 as per Appendix 1

This option is recommended by officers as the formal application and assessment process was completed according to Council's adopted Small Grant Policy. Additionally, the projects allocated deliver on Council Plan objective to support people to participate in and contribute to community life.

Option 2 – Allocate funding for the March round of the 2018-19 Small Grants Program to a mix of projects identified in Appendix 1 and 2

This option is not recommended by officers as projects considered 'ineligible' or 'not supported' have either not met eligibility criteria as per the Small Grants Program Guidelines or not scored as strongly against the grants assessment criteria as the other officer supported projects.

Option 3 – Do not allocate funding for the March 2018-19 round of Small Grants Program

This option is not recommended by officers as many important community projects will not be able to progress without funding support.

6.2 Small Grants Program March 2019

Conclusion

The Small Grants Program is a positive community strengthening initiative that supports local groups to take action and contribute to the vibrant culture of their local community. The program involves significant collaboration with community given the high level of in-kind volunteer support involved in delivering each project.

A full list of recommended projects is attached (Appendix 1).

A celebration to recognise successful grant recipients will be held on 13 June 2019.

6.2 Small Grants Program March 2019

APPENDIX 1: Surf Coast Shire Small Grants Program March 2019 - 'Projects Supported'

No.	Name of Applicant	Project Title	Description	Alignment to Grant Guidelines	Category	Ward	Applicants Total Project Costs	Amount Sought	Recommended
1	ANGAIR	Native and Indigenous Open Garden Weekend	Spring and autumn occasions for open garden weekend in October 2019	Project protects and enhances the local environment and contributes to sustainability. Project also facilitates high levels of knowledge, skills and resources sharing in the community.	Environment	Anglesea	\$5,019.00	\$2,000.00	\$2,000.00
2	Torquay Community House	Community Music Programs Support and Sustainability Project	Support for 6 community music and programs run out of the Torquay Community House. Including: Worms, wood lily, compost, wood work etc. First aid training and H-Visits for Women's Sharing Shed Torquay. Transport for Tech Help volunteer, Art and Craft supplies for Little Doves, Travel buses and bringing women for Station 14 art programs, art supplies for Painting with Parkinsons and purchase of craft materials for M.O.T.H.E.R.S. refugee group.	Project supports 6 local groups and programs that provide a wide range of community benefits such as increased health and wellbeing, increased participation and social inclusion.	Community Initiative	Torquay	\$22,877.00	\$3,500.00	\$3,500.00
3	Deans Marsh O'Clock Club	Deans Marsh Town Story: The Memorial Reserve and Community Hall	Commission research to collect, record and curate records of the Deans Marsh Community Hall and Memorial Reserve and the many local community groups (Sister project to 'Picturing History Deans Marsh')	Heritage project that supports participation, learning and recording of the history of Surf Coast Shire.	Culture and Arts	Loxley	\$21,000.00	\$2,000.00	\$2,000.00
4	Repair Cafe Surf Coast (Aussied by SCSE)	Volunteer Training and Purchase of a Test and Tag equipment for Repair Cafe	To purchase a test and tag machine and train 2 volunteers to test and tag electrical equipment. A request before they can be resold.	Project contributes to the environment and sustainability. Clearly demonstrated need and response and facilitates sharing of local skills.	Environment	Anglesea	\$39,847.80	\$2,000.00	\$1,827.80
5	Surf Coast Mountain Bike Club	Coaching and First Aid qualifications for delivering mountain bikers to new shops and social clubs	6 club members to undertake first aid training and coaching qualifications to enable the club to offer more safe social rides with coaching to respond to growing demand	Project promotes recreation, physical activity and contributes to health, wellbeing and safety of residents.	Recreation and Leisure	Anglesea	\$6,265.00	\$2,000.00	\$2,000.00
6	Ocean Mind	Ocean Mind Volunteer Mentor Training	Youth Mental Health First Aid training for 10 new volunteer mentors and Autism training for 13 volunteer mentors to meet growing demand	Project addresses an important community need. Benefits will include increased health and wellbeing and social inclusion.	Community Initiative	Torquay	\$4,000.00	\$2,000.00	\$2,000.00
7	Jimi Crispe Group (Aussied by Surf Coast Arts)	Jim Crispe - Surf City Album	Recording, mixing and mastering of the Surf City Album using local producers, engineers and musicians. Record set will be free to community on line	The project helps to showcase music, culture and talent in the Surf Coast Shire and facilitates collaboration, sharing of knowledge, skills and resources.	Culture and Arts	Torquay	\$10,640.00	\$5,000.00	\$3,000.00
8	Picturing History Deans Marsh (Aussied by Deans Marsh Community Cottage)	Picturing History Deans Marsh	Purchase high resolution scanner, 2 hard drives and IT support to collect, upload and display collection of 2,000 photographs of Deans Marsh held in local archives and family collections to the central portals for Victoria's Cultural Treasures (Sister project to 'Deans Marsh Town Story')	Heritage project that contributes to the preservation and sharing of cultural history of the Surf Coast Shire. Need for project well demonstrated and supports participation and learning.	Culture and Arts	Loxley	\$24,320.00	\$2,550.00	\$2,550.00
9	Anglesea SLSC	Bronze Medal Open Camp	To assist with venue hire for Bronze Medal open camp due to clubhouse not being operational	Project promotes recreation, physical activity and contributes to health, wellbeing and safety of residents.	Recreation and Leisure	Anglesea	\$12,400.00	\$2,000.00	\$800.00
10	Surf Coast Basketball Association	Youth Girls Basketball Development Program	Provision of equipment, court hire fees and reduction in the cost of participation fees for a six week basketball program aimed at increasing young females participation in basketball	Program contributes to the health and wellbeing of Surf Coast Shire residents, promotes recreation, physical activity and encourages female participation in sport	Recreation and Leisure	Torquay	\$4,700.00	\$2,000.00	\$2,000.00
11	Seaside Swing	Seaside Swing Sound System	Provision of a sound system to provide 10 swing dance social events and 30 weekly classes	Project offers a new cultural activity currently not available on the Surf Coast, encourages the participation of a wide variety of local residents, promotes physical activity and contributes to health and wellbeing of residents.	Culture and Arts	Torquay	\$4,785.00	\$1,995.00	\$1,495.00
12	Winchelsea Community House	Occasional Care Playground and High Play Equipment	To purchase, install and replace play equipment, toys and craft supplies for the Occasional Care service offered by the Winchelsea Community House.	Project promotes recreation, physical activity and contributes to the healthy development of children within the site.	Recreation and Leisure	Winchelsea	\$3,000.00	\$1,500.00	\$1,500.00
13	Anglesea Kindergarten Parent Committee	Engaging, Welcoming, Elder Care, Corned Cakes and Koori Art Kit	Author Paterson to guide children to learn about indigenous culture and a tower techniques which is not currently provided in the kindergarten program	Project supports participation and learning of cultural history and encourages the participation of local residents.	Culture and Arts	Anglesea	\$6,635.00	\$3,300.00	\$2,000.00
14	Jan Luc Playgroup	Wheels for Kids	Purchase new ride on toys such as balance bikes and implement a 6 week 'Wheels for Kids' program holding children to learn road rules and safety in a fun way.	Innovative new project that promotes recreation, physical activity and safety	Recreation and Leisure	Torquay	\$3,040.00	\$1,200.00	\$1,000.00
15	Deans Marsh Community Cottage	Great Otway Trail Ride	Plan of 4 day horse trail ride for young people (15 riders/day) in the rural hinterland from Arroyo to Go-Barand. Project aims to increase the number and variety of activities available to young people in rural areas. Grant will cover camping fees, camp meals and photographer.	Project promotes recreation, physical activity and social connection in rural areas	Recreation and Leisure	Winchelsea	\$2,000.00	\$1,000.00	\$1,000.00
16	USA Surfcoast	USA Surfcoast First Aid	For 24 members to attend First Aid Level 1 course including defibrillator training to increase safety of USA participants	Need for training well documented, group has a proven track record in managing similar projects and project contributes to the wellbeing and quality of life of Surf Coast Shire residents.	Community Initiative	Torquay	\$1,065.00	\$2,000.00	\$1,440.00
17	Torquay Bowling Club	Torquay 'Roll Up' Junior Bowls Program	Purchase of 8 junior bowls sets for the provision of the Roll Up program for local schools to encourage children to participate in bowling	Project promotes recreation, physical activity and increases participation	Recreation and Leisure	Torquay	\$2,916.00	\$2,000.00	\$2,000.00
18	Veterans on a Mission (Aussied by Torquay RSL Sub Branch)	Bidding for Veterans on a Mission	To purchase 4 mannequins for use by Veterans on a Mission, Vietnam Veterans, War Widows and other community groups for events such as Relay for Life, ANZAC day dawn service, Remembrance Day, Lions Village Day and many more	Project facilitates the sharing of resources (mannequins) and contributes to the delivery of community run events which provide social, cultural, environmental and economic benefits to the shire and residents	Community Initiative	Torquay	\$3,300.00	\$2,000.00	\$2,000.00
19	Lorne SLSC	Outboard Motor Lift	To purchase a motor lift to enable testing patrons to lift and manoeuvre outboard motors on inflatable rescue boats with water safety	Need for project clearly demonstrated. Project will address important OH&S issue	Recreation and Leisure	Loxley	\$7,920.00	\$3,260.00	\$2,000.00
							\$191,229.80	\$44,331.00	\$36,118.80

Refer to Agenda for larger version of this document.

6.3 Arts Seed Funding 2019

Author's Title: Community Relations Manager

General Manager: Chris Pike

Department: Community Relations

File No: F18/2246

Division: Culture & Community

Trim No: IC19/804

Appendix:

Nil

Officer Direct or Indirect Conflict of Interest:

Status:

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

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

Yes

No

Yes

No

Reason: Nil

Reason: Nil

Purpose

The purpose of this report is to allocate funding for the 2018-19 Arts Development Seed Fund Program.

Summary

The Arts Development Seed Fund aims to produce creative responses to important issues for the benefit of the Surf Coast Shire community and beyond.

The theme for the Arts Seed Fund in 2019 is *Detritus*. Inspired by the Surf Coast Shire's extraordinary natural environment and thriving arts sector, *Detritus* encourages artists to create public artworks that encourage a change in attitude to plastic use; thus reducing its impact on the Surf Coast's unique environments.

Six applications were received during the application period of March 2019. Eligible applications were assessed by a panel of Council officers against the funding criteria as stated on page two of this report. The assessment of the six projects is summarised in Table 1 of this report.

Two applications are recommended for funding for this inaugural Arts Development Seed Fund. Two applications were assessed as ineligible and two were assessed as not satisfying the selection criteria for funding.

Recommendation

That Council allocates funding from the 2018-19 Arts Development Seed Fund for the following projects:

- To Hell or Heaven in a Handbasket - \$5,000 exc. GST
- A Living Entity - \$5,000 exc. GST

Council Resolution

MOVED Cr Margot Smith, Seconded Cr Carol McGregor

That Council allocates funding from the 2018-19 Arts Development Seed Fund for the following projects:

- To Hell or Heaven in a Handbasket - \$5,000 exc. GST
- Living Entity - \$5,000 exc. GST

CARRIED 6:0

6.3 Arts Seed Funding 2019

Report

Background

Council's 2018-19 arts budget included an allocation of \$15,000 for an Arts Development Seed Fund.

This inaugural Arts Development Seed Fund program recognises the importance of public art responding to important issues and for key initiatives such as place building. The 2019 theme is *Detritus* which aims to encourage a reduction in plastic use by the community.

This year's Arts Development Seed Fund theme links closely to Council's purpose - "Helping Our Community and Environment to Thrive".

The inaugural Arts Development Seed Fund process is similar to Council's Small Grants Program. There was one funding round this year, open in March 2019, and the application was done via the SmartyGrants portal.

The Arts Development Seed Fund required a formal application in which applicants submitted responses to key questions based around the following selection criteria:

Eligibility Requirements:

- Artists need to reside in Surf Coast Shire.
- Projects need to result in public art work.

Selection Criteria:

1. Has the *Detritus* theme been clearly demonstrated and how will the project meet this need?
2. Does the project provide opportunities for collaboration and sharing of knowledge, artistic skills and resources?
3. Does the project encourage and enable the participation of a wide variety of local residents?
4. What artistic merit/outcomes will the project bring to the community?
5. What difference will the project make in the community?
6. Will there be wide community benefits such as increased awareness of the need for waste minimisation, improvements to the environment, increased engagement in public spaces and/or increased participation and inclusion opportunities?
7. Do the project personnel have the skills and resources to manage the project? E.g., does the project plan include realistic objectives, outcomes and timelines?
8. What in-kind contribution (volunteer hours or other support) will be provided and is this feasible?
9. Does the budget reasonably reflect the project outcomes?
10. Has all required documentation (permits, quotes, letters of support) been submitted?

Successful applicants (or their auspice agency) are required to sign a funding agreement confirming that they agree to set conditions. This agreement outlines conditions which may relate to the provision of funds. Successful groups are required to report on the outcomes of their grant within 12 months of receiving funding via a grant acquittal process.

Projects not funded under the Arts Development Seed Fund include:

- projects that receive other Surf Coast Shire funding
- projects that have already commenced or already occurred
- projects that are part of curriculum-based activities in schools
- recurrent funding for ongoing projects or projects which have already been funded.

Applicants deemed ineligible to receive an Arts Development Seed Fund grant include:

- individuals (applicants will need an incorporated organisation to auspice the project)
- any Committees of the Surf Coast Shire Council including Advisory Committees, Committees of Management or Sub Committees
- organisations that have not completed an Acquittal Report for a previously funded Surf Coast Shire Grant
- for profit or commercial organisations - unless the application can demonstrate that the proposed project or activity will have considerable tangible community benefit.

6.3 Arts Seed Funding 2019

Discussion

A total of six applications were received. Two projects are recommended to receive \$5,000 each. Two projects have been assessed that they do not meet the eligibility criteria and are therefore ineligible. Two are not recommended for funding as they did not meet the funding criteria. Officers will continue to work with all future applicants to help support project applications for future rounds.

Table 1: Project assessment

Projects recommended to receive funding

Title	Eligible	Description and artist contribution	Notes	Panel assessment
To Hell or Heaven in a Handbasket	Y	Three elements – 1. Sea rope (collected from beaches on the Surf Coast) will be woven into a 'Handbasket' which represents the need to solve the problem of plastic waste in the sea. 2. Handmade dolls made in community workshops from discarded textiles will ride on the raft referencing the environmental impact of fast fashion. 3. The finished public art work will be accompanied by a soundtrack of life at sea and on the coast evoking a sense of place. Artist Contribution: \$5,000 (materials, venue hire, documentation, voluntary contribution.)	Strong artistic concept, collaborations and partnerships; public workshops, performance and exhibition. Strong project management experience and demonstrated support from wider community.	Recommended to receive \$5,000
A Living Entity	Y	Combining mural art with a collaborative public performance – 'The Leave No Waste Picnic'. An inclusive community event tackling the issue of waste. Bringing together local business, activists, artists, not for profits and community leaders to provide education towards a waste free community. Artist Contribution: \$5,760 (materials, travel, documentation, voluntary contribution)	Strong artistic concept, strong opportunities for collaboration, excellent project management skills; demonstrated support from wider community. Project closely aligned to the fund theme.	Recommended to receive \$5,000

Projects recommended not to receive funding

Title	Eligible	Description and artist contribution	Notes	Panel assessment
Wildlife Warriors of the Great Ocean Road	Y	Create a video by local students with professional art assistance about human plastic pollution impacts upon future marine and land wildlife along the Great Ocean Road in 2050. Artist Contribution: \$9,000 (300 volunteer in-kind hours)	Limited artistic concept / treatment. Partnership support not confirmed.	Not recommended
Plastic Free Seas	Y	A visual and performance art piece and feature a sculptural banner depicting a larger than life impression of a sea turtle immersed in marine plastic debris. Artist Contribution: \$5,000 (in-kind labour materials)	Lacked detailed concept brief for a project of this scale. Some key aspects unconfirmed.	Not recommended

6.3 Arts Seed Funding 2019

Ineligible projects

Title	Eligible	Description and artist contribution	Notes	Panel assessment
Sea of Detritus	N	A wall mural depicting a possible near future in which our local ecosystem has become devoid of all biological life and we are left with a desolate wasteland inhabited only by plastic debris and waste. Artist Contribution: Nil	Artists not residing in Surf Coast Shire	Ineligible
Trash Art	N	Art therapy sessions for different ages and abilities with the output individual zines (short magazines) for distribution at public places. Artist Contribution: No details given	Project did not result in a public artwork.	Ineligible

Financial Implications

The Arts Development Seed Fund has a total budget of \$15,000. Of this, \$10,000 is recommended for funding with the remaining \$5,000 to be realised as a saving in the recurrent budget.

Council Plan

Theme 1 Community Wellbeing

Objective 1.1 Support people to participate in and contribute to community life

Theme 2 Environmental Leadership

Objective 2.2 Improve the re-use of resources

Strategy 2.2.3 Review and expand Plastic Wise Program

Policy/Legal Implications

The Arts Development Seed Fund Program supports the Council Plan (2017-21) objective 'Support people to participate in and contribute to community life'.

Officer Direct or Indirect Interest

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

Risk Assessment

All projects have been reviewed by Council's Risk Management Coordinator. Depending on the level of risk some applicants will be required to provide public liability insurance to the value of \$20,000,000 as a condition of receiving funding.

Social Considerations

The Arts Development Seed Fund enables Surf Coast Shire artists to use their skills, networks and resources to deliver community, arts and environmental strengthening activities that contribute to social and cultural wellbeing.

Community Engagement

Communications and engagement activities prior to and during the March application period included:

- media campaign including advertising in the Surf Coast Times, Winchelsea Star and Lorne Independent
- promotion via Council officer e-news *Art Matters*, word of mouth, community house and Surf Coast Art Space networks
- grant writing assistance
- direct contact with potential grant recipients
- promotion via Council's website and social media.

6.3 Arts Seed Funding 2019

Environmental Implications

The Arts Development Seed Fund, *Detritus*, is specifically themed to increase awareness of the impact of single-use plastics on our unique natural environment. Each application recommended for funding has addressed the theme and objectives of the fund.

Communication

All applicants will receive direct communication informing them of the outcome of their application following Council's decision. Successful applicants will be communicated to the broader community through Council's communication channels and the local media. Video documentation of the projects in process will be used to help promote Plastic Free July and other initiatives.

Successful applicants will be recognised at a celebration to be held in conjunction with Council's Small Grants ceremony held on 13 June 2019.

Options

Option 1 – Allocate funding for the 2018-19 Arts Development Seed Fund to the two recommend projects to the value of \$10,000. This option is recommended as the application and assessment process was completed according to the process used in Council's Small Grant Policy. The recommended projects satisfy the eligibility and assessment criteria. Additionally, the projects allocated deliver on the Council Plan objective to support people to participate in and contribute to community life and to improve the re-use of resources.

Option 2 – Allocate funding for the 2018-19 Arts Development Seed Fund to different projects than those recommended. This option is not recommended as projects considered 'ineligible' or 'not recommended' do not satisfy eligibility or selection criteria as per the Arts Development Seed Fund Guidelines.

Option 3 – Do not allocate funding for the 2018-19 Arts Development Seed Fund. This option is not recommended by officers as two projects have been assessed as meeting the eligibility and selection criteria. This option does not fulfil Council's purpose to help the community and environment to thrive.

Conclusion

The Arts Development Seed Fund is a positive community strengthening initiative that supports local groups to take action and contribute to the vibrant culture of their local community. The program delivers benefits to individual artists and groups, and also to the wider community given the public artworks that will be produced.

The recommended projects that satisfy the selection criteria will deliver creative responses and community education encouraging a change in attitude to plastic use.

6.4 Sport & Recreation Victoria- 2019/20 Country Football and Netball Program

Author's Title: Recreation Planning Coordinator **General Manager:** Chris Pike
Department: Recreation & Open Space Planning **File No:** F17/633
Division: Culture & Community **Trim No:** IC19/779

Appendix:

Nil

Officer Direct or Indirect Conflict of Interest:

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

Yes

No

Reason: Nil

Status:

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

Yes

No

Reason: Nil

Purpose

The purpose of this report is to consider potential projects to be submitted to the Sport and Recreation Victoria (SRV) 2019-20 Country Football and Netball Program (CFNP).

Summary

The Department of Health and Human Services has an annual grant program aimed at helping country football and netball clubs who may be struggling with outdated, overused or non-compliant facilities.

Council is the applicant for this grant program and a funding contribution is required from Council and/or community to apply. Council is able to apply for up to \$100,000 for one larger project or up to three smaller projects.

Guidelines have been shared with football and netball clubs through AFL Barwon and officers have considered projects identified in existing master plans and the G21 AFL Barwon Regional Strategy 2015 ensuring an alignment to Council's strategic planning framework.

Due to the high volume and backlog of potential projects that fit the existing program guidelines a formal expression of interest process for new project ideas was not conducted in-line with Council's Non-Recurrent Grants Management Procedure (MPP-019).

Two projects from Council's pipeline of recreation and open space projects are advanced enough in their planning to be considered eligible for this funding program including the CPP-014 Mt Moriac Behind Goal Netting and CPP-025 Torquay Football Club Interchange Box upgrade projects.

These projects have been investigated through Council's Community Project Development process with both projects being referred to a future budget process. Officers have discussed these projects with Sport and Recreation Victoria representatives. They have confirmed the projects' eligibility for the funding program however advised that it will be highly competitive.

Officers' recommendation to submit two small project applications takes into account the high level of recreation and open space commitments in Council's Draft 2019-20 Annual Budget.

6.4 Sport & Recreation Victoria- 2019/20 Country Football and Netball Program

Recommendation

That Council:

1. Submits the following full applications to the Sport and Recreation Victoria, 2019-2020 Country Football and Netball Program:
 - 1.1 Mt Moriac Behind Goal Netting - Total project cost \$27,600 consisting of Modewarre Football and Netball Club \$15,000 (including \$5,000 in-kind), Sport and Recreation Victoria \$12,600 and Council \$0.
 - 1.2 Torquay Football Club Interchange Upgrade - Total project cost \$57,100 consisting of Sport and Recreation Victoria \$38,066, Torquay Football Club \$19,034 and Council \$0.
2. Agrees to underwrite the total cost of each project, less the grant amount in the event that applications are successful.
3. Authorises the Chief Executive Officer to sign Country Football and Netball funding agreements should any applications be successful.

Council Resolution

MOVED Cr Clive Goldsworthy, Seconded Cr Martin Duke

That Council:

1. Submits the following full applications to the Sport and Recreation Victoria, 2019-2020 Country Football and Netball Program:
 - 1.1 Mt Moriac Behind Goal Netting - Total project cost \$27,600 consisting of Modewarre Football and Netball Club \$15,000 (including \$5,000 in-kind), Sport and Recreation Victoria \$12,600 and Council \$0.
 - 1.2 Torquay Football Club Interchange Upgrade - Total project cost \$57,100 consisting of Sport and Recreation Victoria \$38,066, Torquay Football Club \$19,034 and Council \$0.
2. Agrees to underwrite the total cost of each project, less the grant amount in the event that applications are successful.
3. Authorises the Chief Executive Officer to sign Country Football and Netball funding agreements should any applications be successful.

CARRIED 6:0

6.4 Sport & Recreation Victoria- 2019/20 Country Football and Netball Program

Report

Background

Council has submitted a range of projects to the Country Football and Netball Program in the past with a high level of success.

Council has six (6) football/netball clubs in the Shire. AFL Barwon work closely with their member Clubs to identify and prioritise potential projects that align to this funding program and encourage Clubs to submit expressions of interest directly to Council.

The Country Football and Netball Program application process is summarised as follows:

Program opens	14 March 2019
Full applications close	3 June 2019
Funding announcements	October 2019 onwards

Discussion

The Country Football and Netball Program (CFNP) is aimed at helping country football and netball clubs who may have outdated, overused or non-compliant facilities.

Grants of up to \$100,000 are available for projects that may include:

- modifying existing football and netball facilities to improve usage and access such as: unisex change room facilities and amenities for players and umpires
- multi-purpose meeting spaces catering for community and education programs
- development or upgrading football and netball playing surfaces
- development or upgrading of football or netball lighting.

Council is the applicant for this grant program and a funding contribution is required from Council and/or community to apply. Council is able to apply for one larger project or up to three smaller projects.

Funding program guidelines have been shared with football and netball clubs through AFL Barwon and Council officers have considered potential projects already identified in existing master plans and the G21 AFL Barwon Regional Strategy ensuring an alignment to Council's strategic planning framework.

Council has previously been successful with a number of projects submitted under this program with the most recent project being the Anglesea Football Club Sports Lighting Upgrade in 2018/19. A number of larger projects that meet the funding criteria are not yet advanced enough in their planning to be considered eligible including the Modewarre Netball Tennis Pavilion Upgrade (concept design in progress), the Anglesea Netball Pavilion Upgrade and the Winchelsea Football Club Change Room Upgrade.

The below table summarises the current football and netball projects that meet the guidelines of the program:

Project	Stage	Cost Estimate	Contribution Required	Officer Comments
<i>Mt Moriac Behind Goal Netting</i>	Project Ready	\$27,600	SRV\$12,600 Club \$15,000 Council \$0	Completed as Community Project Investigation (CPP-014) in December 2017. Includes a \$15,000 community contribution with \$5,000 in-kind.
<i>Torquay Football Club Interchange Upgrade</i>	Project Ready	\$57,100	SRV \$38,000 Club \$19,034 Council \$0	Completed as Community Project Investigation (CPP-025) in April 2018. Includes a \$19,034 community contribution
<i>Modewarre Netball/Tennis Joint Pavilion Upgrade</i>	Concept Design	\$600,000	N/A	Concept design in progress. Project requires further community consultation and scoping before being considered commencement ready.

6.4 Sport & Recreation Victoria- 2019/20 Country Football and Netball Program

Project	Stage	Cost Estimate	Contribution Required	Officer Comments
Anglesea Netball Pavilion Upgrade	Planning	\$600,000	N/A	Project requires further community consultation, scoping and a concept design developed.
Winchelsea Football Club Changeroom Upgrade	Planning	\$500,000	N/A	Project requires further community consultation, scoping and a concept design developed.

Two projects from Council's pipeline of recreation and open space projects are advanced enough in their planning to be considered eligible for this funding program including the CPP-014 Mt Moriac Behind Goal Netting and CPP-025 Torquay Football Club Interchange upgrade projects.

These projects have been investigated through Council's Community Project Development process with both projects being referred to a future budget process. Officers have discussed these projects with Sport and Recreation Victoria representatives. They have confirmed the projects' eligibility for the funding program however advised that it will be highly competitive.

The proposed funding breakdown for these projects meeting the \$2/SRV: \$1/Local funding ratio is as follows:

Project	Total Project Cost	SRV	Community	Council
Mt Moriac Behind Goal Netting	\$27,600	\$12,600	\$15,000 (inc \$5k In-kind)	\$0
Torquay F.C Interchange Upgrade	\$57,100	\$38,066	\$19,034	\$0
Total	\$84,700	\$50,666	\$34,034	\$0

6.4 Sport & Recreation Victoria- 2019/20 Country Football and Netball Program

Financial Implications

Officers' recommendation to submit two small project applications takes into account the high level of Council contribution to recreation and open space projects already proposed in Council's draft 2019-20 Annual Budget including:

Project	Council Contribution
Stribling Reserve Pavilions Redevelopment	\$3,275,000
Torquay Preschool Play Space Upgrade	\$56,000
Newling Reserve Inclusive Basket Swing	\$28,000
Mt Moriac Equestrian Pavilion & Netball Lighting Upgrade (2018-19 carried forward works)	\$550,000
Mt Moriac AFL Lighting and Oval 2 Drainage Upgrade (2018-19 carried forward works)	\$275,000
Total	\$4,184,000

Council would project manage the delivery of each project and this has been considered in the total project cost.

Council would be required to underwrite the total cost of the projects, less the grant amounts. With a cap on Council's contribution, club contributions are required to be validated via a breakdown of in-kind support and a copy of bank statements to demonstrate financial capacity. If successful, Council will enter into a formal funding agreement with each Club confirming the conditions relating to their funding contribution to 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 3.2.6 Advocate for supporting infrastructure

Policy/Legal Implications

There are no legal implications associated with the recommendations in this report. Officers have made an assessment of potential projects against existing Council endorsed master plans and the G21 AFL Barwon Regional Strategy ensuring an alignment to Council's strategic planning framework.

Officer Direct or Indirect Interest

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

Risk Assessment

There is a financial risk of the club contribution not being secured, however officers will ensure evidence with bank statements and a written funding agreement will be executed.

Social Considerations

The 2019/20 Country Football and Netball Program supports many of Council's objectives in meeting community aspirations, responding to changing community needs and supporting the growth of physical activity and participation across Surf Coast Shire.

Community Engagement

There are six football clubs in the Surf Coast Shire. All clubs received a copy of the Country Football and Netball Program guidelines through AFL Barwon and the Victorian State Government when the guidelines were released. Both Modewarre Football Netball Club and Torquay Football Club were directly engaged as part of their respective community project investigations. If Council resolves to progress this funding opportunity and is successful in securing funding, officers will prepare a detailed stakeholder engagement plan as per Council's adopted Program Management Framework.

6.4 Sport & Recreation Victoria- 2019/20 Country Football and Netball Program

Environmental Implications

No environmental implications arise from this report.

Communication

As part of the project investigation officers have engaged with the Modewarre Football and Netball Club and Torquay Football Club regarding their respective projects and will meet with the clubs directly should Council resolve to submit an application to the current round of the Country Football and Netball Program closing 3 June 2019.

Options

Option 1 – Submit an application to the 2019/20 Country Football and Netball Program for the Mt Moriac Behind Goal Netting and Torquay Football Club Interchange Upgrade projects.

This option is recommended by officers as it aligns to Council's community project investigation outcomes and is considered Council's strongest and most suitable projects in this funding program.

Option 2 – Submit an application to the 2019/20 Country Football Netball Program for any of Council's other football or netball related priority projects.

This option is not recommended by officers as any other projects would not be considered our strongest or most competitive projects in a highly subscribed and competitive funding program.

Option 3 – Do not submit an application to the 2019/20 Country Football Netball Program

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

Conclusion

The 2019/20 Country Football and Netball Program is a highly competitive funding program, competing against other Councils from rural and regional Victoria. In consultation with Sport and Recreation Victoria, Council officers have considered a number of potential projects against the funding program criteria and objectives and believe that the Mt Moriac Behind Goal Netting Upgrade and Torquay Football Club Interchange Upgrade provides the greatest opportunity for success.

6.5 Sports and Facilities Operations Service Review - Stage 1 Implementation

Author's Title: Team Leader Sport and Facilities Operations **General Manager:** Chris Pike

Department: Facilities & Open Space Operations **File No:** F17/348

Division: Culture & Community **Trim No:** IC19/783

Appendix:

1. Sports and Facilities Operations Stage One Service Review Implementation Plan (D19/71857)

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 for Council to consider the Sports and Facilities Operations Service Review – Stage 1 Implementation Plan.

Summary

A service review of the Sports & Facilities Operation unit was conducted to clarify Council's role and to identify improvement opportunities in accordance with Council's Business Improvement Principles and Long Term Financial Plan in the following activities:

- 14 Council facilities and 5 community buses
- sports and fitness programs at various facilities
- the Winchelsea Health Club, and
- the Winchelsea Swimming Pool

The Sport and Facilities Operations service review was an element of the 2018-19 Business Improvement Program. Its findings and recommendations were presented at the 26 February 2019 Council meeting. The item was classified as confidential due to personnel matters. This report recommends making public the 26 February 2019 report and resolutions as discussions with potentially affected staff have progressed sufficiently since that time and public transparency on the review findings is important.

Following the completion of the service review, officers have developed a plan for the first stage of implementing the recommendations affecting the following service categories:

1. Facility management
2. Program delivery
3. Winchelsea Health Club

All recommendations noted by Council in February were assessed for their complexity against several criteria. The Stage 1 Implementation Plan is derived from this analysis.

Council has already proposed increases to user fees and charges for facility hire, recommended in the service review, in the Draft 2019-20 Budget. In addition, Council resolved to transition the Council-run basketball program to the Surf Coast Basketball Association by separate resolution on 26 March 2019.

Recommendation

That Council:

1. Determines that the 26 February 2019 Council report and resolution relating to Item 10.2 Sports and Facilities Operations Service Review is no longer deemed confidential.
2. Adopts the Sports and Facilities Operations Service Review – Stage 1 Implementation Plan as attached at Appendix 1.
3. Notes the \$50,000 required to plan and deliver 24/7 Access to the Winchelsea Health Club has been allowed for in the 2019-20 Draft Budget.

6.5 Sports and Facilities Operations Service Review - Stage 1 Implementation

Council Resolution

MOVED Cr Carol McGregor, Seconded Cr Margot Smith

That Council:

1. Determines that the 26 February 2019 Council report and resolution relating to Item 10.2 Sports and Facilities Operations Service Review is no longer deemed confidential.
2. Adopts the Sports and Facilities Operations Service Review – Stage 1 Implementation Plan as attached at Appendix 1.
3. Notes the \$50,000 required to plan and deliver 24/7 Access to the Winchelsea Health Club has been allowed for in the 2019-20 Draft Budget.

CARRIED 6:0

6.5 Sports and Facilities Operations Service Review - Stage 1 Implementation

Report

Background

The Sport and Facilities Operations service is delivered by 4.92 full time equivalent permanent staff and 1.73 full time equivalent casual staff. The Sport and Facilities Operations service manages:

- 14 Council facilities and 5 community buses
- activities and fitness programs at the Surf Coast Sport and Recreation Centre, the Surf Coast Secondary College, and the Torquay College
- the Winchelsea Health Club, and
- the Winchelsea Swimming Pool.

Direct management is unusual in the local government sector where other more efficient management models are available.

Factors that contributed to the prioritisation of this review include:

- lack of clarity regarding Council's role in developing and running programs, classes and competitions (particularly in the presence of existing and emerging operators)
- uncertainty regarding the team's structure and resourcing
- the opportunity to better engage, develop and promote volunteers
- the introduction of new, and the redevelopment of existing, facilities
- inconsistencies regarding facility use arrangements and agreements
- the emergence of automation and other business improvement opportunities, and
- the requirement to improve the customer experience and deliver efficiencies according to Council's long-term financial plan.

The review methodology included:

- time series review of financial and delivery performance
- detailed financial analysis
- stakeholder interviews
- community surveys
- sector benchmarking
- market scan
- SWOT analysis and business plan review
- key findings and options development for each activity
- triple bottom line assessment (financial/risk/community benefit), and
- an overall recommendation (and implementation considerations).

The Sport and Facilities Operations service review was an element of the 2018-19 Business Improvement Program.

Its findings and recommendations were presented at the 26 February 2019 Council meeting. The item was classified as confidential due to personnel matters. This report recommends making public the 26 February 2019 report and resolutions as discussions with potentially affected staff have progressed sufficiently since that time and public transparency is important.

Following the completion of the service review, officers have developed a plan for the first stage of implementing the recommendations affecting the following service categories:

- a. Facility management
- b. Program delivery
- c. Winchelsea Health Club

Council resolved to consider changes to fees and charges through the budget process.

6.5 Sports and Facilities Operations Service Review - Stage 1 Implementation

Discussion

Officers identified a process to break down all recommended areas of savings in the Service Review and the options for Stage 1 that has been proposed against a number of criteria. A risk matrix tool was used to rate each option against five criteria and the ones that were rated low or medium risk were considered. These were also looked at for actions that could be grouped together to ensure the best and most efficient outcomes. Each option for savings was rated against the following:

- Level of savings
- Community sentiment
- Impact on community
- Implementation complexity
- Impact on staffing

Appendix 1 outlines the Sports and Facilities Operations Service Review Stage 1 Implementation Plan, summarised below as:

Facility management

- Phase in increased fees and charges for indoor facilities
- Improve operational efficiencies
- Phase in increased community bus fees and charges
- Extend mini bus replacement schedule to 10 years

Program delivery

- Phase in increased fees and charges
- Transfer program management to others – basketball, futsal and fitness programs
- Discontinue programs that are provided by others – Occasional Care

Winchelsea Health Club

- 24/7 Access and reduced staffing
- Recoup costs for activities that are the responsibility of others
- Simplify fees and charges schedule

Officers have identified the following recommendations to be considered for implementation as part of future implementation stages and which will be subject to future Council reports. They are considered more complex and so not preferable in the first stage:

Facility management

- Directly manage only regional standard facilities
- Continue to phase in increased fees and charges for indoor facilities
- Introduce contribution policy for team use of outdoor facilities
- Operate only one Winchelsea bus

Programs delivered options:

- Continue to phase in increased fees and charges
- Continue to transfer program management to others
- Discontinue programs that are provided by others

Winchelsea Health Club options:

- Phase in increased fees and charges

Winchelsea Swimming Pool options:

- Market test current arrangements
- Phase in increased fees and charges
- Introduce cold weather management policy

6.5 Sports and Facilities Operations Service Review - Stage 1 Implementation

Financial Implications

There is a potential for \$285,928 of recurrent savings based on recommended options being implemented in stage 1 with a reduction in staffing levels as part of this process. The reduction of EFT would be made up from three of the 10 recommendations proposed for stage 1 'Transfer program management to others', 'Discontinue programs offered by others' and '24/7 and reduced staffing'.

The \$50,000 implementation cost to plan and deliver 24/7 Access to the Winchelsea Health Club can be funded from the Sport and Facilities Operations review allocation contained in the draft 2019-20 draft budget.

Council resolved in March 2019 to provide a one-off establishment contribution of \$15,000 (excl. GST) from the Accumulated Unallocated Cash Reserve to support the transition of Council's basketball program to the Surf Coast Basketball Association.

Council Plan

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

Theme 5 High Performing Council
Objective 5.4 Ensure the community has access to the services they need
Strategy 5.4.2 Conduct service reviews to identify best service delivery model

Theme 5 High Performing Council
Objective 5.4 Ensure the community has access to the services they need
Strategy 5.4.3 Advocate for services that are best delivered by others

Policy/Legal Implications

The Sport and Facilities Operations Service Review Report identifies several policy gaps, and recommends development of the following policy documents in different stages of implementation:

- Facilities Management Policy
- Council's Role in Community Health and Wellbeing Programs Policy, and
- Winchelsea Swimming Pool Cold Weather Management Policy.

Implementation of the recommended actions may also require consideration of:

- the Surf Coast Shire Council Enterprise Agreement 2016-19 (or its successor)
- leases, licenses, and agreements (including contractual agreements)
- the Local Government Act 1989, and
- National Competition Policy.

Officer Direct or Indirect Interest

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

Risk Assessment

The Sport and Facilities Operations Service Review Report includes a triple bottom line assessment (financial/risk/community benefit) of each of the identified improvement options.

There are low to moderate risks associated with implementing the recommended options for stage 1 of the review that will need to be managed, including the possibilities of changes to staffing levels, community feedback and implementation difficulties.

Social Considerations

The Sport and Facilities Operations Service Review Report recognises the health, social and economic benefits of the built environment and of recreation and fitness programs. The Review Report also recognises that whilst 90% of Australian suburbs are more disadvantaged than the Surf Coast municipality generally, Winchelsea (township) stands alone in the bottom 14 percentile of disadvantage in the country.

6.5 Sports and Facilities Operations Service Review - Stage 1 Implementation

For these reasons, a key principle of the review is to ensure that accessibility to the built environment and to recreation and fitness programs is either maintained at current levels, or improved. Given the socio-economic status of households in Winchelsea, increases to fees and charges at the Winchelsea Health Club and Winchelsea Swimming Pool are not recommended at this time. Rather, the service review report concluded that opportunities to improve service efficiencies in these two facilities should be prioritised first.

Community benefits associated with stage 1 recommended options include:

- improved accessibility
- strategic approach
- reduced use of ratepayer funds to subsidise exclusive use of facilities and programs
- increased patronage
- fairness, equity and consistency
- community strengthening
- improved efficiency
- improved customer experience.

Community Engagement

Community engagement was conducted as part of the service review, and included:

- staff interviews
- patron surveys, and
- market scans.

Community feedback on the findings of the service review has not been sought.

Further engagement with regular users has occurred in relation to the Fees and Charges increase in the 2019/20 draft budget.

Council officers will continue to communicate with users and customers who will be impacted by stage 1 service review implementation works.

Environmental Implications

There are no significant environmental implications associated with this review.

Communication

Future communications are dependent on Council's decision. Officers will communicate Council's decision directly to regular patrons and members, and to the wider community via Council's communication channels.

Staff have been informed of the proposed recommendations in the first stage of implementation of the service review.

Options

Option 1 – Implement the Sports and Facilities Operations Service Review – Stage 1 Plan as presented

This option is recommended by officers as it addresses the aims of the review and delivers financial savings and desirable community benefits, at low to moderate risk. By making funds available for implementation of 24/7 access to Winchelsea Health Club, Council would recognise that introducing some of the changes is above and beyond business as usual activities which will continue in the meantime and structural modifications will need to be undertaken to the building and operating systems. This produces a greater chance of realising the improvements and efficiencies.

Option 2 – Implement an alternative implementation plan

This option is not recommended by officers as the proposed implementation plan has been designed to ensure it can be delivered effectively, efficiently and at lower risk to Council and the community whilst still providing savings to help Council's challenging long-term financial position. A reduced plan will mean delayed or missed opportunities to improve services and efficiencies for Council as identified in the review. A more extensive implementation plan may prove more challenging to implement, be more costly and delivery may be compromised (e.g. reduced quality or timeliness).

6.5 Sports and Facilities Operations Service Review - Stage 1 Implementation

Option 3 – Do not implement the Sports and Facilities Operations Service Review – Stage 1 Plan

This option is not recommended by officers as it does not address the aims of the review and fails to deliver best value for the community. It misses an opportunity to improve service outcomes whilst addressing the targets set in Council's long term financial plan.

Conclusion

Adoption of a first stage implementation plan in accordance with the recommendations of the Sports and Facilities Operations Service Review provides Council with an opportunity to balance improved service outcomes with improved efficiencies to assist with Council's long term financial challenges.

6.5 Sports and Facilities Operations Service Review - Stage 1 Implementation

**APPENDIX 1 SPORTS AND FACILITIES OPERATIONS STAGE ONE SERVICE REVIEW
IMPLEMENTATION PLAN**

STAGE 1	Description	Rationale for selection	Risk Level	Implementation Process	Cost / Resource to implement	Potential Annual Savings
Facility Management						
Phase in increased fees and charges for indoor facilities	Review the proposed fees and charges increase and identify a staged implementation rate to consider the impact on the users.	Levels of savings – Medium Community sentiment – High Impact on community – Medium Implementation Complexity – Medium Impact on staff – Low	Medium	a) Officers have undertaken this as part of the review of Fees & Charges for 2019/20 draft budget b) Officers to review staged increase of fees and charges at future budgets	Existing operating budgets	\$23,775
Improve operational efficiencies	Investigate online booking systems that will be able to link with the current computer operating systems to reduce cost to deliver the service	Levels of savings – Low Community sentiment – Low Impact on community – Low Implementation Complexity – Low Impact on staff – Medium	Low	a) Officers to work with the Digital Transformation unit to identify what is required for the operating system for online bookings b) Procurement of a system to deliver online bookings of facilities	Digital Transformation budget	\$15,652
Phase in increased community bus fees and charges	Review the proposed fees and charges increase and identify a staged implementation rate to consider the impact on the users.	Levels of savings – Medium Community sentiment – Low Impact on community – Low Implementation Complexity – Low Impact on staff – Low	Low	a) Officers have undertaken this as part of the review of Fees & Charges for 2019/20 draft budget b) Officers to review staged increase of fees and charges at future budgets	Existing operating budgets	\$27,021
Extend mini bus replacement schedule to 10 years	Community buses are replaced every five years and it has been identified that due to the relatively low mileage and age of the fleet that the recommendation is to increase the replacement schedule to 10 years.	Levels of savings – Medium Community sentiment – Low Impact on community – Low Implementation Complexity – Low Impact on staff – Low	Low	a) Update the management procedure for Access & Use of Community Buses	Existing operating budgets	\$21,337

6.5 Sports and Facilities Operations Service Review - Stage 1 Implementation

STAGE 1	Description	Rationale for selection	Risk Level	Implementation Process	Cost / Resource to implement	Potential Annual Savings
Programs delivery						
Phase in increased fees and charges	Review the proposed fees and charges increase and identify a staged implementation rate to consider the impact on the users.	Levels of savings – Low Community sentiment – Medium Impact on community – Medium Implementation Complexity – High Impact on staff – Medium	Medium	a) Officers have undertaken this as part of the review of Fees & Charges for 2019/20 draft budget b) Officers to review staged increase of fees and charges at future budgets	Existing operating budgets	\$14,450
Transfer program management to others – basketball, futsal and fitness programs	Transition basketball and futsal to community run associations. Cease Council-run fitness classes and make facility available for hire by private fitness providers.	Levels of savings – Medium Community sentiment – Medium Impact on community – Medium Implementation Complexity – High Impact on staff – High	Medium	a) Officers to provide support for first season of Basketball Program, b) Develop the Futsal Program competition and transition to association run model c) Seek expressions of interest for commercial group hiring facility for Fitness Classes	Existing operating budgets	\$47,060
Discontinue programs that are provided by others – Occasional Care	Occasional care service has shrunk in size and is linked to fitness programs. Cease this service and link users with occasional care services available elsewhere.	Levels of savings – High Community sentiment – High Impact on community – Medium Implementation Complexity – Medium Impact on staff – Medium	Medium	a) This will be linked to the transition of the Fitness Program management to others	Existing operating budgets	\$84,001
Winchelsea Health Club						
24/7 Access and reduced staffing	Provide the community with a 24/7 access run model to the Winchelsea Health Club. Reduce staff contact hours to when classes are scheduled and directly either side of these to ensure members still have contact.	Levels of savings – Medium Community sentiment – Medium Impact on community – Medium Implementation Complexity – High Impact on staff – Low	Medium	a) Identify best practice in 24/7 gym access b) Identify best practice for a reduced staff level model c) Implement technology and building modifications for 24/7 gym access	Existing operating budgets & \$50,000	\$44,132

6.5 Sports and Facilities Operations Service Review - Stage 1 Implementation

STAGE 1	Description	Rationale for selection	Risk Level	Implementation Process	Cost / Resource to implement	Potential Annual Savings
Recoup costs for activities that are the responsibility of others	Recoup the costs of those activities that are the responsibility of others (but have been wrongly shifted to Council over time), and where the participants are not WHC members	Levels of savings – Low Community sentiment – Low Impact on community – Medium Implementation Complexity – Low Impact on staff – Low	Low	a) Negotiate with users to resume their responsibility for the specific costs of activities b) The fall back for this option if the responsible parties fail to cooperate is to charge participants full cost prices	Existing operating budgets	\$8,500
Simplify fees and charges schedule	There are many membership and class types that are not used, leading to a fees and charges schedule that is unnecessarily complex and confusing.	Levels of savings – Low Community sentiment – Low Impact on community – Low Implementation Complexity – Low Impact on staff – Low	Low	a) Officers have undertaken this as part of the review of Fees & Charges for 2019/20 draft budget	Existing operating budgets	\$0
				TOTAL	\$50,000	\$285,928

6.1 Youth Development Action Plan 2019 - 2021

Author's Title: Team Leader Youth Development

General Manager: Chris Pike

Department: Youth Development

File No: F18/2105

Division: Culture & Community

Trim No: IC19/803

Appendix:

1. Youth Development Action Plan 2019 - 2021 (D19/61646)

Officer Direct or Indirect Conflict of Interest:

Status:

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

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

Yes

No

Yes

No

Reason: Nil

Reason: Nil

Purpose

The purpose of this report is to present the Youth Development Action Plan 2019-21 for adoption.

Summary

A Youth Development Action Plan for 2019 – 2021 has been developed. The previous Early Years and Youth Strategy ended in 2018. The Action Plan has been created to guide the ongoing development and delivery, over the next three years, of programs and services for young people aged 12 to 25 years.

The action plan is based on extensive desktop research and key outcomes emerging from council's annual youth survey. It also draws on officers' experiences working directly with youth through youth spaces, events, committees and school visits.

The plan maintains the previous strategy's focus on providing the best outcomes for young people, with the goals established in 2015 remaining unchanged as follows:

- Goal 1 – Access
- Goal 2 – Knowledge
- Goal 3 – Connection
- Goal 4 – Quality Framework
- Goal 5 – Change

The new plan includes four new focus areas:

- Connection to community and services
- Arts and culture
- Mental health
- Employment

Recommendation

That Council adopts the Youth Action Plan 2019 – 21 as attached at Appendix 1.

Council Resolution

MOVED Cr Martin Duke, Seconded Cr Margot Smith

That Council adopts the Youth Action Plan 2019 – 21 as attached at Appendix 1.

CARRIED 6:0

6.1 Youth Development Action Plan 2019 - 2021

Report

Background

Council's Early Years and Youth Strategy ended in 2018. The previous strategy's focus on providing the best outcomes for young people, with the goals established in 2015.

- Goal 1 – Access
- Goal 2 – Knowledge
- Goal 3 – Connection
- Goal 4 – Quality Framework
- Goal 5 – Change

Council's Youth Development team plays an active role in:

- The two youth-specific facilities currently operating in the shire, being the *Youth Lounge, established first quarter 2018*, at Kurrabee Myaring Community Centre in Torquay. The *Pod, established final quarter 2017*, a portable meeting space for local young people living in smaller townships across the shire.
- The implementation of the schoolies' harm minimisation strategy, *Good Times, Great Breaks*.
- Victorian Youth Week with the State Government providing funding to support local activities, primarily the annual *Surf Coast Youth Awards* presented during the week.
- Delivery of state government youth initiatives FReeZA, and Engage.
- Council partners regularly with the two secondary schools in the shire, Surf Coast Secondary College and Lorne P-12.

Access to local health and wellbeing services represents a significant hurdle for Surf Coast's young people and their families due to most services being based in Geelong. The Youth Development team therefore plays a vital role in building relationships with relevant agencies, brokering partnerships and creating opportunities for services to increase their local presence with a view to improving access and support for young people living in Surf Coast.

Discussion

Given council's Early Years and Youth Strategy ended in 2018, a new plan is important as it gives Council a clear direction and guided approach to supporting young people.

The Youth Development Action Plan 2019-21 is based on extensive desktop research and key outcomes emerging from Council's annual youth survey

Broadly speaking, the desktop research revealed that Australia's young people – as the first generation born into the digital revolution – are experiencing high levels of stress, anxiety and depression, with youth suicide the leading cause of death among young people.

Surf Coast's young people are not exempt from these concerns and pressures as evidenced by the latest youth survey, which revealed relationships, school and mental health as the top three issues of personal concern to most respondents.

The plan also draws on the team's experience from working with local young people, schools and services providers.

The plan focuses on fostering connections across local communities and relevant services that ultimately benefit young people by addressing their specific health and wellbeing needs. This includes maintaining programs like the Youth Lounge and the Pod, which offer opportunities to socialise, to pursue interests (e.g. sports, artistic or and cultural) and to seek out information and advice. Other connections will focus on the areas of employment and mental health.

In recognising that everyone plays a role in nurturing Surf Coast's young people to achieve their full potential, the plan provides a framework for how Council will fulfil its role over the next three years.

6.1 Youth Development Action Plan 2019 - 2021

Financial Implications

The plan will be delivered within the existing operating budgets. It is worth noting that the budget is heavily reliant on grants from the Victorian State Government.

- *FReeZA* is funded from January 2019 to December 2021 for a total of \$73,500.
- *Engage!* has been funded from January 2018 to December 2020 for a total of \$140,000.
- *Good Times Great Breaks* is funded yearly for \$30,000.
- Council's Victorian Youth Week event, the *Surf Coast Youth Awards*, is typically funded through a \$2000 grant.

Council will continue to seek external funding opportunities to support youth development programs that fall within the Youth Action Plans focus areas.

Council will continue to work with and advocate for other youth focussed organisations to allocate their resources to meet local needs.

Council Plan

Theme 1 Community Wellbeing

Objective 1.4 Provide support for people in need

Strategy 1.4.1 Work in partnership with community and agencies to improve young people and their families' access to the services and support they need

Policy/Legal Implications

There are no significant policy or legal implications to this report.

Officer Direct or Indirect Interest

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

Risk Assessment

The risks associated with not having a plan:

- Not having a Youth Development Action Plan has the potential to create a lack of focus or direction from council. The focus areas identified within the action plan will allow officers to make quality decisions about appropriate program implementation, funding opportunities and service advocating.
- The action plan is heavily reliant on financial grants. If for some reason the grants were no longer available the ability to deliver of the plan would be compromised.

Risks associated with adopting the plan:

- Limiting options for Council to take up youth development related opportunities that fall outside of the focus areas in an appropriate timeframe.

Social Considerations

The action plan took into account results from the most recently published Surf Coast Shire Youth Survey. Identified are the top issues of personal issues for our local young people:

- Relationships
- School stress
- Mental health issues.

These correlate directly with the 2018 Mission Australia results for issues of top concern for young people.

- Stress
- School or study problems
- Mental health

6.1 Youth Development Action Plan 2019 - 2021

This is important as it highlights that local young people are facing similar challenges to youth nationally and are not exempt from the widely published challenges young people face. Numerous studies from Beyond Blue, The Resilience Project and Mission Australia confirm that young Australians are facing challenges. Youth officers experience working with local young people and service providers confirms that they face a variety of social challenges local young people face.

We also acknowledge that today's young people are the first generation born into the digital revolution. They have lived their entire lives with the internet, grown up with the evolution of social media and experienced the opportunities and challenges afforded by accelerating innovations in digital technology.

Community Engagement

The latest published Youth Survey reached in excess of 700 responses. This survey was based off the Mission Australia Youth Survey so as it could be used as a benchmark to compare results.

Through youth spaces, events, committees and school visits council officers have in excess of 100 direct engagements with young people each week. This direct access to local young people allows officers to have conversations about what is either troubling or exciting young. These direct engagements give officers a wealth of information and allow for a deep understanding of current challenges.

Council officers work closely with staff at local secondary colleges and service providers. This collaboration has allowed officers to understand the challenges and trends both groups are seeing.

Environmental Implications

There are no significant environmental implications to this report. However, from time to time Council staff work with organisations such as the Great Ocean Road Coastal Committee to provide opportunities for young people to learn and contribute to environment causes.

Communication

The action plan will be displayed on the 'youth' page of the council website and shared with partner organisations. The plan will be available to interested stakeholders upon request.

Options

Option 1 – Adopt the plan

This option is recommended by officers as it based on national and local evidence, provides an achievable focus and will guide the activities of the Youth Development team.

Option 2 – Adopt the plan with changes

This option is not recommended by officers as evidence has formed the basis of the proposed plan. It has been developed to be a balance of aspiration and achievability.

Option 3 – Do not adopt the plan

This option is not recommended by officers as the previous Early Years and Youth Strategy is now out of date and it is beneficial to clearly define the focus of Council's investment in youth.

Conclusion

An evidence-based Youth Development Action Plan for 2019 – 2021 has been developed which will guide the ongoing development and delivery, over the next three years, of programs and services for young people aged 12 to 25 years.

6.1 Youth Development Action Plan 2019 - 2021

Youth Development Action Plan 2019 – 2021

Nurturing the adults of tomorrow

“As the world changes with unprecedented speed, young people are proving to be invaluable partners who can advance meaningful solutions.” *Ban Ki-moon (then United Nations Secretary-General)*

So, what's it like growing up in 21st century Australia? Is it noticeably different for young people living in Surf Coast Shire compared to the rest of the country?

Today's young people are the first generation born into the digital revolution. They have lived their entire lives with the internet, grown up with the evolution of social media and experienced the opportunities afforded by accelerating innovations in digital technology.

How can we work together as a community to support our young people in navigating the new challenges of today to become the best versions of themselves tomorrow?

This action plan outlines the steps Surf Coast Shire Council will take over the next three years to address these questions.

Australia's young people today

Numerous studies confirm that young Australians are facing challenges.

- Mission Australia's 2018 youth survey identified the top three issues of personal concern for young people as:
 1. Stress
 2. School or study problems
 3. Mental health.
- Beyond Blue's latest data indicates that:
 - one in five young people has experienced depression before the age of 18
 - one in seven aged up to 17 experiences a mental health condition in any given year
 - one in six between 16 and 24 currently experiences an anxiety condition; one in 16 depression
 - youth suicide remains the leading cause of death among young people.
- The Resilience Project reports the amount of information today's young people receive in a week equates to what their parents at the same age would have received in a year with.
 - 94 per cent of Australians between 14 and 17 own a smart phone (Roy Morgan, 2016)
 - one in three regularly use their phone between 10pm and 6am (Resilient Youth, 2018)

Surf Coast's young people in 2019

According to the latest census, about 5,000 young people live in Surf Coast Shire, representing 14% of the total population.

6.1 Youth Development Action Plan 2019 - 2021

Education-wise, there are two local secondary schools:

- Surf Coast Secondary College in Torquay opened in 2012, reaching full capacity in 2018. Current forecasts indicate student numbers will be well above 1,000 by 2021.
- Lorne P-12 College has seen a steady increase in student numbers over the past four years and currently has 100 students in years 7 to 12.

Secondary students who do not attend either of these local schools travel into Geelong for their education. Since the nearest university and TAFE institute are both located in Geelong, tertiary students are also required to travel or even to live away from home to pursue their studies.

Limited local employment opportunities also see many young people leaving the shire after completing their education.

The personal issues that most concern our young people in the latest Surf Coast Shire Youth Survey are:

- Relationships
- School stress
- Mental health issues.

These correlate directly with the Mission Australia results.

Our current programs for young people

Surf Coast Shire Council currently coordinates the following programs through its Youth Development team:

- **Youth Lounge** runs after school hours during the week at the Kurrumbee Myaring Community Centre in Torquay. It provides a space where young people can socialise, play music and talk to team members.
- **The Pod** is a converted shipping container that is transported around the shire to provide young people living in smaller townships with a dedicated local meeting space. Its locations and opening times are based on community needs.
- The **FReeZA** program is funded from a government grant to support young people in the fields of music and arts. Funded until December 2021, FReeZA activities are youth-led with support from the Youth Development team.
- **Engage!** is funded by the Victorian Government to help young people to actively participate in and connect with their local community, including via skills and knowledge development, pathways to employment, training and education, and improved health, wellbeing and social connection. Engage! is funded until December 2020.
- **Victorian Youth Week** is an annual week-long celebration of young people and the contributions they make to their communities. The Surf Coast Youth Awards are presented as part of Surf Coast's Youth Week activities.
- **Good Times, Great Breaks** is Surf Coast's harm minimisation program targeting the more than 4,000 school leavers who visit the shire in November/December each year to celebrate finishing school. The Youth Development team plays a vital role in ensuring they return home safe.

6.1 Youth Development Action Plan 2019 - 2021

What's next?

Council's three-year Youth Development Action Plan focuses on achieving three interrelated outcomes:

1. **Strong connections** between our Youth Development team and young people, their families, schools, sporting clubs, community groups and health and wellbeing services.
2. Council acting as **a respected and influential broker** to ensure our community has the services it needs.
3. **Prevention and intervention programs** that help our youth thrive.

Key focus areas

- Connection to community and services
- Arts and culture
- Mental health
- Employment

As current United Nations Secretary-General António Guterres said in 2018, "The hopes of the world rest on young people. Peace, economic dynamism, social justice, tolerance — all this and more, today and tomorrow, depends on tapping into the power of youth."

We can all play a role in nurturing Surf Coast's young people to achieve their full potential now and in future. This plan provides a framework for how we will fulfil this role over the next three years.

6.1 Youth Development Action Plan 2019 - 2021

Council's Youth Development Goals 2019-21	
<ul style="list-style-type: none"> To create strong connections between the Youth Development team and young people, their families, schools, sporting clubs, community groups and health and wellbeing services. To act as a respected and influential broker to ensure our community has the services it needs. To run prevention and intervention programs that help our youth thrive. 	
Key focus areas and related actions	Links to Council Plan (relevant strategic objectives)
Connection to community and services – We will:	
<ul style="list-style-type: none"> Operate youth-specific places, including Youth Lounge, Youth Pod and pop-ups. Facilitate the FReeZA program. Facilitate the Engage! program. Continue to work in partnership with Surf Coast Secondary College and Lorne P-12 College to implement programs. Continue our involvement in Australian Youth Week. Be accessible via current and emerging communication channels. Survey young people regularly. Continue our involvement in school leavers' safety response. Advocate for improved transport services for youth in rural communities. Foster young people's positive interest in the environment by creating opportunities for them to be involved in local initiatives. Actively participate in actions related to examining options for a dedicated youth facility, identified as a high priority in the <i>Torquay-Jan Juc Social Infrastructure Study</i>. 	<ul style="list-style-type: none"> a) Support people to participate in and contribute to community life. i) Ensure infrastructure is in place to support existing communities and provide for growth.
Arts and culture – We will:	
<ul style="list-style-type: none"> Facilitate the FReeZA program and meet funding objectives. 	<ul style="list-style-type: none"> a) Support people to participate in and contribute to community life.
Mental health – We will:	
<ul style="list-style-type: none"> Arrange local parent workshops and seminars to upskill parents. Work with agencies to bring services to the Surf Coast. Facilitate mental health initiatives within the Engage! program. Offer programs to build the capacity of young people so they can better support themselves and their peers. 	<ul style="list-style-type: none"> d) Provide support for people in need.
Employment – We will:	
<ul style="list-style-type: none"> Work with young people, schools, local businesses, community groups and sporting clubs to identify skills that should be targeted. Bring service providers to communities where young people live as opposed to young people having to travel outside of Surf Coast Shire. 	<ul style="list-style-type: none"> d) Provide support for people in need.

7. URGENT BUSINESS

Nil

8. PROCEDURAL BUSINESS

8.1 Advisory Committee Minutes

Author's Title: Senior Governance Officer
Department: Governance & Risk
Division: Governance & Infrastructure

General Manager: Anne Howard
File No: F18/221
Trim No: IC19/623

Appendix:

1. Municipal Emergency Management Planning Committee (MEMPC) Meeting Minutes - 14 March 2019 (D19/36191)
2. 25% by 2020 Renewable Energy Taskforce Advisory Committee Meeting Minutes - 21 March 2019 (D19/50974)
3. All Abilities Advisory Committee Meeting Minutes – 11 April 2019 (D19/55059)

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. Municipal Emergency Management Planning Committee (MEMPC) Meeting Minutes – 14 March 2019
2. 25% by 2020 Renewable Energy Taskforce Advisory Committee Meeting Minutes – 21 March 2019
3. All Abilities Advisory Committee Meeting Minutes – 11 April 2019.

Council Resolution

MOVED Cr Clive Goldsworthy, Seconded Cr Carol McGregor

That Council receives and notes the minutes of the following Advisory Committee meetings:

1. Municipal Emergency Management Planning Committee (MEMPC) Meeting Minutes – 14 March 2019
2. 25% by 2020 Renewable Energy Taskforce Advisory Committee Meeting Minutes – 21 March 2019
3. All Abilities Advisory Committee Meeting Minutes – 11 April 2019.

CARRIED 6:0

8.2 Section 86 Committee Minutes

Author's Title: Senior Governance Officer
Department: Governance & Risk
Division: Governance & Infrastructure

General Manager: Anne Howard
File No: F18/221
Trim No: IC19/317

Appendix:

1. Anglesea Bike Park S86 Committee of Management – Meeting Minutes – 13 November 2018 (D18/157478)
2. Anglesea Bike Park S86 Committee of Management – AGM Minutes – 13 November 2018 (D18/157539)
3. Anderson Roadknight Reserve S86 Committee of Management – Meeting Minutes – 12 November 2018 (D19/66340)
4. Connewarre Hall and Reserve S86 Committee of Management – Meeting Minutes – 11 December 2018 (D19/66506)
5. Deans Marsh Hall and Memorial Park S86 Committee of Management – Meeting Minutes – 22 November 2018 (D19/66332)
6. Eastern Reserve S86 Committee of Management – Meeting Minutes – 16 April 2018 (D19/2488)
7. Eastern Reserve S86 Committee of Management – Meeting Minutes – 21 May 2018 (D19/2493)
8. Eastern Reserve S86 Committee of Management – Meeting Minutes – 18 June 2018 (D19/66508)
9. Eastern Reserve S86 Committee of Management – Meeting Minutes – 17 September 2018 (D19/2545)
10. Eastern Reserve S86 Committee of Management – Meeting Minutes – 27 November 2018 (D19/2548)
11. Eastern Reserve S86 Committee of Management – AGM Minutes – 27 November 2018 (D19/68826)
12. Hearing of Submissions Committee Minutes - 16 April 2019 (D19/56806)
13. Hearing of Submissions Committee Minutes - 7 May 2019 (D19/67506)
14. Modewarre Hall and Reserve S86 Committee of Management – Meeting Minutes – 21 November 2018 (D19/66502)
15. Stribling Reserve S86 Committee of Management – Meeting Minutes – 12 November 2018 (D18/157505)
16. Stribling Reserve S86 Committee of Management – Meeting Minutes AGM – 10 December 2018 (D18/161323)
17. Stribling Reserve S86 Committee of Management – Meeting Minutes – 10 December 2018 (D19/65347)

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:

Purpose

The purpose of this report is to receive and note the minutes of Section 86 Committee meetings as appended.

Summary

The minutes provided in this report are draft unless otherwise identified. Committees do not re-issue minutes if any corrections are made at the time of adoption, rather note these corrections in the agenda item confirming adoption of the minutes at the following committee meeting.

Any corrections to draft minutes of material significance made by the committees will be provided to Council for noting in a subsequent report.

8.2 Section 86 Committee Minutes

Please note that the Section 86 Committee of Management minutes have been delayed in their provision to Council (specifically Eastern Reserve Committee). The April, May, June and September minutes should have been included in the December 2018 Council Report, however were not organised in time. There has been a variety of factors contributing to this, including the time it can take for Committees to supply minutes and time for officers to review minutes for any items that require follow up. Officers will be implementing an improved system to ensure that Committee minutes are presented to Council more frequently. Minutes are currently presented on a quarterly cycle; however, this will now be amended and presented as a bi-monthly report.

Recommendation

That Council receives and notes the following minutes of the Section 86 Committee meeting:

1. Anglesea Bike Park S86 Committee of Management Minutes – 13 November 2018
2. Anglesea Bike Park S86 Committee of Management Minutes – 13 November 2018
3. Anderson Roadknight Reserve S86 Committee of Management Minutes – 12 November 2018
4. Connewarre Hall and Reserve S86 Committee of Management Minutes – 11 December 2018
5. Deans Marsh Hall and Memorial Park S86 Committee of Management Minutes – 22 November 2018
6. Eastern Reserve S86 Committee of Management Minutes – 16 April 2018
7. Eastern Reserve S86 Committee of Management Minutes – 21 May 2018
8. Eastern Reserve S86 Committee of Management Minutes – 18 June 2018
9. Eastern Reserve S86 Committee of Management Minutes – 17 September 2018
10. Eastern Reserve S86 Committee of Management Minutes – 27 November 2018
11. Eastern Reserve S86 Committee of Management Minutes AGM – 27 November 2018
12. Hearing of Submissions Committee Minutes - 16 April 2019
13. Hearing of Submissions Committee Minutes - 7 May 2019
14. Modewarre Hall and Reserve S86 Committee of Management Minutes – 21 November 2018
15. Stribling Reserve S86 Committee of Management Minutes – 12 November 2018
16. Stribling Reserve S86 Committee of Management Minutes AGM – 10 December 2018
17. Stribling Reserve S86 Committee of Management Minutes – 10 December 2018.

Council Resolution

MOVED Cr Clive Goldsworthy, Seconded Cr Carol McGregor

That Council receives and notes the following minutes of the Section 86 Committee meeting:

1. Anglesea Bike Park S86 Committee of Management Minutes – 13 November 2018
2. Anglesea Bike Park S86 Committee of Management Minutes – 13 November 2018
3. Anderson Roadknight Reserve S86 Committee of Management Minutes – 12 November 2018
4. Connewarre Hall and Reserve S86 Committee of Management Minutes – 11 December 2018
5. Deans Marsh Hall and Memorial Park S86 Committee of Management Minutes – 22 November 2018
6. Eastern Reserve S86 Committee of Management Minutes – 16 April 2018
7. Eastern Reserve S86 Committee of Management Minutes – 21 May 2018
8. Eastern Reserve S86 Committee of Management Minutes – 18 June 2018
9. Eastern Reserve S86 Committee of Management Minutes – 17 September 2018
10. Eastern Reserve S86 Committee of Management Minutes – 27 November 2018
11. Eastern Reserve S86 Committee of Management Minutes AGM – 27 November 2018
12. Hearing of Submissions Committee Minutes - 16 April 2019
13. Hearing of Submissions Committee Minutes - 7 May 2019
14. Modewarre Hall and Reserve S86 Committee of Management Minutes – 21 November 2018
15. Stribling Reserve S86 Committee of Management Minutes – 12 November 2018
16. Stribling Reserve S86 Committee of Management Minutes AGM – 10 December 2018
17. Stribling Reserve S86 Committee of Management Minutes – 10 December 2018.

CARRIED 6:0

8.3 Assemblies of Councillors

Author's Title: Administration Governance Officer **General Manager:** Anne Howard
Department: Governance & Risk **File No:** F18/225
Division: Governance & Infrastructure **Trim No:** IC19/627

Appendix:

1. Assembly of Councillors - Councillor Briefings - 16 April 2019 (D19/54544)
2. Assembly of Councillors - Councillor Briefings - 23 April 2019 (D19/58081)
3. Assembly of Councillors - Responsible & Planning Authority Briefing - 23 April 2019 (D19/58100)
4. Assembly of Councillors - Councillor Briefings - 7 May 2019 (D19/61326)

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:

- Councillor Briefings – 16 April 2019
- Councillor Briefings – 23 April 2019
- Responsible & Planning Authority Briefing – 23 April 2019
- Councillor Briefings – 7 May 2019

Council Resolution

MOVED Cr Carol McGregor, Seconded Cr Margot Smith

That Council receives and notes the Assembly of Councillors records for the following meetings:

- Councillor Briefings – 16 April 2019
- Councillor Briefings – 23 April 2019
- Responsible & Planning Authority Briefing – 23 April 2019
- Councillor Briefings – 7 May 2019

CARRIED 6:0

9. NOTICE OF MOTIONS

9.1 Notice of Motion

Appendix:

1. City of Greater Geelong Rural and Peri Urban Feasibility Study (D19/72232)

Surf Coast Shire Council
Notice of Motion
Council Services
NOM- 135

I, Councillor Carol McGregor give notice that at the next Ordinary Council Meeting to be held on Tuesday 28 May, I intend to move the following motion:

Motion

1. That Surf Coast Shire contributes \$20,000 (excluding GST) from the Accumulated Unallocated Cash Reserve towards the multi-purpose livestock and information exchange scoping study proposed by City of Greater Geelong.

Rationale

The Peri Urban Advisory Committee was established by City of Greater Geelong (CoGG) in 2018, to advise Council of regional issues and priorities for local Peri Urban areas. The highest priority identified by the Committee is that an in-depth analysis and understanding of the potential for a regionally based, small-scale livestock selling and information centre has not been adequately explored. Concerns remain with regard to limited support for small landholders who own and manage livestock, animal welfare issues, biosecurity issues, lost rural community connectedness and a general concern about G21 Councils displaying a lack of interest in the rural lifestyle properties in relation to livestock management.

To that end, CoGG has supported the recommendation from the Peri Urban Advisory Committee to undertake a study to determine the most appropriate economic, environmental and social model for a multi-purpose livestock selling and information exchange for small producers in the region with consideration to the environmental and social benefits of our dispersed rural community. CoGG has proposed a commitment of \$70,000 in its 2019-20 budget towards the scoping study, estimated to cost approximately \$100,000. Given that a large proportion of Surf Coast Shire includes a hinterland of small producers who are likely to utilise a local, multi-purpose facility, it would be appropriate for the Shire to contribute to the scoping study.

Previous reports (for example, Mecardo and the Geelong Sustainable Agribusiness Strategy) gave little consideration to the concept of a small scale multi-purpose facility to accommodate needs of small producers and those farming as a hobby or part time venture. In addition, previous reports did not include feedback provided from over 400 Geelong Saleyard users who were surveyed in 2016 prior to the closure of the Geelong Saleyards.

The scoping study will explore the concept of a multipurpose livestock selling and information exchange facility as per the attached document. As Surf Coast Shire continues to recognise the importance of our hinterland and develops its own Hinterland Strategy, it is important to encourage and support our local livestock producers. This includes support and encouragement to continue to buy, breed and sell locally, using the legislated tracking systems, appropriately managed biosecurity approaches and remain connected as a community with a collective interest, rather than take their business outside of our region or risk selling privately and without proper process.

I commend this Notice of Motion to Council.

Cr Carol McGregor
Councillor
Date: 17 May 2019

9.1 Notice of Motion

Council Resolution

MOVED Cr Carol McGregor, Seconded Cr Margot Smith

That Surf Coast Shire:

1. Contributes \$20,000 (excluding GST) from the Accumulated Unallocated Cash Reserve towards the multi-purpose livestock and information exchange scoping study proposed by City of Greater Geelong.
2. Advocates to industry and state government stake holders to provide additional financial support for the study.

CARRIED 6:0

10. CLOSED SECTION
Nil

Close: There being no further items of business the meeting closed at 7:37pm