

# Minutes

# Meeting of Council Tuesday, 28 September 2021

Held via Video Conference (Zoom) Commenced at 6:00pm

## Council:

Cr Libby Stapleton (Mayor)
Cr Gary Allen
Cr Paul Barker
Cr Mike Bodsworth
Cr Kate Gazzard
Cr Rose Hodge
Cr Liz Pattison
Cr Adrian Schonfelder
Cr Heather Wellington

## MINUTES FOR THE MEETING OF SURF COAST SHIRE COUNCIL HELD VIA VIDEO CONFERENCE (ZOOM) ON TUESDAY 28 SEPTEMBER 2021 AT 6:00PM

#### PRESENT:

Cr Libby Stapleton (Mayor)

Cr Gary Allen

Cr Paul Barker

Cr Mike Bodsworth

Cr Kate Gazzard

Cr Rose Hodge

Cr Liz Pattison

Cr Adrian Schonfelder

Cr Heather Wellington

#### In Attendance:

Chief Executive Officer - Robyn Seymour Acting General Manager Governance & Infrastructure - John Bertoldi Acting General Manager Culture & Community - Damian Waight General Manager Environment & Development – Ransce Salan Coordinator Governance - Liberty Nash Governance Statutory Compliance & Reporting Officer – Zoe Eastick

Governance Officer - Julie Morales

### **OPENING:**

### Cr Libby Stapleton opened the meeting.

The Surf Coast Shire local government area spans the traditional lands of the Wadawurrung People and the Gadubanud and Guilijan People of the Eastern Maar. The main Council offices in Torquay are on Wadawurrung Country, and I am coming to you tonight from Aireys Inlet which is traditionally known as Mangowak. The Wadawurrung people have nurtured and protected these lands and waterways for thousands of generations - and I'm so grateful that we can be here today living and working in such a beautiful part of the world. Being an online meeting tonight, we also to wish acknowledge the Traditional Owners of the lands on which each person is attending, acknowledge any Aboriginal people who may be viewing the meeting tonight, and pay respect to Elders past, present and future.

## PLEDGE:

#### Cr Gary Allen 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.

## **CONFIRMATION OF MINUTES:**

### **Council Resolution**

### MOVED Cr Gary Allen, Seconded Cr Rose Hodge

That Council notes the minutes of the Council meeting held on 24 August 2021 and 21 September 2021 as correct records of those meetings.

CARRIED 9:0

### Voting

Voted on as follows:

ForAgainstAbstainedCr AllenNilNil

Cr Barker

Cr Bodsworth

Cr Gazzard

Cr Hodae

Cr Pattison

Cr Schonfelder

Cr Stapleton

Cr Wellington

**CARRIED 9:0** 

#### **CONFLICTS OF INTEREST:**

Nil

#### PRESENTATIONS:

Cr Barker notified Council that in accordance with SCS-045 policy he is required to notify the community he has been endorsed as the Liberal Democrats candidate to contest the federal seat of Corangamite.

He advised that he intends to take a leave of absence from Council once the election date has been announced.

#### **PUBLIC QUESTION TIME:**

## Questions with Notice (6 questions in total)

Question 1: Bob Gray - Anglesea Lions Club

The Lions Club of Anglesea has held a breakfast to celebrate Australia Day, 26 January every year for decades on the riverbank. It is a community event that is very popular with our residents. While Lions Clubs adopt a neutral position to any political/ religious matters, we are sensitive to the positions expressed by others. Taking into account possible Council policies arising from a Council approach to Australia Day as per page 844 of the agenda for the Council meeting on 28 September 2021 and to assist us in decisions about organizing this event in 2022, please table the following questions on the agenda.

### Answer provided by Libby Stapleton - Mayor:

Given that this matter will be considered at our Council meeting tonight, my response is in no way intended to foreshadow how Councillors will vote on the matter. However, if a motion consistent with the recommendation is carried, I would suggest that Councillors may still attend events in their capacity as community members. However it would be inconsistent with the recommendation and the intent of the Council report for Councillors to attend Lions Club Australia Day events in any official capacity or to undertake a role such as a speaker at an event.

## Question 2: Bob Gray - Anglesea Lions Club

If Council decides not to endorse January 26 (Australia Day) celebrations, would Council support the event in some or all of the following ways: granting permission to hold January 26 celebrations on public land, publicity, extra rubbish/recycle bins, funding assistance for a community event i.e. grant or in kind support and arrangements for an Australia Day Ambassador as guest speaker?

## Answer provided by Robyn Seymour - CEO:

Council will be able to receive and assess event permits on Council managed land on this day. The report and recommendation does not extend to impeding permits for events to proceed on 26 January. With regard to the other requested support, Council will be able to help the Lions club to become proficient in things like booking Ambassador guest speakers and building capacity in year one so they are able to do this in future years. Things like funding assistance and publicity / promotion through Council channels would not be consistent with the recommendations and the intent of the Council report. Basic event and public amenity support such as waste management and cleaning can be considered when the event application is received.

Question 3: Kirsty Metcalf - Freshwater Creek

At the 24 July 2018 Council meeting, a public question was answered as follows: "if at the time of construction it was identified that this development was undertaken for the purpose of accommodating helicopters, then it would require a permit for the development to be submitted.

SCS planning provision requirements and land use definitions are as follows:

- A helicopter\* is not separately defined in Clause 74 but is included within the definition of transport terminal.
- A transport terminal is defined as land used to assemble and distribute goods or passengers. This includes facilities to park and manoeuvre vehicles.
- A helicopter\* would normally have one or more helipads, with facilities such as a hangar, refuelling and lighting.
- Helicopter landing site is the land used for take-off and landing of a helicopter, with or without a permanent landing pad, but without permanent facilities for the assembly and distribution of goods or passengers.
- A helicopter landing site may range from a permanent and constructed landing pad to an unprepared site with no new buildings and works.

Where in the provision does it state the building and works (development) for a helicopter landing site are a shed and concrete apron?

\*Please note, this question was read out incorrectly in the Council meeting. The two references to the word 'helicopter' with an asterisk against them as above should be read as 'heliport' instead.

### Answer provided by Robyn Seymour - CEO:

The issue related to whether the shed and concrete apron was constructed only as a dwelling and works associated with the dwelling or whether the shed and concrete apron were constructed with the intention of being used in association with a helicopter landing site has been discussed and debated on a number of occasions.

As the ultimate decision-maker, VCAT supported Council's position that no permit was required for development as a building permit was issued for the dwelling showing the shed being used for car storage before the application for a helicopter landing site was made.

### Question 4: Kirsty Metcalf - Freshwater Creek

An email sent by Tim Metcalf to all councillors on 24<sup>th</sup> April 2018 has been referenced in the July and August 2018 Council Agenda Minutes as an alleged "disclosure". Advice was then given by council officers determining what constitutes "helicopter infrastructure". As the advice provided is a misrepresentation of the Surf Coast Shire planning provisions, is Council willing to acknowledge their error and make a public retraction regarding the statements made in both of these documents?

#### Answer provided by Robyn Seymour - CEO:

The receipt of an email from Tim Metcalf to councillors on 24 April 2018 is acknowledged. The official minutes from the 24 July 2018 and 28 August 2018 Council meetings do not reference a disclosure from Mr Metcalf. The minutes from the July meeting record that the officer's recommendation to Council was to approve planning permit application 17/0376 for the use of the land as a helicopter landing site only, not including the development of land. The decision from the Victorian Civil and Administrative Tribunal on the planning permit application affirmed that a planning permit was not required for the development associated with a helicopter landing site. A written apology has previously been provided from the then General Manager Governance and Infrastructure in respect of a mistake that was made in printing for the public gallery a preliminary draft of the July meeting agenda. This version of the agenda was not provided to Councillors before the decision on the application was made.

### Question 5: Penny Hawe - Friends of Lorne

In terms of Reporting and Compliance, why do Council officers think that the community engagement principles under s.56 LGA 2020 do not apply, when there is to be a major change in the land use? Specifically, a shift from car parking (for easy access and service to the pier) to a public plaza?

#### Answer provided by Robyn Seymour - CEO:

The report being considered in Item 4.1 of tonight's agenda does not relate to the land use of the site but is purely a procedural matter relating to Council, as Land Manager, allowing the Great Ocean Road Coast and

Park Authority to make a Planning Permit application. The issue with regards to the use of the land is considered through the Planning Permit process which includes a prescribed mandatory public notification process. No decision on the use of the land is relevant to this report.

Question 6: Penny Hawe - Friends of Lorne Why would Council's Community Engagement Policy be deemed not to apply either?

Answer provided by Robyn Seymour - CEO:
The answer as provided for your first question holds true for this question as well.

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#### 1. PETITIONS & JOINT LETTERS

### 1.1 Petition Requesting Council Keep Cats at Home with a 24/7 Cat Curfew

Author's Title:	Manager Business Improvement	General Manager:	Ransce Salan				
Department:	Environment & Development	File No:	F16/940-2				
Division:	Environment & Development	Trim No:	IC21/1419				
Appendix:							
1. Redacted - Petition - Keep Cats at Home With 24 7 Cat Curfew (D21/160778)							
Officer Conflict	of Interest:	Status:					
In accordance w Section 130:	vith Local Government Act 2020 –	Defined as confidential information in accordance with Local Government Act 2020, Section 3(1):					
Yes	⊠ No	Yes	No				
Reason: Nil		Reason: Nil					

### **Purpose**

The purpose of this report is to receive and note the petition (Appendix 1) requesting that Council introduce a 24/7 cat curfew and encourage residents to consider developing cat-runs or harnessing cats for outdoor walks.

The petition consists of 380 signatures.

#### Recommendation

That Council, in accordance with its Governance Rules:

- 1. Receives and notes the petition titled 'Keep Cats at Home With 24/7 Cat Curfew'.
- 2. Notes that officers will consider the petition to inform the development of the Domestic Animal Management Plan 2022-26.
- 3. Notes that a final recommendation regarding the subject matter of the petition will be included when the draft Domestic Animal Management Plan 2022-26 is presented to Council in October 2021.

#### Council Resolution

### MOVED Cr Rose Hodge, Seconded Cr Heather Wellington

That Council, in accordance with its Governance Rules:

- 1. Receives and notes the petition titled 'Keep Cats at Home With 24/7 Cat Curfew'.
- 2. Notes that officers will consider the petition to inform the development of the Domestic Animal Management Plan 2022-26.
- 3. Notes that a final recommendation regarding the subject matter of the petition will be included when the draft Domestic Animal Management Plan 2022-26 is presented to Council in October 2021.

CARRIED 9:0

### Voting

oted on as follows:			
<u>For</u> Cr Allen	<u>Against</u>	<u>Abstained</u>	
Cr Allen	Nil	Nil	
Cr Barker			
Cr Bodsworth			
Cr Gazzard			
Cr Hodge			
Cr Pattison			
Cr Schonfelder			
Cr Stapleton			
Cr Wellington			
_			CARRIED 9:0

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1.1 Petition Requesting Council Keep Cats at Home with a 24/7 Cat Curfew

APPENDIX 1 REDACTED - PETITION - KEEP CATS AT HOME WITH 24 7 CAT CURFEW

14/08/2021

Ms Robyn Seymour Chief Executive Officer Surfcoast Shire PO Box 350, Torquay 3228

Re: 24/7 cat curfew petition

SURF COAST SHIRE COUNCIL

Record No: D21/154917

Date Received 16/08/2021

## Dear Ms Seymour

I wish to present this petition for inclusion as part of the Surfcoast Shire animal policy consultation. The survey was presented, over a three-week period in late July and early August, to a limited number of people in a few locations in Aireys Inlet and Anglesea, and once, briefly, outside Bunnings and Aldi in Torquay.

I mostly spoke to these people while I was walking the tracks, shopping, or collecting or posting mail at the post office in Aireys Inlet, where I live. I deliberately did not use social media as I am uncomfortable with it, and did not wish to stir up any personal online vitriol. In approaching strangers outside shops etc. I had initially expected some very negative responses, but instead was really surprised at the mostly very positive attitude. The few people who did not wish to sign mainly seemed uninterested, busy, or did not wish to put their signature to anything. For example, two people who would not sign regaled me with stories of neighbours' cats preying on local wildlife. Two people refused to sign as they said they had outdoor cats.

Most people did not ask for more information, but signed as soon as I said 24/7 cat curfew. Several were overwhelmingly enthusiastic and grateful for the opportunity to do so. I generally found it, most unexpectedly, extremely easy to get signatures.

#### Regards





## Keep Cats at Home with a 24/7 Cat Curfew

A win/win solution for our cats and wildlife

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

Cats, feral and domestic, have adapted very quickly to a wide range of climates and are now a problem over most of Australia.

They are major predators killing millions of birds, reptiles and mammals every year.

On the Surf Coast we are privileged to live in a wonderful natural environment which includes many unique and endangered species, such as Rufous Bristlebirds, Long-nosed Bandicoots and Swamp Antechinus and our coastal fringe has become an important mammal refuge.

Cats can live very happily indoors so a way of managing this problem is a 24/7 cat curfew. This is a cheap and simple way to ensure that our native wildlife is not at risk from roaming domestic cats, and would reduce the chances of them becoming feral.

Our requested action is for Council: 1) to introduce a 24/7 cat curfew; 2) to encourage residents to consider developing cat-runs or harnessing cats for outdoor walks.

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

No. NAME (First Name & Surname) (Physical Address & Suburb) SIGNATURE

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

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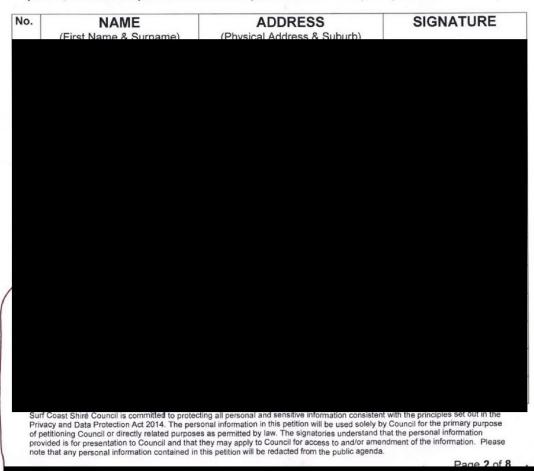
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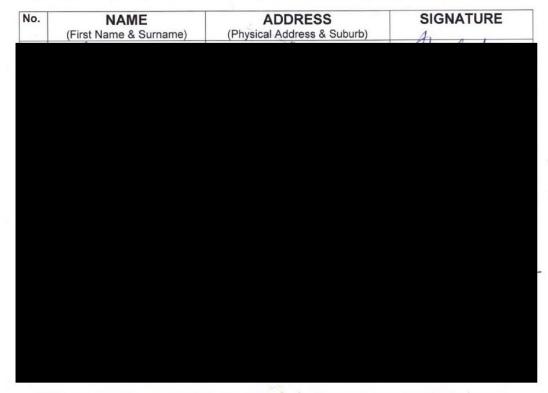
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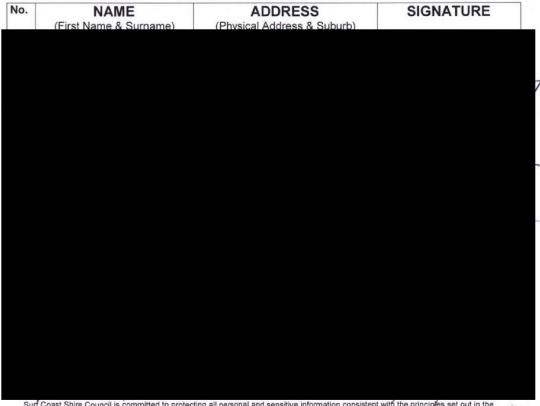
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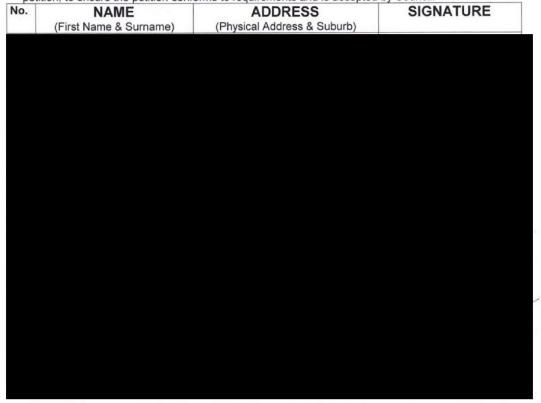
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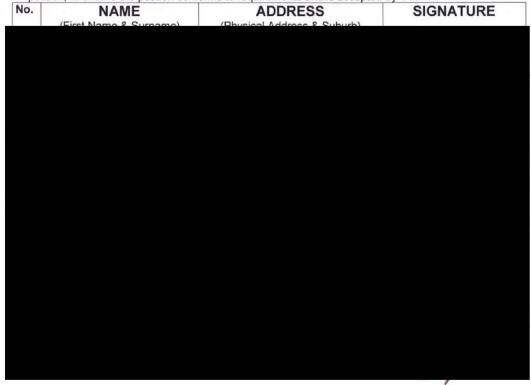
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## 1.1 Petition Requesting Council Keep Cats at Home with a 24/7 Cat Curfew



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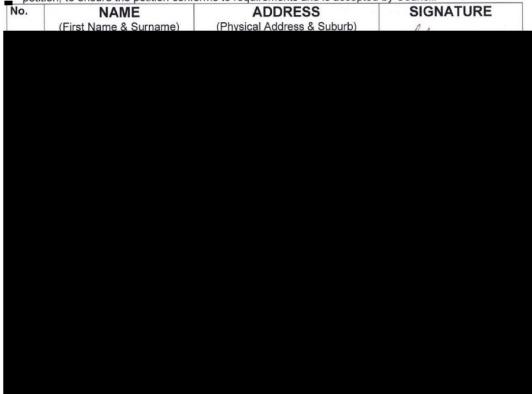
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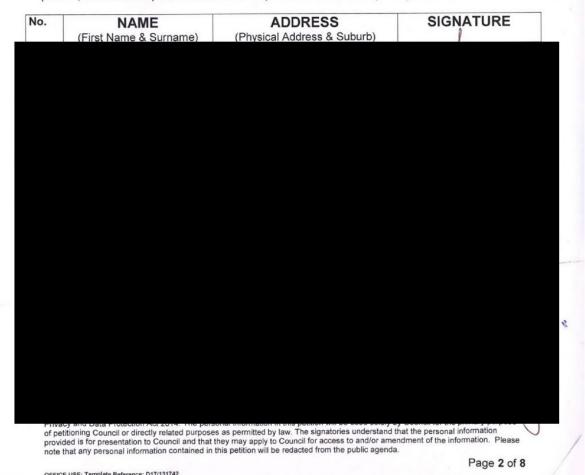
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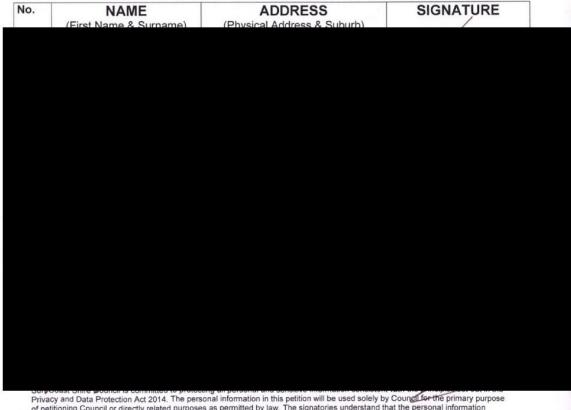
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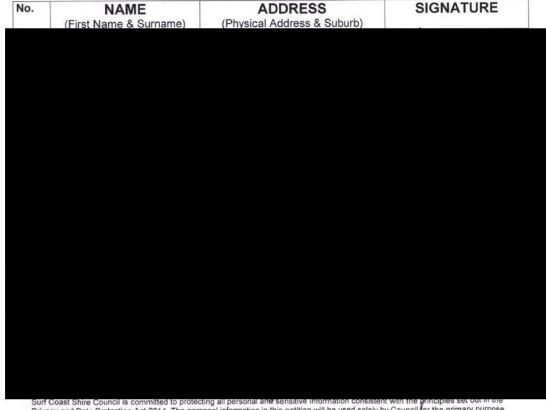
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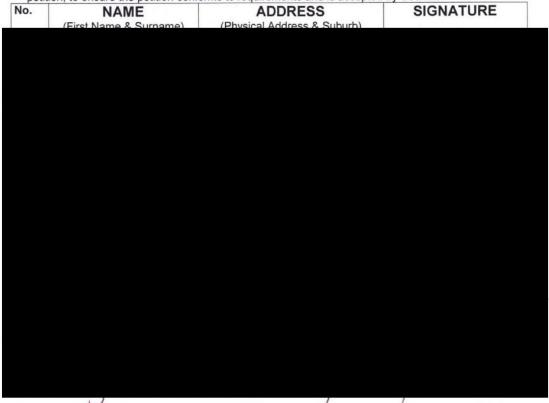
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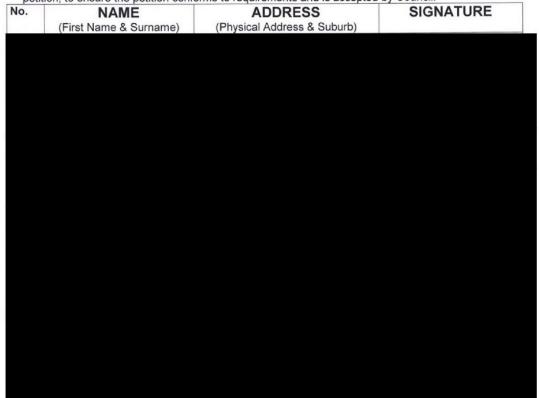
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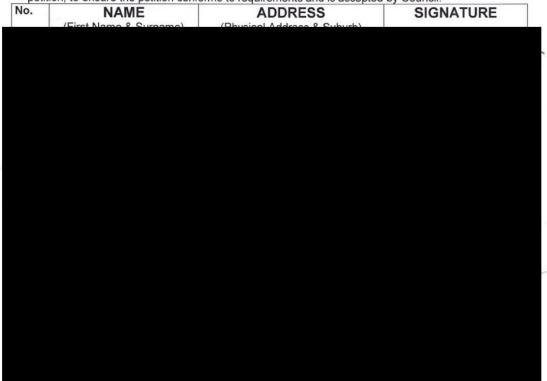
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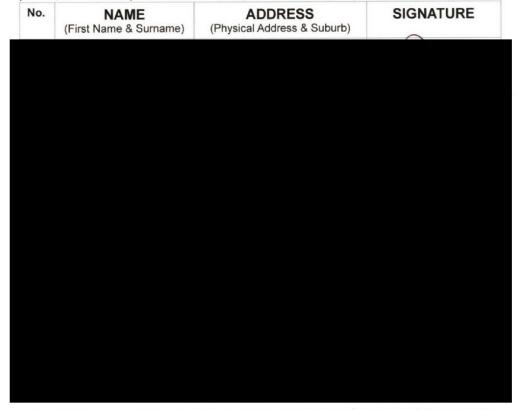
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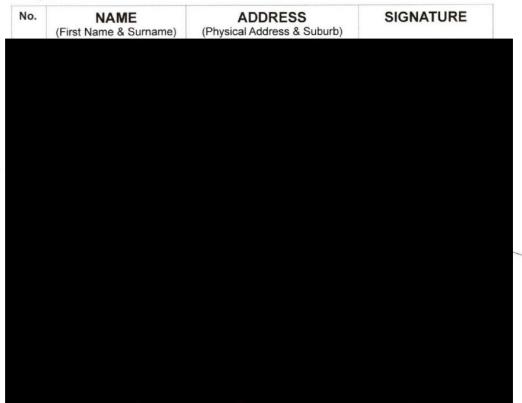
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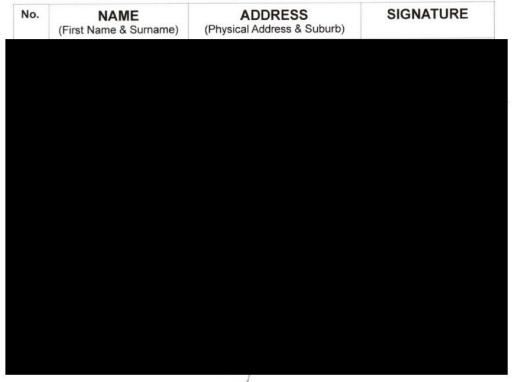
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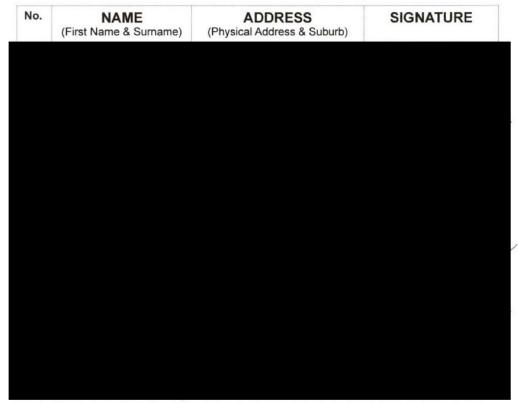
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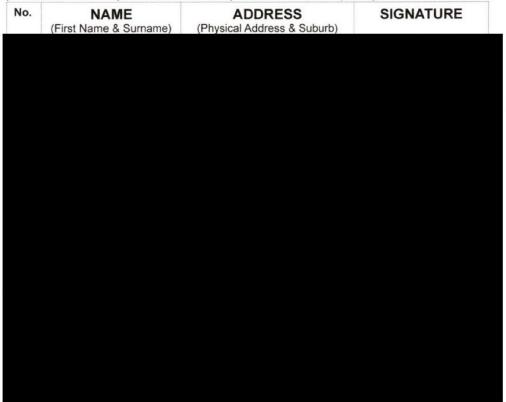
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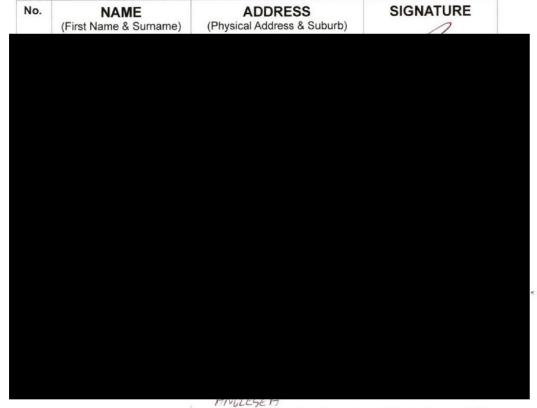
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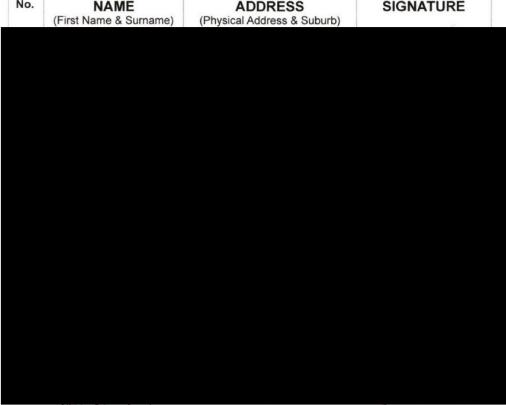
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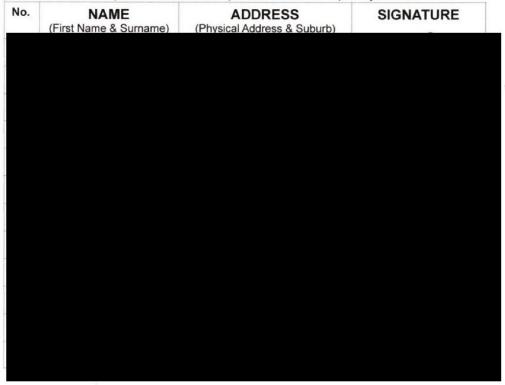
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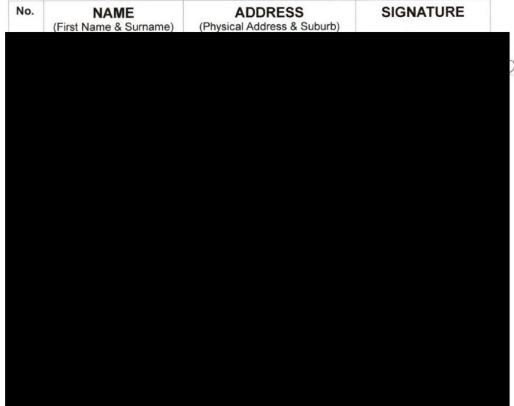
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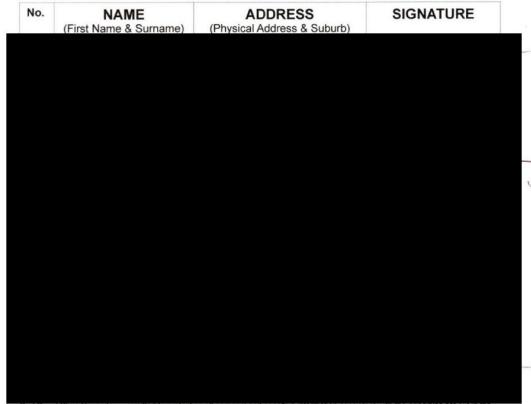
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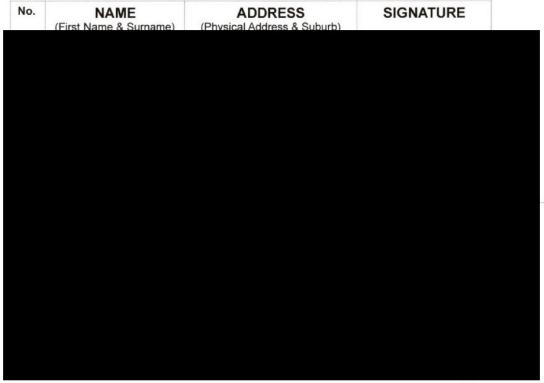
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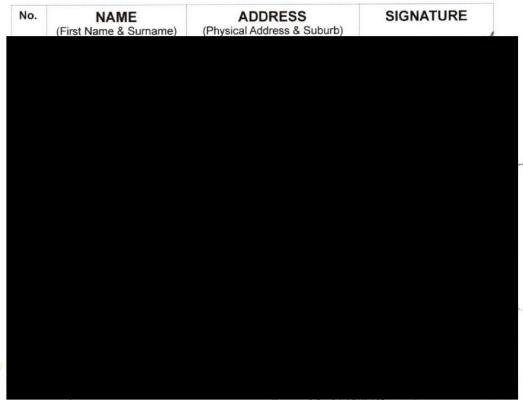
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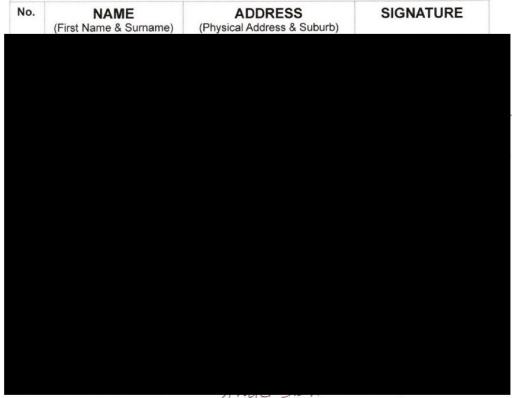
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Cats can live very happily indoors so a way of managing this problem is a 24/7 cat curfew. This is a cheap and simple way to ensure that our native wildlife is not at risk from roaming domestic cats, and would reduce the chances of them becoming feral.

Our requested action is for Council: 1) to introduce a 24/7 cat curfew; 2) to encourage residents to consider developing cat-runs or harnessing cats for outdoor walks.

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



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

Page 5 of 8

# 1.1 Petition Requesting Council Keep Cats at Home with a 24/7 Cat Curfew



# Keep Cats at Home with a 24/7 Cat Curfew A win/win solution for our cats and wildlife

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

Cats, feral and domestic, have adapted very quickly to a wide range of climates and are now a problem over most of Australia. They are major predators killing millions of birds, reptiles and mammals every year.

On the Surf Coast we are privileged to live in a wonderful natural environment which includes many unique and endangered species, such as Rufous Bristlebirds, Long-nosed Bandicoots and Swamp Antechinus and our coastal fringe has become an important mammal refuge.

Cats can live very happily indoors so a way of managing this problem is a 24/7 cat curfew. This is a cheap and simple way to ensure that our native wildlife is not at risk from roaming domestic cats, and would reduce the chances of them becoming feral.

Our requested action is for Council: 1) to introduce a 24/7 cat curfew; 2) to encourage residents to consider developing cat-runs or harnessing cats for outdoor walks.

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

No.	NAME (First Name & Surname)	ADDRESS (Physical Address & Suburb)	SIGNATURE	
381.				
382.				
383.				

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

## 2. RESPONSIBLE & PLANNING AUTHORITIES

# 2.1 Planning Scheme Amendment GC183 - Stage 2C of the Surf Coast Shire Heritage Study

Author's Title: Principal Strategic Planner

Department: Strategic Planning

File No: F20/1194

Division: Environment & Development

Trim No: IC21/1383

Appendix:

1. Surf\_Coast\_Heritage\_Study\_Stage\_2C\_Vol\_1\_FINAL\_Report (D21/160248)

- 2. Surf\_Coast\_Heritage\_Study\_Stage\_2C\_Vol\_2\_FINAL\_Report (D21/160256)
- 3. GC183 Surf Coast Shire Collated Amendment Documents (D21/163874)
- 4. GC183 Golden Plains collated Amendment Documents (D21/163865)
- 5. Surf Coast GC183 Explanatory Report Authorisation (D21/163860)

2. Curi Coust Co roo Explanatory Report Authorisation (BZ 1/100000)				
Officer Conflict of Inter	rest:	Status:		
In accordance with Loca Section 130:	l Government Act 2020 –		dential information in accordance rnment Act 2020, Section 3(1):	
Yes Reason: Nil	⊠ No	Yes Reason: Nil	⊠ No	

## **Purpose**

The purpose of this report is to consider the adoption of the Stage 2C Surf Coast Shire Heritage Study, and to consider seeking authorisation from the Minister for Planning to prepare and exhibit Planning Scheme Amendment GC183 for a period of one month.

#### Summary

Stage 2C of the Surf Coast Shire Heritage Study (the Study) was undertaken by consultants Ecology and Heritage Partners Pty Ltd and completed in July 2020. The project differed from previous heritage studies as the main focus was on providing properties covered by an existing heritage overlay with statements of significance; rather than investigating new properties.

The Study prepared citations to include statements of significance for fourteen (14) properties that are currently covered by a Heritage Overlay (HO) in the Surf Coast Planning Scheme but have no cultural assessment to support their significance. The study also assessed Pollocksford Bridge over the Barwon River on Pollocksford Road, to ascertain its cultural heritage significance and determine whether a new HO should be applied, as it was due for renewal. The study consists of *Volume 1 – The report* which sets out the findings and recommendations, and *Volume 2 – The Citations*, which includes individual citations for each property. The reports are attached in Appendices 1 and 2.

At its meeting on 25 August 2020, Council resolved to implement the recommendations of the study, and a Planning Scheme Amendment is now required to give effect to a number of those recommendations. Planning Scheme Amendment GC183 proposes to incorporate *Volume 2* of the Study (the citations) into the Surf Coast Planning Scheme, apply a HO to Pollocksford Bridge and add controls to four properties via the HO Schedule, add a detailed heritage policy (Clause15.03-1L), and make associated changes to the Municipal Planning Strategy (Clause 02.03). The amendment documents are appended to this report at Appendix 3 and 4.

Adoption of the study by Council is required and Ministerial authorisation is required to progress the amendment and proceed to public exhibition.

## Recommendation

That Council:

- 1. Adopts the Stage 2C Surf Coast Shire Heritage Study, consisting of *Volume 1 The report* and *Volume 2 The citations.*
- 2. Seeks authorisation from the Minister for Planning to prepare and exhibit Planning Scheme Amendment GC183, which implements the Stage 2C Surf Coast Shire Heritage Study.

## 2.1 Planning Scheme Amendment GC183 - Stage 2C of the Surf Coast Shire Heritage Study

3. Upon receipt of authorisation from the Minister for Planning, exhibits Planning Scheme Amendment GC183 for a period of one month in accordance with section 19 of the *Planning and Environment Act 1987*.

#### **Council Resolution**

## MOVED Cr Gary Allen, Seconded Cr Rose Hodge

That Council:

- Adopts the Stage 2C Surf Coast Shire Heritage Study, consisting of Volume 1 The report and Volume 2 - The citations.
- 2. Seeks authorisation from the Minister for Planning to prepare and exhibit Planning Scheme Amendment GC183, which implements the Stage 2C Surf Coast Shire Heritage Study.
- 3. Upon receipt of authorisation from the Minister for Planning, exhibits Planning Scheme Amendment GC183 for a period of one month in accordance with section 19 of the *Planning and Environment Act 1987*.

CARRIED 8:1

# Voting

Voted on as follows:

For Allen Cr Barker Nil

Cr Bodsworth
Cr Gazzard
Cr Hodge
Cr Pattison
Cr Schonfelder
Cr Stapleton
Cr Wellington

Abstained
Nil

Cr Barker

Abstained
Nil

Cr Barker

Cr Barker

Cr Hodge

Cr Hodge
Cr Pattison
Cr Schonfelder
Cr Stapleton
Cr Stapleton
Cr Wellington

## Report

## Officer Direct or Indirect Interest

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

#### Background

In 2018, State Government planning scheme reforms changed the format of the heritage overlay, giving greater weight to Statements of Significance. However, this also meant that sound justification of the significance of a place was required to enable its inclusion in the Heritage Overlay.

The Stage 2C study implemented the priority recommendations from the earlier Stage 2B heritage study, which was to prepare heritage citations to include statements of significance for fourteen (14) heritage places that are subject to existing Heritage Overlays but have scant or no heritage assessment to support their significance.

The Study involved a comprehensive assessment of the cultural heritage significance of these fourteen (14) places. A Heritage Citation has been prepared for each place, which sets out the history and a description of each place, a comparative analysis, and a Statement of Significance. The Statements support and strengthen the existing Heritage Overlays and establish the significance of the particular place, providing a basis to guide any future planning permit applications against the decision guidelines of the Heritage Overlay. These Statements of Significance will be used as a tool for assessing planning permit applications, thereby helping to protect the features that are considered significant for each place.

The 14 places assessed as part of the study are:

## Barrabool

Ballanclea/Ballinclea homestead, 250 Ballanclea Road (HO7)

## 2.1 Planning Scheme Amendment GC183 - Stage 2C of the Surf Coast Shire Heritage Study

- 2. Wescott's Stable, 850 Barrabool Road (HO14)
- 3. Foymount homestead, 795 Barrabool Road (HO9)
- 4. Berramongo, 100 Crooks Road (HO8)
- 5. Stanbury Barn, 130 Devon Road (HO12)
- 6. Merrawarp homestead, 50 Honeys Road (HO10)
- 7. Tasman homestead, 755 Barrabool Road (HO13)

#### Bellbrae

8. Bellbrae Cemetery Monumental Masonry, 65 School Road (HO6)

#### Winchelsea

- 9. St Thomas Anglican Church and school room, 31 Barwon Terrace (HO20)
- 10. Murdeduke Homestead, 730 Cressy Road (HO24)
- 11. Winchelsea Uniting Church and Manse, 30-34 Hesse St (HO21)
- 12. Colonial bank, 33 Main Street (HO19)
- 13. Wormbete Homestead including outbuildings and Gardens, 565 Winchelsea-Deans Marsh Road (HO25)

## Torquay

14. Scammell House, 24 Pride Street (HO16).

During the project, the Pollocksford Bridge over the Barwon River on Pollocksford Road was identified by council as potentially being at risk due to the need for future renewal works. The bridge is partially located within Golden Plains Shire and is jointly owned with Surf Coast Shire (although Surf Coast Shire has full maintenance responsibility for the bridge). It was considered that the bridge should be assessed as a matter of priority, to ascertain whether a significance threshold had been reached to apply the heritage overlay.

Based on these assessments, the *Volume 1* report (the report) makes a number of recommendations for applying and implementing the Statements of Significance to ensure the best protection of these cultural heritage places within the Shire. This includes incorporating *Volume 2* of the Study containing the heritage citations into the Surf Coast Planning Scheme, and updating the Schedule to the Heritage Overlay to reference this document and include additional controls for the following four (4) properties:

- Internal controls to:
  - Westcott's Stable, 850 Barrabool Road, Barrabool (HO14)
  - o Scammell House, 24 Pride Street, Torquay (HO16).
- External paint controls to:
  - o Colonial Bank, 33 Main Street, Winchelsea (HO19)
  - o Berramongo, 100 Crooks Road, Barrabool (HO8).

The report also concluded that Pollocksford Bridge meets the threshold for local cultural heritage significance, and recommended its inclusion in a Heritage Overlay in both the Surf Coast and Golden Plains Planning Schemes. The report also recommended that a local heritage policy should be prepared and included within the Surf Coast Planning Scheme, which would be specific to the Surf Coast Shire and support the generic State heritage policy.

Council received the *Volume 1* and *Volume 2* reports at its Ordinary Meeting on 23 July 2019, and resolved to send a copy to the owners of the properties prior to considering the implementation of the recommendations. Consequently, local heritage groups and property owners were engaged with and this helped to inform the citations, resulting in an updated and improved final report.

At its meeting on 25 August 2020, Council resolved to implement the recommendations of the report subject to minor changes to the citation for *Merrawarp Homestead*. These changes have been undertaken in consultation with local heritage groups.

Council's formal adoption of the *Volume 1* and *Volume 2* studies, and support to seek authorisation from the Minister for Planning to prepare and exhibit the amendment is now required. A 'GC' amendment, with Surf

## 2.1 Planning Scheme Amendment GC183 - Stage 2C of the Surf Coast Shire Heritage Study

Coast Shire as the Planning Authority to cover the changes to the Surf Coast and the Golden Plains Planning Schemes together (GC) has been recommended by DELWP, and discussed with Golden Plains Shire Council. The attached Explanatory Report provides a more detailed assessment of the amendment against State and local planning policy, in addition to other requirements (refer appendix 5).

## **Discussion**

Specifically, the Amendment proposes the following changes to the Surf Coast Planning Scheme:

- Include a new heritage place (H0 164) known as Pollocksford Bridge, Pollocksford Road, Gnarwarre in the Heritage Overlay by amending the schedule to the Heritage Overlay (Clause 43.01) and map H05.
- Amend the Schedule to the Heritage Overlay (Clause 43.01) to:
  - refer to the Incorporated document Surf Coast Shire Heritage Study, Barrabool, Torquay, Bellbrae and Winchelsea, Victoria Volume 2: The Heritage Citations- July 2020 next to the relevant properties listed above
  - o introduce internal controls to Westcott's Stable, 850 Barrabool Road, Barrabool (HO14) and Scammell House, 24 Pride Street, Torquay (HO16);
  - o introduce external paint controls to Colonial Bank, 33 Main Street, Winchelsea (HO19) and Berramongo, 100 Crooks Road, Barrabool (HO8);
  - make correctional amendments, including the address of Foymount homestead, 795 Barrabool Road, Barrabool (HO9) and the spelling of the property name 'Scammell', 24 Pride Street, Torquay (HO16).
  - update the title of the background document 'Surf Coast Shire Places of Cultural Significance Study: Selected Lorne/Deans Marsh Heritage Place Assessments 2003 (Surf Coast Shire, amended 2005)' and the Incorporated Document 'Mountjoy Parade Heritage Design Guidelines – Surf Coast Shire, April 2021) to include the amended date against the relevant properties.
  - Introduce additional application requirements for some types of permit applications.
- Amend Clause 02.03-5 (Built environment and heritage) in the Strategic directions of the Municipal Planning Strategy (MPS) to provide enhanced context relating to cultural heritage in the Shire as well as an overriding objective.
- Amend Clause 15.03-1L (Heritage conservation) in the Planning Policy Framework that applies to all land covered by a Heritage Overlay (HO). The amended planning scheme policy will introduce detailed strategies to guide decisions where a planning permit is triggered under the HO, including for the demolition or relocation of buildings, subdivision, additions, restoration, landscaping, signage, boundary fences, and access and car parking. The policy adds rigour to the assessment process and for some permit applications, this means that applications will need to be accompanied by the additional supporting documents set out in the schedule to the HO (clause 43.01s). This policy has been prepared in consultation with council's Heritage Advisor.
- Amend the schedule to Clause 72.04 within the Operational Provisions to include a new Incorporated Document in the Surf Coast Planning Scheme titled 'Stage 2C of the Surf Coast Shire Heritage Study, Barrabool, Torquay, Bellbrae and Winchelsea, Victoria Volume 2: The Heritage Citations- July 2020 ', and include the amended date of the Incorporated Document 'Mountjoy Parade Heritage Design Guidelines Surf Coast Shire, April 2021'.
- Amend the schedule to Clause 72.08 within the Operational Provisions to include the amended date of the background document 'Surf Coast Shire Places of Cultural Significance Study: Selected Lorne/Deans Marsh Heritage Place Assessments 2003 (Surf Coast Shire, amended 2005)'

Specifically, the Amendment proposes the following changes to the Golden Plains Planning Scheme:

- Include a new heritage place (H0 173) known as Pollocksford Bridge, Pollocksford Road, Stonehaven in the Heritage Overlay by amending the schedule to the Heritage Overlay (Clause 43.01) and map H028.
- Amend the schedule to Clause 72.04 in Operational Provisions to include the *Pollocksford Bridge Statement of Significance*, as an Incorporated Document.

Whilst preparing the amendment, it was also determined that some minor corrections will be required to the Incorporated Document 'Mountjoy Parade Heritage Design Guidelines (Surf Coast Shire, April 2021)'.

Additionally, the amendment will need to update, and make corrections to the background document 'Surf Coast Shire Places of Cultural Significance Study: Selected Lorne/Deans Marsh Heritage Place

Assessments 2003 (Surf Coast Shire, amended 2005). The document will be streamlined to delete unnecessary content, including method statements, and updated to resolve inconsistencies between a small number of Statements of Significance and the recommendations of the 2005 Panel that considered the original C15 Heritage amendment. Updates would also include the removal of the objectives and policy in the Mountjoy Parade Heritage Precinct, which are now reflected in the Heritage Design Guidelines.

These documents will be updated and exhibited as part of the amendment process.

Appendix 3 and 4 contains all of the amendment documents including the proposed ordinance changes to both planning schemes. These may be subject to some content changes as the amendment proceeds and following review by DELWP.

#### Council Plan

Theme 3 Balancing Growth

Objective 3.3 Strengthen township boundaries and support unique township character

Strategy Nil

Theme 5 High Performing Council

Objective 5.2 Ensure that Council decision-making is balanced and transparent and the community is

involved and informed

Strategy Nil

# Reporting and Compliance Statements:

Local Government Act 2020 - LGA 2020

Implications	Applicable to this Report
Governance Principles	Yes
(Consideration of the Governance Principles under s.9 of LGA 2020)	1 65
Policy/Relevant Law	Yes
(Consideration of the Governance Principles under s.9 of LGA 2020)	res
Environmental/Sustainability Implications	Yes
(Consideration of the Governance Principles under s.9 of LGA 2020)	res
Community Engagement	
(Consideration of Community Engagement Principles under s.56 LGA 2020	Yes
and Council's Community Engagement Policy SCS-017)	
Public Transparency	Yes
(Consideration of Public Transparency Principles under s.58 of LGA 2020)	165
Strategies and Plans	Yes
(Consideration of Strategic Planning Principles under s.89 of LGA 2020)	165
Financial Management	
(Consideration of Financial Management Principles under s.101 of LGA	Yes
2020)	
Service Performance	No
(Consideration of Service Performance Principles under s.106 of LGA 2020)	NO
Risk Assessment	No
Communication	Yes
Human Rights Charter	No

## Governance Principles - Local Government Act 2020 (LGA 2020)

The applicable Victorian Planning Provisions and relevant Acts have been taken into account in considering the proposal including the *Planning and Environment Act 1987* and *Heritage Act 2017*.

## Policy/Relevant Law

The amendment complies with the relevant requirements of the Planning and Environment Act 1987.

The amendment strengthens Council policy and provides clearer direction on how local heritage assets within the Shire should be protected. The amendment is consistent with State policy and other relevant strategies and studies.

## Environmental/Sustainability Implications

The amendment will not have any adverse effects on the environment. The amendment will ensure the best protection of the Shire's cultural heritage assets for future generations. The significant places studied add to the rich fabric of built form in the Shire, and add to the amenity of urban and rural areas.

## Community Engagement

Community engagement during the Study involved the landowners of the heritage places, and local historical societies and heritage groups. These have included the Torquay and District Historical Society, the Torquay Museum without Walls, the Surf Coast Shire Heritage group and the Mount Duneed History Group. The final *Volume 1* and *Volume 2* reports have been made available on the Surf Coast Shire website for public viewing.

Community engagement for the Amendment will adhere to the legislative process required by the Planning and Environment Act 1987, including giving notice and placing notices in local newspapers and the government gazette. Council's webpage will also be updated to contain all supporting documentation.

# Public Transparency

All documents and council decisions relating to the processing of the amendment will be publicly available on the website for inspection and comment.

## Strategies/Plans

The amendment is consistent with policies within the Surf Coast Planning Scheme and implements the resolution of Council to implement the recommendations in the Stage 2C heritage study.

## Financial Management

Funds to process the amendment were allocated in council's 2020/21 budget.

## Risk Assessment

There are no risks to Council in undertaking a planning scheme amendment as proposed. It represents good planning practice and is consistent with the Victorian Planning Provisions and Council's responsibilities as Planning Authority.

## Communication

The amendment will be exhibited in accordance with the requirements of Section 19 of the Planning and Environment Act 1987. It will be placed on public exhibition for a minimum statutory period of one month to provide opportunity for community and stakeholder feedback as required by the *Planning and Environment Act 1987*. The Amendment will also be referred to all relevant authorities and prescribed Ministers under the *Planning and Environment Act 1987*.

## **Options**

Option 1 – Council adopts the Study and seeks authorisation from the Minister for Planning to prepare and exhibit the amendment

This option is recommended by officers. Amendment GC183 will implement the recommendations in the Stage 2C heritage study, which is considered best practice in terms of protecting the cultural heritage of the municipality and which Council has previously resolved to implement. It will provide the appropriate statutory protection through the planning scheme of heritage assets within both the Surf Coast Shire and Golden Plains Shire. Subject to Council's approval, the amendment is ready to proceed to the Minister for Planning to request authorisation to prepare and exhibit the amendment.

Option 2 - Council does not support adoption of the Study and the amendment request

# 2.1 Planning Scheme Amendment GC183 - Stage 2C of the Surf Coast Shire Heritage Study

This option is not recommended by officers. If the Study's recommendations are not implemented, the Heritage Overlay will not comply with the Victorian Planning Provisions (i.e. the heritage overlay format), or give statutory protection to the additional heritage place identified in the Study, and the planning scheme will not reflect clear and strengthened guidelines associated with the protection of heritage places covered by a HO.

#### Conclusion

Amendment GC183 has been prepared to implement the recommendations from the *Stage 2C Surf Coast Shire Heritage Study*. This follows the resolution of Council to implement these recommendations in August 2020, after consultation with both landowners of the affected properties, local historical societies and heritage groups.

The adoption of the Study is required to recognise Council's formal support (for the Study). The amendment is required to provide increased protection to previously identified heritage assets by protecting the features that are considered significant at each place, and to give heritage protection to the Pollocksford Bridge. The amendment will also provide clear strategies for assessing permit applications relating to heritage places within the Surf Coast Shire, and add rigour to the Surf Coast Planning Scheme.

It is recommended that Council seeks authorisation from the Minister for Planning to prepare Planning Scheme Amendment GC183, and exhibit the amendment for one month upon receipt of authorisation.

2.1 Planning Scheme Amendment GC183 - Stage 2C of the Surf Coast Shire Heritage Study

APPENDIX 1 SURF\_COAST\_HERITAGE\_STUDY\_STAGE\_2C\_VOL\_1\_FINAL\_REPORT



Final Report

Stage 2c of the Surf Coast Shire Heritage Study, Barrabool, Torquay, Bellbrae and Winchelsea, Victoria.

Volume 1: The Report

Volume 1 of 2

Client

Surf Coast Shire Council

July 2020



**Ecology and Heritage Partners Pty Ltd** 

Author

Giselle Harris, Michelle Knehans and Oona Nicolson

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# **DOCUMENT CONTROL**

Activity	Heritage Study – Stage 2C
Address	Barrabool, Torquay, Bellbrae and Winchelsea
Project number	11972
Project manager	Giselle Harris
Report author(s)	Giselle Harris, Michelle Knehans and Oona Nicolson
Report reviewer	Oona Nicolson
Sub-contractor(s)	Emma Russell and Vicki McLean
Mapping	Julian Yuan
File name	11972_Surf Coast Heritage Study Stage 2C_Vol_1_FINAL Report_ON_30.06.2020
Client	Surf Coast Shire
Bioregion	Victorian Volcanic Plains and Otway Plain
CMA	Corangamite Catchment Management Authority
Council	Surf Coast Shire Council

Report versions	Comments	Comments updated by	Date submitted
Draft v1	Draft for internal QA review	ON	09.05.2019
Draft v2	Draft to client for comment	ON	10.05.2019
Draft v3	First Final Draft	ON	31.10.2019
Final	Final report	ON	31.07.2020

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# **ACKNOWLEDGEMENTS**

We thank the following organisations and individuals for their contribution to the project:

- Samantha Natt, Principal Strategic Planner, Surf Coast Shire- for project and site information.
- Heritage Victoria.
- Lorraine Marshall, Trustee of the Bellbrae Cemetery Trust and Secretary of the Torquay & District Historical Society.
- Carleen Thoernberg, daughter of Margaret Ganly for information on Scammell House, 24 Pride Street, Torquay.
- · Cheryl Baulch from Torquay Museum without Walls.
- Antony Blakeley owner of Wormbete Homestead, 565 Winchelsea-Deans Marsh Road.
- Gwen Threlfall from the Mount Duneed History Group.

Cover Photo: St Thomas Anglican Church, Winchelsea, Victoria.

(Photo by Ecology and Heritage Partners Pty Ltd)



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# **ABBREVIATIONS**

Acronym	Description
Act, the	Heritage Act 2017
CHL	Commonwealth Heritage List
CMP	Conservation Management Plan
CMA	Catchment Management Authority
DELWP	Department of Environment, Land, Water and Planning (Victoria)
DoEE	Department of the Environment and Energy (Commonwealth)
EPBC Act	Environment Protection and Biodiversity Conservation Act 1999
НА	Heritage Advisor
нна	Historical Heritage Assessment
но	Heritage Overlay
HV	Heritage Victoria
NHL	National Heritage List
NTR	National Trust Register (Victoria)
RNE	Register of the National Estate
SLV	State Library of Victoria
VHI	Victorian Heritage Inventory
VHR	Victorian Heritage Register
VWHI	Victorian War Heritage Inventory
WHL	World Heritage List



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## **EXECUTIVE SUMMARY**

## Introduction

Ecology and Heritage Partners Pty Ltd was commissioned by the Surf Coast Shire to prepare Stage 2C of the Surf Coast Shire Heritage Study. The primary focus of this project was to undertake cultural heritage assessments for 15 places — 14 that are included in the Schedule to the Heritage Overlay of the Surf Coast planning scheme and one additional place.

This report documents information regarding the methodology, significance assessment, criteria and thresholds adopted and recommendations arising from the study.

## Background

The 14 places included in the schedule to the Heritage Overlay did not have best-practice heritage citations or statements of significance. Heritage assessments will provide an understanding of the significance of each of these places and inform appropriate heritage planning permit decisions.

## The Study Area and Places

The fifteen places are located within the regional areas of Barrabool, Torquay, Bellbrae and Winchelsea, in the Surf Coast Shire.

- 1. Bellbrae Cemetery Monumental Masonry, 65 School Road (HO6)
- 2. Ballanclea / Ballinclea Homestead, 250 Ballanclea Road (HO7)
- 3. Berramongo, 100 Crooks Road (HO8)
- 4. Foymount Homestead, 795 Barrabool Road (HO9)
- 5. Merrawarp Homestead, 50 Honeys Road (HO10)
- 6. Stanbury Barn, 130 Devon Road (HO12)
- 7. Tasman Homestead, 755 Barrabool Road (HO13)
- 8. Wescott's Stable, 850 Barrabool Road (HO14)
- 9. Scammell, 24 Pride Street (HO16)
- 10. Colonial Bank, 33 Main Street (HO19)
- 11. St Thomas Anglican Church and School Room, 31 Barwon Terrace (HO20)
- 12. Winchelsea Uniting Church and Manse, 30-34 Hesse St (HO21)
- 13. Murdeduke Homestead, 730 Cressy Road (HO24)
- Wormbete Homestead including outbuildings and Gardens, 565 Winchelsea-Deans Marsh Road (HO25)
- 15. Pollocksford Bridge

## Method

This Heritage Study was underpinned by historical research which consisted of reviews of relevant heritage registers and databases, previous heritage studies, and online repositories.



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The site inspections consisted of a physical survey of the 15 places to evaluate the current condition and intactness of the places.

An assessment of the cultural heritage significance of these places was carried out and citations prepared.

#### Results and recommendations

Of the 15 places assessed in this study, 14 are already included in the Heritage Overlay. Complete citations have been prepared for the following places:

#### Barrabool

- Berramongo, 100 Crooks Road (HO8)
- · Foymount Homestead, 795 Barrabool Road (HO9)
- Stanbury Barn, 130 Devon Road (HO12)
- · Tasman Homestead, 755 Barrabool Road (HO13)
- Wescott's Stable, 850 Barrabool Road (HO14)

#### Bellbrae

Bellbrae Cemetery Monumental Masonry, 65 School Road (HO6)

#### Winchelsea

- Colonial Bank, 33 Main Street (HO19)
- · St Thomas Anglican Church and School Room, 31 Barwon Terrace (HO20)
- Winchelsea Uniting Church and Manse, 30-34 Hesse St (HO21)
- Wormbete Homestead including outbuildings and Gardens, 565 Winchelsea-Deans Marsh Road (HO25)

#### Torquay

• Scammell House, 24 Pride Street (HO16)

# Recommendation 1: Further site inspections

Unfortunately, access was not provided to inspect three properties, so it is recommended that this be pursued in the future and the citations updated accordingly for:

#### Barrabool

- Ballanclea / Ballinclea Homestead, 250 Ballanclea Road (HO7)
- Merrawarp Homestead, 50 Honeys Road (HO10)

#### Winchelsea

• Murdeduke Homestead, 730 Cressy Road (HO24)

## Recommendation 2: New Heritage Overlay

The Pollocksford Bridge has been assessed as meeting the threshold for local cultural heritage significance the Surf Coast municipality and is recommended for inclusion in a Heritage Overlay in the Surf Coast Planning Scheme and the Golden Plains Planning Scheme (it is in joint ownership). A citation has been prepared for:



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#### Gnarwarre

· Pollocksford Bridge, Pollocksford Road.

# Recommendation 3: VHR Nominations

Of the 15 places assessed in this study, 12 places were found to meet the threshold for local heritage significance and thus their current heritage overlays in the Surf Coast Planning Scheme are deemed appropriate. However, two places have been assessed as meeting the threshold for State significance to Victoria. The following places require nomination to Heritage Victoria for inclusion in the Victorian Heritage Register (VHR) by the Heritage Council:

#### Torquay

· Scammell, 24 Pride Street (HO16); and

#### Winchelsea

 Wormbete Homestead including outbuildings and Gardens, 565 Winchelsea-Deans Marsh Road (HO25).

## Recommendation 4: Incorporated Document

The document 'Surf Coast Heritage Study Stage 2C: Volume 2: The Heritage Citations, July 2020 should become an Incorporated Document within the Surf Coast Planning Scheme.

The Surf Coast Shire Schedule to the Heritage Overlay will need to be updated to reference the 'Surf Coast Heritage Study Stage 2C: Volume 2: The Heritage Citations, July 2020'.

## Recommendation 5: Amend the Schedule to the Heritage Overlay

The application of the Heritage Overlay (HO) is considered appropriate for individual places as they have fabric that requires protection and conservation. The schedule to the Heritage Overlay should be amended to reflect the new controls (internal and external) proposed in the citations prepared for the existing Heritage Overlay places (see Citations in Volume 2). Specifically, additional internal controls apply to:

#### Barrabool

Wescott's Stable, 850 Barrabool Road (HO14); and

#### Torquay

• Scammell, 24 Pride Street (HO16).

External controls apply to:

#### Winchelsea

• Colonial Bank, 33 Main Street (HO19); and

#### Barrabool

Berramongo, 100 Crooks Road (HO8).



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## Recommendation 6: Victorian Framework of Historic Themes

The historic themes applied to these places were those applied in the Thematic History written for Stage 2B in 2009. Since then the Heritage Council of Victoria published the *Victoria's Framework of Historic Themes*. There may be some work needed to align the themes identified in this study with those in the Victorian *Framework*. Several of the properties, particularly those in the Barrabool area, could have more comprehensive histories written if title searches were available.

## Recommendation 7: Local Heritage Policy

A specific local heritage policy should be prepared for inclusion in the Surf Coast Planning Scheme. This is particularly important given the Surf Coast Planning Scheme will be translated into themes. The themes are specific to the Surf Coast area and are therefore more relevant than a generic State Policy would be.

#### **Recommendation 8: Hermes**

Individual heritage citations for each of the places will be provided to Surf Coast Shire in Microsoft Word format so that all relevant information can be uploaded into the HERMES database managed by Heritage Victoria.



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## 1 INTRODUCTION

## 1.1 Background

Ecology and Heritage Partners Pty Ltd was commissioned by the Surf Coast Shire to prepare Stage 2C of the Surf Coast Shire Heritage Study. This entailed cultural heritage assessments for 15 places - 14 that are already included in the Schedule to the Heritage Overlay of the Surf Coast Planning Scheme and one additional place - 'Pollocksford Bridge'.Pollocksford Bridge is due for renewal and has therefore been identified as being a priority for assessment.

This will build on work previously undertaken in Stage 1, Stage 2A and Stage 2B. Stage 1 was completed in 1998 and involved the identification of places of potential post-contact cultural significance across the study area (this being all land within the Surf Coast Shire Municipality), resulting in an inventory of 502 places based on a basic documentation and assessment of heritage places. It also involved the preparation of a Thematic Environmental History 'Farmland, Forest and Surf – Environmental History of Surf Coast Shire'

Stage 2 involved the assessment and documentation of post-contact places of cultural heritage significance that were identified to be of potential cultural significance in Stage 1.

Stage 2A involved assessment and documentation of places in Lorne and Deans Marsh and was completed in 2003. Places of local significance in these areas have been added to the Heritage Overlay of the Surf Coast Planning Scheme. This also included the preparation of a Heritage Plan which was adopted by Council in 2002.

Stage 2B was undertaken between October 2007 and October 2008. This involved the assessment of 80 places from a priority list of 140 places that were identified from the Stage 1 Inventory, as well as from consultation with key stakeholders. Seventy six of these places were recommended for inclusion within individual Heritage Overlays in the Surf Coast Planning Scheme; seventy one of these were assessed as of Local Significance and five of these were of possible State significance and recommended for possible inclusion in the Victorian Heritage Register. Following this recommendation, the seventy one places of local significance were included within the Schedule to Clause 43.01 through the approval of Amendment C50 in July 2010. The 'Surf Coast Heritage Study Stage 2b: The Report, July 2009' identified further opportunities for additional heritage assessment. This identified that there are a number of heritage places that are subject to existing Heritage Overlays with little or no documentation and it was recommended that heritage citations that included statements of significance be prepared for these places.

Following on from the 'Surf Coast Heritage Study Stage 2b: The Report, July 2009' the following fifteen heritage places that are subject to an existing Heritage Overlay that do not currently have a Heritage Citation will be assessed in the Surf Coast Heritage Study Stage 2C:

## 1.2 Heritage Places for Assessment

#### Barrabool

- Ballanclea / Ballinclea Homestead, 250 Ballanclea Road (HO7)
- Berramongo, 100 Crooks Road (HO8)
- Foymount Homestead, 795 Barrabool Road (HO9)
- Merrawarp Homestead, 50 Honeys Road (HO10)
- Stanbury Barn, 130 Devon Road (HO12)
- Tasman Homestead, 755 Barrabool Road (HO13)
- Wescott's Stable, 850 Barrabool Road (HO14)

#### Bellbrae

• Bellbrae Cemetery Monumental Masonry, 65 School Road (HO6)

#### Winchelsea

- Colonial Bank, 33 Main Street (HO19)
- St Thomas Anglican Church and School Room, 31 Barwon Terrace (HO20)
- Winchelsea Uniting Church and Manse, 30-34 Hesse St (HO21)
- Murdeduke Homestead, 730 Cressy Road (HO24)
- Wormbete Homestead including outbuildings and Gardens, 565 Winchelsea-Deans Marsh Road (HO25)

#### Torquay

• Scammell, 24 Pride Street (HO16)

The project brief initially identified the Barrabool Presbysterian Church, 1135 Barrabool Road (HO3) for assessment, however an existing assessment and citation was subsequently discovered. This study will not address this place.

The Pollocksford Bridge was not initially identified in the project brief for assessment and does not have an existing Heritage Overlay. However, the Surf Coast Shire subsequently decided that this place should be given priority for assessment due to a need for renewal and so this place has been assessed as part of this study.

# 1.3 Project Brief

The Surf Coast Shire commissioned Stage 2C of the Surf Coast Shire Heritage Study in February 2019 to deliver the following outputs:

- A report on the Surf Coast Heritage Study stage 2 C which details the results of the assessments of the identified places;
- A heritage citation for each place which includes a statement of significance including a photograph (s), where appropriate;
- Any appropriate heritage design guidelines for each place;

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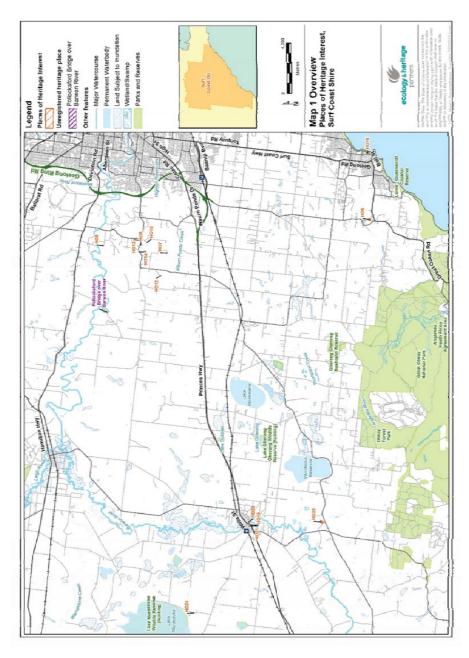
- Identification of any works that could be exempt from a planning permit and the preparation
  of an Incorporated Plan if appropriate;
- An updated draft Schedule to the Heritage Overlay;
- Provision of the information in a database (e.g. Microsoft Word) that is compatible with the HERMES database.

## 1.4 Name of Heritage Advisors

This report was prepared by Giselle Harris (Senior Built Heritage Advisor), Michelle Knehans (Senior Heritage Advisor) and Oona Nicolson (Director/Principal Heritage Advisor). The quality assurance review was undertaken by Oona Nicolson. Site inspections were undertaken by Giselle Harris, Michelle Knehans and Vicki McLean (Heritage Architect), whom also subsequently contributed to the heritage citations. Historical research was conducted by Emma Russell (Historian). Mapping was provided by Julian Yuan (GIS Officer).

# 1.5 Location of Study Area

The study area is the municipality of Surf Coast Shire. The Surf Coast Shire is located in the south-west region of Victoria, 21 kilometres south of Geelong, and has some 55 kilometres of coastline defining its south-eastern boundary. The southern part of the Shire is characterized by nodes of coastal townships dotted along the Great Ocean Road comprising Torquay, Jan Juc, Anglesea, Airey's Inlet, Fairhaven, Moggs Creek and Lorne, with the Great Otway's National Park as a backdrop. North of the Otways is a large and distinctive rural community that includes the townships of Winchelsea, Deans Marsh and Moriac. Torquay is the main administrative and population centre and is located at the eastern end of the Shire.



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# 2 HERITAGE LEGISLATION

# 2.1 Environment Protection and Biodiversity Conservation Act 1999 (Commonwealth)

The Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) provides a national framework for the protection of heritage and the environment and the conservation of biodiversity. The EPBC Act is administered by the Australian Government Department of Environment and Energy (DoEE). The Australian Heritage Council assesses whether a nominated place is appropriate for listing on either the National or Commonwealth Heritage Lists and makes a recommendation to the Minister on that basis. The Minister for the Environment, Water, Heritage and the Arts makes the final decision on listing. DoE also administers the Register of the National Estate.

The objectives of the EPBC Act are:

- To provide for the protection of the environment, especially those aspects of the environment that are matters of national environmental significance;
- To promote ecologically sustainable development through the conservation and ecologically sustainable use of natural resources;
- To promote the conservation of biodiversity;
- · To provide for the protection and conservation of heritage;
- To promote a cooperative approach to the protection and management of the environment involving governments, the community, land-holders and indigenous peoples;
- To assist in the cooperative implementation of Australia's international environmental responsibilities;
- To recognise the role of indigenous people in the conservation and ecologically sustainable use
  of Australia's biodiversity; and
- To promote the use of indigenous peoples' knowledge of biodiversity with the involvement of, and in cooperation with, the owners of the knowledge.

## 2.2 Heritage Act 2017 (State)

The Victorian Heritage Act 2017 (the Act) is administered by Heritage Victoria (HV) and provides the highest level of statutory protection for heritage places in Victoria.

The Victorian Heritage Register (VHR), established under the act, lists the State's most significant heritage places and objects. These can be searched on the Victorian Heritage Database.

The Heritage Council determines what places and objects are included and only those places and objects of significance to the State of Victoria are added.

The Act identifies and protects heritage places and objects that are of significance to the State of Victoria including:

- · Historic archaeological sites and artefacts;
- · Historic buildings, structures and precincts;
- · Gardens, trees and cemeteries;
- Cultural landscapes;
- Shipwrecks and relics; and
- Significant objects.

## 2.3 Planning and Environment Act 1987 (State)

All municipalities in Victoria are covered by land use planning controls which are prepared and administered by State and local government authorities. The legislation governing such controls is the *Planning and Environment Act 1987*. Places of cultural heritage significance to a locality can be listed on a local planning scheme and protected by a Heritage Overlay.

The study area is located within the Surf Coast Shire and is governed by the Surf Coast Planning Scheme. Planning schemes set out policies and provisions for the use, development and protection of land.

The relevant heritage policies and provisions within the Surf Coast Shire Planning Scheme include the following:

- Clause 15.031S of the Surf Coast Planning Scheme (VPP)
- · Clause 21.02 of the Surf Coast Planning Scheme (LPP)
- Clause 43.1 of the Surf Coast Planning Scheme (VPP)

# 2.3.1 Clause 15.03-15 of Surf Coast Planning Scheme

The objective of this Victorian Planning Provision 'Heritage conservation' is: 'To ensure the conservation of places of heritage significance.

Strategies identified to achieve this objective are as follows:

- Identify, assess and document places of natural and cultural heritage significance as a basis for their inclusion in the planning scheme.
- Provide for the protection of natural heritage sites and man-made resources.
- Provide for the conservation and enhancement of those places that are of aesthetic, archaeological, architectural, cultural, scientific or social significance.
- Encourage appropriate development that respects places with identified heritage values.
- Retain those elements that contribute to the importance of the heritage place.
- Encourage the conservation and restoration of contributory elements of a heritage place.
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- Ensure an appropriate setting and context for heritage places is maintained or enhanced.
- Support adaptive reuse of heritage buildings where their use has become redundant.
- Consider whether it is appropriate to require the restoration or reconstruction of a heritage building in a Heritage Overlay that has been unlawfully or unintentionally demolished in order to retain or interpret the cultural heritage significance of the building, streetscape or area.

#### 2.3.2 Clause 21.02 of the Surf Coast Planning Scheme

There is no local planning policy specifically dedicated to heritage within the Surf Coast planning scheme. The only reference to heritage is found at Clause 21.02 'SETTLEMENT, BUILT ENVIRONMENT, HERITAGE AND HOUSING.' This clause includes as its objective 'To conserve the cultural heritage of the Shire to enhance the community's appreciation of the history and development of this region.

The relevant heritage strategies identified to achieve this, outlined at Clause 21.02-3 is to 'Promote the preparation of conservation management plans for key or complex heritage places prior to seeking planning and building approvals and the commencement of works."

At Clause 21.02-4, it is noted that the implementation of this strategy can be achieved by "Requiring new development and external alterations of existing buildings to be consistent with the Statement of Significance of the relevant heritage place as listed in the Surf Coast Shire Heritage Study Stage 2B- Statements of Significance, July 2009 incorporated document."

#### 2.3.3 Clause 43.01 of the Surf Coast Planning Scheme

The requirements of Clause 43.01 'HERITAGE OVERLAY' apply to heritage places specified in the schedule to this overlay. The purpose of this clause is as follows:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To conserve and enhance heritage places of natural or cultural significance.
- To conserve and enhance those elements which contribute to the significance of heritage places.
- To ensure that development does not adversely affect the significance of heritage places.
- To conserve specified heritage places by allowing a use that would otherwise be prohibited if
  this will demonstrably assist with the conservation of the significance of the heritage place.

Clause 43.01-5 explains that "The schedule to this overlay must specify a statement of significance for each heritage place included in the schedule after the commencement of Amendment VC148. This does not apply to a heritage place included in the schedule to this overlay by an amendment prepared or authorised by the Minister under section 8(1)(b) or section 8A(4) of the Act before or within three months after the commencement of Amendment VC148.

The Decision guidelines at Clause 43.01-8 state that:

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

The Municipal Planning Strategy and the Planning Policy Framework.
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- The significance of the heritage place and whether the proposal will adversely affect the natural or cultural significance of the place.
- Any applicable statement of significance (whether or not specified in the schedule to this overlay), heritage study and any applicable conservation policy.
- Any applicable heritage design guideline specified in the schedule to this overlay.
- Whether the location, bulk, form or appearance of the proposed building will adversely affect the significance of the heritage place.
- Whether the location, bulk, form and appearance of the proposed building is in keeping with the character and appearance of adjacent buildings and the heritage place.
- Whether the demolition, removal or external alteration will adversely affect the significance of the heritage place.
- Whether the proposed works will adversely affect the significance, character or appearance of the heritage place.
- Whether the proposed subdivision will adversely affect the significance of the heritage place.
- Whether the proposed subdivision may result in development which will adversely affect the significance, character or appearance of the heritage place.
- Whether the proposed sign will adversely affect the significance, character or appearance of the heritage place.
- Whether the lopping or development will adversely affect the health, appearance or significance of the tree.
- Whether the location, style, size, colour and materials of the proposed solar energy facility will
  adversely affect the significance, character or appearance of the heritage place.

# 3 METHODOLOGY

## 3.1 Historical Research

Historical research was entirely desk-top based, using material provided by the client including Surf Coast Shire Heritage Studies; scanned or photographed documents obtained by Ecology and Heritage Partners during a visit to the Geelong Heritage Centre; and digitized materials found online through repositories such as Trove, the State Library Victoria, National Library Australia, Royal Historical Society of Victoria, Parliament of Victoria, University of Melbourne, cultural heritage databases such as the Victorian Heritage Register and Inventory, National Heritage List, National Trust, Victorian War Heritage Inventory, the local historical societies, and the Geelong Regional Library Corporation.

## 3.2 Site Inspections

Council wrote letters to the relevant landowners requesting permission to access their properties for a site inspection of the heritage places.

A site inspection was undertaken for 12 of the 15 places, involving an external physical analysis and photographic documentation of the contributory heritage elements of each site.

# 3.3 Heritage Significance Assessment

#### 3.3.1 Australia ICOMOS Burra Charter

The heritage study has been prepared in accordance with the *The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance (2013).* The values to be used in the identification and assessment of places are historic, scientific, aesthetic, social and spiritual values (as articulated in the Burra Charter). Thresholds applied in the assessment of places shall be either 'State Significance' to Victoria or 'Local Significance' to the Surf Coast municipality.

#### 3.3.2 Comparative Analyses

A threshold of 'State Significance' or 'Local Significance' was applied with justification arising from a comparative analysis which substantiated the relative significance of each place. This included the recommended level of significance; either as a new level or to reinforce the existing level.

#### 3.3.3 Heritage Criteria

Heritage criteria are used to help structure and organise the heritage assessment process. The following recognised heritage criteria shall be used for the assessment of the heritage values of each heritage place. These model criteria have been broadly adopted by jurisdictions across Australia:

A. Importance to the course, or pattern of our cultural or natural history (historical significance).

B. Possession of uncommon, rare or endangered aspects of our cultural or natural history (rarity).

- C. Potential to yield information that will contribute to an understanding of our cultural or natural history (research potential).
- D. Important in demonstrating the principal characteristics of a class of cultural or natural places or environments (representativeness).
- E. Importance in exhibiting particular aesthetic characteristics (aesthetic significance).
- F. Importance in demonstrating a high degree of creative or technical achievement at a particular period (technical significance).
- G. Strong or special association with a particular community or cultural group for social, cultural or spiritual reasons. This includes the significance of a place to Indigenous peoples as part of their continuing and developing cultural traditions (social significance).
- H. Special association with the life or works of a person, or groups of persons, of importance in our history (associative significance).

#### 3.3.4 Statements of Significance

A Statement of Significance describes what is important about a place and is a succinct evaluation of its cultural heritage significance. The cultural heritage significance was assessed against the following four categories:

- · Aesthetic significance;
- Historical significance;
- · Scientific significance; and
- · Social or spiritual significance.

Statement of Significance were prepared utilising the following format:

- What is significant?
- How is it significant?
- Why is it significant?

## 3.3.5 Condition

This refers to the physical state of the place with regard to its appearance, quality, or working order. The condition of the places assessed in this study has been graded poor, fair or good.

#### 3.3.6 Integrity

This refers to the degree to which the heritage values of the place are still evident and can be understood and appreciated (for example, the degree to which the original design or use of a place or object can still be discerned). If considerable change to a place or object has occurred (through encroaching development, changes to the fabric, physical deterioration of the fabric etc) the significant values may not be readily identifiable and the place or object may have low-level integrity. The integrity of the places assessed in this study has been graded poor, fair or good.

# 4 ASSESSMENT OF CULTURAL HERITAGE SIGNIFICANCE

## 4.1 Contextual History

This summary is mostly adapted from the environmental history *Farmland, Forest & Surf* by Dr Carlotta Kellaway with Context Pty Ltd in 1998, and since revised and updated by Dr David Rowe, Authentic Heritage Services Pty Ltd in July 2009. It was written for the Surf Coast Shire Heritage Study Stage 2B.

Surf Coast Shire was one of 78 new councils formed in 1994 from the statewide amalgamation of what had been 210 local councils across the state. It was formed from the amalgamation of the Shire of Barrabool (1853-1994), the Shire of Winchelsea (1860-1994), and part of the City of South Barwon (1863-1994).

All three were originally formed as road districts, with Barrabool being only the second to be incorporated in the colony, and over time became shires as their populations increased. South Barwon grew to become a borough, a town, and eventually a city in 1974.

The Surf Coast Shire is almost three quite separate environments: the northern area around Winchelsea and the Barrabool Hills, where the first land sales were held, and the soil and grasslands were described as 'exceedingly rich, surpassing... that of any other part of the country.' This was an area in which the pastoralism of the mid nineteenth century flourished and gave rise to equally flourishing farming and agricultural activities in the nineteenth and twentieth centuries. The area has been described as 'the Granary of Victoria' with wheat grown around Winchelsea, and barley and linseed at Deans Marsh and Bambra.

Rainforests and woodlands stretched from the Otway Ranges to the coastline and much of this area was deliberately kept in public ownership, giving rise to places such as the Angahook-Lorne State Park (1987), the Forest Road Floral Reserve for native plants that is north-east of Anglesea and the Jan Juc Flora Reserve, also for native plants. Significant environmental features of the Shire include the environs of the Great Otway National Park and a range of coastal features such as the Bells Beach Coastal Reserve and places such as the Aireys Inlet lighthouse.

Along the coast, known as the 'South-West Riviera of Victoria', stretches the Great Ocean Road that was constructed from 1922 after World War One to provide employment for returned servicemen. The Great Ocean Road also made areas all along the coast line more accessible and townships developed quite quickly, many of them becoming 'resorts' and places for holiday homes. In Torquay, the large number of easily accessible beaches 'are so orientated that they enable the ocean swells to break in the correct formation for a surfer to ride', and so Torquay's reputation as a surfer's haven with the close-by internationally renowned Bells Beach Surf Classic competition was developed.



## Holidaying

- Foreshores (northern foreshores; Addiscot (Bells) Beach; southern foreshores)
- Recreation (fishing; beach; Anglesea Regatta; surfing; Bells Beach; surfing names; bowling and croquet; horse racing at Torquay; the Pier to Pub event)
- Entertainments (picnics, sight-seeing & dances; moving pictures)
- Beauty spots (Lorne; Anglesea & Torquay)
- Walking tracks
- Township services
- Tourist accommodation (hotels; guesthouses; seaside camping)

#### Community life

- Spiritual life
- Community organisations (friendly societies; fire brigades; returned services organisations)
- Education (schools; public libraries & mechanics institutes)
- Health and welfare
- Law and order
- Sport (cricket & football; tennis; golf)
- · Commemoration (cemeteries; memorials)

#### Housing

- Pastoralists' & farmers' homes (Ingleby Homestead, Barwon Park, Murdeduke Homestead, Mountside and Wormbete in Winchelsea)
- Houses in townships for permanent residents (early Victorian era; mid-late Victorian era; Federation
  era; Interwar era; Postwar era)
- Holiday houses (Lorne; Anglesea; Torquay)
- Housing Commission houses (Winchelsea)

# 4.3 Individual Heritage Citations

Each of the fifteen individual heritage citations have been included in Volume 2 of the Surf Coast Heritage Study Stage 2C.

## 4.2 Historical Themes

Themes identified as pertinent to the Surf Coast Shire region in the environmental history written for Stage 2B of the heritage study include:

#### The natural environment

- 'The granary of Victoria' (agriculture and farming around Winchelsea and the Barrabool Hills)
- Forest, woodlands and native vegetation (Otway Ranges, land in public ownership, reserves)
- 'South-west Riviera of Victoria' (coastal region, Great Ocean Road, Torquay and the ocean)
- Conservation issues (agro-forestry, Greening Australia, creating wildlife corridors)

#### Arrival and settlement

- Aboriginal occupation (this theme was acknowledged but not described as it was out of scope)
- · Explorers, surveyors and settlers
- The squatting and pastoral era (earliest runs; pre-emptive right properties; remaining pastoral era structures; first land sales; closer settlement; migration)

#### Economic development

- Natural resources (the timber industry; quarrying; gravel pits; stone; coal mining; jarosite works)
- Fishing
- Manufacturing (the surfing industry)
- Primary production

#### Transport and communications

- Early Tracks
- Road Boards
- Country Roads Board
- Great Ocean Road
- Fords and bridges
- Coaches to cars

- Farming and agriculture; dairying; poultry farming; orchids; vineyards; new farming; flax mill)
- Commerce and retail
- Building and construction
- The motor car
- Bus services
- Forest tramways
- The railway networkCoastal shipping
- Post and telegraph services

#### Towns

- Farming towns (Winchelsea; Mount Moriac; Moriac; Modewarre; Freshwater Creek)
- Forest towns (Bambra; Deans Marsh; Wensleydale)
- Coastal towns (Torquay; Anglesea; Aireys Inlet; Lorne)
- Water supply in the townships (Wurdee Boluc Inlet channel system; Allenvale Resevoir)
- Struggling with hardship (Black Friday 13 January 1939; Ash Wednesday 16 February 1983)

#### Governing

- Barrabool Shire District
- South Barwon Shire
- Winchelsea Shire District
- Surf Coast Shire

 Defence (Volunteer Air Observers' Corps observation posts; Gherang Army Camp;)

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## 5 MANAGEMENT RECOMMENDATIONS

Of the 15 places assessed in this study, 14 are already included in the heritage overlay. Complete citations have been prepared for the following places:

#### Barrabool

- Tasman Homestead, 755 Barrabool Road (HO13)
- Wescott's Stable, 850 Barrabool Road (HO14)
- Foymount Homestead, 795 Barrabool Road (HO9)
- Berramongo, 100 Crooks Road (HO8)
- · Stanbury Barn, 130 Devon Road (HO12)

#### Bellbrae

• Bellbrae Cemetery Monumental Masonry, 65 School Road (HO6)

#### Winchelsea

- Colonial Bank, 33 Main Street (HO19)
- St Thomas Anglican Church and School Room, 31 Barwon Terrace (HO20)
- Winchelsea Uniting Church and Manse, 30-34 Hesse St (HO21)
- Wormbete Homestead including outbuildings and Gardens, 565 Winchelsea-Deans Marsh Road (HO25)

#### Torquay

• Scammell, 24 Pride Street (HO16)

## 5.1 Recommendation 1: Further site inspections

Unfortunately, access was not provided to inspect three properties, so it is recommended that this be pursued in the future and the citations updated accordingly for:

#### Barrabool

- Ballanclea / Ballinclea Homestead, 250 Ballanclea Road (HO7)
- Merrawarp Homestead, 50 Honeys Road (HO10)

#### Winchelsea

• Murdeduke Homestead, 730 Cressy Road (HO24)

## 5.2 Recommendation 2: New Heritage Overlay

The Pollocksford Bridge has been assessed as meeting the threshold for local cultural heritage significance the Surf Coast municipality and is recommended for inclusion in a heritage overlay in the Surf Coast Planning Scheme and the Golden Plains Planning Scheme (it is in joint ownership). A citation has been prepared for:

#### Gnarwarre

• Pollocksford Bridge, Pollocksford Road.



## 5.3 Recommendation 3: VHR Nominations

Of the 15 places assessed in this study, 12 places were found to meet the threshold for local heritage significance and thus their current heritage overlays in the Surf Coast Planning Scheme are deemed appropriate. However, two places have been assessed as meeting the threshold for State significance to Victoria. The following places require nomination to Heritage Victoria for inclusion in the Victorian Heritage Register (VHR) by the Heritage Council:

#### Torquay

· Scammell, 24 Pride Street (HO16); and

#### Winchelsea

 Wormbete Homestead including outbuildings and Gardens, 565 Winchelsea-Deans Marsh Road (HO25).

## 5.4 Recommendation 4: Incorporated Document

The document 'Surf Coast Heritage Study Stage 2C: Volume 2: The Heritage Citations, July 2020' should become an Incorporated Document within the Surf Coast Planning Scheme.

The Surf Coast Shire Schedule to the Heritage Overlay will need to be updated to reference the 'Surf Coast Heritage Study Stage 2C: Volume 2: The Heritage Citations, July 2020.

# 5.5 Recommendation 5: Amend the Schedule to the Heritage Overlay

The application of the Heritage Overlay (HO) is considered appropriate for all individual places as they have fabric that requires protection and conservation. The schedule to the Heritage Overlay should be amended to reflect the new controls (internal and /or external) proposed in the citations prepared for the existing Heritage Overlay places (see Citations in Volume 2). Specifically, additional internal controls apply to:

# Barrabool

Wescott's Stable, 850 Barrabool Road (HO14); and

#### Torquay

Scammell, 24 Pride Street (HO16)

External paint controls apply to:

#### Winchelsea

Colonial Bank, 33 Main Street (HO19); and

### Barrabool

Berramongo, 100 Crooks Road (HO8).

# 5.6 Recommendation 6: Victorian Framework of Historic Themes

The historic themes applied to these places were those applied in the Thematic History written for Stage 2B in 2009. Since then the Heritage Council of Victoria published the Victoria's Framework of Historic Themes. There may be some work needed to align the themes identified in this study with those in the Victorian Framework.



Several of the properties, particularly those in the Barrabool area, could have more comprehensive histories written if title searches were available.

### 5.7 Recommendation 7: Local Heritage Policy

A specific local heritage policy should be prepared for inclusion in the Surf Coast Planning Scheme. This is particularly important given the Surf Coast Planning Scheme will be translated into themes. The themes are specific to the Surf Coast area and are therefore more relevant than a generic State Policy would be.

### 5.8 Recommendation 8: Hermes

Individual heritage citations for each of the places will be provided to Surf Coast Shire in Microsoft Word format so that all relevant information can be uploaded into the HERMES database managed by Heritage Victoria.

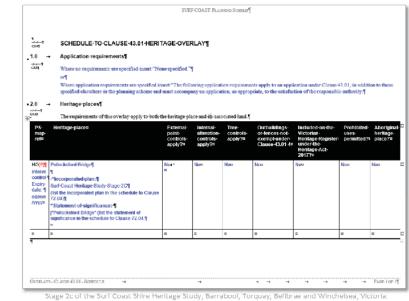


### 6 SCHEDULE TO THE HERITAGE OVERLAY

An updated draft Schedule to the Heritage Overlay which reflects the requirements of Planning Scheme Amendment VC148. The revised format of the Schedule to Clause 43.01 removes the column headed "Name of Incorporated Plan under Clause 43.01-3" and introduces an option to list Incorporated Plans, Statements of Significance and Heritage Design Guidelines under each place entry within the schedule table (see below). For those places with an existing Heritage Overlay, these amendments will require incorporation into the schedule. In the case of Pollocksford Bridge which does not have an existing Heritage Overlay, a formal amendment process will be required to introduce this place into the Schedule of the Heritage Overlay of the Surf Coast Planning Scheme and the Golden Plains Planning Scheme as it is in joint ownership

The places requiring amendments to include internal alteration controls include Wescott's Stable, 850 Barrabool Road (HO14) and Scammell, 24 Pride Street (HO16). Internal controls are necessary for Wescott's Stable, 850 Barrabool Road (HO14) due to its architectural significance and exposed Barrabool stone work on the interior including floors and walls. Scammell, 24 Pride Street (HO16) contains significant internal features especially the lower floor of the house, significant for being constructed from the deckhouse of the shipwreck.

External paint controls are required for Colonial Bank, 33 Main Street (HO19) and Berramongo, 100 Crooks Road (HO8). The external controls are considered necessary to enhance the appearance and understanding of the places and contribute to their cultural heritage significance. In the case of the Colonial Bank, 33 Main Street (HO19) the external controls assist in retaining its significance as a good representative example of a rural bank in the classical Victorian style. In the case of Berramongo, 100 Crooks Road (HO8) the exposed Barrabool stone masonry is significant for its architectural importance and unusual vernacular style.



Volume 1: The Report. Volume 1 of 2: July 2020



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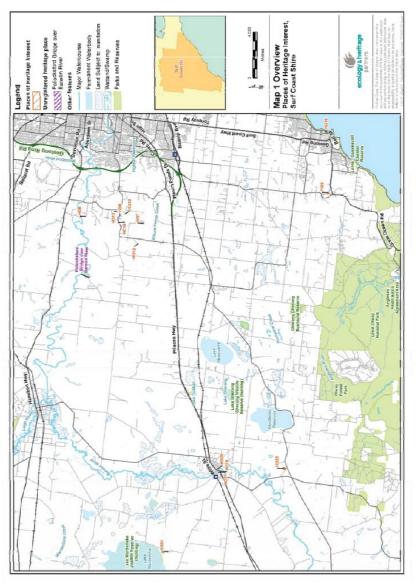
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8 APPENDICES



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### Appendix 1: Location of Study Area



Stage 2c of the Surf Coast Shire Heritage Study, Barrabool, Torquay, Bellbrae and Winchelsea, Victoria.

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### Appendix 2: Significance Assessment

#### A2.1. The ICOMOS Burra Charter

The standard for determining significance of places is derived from an international formula developed by ICOMOS (International Council on Monuments and Sites). In Australia, the Burra Charter has been developed by ICOMOS which is a Charter for the Conservation of Cultural Significance (Australia ICOMOS 1999).

The Burra Charter defines cultural significance as "aesthetic, historic, scientific, social or spiritual value for past, present or future generations" (Australia ICOMOS 1999: Section 1.2). Cultural significance is a concept which helps in estimating the value of places. The Burra Charter Cultural Significance Guidelines definitions of the values implicit in assessing cultural significance are as follows (Australia ICOMOS 1999):

Aesthetic value: Aesthetic value includes aspects of sensory perception for which criteria can and should be stated. Such criteria may include consideration of the form, scale, colour, texture and material of the fabric; the smells and sounds associated with its place and use.

Historic value: historic value encompasses the history of aesthetics, science and society, and therefore to a large extent underlies all the terms set out in this section.

A place may have historic value because it has influenced, or has been influenced by, an historic figure, event, phase or activity. It may also have historic value as the site of an important event. For any given place the significance will be greater where evidence of the association or event survives in situ, or where the settings are substantially intact, than where it has been changed or evidence does not survive. However, some events or associations may be so important that the place retains significance regardless of subsequent treatment.

Scientific value: The scientific or research value of a place will depend upon the importance of the data involved, on its rarity, quality or representativeness, and on the degree to which the place may contribute further substantial information.

**Social value:** Social value embraces the qualities for which a place has become a focus of spiritual, political, national or other cultural sentiment to a majority or minority group.

### National Historic Themes

It is noted that when assessing historic values that the use of historic themes is of benefit. Historic themes are used by heritage professionals to assist in understanding the meanings and connections that historic places may have in addition to the physical fabric of a place. Themes can help explain how particular elements of a place are significant because of their ability to illustrate important aspects of its history (Australian Heritage Commission 2001). The nine theme groups that are most commonly used nationally are:



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Theme 1	Tracing the evolution of the Australian environment
Theme 2	Peopling Australia
Theme 3	Developing Local, Regional and National economies
Theme 4	Building settlements, towns and cities
Theme 5	Working
Theme 6	Educating
Theme 7	Governing
Theme 8	Developing Australia's cultural life
Theme 9	Marking the phases of life

These theme groups are further expanded into more focussed sub-themes which will not be expanded on here. The themes are intended to be non-hierarchal and a historic place may have a number of themes, which reflects how we look at the past, allowing for an integrated, diverse and complex human experience (Australian Heritage Commission 2001).

### A2.2. Criteria

Heritage criteria are used to help structure and organise the heritage assessment process. The following recognised heritage criteria shall be used for the assessment of the heritage values of each heritage place. These model criteria have been broadly adopted by jurisdictions across Australia:

- A. Importance to the course, or pattern of our cultural or natural history (historical significance).
- B. Possession of uncommon, rare or endangered aspects of our cultural or natural history (rarity).
- C. Potential to yield information that will contribute to an understanding of our cultural or natural history (research potential).
- D. Important in demonstrating the principal characteristics of a class of cultural or natural places or environments (representativeness).
- E. Importance in exhibiting particular aesthetic characteristics (aesthetic significance).
- F. Importance in demonstrating a high degree of creative or technical achievement at a particular period (technical significance).
- G. Strong or special association with a particular community or cultural group for social, cultural or spiritual reasons. This includes the significance of a place to Indigenous peoples as part of their continuing and developing cultural traditions (social significance).
- H. Special association with the life or works of a person, or groups of persons, of importance in our history (associative significance).



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Appendix 3: Criteria and Thresholds Guidelines

Surf Coast Shire Council
Council Meeting

### 2.1 Planning Scheme Amendment GC183 - Stage 2C of the Surf Coast Shire Heritage Study

28 September 2021

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Assessing the cultural heritage significance of places and objects for possible state heritage listing:

# The Victorian Heritage Register Criteria and Threshold Guidelines

Endorsed by Heritage Council 6 December 2012 Reviewed and updated 5 June 2014

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### 1. INTRODUCTION

### Who is this guide for?

This guide outlines key considerations in determining whether a place or object is of state level cultural heritage significance and could be included in the Victorian Heritage Register (VHR).

It is intended to assist:

- > members of the community who are nominating a place or object for inclusion in the VHR;
- heritage assessors and advisors who assess the cultural heritage significance of places and objects; and
- statutory decision-makers who determine whether places and objects should be included in the VHR.

#### The purpose of this guide

The act of determining whether a place is of cultural heritage significance is often criticised as being a subjective exercise. Views on cultural heritage significance can vary between individuals and also evolve over time. This variance reflects personal experience, values and history.

However, the process of assessing cultural heritage significance is a rigorous and objective one that is guided by the principles of The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance (2013) and has been developed and refined over many years of heritage practice in Victoria and Australia more broadly. This guide supports that evolving practice by assisting people who engage with the State's heritage system to have an understanding of how the Heritage Council exercises its discretion when determining to include – or not include – a place or object in the VHR.

The purpose of this guide is to identify the key matters that the Heritage Council – Victoria's peak heritage body – consider when determining if a place or object is of state level cultural heritage significance. Additional guidance for determining the cultural heritage significance of particular types of places or objects may be issued by the Heritage Council from time to time and should be considered alongside this guide.

This guide focuses on providing clarity and consistency with respect to the following:

- the terminology used to explain cultural heritage significance within the state heritage registration process;
- > the approach used to assess the cultural heritage significance of a place or object; and
- > the decision as to whether a place or object should be included in the VHR.

### Reviewing the guide

The Heritage Council has undertaken to review this guide every three (3) years. Your feedback on the usefulness of the guide is welcome at any time by emailing the Heritage Council at: <a href="heritage.council@dtpli.vic.gov.au">heritage.council@dtpli.vic.gov.au</a>.

### 2. ASSESSING STATE LEVEL CULTURAL HERITAGE SIGNIFICANCE

#### The heritage assessment criteria

The Heritage Act 1995 (the Act) requires criteria to be used when assessing the cultural heritage significance of places and objects and determining whether those places or objects warrant inclusion in the VHR (refer to s.8(1)(c) of the Act).

In 2008 the Heritage Council of Victoria adopted the heritage assessment criteria set out in Figure 1. This guide will help users determine whether a criterion is applicable when considering the significance of a particular place or object.

### Figure 1: Heritage Assessment Criteria (2008)

#### Criterion:

- a) Importance to the course, or pattern, of Victoria's cultural history.
- (b) Possession of uncommon, rare or endangered aspects of Victoria's cultural history.
- (c) Potential to yield information that will contribute to an understanding of Victoria's cultural history.
- (d) Importance in demonstrating the principal characteristics of a class of cultural places and objects.
- (e) Importance in exhibiting particular aesthetic characteristics.
- (f) Importance in demonstrating a high degree of creative or technical achievement at a particular period.
- (g) Strong or special association with a particular community or cultural group for social, cultural or spiritual reasons. This includes the significance of a place to Indigenous peoples as part of their continuing and developing cultural traditions.
- (h) Special association with the life or works of a person, or group of persons, of importance in Victoria's history.

#### The role of thresholds in heritage assessment

In Victoria, places and objects of cultural heritage significance can be protected and managed through one or more of four statutory mechanisms. The mechanism that protects the largest number of places of cultural heritage significance is the Heritage Overlay under a local planning scheme (estimated to cover in excess of 150 000 places). At the other end of the spectrum, one place in Victoria (the Royal Exhibition Building & Carlton Gardens) is inscribed in the World Heritage List for its outstanding universal value. The significance threshold determines the level of cultural heritage significance a place or object has and what mechanisms can therefore be used to protect and manage it. The significance threshold can be defined as:

the minimum level of cultural heritage significance that a place or object must possess to justify its inclusion on the relevant local, state, national or world heritage list.

As a general principle:

- a place that is of heritage value to a locality or municipality has the potential to be recognised as being of local cultural heritage significance (and may be included in the Heritage Overlay of the local planning scheme);
- a place or object that is of heritage value to wider Victoria has the potential to be recognised as being of state level cultural heritage significance (and may be included in the VHR). Further discussion of how state level cultural heritage significance can be determined is explored under each heritage assessment criterion in Part 4 of this guide;
- a place with outstanding heritage value to the nation has the potential to be recognised as being of national heritage significance (and may be included in the National Heritage List); and
- > a place that is of *outstanding universal value* has the potential to be recognised as being of *world* heritage significance (and may be inscribed on the World Heritage List).

It is important to note that a place or object may, for example, be of **local, state and national** heritage significance and be subject to multiple statutory mechanisms.

### This guide will help users determine whether a place or object is of state level cultural heritage significance.

As a general principle, a generation (or approximately 25-30 years) should pass after the creation of a place or object before that place or object is considered for heritage listing at any level. The passing of time allows the enduring cultural heritage values of a place or object to be more rigorously and objectively assessed.

### Further resources

When considering the cultural heritage significance of a place or object at the state level, the following resources can assist:

- > Heritage Act 1995
- Guidelines for Nominators to the Victorian Heritage Register, Heritage Council & Heritage Victoria
- > The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance (2013)
- Victoria's Framework of Historical Themes, Heritage Council 2010
- > Victorian Heritage Database: http://vhd.heritage.vic.gov.au/vhd/heritagevic

### 3. APPLYING THE CRITERIA AND THRESHOLDS GUIDELINES

#### Structure and application of the guidelines

The following approach is employed to help users of the guide determine whether a place or object is likely to satisfy the state level threshold for each heritage assessment criterion:

- STEP 1: A basic test for satisfying the criterion. If the test is not met, the criterion is unlikely to be satisfied and the assessment can move to the next criterion.
- > STEP 2: A basic test for determining state level significance. If the test is not met, the criterion is unlikely to be satisfied at the state level and the assessment can move to the next criterion.
- > STEP 3: A list of exclusion guidelines by which a place/object will generally be disqualified from being able to satisfy the criterion at the state level. If one of the exclusion guidelines is triggered, the criterion is unlikely to be satisfied at the required threshold and the assessment can move to the next criterion.
- Illustrative examples of places/objects that satisfy the criterion at the state level are provided against which the place/object can be compared. To accurately corroborate a criterion and threshold finding, the place/object should be compared against a broad range of relevant examples that are of state significance (for example, by using the Victorian Heritage Database and available thematic studies). The illustrative examples provided in this guide, as for most places/objects, will also often satisfy other criteria.
- Reference tools with further information are included for some criteria.

Having followed this approach, if a place/object appears to meet the state threshold for one or more criterion then the place/object may, at the discretion of the Heritage Council, be included in the VHR.

#### A note on the guidelines

These guidelines will be applicable to the bulk of places and objects nominated to the VHR. However, there will be instances where the guidelines are not easily applied. In these circumstances the nominator should contact Heritage Victoria for further guidance prior to lodging a nomination.

#### Definitions

The following terms are used throughout the guidelines. For clarity, they are explained below.

Class (in relation to a class of cultural place): generally refers to a sub-category of a broad place type, such as 'WWI memorials' (within the broad 'war memorials' place type) or 'grammar schools' (within the broad 'schools' place type). A class is generally defined by a specific purpose or use, era, design characteristic, construction technique, materials used or some other recognisable quality. A class should be readily discernible as a sub-category of a broad place type and should not be narrowed by multiple qualifiers (for example, timber constructed, Edwardian era, rural theatres).

**Fabric:** means all the physical material of a place or object, including components, fixtures and contents (taken from *The Burra Charter*). It may also include living material such as trees and other plants.

Intactness: refers to the degree to which a place or object retains its significant fabric. Note: Intactness should not be confused with condition – a place may be highly intact but the fabric may be in a very fragile condition.

Integrity: refers to the degree to which the heritage values of the place or object are still evident and can be understood and appreciated (for example, the degree to which the original design or use of a place or object can still be discerned). If considerable change to a place or object has occurred (through encroaching development, changes to the fabric, physical deterioration of the fabric etc) the significant values may not be readily identifiable and the place or object may have low-level integrity.

### 4. GUIDELINES FOR THE HERITAGE ASSESSMENT CRITERIA

# CRITERION A: IMPORTANCE TO THE COURSE OR PATTERN OF VICTORIA'S CULTURAL HISTORY

A place or object is likely to satisfy this criterion at the state level only if **all** of the following requisites are met:

# STEP 1: A BASIC TEST FOR SATISFYING CRITERION A

The place/object has a CLEAR ASSOCIATION with an event, phase, period, process, function, movement, custom or way of life in Victoria's cultural history.

+

The association of the place/object to the event, phase, etc *IS EVIDENT* in the physical fabric of the place/object and/or in documentary resources or oral history.

+

The EVENT, PHASE, etc is of HISTORICAL IMPORTANCE, having made a strong or influential contribution to Victoria.

### CRITERION A IS LIKELY TO BE SATISFIED

+

STEP 2: A BASIC TEST FOR DETERMINING STATE LEVEL SIGNIFICANCE

The place/object allows the clear association with the event, phase etc. of historical importance to be *UNDERSTOOD BETTER THAN MOST OTHER PLACES OR OBJECTS IN VICTORIA WITH SUBSTANTIALLY THE SAME ASSOCIATION*.

CRITERION A IS LIKELY TO BE RELEVANT AT THE STATE LEVEL

**Note:** the sub-themes in *Victoria's Framework of Historical Themes* will assist in understanding the events, phases, periods, processes, functions, movements, customs and ways of life in Victoria's history.

### STEP 3: EXCLUSION GUIDELINES FOR CRITERION A

The place or object is unlikely to satisfy this criterion at the state level if any of the following conditions apply:

XA1	Poor, indirect or unproven association	The association of the place/object to the historically important event, phase etc is either incidental (minor, secondary) or cannot be substantiated. For instance, every rural property is not important in demonstrating the spread of European settlement or pastoral land use across Victoria and a 'legend' relating to a place or object needs to be backed up by strong documentary or other evidence if the place/object is to be registered on the basis of that story.
XA2	Low or questionable historical importance	The place/object has an association with, or demonstrates evidence of, an historical event, phase etc that is <b>of low or questionable historical importance</b> , i.e. the event, phase etc has not made a strong or influential contribution to Victoria. For example, the recreational pursuit of table tennis is considered to be a niche activity that has not made a strong or influential contribution to the state.
XA3	Poor evidence	No reliable or verifiable physical, documentary or oral history evidence remains to demonstrate the association of the place/object with an historical event, phase etc.



The Miner's Rights Collection, Ballarat (VHR H2112) is a significant collection associated with the Eureka uprising and the subsequent improvement to miner's rights and conditions on the goldfields through the development of an administrative system that remained substantially unchanged from the 1850s to the 1970s.



The **Collins Settlement Site**, Sorrento (VHR H1050) is significant as the site of the British Government's first official settlement in southern Australia (in 1803).



Big Lizzie, Red Cliffs (VHR H1919) is a tractor and two trailers significant for their association with land clearing in the Mallee and Mildura regions for agriculture and the establishment of soldier settlement schemes following World War I



The Murndal Homestead, Tahara (VHR H0289) is significant as a particularly fine and highly intact example of a large-scale pastoral enterprise in Victoria. The place exemplifies the pattern of land settlement during the nineteenth century.



The Sewerage Pumping Station, Spotswood (VHR H1555) is significant as the key component of Melbourne's first centralised sewerage system which began operations in 1897. The station is unique in Australia as an intact ensemble of buildings, sewage pumping machinery and objects.



The **State Library of Victoria**, Melbourne (VHR H1497) is significant as the principal educational and cultural centre for the people of Victoria for more than 150 years. The early buildings are significant as the first purpose built, free public library in Australia and one of the first in the world.



The wreck of the **Clonmel** (VHR S129) is significant for its role in the discovery of Port Albert and the subsequent development of Gippsland. The site is the earliest located steamship wreck in Australian waters. The Clonmel demonstrates the period of transition between sail and steam and between wooden and iron shipbuilding.



The Ballarat Botanical Gardens, Ballarat (VHR H2252) is significant as a particularly fine and highly intact botanic garden in Victoria. The gardens clearly demonstrate the acclimatisation and zoological gardens movements in Victoria.



Station Pier (southern section), Port Melbourne (VHR H0985) is significant for its association with Australia's involvement in the World War III, both as an embarkation and arrival point for Australian troops and an embarkation point for US troops. It is also associated with the Australian Government's postwar migration program, which transformed Victoria's society in the 1950s and 1960s.

# CRITERION B: POSSESSION OF UNCOMMON, RARE OR ENDANGERED ASPECTS OF VICTORIA'S CULTURAL HISTORY

A place or object is likely to satisfy this criterion at the state level only if all of the following requisites are met:

## STEP 1: A BASIC TEST FOR SATISFYING CRITERION B

The place/object has a CLEAR ASSOCIATION with an event, phase, period, process, function, movement, custom or way of life of importance in Victoria's cultural history.

+

The association of the place/object to the event, phase, etc *IS EVIDENT* in the physical fabric of the place/object and/or in documentary resources or oral history.

+

The place/object is *RARE OR UNCOMMON*, being one of a small number of places/objects remaining that demonstrates the important event, phase etc.

OR

The place/object is RARE OR UNCOMMON, containing unusual features of note that were not widely replicated

OR

The existence of the *CLASS\** of place/object that demonstrates the important event, phase etc is *ENDANGERED* to the point of rarity due to threats and pressures on such places/objects.

# STEP 2: A BASIC TEST FOR DETERMINING STATE LEVEL SIGNIFICANCE

### CRITERION B IS LIKELY TO BE SATISFIED

+

The place/object is RARE, UNCOMMON OR ENDANGERED within Victoria.

CRITERION B IS LIKELY TO BE RELEVANT AT THE STATE

**Note:** the sub-themes in *Victoria's Framework of Historical Themes* will assist in understanding the events, phases, periods, processes, functions, movements, customs and ways of life in Victoria's history.

### STEP 3: EXCLUSION GUIDELINES FOR CRITERION B

The place or object is unlikely to satisfy this criterion at the state level if any of the following conditions apply:

XB1	Low or questionable importance of attribute linked to the place/object	The place/object is rare, or is even the only one of its type, but the <b>attribute(s) of claimed rarity is of questionable importance</b> . For example, the only 2-storey potting shed or bandstand with fitted windows etc.
XB2	Dependence on too many qualifiers	The claimed rarity is <b>dependent upon numerous qualifiers</b> being strung together. For example, the place is the <i>only</i> stone house <i>with</i> a slate roof <i>in</i> the Federation style <i>designed by</i> the architect
XB3	Place/object is 'endangered' only because of an imminent demolition threat	For the purpose of this criterion, 'endangered' should generally relate to a <b>class</b> of place/object that has become so rare over time that there is a risk that in the short to medium term no such place/object will remain.
XB4	Poor evidence	No reliable or verifiable physical, documentary or oral history evidence remains to demonstrate the association of the place/object with an historical event, phase etc. or to the rarity/endangered status being claimed.

<sup>\*</sup> Refer to p4 for definition of "class".

### ILLUSTRATIVE EXAMPLES OF CRITERION B BEING SATISFIED



Cab Building and House, Maryborough (VHR H2151) is a rare surviving example of a 19th century horse cab building and associated residence. It demonstrates a means of transport and industry that was essential until the twentieth century and has now completely disappeared.



The **Portland Inn**, Portland (VHR H2071), built c1841, is significant as one of relatively few surviving pre-1851 structures in Victoria and for its association with the earliest officially sanctioned settlement of Portland, the first permanent post-contact settlement in Victoria.



The **Bellhouse Iron House**, South Melbourne (VHR H1888) is significant as one of the few surviving examples of prefabricated, portable iron housing imported from England in the 1850s due to the rapid increase in population and scarcity of materials and labour during the gold rush.



The Nylex Sign, Cremorne (VHR H2049) erected in 1961, is significant as a rare surviving example of illuminated signage that used to be a prominent feature of the Melbourne skyline, and for its rare inclusion of a range of lighting media.



The **Shot Tower**. Cliffon Hill (VHR H0709) is a rare as one of two surviving shot towers in Victoria. Its form reflects the shot production process: the shot was produced by dropping molten lead through sieves at the top of the tower into water at the bottom. The height of the tower allowed the shot to form before reaching the bottom.



The Carousel, Royal Melbourne Zoological Gardens (VHR H1064) is significant as a rare and intact example of a incetenth century Carousel in Victoria – fewer than 200 Carousels survive world-wide.



The **Stock Selling Ring**, Casterton (VHR H0314) is one of the few remaining examples of a stock selling ring in Victoria – a building type that was once common in Victoria.



The snow brig **Cheviot** (VHR S114), built in 1827 is significant as one of only a handful of shipwreck sites relating to the whaling industry in Victoria.



The Archbold Gold Treatments Works, Chewton (VHR1351) is a rare example of a gold assaying and treatment works. It contains relics and machinery used to treat gold bearing ore, from the mid 1880s to the 1950s.

# CRITERION C: POTENTIAL TO YIELD INFORMATION THAT WILL CONTRIBUTE TO AN UNDERSTANDING OF VICTORIA'S CULTURAL HISTORY

A place or object is likely to satisfy this criterion at the state level only if all of the following requisites are met:

# STEP 1: A BASIC TEST FOR SATISFYING CRITERION C

#### The:

- visible physical fabric; &/or
- · documentary evidence; &/or
  - oral history,

relating to the place/object indicates a likelihood that the place/object contains PHYSICAL EVIDENCE of HISTORICAL INTEREST that is NOT CURRENTLY VISIBLE OR UNDERSTOOD.

4

From what we know of the place/object, the physical evidence is likely to be of an *INTEGRITY* and/or *CONDITION* that it *COULD YIELD INFORMATION* through detailed investigation.

#### CRITERION C IS LIKELY TO BE SATISFIED

+

# STEP 2: A BASIC TEST FOR DETERMINING STATE LEVEL SIGNIFICANCE

The knowledge that might be obtained through investigation is likely to *MEANINGFULLY CONTRIBUTE* to an understanding of Victoria's cultural history.

+

The information likely to be yielded from the place/object is NOT already WELL DOCUMENTED or READILY AVAILABLE from other sources.

#### CRITERION C IS LIKELY TO BE RELEVANT AT THE STATE LEVEL

This criterion will normally apply to archaeological sites (land-based and maritime archaeology) and sites that develop over time through the layering of fabric.

A likelihood exists that the place/object contains PHYSICAL EVIDENCE of archaeological or research interest - derived from the visible fabric of the place/object, &/or in documents relating to the place/object, &/or in the living memory of our community.

From what we know of the history of the place/object, the physical evidence is likely to be of a NATURE, SIZE/EXTENT, and INTACTNESS (lack of disturbance) - that it MAY YIELD INFORMATION through detailed investigation (often archaeological).

The knowledge that might be obtained through investigation is likely to make a REASONABLE CONTRIBUTION to our understanding of Victoria's past.

### CRITERION IS RELEVANT

The place/object should be considered against the following significance and threshold indicators

## STEP 3: EXCLUSION GUIDELINES FOR CRITERION C

The place or object is unlikely to satisfy this criterion at the state level if any of the following conditions apply:

XC1	Poor evidence	No reliable or verifiable physical, documentary or oral history evidence exists to provide a reasonable indication that physical evidence of investigative potential may be present OR insufficient information exists to locate the likely physical evidence with sufficient accuracy.
XC2	Dubious importance of information to be yielded	The information likely to be yielded is <b>of low or questionable historical importance</b> , i.e. the information is unlikely to contribute to an understanding or appreciation of important aspects of Victoria's cultural history.
XC3	High degree of disturbance	The physical evidence has been, or is likely to have been, so <b>disturbed</b> by subsequent activity that any research potential is compromised.

### ILLUSTRATIVE EXAMPLES OF CRITERION C BEING SATISFIED



Refuge Cove, on the eastern side of Wilsons Promontory (VHR H1729) is significant for its potential to yield information relating to the bay whaling industry that operated there from 1841 and other nineteenth century activities including quarrying and timber getting.



The Chinese Kiln and Market Garden, North Bendigo (VHR H2106) is the only known surviving Chinese brick kiln in Victoria and has a high potential to yield information about the processes and technology of brick manufacture and market garden operations that Chinese migrants brought to Australia in the nineteenth century.



Eureka Historic Precinct, Ballarat (VHR H1874) is significant because of its potential to yield archaeological evidence of events and individual participants in the rebellion of 1854 through subsurface deposits or artefacts, and for the presence of the Eureka Lead, the auriferous deposit being worked by the miners at the time



The Cable Tram Track Formation, North Melbourne (VHR H0988) is the only known cable tram track to survive intact in Melbourne and has the potential to contain subsurface evidence of the connection between the engine house and the underground cable tunnels and the track arrangement for the shunting operations.



The Bessiebelle Sheepwashes and Yards, Bessiebelle (VHR H2033) is significant for their potential to inform our knowledge of nineteenth century sheep washing processes and technologies on a large scale.



The **Steampacket Hotel**, Portland (VHR H0239) is significant for its potential to reveal information about interior finishes over time through the accumulations of wallpaper in the upstairs attic rooms dating from the 1850s and the linoleum laid on the floor in several rooms over various different periods.



The schooner **Clarence** (VHR S127) was built in 1841 and was wrecked in Port Phillip Bay in 1850. It has the potential to provide information on ship construction in Australia at the time as most ships were constructed by rule of thumb, without using models and plans.



The Convincing Ground, Allestree (VHR H2079) was the location of one of Victoria's first whaling stations. It contains historical archaeological remains that have the potential to provide information about the establishment and development of the whaling industry from the mid-late 1830s onwards.



The **Cottage**, 14 William Street, Port Fairy (VHR H2078) is significant as an intact example of a simple timber dwelling from the late 1840s or early 1850s and its potential, due to its good condition and lack of modifications since completed, to inform our knowledge of construction methods, timbers, hardware, materials and decorative finishes from the mid nineteenth century.

# CRITERION D: IMPORTANCE IN DEMONSTRATING THE PRINCIPAL CHARACTERISTICS OF A CLASS OF CULTURAL PLACES/OBJECTS

A place or object is likely to satisfy this criterion at the state level only if all of the following requisites are met:

## STEP 1: A BASIC TEST FOR SATISFYING CRITERION D

The place/object is one of a CLASS\* of places/objects that has a CLEAR ASSOCIATION with an event, phase, period, process, function, movement, important person(s), custom or way of life in Victoria's history.

4

The EVENT, PHASE, etc is of HISTORICAL IMPORTANCE, having made a strong or influential contribution to Victoria.

+

The principal characteristics of the class are *EVIDENT* in the physical fabric of the place/object.

### CRITERION D IS LIKELY TO BE SATISFIED

as/shisst

STEP 2: A BASIC TEST FOR DETERMINING STATE LEVEL SIGNIFICANCE

The place/object is a NOTABLE EXAMPLE of the class in Victoria (refer to Reference Tool D).

CRITERION D IS LIKELY TO BE RELEVANT AT THE STATE LEVEL

**Note:** the sub-themes in *Victoria's Framework of Historical Themes* will assist in understanding the events, phases, periods, processes, functions, movements, customs and ways of life in Victoria's history.

\* Refer to p4 for definition of "class".

### Reference Tool D: What is a 'notable example' of a class?

The term notable example is used to encompass any of the following:

- A fine example the place/object displays a large number or range of characteristics that is typical of the class; the place/object
  displays characteristics that are of a higher quality or historical relevance than are typical of places/objects in the class; or the
  place/object displays the principal characteristics of the class in a way that allows the class to be easily understood/appreciated.
- A highly intact example the place/object displays characteristics of the class that remain mostly unchanged from the
  historically important period of development or use of the place/object.
- An influential example the place/object contains physical characteristics of design, technology or materials that were copied
  in subsequent places/objects of the class (direct physical influence), or other places/objects were created, altered or used in
  response to the characteristics of this place/object.
- A pivotal example the place/object encapsulates a key evolutionary stage in the development of the class.

### STEP 3: EXCLUSION GUIDELINES FOR CRITERION D

The place or object is unlikely to satisfy this criterion at the state level if any of the following conditions apply:

XD1	Demonstrates few characteristics of the class	The place/object <b>does not exhibit the principal characteristics</b> that define the class, either having never possessed them or having lost them through subsequent development, activity or disturbance.
XD2	Poor evidence	There is a <b>lack of reliable or verifiable physical, documentary or other evidence</b> to indicate the place/object clearly belongs to a specific class of place/object and is a notable example within that class.
XD3	Low or questionable historical importance of class	The class itself is <b>not associated</b> with an event, phase etc of historical importance in the Victorian context or the association is <b>incidental or cannot be substantiated</b> . For example, not every fine or intact example of a road culvert or fowl house warrants inclusion in the VHR.

### ILLUSTRATIVE EXAMPLES OF CRITERION D BEING SATISFIED



Stawell Court House, Stawell (VHR H1997) built in 1878-79 is significant as a particularly fine and highly intact example of a large court house in the Victorian Free Classical style. It incorporates the key features of a recessed entry, arcade, gallery and hipped roof.



Glass Terrace, Fitzroy (VHR H446), a two storey terrace of eight houses in the Colonial Regency style, is significant as a particularly intact early surviving terrace house design, which was to become a distinctive Melbourne building type.



Warracknabeal Town Hall, Warracknabeal (VHR H2223) is significant as a particularly fine and intact representative example of an interwar town hall in the Moderne style.



Georgie's Hut (Chinese Market Garden) objects, Donald (VHR H0873) are significant as a fine collection of objects that demonstrate a particular way of life. They are surviving objects relating to the Chinese market garden industry, once widespread in Victoria, and provide information about the market garden operations and domestic life.



Heathcote Powder Magazine (VHR H1402), located within the McIvor Diggings, is a notable example of a powder magazine, a class of building which played an important role in the development of deep alluvial and quartz mining activities in the goldfields of Victoria in the late 1850s and the 1860s.



The South Channel and West Channel Pile Lights (VHR H1518 & H1519) are examples of the four manned pile lights that originally serviced ships entering Port Phillip Bay. These were integral to navigational operations along the South and West channels of Port Phillip Bay at a time of heavy traffic in shipping and when passage by sea represented the major form of transport to Melbourne from overseas and interstate.



Rail Bridge over Stony Creek, Nowa Nowa (VHR H1436) is significant as a fine example of a timber trestle railway bridge, demonstrating the ingenuity and skill involved in constructing a railway line over a long distance, through difficult terrain and utilising local timber resources.



The Former Common School No.
1124, Muckleford South (VHR H1380)
was built in 1871 and was an influential
example for subsequent school designs.
The plan, elevation and classroom
layout were all typical of 'Common
Schools', which were developed in the
period of rural expansion following the
gold rushes and the Selection Acts.



The Andersons Mill Complex, Smeaton (VHR1521) is significance as a highly intact representative example of a rural industrial complex associated with the early period of wheat growing in Victoria.

# CRITERION E: IMPORTANCE IN EXHIBITING PARTICULAR AESTHETIC CHARACTERISTICS

A place or object is likely to satisfy this criterion at the state level only if all of the following requisites are met:

STEP 1: A BASIC TEST FOR SATISFYING CRITERION E

The PHYSICAL FABRIC of the place/object clearly exhibits particular aesthetic characteristics (refer to Reference Tool E below).

### CRITERION E IS LIKELY TO BE SATISFIED

STEP 2: A BASIC TEST FOR DETERMINING STATE LEVEL SIGNIFICANCE

The aesthetic characteristics are APPRECIATED OR VALUED by the wider community or an appropriately-related discipline as evidenced, for example, by:

- CRITICAL RECOGNITION of the aesthetic characteristics of the place/object within a relevant art, design, architectural or related discipline as an outstanding example within Victoria; or
- wide public ACKNOWLEDGEMENT OF EXCEPTIONAL MERIT in Victoria in medium such as songs, poetry, literature, painting, sculpture, publications, print media etc.

#### CRITERION E IS LIKELY TO BE RELEVANT AT THE STATE LEVEL

### Reference Tool E: What is meant by 'aesthetic characteristics'?

The Macquarie Dictionary Online 2012 defines aesthetic and aesthetics as

Aesthetic adjective 1. relating to the sense of the beautiful or the science of aesthetics. 2. having a sense of the beautiful; characterised by a love of beauty. noun 3. a philosophical theory as to what is aesthetically valid at a given time. 4. an artistic expression, viewed as reflective of a personal or cultural ideal of what is aesthetically valid.

Aesthetics noun 1. Philosophythe science which deduces from nature and taste the rules and principles of art; the theory of the fine arts; the science of the beautiful, or that branch of philosophy which deals with its principles or effects; the doctrines of taste. 2. Psychology the study of the mind and emotions in relation to the sense of beauty.

These definitions do not suggest that 'aesthetic' is synonymous with 'beauty'. Instead they imply a judgement against various qualities that may include beauty. To assume that 'aesthetic' and 'beauty' are interchangeable terms limits an understanding of aesthetic and aesthetics.

Aesthetic characteristics are the visual qualities of a place or object that invite judgement against the ideals of beauty, picturesqueness, evocativeness, expressiveness, grotesqueness, sublimeness and other descriptors of aesthetic judgement. The visual qualities of a place or object lie in the form, scale, setting, unity, contrast, colour, texture and material of the fabric of a place or object.

### STEP 3: EXCLUSION GUIDELINES FOR CRITERION E

The place or object is unlikely to satisfy this criterion at the state level if any of the following conditions apply:

XE1	Lacks distinctiveness	The place/object has aesthetic qualities but they do not exceed those of the general class to which the place/object belongs.
XE2	Poor, indirect or unproven recognition	The aesthetic qualities of the place/object have only received limited public or disciplinary recognition (as appropriate).
XE3	Degraded aesthetic qualities	The aesthetic characteristics of the place/object have been irreversibly degraded through changes to the fabric of the place/object, changes to the setting of the place/object; or the degraded condition of significant elements of the place/object (in some instances).
XE4	No clearly definable aesthetic characteristics	Being "pretty" or "attractive" or popular is insufficient for the purposes of satisfying this criterion.

### ILLUSTRATIVE EXAMPLES OF CRITERION E BEING SATISFIED



#### Melbourne (VHR H1459) (above and below) is significant for the design and planting established by William Guilfoyle between 1873 and 1909 that combines both picturesque and gardenesque landscape features, structures, botanical collections and the extensive use of

collections and the extensive use of subtropical species and bold foliage. The internationally acclaimed landscape, with sweeping paths, lawns, dense shrubberies, beds and specimen trees, internal and external vistas, and the location and design of buildings and structures, are of the highest quality.



### The Clyde Cameron College,

Wodonga (VHR H2192) (above and below) is a highly creative and largely intact example of the late twentieth century Brutalist style. It was the subject of high professional acclaim in 2008 when it was given the 25 Year-Award for Enduring Architecture from the Australian Institute of Architects Victorian chapter.



### The Marianne Gibson Quilt,

Wangaratta (VHR H2297) (above and below), created from 1890-1896, has aesthetic significance as an outstanding example of the craft of crazy quilting. The quilt has been the subject of acclaim in several books written by Margaret Rolfe, one of the foremost quilt scholars in Australia, and by Patricia Cox Crews, Professor of Textiles, Clothing and Design and the Director of the International Quilt Study Center at the University of Nebraska–Lincoln. The quilt was displayed in the National Exhibition of Historic Quilts in Sydney in 1988 and was put onto the online National Quilt Register in 1996.



# The **Marmalake/Murtoa Grain Store** (VHR 791) (left and right) was constructed in 1941 for the temporary

storage of wheat during wartime. It is of aesthetic significance as a building which stimulates poetic responses, and which is valued for its impressive external presence in the surrounding plain and for the aesthetic qualities of its vast internal space which has been compared to both cathedrals and

forests.





# CRITERION F: IMPORTANCE IN DEMONSTRATING A HIGH DEGREE OF CREATIVE OR TECHNICAL ACHIEVEMENT AT A PARTICULAR PERIOD

A place or object is likely to satisfy this criterion at the state level only if **all** of the following requisites are met:

STEP 1: A BASIC TEST FOR SATISFYING CRITERION F

The place/object contains *PHYSICAL EVIDENCE* that clearly demonstrates creative or technical *ACHIEVEMENT* for the time in which it was created.

+

The physical evidence demonstrates a HIGH DEGREE OF INTEGRITY.

### CRITERION F IS LIKELY TO BE SATISFIED

+

STEP 2: A BASIC TEST FOR DETERMINING STATE LEVEL SIGNIFICANCE

The nature &/or scale of the achievement is *OF A HIGH DEGREE* or 'beyond the ordinary' for *THE PERIOD IN WHICH IT WAS UNDERTAKEN* as evidenced by:

- CRITICAL ACCLAIM of the place/object within the relevant creative or technological discipline as an outstanding example in Victoria; or
- wide ACKNOWLEDGEMENT OF EXCEPTIONAL MERIT in Victoria in medium such as publications and print media; or
- recognition of the place/object as a BREAKTHROUGH in terms of design, fabrication or construction techniques; or
- recognition of the place/object as a successful solution to a technical problem that EXTENDED THE LIMITS of existing technology; or
- recognition of the place/object as an outstanding example of the CREATIVE ADAPTATION of available materials and technology of the period.

CRITERION F IS LIKELY TO BE RELEVANT AT THE STATE LEVEL

### STEP 3: EXCLUSION GUIDELINES FOR CRITERION F

The place or object is unlikely to satisfy this criterion at the state level if any of the following conditions apply:

XF1 High degree of achievement unproven or unsubstantiated The available documentary or technical evidence indicates the creative or technical achievements of the place/object are unlikely to be of a high degree or 'beyond the ordinary'.

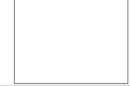
### ILLUSTRATIVE EXAMPLES OF CRITERION F BEING SATISFIED



Morell Bridge over the Yarra River at Anderson Street, South Yarra (VHR H1440) is significant as the first reinforced concrete bridge built in Victoria (1899) - only two years after the first reinforced concrete bridge in the world - and the first in Victoria to use the innovative Monier construction technique patented by Joseph Monier, a French manufacturer of garden ware.



The Commercial Travellers
Association Building, Melbourne (VHR
H0934) is of architectural significance
for a number of innovations, such as the
use of welded wire reinforcing mesh,
perhaps the first use of such material in
Victoria, and 'Mack' slab cement
partitions, the only known use of this
technology in Victoria. It was also one of
Australia's earliest steel framed
buildings.



Essendon Incinerator Complex, Essendon (VHR H0434), built in 1929-1930, is significant for its distinctive design by the Walter Burley Griffin architectural practice. The design set a new standard in Australia for industrial buildings that could be accommodated within developed municipal areas.



The Solar House, Templestowe (VHR H1312) is significant as the first commercially available solar energy project house in Australia. The integrated building and equipment system was designed to provide approximately 60 percent of the annual heating requirements for the house.



ICI House, Melbourne (VHR H0786) is significant for its considerable advancements in local construction techniques, including framed glazed curtain walls and innovative use of concrete, including precast reinforced units in structural members and flooring. The division of the glazed office space from the solidly clad service tower predates similar developments overseas.



The Church of the Resurrection,
Keysborough (VHR H2293) is one of the
most influential, well-recognised,
discussed and published Australian
post-war church designs and continues
to be valued by the architectural
profession for its originality and
polemical value.



The Ovoid Sewer Aqueduct over Barwon River, Geelong (VHR H0895) is significant as an outstanding application of the Considere system of concrete reinforcement in a design derived from the steel Firth of Forth Bridge in Scotland. It enabled an overall length and span which exceeded any other reinforced concrete structure at the time of construction.



CSIRAC (Commonwealth Scientific and Industrial Research Organisation Computer), held at the Melbourne Museum (VHR H2217) is highly significant as Australia's first programmable digital computer and the only surviving intact first generation computer in the world.



The New Works Historic Complex, Lakes Entrance (VHR H1532) is significant as the site of a major nineteenth century engineering achievement in Victoria. The New Works addressed the unreliable natural entrance from the sea to the Gippsland lakes, encouraging further development in this relatively isolated part of the colony.

CRITERION G: STRONG OR SPECIAL ASSOCIATION WITH A PARTICULAR COMMUNITY OR CULTURAL GROUP FOR SOCIAL, CULTURAL OR SPIRITUAL REASONS. THIS INCLUDES THE SIGNIFICANCE OF A PLACE TO INDIGENOUS PEOPLE AS PART OF THEIR CONTINUING AND DEVELOPING CULTURAL TRADITIONS

**Note:** the *Heritage Act 1995* does not apply to a place or object that is of cultural heritage significance only on the ground of its association with Aboriginal tradition or Aboriginal traditional use.

A place or object is likely to satisfy this criterion at the state level only if all of the following requisites are met:

# STEP 1: A BASIC TEST FOR SATISFYING CRITERION G

Evidence exists of a DIRECT ASSOCIATION between the place/object and a PARTICULAR COMMUNITY OR CULTURAL GROUP.

(For the purpose of these guidelines, 'COMMUNITY or CULTURAL GROUP' is defined as a sizable group of persons who share a common and long-standing interest or identity).

+

The ASSOCIATION between the place/object and the community or cultural group is STRONG OR SPECIAL, as evidenced by the regular or long-term use of/engagement with the place/object or the enduring ceremonial, ritual, commemorative, spiritual or celebratory use of the place/object.

### CRITERION G IS LIKELY TO BE SATISFIED

4

STEP 2: A BASIC TEST FOR DETERMINING STATE LEVEL SIGNIFICANCE

The place/object represents a PARTICULARLY STRONG EXAMPLE of the association between it and the community or cultural group by reason of its RELATIONSHIP TO IMPORTANT HISTORICAL EVENTS in Victoria and/or its ABILITY TO INTERPRET EXPERIENCES to the broader Victorian community.

CRITERION G IS LIKELY TO BE RELEVANT AT THE STATE LEVEL

### Reference Tool G: Types of places/objects that may satisfy Criterion G

What is Social Value?: A discussion paper (Australian Heritage Commission, Technical Publications Series Number 3, 1992) may be of assistance when considering Criterion G. It points out that examples of places of "social value" can be grouped into the following categories (see pages 7-10): public places, places of 'meeting', places of 'resort' and public entertainment, 'communities', places associated with recent significant events, commemorative places and places with special meaning for particular communities.

### STEP 3: EXCLUSION GUIDELINES FOR CRITERION G

The place or object is unlikely to satisfy this criterion at the state level if any of the following conditions apply:

XG1	Enduring attachment not substantiated	The attachment to the place/object is a short-term response to an event at, or a proposed change to, the place or object.
XG2	Community or cultural group lacks definition or has a poor association	The community or cultural group does not have a clearly defined common interest (i.e. is a group with a loose sense of identity or purpose) OR the community or cultural group is unable to demonstrate a strong and enduring cultural association with the place/object.
XG3	Attachment does not relate to the current generation	The place/object was an important point of interaction for past communities but that attachment no longer exists. In such circumstances, the place/object may of significance under criterion A.
XG4	Association is of local significance only	The attachment to the place/object does not have the ability to resonate beyond the local community.

### ILLUSTRATIVE EXAMPLES OF CRITERION G BEING SATISFIED



The Salvation Army Temple,
Melbourne (VHR H0436) is significant
for its enduring association with the
Salvation Army, one of the most
recognised religious and charitable
groups in Australia. The Temple
continues to serve as a centre for
worship, meetings and the
administration of service delivery by 'the
Salvas'



Loong, Chinese Dragon (VHR H2120) is a ceremonial dragon held by the Golden Dragon Museum, Bendigo. It is a rare surviving artefact associated with the customary practice of Chinese performances and processions and has been used over a long period of time in the Bendigo Easter Fair Procession.



The former Cockatoo Kindergarten (VHR2303) was used as a refuge for residents of Cockatoo during the devastating Ash Wednesday bushfires of 1983. It has significance for its ability to resonate with other fire-affected communities and the wider Victorian public and interpret to them the experience of 'seeking refuge from fires'



The East Melbourne Synagogue, East Melbourne (VHR H0495) is significant for its long and continuous association with Melbourne's Jewish community. It is the oldest and largest functioning Synagogue in Victoria.



The Bangerang Cultural Centre, Shepparton (VHR H1082) is significant for the important role it has played for Bangerang people in preserving their identity and raising awareness of indigenous culture more broadly.



Central Park, Stawell (VHR H2284) is significant for its long and enduring association with the Stawell Athletic Club, who established the now internationally famous Stawell Gift footrace in 1878.



The Victorian Artists Society, East Melbourne (VHR H0634) is significant as an academy for painters and sculptors for over 120 years. Many of Victoria's prominent artists have also been associated with the Society including Chevalier, von Guerard, Buvelot, Streeton, Roberts and Conder.



Bells Beach Surfing Recreation Reserve (VHR H2032) is significant for its long association with the Victorian and Australian surfing community and as the location of the world's longest continuous running surf competition.



The **Ballarat Trades Hall** (VHR H0657) is significant for its enduring association with the labour and trade union movement since the construction of the building in 1887-88.

# CRITERION H: SPECIAL ASSOCIATION WITH THE LIFE OR WORKS OF A PERSON, OR GROUP OF PERSONS, OF IMPORTANCE IN VICTORIA'S HISTORY

A place or object is likely to satisfy this criterion at the state level only if **all** of the following requisites are met:

# STEP 1: A BASIC TEST FOR SATISFYING CRITERION H

The place/object has a *DIRECT ASSOCIATION* with a person or group of persons who have made a strong or influential *CONTRIBUTION* to the course of Victoria's history.

The ASSOCIATION of the place/object to the person(s) IS EVIDENT in the physical fabric of the place/object and/or in documentary resources and/or oral history.

### The ASSOCIATION:

- directly relates to ACHIEVEMENTS of the person(s) at, or relating to, the place/object; or
- relates to an ENDURING and/or CLOSE INTERACTION between the person(s) and the place/object.

# STEP 2: A BASIC TEST FOR DETERMINING STATE LEVEL SIGNIFICANCE

#### CRITERION H IS LIKELY TO BE SATISFIED

+

The place/object allows the clear association with the person or group of persons to be READILY APPRECIATED BETTER THAN MOST OTHER PLACES OR OBJECTS IN VICTORIA.

CRITERION H IS LIKELY TO BE RELEVANT AT THE STATE LEVEL

### STEP 3: EXCLUSION GUIDELINES FOR CRITERION H

The place or object is unlikely to satisfy this criterion at the state level if any of the following conditions apply:

XH1	Poor, indirect or unproven association	The association of the person(s) with the place/object is tenuous or cannot be substantiated or verified. For example, the person spent a brief, transitory or incidental time at the place without leaving evidence or achieving anything there that is relevant to their importance.
XH2	Inability to demonstrate association	No evidence remains to demonstrate the association of the place/object with the person(s) or, in the case of physical evidence, the remaining physical fabric has been so altered that it no longer demonstrates reasonable evidence of the association.
XH3	Person(s) is of local significance only	There is insufficient reliable or verifying information available to support a claim that the person(s) is of more than local importance.

### ILLUSTRATIVE EXAMPLES OF CRITERION H BEING SATISFIED



Mary MacKillop House, East Melbourne (H1062) is significant for its association with Mother Mary MacKillop, now St. Mary of the Cross, co-founder of the Order of the Sisters of Saint Joseph and beatified by Pope John Paul II in 1995. MacKillop founded the first Providence in the East Melbourne area in 1901-2. She remained involved in the work carried out there until her death in 1909.



The **Grainger Museum**, Parkville (VHR H0875) is significant for being founded by Percy Grainger, an internationally acclaimed musician and composer. It contains a significant collection of Grainger's work.



Longacres, Olinda (VHR H1876) is significant for being established and used by the prominent artist (Sir) Arthur Streeton, who had the house built for his own use in 1923-24. He created most of the garden himself, all of which remains much as it was during Streeton's occupation.



Ine Fletcher Jones Factory and Gardens, Warmambool (VHR H2101) were established in 1948 by clothing manufacturer David Fletcher Jones who provided innovative benefits for his employees. The company's distinctive ethos is reflected in the extensive gardens established for the enjoyment of staff and local residents.



Menlo, Templestowe (VHR H2294) is significant for its association with Edna Walling, one of Australia's most important and influential garden designers of the twentieth century. Menlo is one of the finest and most intact Walling-designed structural gardens.



The Stringybark Creek Site, Archerton (VHR H2205) is strongly associated with the members of the Kelly Gang (Ned Kelly, Dan Kelly, Joe Byrne and Steve Hart), and with the four police officers (Thomas Lonigan, Michael Scanlon, Michael Kennedy and Thomas McIntyre) who fought the bushrangers at the site, in the events that precipitated the Kelly Outbreak.



Ballara, Point Lonsdale (VHR H1126) is significant for its association with Alfred Deakin, Prime Minister of Australia on three occasions. He developed Ballara both as a place of relaxation and contemplation while in his second term as Prime Minister.



The Women's Suffrage Petition, held in the Public Records Office of Victoria (H2121) is significant for its association with the Woman's Christian Temperance Union and the Victorian Temperance Alliance and their role in fighting for – and obtaining – Victorian women's right to vote.



The Robin Boyd House II, South Yarra (VHR H2105) is significant for its direct association with nationally-acclaimed architect and architectural critic, Robin Boyd, a member of a well known Melbourne family of artists and writers. Designed by Boyd as his family home, it exemplifies many of the theories espoused in his writings and he lived there from 1959 until his death in 1971.

### Acknowledgements:

Under an information-sharing agreement between the Heritage Chairs and Officials of Australia and New Zealand, this guideline draws heavily upon the work in developing assessment methodologies and thresholds undertaken by heritage jurisdictions across Australia in the last 5 years, including:

- the Queensland Heritage Council's 2006 publication: Using the Criteria: a Methodology;
- the NSW Heritage Office's publications Assessing Heritage Significance 2001, Levels of Heritage Significance 2008 and Assessing Significance for Archaeological Sites and Relics 2009;
- the Australian Heritage Council's publications A Guide to Heritage Listing in Australia: Thresholds for Different Levels of Heritage Listing 2008 and Guidelines for the Assessment of Places for the National Heritage List 2009;
- Heritage Tasmania's draft report Assessing Historic Heritage Significance: Criteria and Threshold Guidelines 2011;
- the ACT Heritage Council and Chief Minister's Department draft report Guidelines for Assessing Places and Objects Against the Criteria of the Heritage Act 2004 2011; and
- the Heritage Council of Western Australia's publication Criteria for the Assessment of Local heritage Places and Areas 2007;

and draws upon a number of recent Victorian reports including previous drafts by A Cahir, C Gribbin and D Scott, plus:

- Review of Criteria and Thresholds for Inclusion of Places on the Heritage Overlay, lan Wight, Heritage Victoria 2007;
- Assessing Heritage Places of Local Significance Using Criteria and Thresholds, Dr David Rowe for Planning Panels Victoria 2011;
- Assessing Historical Archaeological Significance, Heritage Victoria and Heritage Council of Victoria 2004.



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Appendix 4: Practice Note 1: Applying the Heritage Overlay



## **Applying the Heritage Overlay**

### Planning Practice Note 1

AUGUST 2018

This practice note provides guidance about the use of the Heritage Overlay.

### What places should be included in the Heritage Overlay?

- Any place that has been listed on the Australian Heritage Council's now closed Register of the National Estate.
- Any place that has been referred by the Heritage Council for consideration for an amendment to the planning scheme.
- Places listed on the National Trust Heritage Register of the National Trust of Australia (Victoria), provided the significance of the place can be shown to justify the application of the overlay.
- Places identified in a local heritage study, provided the significance of the place can be shown to justify the application of the overlay.

Places listed on the former *Register of the National Estate* or on the *National Trust Heritage Register* of the National Trust of Australia (Victoria) do not have statutory protection unless they are protected in the planning scheme.

The heritage process leading to the identification of the place needs to clearly justify the significance of the place as a basis for its inclusion in the Heritage Overlay. The documentation for each place shall include a statement of significance that clearly establishes the importance of the place and addresses the heritage criteria.

### What are recognised heritage criteria?

The following recognised heritage criteria shall be used for the assessment of the heritage value of the heritage place. These model criteria have been broadly adopted by heritage jurisdictions across Australia and should be used for all new heritage assessment work.

**Criterion A:** Importance to the course or pattern of our cultural or natural history (historical significance).

**Criterion B:** Possession of uncommon, rare or endangered aspects of our cultural or natural history (rarity).

**Criterion C:** Potential to yield information that will contribute to understanding our cultural or natural history (research potential).

**Criterion D:** Importance in demonstrating the principal characteristics of a class of cultural or natural places or environments (representativeness).

**Criterion E:** Importance in exhibiting particular aesthetic characteristics (aesthetic significance).

**Criterion F:** Importance in demonstrating a high degree of creative or technical achievement at a particular period (technical significance).

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**Criterion G:** Strong or special association with a particular community or cultural group for social, cultural or spiritual reasons. This includes the significance of a place to Indigenous peoples as part of their continuing and developing cultural traditions (social significance).

**Criterion H:** Special association with the life or works of a person, or group of persons, of importance in our history (associative significance).

The adoption of the above criteria does not diminish heritage assessment work undertaken before 2012 using older versions of criteria.

The thresholds to be applied in the assessment of significance shall be 'State Significance' and 'Local Significance'. 'Local Significance' includes those places that are important to a particular community or locality. Letter gradings (for example, "A', "B', "C') should not be used.

To apply a threshold, some comparative analysis will be required to substantiate the significance of each place. The comparative analysis should draw on other similar places within the study area, including those previously included in a heritage register or overlay. Places identified to be of potential state significance should undergo analysis on a broader (statewide) comparative basis.

## Places of significance for historical or social reasons

Planning is about managing the environment and its changes. An appropriate test for a potential heritage place to pass in order to apply the Heritage Overlay is that it has 'something' to be managed. This 'something' is usually tangible but it may, for example, be an absence of built form or the presence of some other special characteristic. If such things are present, there will be something to manage and the Heritage Overlay may be applied.

If not, a commemorative plaque is an appropriate way of signifying the importance of the place to the local community.

## Group, thematic and serial listings

Places that share a common history and/or significance, but which do not adjoin each other or form a geographical grouping may be considered for treatment as a single heritage place. Each place that forms part of the group might share a common statement of significance; a single entry in the Heritage Overlay Schedule and a single Heritage Overlay number.

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This approach has been taken to the listing of Chicory Kilns on Phillip Island in the Bass Coast Planning Scheme. The kilns are dispersed across the island but share a common significance. Group listing of the kilns also draws attention to the fact that the kilns are not just important on an individual basis but are collectively significant as a group.

The group approach has also been used for the former Rosella Factory Complex in the Yarra Planning Scheme. This important factory complex had become fragmented through replacement development making it hard to justify a precinct listing. The group listing, with a single Heritage Overlay number, has meant that the extent and significance of the complex can still be appreciated.

#### Writing a statement of significance

For every heritage place (that is, a precinct or individual place) a statement of significance must be prepared using the format of 'What is significant?'; 'How is it significant?' and 'Why is it significant?'.

What is significant? – This section should be brief, usually no more than one paragraph or a series of dot points. There should be no doubt about the elements of the place that are under discussion. The paragraph should identify features or elements that are significant about the place, for example, house, outbuildings, garden, plantings, ruins, archaeological sites, interiors as a guide to future decision makers. Clarification could also be made of elements that are not significant. This may guide or provide the basis for an incorporated plan which identifies works that may be exempt from the need for a planning permit.

How is it significant? – Using the heritage criteria above, a sentence should be included to the effect that the place is important. This could be because of its historical significance, its rarity, its research potential, its representativeness, its aesthetic significance, its technical significance and/or its associative significance. The sentence should indicate the threshold for which the place is considered important.

Why is it significant? – The importance of the place needs to be justified against the heritage criteria listed above. A separate point or paragraph should be used for each criterion satisfied. The relevant criterion reference should be inserted in brackets after each point or paragraph, for example "(Criterion G)". An example statement of significance has been prepared for guidance, see Appendix A.



The explanatory report for an amendment that includes a place in the Heritage Overlay (or other supporting documentation accompanying a planning scheme amendment) should:

- state whether the place is a precinct or an individual place
- identify if further controls allowed by the schedule to the overlay are required such as external paint controls or tree controls (the identification of further controls should be based on the explanation of why a heritage place is significant).

## Incorporating, saving and displaying statements of significance

A statement of significance must be incorporated in the planning scheme for each heritage place included in the schedule to the Heritage Overlay after 31 July 2018. This requirement does not apply to a heritage place included in the schedule by an amendment prepared or authorised by the Minister for Planning under section 8(1)(b) or section 8A(4) of the *Planning and Environment Act 1987* before 31 October 2018.

However, a statement of significance may be incorporated for any heritage place included in the schedule before 31 July 2018 or by an amendment that the exemption applies to.

If a statement of significance is incorporated in the planning scheme, the name of the statement must be specified in the schedule to the overlay.

All statements of significance (incorporated or otherwise) should be securely stored in the HERMES heritage database.

Where a planning scheme amendment has resulted in the inclusion of, or amendments to, places in the Heritage Overlay, the strategic justification (that is, the heritage study documentation and statements of significance) needs to be updated. A statement of significance that has been incorporated into the planning scheme can only be changed by an amendment to the planning scheme. If the heritage place does not have a statement of significance that has been incorporated, then any changes should be entered into the department's HERMES heritage database.

Where a place (either a precinct or individual place) is included in the Heritage Overlay, the statement of significance for that place should be publicly viewable through the department's Victorian Heritage Database.

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#### Additional resources may be required

When introducing the Heritage Overlay, a council should consider the resources required to administer the heritage controls and to provide assistance and advice to affected property owners. This might include providing community access to a heritage adviser or other technical or financial assistance.

## **Drafting the Heritage Overlay schedule**

#### What is a heritage place?

A heritage place could include a site, area, building, group of buildings, structure, archaeological site, tree, garden, geological formation, fossil site, habitat or other place of natural or cultural significance and its associated land. It cannot include movable or portable objects such as machinery within a factory or furniture within a house.

## What is the planning scheme map reference number?

In column one of the schedule, the Planning Scheme Map Reference prefix should read HO1, HO2, HO3 and so on. Each heritage place in the schedule will have its own identifying number. The planning scheme maps should also record these numbers as a cross reference between the maps and the schedule.

#### Street numbers and location descriptions

Street numbers and locality addresses should be included for properties wherever possible. Where a street address is not available, plan of subdivision details (for example, Lot 1 of PS12345) should be used. Avoid using Crown Allotment details, Certificate of Title details or obscure location descriptions if possible.

## How should the Heritage Overlay schedule be arranged?

There are three preferred options for arranging the schedule:

- Heritage places may be arranged in ascending numerical order by their planning scheme map reference number (eg HO1, HO2, HO3 and so on).
- Heritage places may be grouped according to their suburb, town or location and then arranged alphabetically by street address within each grouping.
- All places may be listed alphabetically by their street address irrespective of their location.

Use the method which most assists users of the planning scheme to find the relevant property by a simple search through the schedule.



An example of a schedule to the Heritage Overlay is included at **Appendix B**.

#### **Application requirements**

The schedule allows for application requirements to be specified.

## Incorporated plan

Clause 43.01-3 of the Heritage Overlay allows an incorporated plan to be prepared to identify works to a heritage place that are exempt from the need for a planning permit. To do so, the plan must be specified in the schedule to the overlay and must also be listed in the schedule to Clause 72.04.

#### Statements of significance

Where a statement of significance is incorporated in the planning scheme, it must be given a title which includes the name of the heritage place or if there is no name specified, the full address of the heritage place. The title of the statement of significance must be specified in the schedule to the overlay. The title of the statement must also be listed in the schedule to Clause 72.04.

#### Heritage design guidelines

Where detailed heritage design guidelines have been prepared for a heritage place, they may be incorporated into the planning scheme. The title of the incorporated document must be specified in the schedule to the overlay and must also be listed in the schedule to Clause 72.04.

## Applying external painting controls

External painting controls over particular heritage places can be applied in the schedule by including a 'yes' in the External Paint Controls Apply? column.

## Applying internal alterations controls

Internal alteration controls over specified buildings can be applied in the schedule by including a 'yes' in the Internal Alteration Controls Apply? column. This provision should be applied sparingly and on a selective basis to special interiors of high significance. The statement of significance for the heritage place should explain what is significant about the interior and why it is important.

#### Applying tree controls

The schedule can apply tree controls over heritage places. The tree controls could apply to the whole of a heritage place (for example, over a house site or an area) or a tree or group of trees could be specifically nominated as the heritage place.

Tree controls are applied by including a 'yes' in the Tree Controls Apply? column. Tree controls should only be applied where there has been a proper

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assessment. The statement of significance for the heritage place should identify the particular trees that are significant (under "What is significant?") and why the tree or trees are important.

If only one, or a few trees within a large property are considered significant, the 'Tree Controls Apply' column can be qualified with the relevant details. A planning permit would then only be required to remove, destroy or lop the trees that were specifically identified in the column.

This control is designed to protect trees that are of intrinsic significance (such as trees that are included on the National Trust Heritage Register), or trees that contribute to the significance of a heritage place (for example, trees that contribute to the significance of a garden or area). The control is not meant to protect trees for their amenity value. See Planning Practice Note 7 – Vegetation Protection in Urban Areas for alternative methods of vegetation protection.

## **Outbuildings and fences**

Councils may consider that certain outbuildings and/or fences on heritage sites are significant and can therefore require that these be subject to the notice and review requirements of the *Planning and Environment Act 1987*. This is achieved by including the word 'yes' in the column headed 'Outbuildings or fences which are not exempt under Clause 43.01-42'.

It is helpful to landowners and users of the planning scheme if the column in the schedule identifies the particular outbuildings and/or fences that are considered to be significant. The statement of significance for the heritage place should also identify the particular outbuildings and/or fences that are significant (under "What is significant?") and why they are important.

## How should places in the Victorian Heritage Register be treated in the schedule and map?

Section 56 of the Heritage Act 2017 (Heritage Act) requires that the Minister for Planning must 'prepare and approve an amendment to any planning scheme applying to a place which is included or amended in the Heritage Register to identify the inclusion or amendment of that place in the Heritage Register'. This is intended as an alert to planning scheme users of restrictions that might apply to land under the Heritage Act.

Planning authorities should not amend the schedule or maps as they relate to places in the Victorian Heritage Register and certainly not without the prior approval of Heritage Victoria. This is to ensure that



planning schemes accurately reflect the Heritage Register as required by the Heritage Act.

Under Clause 43.01-2, places on the Victorian Heritage Register are subject to the requirements of the Heritage Act and not the planning provisions of the Heritage Overlay. Where Places included in the Victorian Heritage Register are listed in the schedule, a dash should be recorded in columns three (external paint controls), four (internal alteration controls), five (tree controls) and six (outbuildings and fences) to avoid any possible confusion as to whether planning provisions apply to these properties. In column seven ('Included on the Victorian Heritage Register ...') the reference number of the property on the Victorian Heritage Register should be included as an aid to users of the planning scheme.

## Allowing a prohibited use of a heritage place

It is possible to make a prohibited use permissible at a specific place by including a 'yes' in the Prohibited uses may be permitted? column.

This provision should not be applied to significant areas because it might result in the de facto rezoning of a large area. The provision should only be applied to specific places. For example, the provision might be used for a redundant church, warehouse or other large building complex where it is considered that the normally available range of permissible uses is insufficient to provide for the future conservation of the building. Currently this provision applies in the metropolitan area of Melbourne to places that are included on the Victorian Heritage Register.

### Aboriginal heritage places

Scarred trees, stone arrangements and other places significant for their Aboriginal associations can be identified by including a 'yes' in the Aboriginal Heritage Place? column. As with any place listed in the Schedule to the Heritage Overlay, supporting justification is expected to apply this provision.

The standard permit requirements of Clause 43.01-1 of the Heritage Overlay apply to Aboriginal heritage places included in the schedule. Clause 43.01-10 reminds a responsible authority that the requirements of the *Aboriginal Heritage Act 2006* apply to these places.

## How are heritage precincts and areas treated?

Significant precincts and areas should be identified in the schedule and be mapped.  $% \label{eq:controller}$ 

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## How are individual buildings, trees or properties of significance located within significant areas treated?

The provisions applying to individual buildings and structures are the same as the provisions applying to areas, so there is no need to separately schedule and map a significant building, feature or property located within a significant area.

The only instance where an individual property within a significant area should be scheduled and mapped is where it is proposed that a different requirement should apply. For example, external painting controls may be justified for an individual building of significance but not over the heritage precinct surrounding the building.

Alternatively, tree controls may be justified for a specific tree or property within a significant precinct but not over the whole precinct. In such situations the individual property or tree should be both scheduled and mapped.

Significant buildings or structures within a significant precinct can be identified through a local planning policy.

#### **Curtilages and Heritage Overlay polygons**

The Heritage Overlay applies to both the listed heritage item and its associated land. It is usually important to include land surrounding a building, structure, tree or feature of importance to ensure that any development, including subdivision, does not adversely affect the setting, context or significance of the heritage item. The land surrounding the heritage item is known as a 'curtilage' and will be shown as a polygon on the Heritage Overlay map. In many cases, particularly in urban areas and townships, the extent of the curtilage will be the whole of the property (for example, a suburban dwelling and its allotment).

However, there will be occasions where the curtilage and the Heritage Overlay polygon should be reduced in size as the land is of no significance. Reducing the curtilage and the polygon will have the potential benefit of lessening the number of planning permits that are required with advantages to both the landowner and the responsible authority. Examples of situations where a reduction in the curtilage and polygon may be appropriate include:

 A homestead on a large farm or pastoral property where it is only the house and/or outbuildings that is important. In most cases with large rural properties, the inclusion of large areas of surrounding farmland is unlikely to have any positive heritage benefits or outcomes.



- A significant tree on an otherwise unimportant property.
- A horse trough, fountain or monument in a road reservation.
- A grandstand or shelter in a large but otherwise unimportant public park.

Suggested steps in establishing a curtilage and polygon include:

- Review the heritage study documentation and ask the question 'What is significant?'. The polygon should capture those elements of the place that are significant. If there are multiple elements that are widely dispersed on the property, one option may be to have multiple polygons which share the same Heritage Overlay number.
- In addition to capturing the elements that are significant, it is almost always necessary to include a curtilage (see definition above) to:
  - retain the setting or context of the significant building, structure, tree or feature
  - regulate development (including subdivision) in proximity to the significant building, tree or feature.
- Where possible, uncomplicated and easily recognised boundaries (such as a fence line) leave little room for potential dispute in terms of the land affected by any future Overlay.
- 4. Use aerial photos where they exist to assist in identifying a reduced curtilage.
- 5. Where access is possible, 'ground truthing' may be of assistance.

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- Explain the basis for the reduced curtilage polygon in the heritage study documentation
- 7. Where questions might arise in the future as to the extent of the polygon shown on the planning scheme map, use the entry in the Schedule to the Heritage Overlay (i.e. column two) to specify the area covered by the polygon. For example:

"The heritage place is the Moreton Bay Fig Tree and land beneath and beyond the canopy of the tree and extending for a distance of five metres from the canopy edge."

## Mapping heritage places

All heritage places must be both scheduled and mapped.

In each case, care should be taken to ensure that there is an accurate correlation between the Heritage Overlay schedule and the Heritage Overlay map.

The need for care is exemplified by the fact that the Heritage Overlay map will be the determining factor in any dispute as to whether a control applies (for example, in cases where there is conflict between the Heritage Overlay map and the property description or address in the Heritage Overlay schedule).

Councils are encouraged to review their planning schemes to ensure that all heritage places are correctly mapped and that there are no discrepancies between how places are identified in the Heritage Overlay schedule and Heritage Overlay maps.

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### **APPENDIX A. Example statement of significance**

GUMNUT PLANNING SCHEME

#### **Wombat Flats Precinct Statement of Significance**

Heritage Place:	Wombat Flats Precinct	PS ref no:	HO26

[Insert photo and or map, if applicable]

#### What is significant?

The following features contribute to the significance of the precinct:

The houses constructed from c.1855 to c.1910, as shown on the precinct map.

- The overall consistency of housing form (hipped roofs, single storey wall heights), materials and detailing (weatherboard, face brick or stucco external cladding, corrugated metal roofs, wide verandahs facing the street, brick chimneys), and siting (generous and consistent front and side setbacks).
- Streetscape materials such as bluestone kerb and channel and concrete footpaths. Features
  that do not contribute to the significance of this place include non-original alterations and additions to the contributory buildings shown on the precinct map and the houses at 32, 24 & 36
  Wattle Avenue.

Contributory buildings:

Wattle Avenue: 3,5,7,9,11,13,15,17,19

Myrtle Street: 7,11,12

Features that do not contribute to the significance of this place include non-original alterations and additions to the contributory buildings shown on the precinct map and the houses at 32, 24 & 36

## How is it significant?

The Wombat Flats Precinct is of local, historic and aesthetic significance to Gumnut Shire.

## Why is it significant?

Historically, the precinct demonstrates how the gold rush encouraged the residential development of this area in the mid-nineteenth century. The later Victorian and Edwardian housing demonstrates the next stage of development, which resulted from the establishment of improved transport links and industries such as the Butterscotch Factory in near-by Lilly Pilly Street. (Criterion A)

The precinct is significant for the way it demonstrates the key phases of development prior to World War I, characterised by mid to late Victorian era housing, supplemented by Edwardian infill, set within a nineteenth century subdivision with a regular allotment pattern. It is representative of the way residential areas in Gumnut developed during this era. (Criterion D)

The mid to late Victorian and Federation/Edwardian houses with characteristic form, materials and detailing are complemented by traditional public realm materials such as concrete footpaths and bluestone kerb and channel. (Criterion E)

## Primary source

[Insert applicable study and/or citation, if applicable]

[Insert grading table for large precincts]

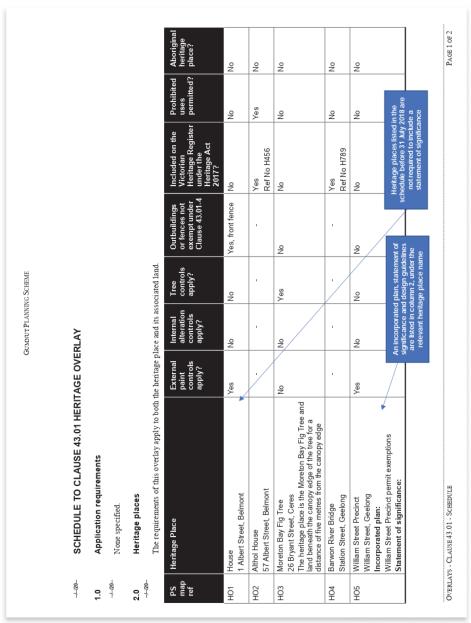
Number	Address	Grade
7	Wattle Avenue	Contributory

This document is an incorporated document in the Gumnut Planning Scheme pursuant to section 6(2)(j) of the Planning and Environment Act 1987



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## APPENDIX B. Example schedule to the Heritage Overlay





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PS map ref	Heritage Place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act	Prohibited uses permitted?	Aboriginal heritage place?
	Williams Street Predind Statement of Significance Heritage design guidelines: William Street Predind streetscape design guidelines							
90H	Wombat Flats Precinct	No	No	No	No	No	No	9
	1-35 & 2-36 Wattle Avenue and 1-29 & 2-30 Blue Gum Statement of significance: Wombat Plats Precird Statement of Significance	A state listed in relevan	A statement of significance is listed in column 2, under the relevant heritage place name	ance is der the ce name				
НО7	Mount Rothwell Stone Arrangement Mount Rothwell Station Little River-Ripley, Little River Statement of significance: Mount Rothwell Stone Arrangement Statement of Significance	8	o Z	2	<sub>Q</sub>	°Z	0 Z	Yes



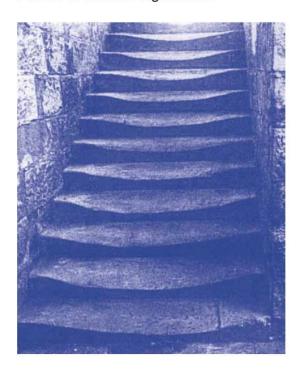
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Appendix 5: The Burra Charter 2013

# THE BURRA CHARTER

The Australia ICOMOS Charter for Places of Cultural Significance

2013





Australia ICOMOS Incorporated International Council on Monuments and Sites

#### **ICOMOS**

ICOMOS (International Council on Monuments and Sites) is a non-governmental professional organisation formed in 1965, with headquarters in Paris. ICOMOS is primarily concerned with the philosophy, terminology, methodology and techniques of cultural heritage conservation. It is closely linked to UNESCO, particularly in its role under the World Heritage Convention 1972 as UNESCO's principal adviser on cultural matters related to World Heritage. The 11,000 members of ICOMOS include architects, town planners, demographers, archaeologists, geographers, historians, conservators, anthropologists, scientists, engineers and heritage administrators. Members in the 103 countries belonging to ICOMOS are formed into National Committees and participate in a range of conservation projects, research work, intercultural exchanges and cooperative activities. ICOMOS also has 27 International Scientific Committees that focus on particular aspects of the conservation field. ICOMOS members meet triennially in a General Assembly.

## Australia ICOMOS

The Australian National Committee of ICOMOS (Australia ICOMOS) was formed in 1976. It elects an Executive Committee of 15 members, which is responsible for carrying out national programs and participating in decisions of ICOMOS as an international organisation. It provides expert advice as required by ICOMOS, especially in its relationship with the World Heritage Committee. Australia ICOMOS acts as a national and international link between public authorities, institutions and individuals involved in the study and conservation of all places of cultural significance. Australia ICOMOS members participate in a range of conservation activities including site visits, training, conferences and meetings.

#### **Revision of the Burra Charter**

The Burra Charter was first adopted in 1979 at the historic South Australian mining town of Burra. Minor revisions were made in 1981 and 1988, with more substantial changes in 1999.

Following a review this version was adopted by Australia ICOMOS in October 2013.

The review process included replacement of the 1988 Guidelines to the Burra Charter with Practice Notes which are available at: australia.icomos.org

Australia ICOMOS documents are periodically reviewed and we welcome any comments.

### Citing the Burra Charter

The full reference is *The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance, 2013.* Initial textual references should be in the form of the *Australia ICOMOS Burra Charter, 2013* and later references in the short form (*Burra Charter*).

#### © Australia ICOMOS Incorporated 2013

The Burra Charter consists of the Preamble, Articles, Explanatory Notes and the flow chart.

This publication may be reproduced, but only in its entirety including the front cover and this page. Formatting must remain unaltered. Parts of the Burra Charter may be quoted with appropriate citing and acknowledgement.

Cover photograph by Ian Stapleton.

Australia ICOMOS Incorporated [ARBN 155 731 025] Secretariat: c/o Faculty of Arts Deakin University Burwood, VIC 3125 Australia

http://australia.icomos.org/

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## **The Burra Charter**

(The Australia ICOMOS Charter for Places of Cultural Significance, 2013)

## **Preamble**

Considering the International Charter for the Conservation and Restoration of Monuments and Sites (Venice 1964), and the Resolutions of the 5th General Assembly of the International Council on Monuments and Sites (ICOMOS) (Moscow 1978), the Burra Charter was adopted by Australia ICOMOS (the Australian National Committee of ICOMOS) on 19 August 1979 at Burra, South Australia. Revisions were adopted on 23 February 1981, 23 April 1988, 26 November 1999 and 31 October 2013.

The Burra Charter provides guidance for the conservation and management of places of cultural significance (cultural heritage places), and is based on the knowledge and experience of Australia ICOMOS members.

Conservation is an integral part of the management of places of cultural significance and is an ongoing responsibility.

## Who is the Charter for?

The Charter sets a standard of practice for those who provide advice, make decisions about, or undertake works to places of cultural significance, including owners, managers and custodians.

## Using the Charter

The Charter should be read as a whole. Many articles are interdependent.

The Charter consists of:

Definitions Article 1
 Conservation Principles Articles 2-13
 Conservation Processes Articles 14-25
 Conservation Practices Articles 26-34

· The Burra Charter Process flow chart.

The key concepts are included in the Conservation Principles section and these are further developed in the Conservation Processes and Conservation Practice sections. The flow chart explains the Burra Charter Process (Article 6) and is an integral part of

the Charter. Explanatory Notes also form part of the Charter.

The Charter is self-contained, but aspects of its use and application are further explained, in a series of Australia ICOMOS Practice Notes, in *The Illustrated Burra Charter*, and in other guiding documents available from the Australia ICOMOS web site: australia.icomos.org.

#### What places does the Charter apply to?

The Charter can be applied to all types of places of cultural significance including natural, Indigenous and historic places with cultural values.

The standards of other organisations may also be relevant. These include the Australian Natural Heritage Charter, Ask First: a guide to respecting Indigenous heritage places and values and Significance 2.0: a guide to assessing the significance of collections.

National and international charters and other doctrine may be relevant. See australia.icomos.org.

#### Why conserve?

Places of cultural significance enrich people's lives, often providing a deep and inspirational sense of connection to community and landscape, to the past and to lived experiences. They are historical records, that are important expressions of Australian identity and experience. Places of cultural significance reflect the diversity of our communities, telling us about who we are and the past that has formed us and the Australian landscape. They are irreplaceable and precious.

These places of cultural significance must be conserved for present and future generations in accordance with the principle of inter-generational equity.

The Burra Charter advocates a cautious approach to change: do as much as necessary to care for the place and to make it useable, but otherwise change it as little as possible so that its cultural significance is retained.

The Burra Charter, 2013

Australia ICOMOS Incorporated — 1

#### **Articles**

#### **Article 1. Definitions**

For the purposes of this Charter:

- 1.1 Place means a geographically defined area. It may include elements, objects, spaces and views. Place may have tangible and intangible dimensions.
- 1.2 Cultural significance means aesthetic, historic, scientific, social or spiritual value for past, present or future generations.

Cultural significance is embodied in the place itself, its fabric, setting, use, associations, meanings, records, related places and related objects.

Places may have a range of values for different individuals or groups.

- 1.3 Fabric means all the physical material of the place including elements, fixtures, contents and objects.
- 1.4 Conservation means all the processes of looking after a place so as to retain its cultural significance.
- 1.5 Maintenance means the continuous protective care of a place, and its setting.

Maintenance is to be distinguished from repair which involves *restoration* or *reconstruction*.

- 1.6 Preservation means maintaining a place in its existing state and retarding deterioration.
- 1.7 Restoration means returning a place to a known earlier state by removing accretions or by reassembling existing elements without the introduction of new material.
- 1.8 Reconstruction means returning a place to a known earlier state and is distinguished from restoration by the introduction of new material.
- 1.9 A daptation means changing a place to suit the existing use or a proposed use.
- 1.10 Use means the functions of a place, including the activities and traditional and customary practices that may occur at the place or are dependent on the place.

## Explanatory Notes

Place has a broad scope and includes natural and cultural features. Place can be large or small: for example, a memorial, a tree, an individual building or group of buildings, the location of an historical event, an urban area or town, a cultural landscape, a garden, an industrial plant, a shipwreck, a site with in situ remains, a stone arrangement, a road or travel route, a community meeting place, a site with spiritual or religious connections.

The term cultural significance is synonymous with cultural heritage significance and cultural heritage value.

Cultural significance may change over time and with use.

Understanding of cultural significance may change as a result of new information.

Fabric includes building interiors and subsurface remains, as well as excavated material.

Natural elements of a place may also constitute fabric. For example the rocks that signify a Dreaming place.

Fabric may define spaces and views and these may be part of the significance of the place.

See also Article 14.

Examples of protective care include:

- maintenance regular inspection and cleaning of a place, e.g. mowing and pruning in a garden;
- repair involving restoration returning dislodged or relocated fabric to its original location e.g. loose roof gutters on a building or displaced rocks in a stone bora ring;
- repair involving reconstruction replacing decayed fabric with new fabric

It is recognised that all places and their elements change over time at varying rates.

New material may include recycled material salvaged from other places. This should not be to the detriment of any place of cultural significance.

Use includes for example cultural practices commonly associated with Indigenous peoples such as ceremonies, hunting and fishing, and fulfillment of traditional obligations. Exercising a right of access may be a use.

The Burra Charter, 2013

## 2 — Australia ICOMOS Incorporated

#### Articles

- 1.11 Compatible use means a use which respects the cultural significance of a place. Such a use involves no, or minimal, impact on cultural significance.
- 1.12 *Setting* means the immediate and extended environment of a *place* that is part of or contributes to its *cultural significance* and distinctive character.
- 1.13 Related place means a place that contributes to the cultural significance of another place.
- 1.14 Related object means an object that contributes to the *cultural* significance of a place but is not at the place.
- 1.15 Associations mean the connections that exist between people and a place.
- 1.16 Meanings denote what a place signifies, indicates, evokes or expresses to people.
- 1.17 Interpretation means all the ways of presenting the cultural significance of a place.

## **Conservation Principles**

## Article 2. Conservation and management

- 2.1 Places of cultural significance should be conserved.
- 2.2 The aim of *conservation* is to retain the *cultural significance* of a *place*.
- 2.3 Conservation is an integral part of good management of places of cultural significance.
- 2.4 Places of cultural significance should be safeguarded and not put at risk or left in a vulnerable state.

## Article 3. Cautious approach

- 3.1 Conservation is based on a respect for the existing fabric, use, associations and meanings. It requires a cautious approach of changing as much as necessary but as little as possible.
- 3.2 Changes to a place should not distort the physical or other evidence it provides, nor be based on conjecture.

## Article 4. Knowledge, skills and techniques

4.1 Conservation should make use of all the knowledge, skills and disciplines which can contribute to the study and care of the place.

### **Explanatory Notes**

Setting may include: structures, spaces, land, water and sky; the visual setting including views to and from the place, and along a cultural route; and other sensory aspects of the setting such as smells and sounds. Setting may also include historical and contemporary relationships, such as use and activities, social and spiritual practices, and relationships with other places, both tangible and intangible.

Objects at a place are encompassed by the definition of place, and may or may not contribute to its cultural significance.

Associations may include social or spiritual values and cultural responsibilities for a place

Meanings generally relate to intangible dimensions such as symbolic qualities and memories

Interpretation may be a combination of the treatment of the fabric (e.g. maintenance, restoration, reconstruction); the use of and activities at the place, and the use of introduced explanatory material.

The traces of additions, alterations and earlier treatments to the fabric of a place are evidence of its history and uses which may be part of its significance. Conservation action should assist and not impede their understanding.

#### **Articles**

4.2 Traditional techniques and materials are preferred for the conservation of significant fabric. In some circumstances modern techniques and materials which offer substantial conservation benefits may be appropriate.

#### Article 5. Values

- 5.1 Conservation of a place should identify and take into consideration all aspects of cultural and natural significance without unwarranted emphasis on any one value at the expense of others.
- 5.2 Relative degrees of *cultural significance* may lead to different *conservation* actions at a place.

#### **Article 6. Burra Charter Process**

- 6.1 The cultural significance of a place and other issues affecting its future are best understood by a sequence of collecting and analysing information before making decisions. Understanding cultural significance comes first, then development of policy and finally management of the place in accordance with the policy. This is the Burra Charter Process.
- 6.2 Policy for managing a place must be based on an understanding of its cultural significance.
- 6.3 Policy development should also include consideration of other factors affecting the future of a *place* such as the owner's needs, resources, external constraints and its physical condition.
- 6.4 In developing an effective policy, different ways to retain cultural significance and address other factors may need to be explored.
- 6.5 Changes in circumstances, or new information or perspectives, may require reiteration of part or all of the Burra Charter Process.

#### Article 7. Use

- 7.1 Where the use of a place is of cultural significance it should be retained.
- 7.2 A place should have a compatible use.

#### **Explanatory Notes**

The use of modern materials and techniques must be supported by firm scientific evidence or by a body of experience.

Conservation of places with natural significance is explained in the Australian Natural Heritage Charter. This Charter defines natural significance to mean the importance of ecosystems, biodiversity and geodiversity for their existence value or for present or future generations, in terms of their scientific, social, aesthetic and life-support value.

In some cultures, natural and cultural values are indivisible.

A cautious approach is needed, as understanding of cultural significance may change. This article should not be used to justify actions which do not retain cultural significance.

The Burra Charter Process, or sequence of investigations, decisions and actions, is illustrated below and in more detail in the accompanying flow chart which forms part of the Charter.



Options considered may include a range of uses and changes (e.g. adaptation) to a place.

The policy should identify a use or combination of uses or constraints on uses that retain the cultural significance of the place. New use of a place should involve minimal change to significant fabric and use; should respect associations and meanings; and where appropriate should provide for continuation of activities and practices which contribute to the cultural significance of the place.

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The Burra Charter, 2013

#### **Articles**

#### Article 8. Setting

Conservation requires the retention of an appropriate setting. This includes retention of the visual and sensory setting, as well as the retention of spiritual and other cultural relationships that contribute to the cultural significance of the place.

New construction, demolition, intrusions or other changes which would adversely affect the setting or relationships are not appropriate.

#### Article 9. Location

- 9.1 The physical location of a place is part of its cultural significance. A building, work or other element of a place should remain in its historical location. Relocation is generally unacceptable unless this is the sole practical means of ensuring its survival.
- 9.2 Some buildings, works or other elements of places were designed to be readily removable or already have a history of relocation. Provided such buildings, works or other elements do not have significant links with their present location, removal may be appropriate.
- 9.3 If any building, work or other element is moved, it should be moved to an appropriate location and given an appropriate use. Such action should not be to the detriment of any place of cultural significance.

#### Article 10. Contents

Contents, fixtures and objects which contribute to the *cultural significance* of a *place* should be retained at that place. Their removal is unacceptable unless it is: the sole means of ensuring their security and *preservation*; on a temporary basis for treatment or exhibition; for cultural reasons; for health and safety; or to protect the place. Such contents, fixtures and objects should be returned where circumstances permit and it is culturally appropriate.

#### Article 11. Related places and objects

The contribution which *related places* and *related objects* make to the *cultural significance* of the *place* should be retained.

## Article 12. Participation

Conservation, interpretation and management of a place should provide for the participation of people for whom the place has significant associations and meanings, or who have social, spiritual or other cultural responsibilities for the place.

## Article 13. Co-existence of cultural values

Co-existence of cultural values should always be recognised, respected and encouraged. This is especially important in cases where they conflict.

### **Explanatory Notes**

Setting is explained in Article 1.12.

For example, the repatriation (returning) of an object or element to a place may be important to Indigenous cultures, and may be essential to the retention of its cultural significance.

Article 28 covers the circumstances where significant fabric might be disturbed, for example, during archaeological excavation.

Article 33 deals with significant fabric that has been removed from a place.

For some places, conflicting cultural values may affect policy development and management decisions. In Article 13, the term cultural values refers to those beliefs which are important to a cultural group, including but not limited to political, religious, spiritual and moral beliefs. This is broader than values associated with cultural significance.

The Burra Charter, 2013

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#### Articles

## **Conservation Processes**

#### **Article 14. Conservation processes**

Conservation may, according to circumstance, include the processes of: retention or reintroduction of a use, retention of associations and meanings; maintenance, preservation, restoration, reconstruction, adaptation and interpretation; and will commonly include a combination of more than one of these. Conservation may also include retention of the contribution that related places and related objects make to the cultural significance of a place.

#### Article 15. Change

- 15.1 Change may be necessary to retain *cultural significance*, but is undesirable where it reduces cultural significance. The amount of change to a *place* and its *use* should be guided by the *cultural significance* of the place and its appropriate *interpretation*.
- 15.2 Changes which reduce cultural significance should be reversible, and be reversed when circumstances permit.
- 15.3 Demolition of significant fabric of a place is generally not acceptable. However, in some cases minor demolition may be appropriate as part of conservation. Removed significant fabric should be reinstated when circumstances permit.
- 15.4 The contributions of all aspects of cultural significance of a place should be respected. If a place includes fabric, uses, associations or meanings of different periods, or different aspects of cultural significance, emphasising or interpreting one period or aspect at the expense of another can only be justified when what is left out, removed or diminished is of slight cultural significance and that which is emphasised or interpreted is of much greater cultural significance.

## Article 16. Maintenance

Maintenance is fundamental to conservation. Maintenance should be undertaken where fabric is of cultural significance and its maintenance is necessary to retain that cultural significance.

#### Article 17. Preservation

Preservation is appropriate where the existing fabric or its condition constitutes evidence of cultural significance, or where insufficient evidence is available to allow other conservation processes to be carried out.

#### **Explanatory Notes**

Conservation normally seeks to slow deterioration unless the significance of the place dictates otherwise. There may be circumstances where no action is required to achieve conservation.

When change is being considered, including for a temporary use, a range of options should be explored to seek the option which minimises any reduction to its cultural significance.

It may be appropriate to change a place where this reflects a change in cultural meanings or practices at the place, but the significance of the place should always be respected.

Reversible changes should be considered temporary. Non-reversible change should only be used as a last resort and should not prevent future conservation action.

Maintaining a place may be important to the fulfilment of traditional laws and customs in some Indigenous communities and other cultural groups.

Preservation protects fabric without obscuring evidence of its construction and use. The process should always be applied:

- where the evidence of the fabric is of such significance that it should not be altered; or
- where insufficient investigation has been carried out to permit policy decisions to be taken in accord with Articles 26 to 28.

New work (e.g. stabilisation) may be carried out in association with preservation when its purpose is the physical protection of the fabric and when it is consistent with Article 22.

The Burra Charter, 2013

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#### **Articles**

#### Article 18. Restoration and reconstruction

Restoration and reconstruction should reveal culturally significant aspects of the place.

#### **Article 19. Restoration**

Restoration is appropriate only if there is sufficient evidence of an earlier state of the fabric.

#### **Article 20. Reconstruction**

- 20.1 Reconstruction is appropriate only where a place is incomplete through damage or alteration, and only where there is sufficient evidence to reproduce an earlier state of the fabric. In some cases, reconstruction may also be appropriate as part of a use or practice that retains the cultural significance of the place.
- 20.2 *Reconstruction* should be identifiable on close inspection or through additional *interpretation*.

#### Article 21. Adaptation

- 21.1 Adaptation is acceptable only where the adaptation has minimal impact on the  $\it cultural \, significance$  of the  $\it place$ .
- 21.2 Adaptation should involve minimal change to significant fabric, achieved only after considering alternatives.

#### Article 22. New work

- 22.1 New work such as additions or other changes to the place may be acceptable where it respects and does not distort or obscure the cultural significance of the place, or detract from its interpretation and appreciation.
- 22.2 New work should be readily identifiable as such, but must respect and have minimal impact on the *cultural significance* of the *place*.

### Article 23. Retaining or reintroducing use

Retaining, modifying or reintroducing a significant *use* may be appropriate and preferred forms of *conservation*.

## Article 24. Retaining associations and meanings

- 24.1 Significant associations between people and a place should be respected, retained and not obscured. Opportunities for the interpretation, commemoration and celebration of these associations should be investigated and implemented.
- 24.2 Significant meanings, including spiritual values, of a place should be respected. Opportunities for the continuation or revival of these meanings should be investigated and implemented.

### **Explanatory Notes**

Places with social or spiritual value may warrant reconstruction, even though very little may remain (e.g. only building footings or tree stumps following fire, flood or storm). The requirement for sufficient evidence to reproduce an earlier state still applies.

Adaptation may involve additions to the place, the introduction of new services, or a new use, or changes to safeguard the place. Adaptation of a place for a new use is often referred to as 'adaptive re-use' and should be consistent with Article 7.2.

New work should respect the significance of a place through consideration of its siting, bulk, form, scale, character, colour, texture and material. Imitation should generally be avoided.

New work should be consistent with Articles 3, 5, 8, 15, 21 and 22.1.

These may require changes to significant fabric but they should be minimised. In some cases, continuing a significant use, activity or practice may involve substantial new work.

For many places associations will be linked to aspects of use, including activities and practices.

Some associations and meanings may not be apparent and will require research.

#### Articles

#### **Article 25. Interpretation**

The cultural significance of many places is not readily apparent, and should be explained by interpretation. Interpretation should enhance understanding and engagement, and be culturally appropriate.

## **Conservation Practice**

#### Article 26. Applying the Burra Charter Process

- 26.1 Work on a place should be preceded by studies to understand the place which should include analysis of physical, documentary, oral and other evidence, drawing on appropriate knowledge, skills and disciplines.
- 26.2 Written statements of  $cultural\ significance$  and policy for the placeshould be prepared, justified and accompanied by supporting evidence. The statements of significance and policy should be incorporated into a management plan for the place.
- 26.3 Groups and individuals with associations with the place as well as those involved in its management should be provided with opportunities to contribute to and participate in identifying and understanding the cultural significance of the place. Where appropriate they should also have opportunities to participate in its conservation and management.
- 26.4 Statements of cultural significance and policy for the place should be periodically reviewed, and actions and their consequences monitored to ensure continuing appropriateness and effectiveness.

## Article 27. Managing change

- 27.1 The impact of proposed changes, including incremental changes, on the cultural significance of a place should be assessed with reference to the statement of significance and the policy for managing the place. It may be necessary to modify proposed changes to better retain cultural significance.
- 27.2 Existing fabric, use, associations and meanings should be adequately recorded before and after any changes are made to the place.

## Article 28. Disturbance of fabric

28.1 Disturbance of significant fabric for study, or to obtain evidence, should be minimised. Study of a place by any disturbance of the fabric, including archaeological excavation, should only be undertaken to provide data essential for decisions on the conservation of the place, or to obtain important evidence about to be lost or made inaccessible.

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#### **Explanatory Notes**

In some circumstances any form of interpretation may be culturally inappropriate.

The results of studies should be kept up to date, regularly reviewed and revised as

Policy should address all relevant issues, e.g. use, interpretation, management and change

A management plan is a useful document for recording the Burra Charter Process, i.e. the steps in planning for and managing a place of cultural significance (Article 6.1 and flow chart). Such plans are often called conservation management plans and sometimes have other names

The management plan may deal with other matters related to the management of the

Monitor actions taken in case there are also unintended consequences

#### Articles

28.2 Investigation of a place which requires disturbance of the fabric, apart from that necessary to make decisions, may be appropriate provided that it is consistent with the policy for the place. Such investigation should be based on important research questions which have potential to substantially add to knowledge, which cannot be answered in other ways and which minimises disturbance of significant fabric.

### Article 29. Responsibility

The organisations and individuals responsible for management and decisions should be named and specific responsibility taken for each decision.

#### Article 30. Direction, supervision and implementation

Competent direction and supervision should be maintained at all stages, and any changes should be implemented by people with appropriate knowledge and skills.

#### Article 31. Keeping a log

New evidence may come to light while implementing policy or a plan for a *place*. Other factors may arise and require new decisions. A log of new evidence and additional decisions should be kept.

#### Article 32. Records

- 32.1 The records associated with the conservation of a place should be placed in a permanent archive and made publicly available, subject to requirements of security and privacy, and where this is culturally appropriate.
- 32.2 Records about the history of a place should be protected and made publicly available, subject to requirements of security and privacy, and where this is culturally appropriate.

### Article 33. Removed fabric

Significant *fabric* which has been removed from a *place* including contents, fixtures and objects, should be catalogued, and protected in accordance with its *cultural significance*.

Where possible and culturally appropriate, removed significant fabric including contents, fixtures and objects, should be kept at the place.

#### Article 34. Resources

Adequate resources should be provided for conservation.

Words in italics are defined in Article 1.

### **Explanatory Notes**

New decisions should respect and have minimal impact on the cultural significance of the place.

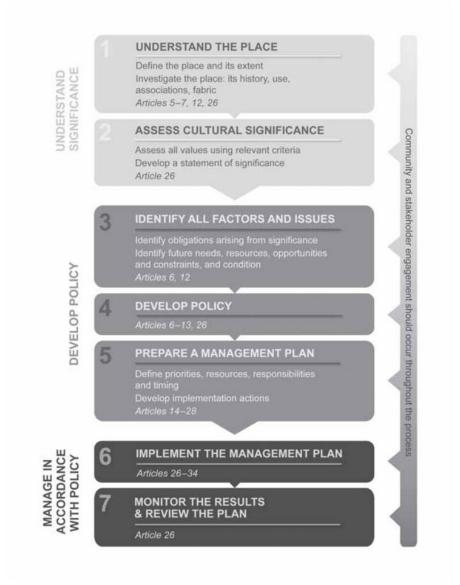
The best conservation often involves the least work and can be inexpensive.

## The Burra Charter Process

Steps in planning for and managing a place of cultural significance

The Burra Charter should be read as a whole.

Key articles relevant to each step are shown in the boxes. Article 6 summarises the Burra Charter Process.



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2.1 Planning Scheme Amendment GC183 - Stage 2C of the Surf Coast Shire Heritage Study

APPENDIX 2 SURF\_COAST\_HERITAGE\_STUDY\_STAGE\_2C\_VOL\_2\_FINAL\_REPORT



Final Report

Stage 2c of the Surf Coast Shire Heritage Study, Barrabool, Torquay, Bellbrae and Winchelsea, Victoria.

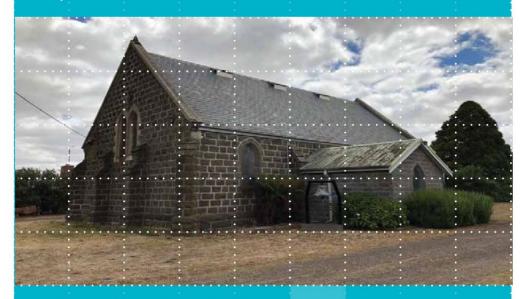
Volume 2: The Heritage Citations

Volume 2 of 2

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	1.12	Winchelsea Uniting Church and Manse, 30-34 Hesse St (HO21)	.77
	1.13	Murdeduke Homestead, 730 Cressy Road (HO24)	.85
	1.14 (HO25)	Wormbete Homestead including outbuildings and Gardens, 565 Winchelsea-Deans Marsh Ro	
	1.15	Pollocksford Bridge	02



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#### 1 THE HERITAGE CITATIONS

Ecology and Heritage Partners Pty Ltd was commissioned by the Surf Coast Shire to prepare Stage 2C of the Surf Coast Shire Heritage Study. This entailed cultural heritage assessments for 15 places – 14 that are already included in the Schedule to the Heritage Overlay of the Surf Coast Planning Scheme and one additional place – 'Pollocksford Bridge'. There are two volumes that make up the report. This volume contains the heritage citations referred to in Volume 1. All maps and references are contained in Volume 1: The Report

This report was prepared by Giselle Harris (Senior Built Heritage Advisor) Michelle Knehans (Senior Heritage Advisor) and Oona Nicolson (Director/Principal Heritage Advisor). The quality assurance review was undertaken by Oona Nicolson. Site inspections were undertaken by Giselle Harris, Michelle Knehans and Vicki McLean (Heritage Architect), whom also subsequently contributed to the heritage citations. Historical research was conducted by Emma Russell (Historian). Mapping was provided by Julian Yuan (GIS Officer).

Of the 15 places assessed in this study, 14 are already included in the Heritage Overlay. The Pollocksford Bridge has been assessed as meeting the threshold for local cultural heritage significance the Surf Coast municipality and is recommended for inclusion in a Heritage Overlay in the Surf Coast Planning Scheme.

The citations are presented in the following order in this Volume:

- 1. Bellbrae Cemetery Monumental Masonry, 65 School Road (HO6)
- 2. Ballanclea/Ballinclea Homestead, 250 Ballanclea Road (HO7)
- 3. Berramongo, 100 Crooks Road (HO8)
- 4. Foymount Homestead, 795 Barrabool Road (HO9)
- 5. Merrawarp Homestead, 50 Honeys Road (HO10)
- 6. Stanbury Barn, 130 Devon Road (HO12)
- 7. Tasman Homestead, 755 Barrabool Road (HO13)
- 8. Wescott's Stable, 850 Barrabool Road (HO14)
- 9. Scammell, 24 Pride Street (HO16)
- 10. Colonial Bank, 33 Main Street (HO19)
- 11. St Thomas Anglican Church and School Room, 31 Barwon Terrace (HO20)
- 12. Winchelsea Uniting Church and Manse, 30-34 Hesse St (HO21)
- 13. Murdeduke Homestead, 730 Cressy Road (HO24)
- Wormbete Homestead including outbuildings and Gardens, 565 Winchelsea-Deans Marsh Road (HO25)
- 15. Pollocksford Bridge



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1.1 Bellbrae Cemetery Monumental Masonry, 65 School Road (HO6)



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## 1.1 BELLBRAE CEMETERY

Place Name	Bellbrae Cemetery Monumental Masonry
Address	65 School Road, Bellbrae
Historic Themes	Economic development and success (commerce and retail; primary production; agriculture); Farming towns (Winchelsea); Struggling with hardship (Depression of 1890s)
Current Heritage Status	НО6
Condition	Good
Integrity	Good
Recommendation	That it remain on the Heritage Overlay to the Surf Coast Shire Planning Scheme.



Location Plan for Bellbrae Cemetery (Source Ecology and Heritage Partners 2019)



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View towards some early graves/monumental masonry at Bellbrae Cemetery (Source: Vicki McLean 27.02.19)



#### History

In 1888 a correspondent of The Australasian walked through the area and described the hamlet [then known as Jan Juc] as 'very small and much scattered, and but for the newly erected Mechanics' Institute a traveler...might pass through and never suspect that the few scattered cottages constituted Jan Juc.' Despite it barely being noticeable there were enough people in the vicinity for five acres to have been set aside for a

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cemetery in August 1864, and in October that year the names of the trustees were announced in the Government Gazette.  $^{\parallel}$ 

In 1922 the Jan Juc residents had been considering a name change for their district and at a public hall meeting on 25 March there was 'a large gathering of ratepayers and others interested' and a large majority vote for the new name to be Bellbrae. Emma Bone won the name change competition when she combined the name of her employer John Calvert Bell, who was a large land owner, and the Scottish word Brae for hill. Today Bellbrae is a small locality between Torquay and Anglesea along the Great Ocean Road with a population of 865 counted in the 2016 census.



Carol Judkins, 'Bellbrae Cemetery', https://www.australiancemeteries.com.au/vic/surf\_ \_coast/bellbrae.htm, accessed 5 March 2019

#### Description

The Bellbrae Cemetery has been operating as a cemetery since 1864. It was laid out as a monumental style cemetery. Regular double width rows of graves are separated by gravel or grassed pathways. Graves are marked with masonry head stones or monuments and in a number of cases, horizontal masonry slabs over the grave area. Some of the graves are surrounded by low iron fences. A number of early graves remain in the cemetery and headstones and monuments are inscribed with details of early settlers and residents of the Bellbrae area. Towards the western edge of the cemetery, a row early unmarked graves remains. A number of large trees remain on the site, interspersed between the rows of graves.



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In recent years, new sections of the cemetery have opened up on the eastern side of the site. These sections are laid out as grassed lawns reflecting a trend towards cremation rather than full burial, as was the standard when the cemetery was first opened. A heavily treed section on the northern edge of the site will be developed in response to demand for plots.

A small, shelter building is the only built structure on the site. It is a recent building and is not regarded as significant.

The cemetery remains in good condition, with an active management/governance group committed to the ongoing maintenance and development of the site.

#### Comparative Analysis

The Bellbrae Cemetery is one of two cemeteries under the Heritage Overlay in the Surf Coast Shire that dates from the 1860's. The other is part of the larger St David's Lutheran Church complex located at 905 Anglesea Road, Freshwater Creek that comprises a Romanesque revival style church designed by local architect/surveyor R.S. Tuffs and has significant associations with the establishment of the Lutheran Church in Victoria. This place is on the VHR.

There are numerous comparable locally significant cemeteries in the City of Greater Geelong, including the Mt Duneed Cemetery, the Drysdale Cemetery, Geelong East Cemetery, Leopold Cemetery and Portarlington Cemetery. These places are all of historic significance to their respective localities and are listed in the schedule to the Heritage Overlay of the Greater Geelong Planning Scheme.

These cemeteries have an association with local and sometimes longstanding families. They are a valuable source of genealogical information.

They are similar in their presentation including tree planting and lawn areas, modest monumental headstones and some cast iron fencing. The Bellbrae Cemetery exhibits all of these representative characteristics.

### Statement of Significance

#### What is significant?

The Bellbrae Cemetery is significant at a local level. Contributory features include its layout, decorative iron fences, headstones and monuments.

A small, shelter building is the only built structure on the site. It is a recent building and is not regarded as significant.



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## How is it significant?

 $\label{thm:continuous} The \ \mbox{Bellbrae Cemetery is historically significant to the Surf Coast Shire municipality.}$ 

#### Why is it significant?

The Bellbrae Cemetery is of local historical significance for its associations with past residents and prominent settlers of the district, the genealogical and other biographical data contained on the surviving headstones and grave structures, and of architectural interest for the monumental masonry scattered throughout the cemetery. It is also historically important for its ongoing use as a cemetery. (Cri A).

The Bellbrae Cemetery exhibits representative characteristics of a community cemetery in its presentation, including tree planting and lawn areas, modest monumental headstones and some cast iron fencing.(Cri D).

<sup>&</sup>lt;sup>i</sup> 'In the Connewarre District. The road to Jan Juc', The Australasian, 17 March 1888, p.19

ii Victorian Government Gazette, August 23, 1864, p.1836; October 25, 1864, p.2377;

iii "Bellbrae" replaces Jan Juc', Geelong Advertiser, 28 March 1922, p.4

i√ Lorraine Marshall, 'Bellbrae Cemetery Walk', Torquay and District Historical Society

v 'Bellbrae, Victoria', Wikipedia, accessed 5 March 2019



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1.2 Ballanclea/Ballinclea Homestead, 250 Ballanclea Road (HO7)



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## 1.2 BALLANCLEA / BALLINCLEA HOMESTEAD

Place Name	Ballanclea / Ballinclea Homestead including interior
Address	250 Ballanclea Road, Barrabool
Historic Themes	Arrival and Settlement (the squatting and pastoral era, remaining pastoral era structures)  Economic development (farming and agriculture)  Housing (pastoralists' and farmers' homes)
Current Heritage Status	HO7
Condition	Unknown
Integrity	Unknown
Recommendation	That this place remain in the Schedule to the Heritage Overlay of the Surf Coast Planning Scheme.      That access to this place be pursued and citation updated accordingly.



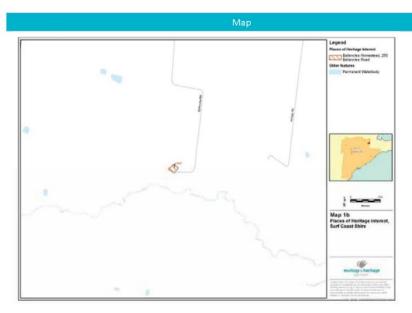
'Ballanclea / Ballinclea' Homestead, 1970-1985 (Source: State Library of Victoria Pictures Collection)



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'Ballanclea' Ballinclea' Homestead and Outbuildings, 1970-1985 (Source: JT Collins Collection, State Library of Victoria Picture Collection



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History

Land in the Parish of Barrabool was surveyed in 1839, just two years after the survey of Geelong with the first land sales held in February 1840. Several allotments were of 600-1000 acres, effectively excluding small farmers. Most were purchased by speculators.

Section 4, originally bought by Benjamin Baxter, was sold to the Hon Richard Gilbert Talbot of Ballinclea in 1841. He established a farm close to Waurn Ponds Creek, the site of Raven's Springs (where John Raven had first squatted). Ballinclea takes its name from Richard. He was the third son of James, 3<sup>rd</sup> Baron Talbot of Malahide who had extensive estates in Ireland and Staffordshire. Richard was appointed the first Warden of the first District Council of Grant in 1843, a post he held until his resignation in May 1845.

It is noted that there are two different spellings for the homestead. This would happen on occasion when place names were transcribed by hand. The original spelling appears to be Ballinclea.

Section 4 was subsequently subdivided and sold in small farms. John Heard purchased 262 acres in the late 1850s. It is assumed that the call for tenders for a sandstone dwelling in the Geelong Advertiser in

W HOLB Tenders will be received until Tuesley, list July, 159, for the evodus of a Dwellia Bouse for Mr. John Henri, Eurabeel Hillia. Fee inspection of july, appelled and other addressed, apply to Mr. Tomah, as the reddence, Eurabeel Hills. Treater to be effected to the projector, Creater to be effected to the best investigation of the latest the l

1860 was for the Homestead. John Heard was to sell a small area at the north west corner (near the corner of Polleys and Ballanclea Roads) to the Bible Christian Church for £5. The foundation stone for the church was laid on 17 November 1856. About 150 people attended and partook of the tea in Heard's large barn. This church was the scene of a meeting of the Barrabool Hills Temperance Society. The building was believed to be the site of the first school in the area.

Ballanclea / Ballinclea was in the hands of several generations of the Heard family. Ballinclea homestead, a single storey colonial Georgian derived Barrabool Sandstone structure, with slate roof and elaborate timber verandah, was erected c 1859-60 for John Heard. The finely detailed stonework and timber verandah valence are dominant characteristics of this early Barrabool Hills homestead.

John continued farming this land until 1870 when he leased part of the property and used the remainder for grazing. John Heard was a pioneer of efficient farming and improved farming implements in the late 1800s<sup>1</sup>. After his death on 23 June 1899 his land was farmed by his sons, Samuel Arscott and Albert Nathaniel, until Samuel's death in 1905 and 1911 when Albert retired. On 29 March 1911 Albert auctioned horses, cattle, sheep, pigs and farm plant as he had leased Ballinclea. Onions were grown on the property during the war years.<sup>2</sup>

In 1920 a John Heard<sup>i</sup> sold the property to Leonard Anderson, who had just returned from war. Leonard was the son of Charles Anderson who lived two miles away on his father's nearby farm, Tasman. Leonard milked a small herd of Jersey and Ayrshire cows, and introduced extra crops, such as lucerne, wheat, oats and barlev.<sup>ii</sup>

<sup>&</sup>lt;sup>1</sup> Barrabool Land of the Magpie by Ian Wynd

 $<sup>^{\</sup>rm 2}$  'Efficient Dairy Farming in the Ceres District' Weekly Times 29 August 1931 page 40



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There are many out buildings on the place. Although most of them obviously were erected many years ago, they are still solid and substantial  $^{\mathrm{til}}$ 

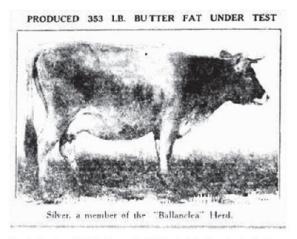


Illustration in article by 'Agrestic, 'Efficient dairy farming in the Ceres District', Weekly times, 29 August 1931, p.40

#### Description

No access to this property was provided, thus no physical inspection of the place was undertaken.

#### Comparative Analysis

There are several impressive rural homesteads with associated farms across the Barrabool region and Surf Coast Shire. Four places in the municipality are listed on the Victorian Heritage Register:

- 'Barwon Park' in Winchelsea (HO365);
- Ingleby Homestead in Winchelsea (HO364);

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- Mount Hess Homestead in Winchelsea (H1208);
- 'Neuchatel' in Barrabool (HO773).

Summerhill in Mount Duneed (H1131) is also listed on the Victorian Heritage Register and relates to a two bedroom pre-fabricated iron cottage. It is important because it demonstrates British technical accomplishment in the history of prefabricated building construction.

Ballanclea/Ballinclea Homestead does not have a level of historical or architectural significance comparable to these places, nor is it associated with people of significance to the State of Victoria. It is, however, associated with local identities; in particular, John Heard, a prominent local identity and Richard Talbot, the warden to the first District Council. Richard also held prominent civic positions in Ireland, New Zealand and Tasmania. Ballanclea/ Ballinclea is one of a fine group of farmhouse establishments in the Barrabool Hills.

#### Statement of Significance

#### What is significant?

Ballanclea / Ballinclea Homestead is significant at a local level.

#### How is it significant?

Ballanclea / Ballinclea Homestead is architecturally and historically significant to the Surf Coast Shire municipality.

#### Why is it significant?

Historically, Ballanclea / Ballinclea is of local significance as an influential Homestead in the Barrabool Hills district. (Cri A)

Ballanclea / Ballinclea is of local architectural significance as a substantial homestead constructed from local materials. (Cri.E)

<sup>&</sup>lt;sup>1</sup> Geelong Advertiser, 28 May 1878, p.3; Geelong Advertiser, 6 Feb 1894, p.4 'Live stock sales at the Corporation Yards'

ii Agrestic, 'Efficient dairy farming in the Ceres district', Weekly Times, 29 August 1931, p.40

Agrestic, 'Efficient dairy farming in the Ceres district', Weekly Times, 29 August 1931, p.40



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1.3 Berramongo, 100 Crooks Road (HO8)



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# 1.3 BERRAMONGO HOMESTEAD

Place Name	'Berramongo' Homestead including interior
Address	100 Crooks Road, Barrabool
Historic Themes	Settlement (pastoral era);  Economic development (orchids and vineyards, including experimentation and innovation from the 1840s to at least the 1870s; farming and agriculture; dairying from at least the early 20 <sup>th</sup> century)  Housing (pastoralists' and farmers' homes)
Current Heritage Status	HO8. Internal controls.
Condition	Good
Integrity	Fair
Recommendation	That this place remain in the schedule to the Heritage Overlay of the Surf Coast Planning Scheme and external paint controls apply



Primary façade of the homestead. (Image: Vicki McLean 27.02.19)

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North-east perspective of Berramongo Homestead (Source: Ecology and Heritage Partners 2019)



South-east perspective of Berramongo Homestead (Source: Ecology and Heritage Partners 2019)



East elevation revealing the vernacular materials and technique of stone masonry. (Source: Ecology and Heritage Partners 2019)



Original chimney showing remnant render over the brickwork at the rear of the original building. (Source: Ecology and Heritage Partners 2019)



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View to deep timber lintel and double doors at cellar threshold. (Image: Vicki McLean 27.02.19)



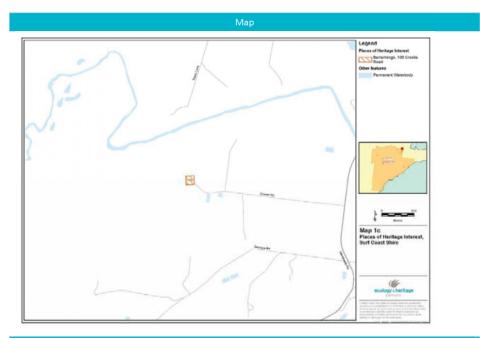
View to deep timber lintel and double doors at cellar threshold. (Image: Vicki McLean 27.02.19)



At one stage the facade was rendered. Render has now been removed with some traces still evident. (Image: https://vhd.heritagecouncil.vic.gov.au/places/69772)



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History

Berramongo was originally a vineyard rented by the Messrs Belperroud and Perrottet from at least 1845. Their estate of wines, with some cattle and horses, were sold 'under distress for rent' at auction in June 1861. The leesses 'have so much promoted the cultivation of the vine here. It is a hard case for them, after paying an extravagant rental, and expending all their means on these vineyards for the last 16 years, to find themselves now suddenly declared ruined.' (the Argus, 22 May 186, .5; the Argus, 11 June 1861, p.5).

They had great success however during the 1840s and 1850s. In 1855, 70 tons of grapes were gathered and the wines produced were highly commended at the Paris Exhibition. By 1856 Belperroud's vineyard was the largest in Victoria with 50 acres and 3000 vines per acres. (*Colonial Times*, 26 July 1856, p.3) That same year the two viticulturists began working the nearby Barwondale Vineyard, which had an additional ten acres of vines and seven acres of orchards. Several months before having to sell all their wine in 1861, Mr Belperroud was considering expanding into 'silk-culture' as he had several white mulberry trees that were perfect for silkworm if he could acquire the eggs to get started.



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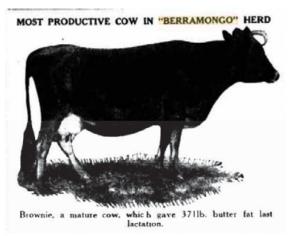


Illustration in article by Agrestic, 'Butter making on a Stonehaven dairy farm', The Weekly Times, august 13, 1931, p.38

Despite having to sell all their wine in 1861 it seems Mr Belperroud was able to continue his vineyard at Berramongo, although maybe at a smaller scale, and in 1867 he made 600 gallons of wine from just ten acres.

It is possible the vineyard was rented from the Gugger family, who are also often referred to as the Guggers of Berramonga Vineyard, or that between the late 1860s to the mid 1870s the Gugger family bought Berramonga and moved into it, and the Belperrouds remained in the district.

The Guggers were also from Switzerland and a series of Family Notices in the newspapers indicates that Berramongo was the residence of Samuel Gugger, who died there on 27 August 1878 aged 33, but also of Jacob and Fanny Gugger, and their 7 mth old son Jacob who died there on October 27, 1877. Two of John and Catherine Belperroud's daughters married Gugger sons; Fanny, their eldest daughter, marrying Rudolph Gugger in 1879.

The Guggers remained at Berramongo and by the 1930s had turned the vineyard into a prize-winning dairy and butter making farm on 85 acres, including 30 acres of rich flat ground fronting the Barwon River. In 1931 it was managed by John Gugger who was born on the farm, as was his mother, who must have been one of the Belperroud sisters who married a Gugger.

Today there is a Belperroud Road in Waurn Ponds, and a Gugger N A & Sons, grain and produce merchants, in Fyansford.

#### Description

'Berramongo' is associated with the early settlement of the area by Swiss immigrants. The early stone homestead building remains. Major works in 1987 involved renovation and restoration of the early homestead and construction of a large addition to the side and rear of the homestead.



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An early photo shows the building as a simple stone cottage with pitched roof and a symmetrically arranged façade (see below). The building has evolved over time with early changes including the addition of a deep return verandah, covered by an extension of the main roof form (but at a lower pitch); the verandah was enclosed with stone walls on the southern end; and construction of a stone kitchen wing at the rear of the homestead, with a pitched roof form, gabled at the southern end and intersecting with the main roof form at the northern end. At some time the front façade was rendered. The render has now been mostly removed with some traces remaining. It is also likely that various outbuildings and skillion additions were added over time, though these were removed as part of the 1987 construction works.

The early floor plan was modest but typical for this type of building. The house was divided symmetrically with rooms to either side of a central hallway. The front elevation reflects the symmetry of the plan – sash windows have small panes to the upper sash and sit either side of a central front door. The windows are replicas of the original, installed as part of the 1987 restoration project. An original highlight window with small panes remains over the front door. The four paned timber front door is not likely to be original but is sympathetic. At the southern end of the verandah, a timber half-glazed door opens out from the enclosed section. An early small paned window remains on the northern face of the verandah.

An early image of the homestead before verandah was added. Note high pitch (Source: image held by current



owner – no date or source details available.)

Two chimneys are located within the original cottage footprint. Originally constructed of brick, they were replaced in 1987 with new chimneys of the same design and in the same location, but constructed of masonry blocks. An early brick chimney remains at the rear of the kitchen block.

The deep return verandah has timber balustrade, in the 'Union Jack' pattern, constructed as part of the 1987 works. A new section of roof has been constructed perpendicular to the verandah roof to provide cover for the cellar entry.

A large cellar is located below the front rooms of the house. Entry to the cellar is via a set of steep stone steps below the roof (described above). The brick steps lead to an arched entryway and a pair of early timber doors below a deep ironbark lintel at the threshold.



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The cellar walls are constructed of locally sourced greenstone with some sandstone evident as well. The cellar ceiling is formed by timber beams, which are supported by chamfered timber posts. Some of the posts were replaced in 1987. Crushed sandstone is visible between the timber beams and forms the foundation for the front of the house, located directly above. The cellar floor was upgraded from a dirt floor to a timber floor in 1987. An early wine press remains in the cellar.

In 1987, substantial renovations/restorations to the early homestead were carried out and a large new large addition was constructed to the rear and side of the early building.

New fabric includes: roof sheeting, guttering and downpipes, front windows (replicas of original), two front chimneys, verandah balustrade, new timber floor to cellar.

#### Comparative Analysis

There are several impressive rural homesteads with associated farms across the Barrabool region and Surf Coast Shire. Four places in the municipality are listed on the Victorian Heritage Register:

- 'Barwon Park' in Winchelsea (HO365);
- Ingleby Homestead in Winchelsea (HO364);
- Mount Hess Homestead in Winchelsea (H1208);
- 'Neuchatel' in Barrabool (HO773).

Summerhill in Mount Duneed (H1131) is also listed on the Victorian Heritage Register and relates to a two bedroom pre-fabricated iron cottage. It is important because it demonstrates British technical accomplishment in the history of prefabricated building construction.

The National Trust citation for Barwon Park includes the following:

The mansion house, Barwon Park, at Winchelsea, was built of basalt in 1869 - for prominent western district squatter Thomas Austin. Architects Davidson and Henderson of Geelong designed the 42 room Italianate mansion and supervised construction on a sub-contract basis at a cost of c. 10,000 pounds. The square and utilitarian two storey building is enhanced by a distinctive cast iron verandah, elaborate entry hallway, stair case and high quality crafted interior. Barwon Park at Winchelsea, when completed in 1869 was the finest and most celebrated mansion house in western Victoria and having established the reputation of architects Davidson and Henderson, survives as perhaps the most notable homestead designed by this prolific practice. At Barwon Park, Thomas Austin, royal host, public figure, eminent pastoralist and leader of the acclimatisation society, was the first to introduce rabbits to Australia, an achievement now universally condemned.

The statement of significance for Ingleby is as follows:



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Ingleby homestead is of historical significance for its association with the distinguished pioneering Armytage family who developed extensive pastoral holdings throughout the Western District. Thomas Armytage was one of the earliest pastoralists to follow Batman and Fawkner into the Port Phillip district and Ingleby station was the principal homestead of an extensive pastoral empire. Ingleby homestead is of architectural significance as a major surviving work of the accomplished Geelong architect Edward Prowse who also designed The Hermitage in Geelong for Thomas Armytage's father George Armytage Snr. The Ingleby homestead and station buildings form an important and intact pastoral complex. The large T-plan woolshed is of particular significance for the unusual use of subdued classical architectural decorative elements in a building of otherwise utilitarian character. Ingleby homestead is of archaeological significance for its potential to reveal through the examination of the ruins of the old homestead archaeological material relating to the early construction and occupation of the place.

Barwon Park and Ingleby are both of a higher level of significance to Berramongo both historically via its association with the Austin and Armytage families and aesthetically for their scale and extravagant detailing.

The Statement of significance for Mount Hesse Station is as follows:

Mount Hesse Station was established as a pastoral property in the late 1830s by William Harding and John Highett. Harding's homestead, the first homestead on the property, dates from the 1840s and was built in several stages. It was originally constructed as a two-roomed stone cottage with a hipped roof; later additions include a stone skillion kitchen to the rear and a weatherboard section on the north-west corner. The Shepherd's Hut, built c.1849, sits at the back of Harding's homestead and is a single roomed stone building with a simple hipped roof. The L-shaped stone stables were constructed in two stages, the north-west wing was built in 1849 and the adjoining right-angled south-east wing in 1873. The 1844 elevated circular store building is clad with bead-edge softwood boards and stands on a wrought and cast iron frame which bears its maker's mark and date. In 1852 the stone woolshed was constructed by Harding for contract shearing and whilst still used for shearing today, the original twenty stands have been reduced to nine. The woolshed has 20 inch thick walls, a vast helm roof and pronounced buttressing.

The main homestead was built c.1856 for William Timms (Senior) to the design of Backhouse and Reynolds and was later extended by Davidson and Henderson for William Timms (Junior) in 1873. In 1941 the house was severely damaged by fire, although it was re-built in 1947 using some of the original materials. The Lodge was built in 1873 for William Timms (Junior) as a three roomed gate lodge and it sits adjacent to the original main gate entrance.

 $Mount\ \textit{Hesse Station is of architectural and historical significance to the State of Victoria.}$ 

Mount Hesse Station is of architectural significance as an extensive rural property containing rare and intact buildings relating specifically to Victoria's pastoral industry. The buildings on the site describe the early and successive functions of the property and demonstrate a direct linkage with early pastoral activities in Victoria. The stables and the woolshed are amongst the oldest surviving examples of their



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kind in Victoria and the circular store is a rare building type. The unusual form and positioning of the small store building is thought to relate to mouse and rat prevention techniques. The extensive use of vesiculated stone is uncommon on such a scale, as is the use of blackwood floors, and shingles and the stone houses are representative of early dwellings in rural Victoria. The composite elements of Mount Hesse Station result in the property being a complex of high architectural integrity, demonstrating both functional requirements and architectural influences from the 1840s onwards.

Mount Hesse Station is of historical significance for its ability to describe Victoria's early pastoral industry. Established as a pastoral run c. 1837, Mount Hesse is an extensive and early example of agrarian farming and its buildings reflect the evolution of pastoral and associated activities on the site. The property has historical associations with a number of important figures in Victoria's history including early pastoralists John Highett and William Harding, who first established the property, and later the Geelong merchants William Timms and John Wilson, who owned the property from 1853 to 1856. William Timms, who by 1849 was Geelong's biggest exporter of wool, became sole owner of Mount Hesse in October 1856 when he bought John Wilson's share for £17,500. The property was later broken up and acquired by Timms' sons and run as three separate properties, 'Eurack', 'Mountside' and 'Mount Hesse', Mount Hesse being the homestead section and comprising 15,866 acres (6,400ha). In 1882 James Kinninmonth purchased Mount Hesse from William Timms (Junior) and it has been managed by the Kinninmonth family ever since.

With its extensive complex of buildings, Mount Hesse Station has a higher level of integrity than Berramongo, and is also more intact. The historical and architectural significance of Mount Hesse Station is of a higher threshold of significance that Berramongo.

The statement of significance for Neuchatel is as follows:

The historic Vineyard 'Neuchatel', (formerly the 'Suisse Vineyard') was established by pioneer Victorian vignerons Frederick Breguet and David Louis Pettavel in 1842 with vine stock imported from France. The building group which comprises the Vineyard Complex is built of local sandstone, timber and iron in a refined colonial Vernacular style. The picturesque setting enhances the building group, relaibly dated to 1854, with the most significant historical associations with the colonial wine industry being commemorated in a Swiss coat of arms at the Cellar in 1861.

This place is comparable to Berramongo however it is thought to be more intact and comprises a complex of buildings including Homestead, Cellar, Stables and Coachhouse – therefore has a higher degree of integrity.

#### Statement of significance

What is significant?

Berramongo Homestead, comprising the original stone building and the cellar, is significant at a local level.



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The 1987 additions to the early homestead including the large extension to the rear and side of the early building is not significant.

#### How is it significant?

Berramongo Homestead is architecturally and historically significant to the Surf Coast Shire municipality at a local level.

#### Why is it significant?

Berramongo Homestead has a rare handmade cellar located below the front rooms of the house that demonstrated traditional wine-making techniques. (Cri.B)

Berramongo Homestead has historical significance for its associations with the early wine growing industry in the municipality (Cri. A)

Berramongo Homestead is architecturally important for its Barrabool sandstone masonary work executed in an unusual vernacular style. (Cri.B)



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1.4 Foymount Homestead, 795 Barrabool Road (HO9)



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# 1.4 FOYMOUNT HOMESTEAD

Place Name	'Foymount' Homestead.
Address	795 Barrabool Road, Barrabool
Historic Themes	Settlement (pastoral era); Community life (health and welfare – doctor's residence and practice); Housing (pastoralists' and farmers' homes)
Current Heritage Status	НО9
Condition	Good
Integrity	Fair
Recommendation	That this place remain in the Schedule to the Heritage Overlay of the Surf Coast Planning Scheme.



Foymount Homestead, looking north-west. (Source: Ecology and Heritage Partners 2019)



Foymount Homestead, east elevation and addition to the rear. (Source: Ecology and Heritage Partners 2019)



Foymount Homestead, 1985 (State Library of Victoria Pictures Collection)



Foymount Homestead, 1985 (State Library of Victoria Pictures Collection)

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#### History

Foymount was originally known as Bennet's Hill but was already officially Foymount when the Parish of Barrabool decided in 1860 'to form and metal a portion of road between Foymount (Bennet's Hill) and Mr Samual Heard's farm.' On 18 April 1868 the owner of Foymount, Dr Thomas Annesley, died at his residence. Later that month the place was advertised to 'members of the medical profession' as 'the residence of the late Dr Annesley, with a lucrative and established practice attached.' Tenders were to be received by M. Annesley.

The place did not attract medical practitioners, and did not sell, because in 1870 it was again up for sale as a farm 'formerly known as Mrs Bennet's, 86 acres first-class land, with "Foymount", a good stone-built house, having every convenience and accommodation for a family residence, with kitchen, tank, etc. Also a seven-room weatherboard cottage, with good spring of water, stables, cow-houses, piggeries, garden, paddock, etc. Apply to Mrs Annesley.'<sup>iii</sup> It still did not sell and in 1881 the valuations notices and rates were published in the Geelong Advertiser and 'No. 5, Annesley, Margaret Mrs, Foymount, c.87 acres' had to pay rates of £37.<sup>N</sup>

Fifteen years later, in 1885, the property was still in the hands of the Annesley family and was advertised inviting people to 'tender for farm lease' as Mr Annesley was about to leave the district. This time it was described as being 91 acres and well fenced, subdivided and 'watered with never failing springs. There was a dwelling on the land that was by then used as a barn. The let included the stone residence Foymount, which had 10 rooms, stables and about three acres of land."



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By 1899 Foymount was purchased by Mr Charles Marendaz, who had also bought 3 acres of the Merrawarp Estate in 1897 from the Anderson Brothers. The Shire of Barrabool's Engineer reported that he had spoken to Marendaz about a water reserve on the Foymount property, and in 1900 he spoke to Marendaz about a piece of ground required by the council to preserve the old road, which Marendaz was willing to sell for £5. $^{vi}$ 

#### Description

Foymount Homestead is a single-storey rendered stone dwelling with a steeply pitched slate clad roof surmounted by a pair of rendered chimneys. The principal north-east elevation is comprised of render and decorative quoining around the openings on the façade, while the side elevations feature a smooth rendered finish. This render was likely applied in the late 1980s. The narrow arched entry with a timber door frame and highlight window above on the principal façade is flanked by two window openings. New timber-framed multipane windows to match earlier windows have been recently installed within these openings. Attic level window openings are set within the gables on the side elevations. A weatherboard addition with a pitched corrugated iron clad roof has been added to the rear south-west elevation. This addition extends beyond the south-east elevation of the original homestead building.

#### Comparative Analysis

There are several impressive rural homesteads with associated farms across the Barrabool region and Surf Coast Shire. Four places in the municipality are listed on the Victorian Heritage Register:

- 'Barwon Park' in Winchelsea (HO365);
- Ingleby Homestead in Winchelsea (HO364);
- Mount Hess Homestead in Winchelsea (H1208);
- 'Neuchatel' in Barrabool (HO773).

Summerhill in Mount Duneed (H1131) is also listed on the Victorian Heritage Register and relates to a two bedroom pre-fabricated iron cottage. It is important because it demonstrates British technical accomplishment in the history of prefabricated building construction.

Foymount Homestead is smaller in scale, more modest in architectural detailing and is less intact than these places.

#### Statement of Significance

What is significant?

Foymount Homestead is significant at a local level. Timber additions at the rear are not significant.

How is it significant?

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Foymount Homestead is architecturally and historically significant to the Surf Coast Shire municipality.

#### Why is it significant?

Foymount is of local historic significance as an influential Homestead in the Barrabool Hills that is associated with one of the first doctors in the district.

Foymount Homestead is of local aesthetic significance for its position on a hill with a view to the You Yangs. (Cri.E)

<sup>&</sup>lt;sup>i</sup> Geelong Advertiser, 28 August 1860, p.2

ii Geelong Advertiser, 25 April 1868, p.3; The Argus, 25 April 1868, p.8 iii Geelong Advertiser, 25 April 1868, p.3; The Argus, 25 April 1868, p.8 iii Geelong Advertiser, 17 March 1870 iv Geelong Advertiser, 19 November 1881

V Geelong Advertiser, 17 February 1885, p.3

vi Geelong Advertiser, 21 February 1900, p.4



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1.5 Merrawarp Homestead, 50 Honeys Road (HO10)



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# 1.5 MERRAWARP HOMESTEAD

Place Name	'Merrawarp' Homestead including interior.
Address	50 Honeys Road, Barrabool
Historic Themes	Arrival and Settlement (the squatting and pastoral era, remaining pastoral era structures; Swiss migration)
	Economic development (farming and agriculture, vineyards, orchids)
	Transport and Communications (Road Boards)
	Governing (Barrabool Shire District – Honey family Councillors)
	Housing (pastoralists' and farmers' homes)
Current Heritage Status	HO10
Condition	Unknown
Integrity	Unknown
Recommendation	<ol> <li>That this place remain in the Schedule to the Heritage Overlay of the Surf Coast Planning Scheme.</li> </ol>
	<ol><li>That access to this place be pursued and citation updated accordingly.</li></ol>



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'Merrawarp' Homestead, 1970 (State Library of Victoria Pictures Collection)



'Merrawarp' Homestead, 1970 (State Library of Victoria Pictures Collection)



William Honey came to the Barrabool Hills in the early 1840s from Devon, England. He purchased land in 1851 and established "Stone Park Farm" in what is now Honeys Road. As this house was destroyed by fire, he built a second twelve roomed house out of sandstone quarried from the site which became known as "Merrawarp".

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Merrawarp homestead, a two storey colonial georgian style structure, was built of Barrabool sandstone with a slate roof in 1855. The design of this notable early Geelong homestead can be attributed to Mr Down with Thomas Smale, a Barrabool farmer, the stonemason.

In October 1862 the Barrabool District Roads Board examined 'two lines of road' looking for the best location 'to connect the Barrabool Hills and Colac main roads by way of the Waurn Ponds Creek'. The inspections led the Board to decide on 'the line from Merrawarp through Mr Honey's property, and along the western side of the creek, in Mrs Aitkin's section, to a point on the Waurn Ponds'.

William Honey (died 5 April 1869 by being thrown from his horse) was a Councillor on the Barrabool Shire Council from 1868 until his death, as was his future son William Honey 'who took his seat at the Council table for the first time, after the usual oath' on 25 February 1881, and served until 1886. After his death "Stone Park Farm" was divided between sons, William and Thomas. William took the "Merrawarp" section. On William's death in 1927, aged 72 his son. Garry, inherited the farm.

The Honey's were living at Merrawarp in 1950, when it was a 900 acre property with 1800 sheep." The family continue ownership of this homestead on Honey's Road today, probably one of the very few or the only settler family to have lived in their original property consistently since the pastoral era.

#### Description

No access to this property was provided, thus no physical inspection of the place was undertaken.

#### Comparative Analysis

There are several impressive rural homesteads with associated farms across the Barrabool region and Surf Coast Shire. Four places in the municipality are listed on the Victorian Heritage Register:

- 'Barwon Park' in Winchelsea (HO365);
- Ingleby Homestead in Winchelsea (HO364);
- Mount Hess Homestead in Winchelsea (H1208);
- 'Neuchatel' in Barrabool (HO773).

Summerhill in Mount Duneed (H1131) is also listed on the Victorian Heritage Register and relates to a two bedroom pre-fabricated iron cottage. It is important because it demonstrates British technical accomplishment in the history of prefabricated building construction.

Merrawarp Homestead does not have a level of historical or architectural significance comparable to these places, nor is it associated with people of significance to the State of Victoria.

<sup>&</sup>lt;sup>1</sup> Geelong Advertiser 7 December 1882

 $<sup>^{\</sup>rm 2}\,{\rm Barrabool\,Land}$  of the Magpie by Ian Wynd



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#### Statement of Significance

#### What is significant?

 $\label{thm:merrawarp} \mbox{Merrawarp Homestead is locally significant.}$ 

How is it significant?

 $Merrawarp\ Homestead\ is\ architecturally\ and\ historically\ significant\ to\ the\ Surf\ Coast\ Shire\ municipality.$ 

#### Why is it significant?

Merrawarp is of local historic significance as an influential Homestead in the Barrabool Hills district that has been in the ownership of one family since the 1850s (the Honey's). (Cri.A&H)

Merrawarp is of local aesthetic significance as a substantial homestead constructed from local materials. (Cri.E)

<sup>&</sup>lt;sup>i</sup> 'Barrabool District Road Board', *Geelong Advertiser*, 15 October 1862, p.2

ii 'She'll share in Show week', *The Argus*, 21 September 1950, p.9



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1.6 Stanbury Barn, 130 Devon Road (HO12)



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# 1.6 STANBURY BARN

Place Name	"Stanbury" Barn including interior
Address	130 Devon Road, Barrabool
Historic Themes	Squatting and pastoral era; Economic development (primary production, internationally renowned for sheep breeding); Housing (pastoralists and farmers homes)
Current Heritage Status	HO12 Internal controls
Condition	Poor
Integrity	Good
Recommendation	That this place remain on the Heritage Overlay to the Surf Coast Planning Scheme.



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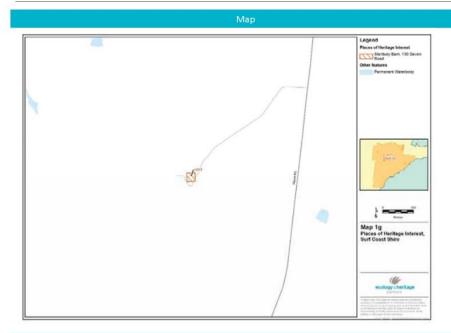
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Stanbury Barn, 1970 (State Library of Victoria Pictures Collection)



Stanbury Barn, 1970 (State Library of Victoria Pictures Collection)



History

The Stanbury farm appeared to have been taken up by a Mr Hodgson in c 1850 after he, with two others, sailed to Point Henry then walked to Ceres. 'Mr Hodgson walked further and chose his farm, now called "Stanbury".' Some thirty years later, in 1881, a valuations notice was published in the *Geelong Advertiser* and 'Stanbury, stone house and barn', owned by Mr Amos Heard, was valued at £113.



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Stanbury became famous in the sheep breeding industry for its Corriedale sheep, winners at shows across Australia and internationally. The Guthrie Corriedale Stud, founded early in the twentieth century by Mr J F Guthrie, was managed by Rupert Wettenhall of Stanbury for many years and the sheep were 'noted [not only] for size, shape and constitution and prolificacy, but for bulk and very pronounced character of wool.' From 1951 Wettenhall bred Corriedale ewes and rams from the Guthrie stud and 'these sheep were used as the foundation of the world famous Stanbury Corriedales at Stanbury Stud Farm, Devon Road, Ceres near Geelong.' iii

Rupert Wettenhall and his family continued to breed Corriedale sheep for over forty years and 'had a very proud tradition worldwide of producing the best Corriedale genetics available...highly sought by stud masters in ... every major sheep producing country in the world.' After Rupert died his wife Janet and her cousin Darcy continued the work until the Stanbury Corriedales were purchased and moved to West Cloven Hills in 1992 to continue the breeding program under their new owners. Stanbury Farm itself was also sold that year."

A tragedy had happened the year before, in 1991, when Janet Wettenhall, 81, her cousin Darcy, 50 years old and his son Guy were killed on their farm by Wayne Walton, a farmhand with a criminal history who had been engaged by Darcy. Walton confessed to the killings but took his own life before the case went to trial."

'Stanbury' was again sold in June 2015 having been the rural retreat of the Spargo family who bought the farm in 1992. It was a 90-hectare property and was to be sold in two lots; the first of 48 hectares being 'the home property' that included an 1850s brick and sandstone homestead and a two-story sandstone barn built around the same time. The second lot was 'a choice of building sites'. $^{\text{vi}}$ 

#### Description

The Stanbury Barn is a two-storey barn and adjoining shearing shed constructed of Barrabool stone mined from the property. The barn is set within the slope of the land to the south of the residence and comprises a two-storey building with a pitched roof. Direct access to level one is provided via an arched entry on the east elevation. Also at this level is a pair of timber-framed hinged windows with a circular window above on the south elevation, with a single timber-framed hinged window and circular window above on the north elevation. The timber floor at level one is in poor condition and the roof is supported by metal rafters. The ground floor of the barn has a stone floor and is divided into several partitions. The building is in poor condition, particularly the north-west corner which has collapsed at both the ground and first floor levels. A more recent stone, corrugated iron and weatherboard addition with a corrugated iron clad pitched roof was added to the east elevation of the barn, enclosing the whole of this elevation and arched entry.

The shearing shed is a single-storey structure with a flat-corrugated iron clad roof. This structure extends along the length of the west elevation of the barn, with the portion of the roof which extends above the stairway on the south elevation supported by timber posts. The shearing shed is similarly clad with Barrabool stone which is also used for internal partitions. This structure is also in a state of partial collapse in the north-west corner.



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#### Comparative Analysis

There are very few outbuildings individually listed in the schedule to the Heritage Overlay of the Surf Coast Planning Scheme. There are likely to be numerous outbuildings throughout the municipality-including barns, that have heritage protection in association with a larger complex of places, particularly farms and homesteads. The integrity of an outbuilding is genrally higher when it can be read in context and conjunction with other buildings.

The only individual outbuildings known to have been identified within the Surf Coast municipality are the Yan Yan Gurt Woolshed at 1910 Winchelsea-Deansmarsh Road in Deansmarsh, Westcott's Stable at 850 Barrabool Road and a Stone Barn at Ballancea Road, Barrabool. The woolshed and stables both have a heritage overlay but the stone barn does not. The distinction made here as to whether the buildings reach the threshold for local significance is their intactness internally. The woolshed still has a woolpress, the stable partitions remain intact.

#### Statement of significance

#### What is significant?

The Stanbury Barn is significant at a local level. It is both internally and externally significant.

#### How is it significant?

The Stanbury Barn is historically and aesthetically significant at a local level to the Surf Coast Shire municipality.

#### Why is it significant?

The Stanbury Barn is architecturally significant as a fine example of an outbuilding demonstrating the handmade vernacular construction techniques utilizing Barrabool stone quarried on the property. (Cri.E)

The Stanbury Barn is historically significant for its ability to describe the importance of sheep faming in the district. (Cri.A)

The Stanbury Barn is significant for its association with the Wettenhall family who were a prominent local family in this area. (Cri.H)

<sup>&</sup>lt;sup>i</sup> Judy Wallace, 'John & Mary Edney', <u>www.immigrationplace.com.au</u>, accessed 5 March 2019

ii Geelong Advertiser, 19 November 1881, p.1

ii 'History. Corriedales in Australia', <a href="http://www.stanbury.com.au/history.htm">http://www.stanbury.com.au/history.htm</a>, accessed 5 March 2019

<sup>&</sup>quot; 'History. Corriedales in Australia', http://www.stanbury.com.au/history.htm, accessed 5 March 2019



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1.7 Tasman Homestead, 755 Barrabool Road (HO13)



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# 1.7 TASMAN HOMESTEAD

Place Name	'Tasman' Homestead
Address	755 Barrabool Road, Barrabool
Historic Themes	Settlement (pastoral era); Economic development (primary production; farming, agriculture, dairying); Towns (Ceres); Housing (pastoralists' and farmers' homes)
Current Heritage Status	HO13
Condition	Good
Integrity	Good
Recommendation	<ol> <li>That this place remain in the Schedule to the Heritage Overlay of the Surf Coast Planning Scheme.</li> <li>That access to this place be pursued and citation updated accordingly.</li> </ol>



Primary north elevation of Tasman Homestead. (Source: Ecology and Heritage Partners 2019)



East end of the façade showing original verandah floor, door opening and double hung sash windows. (Source: Ecology and Heritage Partners 2019)



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Edwardian addition to the rear of the house extending out the west side. (Source: Ecology and Heritage Partners 2019)



Edwardian addition prior to bullnose verandah addition. (State Library Victoria photographic collection)

# Legend Fixers of Horizontal Pictors Contracting Tips Cont



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#### History

Mr James Anderson (1823 - 10 September 1883) was one of the earliest settlers in the Barrabool Hills district and a successful farmer whose 'most improved farming implements were introduced in the district'. He was extremely popular and for his funeral the cortege leaving Tasman Farm included 50 vehicles filled with friends as well as 40 horsemen. In 1868 his farm was the location for the annual Barrabool ploughing match.

James Anderson owned a number of properties in the area. In 1881 a listing of the recent valuations and associated rates was published in the Geelong Advertiser and James Anderson's name appeared several times as ratepayer No. 6, 138 acres, £69; No. 7, 130 acres, £58; No. 8, 124 acres, Fisher's Hill, £50; No. 9, 436 acres, farm McMahon's, £131; and No 10, 148 acres, £44.<sup>iii</sup>

In 1886 the farm, known as 'Tasman Cottage', owned by the 'Anderson Bros', sold much of its stock due to their lease over part of the estate expiring. Their stock was 'so well known for their breeding and quality that comment is superfluous. The cattle are a splendid lot, good colour and in first-rate condition. The sheep are prime fat and fit for the butcher. The pigs are pure Berkshires. The horses are first class, and the implements are by the best makers, and in good order.'

Ten years later the homestead was one of three, the other two being Westcott and Fisher's Hill, that were to be offered for sale in May 1897 by the auctioneers Dennys, Lascelles, Austin and Co. of Geelong under instructions from James Anderson's trustees. 'Tasman' was comprised of 'about 137 acres, with homestead and all other improvements.'

By the middle of May 1897 an additional homestead had been added to the list; that of Merrawarp Estate. The updated auction notice described Tasman Farm as 'Lot 1 - Part of portion 14, parish of Barrabool' and with over 142 acres, a stone cottage and farm buildings, and this time promoting the land as being exceptional for growing root vegetables and cereals or for dairying, particularly as there was a creamery close to Tasman Farm. This sale was again because a further lease was to expire on the  $1^{st}$  March 1898.

This was 'an important sale' and attracted a very large attendance at the auction house requiring extra seats to be found, and with more 'brisk bidding' then had been anticipated. With the nearly 400-acre property divided into four lots Charles Anderson bought Lot 1- Tasman Farm, c. 142 acres, and Lot 4-c. 123 acres. Lot 2- part of the Merrawarp Estate, c. 3 acres - was bought by Mr Charles Marendaz; while Lot 3- Westcott Farm, c.130 acres - was bought by James Anderson. VII

In 1904 the Anderson brothers dissolved their partnership to give up farming and engaged the auctioneers Robinson, Burns & Sparrow to auction a 'large and important clearing sale of horses, dairy cattle, pigs, farming implements, steam engine 8 h.p., chaffcutter and press, stacks of hay, about 400 tons, stacks of straw, etc'. Viii

The Andersons were a prominent and large landowning family in the area at least for much of the  $19^{th}$  and  $20^{th}$  century and the Tasman home appears often in the newspapers as family members held wedding receptions and social events there. A *Weekly Times* feature on 'Mixed farming at Ceres', discusses land use in the district and refers often to the Andersons, particularly Charles of Tasman. The land 'is nearly all in the hands of freeholders, a tenant farmer being the exception. It is noticeable too that the majority of the farms are occupied by direct descendants of the original pioneers.'



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#### Description

This Victorian homestead is located on the south side of Barrabool Road. The original part of the homestead is constructed of Barrabool sandstone and has a hipped roof form clade in slate. Primary north elevation retains the original verandah floor, door opening and double hung sash windows. A decorative timber balcony and bullnosed verandah has been added around the length of the house.

There is a recent timber addition connecting to the east elevation of the original house. This addition is not significant.

There is an Edwardian style weatherboard addition to the rear of the house extending out the west side. This addition has two symmetrically positioned windows facing the street, with two dormer windows protruding from the roof above. The rear of this roof has another three dormer windows. The roof form has a steep pitch and is clad in corrugated iron.

#### Comparative Analysis

There are several impressive rural homesteads with associated farms across the Barrabool region and Surf Coast Shire. Four places in the municipality are listed on the Victorian Heritage Register:

- 'Barwon Park' in Winchelsea (HO365);
- Ingleby Homestead in Winchelsea (HO364);
- Mount Hess Homestead in Winchelsea (H1208);
- 'Neuchatel' in Barrabool (HO773).

Summerhill in Mount Duneed (H1131) is also listed on the Victorian Heritage Register and relates to a two bedroom pre-fabricated iron cottage. It is important because it demonstrates British technical accomplishment in the history of prefabricated building construction.

Three of these places used as a comparative analysis are 'Barwon Park' in Winchelsea (HO365), Ingleby Homestead in Winchelsea (HO364) and Mount Hess Homestead in Winchelsea (H1208).

The National Trust citation for Barwon Park includes the following:

The mansion house, Barwon Park, at Winchelsea, was built of basalt in 1869 - for prominent western district squatter Thomas Austin. Architects Davidson and Henderson of Geelong designed the 42 room Italianate mansion and supervised construction on a sub-contract basis at a cost of c. 10,000 pounds. The square and utilitarian two storey building is enhanced by a distinctive cast iron verandah, elaborate entry hallway, stair case and high quality crafted interior. Barwon Park at Winchelsea, when completed in 1869 was the finest and most celebrated mansion house in western Victoria and having established the reputation of architects Davidson and Henderson, survives as perhaps the most notable homestead



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designed by this prolific practice. At Barwon Park, Thomas Austin, royal host, public figure, eminent pastoralist and leader of the acclimatisation society, was the first to introduce rabbits to Australia, an achievement now universally condemned.

The statement of significance for Ingleby is as follows:

Ingleby homestead is of historical significance for its association with the distinguished pioneering Armytage family who developed extensive pastoral holdings throughout the Western District. Thomas Armytage was one of the earliest pastoralists to follow Batman and Fawkner into the Port Phillip district and Ingleby station was the principal homestead of an extensive pastoral empire. Ingleby homestead is of architectural significance as a major surviving work of the accomplished Geelong architect Edward Prowse who also designed The Hermitage in Geelong for Thomas Armytage's father George Armytage Snr. The Ingleby homestead and station buildings form an important and intact pastoral complex. The large T-plan woolshed is of particular significance for the unusual use of subdued classical architectural decorative elements in a building of otherwise utilitarian character. Ingleby homestead is of archaeological significance for its potential to reveal through the examination of the ruins of the old homestead archaeological material relating to the early construction and occupation of the place.

Barwon Park and Ingleby are both of a higher level of significance to Tasman both historically via their association with the Austin and Armytage families and aesthetically for their scale and extravagant detailing.

The statement of significance for Mount Hesse Station is as follows:

Mount Hesse Station was established as a pastoral property in the late 1830s by William Harding and John Highett. Harding's homestead, the first homestead on the property, dates from the 1840s and was built in several stages. It was originally constructed as a two-roomed stone cottage with a hipped roof; later additions include a stone skillion kitchen to the rear and a weatherboard section on the north-west corner. The Shepherd's Hut, built c.1849, sits at the back of Harding's homestead and is a single roomed stone building with a simple hipped roof. The L-shaped stone stables were constructed in two stages, the north-west wing was built in 1849 and the adjoining right-angled south-east wing in 1873. The 1844 elevated circular store building is clad with bead-edge softwood boards and stands on a wrought and cast iron frame which bears its maker's mark and date. In 1852 the stone woolshed was constructed by Harding for contract shearing and whilst still used for shearing today, the original twenty stands have been reduced to nine. The woolshed has 20 inch thick walls, a vast helm roof and pronounced buttressing.

The main homestead was built c.1856 for William Timms (Senior) to the design of Backhouse and Reynolds and was later extended by Davidson and Henderson for William Timms (Junior) in 1873. In 1941 the house was severely damaged by fire, although it was re-built in 1947 using some of the original materials. The Lodge was built in 1873 for William Timms (Junior) as a three roomed gate lodge and it sits adjacent to the original main gate entrance.



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Mount Hesse Station is of architectural and historical significance to the State of Victoria.

Mount Hesse Station is of architectural significance as an extensive rural property containing rare and intact buildings relating specifically to Victoria's pastoral industry. The buildings on the site describe the early and successive functions of the property and demonstrate a direct linkage with early pastoral activities in Victoria. The stables and the woolshed are amongst the oldest surviving examples of their kind in Victoria and the circular store is a rare building type. The unusual form and positioning of the small store building is thought to relate to mouse and rat prevention techniques. The extensive use of vesiculated stone is uncommon on such a scale, as is the use of blackwood floors, and shingles and the stone houses are representative of early dwellings in rural Victoria. The composite elements of Mount Hesse Station result in the property being a complex of high architectural integrity, demonstrating both functional requirements and architectural influences from the 1840s onwards.

Mount Hesse Station is of historical significance for its ability to describe Victoria's early pastoral industry. Established as a pastoral run c.1837, Mount Hesse is an extensive and early example of agrarian farming and its buildings reflect the evolution of pastoral and associated activities on the site. The property has historical associations with a number of important figures in Victoria's history including early pastoralists John Highett and William Harding, who first established the property, and later the Geelong merchants William Timms and John Wilson, who owned the property from 1853 to 1856. William Timms, who by 1849 was Geelong's biggest exporter of wool, became sole owner of Mount Hesse in October 1856 when he bought John Wilson's share for £17,500. The property was later broken up and acquired by Timms' sons and run as three separate properties, 'Eurack', 'Mountside' and 'Mount Hesse', Mount Hesse being the homestead section and comprising 15,866 acres (6,400ha). In 1882 James Kinninmonth purchased Mount Hesse from William Timms (Junior) and it has been managed by the Kinninmonth family ever since.

With its extensive complex of buildings, Mount Hesse Station has a higher level of integrity than Tasman, and is also more intact. The historical and architectural significance of Mount Hesse Station is of a higher threshold of significance than Tasman Homestead.

#### Statement of Significance

#### What is significant?

Tasman Homestead is of local significance. The Victorian sandstone building and the Edwardian timber addition at the rear extending to the west are the significant elements of Tasman Homestead.

#### How is it significant?

Tasman Homestead is architecturally and historically significant to the Surf Coast Shire municipality.

#### Why is it significant?

Stage 2c of the Surf Coast Shire Heritage Study, Barrabool, Torquay, Bellbrae and Winchelsea, Victoria.

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Tasman Homestead is of local historic significance as one of the oldest buildings in the Barrabool Hills district

 $Tasman\ Homestead\ is\ of\ local\ aesthetic\ significance\ as\ a\ substantial\ homestead\ constructed\ from\ local\ aesthetic\ significance\ as\ a\ substantial\ homestead\ constructed\ from\ local\ aesthetic\ significance\ aes\ aesthetic\ significance\ aesthetic\ significance\ aes\ aesthetic\ significance\ aesthetic\ significance\ aes\ aesthetic\ significance\ signif$ materials. (Cri.E)

<sup>&</sup>lt;sup>i</sup> Geelong Advertiser, 14 September 1883, p.2

ii The Australasian, 15 August 1868, p.26 iii Geelong Advertiser, 19 November 1881, p.1 iv Geelong Advertiser, 16 March, 1886, p.3

v Leader, 17 April 1897, p.1

vi The Australasian, 15 May 1897, p.49 vii Geelong Advertiser, 21 May 1897, p.3

viii Geelong Advertiser, 20 February 1904, p.3

ix Weekly Times, 22 June 1907, p.44



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1.8 Wescott's Stable, 850 Barrabool Road (HO14)



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# 1.8 WESCOTT'S STABLE

Place Name	Wescott's Stable
Address	850 Barrabool Road, Barrabool
Historic Themes	Settlement (pastoral era); Economic development (primary production; farming, agriculture, dairying); Towns (Ceres); Housing (pastoralists' and farmers' homes)
Current Heritage Status	HO14
Condition	Fair
Integrity	Good
Recommendation	That the place remain on the Heritage Overlay to the Surf Coast Planning Scheme and internal controls apply.



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Wescott's Stable with the rammed earth shed at the rear. (Source: Ecology and Heritage Partners Pty Ltd)



Stone arched opening viewed from inside the stables. (Source: Ecology and Heritage Partners Pty Ltd)



Two pairs of slatted timber doors sit within the arched openings on the east side. North elevation has a timber warehouse style door leading out from the mezzanine. (Source: Ecology and Heritage Partners Pty Ltd)



Original stone and earth floor internally. (Source: Ecology and Heritage Partners Pty Ltd)



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# Legend Prices of Horizon States, 500 Control States, 500 Control States, 500 The States of Horizon Permanent Waterbooky Map 1h Prices of Heritage Interest, Surf Coest Shale

#### History

Wescott, or Westcott Homestead was added to a group of three properties being offered for sale in May 1897 by the 'Anderson Bros' under instructions from the trustees of the late James Anderson (d. 10 September 1883) of 'Tasman' Homestead (see p.27). James Anderson was one of the earliest settlers in the Barrabool Hills district and one of the most successful farmers whose 'most improved farming implements were introduced in the district'. He was extremely popular and for his funeral the cortege leaving Tasman Farm included 50 vehicles filled with friends as well as 40 horsemen. The Anderson Bros (Charles and James [Jnr], the sons of James) had already auctioned a considerable amount of stock from their Tasman farm ten years previously, a few years after their father James died, due to the expiration of their lease over part of the estate.

The May 1897 auction of Anderson Bros' property, which included the Wescott Farm, was described as 'an important sale' and attracted a very large attendance at the auction house requiring extra seats to be found, and with more 'brisk bidding' then had been anticipated. Four hundred acres were sold in four lots: Lot 1- Tasman Farm, c. 142 acres – was bought by Charles Anderson, who also bought Lot 4- c. 123 acres; Lot 2-



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part of the Merrawaap Estate, c. 3 acres – was bought by Mr Charles Marendaz; while Lot 3 – Westcott Farm, c.130 acres – was bought by James Anderson.  $^{\rm iii}$ 

In 1904 the Anderson brothers dissolved their partnership to give up farming and engaged the auctioneers Robinson, Burns & Sparrow to auction a 'large and important clearing sale of horses, dairy cattle, pigs, farming implements, steam engine 8 h.p., chaffcutter and press, stacks of hay, about 400 tons, stacks of straw, etc'. '

A Weekly Times feature on 'Mixed farming at Ceres', discusses land use etc and refers often to the Andersons, particularly Charles of 'Tasman'. The land 'is nearly all in the hands of freeholders, a tenant farmer being the exception. It is noticeable too that the majority of the farms are occupied by direct descendants of the original pioneers.'

#### Description

850 Barrabool Road is a rural property comprised of a number of buildings including a dwelling and various outbuildings within the former farm setting. The stables (Wescott's Stables) is the only building of significance on the property.

A plaque on the front of the stable building dates it as 1856. It is a simple farm building, rectangular in form, with a pitched roof and gabled ends. The building height is dictated by the internal arrangement of a ground floor with mezzanine above. Thick sandstone walls on all sides have minimal openings. The north and south faces each have a central slit opening. The south wall also has a small circular open high in the gabled end. The north face has a timber warehouse style door leading out from the mezzanine. The east face has a pair of double openings, both supported by a flat arched opening constructed of stone. Recent conservation works have inserted a steel plate and post to support the stone openings. The west face has no openings. A single storey, rammed earth garage building has recently been constructed directly adjacent it to provide some structural support on this side of the building.

The roof is currently clad in corrugated iron (non-original). Walls are of exposed sandstone, with evidence of render, now removed to expose the stonework. Three iron 'S' wall anchors are visible on the east wall, two of which connect to iron wall ties internally. Some isolated patching with bricks or greenstone is evident on the north wall. Two pairs of slatted timber doors sit within the arched openings on the east side. The doors are a recent addition but have heavy iron hinges.

Internally, a mezzanine floor covers the entire space with a small opening for a steep stair at one end. The lower level functions as one space, divided by partitions rather than walls.

The building has been converted to a shearing shed, with early stable partitions intact and repurposed. A strip of early stone flooring remains inside the front door, with sections of timber or concrete floors constructed throughout the remainder of the building. Walls are rendered, but with large sections missing to reveal the stonework. Exposed timber posts and beams appear to be early with some evidence of old timbers spliced with newer members.



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Recent restoration works have been carried out sensitively, providing structural support where required, while keeping much of the original or early fabric in place. A platform/awing has been constructed below the mezzanine level warehouse door on the north side.

New fabric includes: roof sheeting, guttering and downpipes, slatted timber doors on east side, and some sections of flooring.

#### Comparative Analysis

There are very few outbuildings individually listed in the schedule to the Heritage Overlay of the Surf Coast Planning Scheme. There are likely to be numerous outbuildings throughout the municipality-including barns, that have heritage protection in association with a larger complex of places, particularly farms and homesteads. The integrity of an outbuilding is higher when it can be read in context and conjunction with other buildings.

The only individual outbuildings known to have been identified within the Surf Coast municipality are the Yan Yan Gurt Woolshed at 1910 Winchelsea-Deansmarsh Road in Deansmarsh, Stanbury Barn at 130 Devon Road, Barrabool and a Stone Barn at Ballancea Road, Barrabool. The woolshed and Stanbury Barn both have a heritage overlay but the stone barn does not. The distinction made here as to whether the buildings reach the threshold for local significance is their intactness internally. The Yay a Gurt Woolshed still has a woolpress and the Stanbury Barn demonstrates early hand-construction techniques. While Wescott's Stable has been used as a woolshed in recent years, the stable partitions remain intact.

#### Statement of Significance

#### What is significant?

Wescott's Stable is of local significance. It is the only building of significance on the property. Significant elements include the table partitions, the stone and earth floor.

#### How is it significant?

Wescott's Stable is aesthetically and historically significant at a local level to the Surf Coast Shire municipality.

#### Why is it significant?

Wescott's Stable is architecturally significant as a fine example of an outbuilding constructed in a vernacular tradition utilizing Barrabool stone. (Cri.E)

Wescott's Stable is historically significant for its association with the Anderson brothers who were a prominent local family in this area. (Cri.H)



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Wescott's Stable historically significant as a rare remaining horse stable. (Cri.B)

i *Leader*, 17 April 1897, p.1

<sup>©</sup> Geelong Advertiser, 14 September 1883, p.2 Geelong Advertiser, 21 May 1897, p.3 Geelong Advertiser, 20 February 1904, p.3 Weekly Times, 22 June 1907, p.44



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1.9 Scammell, 24 Pride Street (HO16)



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# 1.9 SCAMMELL HOUSE

Place Name	Scammell House (Deckhouse from the shipwreck 'Joseph H Scammell')
Address	24 Pride Street, Torquay
Historic Themes	Economic development (manufacturing saddles; constructing homes); Coastal shipping, coastal wrecks, law and order; Coastal towns (Torquay); Holidaying (recreation, beauty spots, township services, accommodation for family and friends); Community organisations; Holiday houses
Current Heritage Status	HO16
Condition	Good
Integrity	Good
Recommendation	That this place be nominated for inclusion in the Victorian Heritage Register and internal controls apply.



24 Pride Street, Torquay, (Source: Victorian Heritage Database)



One of a montage of Pride family photographs taken from the garden of Scammell House.

(Source: Margaret Ganly)

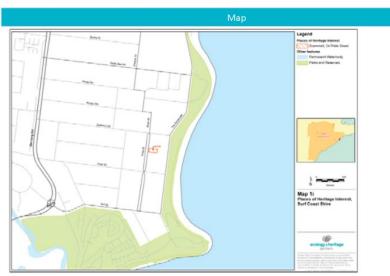


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Primary elevation of 'Scammell' (now facing the rear of the site) (Source: Vicki McLean 27.02.19)

From left to right: Pride Street, rear of house, front of house now blocked by development on subdivision, The Esplanade, beach front, Torquay Beach.



Stage 2c of the Surf Coast Shire Heritage Study, Barrabool, Torquay, Bellbrae and Winchelsea, Victoria. Volume 2: The Heritage Citations Volume 2 of 2 July 2020



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#### History

On 7 May 1891 a ship called the *Joseph H Scammell* broke up on the rocks nearby and the deck house floated onto shore. The ship had been built in Eatonville, Nova Scotia in Canada for the Scammell Brothers who ran a large lumber operation and shipyard. They named the ship after a family member and launched it in September 1884. In May 1891, as the ship was sailing from New York to Melbourne, it hit bad weather and ran aground near Point Danger at Torquay. Captain J A Chapman had his Master's Certificate suspended for 12 months for careless navigation and negligence. Local fishermen had seen the ship in trouble and attempted to help but the strong seas forced them back to shore. The next morning the crew were able to evacuate everyone and row ashore themselves. Over the following days much of the ship's cargo washed ashore, triggering a massive looting of merchandise such as tobacco, buggy sides, leather, clothing and kerosene. An estimated 2,000 people came to view the wash-up before customs officials and police were able to arrive on the scene. What was left of the ship and its cargo was sold by auction on the beach a week later and bought by a man from Geelong.<sup>1</sup>

The deck house of the ship was the only part of the ship to survive intact. William Pride, a saddler in Malop Street Geelong, bought the deckhouse of the ship for £40 and, using Clydesdale horses and rollers, he moved the deckhouse onto his block of land on The Esplanade of Torquay to become a holiday house for his large family. Together with his sons he added a second storey to the deck house using found timbers. William Pride was a highly successful businessman winning many prizes for his work, being the first in Australia to make a ladies saddle, supplying customers across the Western District, New South Wales and New Zealand, and gaining a reputation for his excellent treatment and nurturing of his staff and apprentices. William was also involved in community associations such as the Geelong Agricultural Society, the Geelong Hospital Committee and Chamber of Commerce and as an assessor for the Bellarine Ward. He and his wife Martha had thirteen children, twelve of whom survived. After the establishment of his holiday house he became heavily involved in the Torquay community as a founding member of the Torquay Improvement Association, a trustee of the Torquay Reserves and with the Torquay Racing Club.

Pride Street in Torquay, in which the house is located, is named after William Pride. The deck house was named "Scammell House" and his granddaughter Margaret Ganly lived in it as her home. Margaret is the daughter of William's seventh daughter Nellie Olive Pride. The land was registered in the name of William's wife Martha at the time of its purchase and so the house was then also registered in her name. William Pride Junior took over the financial management of the house after his father's death and, having looked after Margaret since her own father, Norman Burn, was killed in World War One, "Scammell House" passed to Margaret Ganly through William Pride Junior's wife Agnes Pride.

At some point the land was sub-divided leaving the rear of the house facing Pride Street and in the 1970s a unit was added to the north of the building.

#### Description

'Scammell' is a highly unusual building. The two-storey timber house is comprised of the boat deckhouse at the lower level, with a timber addition constructed over it to form an upper storey. The deckhouse was salvaged from the Canadian ship 'Joseph H Scammell' which was wrecked off the coast of Torquay in 1891 and



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moved to the site by the family of the current owner. In the same year the timber addition was constructed to form the upper floor of the house.

The house is located on what is now a typical sized block in the township of Torquay. At the time that the deckhouse was moved to its current location, the large site extended to the Torquay foreshore, with street frontages to both The Esplanade and Pride Street. The house was located with a frontage facing towards the foreshore and the rear facing Pride Street. The site was later sub-divided with access to the foreshore side removed. The Pride Street frontage is the only remaining street access for the property. As a consequence, the street view of the house is of the rear of the building. The front of the house front now faces the rear garden and a paling fence to a separate property running towards the foreshore.

The lower floor of the house is comprised of the ship deckhouse and is highly intact. The timber structure is almost square in plan with a low flat roof (now covered with the second-storey addition). The exterior is clad in weatherboards. Small timber doors and small porthole windows down both sides of the structure are consistent with the deckhouse origins of this section of the house. Timber sash windows were installed in the front façade once the structure was moved to its current location, probably at the time when the upper story was constructed. An early photo show eight paned sash windows (Figure 2). These have now been replaced sash windows that are smaller in size than the early windows and with the upper sashes which feature curved upper edges and 4 small panes. An open deck area at the rear of the house (now the entry from Pride Street) is formed by the overhang of the upper floor, and is supported by oversized, elaborately carved curved brackets at each end. A thick rounded timber band runs around the top edge of the deckhouse.

Internally, the single room retains the feel of a ship's deckhouse. Thick squared rafters and vertical wall framing elements are exposed and run in a grid across the room. Oversized curved timber brackets are intact at some wall and ceiling junctions. Walls and ceilings are lined with timber lining boards (painted). The low head height of the space (approx. 1800mm to the underside of the rafters) is consistent with the origins of the structure as a deckhouse. The floor is timber. To one side of the room, a steep, narrow stair with turned timber balusters leads to the upper floor. An original opening in the centre of the ceiling has been closed off. Small round porthole windows feature down the sides of the room.

The upper storey is a timber framed addition that fits over the footprint of the deckhouse below. It provides the bedroom accommodation for the house. A moderately steeply pitched gabled roof is clad in corrugated iron sheeting. Walls are clad in weatherboards with minimal openings to three of the sides: a small sash window with timber window hood is located on the rear face. The two side faces have no windows. The front face has a full width verandah with a free floating timber awning extending beyond the building footprint. It has a distinctive, stepped timber balustrade. Figure 2 shows the early arrangement. At some time around the 1930/40s, the verandah was enclosed with a sheet material used to back the balustrade and a row of timber framed windows enclosing the upper section. The current timber windows are likely a replacement of the original enclosure.



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An early photograph of the house, showing the open verandah and early sash windows to the lower floor. (Image: https://torquayhistory.files.wordpress.com/2016/06/wpride-4.jpg)

Over time, various additions have been added to and removed from the main squared footprint of the house. Currently a single level brick addition, constructed in the mid-late twentieth century is located to the rear and side of the early timber building. The addition is connected internally to the early timber building, but clearly distinguishable from the exterior.

#### Comparative Analysis

The Scammell House is unique in Victoria. There are no other places that have part of a registered historic shipwreck forming such a substantial part of their structure. Given that the wreck of the *Joseph H Scammell* is already included in the Heritage Register, it's reasonable to assume that the significance values for the shipwreck would be (mostly) relevant to the deckhouse. Also, the uniqueness of the way that the deckhouse has been incorporated into the dwelling and the historical context for how that happened would be additional factors contributing, to the state-level significance of the place.

#### Statement of Significance

## What is significant?

Scammell House, both internally and externally, is of significance to the State of Victoria.



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#### How is it significant?

Scammell House is historically and aesthetically significant to the State of Victoria.

#### Why is it significant?

The Scammell House is unique in Victoria as a deck house from a ship wreck (the *Joseph H Scammell*) that was salvaged and incorporated into a residential dwelling. There are no other places that have part of a registered historic shipwreck forming such a substantial part of their structure. (Cri B)

Scammell House is historically significant at a local level for its association with William Pride, a highly successful and respected saddler and community volunteer.

<sup>&</sup>lt;sup>i</sup> 'Joseph H. Scammell (ship)', Wikipedia, accessed 5 March 2019



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1.10 Colonial Bank, 33 Main Street (HO19)



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# 1.10 COLONIAL BANK

Place Name	Colonial Bank
Address	Lot 2, 33 Main Street, Winchelsea
Historic Themes	Economic development and success (commerce and retail; primary production; agriculture); Farming towns (Winchelsea); Struggling with hardship (Depression of 1890s)
Current Heritage Status	HO19
Condition	Good
Integrity	Good
Recommendation	That it remain on the Heritage Overlay to the Surf Coast Planning Scheme and external paint controls apply.



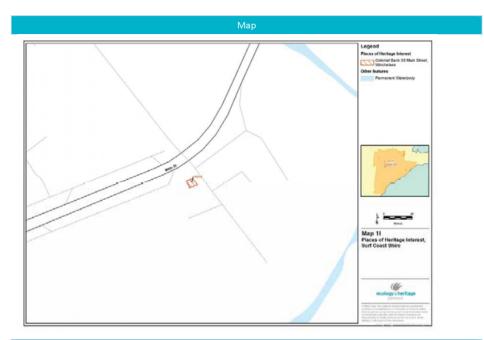




Old Colonial Bank, 1962 (State Library of Victoria Pictures Collection)



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#### History

The Environmental History written for the Surf Coast Shire Heritage Study Stage 2B explains that 'consolidation of Winchelsea as an important service centre for the outlying pastoral and agricultural sector came in 1883 with the construction of the Colonial Bank of Australasia'. It was designed by George Jobbins, an architect from Melbourne who had also designed a number of banks and similar buildings in the Surf Coast and Bellarine area such as the former Colonial Bank of Australasia in Portarlington (currently an R.S.L. Hall) and others in Drysdale (now a funeral parlour) and Birregurra. The Australian Architectural Index indicates he designed as many as 56 banks across Victoria. In the Australian Architectural Index indicates he designed as many as 56 banks across Victoria.

The Colonial Bank of Australasia had been operating in Winchelsea for several years, but from rented premises near the general store. However, as was pointed out by several speech givers at the foundation stone ceremony, this institution had 'long been wanted' by the Winchelsea residents and 'there was an indication that the township was slowly but surely progressing'. The bank authorities had been persuaded and the building was likely to cost £1500 or more. It was to be brick and on a stone foundation, 65 feet long and with a frontage of 32 feet on the main road, designed to be as similar as possible to the Colonial Bank already built in Drysdale, and to be 'ornamented in such a way as to prove a credit to the township'.<sup>iii</sup>

Aspirations for such a bank were shared across the town of Winchelsea and many people were at the foundation stone ceremony on 5 October 1883. The stone was laid by John Rout Hopkins of Wormbete



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Homestead and formerly the president of the Winchelsea Shire Council. A bottle was placed in a special cavity with a document listing the names of the directors of the new bank, the general manager and local manager, the architect, and the contractor. About thirty people went on to the Barwon Hotel afterwards for celebrations, speeches and toasts.<sup>IV</sup>

Despite the plans of the Winchelsea community, by 1889 the Geelong Advertiser reported that the Bank's premises were undergoing a complete renovation." Just a few years later the 1890s Depression hit the banking industry and the Colonial Bank of Australasia, across Victoria, having seen 'the distrust and unrest exhibited towards the bank since the beginning of April last, which has resulted in large withdrawals of deposits' decided to suspend payments." Many banks that had established themselves during the 1850s to the 1880s did not survive beyond the property boom of the 1880s and the Depression of the 1890s, although the Colonial Bank did.

The Colonial Bank of Australasia was established in Melbourne in 1856, one of half a dozen new banks that opened headquarters in Melbourne that decade, three of which were local and three were British banks. In the nineteenth century it was Melbourne, rather than Sydney, that was the banking capital of Australia and 'the influence of Melbourne banks was felt far beyond the city...banks built their business by opening new branches. The number of trading bank branches in Victoria rose from six in 1851 to 531 in 1892'. If the Colonial Bank in Winchelsea was one of these. In the twentieth century Melbourne's banks underwent 'a wave of mergers between 1917 and 1931' and again after World War II so that by 1951 the Colonial Bank of Australasia had become part of ANZ. There were other major changes to the banking industry in the second half of the twentieth century and retail banking became dominated by electronic interactions such as ATMs, EFTPOS, credit cards and telephone banking. While 'the number of bank branches in the Melbourne metropolitan area fell by more than a third between 1983 and 1993', both small and large towns across Victoria would have been similarly affected.

The building was sold in 1986 and again in December 2002, July 2003, May 2011 and August 2013 and at some point it became an antique shop and a nursery.  $^{ix}$ 

#### Description

The former Colonial Bank is a Victorian Classical style building situated on the corner of Princes Highway/Main Street and Hesse Street. It is a small single-storey rendered brick building with a splayed corner entrance and arched door opening. The façade is separated into uniform bays by rendered pilasters with incised panels. The blockwork render treatment within these bays surrounds the uniform timber-framed arched windows. The parapet to the building façade comprises a moulded cornice below rendered piers with incised panels. These piers align with the pilasters on the building façade below and are separated by solid render panels and decorative circular elements. Attached to the former bank to the south is the single-storey former managers residence. This component of the building is rendered brick with a corrugated iron clad hipped roof and a timber-framed double-hung sash window to Hesse Street. There is a decorative rendered chimney above the residence - this chimney was one of a pair of matching chimneys on the former bank building. This building was not inspected internally.



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The building appears to be largely intact externally with the exception of the loss of the northern chimney and overpainting of the rendered façade. Retail signage has also been installed below the parapet.

#### Comparative Analysis

The Colonial Bank is the only former bank building in the Surf Coast Shire that has a Heritage Overlay. This is not unsurprising as banks were commonly established in the larger regional centres in south-west Victoria. In the City of Greater Geelong there are seven bank buildings on the heritage overlay- three of which are also on the VHR:

The Victorian Heritage Registered places including the ANZ Bank (former) on the corner of Gheringhap Street and Malop Street, the former ES&A Bank at 9 Malop Street in Geelong and the Barwon Bank at 35 Riversdale Road in Newtown are far superior in scale, architecture and detailing. (Threthowan, 1976).

The Colonial Bank in Winchelsea is far more comparable to the locally significant places in the City of Greater Geelong. These include the Bank of New South Wales (now Westpac) at 165 Moorabool Street, Geelong, the Bank at 163 Pakington Street, Geelong West, and the ANZ Bank at 154 Moorabool Street, Geelong.

The former Colonial Bank, Bendigo was built in 1887 by N Longstaff and Co. to a design by architect WC Vahland. It became a branch of the National Bank in 1918 when the two banks amalgamated and was sold by the bank in 1993.

The elaborate style of the building reflects the important position the bank held in the community and also demonstrates the prosperity of Bendigo, one of the major centres for gold-mining in the nineteenth century.

There are several other locally significant colonial bank buildings across Victoria – in Kilmore, Mornington, Flemington, Mirboo north and Minyip. These are more comparable to the subject Colonial Bank building in Winchelsea in terms of scale and detailing.



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Former Colonial Bank building, Bendigo (Source: Hermes at hermes.heritage.vic.gov.au/)

#### Statement of Significance

#### What is significant?

The Colonial bank at 33 Main Street Winchelsea, including the chimney and all architectural detailing associated with its Victorian Classical style and the former managers residence, is significant at a local level.

#### How is it significant?

The Colonial Bank is aesthetically and historically important to the Surf Coast Shire municipality.

#### Why is it significant?

This former bank is important for representing the early commercial character of Winchelsea in the second half of the nineteenth century. (Cri A)

The former Colonial Bank building is significant exhibits typical features of the Victorian Classical style. (Cri E) The Colonial Bank in Winchelsea is a good representative example of a rural bank building associated with this important financial institution. (Cri D)

i Kellaway, C et. al p.28

ii Miles Lewis, Australian Architectural Index, 'Jobbins, George', accessed 5 March 2019

ii 'The Colonial Bank of Australasia', Geelong Advertiser, 6 October 1883, p.3 iv 'The Colonial Bank of Australasia', Geelong Advertiser, 6 October 1883, p.3

V Winchelsea', Geelong Advertiser, 12 November 1889, p.4. I have not found anything describing the nature of these renovations.

vi 'Colonial Bank of Australasia. Temporary suspension', The Argus, 6 May 1893, p.9

vii D. T. Merrett, 'Banking and Finance', eMelbourne, accessed 5 March 2019 viii D. T. Merrett, 'Banking and Finance', eMelbourne, accessed 5 March 2019

ix '33 Main Street, Winchelsea, VIC 3241', https://www.realestateview.com.au/property-360/property/33-main-street-winchelseavic-3241/, and https://www.realcommercial.com.au/property-offices-vic-winchelsea-5804937 accessed 5 March 2019. These sites show multiple images of the building, its internal spaces and surrounding land.



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1.11 St Thomas Anglican Church and School Room, 31 Barwon Terrace (HO20)



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# 1.11 ST THOMAS ANGLICAN CHURCH

Place Name	St Thomas Anglican Church and School Room
Address	31 Barwon Terrace, Winchelsea
Historic Themes	Building & construction; farming towns; struggling with hardship; governing (Winchelsea Shire District); entertainments; township services; spiritual life; community organisations; education; commemoration
Current Heritage Status	HO20
Condition	Good
Integrity	Good
Recommendation	That this place remain in the Schedule to the Heritage Overlay of the Surf Coast Planning Scheme.



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North-west elevation with small gable addition in the foreground. (Source: Ecology and Heritage Partners 2019)



South-east elevation of church (Source: Ecology and Heritage Partners 2019)



School Room – north elevation (Source: Ecology and Heritage Partners 2019)

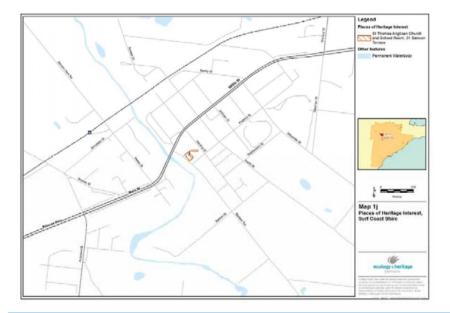


1863 plan of Township and Suburban Allotments, Winchelsea (Source: State Library of Victoria Maps Collection)

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History

The original St Thomas's in Winchelsea was built in 1846 as a parish hall, which occasionally managed to have visiting clergy perform a service. When this happened 'people came to these from surrounding districts as far as Colac'. Eight years later, in 1954 the Reverend Edward Tanner was the first to be appointed to the parish. In 1860 a church was designed by Nathaniel Billing of Melbourne with a nave, chancel and vestry, and was

erected in 1860-61 under the supervision of Edward Prowse of Geelong, before being opened and dedicated by Bishop Perry, in 17 January 1861 before an audience of some 350 people. Bishop Perry had been appointed as Melbourne's inaugural bishop in 1847.

Nathanial Billing was a British born architect who came to Australia with his young family in 1853. He built several churches – St Patrick's Church in Port Fairy; All Saints' Anglican Church in St Kilda East; St George's Church in La Trobe Terrace amongst others – and has been described as 'a noted ecclesiastical architect' and as amongst 'some of Victoria's greatest architects, Nathanial Billing, William Pitt, Joseph Read and Walter Butler'. In a genealogy page for Billing the authors note about a different 1861 church that he designed 'As for most Anglican churches of the period, the Gothic style was chosen with the focus on the alter rather than the pulpit, placing the emphasis on worship and the Sacraments rather than preaching. Billing was born in England and claimed to have been a pupil of Sir George Gilbert Scott, the leading Gothic Revivalist architect.'<sup>ii</sup>

The foundation stone of the Church was laid by Thomas Austin of Barwon Park, who was also one of the trustees of the Church, on 20 August 1860. At the end of the ceremony a parchment document marking the occasion with a list of original subscribers and signed by each of the trustees was placed in a bottle with a copy



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of the days Geelong Advertiser 'and one of each of the current coins of the realm'. The bottle was hermetically sealed and deposited in a special cavity for it by Thomas Austin's son, Master Thomas Austin before his father laid and secured the foundation stone. Funding for the church had largely come from voluntary contributions with £500 provided by the government.<sup>ii</sup>

A public meeting was held at the Church in May 1861 to consider 'the small remuneration at present received by' Rev. Tanner, the first incumbent of the Church. His remuneration depended upon the Trustees' bounty and was 'a lower amount of compensation than any clergyman in Victoria'. The congregation were unanimous that Rev. Tanner was greatly appreciated and would from then on receive an annual stipend of £400. It was also revealed that Thomas Austin Esq of Barwon Park had arranged an annual sum of £30 towards the support of a clergyman for this church before he left for England earlier.<sup>iv</sup>

The Austin's appear to have been very involved in this Church, which was 'liberally supported by [Mrs Elizabeth Austin] since its inception'. Mrs Austin lived in Winchelsea for over fifty years until her death in 1910 but was a great benefactor and founder of numerous important institutions including the Austin Hospital for Incurables established in Heidelberg in 1882."

Earlier, on the occasion of Mrs Austin's birthday in 1904, an illuminated address was formally presented to her by the Bishop of Melbourne at the Winchelsea Church to honour her work for the Austin Hospital for Incurables, the Geelong Homes and Alms Houses and the Anglican Diocese of Melbourne. It includes the signatures of the Bishop of Melbourne, Alderman Strong of the Austin Hospital, Mr Hitchcock of Geelong Homes and the Rev G.W.Kelly of St Thomas's Church.vi

The engagement of the local residents with their church did not appear to decline in the least as time went on. A report on 'St Thomas' Church Activities' in 1914 reported that working bees had been resumed in the vicarage grounds on the Saturday half-holidays which represented 'a monetary gift to the church of between £30 and £40'. The Sunday School, having provided free use of their schoolroom for four years to the Mutual Improvement Society, was to benefit from the proceeds of a 'social and world's pageant' put on by this Society. Monthly meetings were held by the Gleaners' Union, the Mothers' Union and the Girls Friendly Society, which raised money over the previous year for three windows with wire guards to be made by Brooks, Robinson and Co. of Melbourne. Two of the windows were to be placed in the back of the church and the third one was planned to go over the pulpit.\*\*ii These did not eventuate.

The church also has several stained-glass windows designed and made especially for it by the artist William Montgomery (1850-1927). One is a commemorative window to the men of the parish who died in World War One, and another commemorates Trooper Arthur Stanley Batson and was commissioned by his parents Mr and Mrs Stephen Batson. Viii It includes the inscription 'In loving memory of our son and brother Arthur Stanley Batson 8th Light Horse A.I.F. who died at Abbassia, Egypt October 14th 1918 aged 23 years 10 months'. In Includes the inscription 'In Includes the Inscription' in Includes the Inscription 'In Includes the Inscription' in Includes the Inscription 'In Includes the Inscription' in Includes the Inscription Includes the Inscript

Montgomery studied at the School of Art in Newcastle-on-Tyne and won one of three National Art Scholarships to study at the Kensington School of Art (now Royal College of Art). He worked for Clayton & Bell, a leading London stained glass company, then for Franz Mayer & Co in Munich, and designed and taught stained glass painting. He later moved to Victoria and became a foundation member of the Victorian Art Society, President of its Council in 1912-16 and a trustee of the National Gallery of Victoria. Significant stained-glass windows of his in Australia can be seen at Geelong Grammar School and Bathurst Cathedral.\*



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In 1939 the Church was honoured to welcome Deans Marsh-born Miss Marjorie Lawrence who twelve years previously had sung in St Thomas' Church choir before leaving for Paris to study opera. She had since became famous for her interpretations of Richard Wagner's operas and sang with the New York Metropolitan Opera. During her 1939 trip back to Australia the Camperdown Chronicle was pleased to announce that despite being 'world famous, Miss Lawrence has not forgotten the old church choir and went on Sunday to sing in it again before seeking further laurels in America. The singing of the Lord's Prayer by the diva is something the congregation will remember for many a long year.'<sup>3i</sup>

This Church was in the news again in 1955 when the World Council of Churches' re-settlement scheme introduced the 5,000<sup>th</sup> migrant to Australia. Mr Constantinos Tzortzatos, with his wife and four children, had travelled on the migrant ship *Skaugum* to Port Melbourne along with 448 other World Council of Churches' sponsored migrants after an earthquake in 1953 devastated the Ionian Islands off Greece and destroyed their home. The settlement of Mr Tzortzatos and his family was sponsored by St Thomas' Church – 'it is the first time that a church, as a body, has made itself entirely responsible for the settlement of a European migrant family.' The congregation had prepared the former parish vicarage, redecorating the building and providing some furniture and supplies of groceries, potatoes, eggs, wood and household requirements, as well as finding Mr Tzortzatos local employment as a farmer, which had been his occupation in Greece.<sup>xii</sup>

#### Description

St Thomas' Church and school room are located on a large allotment on the corner of Barwon Terrace and Hopkins Street, opposite the Barwon River, Winchelsea. The original parcel of land has been subdivided (refer Figure 1) and the land to the north is now occupied as a senior citizens facility.

St Thomas' Church is a single-storey bluestone building consisting of the main nave, with a lower height chancel and vestry on the principal north-east elevation. The steeply pitched slate clad roof to each element includes a concrete - capped gable with decorative elements. The arched stained-glass windows one the side elevations are uniformly spaced and separated by bluestone pilasters. There is also a pair of arched stained-glass windows on the rear elevation and a grouping of three arched stained-glass windows on the principal north-east elevation. The original arched entry into the nave is enclosed within a concrete block addition with a pitched metal sheet clad roof. This addition was constructed in 1988. The church addresses the north-east, with evidence of tuckpointing of the bluestone on the principal north-east and side elevations of the church. There is noticeable cracking both externally and internally, with some repairs having been undertaken, particularly in the south-east corner of the chancel. The church bell has been installed to the south of the 1980s addition on a metal frame. Internally there are stairs leading to the pulpit from the vestry and a timber-lined ceiling to the nave and chancel, with timber rafters to the nave.

The St Thomas' school room is a single-storey coursed stone building with a limestone render. A narrow square red-brick chimney is located on the south-west elevation and the hipped roof is clad with corrugated iron. The arched timber-framed multi-pane windows are uniform and evenly spaced along the south-east and south-west elevations. There is evidence of cracking to the building as well as the concrete lintels below the windows. Alterations have been undertaken to the door opening on the south-east elevation with a red brick infill installed. The addition to the school room was constructed in 1960-61. It is a single-storey concrete block building with a corrugated iron clad gable roof. It is attached to the north-west elevation of the 1846 school room via a solid narrow link, and it is understood that part of this original school room wall survives beneath



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the existing elevated stage in the addition. An enclosed weatherboard, concrete block and corrugated iron element on the north-west elevation of the addition provides the main entry and toilet block. Internally, partition walls have been installed in the original school room building, although the timber lining to the walls and ceiling survives throughout.

#### Comparative Analysis

There are approximately 11 church buildings listed in the schedule to the Surf Coast Shire Heritage Overlay. The other Anglican related structures are the All Saints Anglican Church in Lorne, the Holy Trinity Anglican Church and Vicarage at 410 Merrawarp Road Barrabool and associated Former Holy Trinity Anglican Church School at 400 Merrawarp Road, Barrabool. The Barrabool places are individually listed on the VHR- primarily due to their early date of construction in 1847 (school building) and 1855 (church and vicarage). The All Saints Anglican Church in Lorne is locally significant as one of the oldest Churches in Lorne and an excellent example of a Low and Mixed Carpender Gothic timber church.

The locally significant churches in the municipality are a mixture of timber- including Deans Marsh Uniting (formally Methodist) Church and Hall and St Cuthbert's Uniting Church in Lorne, while notable bluestone examples include the Winchelsea Uniting Church and sandstone for the Barrabool Presbyterian Church. These two locally significant stone churches are comparable to St Thomas Anglican Church in scale, form, and style, with the Barrabool Presbyterian Church also having an impressive interior.

#### Statement of Significance

#### What is significant?

St Thomas Anglican Church, including the stained glass windows, and School Room are significant at a local level. The small bluestone gable addition on the south-east and the bell are not significant.

#### How is it significant?

St Thomas Anglican Church and School Room is historically and architecturally significant at a local level to the Surf Coast Shire municipality.

#### Why is it significant?

St Thomas Anglican Church and School Room is historically significant as one of the earliest church's and associated school buildings in Winchelsea. (Cri.A) It is also significant for its association with the Austin family – a prominent and influential family in the region.(Cri.H)

St Thomas Anglican Church and School Room is aesthetically significant for its use of local bluestone in its construction and the quality of the stain glass windows. It is architecturally significant as a substantial rural church designed by Nathaniel Billing in the Early English manner and consisting of nave, chancel and vestry. (Cri.E&H)



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i 'Centenary of Winchelsea Anglicans', The Age, 17 July 1954, p.17, 'Notes and News', The Kyneton Observer, 22 January 1861, p.3

ii Janet and Robert Wolfe, 'Notes for Nathaniel Edward Billing', http://www-personal.umich.edu/~bobwolfe/gen/pn/p2729.htm, accessed 28 February 2019

"Winchelsea', Geelong Advertiser, 27 August 1860, p.3

"Winchelsea', Geelong Advertiser, 28 May 1861, p.3

v 'A great benefactress. Death of Mrs Elizabeth Austin', The Argus, 3 September 1910, p.17

vi 'About People', The Age, 17 August 1904, p.4

Wil 'Winchelsea, St Thomas Church Activities', Geelong Advertiser, 18 June 1914, p.4

Wil 'Winchelsea, Vic – St Thomas's Anglican', www.churchhistories.net.au, accessed 1 March 2019

<sup>&</sup>lt;sup>ix</sup> Victorian War Heritage Inventory, place ID 197019 and 197020

<sup>&</sup>quot;Viviliam Montgomery (1850-1927) Australia, Australian Art Auction Records, accessed 1 March 2019

xi 'Miss Marjorie Lawrence sings in Winchelsea church choir', Camperdown Chronicle, 14 September 1939, p.2; 'Marjorie Lawrence,
Wagnerian Soprano, Dead at 71', New York Times, January 15, 1979

xii 'World Council of Churches has sponsored 5,000', Good Neighbour, 1 November 1955, p.5



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1.12 Winchelsea Uniting Church and Manse, 30-34 Hesse St (HO21)



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# 1.12 WINCHELSEA UNITING CHURCH AND MANSE

Place Name	Winchelsea Uniting Church and Manse
Address	30-34 Hesse Street, Winchelsea
Historic Themes	Building & construction; farming towns; struggling with hardship; entertainments; township services, spiritual life; community organisations; education, commemoration
Current Heritage Status	HO21
Condition	Good
Integrity	Good
Recommendation	That the place remain on the Heritage Overlay to the Surf Coast Planning Scheme.



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Primary elevation of the Winchelsea Uniting Church (State Library of Victoria Pictures Collection)



North-east elevation of the Winchelsea Uniting Church (State Library of Victoria Pictures Collection)



West elevation of the Manse (Source: Ecology and Heritage Partners 2019)



Presbyterian Church, c.1870 (State Library of Victoria Pictures Collection)

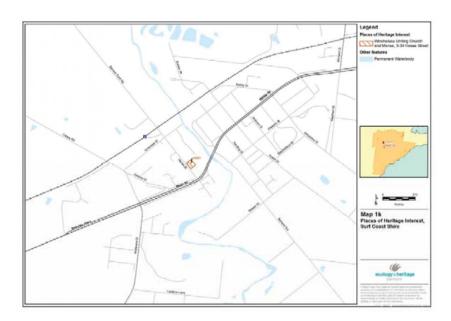
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#### Мар



#### History

This bluestone church was built in 1870 with an 'unusual arrangement of triple gables embracing twin porches and central windows and of interest for its meticulously detailed window tracery.' It was classified by the National Trust in August 1989. $^{\rm i}$ 

The church opened on 30 April 1871 with two 'discourses' delivered by the Rev. Henry B. Giles, the new pastor and 'the church, indeed, was well filled, and a deep interest seemed to have been excited in the minds of all present.' Unfortunately, a lack of funds meant the church was still not completed and so chairs had been supplied temporarily and benches lined the walls to enable accommodation for 80 more. The platform for the minister is neatly railed and presents a chaste appearance. Although so incomplete, this new church is sufficiently advanced to show that it will eventually be one of the most eligible, commodious and beautiful structures in the Western district.' Rev. Giles said on the occasion it was 'something wonderful to see what had been done amongst them through the energy of a comparatively poor congregation.' At the 'Sabbath school', which had ten teachers, there were 90 children enrolled with about 65 regularly attending."

For many years concerts and other fund-raising efforts attempted to raise the funds to finish the church building but it took some years. In 1887 the Geelong Advertiser reported that 'assisted by kind friends of other

Stage 2c of the Surf Coast Shire Heritage Study, Barrabool, Torquay, Bellbrae and Winchelsea, Victoria.

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denominations' the Presbyterians of Winchelsea had been able to do more work on the building. 'The front of the building, which had remained unfinished for many years, has now been completed, with the exception of the full height of the originally proposed spire. The entrance to the building faces the north point of the compass, and is of neatly cut bluestone, with a porch on each side... Over the entrance to the church there is a new and large window of cathedral glass, with coloured margins... a new platform and railing of excellent and attractive design, in stained light wood, has been constructed at the south end...and the building has been furnished with fairly roomy seats, made of Californian ceder.'<sup>iii</sup>

Newspaper articles indicate the church was constantly struggling with funds and the congregation was never very large, while the published reports of church activities tended to have an apologetic tone despite the many worthwhile community activities. In 1916, for example, the Women's Mission Union reported that 'we have done rather less mission work than usual as so many of our members are busy with Red Cross work. We have held our four quarterly meetings and also one sewing meeting for the poor of Melbourne. A great many clothes were brought to the sewing meeting, were neatly mended and forwarded to Deaconess Moon.'iv

In 1953 a State funeral was held at the Winchelsea Presbyterian Church for Mr Alan McKenzie McDonald, M.H.R. for Corangamite. Some 1,000 people attended the funeral including the then deputy leader of the Opposition, Mr Calwell, and other parliamentarians, plus another several hundred people outside the church. The funeral was followed by a mile-long cortege to the cemetery, with a twelve motor-cycle police escort, where a masonic service was held.\*



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#### Description

The Winchelsea Uniting Church (formally known as the Winchelsea Presbyterian Church) and Manse are located on a large flat site comprised of the Church (1871), the Manse and a single level cream brick hall dating from the mid twentieth century.

#### The Church

Built in the Gothic Revival style, this bluestone church is comprised of a primary rectangular form flanked by a front entry section added several years after the church was opened (1887), and a divided chancel section at the rear. Externally, the different sections of the building are defined by gabled ends with rendered capping and finials. Walls are of rough-cut bluestone with some evidence of tuck-pointing remaining. The steeply pitched slate roof has triangular vents inserted near the upper edge. Round roof vents visible on the roof ridge are not original (may have been added during the 1887 works). An intricate stone bell tower indicated in an early drawing for the building was never constructed.

The front façade is comprised of a central gabled section with enclosed, gabled porches to each side. Both porches feature a pointed arch and bluestone steps. A large Cathedral window is located centrally on the façade and features intricate tracery and leadlight panes. A contrasting stone (possibly limestone) has been used for quoining at the building edges and around the windows.

The central (nave) section has evenly spaced stone buttresses down each side of the building. The end buttresses extend beyond the eave line and have pitched cappings. Narrow pointed arched windows are located between the buttresses. The windows have stone surrounds and tracery similar to the front cathedral window.

The chancel at the rear is comprised of a narrow section with side windows and a secondary section with a lower roof height and a cathedral window on the rear face.

The building retains a high level of integrity and appears to be in reasonable condition. Large sections of the bluestone walls have been repointed. Slates at the lower edges of the roof are in poor condition. Various service lines and fixtures are visible around the building and appear intrusive.

#### The Manse

This single storey weatherboard house is asymmetrical in form with projecting wings to the front and one side, and a return verandah running between the wings. A steeply pitched roof is clad in (non-original) corrugated iron sheeting. The verandah roof is an extension of the main roof but with a lower pitch.

Entry to the house is via a side door, located under the verandah, and accessed via a curved garden path, running from the street frontage. The entry door faces directly onto the church yard. The timber-panelled door has a sidelight panel.

The gabled projecting wings each have a jettied upper section, supported by curved timber brackets to match the verandah frieze. The roofline projects forward over the jettied section. The gable has roughcast render between shaped timber details. At the front of the house, vertical timber members run between the jettied gable and a corrugated iron window awning, supported by the same curved brackets.



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Decorative timber verandah detail is comprised of paired timber posts with a simple curved frieze between each pair of posts. Three simple timber slats sit centrally over each curved frieze. Each verandah post has an angled bracket, projecting towards the roof edge.

Timber windows and doors are intact. Paired or single sash windows are located around the house and across the front verandah.

Three intact face brick chimneys have rendered details to the upper edges.

The building retains a high level of integrity and appears to be in reasonable condition. The existing corrugated iron roof is not original.

#### Comparative Analysis

There are approximately 11 church buildings listed in the schedule to the Surf Coast Shire Heritage Overlay. The other Anglican related structures are:

- the All Saints Anglican Church in Lorne;
- the Holy Trinity Anglican Church and Vicarage at 410 Merrawarp Road Barrabool; and
- the Former Holy Trinity Anglican Church School at 400 Merrawarp Road, Barrabool.

The Barrabool places are individually listed on the VHR- primarily due to their early date of construction in 1847 (school building) and 1855 (church and vicarage). The All Saints Anglican Church in Lorne is locally significant as one of the oldest Churches in Lorne and an excellent example of a Low and Mixed Carpenter Gothic timber church.

The locally significant churches in the municipality are a mixture of timber- including Deans Marsh Uniting (formally Methodist) Church and Hall and St Cuthbert's Uniting Church in Lorne, while notable bluestone examples include St Thomas' Anglican Church and sandstone for the Barrabool Presbyterian Church. These two stone churches are comparable to Winchelsea Uniting Church in scale, form, and style, with the Barrabool Presbyterian Church also having an impressive interior.

## Statement of Significance

What is significant?

Winchelsea Uniting Church and Manse are significant at a local level.

How is it significant?

Winchelsea Uniting Church and Manse are historically and architecturally significant at a local level to the Surf Coast Shire municipality.

Why is it significant?



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Winchelsea Uniting Church and Manse are significant as one of the earliest church's and associated manse buildings in Winchelsea. (Cri.A)

 $Winch else a \ Uniting \ Church \ and \ Manse \ is \ aesthetically \ significant \ for \ its \ use \ of \ local \ bluestone \ in \ its$ construction and fine architectural detailing. (Cri.E)

<sup>&</sup>lt;sup>i</sup> 'Former Presbyterian Church', National Trust, Victorian Heritage Database

ii 'Opening of the Presbyterian Church, Winchelsea', Geelong Advertiser, 3 May 1871, p.3 iii 'The Winchelsea Presbyterian Church', Geelong Advertiser, 30 June 1887, p.4 iv 'Winchelsea Presbyterian Church', Geelong Advertiser, 11 February 1916, p.5

<sup>&</sup>lt;sup>v</sup> 'Funeral of M.P.' The Argus, 13 June 1953, p.5



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1.13 Murdeduke Homestead, 730 Cressy Road (HO24)



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# 1.13 MURDEDUKE HOMESTEAD

Place Name	Murdeduke Homestead
Address	730 Cressy Road, Winchelsea
Historic Themes	Squatting and pastoral era; natural resources (quarrying the homesteads own bluestone & rich agricultural soils); primary production; governing (Winchelsea Shire District); homes for pastoralists and farmers.
Current Heritage Status	HO24
Condition	Unknown
Integrity	Unknown
Recommendation	That this place remain in the Schedule to the Heritage Overlay of the Surf Coast Planning Scheme.      That access to this place be pursued and citation updated accordingly.



'The Homestead, Murdeduke, Victoria', *The Pastoralist's Review*, 15 July,1909



Murdeduke Homestead, 1975 (State Library of Victoria Pictures Collection)



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Having been Wathaurung land for thousands of years, when European people first arrived, the area on which Murdeduke Estate is located became known as the Mt Hesse Station run. It was leased by John Highett and William Harding, who lived with William's sister Elizabeth on the property. That house no longer exists and Elizabeth moved to Barwon Park in 1845 after marrying Thomas Austin. In 1851 Henry Hopkins took up the lease that represented John Highett's part of the run, while Harding retained his portion. Highett's, now Hopkins', land 'was situated to the north and west of the Austin's Barwon Park run, with a narrow frontage to the river north of Barwon Park, stretching along the eastern shore of Lake Murdeduke'.

By 1855 Hopkins had taken up the pre-emptive right to 640 acres of this land, transferred both the lease and the freehold land to his son Arthur, and this property was renamed Murdeduke, which is a Wathaurung word. The rest of the original run remained known as Mt Hesse, while to the south-east of Murdeduke was St Stephen's run, a smaller run taken up by Arthur's older brother John Rout Hopkins in 1850, and to the south of this was Wormbete, also established by Henry Hopkins in 1837 and handed over to John in 1851. A State Library Victoria catalogue record for a print taken from the 'Scrap Album' by the artist Edward Gilks describes



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the picture as J.R. Hopkins, the manager of Murdeduke in 1845. Whichever son managed or had the rights to it over time, Murdeduke was consistently a Hopkins family concern from 1851.

At Murdeduke Arthur was married to Lucy Rout (possibly a Hopkin's maternal relative) in February 1854 and raised three daughters at the home. Both Arthur and John were politically active as well as managing these large estates. John was the first president of Barrabool Shire Council, a shire councilor at Winchelsea for 32 years, mayor of Geelong 1892-93, MLA for Sth Grant in 1864-67 and in 1871-94 and MLA for Geelong from 1892-94." Arthur also served on the Winchelsea Shire Council.

In 1875 Arthur Hopkins pulled down the original house and had a new one built for his family. The Melbourne architects Terry and Oakden called for tenders for 'a Residence at Murdeduke, near Winchelsea, for A.Hopkins'\*i, and a 20 room house was built from bluestone quarried from the property. It is thought that the circular driveway dates from around 1854.\* Arthur must have been happy with his architect's work as the following year, in 1876, he engaged them to build a billiard room at the house.\* Arthur died in 1882 having been ill for a long time. 'He was an old colonist, and highly esteemed'. In

Percy Oakden studied in Britain and won the inaugural Donaldson silver medal at University College, London, before becoming an associate of the Royal institute of British Architects then moving to Ballarat and practicing as a 'borough architect' where he designed several churches as well as the Clunes Town Hall. He became a partner of the already well-established Leonard Terry in 1874 and in 1883 the pair and their student won a competition for their design of the Working Men's College as the Royal Melbourne Institute of Technology was then known. Terry was a 'diocesan architect', appointed by the Anglican Church in 1860.\*

Mr Peter McIntyre (1826 – 1908) bought Murdeduke, from the executors of Arthur Hopkins' estate in August 1886. An auction notice described the property as being '13,568 acres of freehold land, about one-fifth of which is rich agricultural soil... [and] undulating plains, sheep to the acre country, all fattening, and for the growth of merino wool cannot be excelled...the drafts of fat sheep from "Murdeduke" command the highest prices of the Melbourne market'. It was divided into fourteen paddocks each with 'creaks, dams, tanks or wells.' The house itself was a 'two-storied bluestone dwelling with verandah and balcony, containing 10 rooms, besides bathroom, kitchens, servants' bedrooms, &c. Also, detached bluestone billiardroom, stone stables and woolshed, overseer's cottage, &c. There is a garden of three acres, stocked with choice fruit trees.' \*\*

McIntyre bought the nearby 3,000-acre estate Mt Pleasant two years later, and in January 1900 bought Mountside, another 8,000 aces close to Murdeduke. McIntyre 'was one of the best-known sheepbreeders and woolgrowers of Victoria, and was at different times identified with properties which are famous for the high standard of the clips they produce... the late owner of Murdeduke was certainly one of the pioneer fine-wool producers of Victoria...'Xiii McIntyre also bred pure Hereford cattle and had improved both the Murdeduke and Mountside homesteads 'up to a standard of considerably more than ordinary beauty and comfort. Acetylene gas is laid on throughout and the houses are sewered on the septic tank system.'Xiii Mrs Margaret McIntrye remained living at Murdeduke until her own death at the age of 93 years in 1918.Xiv

Following Peter McIntyre's death 7,523 acres of the Murdeduke Estate were subdivided into 22 lots and eight lots were sold by Dalgety and  $Co.^{xv}$  A further large portion of the estate was sold in 1938 and the remaining 4,500 acres were sold to James William Primrose Wilson, whose family remain the owners of Murdeduke with a business in sheep, cattle, pigs and crops.  $^{xvi}$ 



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#### Description

No access to this property was provided for the purposes of this study. The following description is taken from the Victorian Heritage Database:

The original house c.early 1840s was dismantled and replaced by it's next owner, Arthur Hopkins in 1875. The Gothic style 20 room bluestone homestead was designed by architects Terry & Oakden. The basalt bluestone was quarried on the property. The circular driveway in front of the house probably dates from 1854.

#### Comparative Analysis

There are several impressive rural homesteads with associated farms across the Barrabool region and Surf Coast Shire. Four places in the municipality are listed on the Victorian Heritage Register:

- 'Barwon Park' in Winchelsea (HO365);
- Ingleby Homestead in Winchelsea (HO364);
- Mount Hess Homestead in Winchelsea (H1208);
- 'Neuchatel' in Barrabool (HO773).

Summerhill in Mount Duneed (H1131) is also listed on the Victorian Heritage Register and relates to a two bedroom pre-fabricated iron cottage. It is important because it demonstrates British technical accomplishment in the history of prefabricated building construction.

Three places in the municipality on the Victorian Heritage Register are comparable to Murdeduke: 'Barwon Park' in Winchelsea (H0365), Ingleby Homestead in Winchelsea (H0364), and Mount Hess Homestead in Winchelsea (H1208).

The National Trust citation for Barwon Park includes the following:

The mansion house, Barwon Park, at Winchelsea, was built of basalt in 1869 - for prominent western district squatter Thomas Austin. Architects Davidson and Henderson of Geelong designed the 42 room Italianate mansion and supervised construction on a sub-contract basis at a cost of c. 10,000 pounds. The square and utilitarian two storey building is enhanced by a distinctive cast iron verandah, elaborate entry hallway, stair case and high quality crafted interior. Barwon Park at Winchelsea, when completed in 1869 was the finest and most celebrated mansion house in western Victoria and having established the reputation of architects Davidson and Henderson, survives as perhaps the most notable homestead designed by this prolific practice. At Barwon Park, Thomas Austin, royal host, public figure, eminent



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pastoralist and leader of the acclimatisation society, was the first to introduce rabbits to Australia, an achievement now universally condemned.

The statement of significance for Ingleby is as follows:

Ingleby homestead is of historical significance for its association with the distinguished pioneering Armytage family who developed extensive pastoral holdings throughout the Western District. Thomas Armytage was one of the earliest pastoralists to follow Batman and Fawkner into the Port Phillip district and Ingleby station was the principal homestead of an extensive pastoral empire. Ingleby homestead is of architectural significance as a major surviving work of the accomplished Geelong architect Edward Prowse who also designed The Hermitage in Geelong for Thomas Armytage's father George Armytage Snr. The Ingleby homestead and station buildings form an important and intact pastoral complex. The large T-plan woolshed is of particular significance for the unusual use of subdued classical architectural decorative elements in a building of otherwise utilitarian character. Ingleby homestead is of archaeological significance for its potential to reveal through the examination of the ruins of the old homestead archaeological material relating to the early construction and occupation of the place.

The statement of significance for Mount Hesse Station is as follows:

Mount Hesse Station was established as a pastoral property in the late 1830s by William Harding and John Highett. Harding's homestead, the first homestead on the property, dates from the 1840s and was built in several stages. It was originally constructed as a two-roomed stone cottage with a hipped roof; later additions include a stone skillion kitchen to the rear and a weatherboard section on the north-west corner. The Shepherd's Hut, built c.1849, sits at the back of Harding's homestead and is a single roomed stone building with a simple hipped roof. The L-shaped stone stables were constructed in two stages, the north-west wing was built in 1849 and the adjoining right-angled south-east wing in 1873. The 1844 elevated circular store building is clad with bead-edge softwood boards and stands on a wrought and cast iron frame which bears its maker's mark and date. In 1852 the stone woolshed was constructed by Harding for contract shearing and whilst still used for shearing today, the original twenty stands have been reduced to nine. The woolshed has 20 inch thick walls, a vast helm roof and pronounced buttressing.

The main homestead was built c.1856 for William Timms (Senior) to the design of Backhouse and Reynolds and was later extended by Davidson and Henderson for William Timms (Junior) in 1873. In 1941 the house was severely damaged by fire, although it was re-built in 1947 using some of the original materials. The Lodge was built in 1873 for William Timms (Junior) as a three roomed gate lodge and it sits adjacent to the original main gate entrance.

Mount Hesse Station is of architectural and historical significance to the State of Victoria.



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Mount Hesse Station is of architectural significance as an extensive rural property containing rare and intact buildings relating specifically to Victoria's pastoral industry. The buildings on the site describe the early and successive functions of the property and demonstrate a direct linkage with early pastoral activities in Victoria. The stables and the woolshed are amongst the oldest surviving examples of their kind in Victoria and the circular store is a rare building type. The unusual form and positioning of the small store building is thought to relate to mouse and rat prevention techniques. The extensive use of vesiculated stone is uncommon on such a scale, as is the use of blackwood floors, and shingles and the stone houses are representative of early dwellings in rural Victoria. The composite elements of Mount Hesse Station result in the property being a complex of high architectural integrity, demonstrating both functional requirements and architectural influences from the 1840s onwards.

Mount Hesse Station is of historical significance for its ability to describe Victoria's early pastoral industry. Established as a pastoral run c.1837, Mount Hesse is an extensive and early example of agrarian farming and its buildings reflect the evolution of pastoral and associated activities on the site. The property has historical associations with a number of important figures in Victoria's history including early pastoralists John Highett and William Harding, who first established the property, and later the Geelong merchants William Timms and John Wilson, who owned the property from 1853 to 1856. William Timms, who by 1849 was Geelong's biggest exporter of wool, became sole owner of Mount Hesse in October 1856 when he bought John Wilson's share for £17,500. The property was later broken up and acquired by Timms' sons and run as three separate properties, 'Eurack', 'Mountside' and 'Mount Hesse', Mount Hesse being the homestead section and comprising 15,866 acres (6,400ha). In 1882 James Kinninmonth purchased Mount Hesse from William Timms (Junior) and it has been managed by the Kinninmonth family ever since.

Barwon Park, Ingleby and Mount Hesse Station seem to be comparable to Murdeduke in architectural quality, however a site inspection is required to verify this.

Murdeduke dates to a later period than these three registered places and is not considered to be historically significant at a State level.

## Statement of significance

## What is significant?

Murdeduke Homestead is significant at a local level.

### Why is it significant?

Murdeduke Homestead is of architectural and historical significance at a local level to the Surf Coast Shire municipality.

### How is it significant?

Murdeduke Homestead is historically significant as an influential pastoral property in the region. (Cri.A)

Stage 2c of the Surf Coast Shire Heritage Study, Barrabool, Torquay, Bellbrae and Winchelsea, Victoria.

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Murdeduke is significant for its association with Hopkin's family – early pastoralists and farmers in Winchelsea district and prominent in local government. (Cri.H)

Murdeduke is significant for its association with Terry & Oakden, architects (Cri.H)

Murdeduke is significant for its association with Peter McIntyre, pioneer sheep breeder and highly successful and esteemed wool producer. (Cri.H)

(Cri.H)

Murdeduke is architecturally significant as a fine example of Gothic Revival style architecture. (Cri.D)

i Merdeduke Homestead, National Trust, VHD

ii Jo Mitchell, 'Barwon Blog. The Murdeduke Estate', 19 May 2015, http://barwonblogger.blogspot.com/2015/05/the-murdeduke-estate.html, accessed 3 March 2019

iii Jo Mitchell, 'Barwon Blog. The Murdeduke Estate', 19 May 2015, http://barwonblogger.blogspot.com/2015/05/the-murdeduke-estate.html,

iv SLV catalogue record, 'Mr J.R. Hopkins, South Grant', Identifier H31555/69

v SLV catalogue record, 'Mr J.R. Hopkins, South Grant', Identifier H31555/69

vi Geelong Advertiser, 3 February 1875, p.3

vii Merdeduke Homestead, National Trust, VHD

viii The Ballarat Star, 17 March 1876, p.4

ix 'Hopkins, Arthur (1831–1882)', Obituaries Australia, National Centre of Biography, Australian National University,

http://oa.anu.edu.au/obituary/hopkins-arthur-19127/text30702, accessed 4 March 2019.

x Miles Lewis, 'Terry, Leonard (1825–1884)', and 'Oakden, Percy (1845-1917)', Australian Dictionary of Biography, National Centre of Biography,

Australian National University, http://adb.anu.edu.au/biography/terry-leonard-4702/text7793, published first in hardcopy 1976, accessed online 4 March 2019.

xi The Argus, 17 July 1886, p.3

xii The Pastoralists Review, 'Murdeduke and Mountside', July 15, 1909, p.460-463

xiii The Pastoralists Review, 'Murdeduke and Mountside', July 15, 1909, p.460-463

xiv 'Winchelsea', Geelong Advertiser, 2 November 1918, p.6

xv 'The Murdeduke Estate', The Argus, 26 November 1910, p.21

xvi Jo Mitchell, 'Barwon Blog. The Murdeduke Estate', 19 May 2015, http://barwonblogger.blogspot.com/2015/05/the-murdeduke-estate.html, accessed 3 March 2019



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1.14 Wormbete Homestead including outbuildings and Gardens, 565 Winchelsea-Deans Marsh Road (HO25)



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# 1.14 WORMBETE HOMESTEAD

Place Name	Wormbete Homestead including Outbuildings and Gardens
Address	565 Winchelsea-Deans Marsh Rd, Winchelsea.
Historic Themes	Squatting and pastoral era; natural resources (quarrying the homesteads own bluestone & rich agricultural soils); primary production; governing (Winchelsea Shire District); homes for pastoralists and farmers.
Current Heritage Status	HO25
Condition	Good
Integrity	Good
Recommendation	That this place be nominated for inclusion in the Victorian Heritage Register.



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Primary north elevation of Wormbete Homestead. (Source: State Library of Victoria Pictures Collection)



Primary north elevation of Wormbete Homestead. (Source: Ecology and Heritage Partners 2019)



Rear south elevation of the Homestead with bluestone wall that encloses the courtyard in the foreground (Source: State Library of Victoria Pictures Collection)



Rear south elevation of the Homestead. (Source: Ecology and Heritage Partners 2019)



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Stables: (Source: State Library of Victoria Pictures Collection)



Stables (Source: Ecology and Heritage Partners 2019)



Woolshed: (State Library of Victoria Pictures Collection)



Woolshed (Source: Ecology and Heritage Partners 2019)



Slaughterhouse (Source: State Library of Victoria Pictures Collection)



Slaughterhouse – now serving as accommodation (Source: Ecology and Heritage Partners 2019)



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History

Having been Wathaurung Aboriginal land for thousands of years, when European people first arrived in the area they named it Wormbete and it was taken up by Henry Hopkins in 1837 to run sheep. Wormbete was a Wathaurung word apparently meaning 'lake with a black fellow's mound'. Wormbete was also known as Wurdee Buloc and has almost consistently been part of the Hopkin's family from that time to the late 20<sup>th</sup> century.<sup>1</sup>

Henry himself spent little time at Wormbete, or at his other properties (see Murdeduke Homestead) but instead handed them to his sons to manage. John Rout Hopkins was formally put in charge of the 31,000 acres of Wormbete Station in August 1851 with a bluestone homestead already built in the 1840s. During the 1850s and 1860s outbuildings were also built. Most of these, and the original homestead remain today. The buildings are laid out formally in a farm court, a practice which is most unusual in Victoria and which has strong links with the earlier Tasmanian and New South Wales farms built before the settlement of Victoria and derived directly from English tradition. Will This would be due to the very early construction date and the strength of



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Henry's connections to both Tasmania and the UK. The National Trust's Statement of Significance also describes the unusual north facing aspect and other features.

Despite spending relatively little time in Port Phillip or Victoria, Henry Hopkins was described as 'a pioneer of the Australian wool growing industry...he was the first to export wool from Tasmania.' He was also 'closely associated with the Independent Church and held the distinction of having laid the foundation stone of the first church ever built in Melbourne...at the corner of Collins and Russell Streets, and in 1866, when it was decided to build a new church on the same site, Mr Hopkins came over specially from Tasmania to lay the foundation stone.'iv

In 1851 John Hopkins acquired 1,000 acres of Wormbete land through a pre-emptive right, in addition to another 640 acres of the neighbouring St Stephen's Estate which he had been leasing since 1857. He was also active in local and state politics and within his Winchelsea community. He was the first president of Barrabool Shire Council, a shire councilor at Winchelsea for 32 years, mayor of Geelong 1892-93, MLA for Sth Grant in 1864-67 and in 1871-94 and MLA for Geelong from 1892-94. John and his wife Eliza, whose father George Armytage owned the neighbouring Ingleby Estate, raised seven daughters and six sons at Wormbete between their marriage in 1850 and Eliza's death in 1885. John died in December 1897 and his eldest son Walter inherited Wormbete and raised his own family there. Vi

When Walter died in 1944 Wormbete was divided up and one son, Henry, inherited some of the estate and the Wormbete homestead, while another son, John, inherited the remaining estate and renamed it Burong Station. Wormbete itself continued to be lived in by Henry Hopkins (Jnr) and his family until the 1980s when it was sold to the millionaire businessman Alan Bond. Bond soon returned it to the Hopkins family but it was sold again in 1997. Vii However, while it is no longer a Hopkins enterprise the property still runs sheep, cattle and horses.

Wormbete began as a cattle run for their hides and tallow but, due to Henry Hopkins familiarity with sheep, and his foresight, and John Hopkins training in wool growing when still living in Tasmania, the cattle were largely replaced by sheep carefully selected in Tasmania 'and thus the Wormbete type was developed and fixed. The largest number of sheep ever shorn on the property in a year was 26,000.'viii Other changes to take place on the property were improvements such as fencing to contain cattle and sheep and creating tanks and dams to provide water to the stock. In an article in The Pastoralists Review the author wrote also of quite significant changes to the landscape. 'Originally the estate was fairly heavily timbered. A remarkable feature about it was the great number of wild cherry trees that grew there...Other varieties of trees have also been thinned off by artificial means as well as natural agencies, and the country has taken quite an open appearance.' ix

In keeping with the original owner's, John Hopkins, interests, Wormbete is still very much engaged with the local community hosting events such as the Barwon Hunt Club and even an episode of the Australian television show MasterChef in 2014.\*

### Description



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Wormbete is comprised of the homestead building as well as several outbuildings set within a large rural property. The homestead was constructed in stages – the original central component of the residence was constructed in the late 1840s with two contemporaneous single-storey rendered brick buildings (one was the original kitchen) which extend to the south of the residence to enclose a redbrick paved courtyard.

The original component of the residence is a two-storey overpainted brick building with a hipped slate-clad roof. Four rendered chimneys surmount the roof. To the courtyard elevation, the residence is comprised of a central entry on the ground floor and evenly spaced timber-framed multi-pane windows to both the ground and first floors. A narrow verandah with a skillion corrugated iron roof supported on timber posts extends along the length of the building. Along the north elevation is an enclosed verandah on a bluestone plinth and with a slate roof. The windows to the first floor above are timber-framed multi-pane sashes with timber shutters.

A pair of two-storey bluestone and sandstone wings with steeply pitched slate roofs were added to the 1840s residence in c. early 1860s. Two rendered chimneys surmount the roof. To the courtyard, these wings adjoin the 1840s single-storey buildings. To the north, each gable has a decorative barge board and rectangular window opening above a ground floor faceted bay window with a slate roof. A rendered two-storey bay window was added at a later stage to the east wing. An early bluestone wall extends along the length of the courtward.

The constituent buildings are formally positioned in a farm court style derived from the English tradition, a practise which is rare in Victoria but was more common in Tasmanian and New South Wales.

Outbuildings including a rendered stone stable, brick woolshed, and bluestone slaughterhouse/meat house.

### Comparative Analysis

There are several impressive rural homesteads with associated farms across the Barrabool region and Surf Coast Shire. Four places in the municipality are listed on the Victorian Heritage Register:

- 'Barwon Park' in Winchelsea (HO365);
- Ingleby Homestead in Winchelsea (HO364);
- Mount Hess Homestead in Winchelsea (H1208);
- 'Neuchatel' in Barrabool (HO773).

Summerhill in Mount Duneed (H1131) is also listed on the Victorian Heritage Register and relates to a two bedroom pre-fabricated iron cottage. It is important because it demonstrates British technical accomplishment in the history of prefabricated building construction.



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Three places in the municipality that are listed on the Victorian Heritage Register exhibit similar levels of significance to Wormbete. These are 'Barwon Park' in Winchelsea (HO365), Ingelby Homestead in Winchelsea (HO364), and Mount Hess Homestead in Winchelsea (H1208).

The National Trust citation for Barwon Park includes the following:

The mansion house, Barwon Park, at Winchelsea, was built of basalt in 1869 - for prominent western district squatter Thomas Austin. Architects Davidson and Henderson of Geelong designed the 42 room Italianate mansion and supervised construction on a sub-contract basis at a cost of c. 10,000 pounds. The square and utilitarian two storey building is enhanced by a distinctive cast iron verandah, elaborate entry hallway, stair case and high quality crafted interior. Barwon Park at Winchelsea, when completed in 1869 was the finest and most celebrated mansion house in western Victoria and having established the reputation of architects Davidson and Henderson, survives as perhaps the most notable homestead designed by this prolific practice. At Barwon Park, Thomas Austin, royal host, public figure, eminent pastoralist and leader of the acclimatisation society, was the first to introduce rabbits to Australia, an achievement now universally condemned.

The statement of significance for Ingleby Homestead states that:

Ingleby Homestead is of historical significance for its association with the distinguished pioneering Armytage family who developed extensive pastoral holdings throughout the Western District. Thomas Armytage was one of the earliest pastoralists to follow Batman and Fawkner into the Port Phillip district and Ingleby station was the principal homestead of an extensive pastoral empire. Ingleby homestead is of architectural significance as a major surviving work of the accomplished Geelong architect Edward Prowse who also designed The Hermitage in Geelong for Thomas Armytage's father George Armytage Snr. The Ingleby homestead and station buildings form an important and intact pastoral complex. The large T-plan woolshed is of particular significance for the unusual use of subdued classical architectural decorative elements in a building of otherwise utilitarian character. Ingleby Homestead is of archaeological significance for its potential to reveal through the examination of the ruins of the old homestead archaeological material relating to the early construction and occupation of the place.

Mount Hesse Station was established as a pastoral property in the late 1830s by William Harding and John Highett. Harding's homestead dates from the 1840s and several outbuildings including a Shepherd's Hut, built c.1849, sits at the back of Harding's homestead. Mount Hesse Station has been assessed as being historically and architecturally significant to the State of Victoria.

Barwon Park, Ingleby and Mount Hesse Station are all comparable to Wormbete in their association with significant pastoral families. While Barwon Park and Ingleby are slightly larger in scale, Wormbete exhibits similar detailing and high integrity – with the majority of the outbuildings still intact and in use.

## Statement of significance

What is significant?



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Wormbete Homestead comprising of the main building, courtyard layout and bluestone wall enclosing the courtyard, and outbuildings including the former slaughterhouse, woolshed and stables. It is considered to be a State Significance.

## Why is it significant?

Wormbete Homestead and outbuildings are is of architectural and historical significance to the State of

#### How is it significant?

Wormbete Homestead is historically significant for its ability to describe Victoria's early pastoral industry and is one of the few surviving pastoral properties in Victoria to contain a principal building dating from the 1840s.

Wormbete is significant for its association with Henry and John Rout Hopkins. Henry, who founded the property, was a notable Tasmanian trader and philanthropist and a strong figure in Hobart civic and commercial life and in the Congregational Church. Son John played an important role in local government and held Legislative Assembly seats in Victoria. (Cri.H)

The composite elements of Wormbete result in the property being a complex of high architectural integrity, demonstrating aesthetic significance as an extensive rural property containing rare and intact buildings relating specifically to Victoria's pastoral industry. (Cri.E)

<sup>&</sup>lt;sup>i</sup> Jo Mitchell, 'Barwon Blog. The Wormbete Estate', 5 May 2015, <a href="http://barwonblogger.blogspot.com/2015/05/wormbete-">http://barwonblogger.blogspot.com/2015/05/wormbete-</a> estate.html, accessed 3 March 2019

ii Jo Mitchell, 'Barwon Blog. The Wormbete Estate', 5 May 2015, http://barwonblogger.blogspot.com/2015/05/wormbeteestate.html, accessed 3 March 2019

iii 'Wormbete Homestead', Victorian Heritage Database, last updated January 9 2006

Wormbete', The Pastoralists' Review, July 15, 1909, p470 - 471
 SLV catalogue record, 'Mr J.R. Hopkins, South Grant', Identifier H31555/69

vi Jo Mitchell, 'Barwon Blog. The Wormbete Estate', 5 May 2015, http://barwonblogger.blogspot.com/2015/05/wormbete-

estate.html, accessed 3 March 2019

vii Jo Mitchell, 'Barwon Blog. The Wormbete Estate', 5 May 2015, http://barwonblogger.blogspot.com/2015/05/wormbeteestate.html, accessed 3 March 2019. Also, 'Winchelsea', The Sydney Morning Herald, February 8, 2004, online edition.

\*\*II 'Wormbete', The Pastoralists' Review, July 15, 1909, p470 - 471

<sup>&</sup>lt;sup>iα</sup> 'Wormbete', The Pastoralists' Review, July 15, 1909, p470 - 471

<sup>\*</sup>Jo Mitchell, 'Barwon Blog. The Wormbete Estate', 5 May 2015, http://barwonblogger.blogspot.com/2015/05/wormbeteestate.html, accessed 3 March 2019



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1.15 Pollocksford Bridge



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# 1.15 POLLOCKSFORD BRIDGE

Place Name	Pollocksford Bridge over Barwon River
Address	Pollocksford Road, Gnarwarre (Surf Coast Shire) and Stonehaven (Golden Plains Shire)
Historic Themes	Agriculture & farming; building & construction; fords & bridges; farming towns; governing (former Bannockburn & Barrabool Shires)
Current Heritage Status	None
Condition	Fair
Integrity	Fair
Recommendation	Pollocksford Bridge is recommended for inclusion in the Heritage Overlay of the Surf Coast Planning Scheme and the Golden Plains Planning Scheme.

Pollocksford Bridge (from top left, rotating clockwise): 1. West side of bridge looking north east showing bluestone abutment in the foreground. 2. West side of bridge looking north east showing bluestone piers. 3. Underside of bridge showing recent decking. 4 West side of bridge looking north east showing asphalted decking. (Source: Ecology and Heritage Partners Pty Ltd 2019)



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### History

The original Pollocksford Bridge was commissioned by the Haines Government during the 1850s. William Haines was the first Premier of Victoria, serving from November 1855 to March 1857 after Victoria gained responsible government, and again from April 1857 to March 1858. Haines was a Geelong farmer and surgeon as well as a politician and 'represented the small farmers against the squatters who owned most of Victoria's land'. He understood the need for reliable bridges and roads in developing agricultural areas such as the Shires of Barrabool and Bannockburn where 'access to areas north of the Barwon was only possible by fords.'

Between the 1850s and 1880s the railways developed across Victoria at a rapid pace with the Geelong line opening in 1857 and a line to Winchelsea in 1876. The railway made transport of people and goods to the bigger cities and their markets so much quicker, easier and cheaper and by the 1880s there was a massive State government investment in the railway system, to the detriment of roads across the state. Decades later the Pollocksford Bridge would be remembered as being in regular use by Geelong traffic, although in times of flood 'its timbers had to be tethered to large red gum trees, which (in 1921) are still standing on each side of the river.'<sup>iii</sup> The original bridge had undergone repairs several times.

In 1912, spurred on by the introduction of the motor car on Melbourne's roads in 1897 and the newly established Royal Automobile Club of Victoria in 1904, the *Country Roads Board Act* was passed in State parliament to develop a safe and reliable Main Roads system across Victoria. Almost immediately it established



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a Developmental Roads scheme, for roads 'of sufficient importance and will serve to develop any area of land ... by providing access to a railway station or to a main road leading to a railway station.' The reconstruction of the Pollocksford Bridge appears to have initially been included under the Developmental Roads Scheme but the Country Roads Board 'refused' to take it over. This meant the two neighbouring shires of Barrabool and Bannockburn had to pay for it, to the tune of £3000. The cost of the bridge required a loan from the Union Trustee Company, Melbourne at 6.5% interest that was repayable over ten years at £600 a year.

Despite the poor timbers of the original bridge it retained 'a very sound underwork of masonry' so its existing bluestone piers were retained. The Bannockburn engineer Mr ETM Garlick supervised the construction of the superstructure, almost entirely made from second hand materials and with steel girders constructed by the Railway Department's Newport depot. The Geelong Advertiser correspondent reporting on the opening of the Bridge explained that, 'built on the cantilever principle, the bridge had required considerable skill, its middle girder not resting on any piece whatever. The total length is 260 feet, the middle span about 90 feet, and, the whole cost about £3000.'vii

The Bridge was officially opened on Monday, 14 February 1921 by Premier Lawson at an event that was more than merely a 'cut-the-ribbon' affair. 'A large number of residents, Parliamentarians, councilors and Geelong citizens' attended and there were several speeches from representatives of both Shires. While the Country Roads Board was acknowledged as 'the finest body in the State' and the Lawson government 'a friend to the man on the land', the opening of the bridge was an opportunity for Shire councilors and others to impress upon Premier Lawson the importance of the farming community to wider Victoria and the need for greater support to develop regional and rural Victoria. Other speechmakers used the opportunity to explain the difficulties of providing good roads and bridges out of local government revenue; 'work of such a nature should be paid for out of the public exchequer' they declared and motor cars, which benefited more from good roads than anyone, ought to pay an extra tax.

Pollocksford Bridge is the second of three important bridges in the area at the time (the others being Russell's Bridge and Slate Quarry Bridge) built when 'bridge-making is forming an important policy of the councilors, who realise that in a country where heavy rainfall often causes "washouts" permanent and substantial bridges pay better than rickety old structures...'viii



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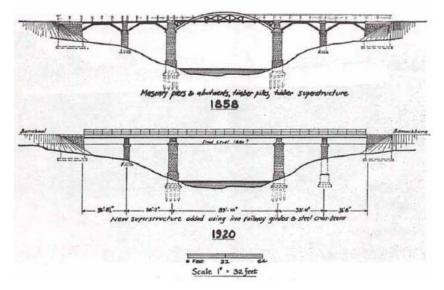


Diagram of the Pollocksford Bridge in 1858 and 1920 (Source: Investigator: Magazine of the Geelong Historical Society, March 1980)

### Description

The Pollocksford Bridge is a single-lane road bridge over the Barwon River, Gnarwarre. The Barwon River forms part of the boundary between the Surf Coast and Golden Plains shires, and the bridge is located in part in both municipalities.

The Pollocksford Bridge is a five span bridge supported on four uniform bluestone piers which each taper at the top. The four evenly spaced spans at either end of the bridge are narrower than the wide centre span over the river course. The bridge also comprises substantial capped bluestone abutments at either end and riveted solid steel girders. The deck of the road bridge is asphalt, with bracketed posts supporting a pair of cylindrical horizontal railings along the length of the bridge on both sides. More recent guard rails have been installed along Pollocksford Road on either side of the bridge, and these rails extend along the deck of the bridge, inside of and attached to the support structure of the bridge.

The bluestone elements appear to be generally intact, although the bridge deck surface and guard rail are not original, and the original timber arch was removed by 1920.



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#### Comparative Analysis

There are three other heritage listed bridges over the Barwon river – one in Winchelsea and one in Belmont. The Winchelsea Bridge is an impressive three span arch structure built of bluestone by James Sinclair and opened by Prince Alfred in 1867. The Barwon Heads – Ocean Grove Bridge is exceptionally long (308metres) and set on an historic tourist route. Both of these bridges are included in the Victorian Heritage Register. The bridge over the Barwon River at Belmont is of local significance. It is constructed of steel plate girders and reinforced concrete and dates to 1926. It is historically significant for linking Geelong to Belmont and South Barwon regions and scientifically significant for illustrating the technological processes involved in 1920s bridge construction.

The Pollocksford Bridge is modest in scale by comparison. While the bridge deck surface and guard rail are not original, this is not unusual for early timber bridge decks.



Winchelsea Bridge (Source: hermes.heritage.vic.gov.au)

## Statement of Significance

### What is significant?

The Pollocksford Bridge, Pollocksford Road, Gnarwarre is significant at a local level. The four uniform bluestone piers and substantial capped bluestone abutments at either end are the most intact and significant elements. The bridge deck surface and guard rail are not significant.

### How is it significant?

The Pollocksford Bridge is historically and aesthetically significant to the Surf Coast Shire municipality

## Why is it significant?

The Pollocksford Bridge has historical significance as one of the earliest bridges built over the Barwon River. (Cri A)

The Pollocksford Bridge has historical significance for its association with the first Premier of Victoria, William Haines. (Cri H)



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The four original bluestone piers and capped bluestone abutments underpinning this bridge are aesthetically significant. (Cri H)

i 'William Haines', Wikipedia, https://en.wikipedia.org/wiki/William Haines (Australian politician), accessed 28 February 2019

ii Quoted in C Kellaway et al, p.36

iii 'New Pollocksford Bridge.', Geelong Advertiser, 15 February 1921, p.3
 iv Developmental Roads Act 1918, Section 3 (1)
 v 'Bannockburn', The Ballarat Star, 19 March 1921, p.2

vi 'Loan floated. L2000 for Pollocksford Bridge', The Ballarat Star, 11 August 1920, p.6 vii 'New Pollocksford Bridge' viii 'Bannockburn's Third Bridge', Geelong Advertiser, 31 May 1922, p.5

Surf Coast Shire Council Council Meeting

2.1 Planning Scheme Amendment GC183 - Stage 2C of the Surf Coast Shire Heritage Study

APPENDIX 3 GC183 SURF COAST SHIRE COLLATED AMENDMENT DOCUMENTS

#### SURF COAST PLANNING SCHEME

#### 02.03 10/06/2021 C136surf

## STRATEGIC DIRECTIONS

# C136surf 02.03-1 10/06/2021 C136surf

### Settlement

Strong population growth in the Shire's coastal towns is expected to continue due to sustained interest in the region's natural environment. While there is pressure to expand some settlement boundaries into areas of high landscape significance, the landscape settings between settlements need to be retained.

Torquay-Jan Juc and Winchelsea are the only towns with capacity to accommodate substantial growth. Other towns are limited in opportunities to grow due to various physical, environmental or infrastructure constraints.

**Torquay-Jan Juc** is the gateway to Bells Beach and is the main urban growth centre of the Shire, with a population expecting to grow to 30,000 by the year 2040 (Surf Coast Shire, 2014). It is a popular destination for surfers, tourists, young families and retirees and is becoming increasingly popular for permanent settlement by those valuing a coastal lifestyle. It is important that while Torquay continues to grow as a tourist destination, it also provides retail and entertainment services for the growing local and sub-regional population. The Spring Creek corridor west of Duffields Road is an area identified for long term urban growth.

Winchelsea is the largest inland town in the Shire and is the major service centre for the surrounding farming community. It is rich in heritage and has an active tourism industry with wineries, berry farms, restaurants, cafes and accommodation in the broader district. Winchelsea is well serviced by a railway station, hospital, community and recreation facilities, and reticulated services, providing opportunities for population growth.

#### Coastal towns

Lorne has a low permanent population and an economy that is strongly focused on tourism. Its tourism facilities, coastal location and association with the Great Ocean Road make it a prime tourism destination. The town encircles and slopes down to Louttit Bay. Larger lots surrounding the town serve as a buffer between the town and the Great Otway National Park. Further settlement growth is constrained by the National Park, significant remnant vegetation and extreme bushfire risk

Out of all the coastal towns in the Shire, **Anglesea** has the highest percentage of permanent residents after Torquay-Jan Juc. It provides local convenience and tourist-related retailing services. Tourism is a vital component of the local economy and Anglesea is well placed to capitalise on the growing popularity of nature and adventure based tourism due to its natural setting and camp facilities.

The Anglesea Northern Hinterland, part of which was previously used for a power station and coal mine, lies to the north of Anglesea outside the settlement boundary. The facility's closure presents an opportunity for a select range of new uses. This land is significant for its biodiversity values, the presence of the Anglesea River and its landscape setting as the northern interface between the township of Anglesea and the Great Otway National Park.

Aireys Inlet, Fairhaven, Moggs Creek and Eastern View have a small permanent population and are popular holiday and retirement destinations. They are contained by dense bushland and a scenic coastline, abutting the Great Otway National Park. The Painkalac Creek, separating Aireys Inlet and Fairhaven, has significant environmental and geomorphological value. Further settlement growth is constrained by the conservation value of adjoining land, extreme bushfire risk and difficulties in providing infrastructure.

## Rural towns

Moriac, Bellbrae and Deans Marsh are small rural towns with a majority of residents commuting elsewhere for employment opportunities, but who choose to live in the townships for their rural residential lifestyle. They each offer a range of services to their local communities.

Council seeks to:

#### SURF COAST PLANNING SCHEME

- · Concentrate urban growth in Torquay-Jan Juc and Winchelsea.
- Contain urban development within settlement boundaries to maintain compact townships.
- Maintain non-urban breaks between townships to protect the rural landscape and significant biodiversity assets from urban intrusion.
- Strengthen the individual role of each coastal and rural town to maintain the Shire's diverse
  offering of experiences and opportunities.

#### 02.03-2 10/06/2021 C136surf

#### **Environmental landscapes and values**

#### Great Ocean Road and significant landscapes

The Great Ocean Road and south west coast region is characterised by scenic coastal vistas and landscapes that are of local, national and international importance. Native vegetation is intrinsic to the character of the area and is highly valued by the community and visitors alike. The Great Ocean Road with its coastal views is an important domestic and international tourist destination.

The physical landscapes of the Shire significantly contribute to the amenity of the Surf Coast, enhancing the lifestyle of residents and adding value to the tourism economy. Urban intrusion, visually prominent development, the introduction of pest species and the removal of vegetation can erode significant landscape qualities and coastal viewsheds.

The rural areas of the Shire have been categorised into landscape precincts, as follows and identified on the Landscape precincts plan in Clause 02.04:

- Winchelsea Plains (Area 1 on the Landscape precincts plan) characterised by generally flat
  topography, with the Barwon River valley bisecting the flat plains. The Barwon River and its
  surrounding environs is the focal point of Winchelsea. The RAMSAR listed Lake Murdeduke
  is the dominant feature to the west, while to the east the landscape becomes more undulating
  gently rising to the volcanic cone of Mt Pollock.
- Barrabool Hills (Area 2 on the Landscape precincts plan) a distinctive upland ridge that
  slopes steeply down to the Barwon River on the northern side and more gently southward to
  the Princes Highway. This precinct features Mount Moriac, the highest relief in the Shire. The
  Hills, comprising this precinct and west to Mt Pollock, are significant at a regional and local
  level for their historic and aesthetic qualities, geological and geomorphological properties and
  association with indigenous peoples.

Both Precinct 1 and 2 are open and uncluttered, offering views to the surrounding landscape.

- Mixed Farming (Area 3 on the Landscape precincts plan) undulating, cleared pastoral land bisected by the Barwon River in the west and Thompsons Creek in the east, ending in low, environmentally significant, open swamp behind coastal dunes at Breamlea.
- Cape Otway Road to the Northern Foothills and Coast (Area 4 on the Landscape precincts plan) consisting of undulating open farm land bordering dense bushland. The gently rolling hills, incised creeks and gullies and pockets of remnant vegetation contribute to a sheltered and enclosed landscape. The landscape and environmental values of this precinct make it attractive for tourist and lifestyle use and development.
- Otway Ranges and Coast (Area 5 on the Landscape precincts plan) dominated by the Great Otway National Park and the Anglesea Heath, consisting largely of dense forest in hilly terrain edged with low coastal heath. It also comprises an open valley landscape at Painkalac Creek. Bells Beach forms the precinct's north-eastern boundary and is where the pastoral landscape meets the seascape. The landscape of the Bells Beach Surfing Recreation Reserve and its surrounds is of high scenic value and is characterised by the relative absence of visible built structures. The hinterland to Bells Beach (bounded by Bones Road, Addiscot Road, Bells Beach Road and Jarosite Road) has a rural and bush landscape character, consisting of indigenous bushland comprising different vegetation communities from coastal scrub to treed dry forest, with remnant understorey and ground layers. The rugged coastline to the south-west encompasses

#### SURF COAST PLANNING SCHEME

Point Addis with its beach and associated surf breaks. The heritage listed Split Point Lighthouse is the most prominent structure on the foreshore between Aireys Inlet and Eastern View. The settlements of Anglesea to Eastern View sit within fragile heathlands and open dry woodlands, making any development between townships highly visible along the coast.

### Council seeks to:

- Protect and enhance the landscape values of the rural precincts.
- Encourage land use and development that is complementary to the rural landscape character.
- Protect and enhance the environmental qualities and landscape values of the Great Ocean Road and its coastal environs, including Point Addis, Bells Beach and its hinterland.
- Protect the visual prominence of the Great Ocean Road and public viewing points along the Otway Coast and Ranges.
- Protect the viewsheds of the region.

#### Biodiversity

The Shire's settlements, coastal reserves and hinterland support vegetation of local and state conservation significance, including a range of threatened flora and fauna.

Creek corridors, heathlands, native grasslands, grassy woodland and scattered mature native eucalyptus trees are important biodiversity features of the Shire. Remnant vegetation, including riparian vegetation in wetlands, has high ecological value for the habitat it provides to native and migratory fauna.

The Shire is experiencing loss and fragmentation of vegetation, including rare endemic species due to development pressures, bushfire mitigation measures and other clearing. Pest species also adversely affect biodiversity of coastal reserves, native grasslands and bushland areas. This causes degradation of flora and fauna habitat, biodiversity and ecosystem processes and functions.

## Council seeks to:

- Protect and enhance the Shire's significant biodiversity features.
- Protect and enhance remnant vegetation communities.
- Protect, enhance and re-establish indigenous vegetation patches and links.

## River corridors, waterways, lakes and wetlands

The Shire faces threats to the health of its waterways, wetlands, estuaries and marine ecosystems. Development on saline areas, such as lakes, estuaries, coastal wetlands and saltmarshes, can change hydrological processes and degrade land and water quality.

The Shire's remaining wetlands, including those in the Winchelsea Plains landscape precinct, have internationally significant ecological values. The management of development and use near waterbodies and waterways, including the Thompsons and Ravens Creek, can help minimise waste water discharge and any detrimental effects on water quality.

## Council seeks to:

Protect the health of waterways, wetlands, estuaries and marine ecosystems.

#### 02.03-3 10/06/2021 C136surf

## Environmental risks and amenity

### Environmental risks

The Shire is in one of the most vulnerable bushfire prone regions in the world. The Otway Ranges and Coast landscape precinct is one of the most fire prone areas in the State. Forested land presents a bushfire threat to the hinterland towns of Deans Marsh and Bellbrae and the coastal towns of Anglesea through to Lorne and the western edge of Jan Juc.

#### SURF COAST PLANNING SCHEME

Landscapes in high bushfire risk areas are visually pleasing and are often sought after for use and development, including for tourism. However, the extent of required bushfire protection measures to safeguard these can adversely impact landscape and neighbourhood character and vegetation cover that should be protected.

In the face of climate change, environmental risks and their impacts can worsen including increased sea level rise, bushfire risk, storm surge, coastal inundation and riverine flooding.

Council seeks to:

- Direct development to areas where environmental risks, particularly bushfire risk, are lowest.
- Discourage urban development in areas prone to environmental risks where those risks cannot be mitigated.
- Manage the impact of bushfire protection measures by balancing the need to remove vegetation with protecting native vegetation cover and landscape and neighbourhood character.

## 02.03-4

## Natural resource management

#### 10/06/2021 C136surf

#### Protection of agricultural land

The agricultural capability and current allotment and tenement sizes in the Winchelsea Plains and Barrabool Hills landscape precincts are conducive to agriculture and much land is still used for broadacre farming.

Increasing development pressure in rural areas, often associated with tourism, hobby farming, rural residential development, urban intrusion and infrastructure development, is changing the rural landscape. Inappropriate use and development in rural areas increases the price of land above its productive value, decreases farm affordability, and results in the loss of agricultural land.

These negative impacts are evidenced through:

- Development of multiple 'old Crown' titles with dwellings.
- Hobby farming or rural residential type living in productive farming areas.
- Small lot excisions.
- Construction of dwellings unrelated to farming.
- Pest plant and animal invasion.

## Council seeks to:

- Protect the ability of future generations to productively farm the land.
- Avoid the loss of agricultural productivity associated with land use conflicts, particularly between farming activities and non-farm related residential development.

### Sustainable agriculture

The potential exists for irrigated agriculture, particularly in the east of the Mixed Farming landscape precinct, when recycled water becomes available from facilities like the Black Rock Wastewater Treatment Plant.

The area around Deans Marsh, Bambra and Pennyroyal has seen a decline in dairying, while agroforestry, grass seed production, vines and olive groves are emerging. This has resulted in enhancements made to patches of remnant vegetation.

There is a continuing shift towards intensive agricultural industries and hobby or part time farming. Intensive farming is focussed mainly north of the Princes Highway where there is sufficient land to meet buffer requirements. The intensive animal production industries for pig and poultry are growing in the Winchelsea Plains landscape precinct. Subject to the availability of water, there

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#### 2.1 Planning Scheme Amendment GC183 - Stage 2C of the Surf Coast Shire Heritage Study

#### SURF COAST PLANNING SCHEME

are also opportunities for more intensive horticultural production to locate in the Barrabool Hills landscape precinct due to its topography, agricultural capability and its strategic location near the major market of Geelong. Grazing and grain farming is often undertaken in the Bellbrae hinterland.

Council seeks to:

- Protect and enhance the rural areas for their diverse agricultural, environmental and landscape values and opportunities.
- Encourage sustainable agricultural activities and associated rural industries, to grow and maintain prosperous and sustainable rural communities.

#### 02.03-5 **Built environment and heritage**

# 100002021-1-1---C436surfProposed GC183 Neighbourhood character

Vegetation plays a key role in defining township character and in softening urban development.

The coastline and areas of remnant vegetation and landscape quality surrounding Torquay-Jan Juc contribute strongly to the character and amenity of the town.

Other coastal towns each have a unique character. They are generally characterised by the dominance of indigenous vegetation cover over low-density built form and low-profile buildings with a sense of space between properties. Views of surrounding landscape features also form part of their character and amenity.

Development pressure and insensitive suburban style development threaten township character, which has been impacted by re-subdivision, infill development, larger and bulkier replacement dwellings and vegetation loss, including from the desire for views or for the creation and maintenance of defendable space for bushfire protection.

The streetscape amenity of commercial and industrial areas, including its landscaping and built form also contribute to the character of towns.

Council seeks to:

- Protect the coastal township character values of low urban density, recessive built form, vegetated coastal landscapes and ecological values of the natural environment.
- Encourage development to achieve architectural and urban design outcomes consistent with the preferred character of a town or area.

### Heritage

Throughout the Shire are numerous landscapes and sites of significance for their connections to Aboriginal heritage.

There are many heritage sites in the Shire that The Shire is also rich in post-contact European heritage places which define its character and contributes to the attraction of the municipality as a desirable place to live and visit. Throughout the Shire are buildings, streetscapes, structures, landscapes and precincts that represent community identity and need to be protected, particularly from higher density redevelopment that is not sympathetic to heritage values protected to maintain the Shire's character and sense of place. This includes a significant number of residential properties (including rural homesteads and coastal holiday homes), commercial buildings, places of worship, industrial complexes, and infrastructure.

Winchelsea features a number of valued historical buildings, including the Barwon Park Mansion and an 1860s bluestone bridge. There are several sites in the Barrabool Hills landscape precinct that have local and Aboriginal heritage significance a bluestone bridge from the 1860's. In Lorne, the Mountjoy Parade Heritage Precinct is a significant and predominantly intact 19th and 20th century cultural heritage landscape that contains a number of significant individual heritage buildings. Bells Beach is listed on the Victorian Heritage Register for its surfing, cultural and aesthetic

#### SURF COAST PLANNING SCHEME

heritage values. The Great Ocean Road is listed on both the Victorian Heritage Register and the National Heritage List for its historical, archaeological, aesthetic and social significance. The Split Point Lighthouse in Aireys Inlet is also of State Significance.

In Lorne, the Mountjoy Parade Heritage Precinct is a significant and predominantly intact 19th and 20th century cultural heritage landscape that contains a number of significant individual heritage buildings.

## Council seeks to:

- Conserve the cultural heritage of the Shire.
   Conserve the Aboriginal and post-European contact cultural heritage places in the Shire and manage change in a manner that enhances their significance.
- Encourage development to be respectful of the heritage landscape values of the Mountjoy Parade Heritage Precinct.

#### 02.03-6 10/06/2021 C136surf

#### Housing

Housing

Lorne, Winchelsea and Anglesea are experiencing an aging population and declining household size. Lone person households are increasing in Anglesea and there is a higher than average number of people identifying as living with a disability in Winchelsea.

A significant proportion of dwellings in the coastal towns are not permanently occupied, serving as holiday homes. This contributes to a lack of affordable worker accommodation, particularly during peak tourism periods.

The Shire is faced with declining housing affordability and limited dwelling diversity, particularly on the coast where there is a lack of smaller dwellings near the town centres and commercial services, community facilities and designated tourist nodes.

However, any housing growth should not compromise neighbourhood character.

## Council seeks to:

- Support a range of housing types, sizes and configurations to accommodate the future needs
  of the growing and changing population.
- Support residential development densities that protect the historic and coastal character of the settlements.

## Rural residential development

Rural residential living is a highly sought after lifestyle in the Shire, especially in locations along the coast and within commuting distance of Geelong and Melbourne. However, rural residential development can lead to urban sprawl and requires the provision of services in remote areas to benefit relatively few households.

Rural residential development is not suitable in areas of high landscape or environmental significance, including land adjoining a conservation area, or in agriculturally valuable areas.

Rural living development is very limited in the Winchelsea Plains landscape precinct.

Torquay-Jan Juc, Winchelsea and Moriac contain opportunities for future rural residential development as identified on their respective framework plans in Clause 02.04.

### Council seeks to:

- Limit the provision of rural residential lots outside settlement boundaries.
- Ensure that rural residential development does not detract from the landscape, cultural heritage, environmental or agricultural values of adjoining land.

#### SURF COAST PLANNING SCHEME

- Locate rural residential development so that it avoids loss of agricultural land, natural hazards
  and adverse amenity impacts to residents.
- Direct rural residential development to identified areas in Torquay-Jan Juc, Winchelsea and Moriac where it can be efficiently serviced and does not encroach on future urban growth areas.

# 02.03-7

## Economic development

#### 10/06/2021 C136surf

### **Employment**

There are opportunities to diversify the economy and provide local employment opportunities in Winchelsea by promoting the health, education, and tourism sectors, as well as the green industry sector (such as renewable energy and local food production), which seeks to minimise environmental impacts. The Princes Highway is a major truck route that presents opportunities for commercial enterprises.

There is minimal opportunity for industrial uses in Aireys Inlet due to amenity and environmental conflicts. These issues have also constrained the ability for the industrial estates in Anglesea and Lorne to expand. Employment precincts have been identified in Torquay-Jan Juc to enhance local employment opportunities.

Enabling residential and rural residential development on land close to recognised industrial areas often leads to residential amenity issues that compromise the viability of industrial operations, such as in the Anglesea Industrial Estate.

#### Council seeks to:

- Facilitate business and industry ventures in Winchelsea that provide local services, particularly
  in health and education or the tourism and green industry sectors.
- Promote economic development opportunities that protect local character, amenity and the natural environment.
- Protect industrial estates and employment precincts as an industrial land resource.

### Tourism

The tourism industry is underpinned by the coastal location, environmental values and scenic qualities of the Shire. Tourism developments continue to capitalise on the environmental and landscape values of the rural hinterland, including for nature and farm based tourism.

The Great Otway National Park presents opportunities for the development of nature and adventure based recreational activities and the Lorne hinterland may provide opportunities for small scale tourist accommodation.

However, tourism development is often constrained by environmental risks in these areas and the need to protect the natural environment, landscape values and agricultural activities the industry seeks to capitalise on. Higher density and larger scale urban tourist development can compromise the low scale and vegetated character of the coast and its townships. Inappropriate tourism use and development can also cause amenity impacts on local communities.

The economy of Torquay-Jan Juc is largely based on tourism and the surfing industry. The Surf City tourist precinct is a primary destination for many visitors to Torquay.

With its shopping strip, hotels and other facilities, Lorne is a prime tourist destination of the Shire.

Winchelsea's historical and country village character provides an opportunity for further tourism growth for the town.

## Council seeks to:

Enhance the tourism industry by facilitating tourism use and development that protects residential
amenity and the environmental, landscape, cultural and character values of the Shire.

#### SURF COAST PLANNING SCHEME

- Promote natural resource and adventure based tourism use and development at a scale and form that respects its setting and surrounding land uses.
- Support the continued growth of Torquay-Jan Juc's local tourism and surf industry.
- Promote Lorne and its hinterland as a primary and year round tourist destination.
- Maximise tourism opportunities in Winchelsea by promoting its country village and historical character through commercial development.

## 02.03-8

#### Transport

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The Shire is highly car dependent, with limited public transport services between and within townships. Insufficient public transport is an added constraint on residential growth in some towns. Increasing traffic volumes on the Great Ocean Road (especially during the bushfire season) is resulting in congestion, traffic hazards and emergency response difficulties.

Pedestrian and cycle paths between and within settlements are limited and lack connectivity. Busy roads create barriers to local access, including access to the beach. In Winchelsea in particular, the Princes Highway and Barwon River divide the town, further emphasising the importance of connectivity within and between towns to ensure good access to facilities and services.

#### Council seeks to

- Provide a permeable and well-connected street network particularly in new estates.
- Facilitate a transportation system that reduces car dependence and encourages walking and cycling for local trips.
- Integrate walking and cycling pathways with public transport and public open space.
- Facilitate a pedestrian and cycling network that improves connectivity between and within settlements and access to the foreshore.

## Car parking

Peak summer car parking demands within coastal townships are much greater than in the winter months. In Lorne, there is a heavy reliance on public car parking due to a lack of parking spaces on private land, particularly in the commercial area when peak periods coincide with high levels of foreshore activity. Given a lack of car parking opportunities on the Great Ocean Road, car parking supply is also likely to become an issue in Aireys Inlet as its centres incrementally develop.

While this shortage needs to be addressed, parking areas should not intrude on the visual and environmental sensitivity of the foreshore or detract from the public realm.

## Council seeks to:

- Facilitate the provision of car parking spaces while maintaining environmental and amenity
- Discourage surface car parking that detracts from the public realm.

## 02.03-9

## Infrastructure

10/06/2021 C136surf

## Community infrastructure

Outdoor entertainment and recreation opportunities are an important aspect of the Surf Coast region. The foreshore and riverbank reserves are the primary areas for public open space. These may be affected by the impacts of climate change, resulting in potential loss of open space and the need to identify new areas. For example, there is an imbalance in the distribution of passive open space in Torquay-Jan Juc, with an over-reliance on its foreshore.

The coastal population can triple in size during the peak tourism season in summer. This significantly increases pressure on existing services and infrastructure.

### SURF COAST PLANNING SCHEME

Although the population is aging, there are limited services for the aged. There is also a need for long day child care services in Winchelsea.

Council seeks to:

- Facilitate the timely provision of a range of community and recreation facilities including public open space.
- Facilitate improved access to aged care services and facilities.

#### Development infrastructure

A key infrastructure constraint in Moriac, Bellbrae, Deans Marsh, Moggs Creek and Eastern View is the lack of reticulated services, such as water supply, stormwater drainage or sewerage. This, in addition to insufficient public transport, further limits the growth of the townships.

Moriac is provided with a reticulated water supply system that only has capacity to supply planned development with an elevation of less than 105 metres AHD. A number of old and inappropriate subdivisions in Deans Marsh are unable to retain wastewater on site.

Urban stormwater runoff from lots not connected to a stormwater drainage system, particularly in Moriac, could pose a threat to the sensitive environment and water catchment area. The limited capacity of drainage infrastructure in the older parts of Torquay will also struggle to cope with redevelopment using traditional drainage models.

The Water Reclamation Plant in Winchelsea has limited capacity for growth.

Council seeks to:

- Facilitate the provision of development infrastructure in a timely manner.
- Ensure development will not impede the expansion of the Water Reclamation Plant in Winchelsea.

## 02.03-10 Gaming venues

10/06/2021 C136surf

Gaming facilities are not part of the existing attraction of the Shire, with relatively few venues offering electronic gaming machines.

There are links between social disadvantage, problem gambling and proximity to gaming venues. Although gaming machines may be accessible to the community as a form of entertainment, they should not be convenient. The location of electronic gaming machines should also have regard to the socio-economic characteristics of a community.

Council seeks to:

- Discourage gaming facilities that may have a detrimental impact on the amenity, culture and character of the townships.
- Discourage locating electronic gaming machines in relatively disadvantaged areas that are most vulnerable to the potential harmful effects of gaming.
- Locate gaming machines at a distance that requires a pre-considered decision to gamble.

SURF COAST PLANNING SCHEME

15.03 HERITAGE

31/07/2018 VC148

#### SURF COAST PLANNING SCHEME

# 15.03-1S

#### Heritage conservation

26/10/2018 VC155

#### Objective

To ensure the conservation of places of heritage significance.

#### Strategies

Identify, assess and document places of natural and cultural heritage significance as a basis for their inclusion in the planning scheme.

Provide for the protection of natural heritage sites and man-made resources.

Provide for the conservation and enhancement of those places that are of aesthetic, archaeological, architectural, cultural, scientific or social significance.

Encourage appropriate development that respects places with identified heritage values.

Retain those elements that contribute to the importance of the heritage place.

Encourage the conservation and restoration of contributory elements of a heritage place.

Ensure an appropriate setting and context for heritage places is maintained or enhanced.

Support adaptive reuse of heritage buildings where their use has become redundant.

Consider whether it is appropriate to require the restoration or reconstruction of a heritage building in a Heritage Overlay that has been unlawfully or unintentionally demolished in order to retain or interpret the cultural heritage significance of the building, streetscape or area.

#### Policy guidelines

Consider as relevant:

- The findings and recommendations of the Victorian Heritage Council.
- The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance, 2013.

#### SURF COAST PLANNING SCHEME

#### 15.03-1L Heritage conservation

<del>10/06/2021</del>-/--/---<del>0130sunf</del>Proposed GC183<mark>Strategy</mark>Policy application

This policy applies to land subject to the Heritage Overlay.

The definitions for all heritage terms in this policy refer to the 'Australian ICOMOS Charter for Places of Cultural Significance (Burra Charter, 2013)'.

#### Strategies

#### Restoration, reconstruction and surface treatment

Ensure that restoration and reconstruction of a heritage place is of the same proportions, profiles and materials as the original and known missing fabric.

Encourage the restoration and reconstruction of deteriorated and missing fabric that enhances the heritage significance of the heritage place.

Encourage the restoration of old shops and other historic buildings and old shops in Winchelsea in Winchelsea and other townships, to include verandahs, fenestration, parapets, and entranceway features of heritage items based on historic evidence.

Encourage the restoration of the Shire's historic homesteads, including outbuildings, entrances and historic farm buildings.

Encourage colour schemes that are consistent with the original period of construction and architectural style of the building or precinct.

Support the use of traditional and compatible construction materials appropriate to the conservation of the place.

Encourage removal of paint by non-abrasive methods from originally unpainted brick or masonry surfaces.

Discourage painting, rendering and other surface treatments of unpainted surfaces.

#### **Buildings** and works

Ensure that development responds to the historic character, form, and context of the heritage place.

Ensure that alterations and additions to buildings and works are compatible with the scale, height, form, character, setbacks, and construction of the heritage place, and provide contemporary design outcomes.

Ensure that additions above heritage buildings are not visually dominant and are:

- Subservient in proportion.
- Recessive as viewed from the public realm, being behind roof ridgelines and roof apex points.
- Set in from the sides.

Discourage additions that are independent in character (in form, scale, height, and materials) to the heritage building unless they are designed as separate entities and are not highly visible from the public realm.

Avoid new openings in principal facades where the facade contributes to the significance of the place.

Ensure that new buildings are compatible with the scale, character and construction of existing significant buildings without replicating their design.

Retain vistas and viewlines to significant places.

### Demolition

Discourage the demolition, including the partial demolition, of a significant (including contributory) heritage place unless the demolition involves:

#### SURF COAST PLANNING SCHEME

- The removal of non-contributory fabric.
- Enhancement of the significance of the place by revealing original fabric.
- Partial demolition that retains the significant three dimensional form and the fabric of the heritage place, and is accompanied by a demolition method statement.

#### Relocation of buildings

Discourage the relocation of a heritage place, either within the existing site or to another site,

- The existing location does not contribute to its significance and the heritage place will not be adversely affected, and;
- The application is accompanied by a structural engineering report indicating the relocation methodology to ensure the structural and physical integrity of the fabric.

#### Subdivision

Discourage subdivision of significant heritage places unless:

- The setting will not be adversely affected (including no adverse affect on the curtilage and spacing around significant buildings; historic grouping of buildings; significant vegetation; and existing views from the public realm).
- The original road and lot layout are retained.
- The proposal is consistent with the surrounding pattern of subdivision.

Retain views to significant (including contributory) heritage places.

#### Mountjoy Parade Heritage Precinct

Encourage development to be respectful of the cultural heritage landscape values of the Mountjoy Parade Heritage Precinct.

Ensure that new buildings and works complement significant (including contributory) places and the prevailing character of the precinct and have regard to the *Mountjoy Parade Heritage Design Guidelines*.

Discourage subdivision within the Mountjoy Parade Heritage Precinct that adversely impacts the broad allotment configuration and wide frontages, and substantial landscaped and vegetated gardens.

### Streetscapes, infrastructure, landscape and trees

Retain significant plantings and garden features, outbuildings and garden settings that contribute to the cultural significance of the context and setting of heritage places.

Ensure that development does not adversely affect trees and landscaping that are significant elements to the heritage place and adjoining heritage places.

Discourage the removal of significant trees.

Encourage new landscaping that makes a positive contribution to the heritage place.

### Boundary fences

Retain fences and gates that contribute to the significance of a heritage place.

Design and construct new fences in the public realm that are:

- Based on any available historic or physical evidence (where possible).
- Appropriate in design and construction to the architectural style and era of the building.
- Consistent with the height, form, and alignment of significant fencing in the heritage place or precinct.
- Visually permeable to allow views to the front garden and the heritage place from the public realm.

#### SURF COAST PLANNING SCHEME

### Access, car parking and ancillary buildings

Encourage covered and uncovered parking and ancillary buildings to be detached and located:

- To the rear of the heritage building.
- Behind the principle building façade where siting to the rear of the heritage building cannot be achieved.

#### Discourage:

- Covered and uncovered parking, and other outbuildings, that are visually dominant.
- Removal of existing vehicle crossovers that contribute to the significance of a heritage place.
- New vehicle crossovers that are inconsistent with the character of the heritage place including multiple crossovers and wide crossovers.
- Basement car parking ramps and entries that detract from the significance of a heritage place.

#### Signs

In commercial contexts, encourage signs or other similar devices that complement the historic character and significance of the heritage place through location, style and size, with sky signs, signs projecting from walls and internally illuminated signs being discouraged.

In residential contexts, where appropriate, encourage freestanding signs that are single-fronted, do not obscure significant views to heritage buildings and are not visually dominant.

#### Use

Ensure that uses considered under the Schedule to the Heritage Overlay that would otherwise be prohibited, demonstrate an enduring conservation benefit for the heritage asset.

#### Policy guideline

### Consider as relevant:

The need for restoration proposals to be substantiated by historic or physical evidence that demonstrates consistency with the original features.

#### Policy documents

#### Consider as relevant:

Surf Coast Shire Places of Cultural Significance Study: Selected Lorne/Deans Marsh Heritage Place Assessments 2003 (Surf Coast Shire, amended 2005 & 2021)

Surf Coast Heritage Study Stage 2B – Statements of Significance (David Rowe & Wendy Jacobs, July 2009)

Barrabool Uniting (formerly Presbyterian) Church & Manse: Heritage Assessment (Dr David Rowe Authentic Heritage Services Pty Ltd, 2014)

Stage 2C of the Surf Coast Shire Heritage Study, Barrabool, Torquay, Bellbrae, and Winchelsea, Victoria, Volume 2: The Heritage Citations (Ecology and Heritage Partners, July 2020)

Mountjoy Parade Heritage Design Guidelines (Surf Coast Shire, April 2021 & amended July 2021)

#### SURF COAST PLANNING SCHEME

# 15.03-2S

### Aboriginal cultural heritage

31/07/2018 VC148

#### Objective

To ensure the protection and conservation of places of Aboriginal cultural heritage significance.

#### Strategies

Identify, assess and document places of Aboriginal cultural heritage significance, in consultation with relevant Registered Aboriginal Parties, as a basis for their inclusion in the planning scheme.

Provide for the protection and conservation of pre-contact and post-contact Aboriginal cultural heritage places.

Ensure that permit approvals align with the recommendations of any relevant Cultural Heritage Management Plan approved under the *Aboriginal Heritage Act 2006*.

#### Policy guidelines

Consider as relevant:

- The findings and recommendations of the Aboriginal Heritage Council.
- The findings and recommendations of the Victorian Heritage Council for post-contact Aboriginal heritage places.

#### **Policy documents**

Consider as relevant:

Aboriginal Heritage Act 2006

#### SURF COAST PLANNING SCHEME

### 01/06/2017 SCHEDULE TO CLAUSE 43.01 HERITAGE OVERLAY

#### 1.0 Application requirements

- A conservation management plan in accordance with the Australian ICOMOS Charter for Places of Cultural Significance (Burra Charter, 2013) for any proposal that raises significant or complex heritage issues or impacts on a heritage place.
   For any major application and/or subdivision or any proposal that raises significant or complex heritage issues that impacts on a heritage place, require the preparation of a Conservation Management Plan in accordance with the Australian ICOMOS Charter for Places of Cultural Significance (Burra Charter, 2013) and the Heritage Council of Victoria's Conservation Management Plans: Managing Heritage Places A Guide 2010.
- For development affecting significant vegetation (as listed in the Schedule to the Heritage Overlay), require the preparation of an arboricultural report that addresses the significance, integrity and condition of the vegetation and the potential impacts.
- For any applications for partial demolition, require the provision of a demolition method statement that details how retained fabric is to be safeguarded during demolition and construction.
- For any proposal to relocate a heritage place, require the preparation of a structural engineering report indicating the relocation methodology to ensure the structural and physical integrity of the fabric.
- For applications for additions above heritage buildings require the preparation of viewline diagrams.

#### 2.0 Heritage places

PS map ref	Heritage place	External paint controls apply?	alteration	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	on the Victorian	uses	Aboriginal heritage place?
Surf Coast	Shire							

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Victorian	Prohibited uses permitted?	Aboriginal heritage place?
HO163	Great Ocean Road Great Ocean Road between Torquay and Allansford, Surf Coast	-	-	_	-	yes Ref No H2261	yes	no
	Shire					H2201		
	The heritage place includes							
	Part HO68 Graves of Lindsay Children (Splitters Graves) and							
:	Part HO77 Mountjoy Parade Heritage Area							
	Statement of significance: Selected Lorne/Deans Marsh Heritage Place Assessments							
	2003 (Surf Coast Shire, amended 2005 & July 2021)							
	Heritage design guidelines:							
	Mountjoy Parade Heritage Design Guidelines, April 2021 (Surf Coast Shire, April 2021 & amended July 2021)							
Aireys Inlet								
HO91	Angahook Bark Hut	yes	yes	no	no	no	no	no
	10 Inlet Crescent, Aireys Inlet.							
	Statement of significance:							
	Surf Coast Shire Heritage Study Stage 2B – Statements of Significance (David Rowe & Wendy Jacobs, 2009)							
HO1	Split Point Lightstation Complex	_	_	_	_	yes Ref	yes	no
	24 Federal Street and 7-13 Federal Street, Aireys Inlet.					No H2270		
HO92	Pearse Cairn	yes	no	no	no	no	no	no
	Federal Drive, Aireys Inlet.							
	Statement of significance:							

PS map ref	Heritage place	External paint controls apply?	alteration	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	on the Victorian	Prohibited uses permitted?	Aboriginal heritage place?
	Surf Coast Shire Heritage Study Stage 2B – Statements of Significance (David Rowe & Wendy Jacobs, 2009)							
Anglesea								
HO93	Regatta Boat Shed & adjacent Race Organiser's Stand	no	no	no	yes	no	no	no
	Great Ocean Road, Anglesea.							
	Statement of significance:							
	Surf Coast Shire Heritage Study Stage 2B – Statements of Significance (David Rowe & Wendy Jacobs, 2009)							
HO94	Angahook General Store	no	no	no	no	no	yes	no
	119 Great Ocean Road, Anglesea.							
	Statement of significance:							
	Surf Coast Shire Heritage Study Stage 2B – Statements of Significance (David Rowe & Wendy Jacobs, 2009)							
HO95	"Children's Joy"	no	no	no	yes	no	no	no
	129 Great Ocean Road, Anglesea.							
	Statement of significance:							
	Surf Coast Shire Heritage Study Stage 2B – Statements of Significance (David Rowe & Wendy Jacobs, 2009)							
HO96	"Rivernook"	no	no	no	no	no	no	no
	131 Great Ocean Road, Anglesea.							
	Statement of significance:							
	Surf Coast Shire Heritage Study Stage 2B – Statements of Significance (David Rowe & Wendy Jacobs, 2009)							

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	on the Victorian	Prohibited uses permitted?	Aboriginal heritage place?
HO98	"Loma Lamee" 45 Harvey Street, Anglesea.  Statement of significance: Surf Coast Shire Heritage Study Stage 2B – Statements of Significance (David Rowe & Wendy Jacobs, 2009)	no	no	yes boundary cypress hedge only	no	no	no	no
HO99	"Ben Nevis" 69 Harvey Street, Anglesea. Statement of significance: Surf Coast Shire Heritage Study Stage 2B – Statements of Significance (David Rowe & Wendy Jacobs, 2009)	no	no	Yes trees greater than 3 metres in height.	yes	no	no	no
HO100	Anglesea Memorial Hall  1 McMillan Street, Anglesea.  Statement of significance:  Surf Coast Shire Heritage Study Stage 2B – Statements of Significance (David Rowe & Wendy Jacobs, 2009)	no	no	no	no	no	no	no
HO101	"Rangi Marie"  5 McMillan Street, Anglesea.  Statement of significance:  Surf Coast Shire Heritage Study Stage 2B – Statements of Significance (David Rowe & Wendy Jacobs, 2009)	no	no	no	yes	no	no	no
HO102	"Blink Bonnie" 39-43 Parker Street, Anglesea. Statement of significance:	no	no	no	yes	no	no	no

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	on the Victorian	Prohibited uses permitted?	Aboriginal heritage place?
	Surf Coast Shire Heritage Study Stage 2B – Statements of Significance (David Rowe & Wendy Jacobs, 2009)							
HO103	Boat sheds (3)	no	no	no	no	no	no	no
	River Reserve Road, Anglesea.							
	Statement of significance:							
	Surf Coast Shire Heritage Study Stage 2B – Statements of Significance (David Rowe & Wendy Jacobs, 2009)							
HO104	"Carinya"	no	no	no	no	no	no	no
	1 Tonge Street, Anglesea.							
	Statement of significance:							
	Surf Coast Shire Heritage Study Stage 2B – Statements of Significance (David Rowe & Wendy Jacobs, 2009)							
Barrabool								
HO7	"Ballanclea" homestead including interior. 250 Ballanclea Road, Ваггаbool.	yes	yes	no	no	no	yes	no
	Statement of Significance:							
	Stage 2C of the Surf Coast Shire Heritage Study, Barrabool, Torquay, Bellbrae, and Winchelsea, Victoria, Volume 2:The Heritage Citations (Ecology and Heritage Partners Pty Ltd, July 2020)							
HO13	"Tasman" homestead. 755 Barrabool Road, Barrabool.	yes	no	no	no	no	yes	no
	Statement of Significance:							

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	on the Victorian	Prohibited uses permitted?	Aboriginal heritage place?	
	Stage 2C of the Surf Coast Shire Heritage Study, Barrabool, Torquay, Bellbrae, and Winchelsea, Victoria, Volume 2:The Heritage Citations (Ecology and Heritage Partners Pty Ltd, July 2020)								
HO14	Wescott's Stable. 850 Barrabool Road, Barrabool. Statement of Significance: Stage 2C of the Surf Coast Shire Heritage Study, Barrabool, Torquay, Bellbrae, and Winchelsea, Victoria, Volume 2:The Heritage Citations (Ecology and Heritage Partners Pty Ltd, July 2020)	yes	neyes	no	no	no	yes	no	"   
НО9	"Foymount" homestead. 960 Barrabool Road, Barrabool. 795 Barrabool Road, Barrabool. Statement of Significance: Stage 2C of the Surf Coast Shire Heritage Study, Barrabool, Torquay, Bellbrae, and Winchelsea, Victoria, Volume 2:The Heritage Citations (Ecology and Heritage Partners Pty Ltd, July 2020)	yes	no	no	no	no	yes	no	
НО3	Barrabool Uniting (formally Presbyterian) Church including former Manse and mature garden setting specifically Cupressus macrocarpa (Monterey Cypress) hedges, and Pinus Radiata (Radiata Pine), Lagunaria Patersonia (Norfolk Island Hibiscus), Araucaria heterophylla (Norfolk Island Pine), Fraxinus oxycarpa (Golden Ash) and Cupressus sp. trees.  1135 Barrabool Road (cnr Andersons Road), Barrabool.	yes - Church and former Manse.	yes - Church.	yes	no	no	yes	no	
HO8	"Berramongo" homestead including interior. 100 Crooks Road, Barrabool.	<del>no</del> yes	yes	no	no	no	yes	no	ľ

PS map ref	Heritage place	External paint controls apply?	alteration	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Victorian	Prohibited uses permitted?	Aboriginal heritage place?
	Statement of Significance:							
	Stage 2C of the Surf Coast Shire Heritage Study, Barrabool, Torquay, Bellbrae, and Winchelsea, Victoria, Volume 2:The Heritage Citations (Ecology and Heritage Partners Pty Ltd, July 2020)							
HO12	"Stanbury" Barn including interior. 130 Devon Road, Barrabool.	yes	yes	no	no	no	yes	no
	Statement of Significance:							'
	Stage 2C of the Surf Coast Shire Heritage Study, Barrabool, Torquay, Bellbrae, and Winchelsea, Victoria, Volume 2:The Heritage Citations (Ecology and Heritage Partners Pty Ltd, July 2020)							
HO10	"Merrawarp" homestead including interior. 50 Honeys Road, Barrabool.	yes	yes	no	no	no	yes	no
	Statement of Significance:							'
	Stage 2C of the Surf Coast Shire Heritage Study, Barrabool, Torquay, Bellbrae, and Winchelsea, Victoria, Volume 2:The Heritage Citations (Ecology and Heritage Partners Pty Ltd, July 2020)							
HO4	Former Holy Trinity Anglican Church School. 400 Merrawarp Road, Barrabool.	_	_	_	-	yes Ref No H889	yes	no
HO5	Holy Trinity Anglican Church and Vicarage. 410 Merrawarp Road, Barrabool.	_	_	_	-	yes Ref No H888	yes	no
HO11	"Neuchatel" 460 Merrawarp Road (Cnr. Barrabool Road), Barrabool.	_	_	_	_	yes Ref No H773	yes	no
Bellbrae								

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	on the Victorian	Prohibited uses permitted?	Aboriginal heritage place?
HO6	Bellbrae Cemetery Monumental Masonry 65 School Road, Bellbrae.	no	no	no	no	no	no	no
	Statement of Significance:							
	Stage 2C of the Surf Coast Shire Heritage Study, Barrabool, Torquay, Bellbrae, and Winchelsea, Victoria, Volume 2:The Heritage Citations (Ecology and Heritage Partners Pty Ltd, July 2020)							
Bells Beach								
HO88	Bells Beach Surfing Recreation Reserve Coastal Reserve, Bells Beach	_	_	_	-	yes Ref No. H2032	no	no
HO105	Addiscot Homestead 140 Bells Road, Bells Beach.	no	no	no	yes	no	no	no
	Statement of significance:							
	Surf Coast Shire Heritage Study Stage 2B – Statements of Significance (David Rowe & Wendy Jacobs, 2009)							
Benwerrin								
HO36	Babington Sawmill Settlement, including sawmill complex and derelict cottage. 215 Benwerrin-Mount Sabine Road, Benwerrin	no	no	no	no	no	yes	no
HO37	House 630 Benwerrin-Mount Sabine Road, Benwerrin.	no	no	no	no	no	no	no
HO38	Wanliss Nut farm Opposite 915 Erskine Falls Road, Benwerrin.	no	no	yes	no	no	no	no

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	on the Victorian	Prohibited uses permitted?	Aboriginal heritage place?
	Incorporated plan:							
	Wanliss Nut Farm Incorporated Plan, June 2006							
Big Hill								
HO39	East Point (Edna Walling Property), including remnant fabric and archaeological evidence of the Walling cottage, the rock walls, steps, chimney stacks/fireplaces and garden remnants. 1060 Great Ocean Road, Big Hill.	no	no	no	no	no	no	no
Buckley								
HO106	Former Laketown School 1600 Princes Highway, Buckley.	yes	no	no	no	no	no	no
	Statement of significance:							
	Surf Coast Shire Heritage Study Stage 2B – Statements of Significance (David Rowe & Wendy Jacobs, 2009)							
Deans Mars	h							
HO40	Bridge Part Government Road, (adjacent 1200 Birregurra-Deans Marsh Road) Deans Marsh. The heritage place is the bridge and all land within 20 metres of each side of the bridge.	no	no	no	no	no	no	no
HO41	Howard's Carrying Depot, including the brick building, nissen hut, petrol pump and gate.  1390 Birregurra-Deans Marsh Road, Deans Marsh	yes	no	no	no	no	no	no
HO42	Lawrence Cottage 1409 Birregurra Deans Marsh Road, Deans Marsh	no	no	no	no	no	no	no

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	on the Victorian	Prohibited uses permitted?	Aboriginal heritage place?
HO43	Deans Marsh Uniting (formerly Methodist) Church and hall. 22 Deans Marsh-Lorne Road & Pennyroyal Valley Road (Cnr), Deans Marsh	no	no	no	no	no	no	no
HO44	Deans Marsh Primary School (State School No. 1642) and Marjorie Lawrence (eucalypt) plantation. 30 Deans Marsh-Lorne Road, Deans Marsh	no	no	Yes - Marjorie Lawrence plantation only	no	no	no	no
HO45	St Pauls Anglican Church and hall 40 Deans Marsh-Lorne Road, Deans Marsh	no	no	no	no	no	no	no
HO46	Deans Marsh Public Hall & Recreation Reserve, including the public hall, sports grounds, fibro pavillion, memorial gates and cypress boundary plantation. 6-20 Pennyroyal Valley Road, Deans Marsh	no	no	yes	no	no	no	no
HO47	Presbyterian Church (former). 11 Pennyroyal Valley Road, Deans Marsh	no	no	no	no	no	no	no
HO48	Yan Yan Gurt Woolshed. 1910 Winchelsea-Deans Marsh Road, Deans Marsh	yes	no	no	no	no	no	no
HO49	Deans Marsh Hotel (former). 2250 Winchelsea-Deans Marsh Road, Deans Marsh	no	no	no	no	no	no	no
HO50	Mrs McInnes Milk Bar and Boarding House (former). 2255 Winchelsea-Deans Marsh Road, Deans Marsh	no	no	no	no	no	no	no
Freshwater	Creek							
HO15	St David's Lutheran Church and Cemetery. 905 Anglesea Road, Freshwater Creek.	_	_	_	-	yes Ref No. H1903	yes	no

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?	
Gnarwarre									h
HO164	Pollocksford Bridge over Barwon River, Pollocksford Road, Gnarwarre Statement of Significance: Stage 2C of the Surf Coast Shire Heritage Study, Barrabool, Torquay, Bellbrae, and Winchelsea, Victoria, Volume 2:The Heritage Citations (Ecology and Heritage Partners Pty Ltd, July 2020)	no	no	no	no	no	no	no	
Lorne									
HO51	Keverell 16 Armytage Street, Lorne	yes	no	no	no	no	no	no	
HO53	Queens Park Caravan Park & Air Spotters Cabin. 20 Armytage Street, Lorne Incorporated plan: Queens Park Caravan Park Incorporated Plan, June 2006	yes	no	yes	yes – two small buildings near front entrance and stone walling associated with terracing	no	no	no	-
6- St St St	Banuke 6-8 Beele Beal Street, Lorne Statement of significance: Surf Coast Shire Heritage Study Stage 2B – Statements of Significance (David Rowe & Wendy Jacobs, 2009) Heritage design guidelines: Mountjoy Parade Heritage Design Guidelines, April 2021	no	no	yes – trees greater than 3 metres in height.	yes – timber outbuilding and front fencing.	no	no	no	1

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	on the Victorian	Prohibited uses permitted?	Aboriginal heritage place?
110400	(Surf Coast Shire, April 2021 & amended July 2021)							
HO108	Two Former Police Lock Up Buildings 1-7 Charles Street, Lorne.	no	no	no	no	no	no	no
	The Heritage Place is the lock up buildings and all land within 1 metre of all sides of the buildings.							
	Statement of significance:							
	Surf Coast Shire Heritage Study Stage 2B – Statements of Significance (David Rowe & Wendy Jacobs, 2009)							
HO109	"Valetta" 3 Fern Avenue, Lorne.	no	no	no	no	no	no	no
	Statement of significance:							
	Surf Coast Shire Heritage Study Stage 2B – Statements of Significance (David Rowe & Wendy Jacobs, 2009)							
HO52	Wareen 15 Fern Avenue, Lorne	no	no	no	no	no	no	no
HO54	Log Cabin 76 George Street, Lorne	yes	no	no	no	no	no	no
HO56	Cumberland River Picnic Shelter 2680 Great Ocean Road, Lorne	yes	no	no	no	no	no	no
HO78	Cumberland River Ford 2680 Great Ocean Road, Lorne	no	no	no	no	no	no	no
HO79	Cumberland River Cypress Trees 2680 Great Ocean Road, Lorne	no	no	yes	no	no	no	no
	Incorporated plan:							

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	on the Victorian	Prohibited uses permitted?	Aboriginal heritage place?
	Cumberland River, Cypress Trees Incorporated Plan, June 2006							
HO110	Lome Public Cemetery 10 Howard Street, Lorne. Statement of significance:	no	no	no	no	no	no	no
	Surf Coast Shire Heritage Study Stage 2B – Statements of Significance (David Rowe & Wendy Jacobs, 2009)							
HO57	Toll Gate Cottage 4 Minapre Street, Lorne	no	no	no	no	no	no	no
HO60	Erskine River Shops 2-6 Mountjoy Parade, Lorne	no	no	no	no	no	no	no
HO34	Erskine House 35 Mountjoy Parade, Lorne.	-	_	_	-	yes Ref No. H1812	yes	no
HO111	Lorne War Memorial 51 Mountjoy Parade, Lorne.	yes	no	no	no	no	no	no
	The Heritage Place is the war memorial and all land within 2 metres of all sides of the paved base of the memorial.							
	Statement of significance:							
	Surf Coast Shire Heritage Study Stage 2B – Statements of Significance (David Rowe & Wendy Jacobs, 2009)							
HO61	Lome Cinema 76-80 Mountjoy Parade, Lorne	-	_	-	_	yes Ref No. H2230	yes	no

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO58	Cypress Avenue Lorne Foreshore, Lorne Incorporated plan: Cypress Avenue, Lorne Foreshore Incorporated Plan, June 2006	no	no	yes	no	no	no	no
HO59	Lome Swimming Pool and Kiosk 81 Mountjoy Parade, Lorne	yes	no	no	no	no	no	no
HO28	St Cuthbert's Uniting Church 92 Mountjoy Parade, Lorne.	no	no	no	no	no	yes	no
HO62	Butchers Shop (former) 112-112a Mountjoy Parade, Lorne.	yes	no	no	no	no	no	no
HO64	Lome Hotel 176-178 Mountjoy Parade, Lorne	yes	no	no	no	no	no	no
HO32	All Saint Anglican Church 190 Mountjoy Parade, Lorne.  Statement of significance: Selected Lorne/Deans Marsh Heritage Place Assessments 2003 (Surf Coast Shire, amended 2005 & July 2021)  Heritage design guidelines: Mountjoy Parade Heritage Design Guidelines, April 2021 (Surf Coast Shire, April 2021 & amended July 2021)	no	no	yes – trees greater than 3 metres in height.	yes – front fencing and retaining walls along Mountjoy Parade only.	no	yes	no
HO29	Leighwood 222 Mountjoy Parade, Lorne.	_	_	_	_	yes Ref No H604	yes	no
	Statement of significance:							

PS map ref	Heritage place	External paint controls apply?	alteration	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Selected Lome/Deans Marsh Heritage Place Assessments 2003 (Surf Coast Shire, amended 2005 & July 2021)  Heritage design guidelines:  Mountjoy Parade Heritage Design Guidelines; April 2021 (Surf Coast Shire, April 2021 & amended July 2021)							
HO30	Jura 242-244 Mountjoy Parade, Lorne.  Statement of significance:  Selected Lorne/Deans Marsh Heritage Place Assessments 2003 (Surf Coast Shire, amended 2005 & July 2021)  Heritage design guidelines:  Mountjoy Parade Heritage Design Guidelines, April 2021 (Surf Coast Shire, April 2021 & amended July 2021)	-	-	-	-	yes Ref No H822	yes	no
HO65	House 246-248 Mountjoy Parade, Lorne Statement of significance: Selected Lorne/Deans Marsh Heritage Place Assessments 2003 (Surf Coast Shire, amended 2005 & July 2021) Heritage design guidelines: Mountjoy Parade Heritage Design Guidelines; April 2021 (Surf Coast Shire, April 2021 & amended July 2021)	yes	no	yes – trees greater than 3 metres in height only.	yes – front fencing and retaining walls along Mountjoy Parade only.	no	no	no
HO66	Pacific Hotel 268-270 Mountjoy Parade, Lorne	yes	no	no	no	no	no	no
HO67	Swing Bridge (footbridge) Ocean Road at Erskine River mouth, Lorne	no	no	no	no	no	no	no

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	on the Victorian	Prohibited uses permitted?	Aboriginal heritage place?
HO68	Graves of Lindsay Children(Splitters Graves) Ocean Road, Lorne.	yes	no	no	no	no	no	no
	The Heritage Place is the graves and all land within 3 metres of all sides of the graves.							
HO69	House 19 Ocean Road, Lorne.	no	no	no	no	no	no	no
HO70	House 53 Ocean Road, Lorne.	no	no	no	no	no	no	no
HO71	House, including the Canary Island Palm tree. 69 Ocean Road, Lorne.	no	no	yes – Canary Island Palm only.	no	no	no	no
HO72	House 79 Ocean Road, Lorne.	no	no	no	no	no	no	no
HO113	"Stanmorr" 64 Otway Street, Lorne.	no	no	no	no	no	no	no
	Statement of significance:							
	Surf Coast Shire Heritage Study Stage 2B – Statements of Significance (David Rowe & Wendy Jacobs, 2009)							
HO26	Primary School No 2162 18 Smith Street & 15 Grove Road, Lorne.	_	_	_	-	yes Ref No H1716	yes	no
HO114	"Kyanga" 56 Smith Street, Lorne.	no	no	no	no	no	no	no
	Statement of significance:							

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Victorian	Prohibited uses permitted?	Aboriginal heritage place?
	Surf Coast Heritage Study Stage 2B - Statements of Significance (David Rowe & Wendy Jacobs, 2009)							
HO115	House 58 Smith Street, Lorne.  Statement of significance: Surf Coast Shire Heritage Study Stage 2B – Statements of Significance (David Rowe & Wendy Jacobs, 2009)	no	no	no	no	no	no	no
HO74	Ravenswood 70 Smith Street & Bay Street, Lorne.	no	no	no	no	no	no	no
HO31	Varna 101-103 Smith Street, Lorne. Statement of significance: Selected Lorne/Deans Marsh Heritage Place Assessments 2003 (Surf Coast Shire, amended 2005 & July 2021) Heritage design guidelines: Mountjoy Parade Heritage Design Guidelines; April 2021 (Surf Coast Shire, April 2021 & amended July 2021)	no	no	yes – trees greater than 3 metres in height only.	yes – front fencing and retaining walls along Mountjoy Parade only.	no	yes	no
HO75	Waverley House 3 Waverley Avenue, Lorne.	yes	no	no	no	no	no	no
HO76	Amberley House 15-19 William Street, Lorne.	no	no	no	no	no	no	no
H077	Mountjoy Parade Heritage Precinct. Mountjoy Parade and Smith Street, Lorne The heritage place includes the Moreton Bay Fig on the foreshore.	no	no	yes - trees greater	yes – front fencing and retaining walls	no	no	no

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	on the Victorian	Prohibited uses permitted?	Aboriginal heritage place?
	Incorporated plan:  Moreton Bay Fig, Lorne Foreshore Incorporated Plan, June 2006  Statement of significance:			than 3 metres in height only.	along Mountjoy Parade only.			
	Selected Lorne/Deans Marsh Heritage Place Assessments 2003 (Surf Coast Shire, amended 2005 & July 2021)							
	Heritage design guidelines:							
	Mountjoy Parade Heritage Design Guidelines, April 2021 (Surf Coast Shire, April 2021 & amended July 2021)							
Modewarre								
HO116	Avenue of Honour Adjacent 910 Cape Otway Road (between Considines & Taylors Roads), Modewarre.	no	no	yes	no	no	no	no
	Statement of significance:							
	Surf Coast Shire Heritage Study Stage 2B – Statements of Significance (David Rowe & Wendy Jacobs, 2009)							
HO117	Former Modewarre State School No. 396 910 Cape Otway Road, Modewarre.	yes	no	yes	no	no	no	no
	Statement of significance:							
	Surf Coast Shire Heritage Study Stage 2B – Statements of Significance (David Rowe & Wendy Jacobs, 2009)							
HO118	Modewarre Memorial Hall, including mature oak tree and Honour Boards 910 Cape Otway Road, Modewarre.  Statement of significance:	no	yes	yes	no	no	no	no

PS map ref	Heritage place	External paint controls apply?	alteration	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	on the Victorian	Prohibited uses permitted?	Aboriginal heritage place?
	Surf Coast Shire Heritage Study Stage 2B – Statements of Significance (David Rowe & Wendy Jacobs, 2009)							
HO119	Former Bible Christian Siloam Chapel 440 Considines Road, Modewarre.	yes	no	no	no	no	no	no
	Statement of significance:  Surf Coast Shire Heritage Study Stage 2B – Statements of Significance (David Rowe & Wendy Jacobs, 2009)							
Mt Duneed								
HO17	Summerhill (Prefabricated Iron Cottage). 155 Mt Duneed Road, Mt Duneed.	_	_	_	_	yes Ref No H1131	yes	no
Torquay								
HO16	"SeammelScammell" house (Deckhouse from the wreck "SeammelScammell"). 24 Pride Street, Torquay.	no	<del>no</del> yes	no	no	no	yes	no
	Statement of Significance:							
	Stage 2C of the Surf Coast Shire Heritage Study, Barrabool, Torquay, Bellbrae, and Winchelsea, Victoria, Volume 2:The Heritage Citations (Ecology and Heritage Partners Pty Ltd, July 2020)							
HO90	Sea View Villa 2A Pearl Street, Torquay.	no	no	yes – trees	no	no	no	no
	Statement of significance:			greater than 3				
	Surf Coast Shire Heritage Study Stage 2B – Statements of Significance (David Rowe & Wendy Jacobs, 2009)			metres in height only				

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	on the Victorian	Prohibited uses permitted?	Aboriginal heritage place?
HO120	Former Butcher's Shop and associated Outbuildings 19 Anderson Street and part of 32 Munday Street, Torquay.  Statement of significance:  Surf Coast Shire Heritage Study Stage 2B – Statements of Significance (David Rowe & Wendy Jacobs, 2009)	no	no	no	yes	no	yes	no
HO121	Torquay Uniting Church 27 Anderson Street, Torquay.  Statement of significance:  Surf Coast Shire Heritage Study Stage 2B – Statements of Significance (David Rowe & Wendy Jacobs, 2009)	no	no	no	no	no	yes	no
HO122	Torquay Caravan Park 35 Bell Street, Torquay.  Incorporated plan: Torquay Caravan Park Incorporated Plan, June 2009 (amended January 2012)  Statement of significance: Surf Coast Shire Heritage Study Stage 2B – Statements of Significance (David Rowe & Wendy Jacobs, 2009)	no	no	yes – trees greater than 3 metres in height only.	yes	no	yes	no
HO123	Former Payne's Garage 18 Bristol Road, Torquay.  Statement of significance:  Surf Coast Shire Heritage Study Stage 2B – Statements of Significance (David Rowe & Wendy Jacobs, 2009)	no	no	no	no	no	yes	no
HO124	Torquay Public Hall 8-12 Price Street, Torquay.	yes	no	no	no	no	no	no

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	on the Victorian	Prohibited uses permitted?	Aboriginal heritage place?
	Statement of significance:							
	Surf Coast Shire Heritage Study Stage 2B – Statements of Significance (David Rowe & Wendy Jacobs, 2009)							
HO125	St Luke's Anglican Church 17 Pride Street, Torquay.	no	no	no	yes	no	no	no
	Statement of significance:							
	Surf Coast Shire Heritage Study Stage 2B – Statements of Significance (David Rowe & Wendy Jacobs, 2009)							
HO126	Torquay Foreshore Precinct The Esplanade, (between Point Danger and Yellow Bluff), Torquay.	no	no	yes – trees greater	yes	no	no	no
	Incorporated plan:			than 3 metres in				
	Torquay Foreshore Incorporated Plan, June 2009			height only.				
	Statement of significance:			Offity.				
	Surf Coast Shire Heritage Study Stage 2B – Statements of Significance (David Rowe & Wendy Jacobs, 2009)							
HO127	House 18 The Esplanade, Torquay.	no	no	no	no	no	no	no
	Statement of significance:							
	Surf Coast Shire Heritage Study Stage 2B – Statements of Significance (David Rowe & Wendy Jacobs, 2009)							
HO128	Taylor Park 47-70 The Esplanade, Torquay.	no	no	yes – trees	no	no	no	no
	Incorporated plan:			greater				
	moorporatoa pian.			than 3				

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	on the Victorian	Prohibited uses permitted?	Aboriginal heritage place?
	Taylor Park Incorporated Plan, June 2009  Statement of significance:  Surf Coast Shire Heritage Study Stage 2B – Statements of Significance (David Rowe & Wendy Jacobs, 2009)			metres in height only.				
Winchelsea								
HO129	Former Shire Engineer's House 17 Armytage Street, Winchelsea. Statement of significance: Surf Coast Shire Heritage Study Stage 2B – Statements of Significance (David Rowe & Wendy Jacobs, 2009)	no	no	no	no	no	no	no
HO130	"Fairview"  13 Austin Street, Winchelsea.  Statement of significance:  Surf Coast Shire Heritage Study Stage 2B – Statements of Significance (David Rowe & Wendy Jacobs, 2009)	yes	no	no	no	no	no	no
HO131	Former Wesleyan Mission Chapel 37 Austin Street, Winchelsea.  Statement of significance:  Surf Coast Shire Heritage Study Stage 2B – Statements of Significance (David Rowe & Wendy Jacobs, 2009)	yes	no	no	no	no	no	no
HO132	Former Army Hut 27 Barkly Street, Winchelsea. Statement of significance:	no	no	no	no	no	no	no

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Surf Coast Shire Heritage Study Stage 2B – Statements of Significance (David Rowe & Wendy Jacobs, 2009)							
HO133	House 29 Barkly Street, Winchelsea.	no	no	no	no	no	no	no
	Statement of significance:							
	Surf Coast Shire Heritage Study Stage 2B – Statements of Significance (David Rowe & Wendy Jacobs, 2009)							
HO20	St Thomas Anglican Church and School Room 31 Barwon Terrace, Winchelsea.	yes	no	no	no	no	yes	no
	Statement of Significance:							
	Stage 2C of the Surf Coast Shire Heritage Study, Barrabool, Torquay, Bellbrae, and Winchelsea, Victoria, Volume 2:The Heritage Citations (Ecology and Heritage Partners Pty Ltd, July 2020)							
HO134	Former Anglican Vicarage 5 Batson Street, Winchelsea.	yes	no	no	no	no	no	no
	Statement of significance:							
	Surf Coast Shire Heritage Study Stage 2B – Statements of Significance (David Rowe & Wendy Jacobs, 2009)							
HO135	"Kooringa" 10 Blacks Road, Winchelsea.	no	no	no	no	no	no	no
	Statement of significance:							
	Surf Coast Shire Heritage Study Stage 2B – Statements of Significance (David Rowe & Wendy Jacobs, 2009)							

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Victorian	Prohibited uses permitted?	Aboriginal heritage place?
HO24	Murdeduke Homestead 730 Cressy Road, Winchelsea.	yes	no	no	no	no	yes	no
	Statement of Significance:  Stage 2C of the Surf Coast Shire Heritage Study, Barrabool, Torquay, Bellbrae, and Winchelsea, Victoria, Volume 2:The Heritage Citations (Ecology and Heritage Partners Pty Ltd, July 2020)							
	Winchelsea Primary School 15 Gosney Street, Winchelsea.	yes	no	no	no	no	no	no
	Statement of significance:							
	Surf Coast Shire Heritage Study Stage 2B – Statements of Significance (David Rowe & Wendy Jacobs, 2009)							
HO137	House 39 Harding Street, Winchelsea.	yes	no	no	no	no	no	no
	Statement of significance:							
	Surf Coast Shire Heritage Study Stage 2B – Statements of Significance (David Rowe & Wendy Jacobs, 2009)							
HO138	Former Winchelsea Shire Hall 28 Hesse Street, Winchelsea.	yes	yes	yes	no	no	yes	no
	Statement of significance:							
	Surf Coast Shire Heritage Study Stage 2B – Statements of Significance (David Rowe & Wendy Jacobs, 2009)							
HO21	Winchelsea Uniting Church and Manse. 30-34 Hesse Street, Winchelsea. Statement of Significance:	yes	no	no	no	no	yes	no

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	on the Victorian	Prohibited uses permitted?	Aboriginal heritage place?
	Stage 2C of the Surf Coast Shire Heritage Study, Barrabool, Torquay, Bellbrae, and Winchelsea, Victoria, Volume 2:The Heritage Citations (Ecology and Heritage Partners Pty Ltd, July 2020)							
HO139	"The Isles" 39 Hesse Street, Winchelsea.  Statement of significance: Surf Coast Shire Heritage Study Stage 2B – Statements of Significance (David Rowe & Wendy Jacobs, 2009)	no	no	no	yes	no	no	no
HO140	"Toyerville" Lot 1, 41 Hesse Street, Winchelsea.  Statement of significance: Surf Coast Shire Heritage Study Stage 2B – Statements of Significance (David Rowe & Wendy Jacobs, 2009)	no	no	no	yes	no	no	no
HO89	Memorial Grandstand and Gates Eastern Reserve, 70 Hopkins Street, Winchelsea	_	_	_	_	yes Ref No. H1525	yes	no
HO23	Ingleby Homestead and Outbuildings 765 Ingleby Road, Winchelsea and 3470 Cape Otway Road, Birregurra	_	_	_	_	yes Ref No H364	yes	no
HO22	Barwon Park 105 Inverleigh-Winchelsea Road, Winchelsea.	_	_	_	_	yes Ref No H365	yes	no
HO141	Bills Water Trough Main Street, Winchelsea. The Heritage Place is the trough and all land within 2 metres of all sides of the trough.	yes	no	no	no	no	no	no

PS map ref	Heritage place	External paint controls apply?	alteration	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?	
	Statement of significance:								1
	Surf Coast Shire Heritage Study Stage 2B – Statements of Significance (David Rowe & Wendy Jacobs, 2009)								
HO142	Barwon Hotel 1 Main Street, Winchelsea.	yes	no	no	no	no	no	no	
	Statement of significance:								
	Surf Coast Shire Heritage Study Stage 2B – Statements of Significance (David Rowe & Wendy Jacobs, 2009)								
HO19	Colonial Bank. Lot 2, 33 Main Street, Winchelsea.	noyes	no	no	no	no	yes	no	יון
	Statement of Significance:								'n
	Stage 2C of the Surf Coast Shire Heritage Study, Barrabool, Torquay, Bellbrae, and Winchelsea, Victoria, Volume 2:The Heritage Citations (Ecology and Heritage Partners Pty Ltd, July 2020)								
HO143	Winchelsea Post Office 34 Main Street, Winchelsea.	no	no	no	no	no	no	no	
	Statement of significance:								
	Surf Coast Shire Heritage Study Stage 2B – Statements of Significance (David Rowe & Wendy Jacobs, 2009)								
HO144	"Daisy Cottage" 35 Main Street, Winchelsea.	no	no	no	no	no	no	no	
	Statement of significance:								
	Surf Coast Shire Heritage Study Stage 2B – Statements of Significance (David Rowe & Wendy Jacobs, 2009)								

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	on the Victorian	Prohibited uses permitted?	Aboriginal heritage place?
HO145	"Chelsea House" 39 Main Street, Winchelsea.  Statement of significance: Surf Coast Shire Heritage Study Stage 2B – Statements of Significance (David Rowe & Wendy Jacobs, 2009)	no	no	no	no	no	no	no
HO146	House 41 Main Street, Winchelsea.  Statement of significance:  Surf Coast Shire Heritage Study Stage 2B – Statements of Significance (David Rowe & Wendy Jacobs, 2009)	no	no	no	no	no	no	no
HO147	Former Orchard Bakery & associated Dwelling 44 Main Street, Winchelsea. Statement of significance: Surf Coast Shire Heritage Study Stage 2B – Statements of Significance (David Rowe & Wendy Jacobs, 2009)	no	no	no	no	no	no	no
HO148	Former Police Station 53 Main Street, Winchelsea.  Statement of significance:  Surf Coast Shire Heritage Study Stage 2B – Statements of Significance (David Rowe & Wendy Jacobs, 2009)	no	no	no	no	no	no	no
HO149	House 59 Main Street, Winchelsea.  Statement of significance: Surf Coast Shire Heritage Study Stage 2B – Statements of Significance (David Rowe & Wendy Jacobs, 2009)	no	no	no	no	no	no	no

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	on the Victorian	Prohibited uses permitted?	Aboriginal heritage place?
HO150	"Balgownie" 65-67 Main Street, Winchelsea.	no	no	no	no	no	no	no
	Statement of significance:							
	Surf Coast Shire Heritage Study Stage 2B – Statements of Significance (David Rowe & Wendy Jacobs, 2009)							
HO151	Winchelsea Cemetery 205 McConachy Street, Winchelsea.	yes	no yes trees greater than 3	no	no	no	no	
	Statement of significance:							
	Surf Coast Shire Heritage Study Stage 2B – Statements of Significance (David Rowe & Wendy Jacobs, 2009)			metres in height only.				
HO152	St John the Baptist Roman Catholic Church and Presbytery 5 Mercer Street, Winchelsea.	yes	no no	no	o no	no	no	no
	Statement of significance:							
	Surf Coast Shire Heritage Study Stage 2B – Statements of Significance (David Rowe & Wendy Jacobs, 2009)							
HO153	"Plum Tree Cottage" 9 Mercer Street, Winchelsea.	yes	no	no	no	no	no	no
	Statement of significance:							
	Surf Coast Shire Heritage Study Stage 2B – Statements of Significance (David Rowe & Wendy Jacobs, 2009)							
HO154	Former Bootmaker's Shop & Dwelling 21 Mercer Street, Winchelsea.	no	no	no	no	no	no	no
	Statement of significance:							

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	on the Victorian	Prohibited uses permitted?	Aboriginal heritage place?
	Surf Coast Shire Heritage Study Stage 2B – Statements of Significance (David Rowe & Wendy Jacobs, 2009)							
HO18	Barwon River Bridge Over Barwon River, Princes Highway, Winchelsea.	_	_	_	_	yes Ref No H1456	yes	no
HO155	Winchelsea Railway Station 2-18 Railway Terrace, Winchelsea.	yes	no	no	no	no	no	no
	Statement of significance:							
	Surf Coast Shire Heritage Study Stage 2B – Statements of Significance (David Rowe & Wendy Jacobs, 2009)							
HO156	Former Winchelsea Public Library 1A Willis Street, Winchelsea.	yes	no	no	no	no	yes	no
	Statement of significance:							
	Surf Coast Shire Heritage Study Stage 2B – Statements of Significance (David Rowe & Wendy Jacobs, 2009)							
HO157	Former Timon Schroeter's Store 11 Willis Street, Winchelsea.	no	no	no	no	no	no	no
	Statement of significance:							
	Surf Coast Shire Heritage Study Stage 2B – Statements of Significance (David Rowe & Wendy Jacobs, 2009)							
HO158	Shinners' Café and Dwelling 13 Willis Street, Winchelsea.	no	no	no	no	no	no	no
	Statement of significance:							
	Surf Coast Shire Heritage Study Stage 2B – Statements of Significance (David Rowe & Wendy Jacobs, 2009)							

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO159	Globe Theatre 17-19 Willis Street, Winchelsea.	_	_	_	_	yes Ref No. H226	yes	no
HO160	Winchelsea Hotel 20 Willis Street, Winchelsea.  Statement of significance:  Surf Coast Shire Heritage Study Stage 2B – Statements of Significance (David Rowe & Wendy Jacobs, 2009)	yes	no	no	no	no	no	no
HO161	Murrell's Store 22 Willis Street, Winchelsea.  Statement of significance:  Surf Coast Shire Heritage Study Stage 2B – Statements of Significance (David Rowe & Wendy Jacobs, 2009)	yes	no	no	no	no	no	no
HO162	"Meningoort" (former hospital) 37 Willis Street, Winchelsea.  Statement of significance: Surf Coast Shire Heritage Study Stage 2B – Statements of Significance (David Rowe & Wendy Jacobs, 2009)	no	no	no	no	no	no	No
HO25	Wormbete Homestead including Outbuildings and Gardens. 565 Winchelsea-Deans Marsh Road, Winchelsea. Statement of Significance: Stage 2C of the Surf Coast Shire Heritage Study, Barrabool, Torquay, Bellbrae, and Winchelsea, Victoria, Volume 2:The Heritage Citations (Ecology and Heritage Partners Pty Ltd, July 2020)	yes	no	no	no	no	yes	no

## SURF COAST PLANNING SCHEME

#### 31/07/2018 VC148

# SCHEDULE TO CLAUSE 72.04 DOCUMENTS INCORPORATED IN THIS PLANNING SCHEME

# 1.0 Incorporated documents

C136surfProposed GC

ame of document	Introduced by:
Anglesea Borefield Project Incorporated Document (Barwon Water and GHD, une 2009)	C51
Briody Drive West Upgrade Development Contributions Plan (Surf Coast Shire, October 2012)	C71 (Part 3)
Cape Otway Road Australia Comprehensive Development Plan (Tract, September 2020)	C125surf
Cape Otway Road Australia Site Wide Plans and Precinct Concept Plans (DELWP, September 2020)	C125surf
Cumberland River, Cypress Trees Incorporated Plan (Surf Coast Shire, June 2006)	C15 (Part 2)
Cypress Ave, Lorne Foreshore Incorporated Plan (Surf Coast Shire, June 2006)	C15 (Part 2)
Deans Marsh Township Restructure Plan (Revised October 2013) (Surf Coast Shire, October 2013)	C88
Gnarwarre Battery Energy Storage System (BESS) - 189-389 Volum Road, Gnarwarre - Incorporated Document (DELWP, February 2021)	C135surf
Golden Beach Residential Lakes and Golf Course Development, Torquay – Concept Plan (Revision F: 13.04.00) (Golden Wood Pty Ltd, 2000)	NPS1
ivewire Park, Tree Top Adventure Facility, 180 Erskine Falls Road, Lorne (Surf Coast Shire, April 2016)	C116
orne Restructure Plan 2006 (Revised July 2007) (Surf Coast Shire, 2007)	C34
Moreton Bay Fig, Lorne Foreshore Incorporated Plan (Surf Coast Shire, June 2006)	C15 (Part 2)
Mountjoy Parade Heritage Design Guidelines (Surf Coast Shire, April 2021 & amended July 2021)	C136surf
Part of Lot A on PS 720129F (proposed Lots 312-314 on PS711644P), Winki Way, forquay - West Coast Business Park (Surf Coast Shire, April 2016)	C115
Point Roadknight, Anglesea Restructure Plan (Surf Coast Shire, 2004)	C16
Powerline Bushfire Safety Program - Native Vegetation Removal Code of Practice DELWP, August 2016)	GC57
Princes Highway Duplication – Winchelsea to Colac (VicRoads, July 2014)	C91
Queens Park Caravan Park Incorporated Plan (Surf Coast Shire, June 2006)	C15 (Part 2)
Stage 2C of the Surf Coast Shire Heritage Study, Barrabool, Torquay, Bellbrae, and Winchelsea, Victoria, Volume 2:The Heritage Citations (Ecology and Heritage Partners Pty Ltd, July 2020)	GC183
Surf Coast Heritage Study Stage 2B – Statements of Significance (David Rowe & Wendy Jacobs, July 2009)	C50
Taylor Park Incorporated Plan (Surf Coast Shire, June 2009)	C50
Torquay Caravan Park Incorporated Plan June 2009 (Am Jan 2012) (Surf Coast Shire, 2012)	C78
Torquay Foreshore Incorporated Plan (Surf Coast Shire, June 2009)	C50
Forquay Jan Juc Development Contributions Plan, 16 May 2011 (Revised July 2017) (SGS Economics & Planning, July 2017)	GC75

# SURF COAST PLANNING SCHEME

Name of document	Introduced by:
Wanliss Nut Farm Incorporated Plan (Surf Coast Shire, June 2006)	C15 (Part 2)
Weeds of the Surf Coast Shire (Surf Coast Shire, 2013)	C96
Warmambool Line Upgrade Incorporated Document (Rail Projects Victoria, December 2019)	GC121
Waurn Ponds Train Maintenance and Stabling Facility Project Incorporated Document (Rail Projects Victoria, May 2020)	GC104

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# 2.1 Planning Scheme Amendment GC183 - Stage 2C of the Surf Coast Shire Heritage Study

# SURF COAST PLANNING SCHEME

# 31/07/2018 SCHEDULE TO CLAUSE 72.08 BACKGROUND DOCUMENTS VC148

# 1.0 Background documents

10/0W2021/	
C136surfProposed	GC18

Name of background document	Amendment number - clause reference
Aireys Inlet to Eastern View Neighbourhood Character Study and Vegetation Assessment (Surf Coast Shire, 2004)	C18
Aireys Inlet to Eastern View Structure Plan (Surf Coast Shire & AXOS Urban, 2015)	C110
Anglesea Futures Land Use Framework (Department of Environment, Land, Water and Planning, 2018)	C129surf
Anglesea Great Ocean Road Study (Planisphere, 2016)	C97
Anglesea Neighbourhood Character Study (Surf Coast Shire, 2003)	C16
Anglesea Streetscape Project (Mexted Rimmer Associates, Andrews Consulting & Huw Hulse, 1996)	C97
Anglesea Structure Plan (Surf Coast Shire, 2012)	C79
Barrabool Uniting (formerly Presbyterian) Church & Manse: Heritage Assessment (Dr David Rowe Authentic Heritage Services Pty Ltd, 2014)	C103
Bellbrae Stormwater Master Plan: Proposed Re-Zoning West of School Road (Surf Coast Shire, 2013)	C74
Bellbrae Structure Plan (Surf Coast Shire, 2010)	C74
Biodiversity Mapping Project (Surf Coast Shire, Department of Environment and Primary Industries & Corangamite Catchment Management Authority, 2014)	C96
Comprehensive Strategy Plan for Torquay/Jan Juc (Henshall Hansen Associates, 1996)	NPS1
Deans Marsh Structure Plan (Surf Coast Shire, 2008)	C67
The Great Ocean Road Region Landscape Assessment Study (Planisphere, 2003)	C68
Growing Winchelsea – Shaping Future Growth (Surf Coast Shire, 2015)	C120
Improving Our Waterways: Victorian Waterway Management Strategy (Department of Environment and Primary Industries, 2013)	C85
Indigenous Planting Guidefor Rural Areas within the Surf Coast Shire (Surf Coast Shire, 2003)	C49
Indigenous Planting Guide for Urban Coastal Areas within the Surf Coast Shire (Surf Coast Shire, 2003)	C16
Landscape Assessment Study North of the Princes Highway: Background Report (Planisphere, 2007)	C68
Landscaping Your Surf Coast Garden For Bushfire (Surf Coast Shire, 2012)	C96
Lome Neighbourhood Character Study (Surf Coast Shire, 2006)	C34

# SURF COAST PLANNING SCHEME

Name of background document	Amendment number - clause reference
Lorne Strategy Plan Review (Environmental Resources Management Aust & Maunsell Australia, revised 2004)	C34
Moriac Structure Plan (Surf Coast Shire, 2010)	C80
Open Space Strategy 2016 – 2025 (Ross Planning, 2015)	C96
Pathways Strategy 2012 Review Part A: Process, Background Policies and Recommendations (Surf Coast Shire, 2012)	C96
Regional Bushfire Planning Assessment, Barwon South-West Region (Department of Planning and Community Development, 2012)	C96
Remnant Roadside Vegetation of the Surf Coast Shire (Peter Moulton, Mark Trengove & Geoff Clark, 1997)	NPS1
A Review of Domestic Wastewater Management in Bellbrae (Van de Graaff and Associates, Geocode & LandSafe, 2010)	C74
Rural Environment Study: Report on Environmental Resources (Ecology Australia, 1996)	NPS1
Salinity Management Overlay Project Cover Report (EnPlan-DBA, Dalhaus Environmental Geology & Chris Harty and Environmental Management, 2006)	C38
Spring Creek Catchment Plan (Spring Creek Catchment Committee & EnPlan Australia Pty Ltd, 2003)	C74
Spring Creek Urban Growth Framework Plan Working Paper 3 Landscape and Urban Form (Hansen Partnership, 2008)	C74
Surf Coast Housing Policy Project (Planisphere, 2006)	C39
Surf Coast Places of Cultural Significance Study: Report on Stage 1 Volume 1 – Methods and Results (Context P/L & Dr Carlotta Kellaway, 1998)	C74
Surf Coast Playground Strategy (Surf Coast Shire, 2011)	C96
Surf Coast Shire Gaming Policy Framework (Coomes Consulting Group, 2008)	C72
Surf Coast Shire Places of Cultural Significance Study: Selected Lorne/Deans Marsh Heritage Place Assessments 2003 (Surf Coast Shire, amended 2005 & July 2021)	C15 & GC183
Surf Coast Shire – Salinity Management Overlay: Salinity Occurrences and Mapping Background Report No 4 (Dahlhaus Environmental Geology Pty Ltd, 2006)	C38
Surf Coast Shire Rural Land Use Strategy (RG Ashby & Co, 1997)	NPS1
Surf Coast Shire Rural Residential and Rural Living Strategy (AGC Woodward-Clyde, 1997)	NPS1
Surf Coast Shire Rural Strategy (RCMG, 2007)	C68
Surf Coast Shire Urban Tree and Vegetation Policy (Surf Coast Shire, 2006)	C96
Sustainable Futures Plan Torquay-Jan Juc 2040 (Surf Coast Shire, 2014)	C66

# SURF COAST PLANNING SCHEME

Name of background document	Amendment number - clause reference
Thompson Creek Catchment Plan (Thompsons Creek Catchment Committee, 1998)	NPS1
Torquay and Jan Juc Structure Plan (Surf Coast Shire, 2007)	C37
Torquay-Jan Juc Neighbourhood Character Study and Vegetation Assessment (Surf Coast Shire, 2006)	C37
Torquay-Jan Juc Neighbourhood Character Study Review (Surf Coast Shire, 2012)	C66
Torquay/Jan Juc Retail Strategy (Tim Nott, 2011)	C66
Torquay North Outline Development Plan (Surf Coast Shire, 2012)	C66
Torquay North-West Outline Development Plan (The Planning Group & Essential Economics, 2002)	C6
Torquay Town Centre Parking and Access Strategy 2011-16 (Surf Coast Shire, 2011)	C66
Tree Species Selection Criteria for the 'Torquay North' Development Plan Area (Surf Coast Shire, 2010)	C96
Winchelsea Growth Area Outline Development Plan (Surf Coast Shire, 2011)	C120
Winchelsea Industrial Estate Master Plan (Surf Coast Shire, 2010)	C120
Winchelsea Townscape Study (Mark McWha Pty Ltd, 1995)	NPS1

Surf Coast Shire Council Council Meeting

2.1 Planning Scheme Amendment GC183 - Stage 2C of the Surf Coast Shire Heritage Study

APPENDIX 4 GC183 GOLDEN PLAINS COLLATED AMENDMENT DOCUMENTS

#### **GOLDEN PLAINS PLANNING SCHEME**

#### 28/02/2019 GC117

#### SCHEDULE TO CLAUSE 43.01 HERITAGE OVERLAY

#### 1.0 09/07/2020

#### Application requirements

An application for demolition of locally significant or contributory heritage places within a precinct must be accompanied by the following information, as appropriate:

- A structural engineering report demonstrating why demolition is necessary.
- A report or statement to the satisfaction of the Responsible Authority that demonstrates that the demolition will not adversely impact upon the significance
  of the place.
- An application for the replacement development.
- An arboricultural assessment and heritage impact assessment for any heritage place identified in the schedule that includes tree controls.
- A heritage impact assessment for any proposed development that may affect a significant heritage place.

## 2.0 Heritage places

05/2024--/--/---

C95gplaProposed GC183The requirements of this overlay apply to both the heritage place and its associated land.

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO1	Cameron Hill, 25 Brislanes Road, Murgheboluc	-	-	-	-	Yes Ref No H792	Yes	No
HO2	Bannockburn Railway Station, Clyde Road, Bannockburn	-	-	-	-	Yes Ref No H1560	Yes	No
НО3	Bannockburn Railway Station (Balance), Clyde Road, Bannockburn	No	No	Yes	No	No	No	No
HO4	Glenfine Homestead Precinct, 150 Glenfine Road, Werneth	-	-	-	-	Yes	Yes	No

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PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
						Ref No H1206		
HO5	Laurence Park Homestead, 56 Buchter Road (off Midland Highway) Batesford	-	-	-	-	Yes Ref No H887	Yes	No
HO6	Cast Iron Mileposts, Pitfield-Scarsdale Road, Cape Clear and Rokewood-Skipton Road, Pitfield	-	-	-	-	Yes Ref No H1702	No	No
HO7	State School No. 330, Hamilton Highway, Inverleigh	Yes	Yes	No	No	No	No	No
HO8	Prefabricated Iron Cottage, 24 Weatherboard Road, Inverleigh	-	-	-	-	Yes Ref No H880	Yes	No
НО9	Railway Station, Ackland Street, Lethbridge	Yes	No	No	No	No	No	No
HO10	Moranghurk, 3320 Midland Highway, Lethbridge	-	-	-	-	Yes Ref No H266	Yes	No
HO11	Darra, 490 Slate Quarry Road, Meredith	-	-	-	-	Yes Ref No H268	Yes	No
HO12	Old Bridge over Ferrers Creek, between Geelong and Rokewood, Rokewood	Yes	No	No	No	No	No	No
HO13	Iron Road Bridge Over Leigh River, Shelford-Bannockburn Road, Shelford	-	-	-	-	Yes Ref No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
						H1452		
HO14	Former Steiglitz Court House, Steiglitz Road, Steiglitz	-	-	-	-	Yes Ref No H1487	Yes	No
HO15	Road Bridge (former) over Moorabool River on the Midland Highway, Batesford	-	-	-	-	Yes Ref No H1115	No	No
HO17	Darriwill, 400 Bakers Bridge Road, Sutherlands Creek	Yes	No	Yes	No	No	No	No
HO18	Gaol (former) Crown Allotment 4 Section E, Victor Street, Bannockburn	Yes	Yes	No	No	No	Yes	No
HO20	Barunah Plains, 4484 Hamilton Highway, Hesse	-	-	-	-	Yes Ref No H2313	Yes	No
HO21	Inverleigh Hotel, 1 High Street, Inverleigh	Yes	No	No	No	No	No	No
HO22	Presbyterian Church, 48 High Street, Inverleigh	Yes	No	No	No	No	No	No
HO23	Sutherlands Creek Engraving Area, Pringles Bridge Road, Maude	Yes	No	No	No	No	No	Yes
HO24	Leigh Grand Junction Road Bridge, Meredith-Mount Mercer Road, Mount Mercer	Yes	No	No	No	No	No	No
HO25	Meredith Railway Station, Staughton Street, Meredith	Yes	No	No	No	No	No	No
HO26	Meredith Shire Hall (former), 31 Staughton Street, Meredith	Yes	No	No	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO27	Woodbourne Homestead, Boundary Road, Meredith	Yes	Yes	Yes	Yes - Stables	No	Yes	No
HO29	Kuruc-a-ruc Homestead and Outbuildings, Kuruc-a-ruc Road, Rokewood	Yes	Yes	Yes	Yes	No	Yes	No
HO30	Rokewood Stone Arrangement, Rokewood	No	No	No	No	No	No	Yes
HO31	Golf Hill Homestead and Outbuildings, 1718 Bannockburn-Shelford Road, Bannockburn	Yes	Yes	Yes	Yes	No	Yes	No
HO34	Steiglitz Heritage Precinct	Yes	No	Yes	No	No	No	No
HO36	Brachychiton populneus (Kurrajong), Steiglitz Cottage, 22 Staughton Street, Meredith	No	No	Yes	No	No	No	No
HO46	Rosamond (former Somerset Inn), 82 Bannockburn-Shelford Road, Bannockburn	Yes	No	No	No	No	No	No
HO50	St Paul's Anglican Church Complex, 38 High Street, Inverleigh	Yes- church building only	Yes- church building only	No	No	No	Yes	No
HO52	Methodist Church, 23 Dundas Street, Inverleigh	Yes	No	No	No	No	No	No
HO53	Lawsons (former Horseshoe Inn) East Street, Inverleigh	Yes	No	No	No	No	Yes	No
HO54	Road Bridge, Quarry Road, Lethbridge	Yes	No	No	No	No	No	No
HO55	Native Creek No. 1 Run (former) and Moranghurk Woolshed (former), "Morbrook" 1820 Meredith-Shelford Road	Yes	No	No	No	No	No	No
HO58	Church of the Epiphany, 7 Wallace Street, Meredith	Yes	Yes	No	Yes- Hall	No	Yes	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO59	Former Clyde Flour Mill and Managers Residence, 470 Russell's Bridge Road, Russell's Bridge	Yes	Yes	Yes	Yes – Former Mill	No	Yes	No
HO60	Minogues Store (former) and Residence, 1 Clow Street, Steiglitz	Yes	No	Yes	No	No	No	No
HO61	Rokewood Presbyterian Church Complex, 60 Ferrars Street, Rokewood	Yes (church building only)	Yes (church building only)	No	No	No	Yes	No
HO62	Leigh Presbyterian Church, 1716 Bannockburn-Shelford Road, Shelford	Yes (church building only)	Yes (church building only)	No	No	No	Yes	No
HO63	Primary School No. 379, 1727 Bannockburn-Shelford Road, Shelford	Yes	No	No	No	No	No	No
HO64	Methodist Chapel, 31 Thomson Street, Shelford	Yes	No	No	No	No	No	No
HO65	Stand Pipe and Trough, Happy Valley Road, Happy Valley	Yes	No	No	No	No	No	No
HO66	Ross Creek Chapel (former), 377 Spratlings Road, Ross Creek	Yes	No	No	No	No	No	No
HO67	Court House Hotel, 63 Brooke Street, Smythesdale	Yes	No	No	No	No	No	No
HO68	Police Station, Stables and Lock-up (former), 62 Brooke Street, Smythesdale	Yes- stables and lock up buildings only	Yes-stables and lock up buildings only	No	No	No	Yes	No
HO69	Smythesdale Court House (former), 64 Brooke Street, Smythesdale	-	-	-	-	Yes Ref No H1653	Yes	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO70	Stone Mile Posts, Glenelg Highway, Smythesdale	-	-	-	-	Yes Ref No H1701	No	No
HO71	St Agnes Anglican Church, Berrybank-Wallinduc Road, Wallinduc	Yes	No	No	No	No	No	No
HO72	The Viaduct (cottage), off Hills Road, Batesford	Yes	No	No	No	No	No	No
HO73	Chaumont Homestead Complex, 900 Midland Highway Batesford	Yes	No	No	No	No	No	No
HO74	Korong Farm, 241 Bakers Bridge Road, Gheringhap	Yes	No	No	No	No	No	No
HO75	Bluestone Villa, 150 Bakers Bridge Road, Gheringhap	Yes	No	No	No	No	No	No
HO76	Carrah Mill, 2565 Hamilton Highway, Inverleigh	Yes	No	No	No	No	No	No
HO77	Tower Hill Homestead, 49 Peel Road, Inverleigh	Yes	No	No	No	No	No	No
HO78	War memorials and Lone Pine, Road Reserve, south west corner of High and Railway Streets, Inverleigh	Yes	No	Yes	No	No	No	No
HO79	Clyde Company Station (former), 37 Spiller Road, Lethbridge	Yes	Yes	No	No	No	No	No
HO82	Burnside Homestead, 653 Burnside Road, Murgheboluc	Yes	No	No	No	No	No	No
HO83	Former Black Lead Uniting Church and Hall, 5050 Colac-Ballarat Road, Cambrian Hill	-	-	-	-	Yes Ref No H2173	Yes	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO84	Road Bridge over Leigh River, Russell's Road, Russell's Bridge	Yes	No	No	No	No	No	No
HO85	Clyde Company Station, 140 Clyde Hill Road, Russell's Bridge	Yes	No	No	No	No	No	No
HO86	Wurrook Homestead, 480 Wurrook Road, Rokewood	Yes	No	Yes	No	No	No	No
HO89	Former Leigh Shire Hall and Toll House, 1372 Rokewood-Shelford Road, Shelford	-	-	-	-	Yes Ref No H2274	Yes	No
HO90	Surface Hill Hydraulic Gold Sluicing Pit, Surface Hill Road, Smythesdale	-	-	-	-	Yes Ref No H1226	No	No
HO91	McMillans Bridge, over Little Woady Yallock River, Rokewood-Skipton Road, Rokewood and Werneth	-	-	-	-	Yes Ref No H1847	No	No
HO92	Railway Viaduct, over Moorabool River, Ballarat-Geelong Line, Batesford	-	-	-	-	Yes Ref No H1105	No	No
HO93	Jubilee Company Quartz Gold Mine, Jubilee Historic Reserve and Jubilee Road, Staffordshire Reef.	-	-	-	-	Yes Ref No H1762	No	No
HO94	Moranghurk (Balance), Midland Highway, Lethbridge	No	No	No	No	No	No	No
HO95	Bannockburn Heritage Precinct	No	No	No	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Statement of significance:							
	Bannockburn Heritage Precinct Statement of Significance (Golden Plains Shire Council, 2019)							
HO96	Corindhap Heritage Precinct	No	No	Yes	No	No	No	No
	Statement of significance:							
	Corindhap Heritage Precinct Statement of Significance (Golden Plains Shire Council, 2020)							
HO97	Inverleigh Heritage Precinct	No	No	Yes	No	No	No	No
	Statement of significance:							
	Inverleigh Heritage Precinct Statement of Significance (Golden Plains Shire Council, 2020)							
HO98	Lethbridge Heritage Precinct	No	No	No	No	No	No	No
	Statement of significance:							
	Lethbridge Heritage Precinct Statement of Significance (Golden Plains Shire Council, 2020)							
HO99	Linton Heritage Precinct	No	No	No	No	No	No	No
	Statement of significance:							
	Linton Heritage Precinct Statement of Significance (Golden Plains Shire Council, 2020)							
HO100	Meredith Heritage Precinct	No	No	No	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Statement of significance:							
	Meredith Heritage Precinct Statement of Significance (Golden Plains Shire Council, 2020)							
HO101	Rokewood Heritage Precinct	No	No	No	No	No	No	No
	Statement of significance:							
	Rokewood Heritage Precinct Statement of Significance (Golden Plains Shire Council, 2020)							
HO102	Scarsdale-Newtown Heritage Precinct	No	No	No	No	No	No	No
	Statement of significance:							
	Newtown Heritage Precinct Statement of Significance (Golden Plains Shire Council, 2020)							
HO103	Shelford Heritage Precinct	No	No	Yes	No	No	No	No
	Statement of significance:							
	Shelford Heritage Precinct Statement of Significance (Golden Plains Shire Council, 2020)							
HO104	Smythesdale Heritage Precinct	No	No	No	No	No	No	No
	Statement of significance:							
	Smythesdale Heritage Precinct Statement of Significance (Golden Plains Shire Council, 2020)							
HO105	Mount Misery Creek Bridge, Snowgum Road, Berringa	No	No	No	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO106	St Aiden's Church of England, Snowgum Road, Berringa	Yes	Yes	No	No	No	No	No
HO107	Berringa State School No. 905 (former), 20 Berringa Road, Berringa	No	No	Yes	No	No	No	No
HO108	William Fancy Company Mining Complex, Sykes Road, Berringa	No	No	No	No	No	No	No
HO109	Cape Clear Cemetery, Cemetery Road, Cape Clear	No	No	Yes	No	No	No	No
HO110	Corindhap State School No. 1906 (former), 39 School Road, Corindhap	Yes	No	Yes	Yes	No	No	No
HO111	Outlet towers, former caretakers residence and workers cottage at the Stony Creek Reservoir System, 2830 Geelong-Ballan Road, Durdidwarrah	No	No	No	No	No	No	No
HO112	Garibaldi State School No. 2173 (former), Hardies Hills Road, Garibaldi	Yes	No	Yes	No	No	No	No
HO113	Horse Trough and Standpipe, Ross Creek Haddon Road, Haddon	No	No	No	No	No	No	No
HO114	Haddon Memorial Reserve, Memorial Drive, Haddon	No	No	No	No	No	No	No
HO115	Timber Trestle Bridge over Springdallah Creek, Happy Valley Road, Happy Valley	No	No	No	No	No	No	No
HO116	Lullote Homestead, 385 Common Road, Inverleigh	Yes	No	Yes	Yes-Stables	No	Yes	No
HO117	Sacred Heart Catholic Church, 70 High Street, Inverleigh	Yes	Yes	Yes	No	No	No	No
HO118	Inverleigh Public Hall and Former Mechanics Institute, 71 High Street, Inverleigh	Yes	Yes	No	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO119	Timber Railway Bridge, Peel Road, Inverleigh	No	No	No	No	No	No	No
HO120	Former Railway Water Tank and Recreation Reserve, Lethbridge	No	No	No	No	No	No	No
HO121	Lethbridge State School No. 1386, 2846 Midland Highway, Lethbridge	Yes	No	No	No	No	Yes	No
HO122	St Mary's Catholic Church, 2779 Midland Highway, Lethbridge	Yes	No	No	Yes	No	No	No
HO123	Bluestone Bridge over Bruce's Creek, Russell Street, Lethbridge	No	No	No	No	No	No	No
HO124	Linton Park Homestead, 49 Linton-Naringhil Road, Linton	Yes	No	Yes	Yes	No	No	No
HO125	Linton Cemetery, Linton-Carngham Road, Linton	No	No	Yes	No	No	No	No
HO126	St Peters Catholic Church and Presbytery, 30 Cumberland Street, Linton	Yes	Yes	Yes	Yes	No	No	No
HO127	Former Presbyterian Church, 9 Linton-Mannibadar Road, Linton	Yes	No	Yes	Yes	No	No	No
HO128	Linton Public Library, 67 Sussex Street, Linton	Yes	Yes	No	No	No	Yes	No
HO129	Emu Hill Homestead Complex, 680 Linton-Naringhil Road, Linton	Yes	No	No	Yes - Stables	No	No	No
HO130	Mannibadar Soldier's Memorial Hall, 1444 Rokewood-Skipton Road, Mannibadar	Yes	No	No	No	No	No	No
HO131	Former Free Presbyterian Church, 4450 Midland Highway, Meredith	Yes	Yes	No	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO132	Meredith State School No. 1420 and Community House, 5 Wallace Street, Meredith	Yes	No	Yes	Yes	No	No	No
HO133	St Josephs Catholic Church, Lawler Street, Meredith	Yes	Yes	No	Yes	No	No	No
HO134	St Andrews Uniting Church and Manse, 28-30 Wallace Street, Meredith	Yes	No	Yes	Yes	No	No	No
HO135	Meredith Cemetery, Slate Quarry Road, Meredith	No	No	Yes	No	No	No	No
HO136	Viewbank, 2219 Hamilton Highway, Murgheboluc	Yes	No	No	Yes	No	No	No
HO137	St Andrews Church and Stone Pines, Hamilton Highway, Murgheboluc	Yes	No	Yes	No	No	No	No
HO138	Murgheboluc Public Hall and Reserve, Hamilton Highway, Murgheboluc	Yes	No	Yes	No	No	No	No
HO139	Athelston, 2025 Hamilton Highway, Murgheboluc	Yes	No	No	No	No	No	No
HO140	Poplars, CA G SEC 3 Hamilton Highway, Murgheboluc	No	No	Yes	Yes	No	No	No
HO141	Edglestone, 1910 Hamilton Highway, Murgheboluc	Yes	No	Yes	No	No	No	No
HO142	Butleigh, 1754 Hamilton Highway, Murgheboluc	No	No	Yes	Yes	No	No	No
HO143	Former Police Station and Residence, 4835 Colac-Ballarat Road, Napoleons	No	No	No	Yes- Stables	No	No	No
HO144	Piggoreet West Homestead Complex, 909 Linton-Piggoreet Road, Piggoreet	Yes	No	Yes	Yes - Stables	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO145	St Patricks Catholic Church, 900 Scarsdale-Pitfield Road, Springdallah	Yes	Yes	No	No	No	No	No
HO146	Rokewood Cemetery, Cemetery Road, Rokewood	No	No	Yes	No	No	No	No
HO147	Former Police Station and Residence, 42 Ferrars Street, Rokewood	Yes	No	No	Yes	No	No	No
HO148	St Patricks Catholic Church, 74A Colac-Ballarat Road, Rokewood	Yes	Yes	Yes	No	No	No	No
HO149	Former Presbyterian Church, 143 Clyde Hill Road, Russells Bridge	Yes	No	No	No	No	No	No
HO150	Russells Bridge State School No. 530 (former), 139 Clyde Hill Road, Russells Bridge	Yes	No	Yes	No	No	No	No
HO152	Rock Rose Cottage, 1920 Glenelg Highway, Scarsdale	Yes	No	Yes	No	No	No	No
HO153	Heatherbrae, 5 Station Street, Scarsdale	Yes	No	Yes	No	No	No	No
HO154	Former Methodist Manse, 12 Carlyle Street, Scarsdale	Yes	No	No	No	No	No	No
HO155	Scarsdale State School No. 980 and Memorial Gates, 149 Scarsdale-Pitfield Road, Newtown	No	No	Yes	No	No	No	No
HO156	Former Presbyterian Manse, 999 Inverleigh-Shelford Road, Shelford	Yes	No	No	No	No	No	No
HO157	Leighburn Homestead, 1567 Bannockburn-Shelford Road, Shelford	No	No	Yes	No	No	No	No
HO158	Presbyterian Manse, 31 Mercer Street, Shelford	Yes	No	Yes	No	No	Yes	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO159	Smythesdale General Cemetery, Glenelg Highway, Scarsdale	No	No	Yes	No	No	No	No
HO160	Smythesdale State School No. 978, 50 Becker Street, Smythesdale	Yes	No	No	No	No	No	No
HO161	Staffordshire Reef Cemetery, Donald Mcleans Road, Staffordshire Reef	No	No	Yes	No	No	No	No
HO162	Steiglitz Cemetery, Steiglitz Road, Steiglitz	No	No	Yes	No	No	No	No
HO163	Gowan Brae, 1038 Bannockburn-Shelford Road, Teesdale	Yes	No	No	Yes	No	No	No
HO164	Teesdale State School No. 2065, 30 Sutherland, Teesdale	Yes	No	No	No	No	No	No
HO165	Former Teesdale Water Reserve, Learmonth Street, Teesdale	No	No	Yes	No	No	No	No
HO166	Teesdale War Memorial, Cnr Pantics Road and Bannockburn-Shelford Road, Teesdale	No	No	Yes	No	No	No	No
HO167	Teesdale Presbyterian Church, 42 Pyke Street, Teesdale	No	Yes	Yes	No	No	No	No
HO168	Woolbrook Homestead Complex, 704 Teesdale-Inverleigh Road, Teesdale	Yes	Yes	Yes	Yes	No	No	No
HO169	Naringal Homestead, 1551 Lismore-Pitfield Road, Wallinduc	Yes	No	Yes	No	No	No	No
HO170	Soldiers War Memorial, Cnr Lismore-Pitfield Road and Berrybank-Wallinduc Road, Wallinduc	No	No	No	No	No	No	No
HO171	Inverleigh Cemetery, Cemetery Road, Inverleigh	No	No	Yes- Internal trees only,	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
				not perimeter planting				
H0172	Eucalyptus camaldulensis (River Red Gum) Cambridge Street Road Reserve between East and Dundas Streets, Inverleigh	No	No	Yes	No	No	No	No
HO173	Pollocksford Bridge over Barwon River, Pollocksford Road, Stonehaven Statement of Significance: Pollocksford Bridge Statement of Significance (Ecology and Heritage Partners Pty Ltd, July 2020)	No	No	No	No	No	No	No

# GOLDEN PLAINS PLANNING SCHEME

31/07/2018 VC148

# SCHEDULE TO CLAUSE 72.04 DOCUMENTS INCORPORATED IN THIS PLANNING SCHEME

# 1.0 Incorporated documents

<del>00/07/2021</del>--/--/----<del>GC161</del>Proposed GC183

Name of document	Introduced by:
45 Pioneer Ridge Road, Meredith, Crown Allotment 28F, Parish of Meredith, Vol.10910, Fol.681 (May 2014)	C69
Batesford Structure Plan (2001)	C9
Bannockburn Heritage Precinct Statement of Significance (Golden Plains Shire Council, 2020)	C90gpla
Concept Layout Dog Rocks (May 1999)	NPS1
Corindhap Heritage Precinct Statement of significance (Golden Plains Shire Council, 2020)	C90gpla
Gheringhap Service Station Advertising Signage Incorporated Document, July 2020	C89gpla
Inverleigh Heritage Precinct Statement of Significance (Golden Plains Shire Council, 2020)	C90gpla
Lethbridge Heritage Precinct statement of Significance (Golden Plains Shire Council, 2020)	C90gpla
Linton Heritage Precinct Statement of Significance (Golden Plains Shire Council, 2020)	C90gpla
Meredith Heritage Precinct Statement of Significance (Golden Plains Shire Council, 2020)	C90gpla
Pollocksford Bridge Statement of Significance (Ecology and Heritage Partners Pty Ltd, July 2020)	GC183
Rail Gauge Standardisation Project, Integrated Approval Requirements, (Department of Infrastructure, December 2002)	VC17
Rail Upgrades at Geelong Port Project (May 2010)	C54
Restructure Plan No. 1 – Illabarook Environs, (Golden Plains Shire Council, February 2006)	C21
Restructure Plan No. 2 – Taylors Road Haddon, (Golden Plains Shire Council, June 2007)	C31
Rokewood Heritage Precinct Statement of Significance (Golden Plains Shire Council, 2020)	C90gpla
Ryans Road, Gheringhap, (March 1999)	NPS1
Scarsdale Newton Heritage Precinct Statement of Significance (Golden Plains Shire Council, 2019)	C90gpla
Shelford Heritage Precinct Statement of Significance (Golden Plains Shire Council, 2020)	C90gpla
Smythesdale Heritage Precinct Statement of Significance (Golden Plains Shire Council, 2020)	C90gpla
Steiglitz Heritage Precinct Statement of Significance (Golden Plains Shire Council,	C90gpla

Surf Coast Shire Council Council Meeting

2.1 Planning Scheme Amendment GC183 - Stage 2C of the Surf Coast Shire Heritage Study

APPENDIX 5 SURF COAST GC183 EXPLANATORY REPORT AUTHORISATION

Planning and Environment Act 1987

# SURF COAST PLANNING SCHEME & GOLDEN PLAINS PLANNING SCHEME

#### **AMENDMENT GC183**

#### **EXPLANATORY REPORT**

#### Who is the planning authority?

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

The amendment has been made at the request of Surf Coast Shire Council.

#### Land affected by the amendment

The amendment applies to all land affected by a Heritage Overlay in the Surf Coast Shire, to include specific detail affecting:

- Heritage Overlay 6 Bellbrae Cemetery Monumental Masonry, 65 School Road, Bellbrae
- Heritage Overlay 7 Ballanclea/Ballinclea homestead, 250 Ballanclea Road, Barrabool
- Heritage Overlay 8 Berramongo, 100 Crooks Road, Barrabool
- Heritage Overlay 9 Foymount homestead, 795 Barrabool Road, Barrabool
- · Heritage Overlay 10 Merrawarp homestead, 50 Honeys Road, Barraool
- Heritage Overlay 12 Stanbury Barn, 130 Devon Road, Barrabool
- Heritage Overlay 13 Tasman homestead, 755 Barrabool Road, Barrabool
- Heritage Overlay 14 Wescott's Stable, 850 Barrabool, Barrabool
- Heritage Overlay 16 Scammell House, 24 Pride Street, Torquay.
- Heritage Overlay 20 St Thomas Anglican Church and school room, 31 Barwon Terrace, Winchelsea
- · Heritage Overlay 19 Colonial bank, 33 Main Street, Winchelsea
- Heritage Overlay 21 Winchelsea Uniting Church and Manse, 30 & 34 Hesse St, Winchelsea
- Heritage Overlay 24 Murdeduke Homestead, 730 Cressy Road, Winchelsea
- Heritage Overlay 25 Wormbete Homestead including outbuildings and Gardens, 565 Winchelsea-Deans Marsh Road, Winchelsea

The amendment also applies to:

 Pollocksford Bridge, Pollocksford Road, Gnarrwarre (Surf Coast Shire) and Stonehaven (Golden Plains Shire). The bridge is partially located in two municipal council areas; Surf Coast Shire and Golden Plains Shire.

#### What the amendment does

#### In the Surf Coast Planning Scheme the amendment:

- Includes a new heritage place (H0 164) known as Pollocksford Bridge, Pollocksford Road, Gnarwarre in the Heritage Overlay by amending the schedule to the Heritage Overlay (Clause 43.01) and map H05.
- Amends the Schedule to the Heritage Overlay (Clause 43.01) to:
  - o refer to the Incorporated document Surf Coast Shire Heritage Study, Barrabool, Torquay, Bellbrae and Winchelsea, Victoria Volume 2: The Heritage Citations- July 2020 next to the relevant properties listed above.
  - introduce internal controls to Westcott's Stable, 850 Barrabool Road, Barrabool (HO14) and Scammell House, 24 Pride Street, Torquay (HO16);
  - introduce external paint controls to Colonial Bank, 33 Main Street, Winchelsea (HO19) and Berramongo, 100 Crooks Road, Barrabool (HO8);
  - make correctional amendments including the address of Foymount homestead, 795 Barrabool Road, Barrabool (HO9) and the spelling of the property name 'Scammell', 24 Pride Street, Torquay (HO16).
  - update the title of the background document 'Surf Coast Shire Places of Cultural Significance Study: Selected Lorne/Deans Marsh Heritage Place Assessments 2003 (Surf Coast Shire, amended 2005)' and the Incorporated Document 'Mountjoy Parade Heritage Design Guidelines – Surf Coast Shire, April 2021) to include the amended date against the relevant properties.
  - Introduce additional application requirements.
- Amends Clause 02.03-5 (Built environment and heritage) in the Strategic directions of the Municipal Planning Strategy (MPS) to provide enhanced detail relating to cultural heritage in the Shire as well as an overriding objective.
- Amends Clause 15.03-1L in the Planning Policy Framework (Heritage conservation). This policy will apply to all land affected by a Heritage Overlay, will be applied to any development application as appropriate and provides a clear framework for the consideration of permit applications and the type of development that meets Council's expectations.
- Amends the schedule to Clause 72.04 within Operational Provisions to include a new Incorporated Document in the Surf Coast Planning Scheme titled Stage 2C of the Surf Coast Shire Heritage Study, Barrabool, Torquay, Bellbrae and Winchelsea, Victoria Volume 2: The Heritage Citations-July 2020 ', and include the amended date of the Incorporated Document 'Mountjoy Parade Heritage Design Guidelines Surf Coast Shire, April 2021'.
- Amends the schedule to Clause 72.08 within Operational Provisions to include the amended date
  of the background document 'Surf Coast Shire Places of Cultural Significance Study: Selected
  Lome/Deans Marsh Heritage Place Assessments 2003 (Surf Coast Shire, amended 2005)'
- Updates and makes correctional amendments to the Incorporated Document 'Mountjoy Parade Heritage Design Guidelines (Surf Coast Shire, April 2021).
- Updates and makes correctional amendments to the background document 'Surf Coast Shire Places of Cultural Significance Study: Selected Lorne/Deans Marsh Heritage Place Assessments 2003 (Surf Coast Shire, amended 2005)'.

## In the Golden Plains Planning Scheme the amendment:

- Includes a new heritage place (H0 173) known as Pollocksford Bridge, Pollocksford Road, Stonehaven in the Heritage Overlay by amending the schedule to the Heritage Overlay (Clause 43 01) and map H028.
- Amends the schedule to Clause 72.04 in Operational Provisions to include the Pollocksford Bridge Statement of Significance, as an Incorporated Document.

#### Strategic assessment of the amendment

#### Why is the amendment required?

Stage 2C of the Surf Coast Shire Heritage Study was undertaken by consultants Ecology and Heritage Partners Pty Ltd and completed in July 2020. Council resolved to implement the recommendations in the consultant's final report 'Stage 2C of the Surf Coast Shire Heritage Study, Barrabool, Torquay, Bellbrae and Winchelsea, Victoria -Volume 1: The Report – July 2020', at its meeting on 25th August 2020. One of the recommendations was to undertake a planning scheme amendment to implement a number changes in the Surf Coast Planning Scheme to ensure adequate protection of heritage assets. The amendment is required to apply these changes.

The Stage 2C study implemented the priority recommendation from the previous heritage study (Stage 2B) to prepare heritage citations to include statements of significance for 14 heritage places that are subject to existing Heritage Overlays but have scant or no heritage assessment to support their significance. The approval of planning scheme amendment VC148 by DELWP in 2018, also changed the format of the heritage overlay and gave greater weight to statements of significance. These recent reforms require clear justification of the significance of a place for its inclusion in the Heritage Overlay.

The study involved a comprehensive assessment of the cultural heritage significance of these 14 places. A Heritage Citation has been prepared for each place which sets out the history and a description of each place, a comparative analysis and a Statement of Significance. The statements support and strengthen the existing heritage overlays and establish the significance of the particular place, and provide a basis to guide any future planning permit applications against the decision guidelines of the Heritage Overlay. These will be used as a tool for assessing any future planning permit applications and to protect the features that are considered significant of each place.

Based on these assessments, the final report makes a number of recommendations for applying and implementing the statements of significance to ensure the best protection of the cultural heritage places within the Shire. The report recommends that the document 'Stage 2C of the Surf Coast Shire Heritage Study, Barrabool, Torquay, Bellbrae and Winchelsea, Victoria, Volume 2: The Heritage Citations- June 2020' is incorporated into the Planning Scheme. An amendment is therefore required to formally incorporate the document containing the citations and statements of significance into the Surf Coast Planning Scheme.

The report recommends that internal controls be applied to two properties; Westcott's Stable, 850 Barrabool Road, Barrabool (HO14) and Scammell, 24 Pride Street, Torquay (HO16). A permit would be required for any internal alterations. It is also recommends that external paint controls be applied to both Colonial Bank, 33 Main Street, Winchelsea (HO19) and Berramongo, 100 Crooks Road, Barrabool (HO8). The amendment is required to provide the additional controls to these properties to ensure their appropriate protection by amending the schedule to Clause 43.01.

During the project, the Pollocksford Bridge over the Barwon River in Gnarwarre and Stonehaven (Golden Plains Shire) was identified by Council as potentially being at risk due to future renewal works required, where without an assessment the heritage values could be lost. The bridge is partially located within Golden Plains Shire municipality and there is joint ownership with Surf Coast Shire (although Surf Coast Shire have full maintenance responsibility for the bridge). It was considered that the bridge should be assessed as a matter of priority to ascertain whether a significance threshold could be applied and the relevant protection afforded. The findings in the report indicate that the bridge has been assessed as meeting the threshold for **local cultural heritage significance** and it is recommended for inclusion in a new Heritage Overlay in both the Surf Coast Planning Scheme and Golden Plains Planning Scheme (given its location in both municipal council areas). This amendment is required to give statutory heritage protection to the Pollocksford Bridge through the application of a Heritage Overlay.

The report also recommends that a local heritage policy should be prepared and included within the Surf Coast Planning Scheme, which would be specific to the Surf Coast Shire and support the generic State heritage policy.

The current policy at Clause 15.03-01L is considered limited in its scope and detail in terms of providing guidance for protecting the cultural significance of heritage places within the Shire. The amendment is required to introduce detailed strategies to guide decision making on planning permit applications, assist in providing clarity surrounding the acceptability of proposals and provide local context on the significant heritage values in the municipality. The changes to this policy have resulted in the requirement for some permit applications to be accompanied by additional supporting documents which have been reflected in the schedule to Clause 43.01.

The amendment will also provide additional context in respect of the cultural heritage of the Shire and provide an overarching objective in regards to cultural heritage through amending the Strategic directions in the MPS at Clause 02.03-5.

The amendment is also required to make some minor correctional details to the Incorporated Document Mountjoy Parade Heritage Design Guidelines (Surf Coast Shire, April 2021). This was recently incorporated into the planning scheme by Amendment C136surf with a number of minor inaccuracies.

The amendment is also necessary to update the existing background document 'Surf Coast Shire Places of Cultural Significance Study: Selected Lome/Deans Marsh Heritage Place Assessments 2003 (Surf Coast Shire, amended 2005)'. The document has been streamlined to delete unnecessary content and modified to update statements of significance for some properties in the Lorne area to reflect the recommendations of the C15 Ministerial Panel (which is not reflected in the existing document). It also includes the removal of the objectives and policy in the Mountjoy Parade Heritage Precinct which is now reflected in the Heritage Design Guidelines.

#### How does the amendment implement the objectives of planning in Victoria?

The amendment implements the objectives of planning in Victoria, in particular, the objectives outlined in section 4(1) (d) of the *Planning and Environment Act 1987* being:

To conserve and enhance those buildings, areas or other places, which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value.

This provides a clear direction for planning authorities in terms of their role and responsibility in heritage planning and management, and this amendment takes a significant step in addressing this objective for the properties assessed.

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

#### Environmental Effects

The amendment will not have any adverse effects on the environment. Protection of heritage places will retain existing urban infrastructure and resources. The conservation of heritage places promotes sustainable development through conserving valuable resources, balanced against the demands for development.

## Social and Economic Effects

The amendment reflects the importance of heritage in the Shire and to the community. The amendment will have positive social effects through the proper protection of the 14 places of cultural heritage significance for the benefit of current and future generations. The amendment will benefit the community by adding to the understanding of Surf Coast's rich cultural history and recognising and realising the positive contribution that culturally significant places make to the Surf Coast Shire.

### Does the amendment address relevant bushfire risk?

The amendment will not result in any increase in bushfire risk, as the amendment only involves the strengthening of the existing Heritage Overlays and application of permanent heritage protection to one additional place, as well as the a new local heritage policy.

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

The amendment is consistent with the Ministerial Direction on the Form and Content of Planning Schemes under section 7(5) of the Act.

The amendment complies with the requirements of Minister's Direction No. 11 Strategic Assessment of Amendments under section 12 (2) (a) of the Planning and Environment Act 1987.

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

The amendment is consistent with the Planning Policy Framework (PPF) and supports the objectives of 15.03-01 S of the Surf Coast Planning Scheme and Golden Plains Planning Scheme, 'to ensure the conservation of places of heritage significance'. The amendment implements the strategy to 'Identify, assess and document places of natural and cultural heritage significance as a basis for their inclusion in the planning scheme' by providing proper documentation and detailed assessment of existing identified places of heritage significance, introducing additional controls to some properties and identifying an additional place of heritage significance.

The amendment also supports Clause 43.01 of the Surf Coast Planning Scheme, as it recognises, conserves and enhances elements which contribute to the significance of heritage places.

The amendment also amends the local heritage conservation policy at Clause 15.03-01L in the Planning Policy Framework in the Surf Coast Planning Scheme by introducing detailed strategies to guide decision making on planning applications and providing local context on the significant heritage values in the municipality. This is the appropriate and necessary mechanism to support and complement the objectives in the State policy at 15.03-01 and Clause 43.01.

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

The amendment supports and strengthens the Strategic Directions at Clause 02.03 in the Municipal Planning Strategy, specifically sub-clause 02.03-5 Built Environment and Heritage. The amendment will provide additional context in respect of the cultural heritage of the Shire and an overriding objective to conserve cultural heritage places in the Shire and manage change in a manner that enhances their significance. The changes will not result in any inconsistencies with the other strategic directions in the MPS.

#### Does the amendment make proper use of the Victoria Planning Provisions?

The amendment has been prepared with reference to the appropriate VPP Practice Notes and General Practice Notes, specifically PCN1: Applying the Heritage Overlay, and makes appropriate use of the Victorian Planning provisions specifically the Heritage Overlay and existing strategic statements and policies of the MPS.

# How does the amendment address the views of any relevant agency?

The Amendment will not directly impact on any government agency. The amendment will be exhibited to all relevant agencies and referral authorities in accordance with the requirements of the Planning and Environment Act 1987.

# Does the amendment address relevant requirements of the Transport Integration Act 2010?

The Amendment is not expected to have any impact upon the objectives, strategies and decision making principles of the Transport Integration Act 2010:

#### Resource and administrative costs

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

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

#### Where you may inspect this amendment

The amendment can be inspected free of charge at the Surf Coast Shire's website at <a href="https://www.surfcoast.vic.gov.au">https://www.surfcoast.vic.gov.au</a>

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

Surf Coast Shire Council 1 Merrijig Drive Torquay 3228

The amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at <a href="https://www.planning.vic.gov.au/public-inspection.">www.planning.vic.gov.au/public-inspection.</a>

#### Submissions

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

A submission must be sent to: Samantha Natt, Surf Coast Shire Council, 1 Merrijig Drive, Torquay 3228 or info@surfcoast.vic.gov.au.

#### Panel hearing dates

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

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

Surf Coast Shire Council Council Meeting

28 September 2021 Page **318** 

2.1 Planning Scheme Amendment GC183 - Stage 2C of the Surf Coast Shire Heritage Study

# 3. OFFICE OF THE CEO

## 3.1 Contracts Awarded under Pre Authorisation

Author's Title:Manager Engineering ServicesGeneral Manager:John BertoldiDepartment:Engineering ServicesFile No:F21/392Division:Governance & InfrastructureTrim No:IC21/1523

Appendix:

Officer Direct or Indirect Conflict of Interest: Status:

In accordance with Local Government Act 1989 –

Section 80C:

Yes

Defined as confidential information in accordance with Local Government Act 2020, Section 3(1):

Reason: Nil Reason: Nil

# Purpose

The purpose of this report is to inform Council of the contract awarded by the Chief Executive Officer (CEO) under authorisation provided via resolution at the 27 July 2021 Council Meeting.

Contracts awarded by the CEO in the preceding month that relate to the 27 July 2021 authorisation are listed below:

Contract No.	Contract Description	Successful Contractor(s)	Contract Value
T22-008	Traffic Management Services	Go Traffic Pty Ltd	\$750,000 per annum*
		Construct Traffic Pty Ltd (as trustee for the Construct Traffic Unit Trust)	

<sup>\*</sup> Approximate value as this is a Schedule of Rates contract

#### Recommendation

That Council notes the award of a panel contract for Traffic Management Services.

## **Council Resolution**

# MOVED Cr Liz Pattison, Seconded Cr Mike Bodsworth

That Council notes the award of a panel contract for Traffic Management Services.

**CARRIED 8:1** 

#### Voting

Voted on as follows:

ForAgainstAbstainedCr AllenCr BarkerNil

Cr Bodsworth
Cr Gazzard
Cr Hodge
Cr Pattison
Cr Schonfelder

Cr Wellington

Mayor Stapleton

CARRIED 8:1

## 4. GOVERNANCE & INFRASTRUCTURE

# 4.1 Point Grey Land Manager Consent

Author's Title: Acting General Manager Governance General Manager: John Bertoldi

and Infrastructure

Department:Governance and InfrastructureFile No:18/0508Division:Governance & InfrastructureTrim No:IC21/1524

Appendix:

Point Grey - Plan (D21/129681)
 Point Grey - Title (D21/129684)

Officer Conflict of Interest: Status:

In accordance with Local Government Act 2020 – Defined as confidential information in accordance with Local Government Act 2020, Section 3(1):

Reason: Nil Reason: Nil

# **Purpose**

The purpose of this report is to enable Council to consider a request that it provide consent for a planning application to be considered where the application relates to a development on land that includes parcels for which Council is the Public Land Manager in the context of the Planning and Environment Act 1987.

## **Summary**

The Great Ocean Road Coast and Parks Authority (GORCAPA) is seeking Council's consent to make Planning Permit Application No. 18/0508 (PPA18/0508) for land where Council is the Coordinating Road Authority under the Road Management Act 2004 and therefore the Public Land Manager for the purpose of the Planning and Environment Act 1987 (P&E Act).

Council, as the Responsible Authority under the P&E Act, has already determined PPA18/0508 and has exercised its authority under the P&E Act. Council is not able to reconsider its decision as the Responsible Authority. Planning Permit Application No. 18/0508 is currently being considered by the Victorian Civil and Administration Tribunal (VCAT) as a result of an application by an objector. Through the VCAT Hearing process it has been identified that the application relates to two allotments that are designated as Government Road, with Council identified as the Road Manager. This was not known by GORCAPA (or Great Ocean Road Coastal Committee as predecessor) or Council when the application was initially submitted and it was believed that GORCAPA had control of all the land subject to the planning permit application.

It is a requirement of the planning scheme that the Public Land Manager provide consent to the planning permit application being made and so VCAT has put its consideration on hold so that GORCAPA can request this consent from Council. Consent is limited to the making of the planning permit application only, and other approvals may require separate and further consideration before any permit, if issued, can progress through to completion and operation. These matters are not the subject of this report and it is important for Council to consider the matter before it in the context of its relevant powers and authorities.

Officers have considered the role of the two allotments in relation to Council-delivered services and assets and have not identified any reasons to refuse Public Land Manager consent.

## Recommendation

That Council:

- 1. In its capacity as the Public Land Manager of Allotments 2052 and 2059, Township of Lorne, Parish of Lorne, provides its consent to the Great Ocean Road Coast and Parks Authority to make a planning permit application to use the land for a place of assembly and to construct buildings and works pursuant to Clauses 36.02-1 and 36.02-2 of the Surf Coast Planning Scheme, generally as described and shown in the documents and plans accompanying Planning Permit Application 18/0508.
- 2. Affirms that Allotments 2052 and 2059, Township of Lorne, Parish of Lorne have no relation to the local road network or road-related assets managed by Council and are surplus to its municipal needs.

# 4.1 Point Grey Land Manager Consent

3. Authorises the Chief Executive Officer to commence the process to transfer ongoing land management responsibilities for Allotments 2052 and 2059 to the Great Ocean Road Coast and Parks Authority.

#### Defer item to next meeting

#### Motion

# MOVED Cr Gary Allen, Seconded Cr Paul Barker

That this item on the agenda be deferred until the October meeting.

CARRIED 5:4

### Voting

Voted on as follows:

ForAgainstAbstainedCr AllenCr BodsworthNil

Cr Barker Cr Hodge
Cr Gazzard Cr Pattison
Cr Schonfelder Cr Stapleton

Cr Wellington

CARRIED 5:4

# Report

## Officer Direct or Indirect Interest

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

# Background

On the 3 December 2018, the Great Ocean Road Coast Committee (GORCC) lodged a planning permit application with the Surf Coast Shire Council (Council) for a development at Point Grey, Lorne. Council considered the application under the Planning and Environment Act 1987 and the Surf Coast Planning Scheme and subsequently resolved on 26 June 2020 to issue a Notice of Decision to Grant a Planning Permit for the development (NOD). An objector filed an application for review of the NOD to VCAT. VCAT held hearings on this matter on 12 – 15 April 2021.

On 16 April 2021, VCAT made an order seeking submissions addressing the implications arising from a change to some of the land parcels subject of the application. In response investigation was undertaken into the land management for the subject land parcels and through this it was confirmed that the Council is the Public Land Manager of 2 allotments within the area subject to the permit (Allotment 2052 and 2059 - being roads for which the Council is the Crown Land Administrator). These roads are in a Public Park and Recreation Zone (PPRZ) under the Surf Coast Planning Scheme (Planning Scheme).

Clause 36.02-3 of the zone specifies that an application for a permit by a person other than the relevant public land manager must be accompanied by the written consent of the public land manager, indicating that the public land manager consents generally or conditionally to the application for permit being made. Without this consent the application is incomplete and a planning permit cannot be granted. In this case the request for consent is being made retrospectively, but the Tribunal may use its powers to correct this administrative oversight.

At the time of lodging the planning permit application and when the NOD was issued, neither the Council nor GORCC were aware that the Council was the Public Land Manager of these two allotments. Following this realisation the Great Ocean Road Coast and Parks Authority (GORCAPA – formally GORCC) requested consent of the Council as the Public Land Manager of the roads to make the application for Planning Permit.

This report had been presented to Councillors at the July 2021 Council Meeting where Council resolved the following:

# 4.1 Point Grey Land Manager Consent

 Defers any decision to grant consent to Great Ocean Road Coast and Parks Authority (GORCAPA) to make Planning Permit Application No 18/0508 as it affects Allotments 2052 and 2059 for the purposes of clause 36.02-3 of the Surf Coast Planning Scheme until its scheduled meeting in September 2021.

2. Directs the Chief Executive Officer to invite a representative of the Great Ocean Road Coast and Parks Authority (GORCAPA) to brief Councillors on the proposed development at Point Grey prior to the September Council Meeting.

In response to action 1 this report is being presented at this Council Meeting.

In response to action 2 representatives of GORCAPA presented to a councillor briefing on 14 September 2021 outlining further work on the engagement of the Lorne community that had been undertaken since July including possible amendments to the current development plan that may be considered. Although this shows the Authorities preparedness for ongoing engagement on the development this is not material to the decision regarding Council's role in issuing consent to the GORCAPA to make a planning permit application as Public Land Manager.

## **Discussion**

The parcels of land in question is occupied primarily by a car park which services the Point Grey precinct and associated open space. Although Council has been identified as the designated Public Land Manager for 2 allotments the car park is not identified on Council's Register of Public Road and Council has no records of undertaking any management or maintenance responsibility for the car park. It is relevant to note that Council was formally identified as the Crown Land Administrator by way of a rectification to the Crown Land folio on 13 February 2017 which transferred this responsibility from DELWP. There is no record of Council being advised of this change in responsibility.

As can be seen in the appendix the car park cannot be accessed directly from the Great Ocean Road or Council's road network but must be accessed via roads on GORCAPA managed public reserves. Council has no facilities within this precinct as all the facilities within the precinct are managed by GORCAPA.

In considering whether to issue consent to make the Planning Permit Application the following have been considered by Council Officers:

- Does Council have any existing Plans or Strategies relating to the future use of the subject land?
- Does Council foresee the future need to develop the subject land?
- Does Council have existing assets or services on the subject land that would be impacted by the granting of consent?

Officers have not identified a valid reason to deny Public Land Manager consent to the making of the Planning Permit Application. Furthermore the subject land is deemed to be surplus to Council needs as there is no identified future use for the land as it is a portion of road reserve surrounded by GORCAPA managed public land. Consideration of the transfer of land management responsibility for the subject land from Council to GORCAPA should be considered.

## Council Plan

Theme 5 High Performing Council

Objective 5.1 Ensure Council is financially sustainable and has the capability to deliver strategic objectives

Strategy Nil

# Reporting and Compliance Statements:

Local Government Act 2020 – LGA 2020

Implications	Applicable to this Report
Governance Principles	Yes
(Consideration of the Governance Principles under s.9 of LGA 2020)	
Policy/Relevant Law	Yes
(Consideration of the Governance Principles under s.9 of LGA 2020)	
Environmental/Sustainability Implications	No
(Consideration of the Governance Principles under s.9 of LGA 2020)	

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#### 4.1 **Point Grey Land Manager Consent**

Community Engagement	No
(Consideration of Community Engagement Principles under s.56 LGA 2020	
and Council's Community Engagement Policy SCS-017)	
Public Transparency	No
(Consideration of Public Transparency Principles under s.58 of LGA 2020)	
Strategies and Plans	Yes
(Consideration of Strategic Planning Principles under s.89 of LGA 2020)	
Financial Management	Yes
(Consideration of Financial Management Principles under s.101 of LGA	
2020)	
Service Performance	Yes
(Consideration of Service Performance Principles under s.106 of LGA 2020)	
Risk Assessment	Yes
Communication	Yes
Human Rights Charter	No

# Governance Principles - Local Government Act 2020 (LGA 2020)

The issue of consent will support future works to be undertaken by GORCAPA.

# Policy/Relevant Law

Council has the powers to provide consent as the public land manager.

# Strategies/Plans

Council has no strategic plans or strategies related to the subject land

## Financial Management

The consideration of the future transfer of land management for the subject land would result in reduced future liabilities subject to the land.

## Service Performance

Council has no service need for the subject land.

# Risk Assessment

There are identified Workplace Health and Safety implications associated with this report.

## Communication

GORCAPA will be informed of the outcome of this report.

Option 1 - Grant Public Land Manager consent to the issue of the Planning Permit and commence the process to transfer land management of the subject land to GORCAPA

This option is recommended by officers as Council has no valid reason to deny consent and as there is no identified use for the subject land by Council the transfer of management would remove future liabilities from Council.

# Option 2 - Grant Public Land Manager consent to the issue of the Planning Permit

This option is not recommended by officers as although supportive of the issue of consent this maintains ongoing responsibility of Council for land which is surplus to needs.

## Option 3 – Deny Public Land Manager Consent

This option is not recommended by officers as there is no identified reason to deny consent.

# Conclusion

There is no valid identified reason for Council to deny Public Land Manager consent to the issue of a Planning Permit for the subject land. Furthermore the subject land is surplus to Council needs and the transfer of land management responsibilities to GORCAPA should be considered.

# 4.1 Point Grey Land Manager Consent

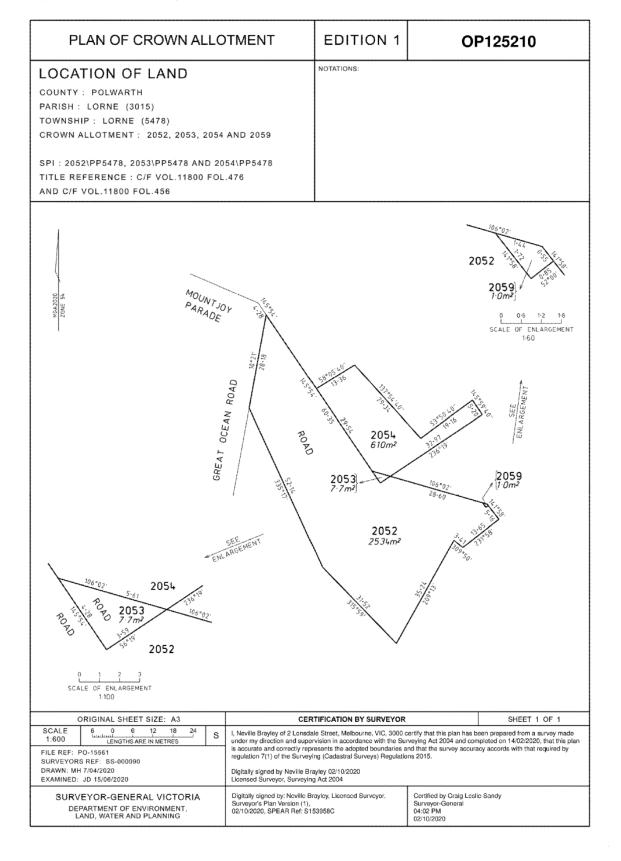
# APPENDIX 1 POINT GREY - PLAN



# 4.1 Point Grey Land Manager Consent

# APPENDIX 2 POINT GREY - TITLE

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# 4.2 Proposed Community Amenity Local Law 2021 - Approval for Public Exhibition

Author's Title:Coordinator Governance ProjectsGeneral Manager:John BertoldiDepartment:Governance & RiskFile No:F20/1126Division:Governance & InfrastructureTrim No:IC21/1427

Appendix:

1. Proposed Community Amenity Local Law 2021 (D21/178446)

2. Proposed Community Amenity Local Law 2021 (with tracked changes) (D21/177956)

Officer Conflict of Interest:		Status:		
In accordance with Local Government Act 2020 – Section 130:		Defined as confidential information in accordance with Local Government Act 2020, Section 3(1):		
Yes Reason: Nil	⊠ No	Yes Reason: Nil	⊠ No	

### **Purpose**

The purpose of this report is for Council to provide approval to place the proposed Community Amenity Local Law 2021 on public exhibition and to invite submissions from the community.

# **Summary**

The current Community Amenity Local Law No.1 of 2011 is due to expire on 14 December 2021. This Local Law provides for the peace, order and good governance of the Surf Coast Shire.

A review of the Local Law commenced in March 2021 and is being conducted in accordance with the requirements of the Local Government Act 2020 and Council's Community Engagement Policy. An initial community engagement campaign was conducted during July and August via Council's website, print media, social media, newsletters, mailing lists and Councillor communications. Internal stakeholders (including Councillors) have also been consulted in the process and a project team formed.

The Local Government Act 2020 requires that the proposed Local Law is advertised and placed on public exhibition to invite submissions. Following this period of exhibition submissions will be considered (and heard if appropriate) before a final draft is prepared for adoption by Council prior to the 14 December 2021 expiry date.

The proposed Community Amenity Local Law 2021 is therefore presented to Council for approval to place on public exhibition.

#### Recommendation

That Council:

- 1. Endorses the proposed Community Amenity Local Law 2021, as attached at Appendix 1, for the purposes of public exhibition.
- 2. Authorises the Chief Executive Officer to give public notice that the proposed Community Amenity Local Law 2021 is under review and being placed on public exhibition, with submissions invited until 24 October 2021.
- 3. Notes that a Special Council Meeting for Hearing Submissions will be held, if required.
- 4. Considers adoption of the proposed Community Amenity Local Law 2021 at a future meeting of Council.

### **Council Resolution**

# MOVED Cr Rose Hodge, Seconded Cr Paul Barker

That Council:

- 1. Endorses the proposed Community Amenity Local Law 2021, as attached at Appendix 1, for the purposes of public exhibition.
- 2. Authorises the Chief Executive Officer to give public notice that the proposed Community Amenity Local Law 2021 is under review and being placed on public exhibition, with submissions invited until
- 3. Notes that a Special Council Meeting for Hearing Submissions will be held, if required.
- 4. Considers adoption of the proposed Community Amenity Local Law 2021 at a future meeting of Council.

CARRIED 9:0

### Voting

Voted on as follows:

<u>For</u>	<u>Against</u>	<u>Abstained</u>	
Cr Allen	Nil	Nil	
Cr Barker			
Cr Bodsworth			
Cr Gazzard			
Cr Hodge			
Cr Pattison			
Cr Schonfelder			
Cr Stapleton			
Cr Wellington			
			CARRIED 9:0

# 4.2 Proposed Community Amenity Local Law 2021 - Approval for Public Exhibition

### Report

### Officer Direct or Indirect Interest

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

### Background

The current Community Amenity Local Law No.1 of 2011 is due to expire on 14 December 2021. This Local Law provides for the peace, order and good governance of the Surf Coast Shire.

A review of the Local Law commenced in March 2021 and is being conducted in accordance with the requirements of the Local Government Act 2020, including Council's Community Engagement Policy. An initial community engagement campaign was conducted during July and August 2021 via Council's website, print media, social media, newsletters, mailing lists and Councillor communications. Internal stakeholders have also been consulted in the process and a project team formed.

A comparison with the Local Laws of neighbouring Councils has also been undertaken to ensure consistency of approach.

### **Discussion**

Following community consultation, discussions with key staff and external stakeholders, briefings with Councillors and legal advice, the suggested key changes that have been incorporated into the proposed Community Amenity Local Law 2021 include:

- Nature strips Allow alteration (with a permit) within specified conditions and guidelines that will set
  out requirements relating to safety, amenity, surfaces, planting, climate change, the environment etc.
- Nature strips Introduce a requirement to rectify unauthorised works.
- Barbecues, pizza ovens and fire pits generally retaining current arrangements and add fire pits to the list for clarity.
- Storage of caravans, boats and trailers on nature strips specify a seven day limit on continuous storage of vehicles on nature strips including boats, trailers and caravans.
- Animal management introduce a new offence and penalty for failing have effective control of an animal.
- Expansion of Council's smoke free areas to include within four metres of a Council owned building, within the signposted boundary of a Council-run or funded event or within ten metres of a sports ground. This aligns with Council's health and wellbeing strategies.
- Firewood introduce a new offence and penalty for collecting firewood from Council land.
- Waste management clarify requirements in line with Council's new four-bin waste strategy and commercial/ industrial waste requirements.
- Recreational vehicles on private land retain current arrangements.
- Camping introduce new arrangements that allow seasonal workers to stay for 120 days in a caravan or tent where a dwelling exists, to assist with the shortage of affordable housing particularly during the summer period.
- Camping retain the current 28 day limit for family members to camp on a private property where a dwelling exists.
- Shipping containers requirement to obtain a permit to be able to place a shipping container on private land.
- Removal of operational/internal working instructions that do not belong in the Local Law.
- Inclusion of penalties relating to new items eg collection of firewood from Council land, placing of shipping containers and failing to have effective control of an animal.
- Removal of reference to penalties throughout the document. All penalties included in a separate Schedule.
- Duplicated information has been deleted.
- Improved definitions to provide greater clarity.
- Inclusion of standardised clauses for permits and other administrative functions to provide clarity of Council's processes and powers.
- Infringement penalties increased proportionately to keep pace with inflation.
- Maximum penalty for offences that are dealt with by the courts standardised up to a maximum fine of 20 penalty points (\$2,000).

# 4.2 Proposed Community Amenity Local Law 2021 - Approval for Public Exhibition

Tiny Houses – Officers are recommending that issues relating to Tiny Houses are resolved via a separate project as views are varied and there are multiple, complex issues to work through. Council could form a working group to provide recommendations to Council. This Local Law can be amended at a later date, if necessary, when that work is completed and further community consultation on that issue has taken place.

Please see the Community Engagement section of this report (below) for a summary of the community's feedback.

The Local Government Act 2020 requires that the proposed Local Law is advertised and placed on public exhibition and the community invited to make submissions for consideration. It is proposed that this will take place during the month of October 2021.

In addition to the proposed Local Law Community Amenity 2021, a copy of the previous 2011 version with tracked changes is attached to this report and will be provided to the community for ease of reference. A Community Impact Statement will also be published which will detail all the proposed changes and an explanation of their likely impact. A summary of the community's feedback will also be provided. All the above documents will be available for the community on Council's Your Say page of the website.

Following the consultation period, submissions will be presented to Councillors for consideration prior to the final version being adopted in early December 2021, before expiry on 14 December.

#### 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

The Community's responses to the survey are in line with the 'People, Place, Future' project Principles:

- The community believes protection, conservation and restoration of the environment should drive the decision making process
- The community understands that the population will increase but this should not be detrimental to unique neighbourhoods or the natural environment
- The community is keen to share their home with the world
- The community requires accountability through timely, consultative and transparent communication about these decisions.

# Reporting and Compliance Statements:

Local Government Act 2020 - LGA 2020

Implications	Applicable to this Report
Governance Principles	Yes
(Consideration of the Governance Principles under s.9 of LGA 2020)	
Policy/Relevant Law	Yes
(Consideration of the Governance Principles under s.9 of LGA 2020)	
Environmental/Sustainability Implications	Yes
(Consideration of the Governance Principles under s.9 of LGA 2020)	
Community Engagement	Yes
(Consideration of Community Engagement Principles under s.56 LGA 2020	
and Council's Community Engagement Policy SCS-017)	
Public Transparency	No
(Consideration of Public Transparency Principles under s.58 of LGA 2020)	
Strategies and Plans	No
(Consideration of Strategic Planning Principles under s.89 of LGA 2020)	
Financial Management	No
(Consideration of Financial Management Principles under s.101 of LGA	
2020)	
Service Performance	No
(Consideration of Service Performance Principles under s.106 of LGA 2020)	

### 4.2 Proposed Community Amenity Local Law 2021 - Approval for Public Exhibition

Risk Assessment	Yes
Communication	Yes
Human Rights Charter	Yes

# Governance Principles - Local Government Act 2020 (LGA 2020)

In developing the proposed Local Law consideration was given to the overarching governance principles in s9 of the Local Government Act 2020.

The draft seeks to achieve the best outcomes for the municipality in balancing the rights of individuals with the general amenity of all citizens. Benchmarking with neighbouring Councils was also carried out to ensure consistent and proportionate penalties and rules across the region. A Local Laws Community Impact Statement will be made available to the community during the period of public exhibition which will set out the proposed changes and their potential impacts.

### Policy/Relevant Law

In accordance with s71 of the Local Government Act 2020, Councils can make Local Laws in relation to 'any act, matter or thing in respect of which the Council has a function or power under this Act or any other Act'. Councils must carry out community consultation in accordance with their community engagement policy.

# Environmental/Sustainability Implications

A number of clauses in the Local Law have been considered in relation to their potential effects on the environment eg nature strip planting, smoke free zones, glass free areas, animal litter, protection of dunes, building site management, open air fires, disposal of domestic and commercial waste. Measures within the Local Law are designed to balance amenity issues for the community with the need to protect the environment.

# Community Engagement

In accordance with s73(2) of the Local Government Act 2020, Council must consult with the community when making a local law as per its community engagement policy.

In order to achieve this, an initial community engagement campaign was conducted during July and August 2021 via Council's website, print media, social media, newsletters, mailing lists and Councillor communications. This included a survey and 'Did you Know?' awareness campaign. A number of key consultation topics were identified through discussion with key stakeholders (including Councillors), analysis of complaints received and discussions with authorised officers. Whilst respondents were able to comment on any aspect of the Local Law, the topics identified for an educational campaign and for targeting in the survey included:

- Burning off
- Pizza ovens and fire pits
- Nature strips (should planting be allowed?)
- Boats, caravans and trailers (storage on public land including nature strips)
- Use of recreational vehicles on private land
- Camping
- Management of building sites

The community was highly engaged, with over 580 survey responses being received in addition to a number of separate submissions from individuals and groups. It was noted that responses varied and themes emerged that demonstrate the tensions that exist between:

- Protecting the community's unique nature and managing planning for growth
- · Sharing our area with the world and maintaining community identity
- Protecting and conserving the natural environment and tackling climate change.

It is also clear that COVID has changed the way we live and interact with our community and each other eg we are spending more time in and around our homes and outdoors. COVID is forcing us to live in a highly regulated and controlled environment, and this needs to be a consideration when proposing further restrictions through this Local Law.

# 4.2 Proposed Community Amenity Local Law 2021 - Approval for Public Exhibition

The community's responses to the first stage of the consultation process are summarised below:

Theme	Survey Data	Community	Officer Considerations/
		Themes/Concerns	Recommendations
Burning Off	43% Support burning off 37% Neutral about it 62% Want to keep current law as it is	<ul> <li>Air quality</li> <li>Negative impact on the environment</li> <li>Block sizes and impact on neighbours</li> <li>Current law not accommodating weather/wind on days of the week.</li> <li>Notification to neighbours and CFA</li> <li>Fire risk - need to burn</li> </ul>	<ul> <li>Health and wellbeing – impact of smoke inhalation and enjoyment of life</li> <li>Sustainability – waste versus burn</li> <li>Climate change- negative impacts with smoke particles in air</li> <li>Recommended - More education for community on purpose and what can be burned</li> <li>Recommended - more education relating to green waste and how it relates to burning off</li> <li>Recommended - Council provides more information to concerned community members and seeks to minimise environmental and health impacts.</li> </ul>
Pizza Ovens and Fire Pits	46% of residents own one or the other 68% of residents support using them 8% feel they are a nuisance	<ul> <li>Air quality</li> <li>Negative impact on the environment</li> <li>Block sizes and impact on neighbours</li> <li>Any thoughts or suggestions to remove the community's ability to use a controlled fire to cook food as a family is outrageous.</li> <li>Smell in neighbouring homes</li> </ul>	<ul> <li>Health and wellbeing – impact of smoke inhalation and enjoyment of life</li> <li>Climate change- negative impact with smoke particles in air</li> <li>COVID has meant people are spending more time at home both inside and outside</li> <li>Consider timing (COVID) if considering changing this – ie people are spending more time at home.</li> <li>Local Law needs to strike the balance between family enjoyment and regulations.</li> <li>Recommended Council retains current rules and adds the commercial/ recreational use of fire pits.</li> </ul>
Nature Strips	Planting 75% support usage changes to nature strips with a permit  Installation of different surfaces 68% support with a permit  Barriers to protect vegetation 65% support	<ul> <li>Could become untidy and overgrown</li> <li>What to plant?</li> <li>Council land therefore Council should manage it</li> <li>If surfaces changes will people park there more?</li> <li>Would barriers create access issues?</li> <li>Council continues to plant trees that, whilst native to Australia, do not belong in built up residential Australian streets. The gums continually drop leaves</li> </ul>	Finding the balance between the practical use of nature strips and community expectations/safety/environmental issues     Indigenous planting guidelines     Consideration of vegetables, herbs and fruit trees     Guidelines for surfaces     Recommended that the Local Law allows planting on nature strips with a permit and that the permit conditions clearly set out what is acceptable in order ensure concerns about safety, amenity, surfaces, climate change, impact on environment etc are taken into account.     Recommended - Inclusion of

Theme	Survey Data	Community Themes/Concerns	Officer Considerations/ Recommendations
Caravans, Boats and Trailers	75% support changing the wording 50% - 7 days for storage on nature strip is reasonable 38% - Longer than 7 days is reasonable 11% - 7 days is too long	Themes/Concerns and branches  Need more time to do maintenance on a caravan - it's not just unpacking after trips No parking of any vehicles Needs more monitoring and enforcement Large vehicles only short periods of times Not just caravans, boats and trailers- all registered vehicles should not park on nature strips	requirement to rectify any unauthorised works on Council land (including nature strips)  Relates to storage of caravans, boats and trailers on nature strips/roads etc.  Urban Areas/narrow streets Rural blocks  How we approve developments  How lifestyles have changed-garages are now rooms  People travelling locally so using more recreation vehicles more often  Sales for boats and caravans have doubled  Recommended that a 7 day maximum continuous period of storage on a nature strip is reasonable and this limit should be introduced into the Local Law
Recreational Vehicles on Private Land	78% are positive or neutral about recreational vehicles 65% want to keep current rules ie allowed with permit 35% want to remove permit if 500m away from another dwelling	Noise was the main concern     Only on Hinterland or larger properties     Great activity for young people who live rurally	<ul> <li>Farming equipment required for work on some properties</li> <li>Recommended that Council retains the current permit application process that takes the views of neighbouring property owners into consideration for applications less than 500m away from a dwelling.</li> </ul>
Camping	40% - Keep the current local law as it is 65% - Should extend for family and friends 65% - Should extend for seasonal workers 46% - Allow camping with a permit 47% - Oppose use of camping for income	Parking already an issue in some areas - what about the extra cars? Noise  Effluent/Waste/Cle aning Support for Tiny Houses no permit Concerns about Tiny Houses. Few comments around noise from Airbnbs Confusion about what kind of demographic would live in a Tiny House Assumptions that this will encourage partying Location sites of new camp area?	<ul> <li>Support for seasonal workers, family and friends</li> <li>Sustainable living more environmental</li> <li>Impact on infrastructure, waste, parking, water</li> <li>28 days for family and friends is reasonable.</li> <li>Tiny Houses – varied viewpoints and complex considerations.</li> <li>Recommended - Increase timeframe allowed for key workers to camp on a property with an existing dwelling to 120 days per year.</li> <li>Recommended that Council creates a separate project to work through the complex Tiny House issues. This also requires further, targeted engagement - internally and externally. Any applicable changes can be made to the Local</li> </ul>

# 4.2 Proposed Community Amenity Local Law 2021 - Approval for Public Exhibition

Theme	Survey Data	Community Themes/Concerns	Officer Considerations/ Recommendations
Building Site Management	36% Concerned about sites and the way they are managed 27% Satisfied 36% Don't have a view on it		
		5. Starting too early Examples of best practice sites were identified	management of building sites and takes action where these are not being managed appropriately.  • Recommended that Council promotes well-managed sites and highlights examples in its communications.  • Recommended that no changes to the Local Law are required at this time.

### Risk Assessment

The draft seeks to balance the safety and amenity of the community with an individual's rights eg restrictions on burning off, management of building sites, storage of boats and caravans, consumption of alcohol in public places, glass free zones.

There are no identified workplace health and safety implications associated with this report.

# Communication

The proposed Local Law will be provided to the community for comment via Council's website, print media, social media etc. A copy of the version with tracked changes will be included along with a Community Impact Statement to set out the changes and their potential impact.

# **Human Rights Charter**

An assessment against the Charter of Human Rights has been completed which concludes that there are no infringements of human rights in the proposed Local Law and that restrictions and penalties are proportionate, consistently applied and intended to provide for the safety and amenity of the community.

# 4.2 Proposed Community Amenity Local Law 2021 - Approval for Public Exhibition

# **Options**

# Option 1 – Approve the Local Law for exhibition as presented

This option is recommended by officers as the proposed Local Law has been developed following extensive internal and external consultation, including comparison with other Councils and discussion with legal advisors. The current proposal takes into account the currently highly regulated COVID environment that the community is enduring, and seeks to minimise further regulation where possible.

# Option 2 - Approve the Local Law for exhibition, with changes

This option is not recommended by officers as the proposed Local Law has been developed following extensive internal and external consultation, including comparison with other Councils and discussion with legal advisors. The current proposal takes into account the currently highly regulated COVID environment that the community is enduring and seeks to minimise further regulation where possible.

### Option 3 – Do not place the Local Law on exhibition

This option is not recommended by officers as the current Local Law expires on 14 December 2021 and the lengthy legal process required to be conducted could mean there is not enough time to replace the Local Law before its expiry.

### Conclusion

Council's approval to place the proposed Community Amenity Local Law 2021 on public exhibition ensures compliance with legal obligations and ensures the community's views are considered prior to adoption of the final version before the date of expiry.

4.2 Proposed Community Amenity Local Law 2021 - Approval for Public Exhibition

# APPENDIX 1 PROPOSED COMMUNITY AMENITY LOCAL LAW 2021

Surf Coast Shire Council Council Meeting



**COMMUNITY AMENITY LOCAL LAW 2021** 

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### **COMMUNITY AMENITY LOCAL LAW 2021**

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#### **PART 1 - PRELIMINARY**

#### 1.1 Title

This is the Community Amenity Local Law of 2021.

### 1.2 Purposes

The purpose of this Local Law is to provide for the peace order and good government of the Surf Coast Shire by:

- (1) regulating and controlling uses and activities on Council land and roads so that the Council is aware of uses or activities which may:
  - (a) be detrimental to the amenity of the area or the enjoyment of facilities on land or roads:
  - (b) cause damage to Council and community assets;
  - (c) create a danger or expose others to risk;
  - (d) interfere with the safety and convenience of people travelling on or using Council land or roads; or
  - (e) impede free and safe access for people, in particular those with sight and movement impairment or disabilities;
- (2) managing, regulating and controlling activities and uses on any land which:
  - (a) may be dangerous, cause a nuisance or be detrimental to the amenity of the area or the environment;
  - (b) are directed at maintaining a healthy and safe environment for residents and visitors;
  - (c) promotes community expectations and demands about their desired lifestyle and the availability of goods and services provided to them;
- (3) identifying activities and uses that are not permitted so as to achieve the purposes in sub-paragraphs (1) and (2); and
- (4) providing for the administration of Council's powers and functions.

### 1.3 Authorising Provision

This Local Law is made under section 71 of the *Local Government Act 2020* and s.42 of the *Domestic Animals Act 1994*.

#### 1.4 Commencement and Revocation

This Local Law:

- (a) commences on [insert when approved by Council] and
- (b) unless sooner revoked, ceases to operate on 14 December 2021; and
- (c) operates throughout the municipal district.

### 1.5 Repeal of Local Law

On the commencement of this Local Law, Council's Community Amenity Local Law No.1 2011 is repealed and ceases 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.

### 1.6 Other Legislation

Anything allowed under any Act, Regulation or Planning Scheme is not affected by any prohibition, requirement or restriction under this Local Law.

### 1.7 Charter of Human Rights and Responsibilities

This Local Law was prepared following due consideration of the *Charter of Human Rights* and *Responsibilities Act 2006*.

#### 1.8 Definitions

In this Local Law, words which are not defined will adopt their ordinary meaning, and unless the contrary intention appears, the following words have the meaning ascribed:

"Act" - means the Local Government Act 2020;

"alcohol" - means a beverage intended for human consumption with an alcohol content greater than 0.5 per centum by volume at a temperature of 20 degrees Celsius;

"animal" - includes every species of quadruped and every species of bird;

"appropriate fee" - means the appropriate fee determined by the Council in accordance with this Local Law;

"authorised officer" - means a person appointed pursuant to section 224 of the *Local Government Act 1989* as an authorised officer for the purposes of this Local Law;

"barbeque" - means a structure or appliance designed or constructed for the primary purpose of cooking food in the open air for human consumption;

"bird" - means small birds suitable for domestic aviaries;

**"brazier"** – means a container for fire, generally taking the form of an upright standing or hanging metal bowl or box that is used for holding burning coal as well as fires, and allows for a source of light, heat, or cooking;

building" - includes:

- (a) a structure and part of a building or a structure; and
- (b) fences, walls, out buildings and service installations.

"building site" - means any land on which building works are or are proposed to be, carried out and includes any road or other land used in association with the building works;

**"building works"** - means works for or in connection with the construction, renovation, alteration, demolition, relocation or removal of a building and includes road making and drainage works;

"built up area" - means an area in which a 60kmh or lesser speed limit applies

**"bulk rubbish container"** - means a container (eg: skip) designed to take bulk quantities of rubbish and refuse which can only be lifted with mechanical assistance and includes a skip and a wheel mounted and tray bin type hopper;

"camping" - means using a tent, caravan, articulated recreational vehicle self-propelled self-contained motor home, vehicle or any temporary form of accommodation including sleeping bags or swags, for overnight sleeping;

"Chief Executive Officer" - means the person appointed as the Chief Executive Officer of the Council;

"clothing recycling bin" - means a bulk container designed for receiving donations of clothes which can only be lifted with mechanical assistance;

"Council" - means the Surf Coast Shire Council;

"Council controlled standpipe" - means a water outlet owned and maintained by the Council within the municipal district which is located in a public place and to which the public has access to water;

"Council land" - means land, buildings and facilities which are owned, occupied or vested in the Council or in respect of which the Council has the care and management and to which the public has access whether an entry fee is paid or not and includes a public place;

"commercial area" - means any part of the municipal district which is in a commercial zone in the Planning Scheme;

"firewood" – means parts of trees made up into bundles stacks cords or loads or cut up in the manner in which it is usual to cut wood for burning, and includes refuse wood generally;

"glass free area" – means any beach area comprising of sand and any area designated by Council as glass free and no glass containers or vessels of any type are permitted;

"graffiti" - means any writing or drawing or markings on land which has not been authorised in writing by the Council or authorised or allowed under the Planning Scheme;

"hoarding" (including fences and/or barriers) – means an erection of precautions over the street alignment which is a screen of boards enclosing a house and materials while builders are at work;

"incinerator" - means a structure or device that is not enclosed in a building which is:

- used or is intended, adapted or designed to be used or capable of being used for the purpose of burning any matter, material or substance;
- (b) not licensed or otherwise subject to control under the provisions of any other Act;
- (c) not a barbeque;

"infringement notice penalty" - means the penalty applicable to an infringement notice;

"municipal building" - means buildings and facilities which are owned, occupied or vested in the Council or in respect of which the Council has the care and management and to which the public has access whether an entry fee is paid or not and includes a public place;

"noxious weed" - means:

- (a) a State prohibited weed; or
- (b) a regionally prohibited weed; or
- (c) a regionally controlled weed; or
- (d) a restricted weed;.

"owner" - in relation to a vehicle includes the owner of the vehicle at the time of the offence or the person whose name appears on the certificate of registration issued by the Victorian Roads Corporation;

#### "pedestrian" – includes:

- (a) a person driving a motorised mobility device that cannot travel at over 10 kilometres per hour on level ground; and
- (b) a person in a non-motorised mobility device; and
- (c) a person pushing a motorised or non-motorised mobility device; and
- (d) a person in or on a wheeled recreational device or wheeled toy;

"penalty" - means the Court imposed penalty for an offence against this Local Law;

"permit" - means a permit issued under this Local Law;

"Planning Scheme" - means the Surf Coast Planning Scheme;

"poultry" - means birds kept for the production of eggs or meat for human consumption but does not include ducks, geese or roosters;

"premises"- has the same definition as that within the Graffiti Prevention Act 2007;

"prohibited area" - means an area designated by Council where entry or access is prohibited;

**"public place"** - has the same meaning as in the *Summary Offences Act 1966* which includes—

- any public highway, road, street, bridge, footway, footpath, court, alley, passage
  or thoroughfare notwithstanding that it may be formed on private property;
- (b) any park, garden, reserve or other place of public recreation or resort;
- (c) any railway station platform or carriage;
- (d) any wharf, pier or jetty;
- (e) any passenger ship or boat plying for hire;
- (f) any public vehicle plying for hire;
- (g) any church or chapel open to the public or any other building where divine service is being publicly held;
- (h) any Government school or the land or premises in connexion therewith;
- any public hall, theatre or room while members of the public are in attendance at, or are assembling for or departing from, a public entertainment or meeting therein:
- (j) any market;
- (k) any auction room or mart or place while a sale by auction is there proceeding;
- any licensed premises or authorised premises within the meaning of the Liquor Control Reform Act 1998;
- (m) any race-course, cricket ground, football ground or other such place while members of the public are present or are permitted to have access thereto whether with or without payment for admission;
- (n) any place of public resort;
- (o) any open place to which the public whether upon or without payment for admittance have or are permitted to have access; or
- (p) any public place within the meaning of the words "public place" whether by virtue of the Act or otherwise;

"recreational vehicle" – means any mini-bike, trail-bike, motorbike, motor scooter, go-kart, monkey bike, articulated recreational vehicle self-propelled self-contained motor home used for camping or other recreational activities or other vehicle propelled by a motor which is ordinarily used for recreational purposes but excludes a motorised wheelchair or scooter designed to transport a person of limited mobility, and a motorised bicycle with a maximum capacity of 22 watt aggregate power;

"registrable movable dwelling" - means a movable dwelling such as a caravan, camper trailer or motor home that is, or has been, registered or is required to be registered under the Road Safety Act 1986;

"reserve" - includes an active or passive recreation ground;

"residential area" - means any part of the municipal district which is in a residential zone in the Planning Scheme;

**"road"** - has the same meaning as in the Act and applies to roads for which the Council has responsibility under the *Road Management Act 2004* which includes—

- (a) any public highway;
- (b) any ancillary area; or
- any land declared to be a road under section 11 or forming part of a public highway or ancillary area;

"smoke free area" - means an area designated by Council where smoking is prohibited;

"stormwater pollutant" – means any material including litter, sediment, soil, mud, sand, concrete, plaster, brick and tile dust, paint and acid entering the stormwater system that degrades the quality of the stormwater to the detriment of the environment;

"stormwater system" – means the system that carries any stormwater run-off or any materials from land and includes kerb and channel, open channels, underground pipe systems and natural waterways;

"trade waste" - means any waste generated from a commercial or industrial activity on land;

"township area" - means all land within the Council designated township boundaries;

"unsightly and/or dangerous land" - means land that:

- (a) is being kept in a manner which is dangerous or likely to cause danger to life or property because of the materials or substances that are kept on the land; or
- (b) is unsightly or detrimental to the general amenity of the neighbourhood because of rubbish, waste or other material giving the appearance of the land as one of neglect and out of character with other land in the vicinity; or
- is likely to cause a nuisance or be a health hazard because of the existence of noxious weeds or because the conditions provide a harbour for vermin; or
- (d) has grass or weeds or similar vegetation that is in excess of 30cm from the natural surface of the ground; or
- (e) contains disused excavation or waste material; or
- (f) has dismantled vehicles or vehicle parts visible from adjoining roadway or properties; or

(g) has any other matter deemed to be offensive or unsightly by an authorised officer of Council;

"vehicle" - means a transport conveyance such as a motor vehicle, car, bus, van, automobile or truck that is designed to be propelled or drawn by any means, including a bicycle or other pedal-powered vehicle, trailer, tram-car and air-cushion vehicle but does not include railway locomotive or railway rolling stock;

"wheeled recreational device" - has the same meaning as in the *Road Safety Rules 2009* ie a wheeled device, built to transport a person, propelled by human power or gravity (or in the case of a scooter, propelled by a person pushing one foot against the ground, or by an electric motor or motors, or by a combination of these), and ordinarily used for recreation or play, and —

- (a) includes rollerblades, rollerskates, a skateboard, a scooter that is not a motor vehicle, or similar wheeled device; and
- (b) does not include a golf buggy, pram, stroller or trolley, or a bicycle, wheelchair or wheeled toy, or a scooter that is a motor vehicle.

#### PART 2 – MUNICIPAL BUILDINGS AND RESERVES

### 2.1 Behaviour in Municipal Buildings

A person must not:

- (a) commit any nuisance in a Municipal Building;
- (b) interfere with another person's use and enjoyment of a Municipal Building;
- (c) act in a manner which endangers any other person in a Municipal Building:
- (d) use indecent, insulting, offensive or abusive language in a Municipal Building;
- (e) behave in an indecent, offensive, insulting or riotous manner in a Municipal Building;
- (f) destroy, damage, interfere with or deface a Municipal Building or anything located at, on or in a Municipal Building or
- (g) remove any object which is owned by Council from a Municipal Building, without the consent of Council or an authorised officer;
- (h) act in a manner contrary to any restriction or prohibition contained in the inscription on a sign at, on or in a Municipal Building;
- deposit any litter in a Municipal Building, except in a receptacle provided for that purpose;
- except for a child under the age of six (6) years in a the care of a responsible person, and for a carer providing assistance to a person with a disability, enter or use any dressing room, shower, convenience or other area in a Municipal Building which has been appropriated for persons of the opposite gender;
- (k) without the consent of Council or an authorised officer, sell any goods or services in a Municipal Building;
- (l) without the consent of Council or an authorised officer, erect, affix, place or leave any advertisement in a Municipal Building;
- (m) without the consent of Council or an authorised officer, erect, operate or cause to be erected or operated any amusement in a Municipal Building;
- (n) obstruct, hinder or interfere with any member of staff of Council in the performance of their duties in a Municipal Building;
- (o) act contrary to any lawful direction of an authorised officer or member of Council staff given in a Municipal Building, including, without limitation, a direction to leave the Municipal Building, whether or not a fee for admission to the Municipal Building has been paid;
- use or interfere with any life-saving or emergency device located in a Municipal Building unless:
  - (i) using the device in an emergency; or
  - (ii) participating in an instruction approved by Council or an authorised officer;
- (q) organise any function or event in a Municipal Building without the consent of Council or an authorised officer;
- (r) bring any animal into, or allow any animal under their control to remain in, a Municipal Building without the consent of Council or an authorised officer, except for a guide dog being used by a visually impaired person, a hearing dog being used by a hearing impaired person or a dog being used to assist a person with limited mobility;
- (s) bring any vehicle or toy vehicle into a Municipal Building without the consent of Council or an authorised officer, except for:

- (i) a pram or pusher being used by a child; or
- (ii) a wheelchair or motor scooter being used by a physically disabled person; or
- (t) bring into a Municipal Building any substance, liquid or powder which may:
  - (i) be dangerous or injurious to health;
  - have the potential to foul, pollute or soil any part of the Municipal Building; or
  - (iii) cause discomfort to any person without the consent of Council or an authorised officer.
- (u) without a permit, alter a Municipal Building.

# 2.2 Access to Municipal Buildings

A person must not, without the consent of Council or an authorised officer:

- enter a Municipal Building other than through an entrance provided for that purpose;
- (b) enter or remain in a Municipal Building during hours when the Municipal Building is not open to the public;
- (c) enter or remain in a Municipal Building without having paid any fee or charge imposed by Council, an authorised officer or any person authorised by Council for admission to the Municipal Building;
- (d) remain in a Municipal Building after being directed to leave by an authorised officer: or
- (e) enter a Municipal Building, after having been directed to leave that Municipal Building by an authorised officer, unless granted written permission to do so by Council or an authorised officer.

#### 2.3 Activities Prohibited in Reserves

In a reserve, a person must not:

- (a) unless that person is a player, official or competitor in or at a sporting match or gathering, enter upon or remain on an area set aside as a playing ground during the course of a sporting match or gathering;
- (b) act in any manner so as to endanger any other person, cause any damage to any property or the environment or interfere with the quiet enjoyment of the reserve by any person;
- (c) use any children's playground equipment other than for the purpose for which it is provided;
- (d) fish in or swim, paddle, dive or jump into or enter any wetland, lake, pond or fountain contrary to any sign erected in the reserve;
- (e) play, engage in or practise any game or sport, whether or not in accordance with a permit issued under this Local Law, in a manner that is:
  - (i) dangerous to any other person in the reserve; or
  - (ii) likely to interfere with the reasonable use or enjoyment of the reserve by any other person;
- (f) ride any horse other than in an area and at a time designated by Council;
- (g) drive, ride in or on or otherwise use any motor vehicle other than in an area designated by Council;
- (h) alter Council land.

#### 2.4 Activities in Reserves

In a reserve, a person must not, without a permit or the written consent of an authorised officer;

- (a) ride or drive a vehicle or animal in a manner or in a place which is likely to damage or ruin any grassed area or turf surface or otherwise interfere with the use of the reserve by another person;
- (b) light a fire or permit any fire to remain alight except in:
  - (i) a barbecue provided by Council; or
  - (ii) a portable liquid petroleum gas barbecue;
  - (iii) charcoal fuelled barbecue;
- (c) organise any competitive sport, game, event or activity other than a sport, game, event or activity played for family or social purposes;
- (d) camp or pitch, erect or occupy any camp, tent, caravan or temporary structure;
- (e) conduct or celebrate a wedding;
- (f) organise or hold any rally, procession, demonstration or any other public gathering;
- (g) make a collection of money;
- (h) destroy, damage or interfere with any flora or kill, injure or interfere with any fauna;
- (i) use an amplifier;
- (j) walk on any plot, bed, border or any other area set aside for vegetation;
- (k) construct or install a film set, or record for television or other media purposes any event or activity, if the construction, installation or recording (as the case may be) is for fee or reward or commercial purposes (but excluding wedding and general photography or recording and any media photography or recording for news production purposes); or
- (l) drive any livestock.

#### PART 3 - PROTECTION OF COUNCIL LAND AND ASSETS

### 3.1 Tapping into Council Drains

A person must not, without a permit, tap into or interfere with any Council drain.

### 3.2 Taking Water from Council Controlled Standpipes

A person must not, without a permit, take water from a Council-operated standpipe.

### 3.3 Interference with Watercourse

- A person must not destroy, damage or interfere with any watercourse, wetland, ditch, creek, gutter, tunnel, bridge or levy which is vested in or under the management or control of Council.
- (2) A person must not, without a permit, divert the contents of any such watercourse, wetland, ditch, creek, gutter, tunnel, bridge or levy which is vested in or under the management or control of Council.

#### 3.4 Constructing Vehicle Crossings

A person must not, without a permit, construct, remove or relocate any temporary or permanent vehicle crossing(s).

#### 3.5 Maintaining Vehicle Crossings

Each owner and occupier of land must maintain and keep in good condition any vehicle crossing(s) which service that land.

### 3.6. Directing Vehicle Crossing Works

- (1) Council or an authorised officer may direct the owner or occupier of land to:
  - (a) construct a temporary or permanent vehicle crossing;
  - (b) repair or reconstruct a vehicle crossing; or
  - remove a vehicle crossing, and reinstate any kerb, channel, footpath or other areas;

to the satisfaction of the authorised officer.

(2) The owner or occupier of land to whom a direction has been given under this clause must first apply to Council for a permit to do the thing which is directed.

### 3.7 Asset Protection

- (1) The:
  - (a) owner of any land;
  - (b) builder engaged to carry out building work on land;
  - (c) appointed agent of any person listed in paragraphs (a) and (b); or
  - (d) demolition contractor engaged to carry out the demolition of a structure on the land, in the case of building work involving demolition;
     Must:
    - obtain a permit before carrying out the building work or allowing the building work to be carried out on that land; or
    - (ii) not carry out or allow to be carried out any building work on that land unless an Asset Protection permit has been obtained.
- (2) A person who is not one of the persons described in subclause 3.7(1) must not:
  - carry out building work on land unless, in respect of the building work, an Asset Protection Permit has been obtained; or

(b) deliver to a building site any equipment or materials unless an Asset Protection Permit has, in respect of the building work being carried out on the land, been obtained.

### 3.8 Managing Building Sites

For the purposes of this clause -

"Person in Charge" means:

- (a) the person in charge of the building site;
- (b) the builder or the person responsible for carrying on building works on the building site:
- (c) the owner of the building site;
- (d) in the case of a company, each director of that company; or
- (e) a combination of any of the persons listed in paragraphs (a) (d).
- (1) A person in charge of a building site must:
  - (a) before commencing any building work, obtain a permit to use or alter Council land or a road to;
    - (i) place bulk rubbish containers (eg a skip) on Council land or a road;
    - (ii) undertake ancillary building works where:
      - the Council requires a temporary vehicle crossing for access to the road from the land where building works are being done; or
      - b. building materials will be left or stored on a road; or
    - (iii) plant or add anything that changes or interferes with the existing condition of the Council land, including installing a gate in a boundary fence or access across Council land; or
    - (iv) remove anything that changes or interferes with the existing condition of Council land; or
    - (v) remove any native plant or native vegetation or any plant or vegetation that Council consider to be significant to the municipality.
  - (b) pay any security bond if required by the Council; and
  - (c) comply with any requirements where access or approval is required under other legislation administered by the Council.
- (2) At the completion of the building work the security bond paid to the Council may be:
  - (a) retained by the Council and applied towards the costs of repairing any damage to the Council's assets because of the building work; or
  - (b) refunded to the person in charge of the building site if the Council is satisfied that no damage has been caused because of the building work or that any damage has been repaired to the satisfaction of the Council.
- (3) A person in charge of a building site must if requested to do so by an authorised officer identify any person responsible for failing to comply with the requirements of the permit or where access or approval is required under other legislation administered by Council.
- (4) Ensure that all works are carried out within the Environment Protection Authority Victoria's (EPA) residential noise guidelines.
- (5) Deliver appropriate building site controls as recommended in the EPA Current Publication: 'Civil construction, building and demolition guide'.

### 3.9 Requirements Applying to the Management of Building Sites

- (1) The following requirements apply to a person in charge of a building site:
  - (a) Stormwater Management

- Stormwater must be retained on the site wherever possible for connection to the stormwater system; and
- ii) Sediment must be prevented from polluting stormwater discharges and from entering the sewerage system.
- (b) Protection of the environment and vegetation
  - Preservation of grass and vegetation, especially on the perimeters of the building site;
  - Minimisation of work on slopes, along streams and environmentally sensitive areas;
  - iii) Minimise soil exposure and revegetate as soon as possible
  - iv) Removal of excess soil from the building site as soon as practicable
- (c) Excavations
  - i) Reinstatement of trenches as soon as pipes or cables are laid;
  - ii) Cleaning of roads during excavation works
  - iii) Protection of stormwater entry pits close to roadworks
- (d) Site access and access roads
- (e) Minimisation of dust or mud from road surfaces
- (f) Stockpiles
  - i) Positioning of stockpiles away from drainage flows: and
  - ii) No placement of stockpiles on roads (unless a permit has been granted under the Community Amenity Local Law)
- (g) Waste management
  - i) Containment of litter from the building site in a container kept on the building site;
  - Immediate cleaning of spills and prevention of paint residues or other liquid wastes from entering the stormwater system or soaking into the ground:
  - iii) Provision of proper sanitary facilities on site:
  - iv) Provision of a dedicated chemical storage area
  - v) Containment or filtration of run off pressure cleaning and brick, tile or pavement cutting;
  - vi) Recycling wherever possible and sending waste which is not recyclable to landfill; and
  - vii) Containment of waste from concrete deliveries on the site or on the truck.
- (h) Contaminated soil
  - i) Testing of soil for contamination and evidence of old fill material or previous industrial use prior to any works commencing; and
  - ii) Compliance with EPA guidelines on the management and containment of soils
- (i) Outside the site
  - i) No hosing of litter into drains:
  - ii) Daily inspection and cleaning of roads and gutters around the site;
  - iii) Minimisation of dust from the site; and
  - iv) Keeping of all equipment and material used in association with the building work on the building site unless a permit under the Community Amenity Local Law has been obtained.
- Potential stormwater pollutants must not be allowed to escape from a building site.
- (k) Any potential stormwater pollutant must be stored in a way that it is prevented from escaping from a building site.

- (I) A bulk rubbish container (skip) must:
  - be provided on the building site and kept at the site until the building works are completed; and
  - ii) be emptied as often as necessary so that it is not overfilled; and
  - iii) be able to be kept closed and secured with a lid at all times so that litter and building rubbish cannot escape from it.
- (m) Litter and building rubbish from a building site or an area approved must be disposed of at an approved landfill or recycling facility.
- (n) Building works must be contained entirely within the building site or within an area approved by the Council.
- (2) A permit is required for the erection of hoardings, fencing or barriers that extend beyond the building site, and applications must contain a site plan indicating:
  - (a) location of all existing features including footpath, kerb and roadway details, service utility assets and fire hydrants, drainage pits, trees, street furniture and bus stops;
  - (b) details of proposed building works;
  - (c) location of proposed temporary public protection measures;
  - (d) location of proposed construction site access;
  - (e) architectural and/or structural plans including sections and a street elevation to a scale of 1:100 including all necessary dimensions;
  - (f) duration of temporary public protection work; and
  - (g) purpose and details of temporary hoarding and public protection measures.
- (3) The purpose of a permit to erect a hoarding, barrier or fencing is to ensure that adequate measures are employed to protect the public from activities that are occurring, around and above the worksite. In deciding whether to grant a permit Council will take into account measures which may consist of:
  - erection of side protection measures such as timber hoardings or protective barriers around the construction site;
  - (b) erection of overhead protection measures such as overhead gantries or awnings above a pedestrian zone;
  - (c) establishing specific protected hoisting zones to safely deliver materials to the site;
  - (d) temporarily closing part of a road or footpath but ensuring at least 1.5m wide trafficable path is available;
  - (e) erecting adequate signage to warn the public;
  - (f) preparing and implementing a traffic management plan to appropriately manage vehicle and pedestrian traffic in the vicinity of the site where necessary.

# 3.10 Displaying Property Numbers

Where a road number has been allocated to a property, the owner or occupier must ensure that the allocated number is clearly visible and legible from the road on which the property has its frontage.

#### PART 4 - MUNICIPAL AMENITY

### 4.1 Street Parties, Festivals and Outdoor Entertainment Events

A person must not, without a permit, hold an outdoor entertainment event where the proposed use of Council land or a road means that they will have exclusive use of that land or a road for a specified period that will prevent others from using or accessing that Council land or a road.

### 4.2 Consumption and Possession of Alcohol

A person must not without a permit, consume or possess alcohol in an unsealed container on Council land or a road, including while in a vehicle on Council land or a road, or a public place, unless the person is at premises licensed or authorised under the *Liquor Control Reform Act* 1998.

# 4.3 Open Air Fires and Incinerators

- (1) A person must not without a permit, light a fire in the open air or in an incinerator on any land in a residential area on any day or time other than on a Wednesday or a Saturday between the hours of 10am and 3pm. The open air fire and the matter being burnt occupy no more than 1 cubic metre of land and space, and must be dried vegetation only.
- (2) A person must not light a fire during a CFA declared fire danger period.
- (3) A person must not, without a permit, light a fire in the open air where the open air fire will be lit or used on any Council land or public place.
- (4) The requirement to obtain a permit does not apply to:
  - (a) a person lighting a barbeque or similar for cooking food; or
  - (b) a constructed fireplace, recreational fire pit or brazier; or
  - (c) a fire that is authorised or directed to be lit under any other legislation.
- (5) A person must not light a fire in the open air or an incinerator to burn any material or substance that:
  - (a) causes a nuisance to any other person;
  - (b) could harm or damage a person's health;
  - (c) could be offensive to any other person; or
- (6) A person must not burn any:
  - (a) rubber or plastic substance;
  - (b) petroleum oil or material containing any petroleum oil;
  - (c) paint or container which contains or has contained paint;
  - (d) manufactured chemical;
  - (e) household rubbish, building or other materials;
  - (f) green vegetation (dried only);
  - (g) food waste -

unless they are permitted to do so by other legislation.

### 4.4 Fire Hazards

- (1) An owner or occupier of premises must ensure that:
  - (a) all necessary steps are taken to:
    - (i) prevent fire on; and
    - ii) minimise the possibility of spread of fire from those premises; and
  - (b) the premises are kept free of material or substances likely to assist the spread of fire; and

- (c) any materials or substances which are likely to constitute a fire hazard because
  of the type of vegetation or because weeds, stubble or grass exceeds 30cm in
  height;
- (2) For the purposes of this clause "material or substances" includes undergrowth, scrub, bracken, ferns, weeds, stubble and grass (whether alive or dead and whether standing or not standing).

#### 4.5 Unsightly and Dangerous Land

An owner or occupier of land must not allow that land to be kept in a dangerous and/or unsightly condition.

#### 4.6 Shipping Containers

An owner or occupier of land must not, without a permit, allow a shipping or other similar transport container to be placed or kept on the land.

#### 4.7 Camping and Temporary Accommodation

- (1) A person must not, without a permit, camp on any land in the Municipal District in or under a vehicle, tent, caravan, registrable movable dwelling, or any other type of temporary or provisional form of accommodation except in accordance with subclauses 4.7(2) and 4.7(3).
- (2) Sub-clause 4.7(1) does not prevent the occupier of any private property where a dwelling exists placing one caravan or a tent on their property for the use of a member of their household or a temporary visitor to sleep in for a total period not exceeding 28 days in any one year, provided that such caravan or tent occupant(s) are provided with proper sanitation, bathing and drainage facilities to the satisfaction of Council.
- (3) Sub-clause 4.7(1) does not prevent the occupier of any private property where a dwelling exists placing one caravan or a tent on their property for use as key worker accommodation for a total period not exceeding 120 days in any one year, provided that such caravan or tent occupant is provided with proper sanitation, bathing and drainage facilities to the satisfaction of Council. A key worker must provide written evidence to Council of employment, including tenure, by a local business in the Municipal District.

*Note* - This does not apply to camping or the use of a caravan or mobile home in a registered caravan park or an area designated by Council to be available for camping.

### 4.8 Using Vehicles for Sleeping or Accommodation

A person must not camp or use any vehicle on any land within the township areas of the municipal district for sleeping or accommodation.

*Note* - This does not apply to camping or the use of a vehicle in a registered caravan park or an area designated by Council to be available for camping.

### 4.9 Clothing Recycling Bins

A person must not place a clothing recycling bin on Council land or on a road.

### 4.10 Shopping Trolleys

- (1) The owner of any shopping trolley that is made available to members of the public must ensure that the shopping trolley legibly identifies the owner's name or the owner's business name.
- (2) A person must not leave a shopping trolley on:
  - (a) a road, footpath or median strip;
  - (b) Council land except in an area designated by Council for the leaving of shopping trolleys; or
  - (c) any vacant land.
- (3) A person must not remove a shopping trolley from a designated shopping centre carpark.

### 4.11 Smoke Free Areas

A person must not smoke a cigarette, cigar, pipe or like tobacco substance at any time:

- (a) on the sand area of any beach within the municipal district; or
- (b) within four metres of a Municipal Building; or
- (c) within the signposted boundary of a Council-run or funded event; or
- (d) within ten metres of a sports ground.

# 4.12 Glass Free Areas

A person must not without a permit, take any glass container, bottle, receptacle, vessel or like product:

- (a) onto the sand area of any beach within the municipal district, at any time; or
- (b) onto designated glass free foreshore areas between 9pm and 6am as identified in the maps in Schedule 2 of this Local Law:
  - (i) Torquay Map 1 area highlighted as Surf Beach Drive, from Bell Street, to the prolongation of The Esplanade to Bell Street from 15 November to 31 January (inclusive).
  - (ii) Anglesea Map 2 area highlighted from the prolongation of Murray Street to the river mouth and the grassed area between the Great Ocean Road and the Anglesea River to the bridge from 15 November to 31 January (inclusive).
  - (iii) Lorne Map 3 area highlighted from the prolongation of Bay Street along Mountjoy Parade to the southern boundary of Mantra Erskine Beach, east to Cypress Lane, excluding any premises licensed under the Liquor Control Act, from 15 November to 31 January (inclusive); or
- (c) onto designated glass free foreshores areas on 31 December between 6pm and
- (d) into any other area designated by Council from time to time to be glass free.

#### 4.13 Sand Dune Area

A person must not enter a sand dune area at any beach apart from defined walking tracks and beach access tracks.

*Note* - The prohibited area applies to the fenced sand dunes, or in the case of no fencing, applies from the toe of the primary sand dune.

### 4.14 Recreational Vehicles on Private Land

A person:

- (a) must not, without a permit, drive, ride on or otherwise use any recreational vehicle on private land within 500 metres of a dwelling located on any other land; or
- (b) who is the occupier of any private land must not, without a permit, allow a person to drive, ride on or otherwise use any recreational vehicle on that land within 500 metres of a dwelling located on any other land

**Note** - This clause does not apply to the use of vehicles in the conduct of farming activities and primary production on land zoned rural under the Planning Scheme.

#### 4.15 Skateboards and other Wheeled Recreational Devices

A person must not use a skateboard or any other wheeled recreational device on Council land or a road or a public place in a way that:

- (a) other users of the Council land or road may have their safety compromised or they could be injured; or
- (b) damage could be caused to any property on the Council land or road or public place.

#### **PART 5 - KEEPING OF ANIMALS**

### 5.1 Keeping Extra Animals

- (1) A person must not, without a permit, keep domestic animals, in a dwelling, in residential zones, a rural living zone or a built up area:
  - (a) any animal that is not listed in table one; or
  - (b) more than 5 different types of animals or more than the number prescribed for each type of animal in table one.
- (2) A person must not, without a permit, keep animals in flats and units in a residential area:
  - (a) any animal that is not listed in the table two; or
  - (b) more than the number prescribed for each type of animal in the table two.
- (3) A person must not, without a permit for keeping animals, also applies to a person keeping more than 5 dogs or 5 cats on any other land in the municipal district.
- (4) Bees must be kept in accordance with the terms of the *Livestock Disease Control Act* 1994 and the *Apiary Code of Practice* 1997 and be registered with the Department of Primary Industries.
- (5) A person keeping an animal in a residential area, rural living zone or a built up area must ensure that the condition of the land resulting from the way in which an animal is kept does not affect or interfere with the amenity of other people living in reasonable proximity.
- (6) This Part does not apply to any land:
  - (a) on which a pet shop is located; or
  - (b) on which an animal hospital or veterinary practice is located
- (7) The following animals and the maximum number permitted are allowed to be kept in residential zones, a rural living zone or a built up area to:

# Table One:

TYPE OF ANIMAL	MAXIMUM PERMITTED
Dog	2
Cat	2
Poultry*	10
Domestic bird	100
Guinea pig	10
Domestic mice	10
Domestic rabbit	10
Domestic fish	No maximum limit
Turtles & tortoise	4
Frogs	No maximum limit
Pigeons	20
Geese	4
Ducks	4
Ferrets	4

<sup>\*</sup> The definition of "poultry" in the Community Amenity Local Law excludes ducks and geese. Roosters are prohibited in residential areas or built up areas.

(8) The following animals and the maximum number permitted are allowed to be kept in flats and units in residential areas are:

Table Two:

TYPE OF ANIMAL	MAXIMUM PERMITTED (without permit)
Dog	1
Cat	1
Domestic bird	4
Guinea pig	2
Domestic mice	4
Domestic rabbit	2
Domestic fish	No maximum limit
Turtle & tortoise	2
Frogs	No maximum limit
Ferrets	2

#### 5.2 Trespassing Animal

The owner or occupier of any land where any animal is kept, other than a dog or a cat, must ensure the type of animal being kept on the land does not trespass on any Council land or a road.

### 5.3 Animal Excrement

The owner or person in charge of an animal must:

- (a) Whilst on Council land or a road or in a public place, have in their possession a bag or container which can be used for the collection of that animal's excrement.
- (b) Immediately collect and remove all of the excrement left by the animal on Council land or a road or a public place.

## 5.4 Animal Control

The owner or person in charge of an animal must, whilst on Council land or a road or in a public place, have effective control of that animal.

# 5.5 Horses on Council Property

- (1) A person in charge of a horse must not without a permit:
  - (a) ride or lead a horse on any Council land or footpath in a residential area;
  - (b) allow the horse to cause any damage to Council land or to a road; or
  - (c) allow the horse to create a risk or danger to other users of the Council land or road.
- (2) A person in charge of a horse must immediately collect and remove all of the excrement left by the animal on Council land or a road or a public place.

#### PART 6 - ROADS AND COUNCIL LAND

### 6.1 Damaging Council Roads

A person must not use a vehicle on a Council road in a way that could cause damage or be detrimental to a Council road or road user.

#### 6.2 Behaviour on Council Land

A person using Council land must not behave in a way that could cause harm or injury or which interferes with any other person's enjoyment of the Council land by:

- (a) using language or behaving in a manner which offends, annoys, disturbs, interferes or obstructs any person's enjoyment of Council land; or
- (b) acting in a way which could endanger any person; or
- damaging, destroying, defacing, removing or interfering with anything in or on any building, improvement or other structure of any kind; or
- (d) acting contrary to any conditions or signs that contain conditions that apply to the use of the Council land; or
- (e) acting contrary to any direction of any authorised officer.

#### 6.3 Grazing or Droving of Livestock

A person must not, without a permit, graze livestock where a road or Council land is to be used for grazing or where a person is proposing to drive livestock in the municipal district.

### 6.4 Commercial Activities on Council Land

- (1) A person must not, without a permit, conduct commercial activities on a footpath, road reserve or Council land where a person proposes to use a footpath, road reserve, Council land or public place for:
  - (a) outdoor eating;
  - (b) displaying goods for sale;
  - (c) placing signs and/or advertising goods for sale; or
  - (d) placement of signage on a vehicle.
- (2) A person must not, without a permit, trade from Council land or a road where trading is to be done from a vehicle, stall or any other temporary structure and irrespective of whether trading is on a permanent or casual basis.
- (3) A person must not, without a permit, conduct artistic performances on Council land or a road including busking or pavement art.

# 6.5 Using or Altering Council Land and/or a Road (including a Nature Strip)

- (1) A person must not, without a permit, use or alter Council land or a road (including a nature strip) to:
  - (a) place bulk rubbish containers on Council land or a road;
  - (b) undertake ancillary building works where:
    - the Council requires a temporary vehicle crossing for access to the road from the land where building works are being carried out; or
    - (ii) goods and/or building materials will be left or stored on Council land or a road; or
  - (c) plant or add anything that changes or interferes with the existing condition of the Council land, including installing a gate in a boundary fence or access across Council land; or

- remove anything that changes or interferes with the existing condition of Council land; or
- (e) remove any native plant or native vegetation or any plant or vegetation that Council considers to be significant to the municipality; or
- (f) construct any fence, building or thing or plant any tree, bush or vegetation; or
- (g) store any object that changes or interferes with the safety or amenity of Council land or a road.
- (2) A person who commits an offence under clause 6.5(1) must remove and rectify any change made to Council land or any road (including a nature strip), as a result of the unauthorised occupation, within one month, or other reasonable time determined by the Council.
- (3) If a person fails to remove and rectify any change to Council land or any road under clause 6.5(2) the Council may remove and rectify the change and recover the cost of the removal and rectification from the offender.
- (4) The following are excluded from this clause:
  - (a) Minor maintenance activities such as mowing, weeding or tidying leaves on an existing nature strip.
  - (b) Person(s) employed, contracted or authorised by the Council to carry out the use or alteration.

# 6.6 Storage of Vehicles (including Caravans and Trailers)

A person must not allow any vehicle (including a caravan or a trailer) that is currently registered or having a permit form VicRoads, or any other relevant authority, to be left standing continuously in a public place for a period in excess of seven consecutive days.

### 6.7 Collection of Firewood

Collection of firewood from Council land is prohibited at all times.

### 6.8 Works on Council Land and Roads

Where a person is required to undertake any works on Council land or a road other than under the *Road Management Act 2004*, that person must:

- (a) undertake those works safely;
- (b) provide and maintain pedestrian and traffic control devices during the course of
- (c) ensure that any pedestrian or traffic control device which is being used on or in respect of the land complies with Australian Standard AS1742.3 published by or on behalf of Australian Standards.

# 6.9 Unregistered, Derelict or Abandoned Vehicles

- (1) A person must not leave any vehicle that is unregistered, derelict or abandoned on Council land or a road.
- (2) A person must not allow any vehicle not currently registered or having a permit from Vic Roads or any other relevant authority to be left standing in any public place.
- (3) A person must not store or allow remaining in public view on any property within the municipal district more than two unregistered vehicles.

# 6.10 Repairing Vehicles

A person must not dismantle, paint, carry out maintenance or repair a vehicle on Council land or road except for an emergency or where it is necessary to enable the vehicle to be removed.

# 6.11 Selling of Vehicles

A person must not use Council land, a road or a public place for the purpose of selling a vehicle

### 6.12 Obstructions on Land

A tree or plant, fencing or a sign or other similar object must not be planted or located on a person's property so that it obstructs or interferes with pedestrian or vehicular traffic because it:

- (a) overhangs a property boundary onto a footpath or other part of the road used by pedestrians limiting safe access or likely to cause injury or damage; or
- (b) extends over any part of the road or on the boundary of a road so that it:
  - (i) obstructs the view between vehicles at an intersection; or
    - (ii) obstructs the view between vehicles and pedestrians; or
    - (iii) obscures a traffic control item from an approaching vehicle or pedestrian; or
    - (iv) obscures street lighting; or
- (c) constitutes a danger to vehicles or pedestrians or compromises the safe and convenient use of the road.

# 6.13 Damage to Council Assets from Adjoining Properties

On any land that is owned or occupied them, a person must not:

- (a) allow any tree or plant; or
- (b) use any vehicle or equipment; or
- (c) allow any other condition -

that causes damage or interferes with Council land or a road, or any drain or building vested in or under the control of the Council.

### PART 7 - WASTE MANAGEMENT

# 7.1 Disposal of Domestic Waste, Organic Waste & Recyclable Materials

- (1) A person who places any garbage, organic waste or recycling bin for collection by the Council must ensure that the bin is placed for collection before 5.00am on the designated collection day.
- (2) Any bin placed for collection must be:
  - (a) a Council supplied bin with Council logo visible;
  - (b) placed as close as possible to the kerbside, at least a standing bin width apart from other bins placed for collection and with the wheels facing away from the kerbside;
  - (c) not overfilled and have the lid closed properly;
  - (d) placed at least one metre away from obstructions such as cars, trees, fences, signs and light poles; and
  - (e) not be placed under overhead obstructions such as trees or utility lines less than 3.6m above the road surface.
- (3) Only the type of waste intended for the type of bin provided may be placed in a bin, and in the case of a bin provided for:
  - (a) garbage must only be used for waste or material that cannot be reused, recycled or composted;
  - (b) resource recovery must only be used for the waste types specified for that bin in accordance with Council's waste strategies.
- (4) All users of Council's waste collection services must ensure that bins are
  - placed at appropriate collection locations not more than 24 hours prior to scheduled collections; and
  - (b) retrieved from collection locations not more than 48 hours after collection has
- (5) Subclause (4) does not apply to any person permitted by Council to leave a bin at the roadside.
- (6) All waste must be placed within Council supplied bins and excess waste must not be placed on the ground next to or near bins.
- (7) Each occupier of a property must keep a Council provided mobile bin on that property and maintain it in good working order and in a clean and sanitary condition upon or about the Property. Damaged bins must be reported to Council for repair or replacement.
- (8) Unless exempted by Council, the owner of any block of flats or units, not occupied by the owner, must provide for the use of the occupiers a:
  - a) clearly defined; and
  - b) sufficiently large enough area for the storage of Council provided mobile bins.
- (9) The occupier of any block of flats or units must keep their Council provided mobile bin in the area provided by the owner of the premises.
- (10) Hard waste is not permitted to be placed on public land including road reserves or nature strips.
- (11) A person using the Council's waste collection services must comply with any instructions or requirements that the Council notifies in writing in relation to that service.
- (12) Public litter bins and public place recycling bins must not be used to deposit household waste.
- (13) A person other than a person authorised by the Council must not interfere with any domestic bin or waste materials left for collection unless that person has generated that waste, or has been engaged to manage waste on behalf of the person that generated that waste.

(14) The owner of short term rental properties must ensure occupiers are provided with sufficient information to ensure compliance with this clause is maintained. Any breaches of this clause at the premises are the responsibility of the owner.

### 7.2 Disposal of Commercial and Industrial Waste

- (1) A person disposing of commercial or industrial waste must ensure that any container used for commercial and industrial waste is:
  - kept on the property for which the bin has been obtained unless alternative arrangements approved by the Council are in place;
  - constructed of approved impervious material to prevent leakage and the absorption or accumulation of any refuse or rubbish that may be deposited in it;
  - c) constructed so that it is water-tight, fly and vermin proof;
  - d) has a removable drainage plug so that it can be cleaned;
  - e) is fitted with a fly and vermin proof lid with overlapping flanges which must be kept continuously closed when not in use;
  - f) of a sufficient size to contain all refuse and rubbish generated on the premises in between clearances; and
  - g) emptied at least weekly, or more regularly if the contents become offensive.
- (2) A person using a commercial or industrial waste container for the disposal of commercial or industrial waste must ensure that the place at which the container is stored or kept and the surrounding area is maintained at all times in a clean, sanitary and inoffensive condition.
- (3) A person using a commercial or industrial waste container must ensure that every container used by them for the disposal of commercial or industrial waste displays a notice indicating the type of waste or material which is permitted and stating that it is an offence to deposit any material contrary to the notice.
- (4) Any bin placed for collection must:
  - a) not be overfilled and have the lid closed properly;
  - b) be placed at appropriate collection locations not more than 24 hours prior to scheduled collections; and
  - be retrieved from collection locations no more than 24 hours after collection has occurred.
- (5) Commercial and industrial waste must not be placed in public bins provided for litter and recycling.
- (6) Waste generated from a commercial property must be managed by that business including outdoor dining areas.
- (7) Where outdoor dining areas are provided by a business, and food or beverages are supplied in single use packaging, waste disposal options must be provided for patrons to appropriately dispose of waste.
- (8) Businesses must evaluate waste generation and only provide for disposal to landfill if waste or material cannot be reused, recycled or composted.

### PART 8 - PERMITS AND FEES

# 8.1. Application for Permits

- (1) An application for a permit must be in the form prescribed by Council and must be accompanied by the appropriate fee prescribed by Council.
- (2) Council may require an applicant to:
  - (a) provide additional information; or
  - (b) give notice of the application or invite any person to make a submission or do both, before the application is determined.
- (3) A permit may include any condition which the Council considers to be reasonable and appropriate having regard to the activity to be authorised by the permit and the effects or anticipated effects of that activity.
- (4) Unless otherwise stated in the permit, a permit:
  - (a) only authorises the person named in the permit to carry out the permitted activity; and
  - (b) is not transferrable.

### 8.2. Decision on Permit Applications

After considering all relevant documentation, Council may decide to:

- (a) grant a permit;
- (b) grant a permit subject to conditions;
- (c) refuse to grant a permit; or
- (d) exempt a person or class of persons from the requirement to obtain a permit.

# 8.3. Correction, Amendment, Cancellation and Suspension of Permit

- The Council may correct a permit if the permit contains a clerical mistake, error or omission.
- (2) The Council may cancel, suspend or amend a permit at any time if:
  - (a) it is requested to do so by the permit holder; or
  - (b) it considers that there has been:
    - (i) a material misstatement or concealment of fact in relation to the application for the permit;
    - (ii) any material mistake in relation to the issue of the permit;
    - (iii) any material change of circumstances which has occurred since the grant of the permit; or
    - (iv) a substantial failure to comply with the permit or a Notice to Comply.
- (3) The Council must give written notice to a permit holder of any correction, cancellation, suspension or amendment of a permit.
- (4) Before it cancels a permit, the Council must provide the permit holder an opportunity to make a submission on the proposed cancellation.
- (5) If a permit holder is not the owner of the land and the owner's consent was required to be given to the application for the permit, the owner must be notified of any Notice to Comply subsequently issued by Council and of the reason why it has been served.
- (6) Unless otherwise stated, the permit will operate from the date it is granted and will expire 12 months from the date of issue.

# 8.4. Fees

- Council may by resolution determine fees and charges for the purposes of this Local Law.
- (2) Council may waive, reduce or defer payment of fees and charges in whole or in part with or without conditions.



### **PART 9 - ENFORCEMENT**

### 9.1 Offences

A person who:

- (a) contravenes or fails to comply with any provision of this Local Law or any document incorporated by reference;
- (b) contravenes or fails to comply with any condition contained in a permit issued under this Local Law;
- (c) knowingly provides false information in support of an application for a permit issued under this Local Law:
- (d) knowingly supplies false or misleading information to an authorised officer;
- (e) fails to comply with a verbal direction issued, or a Notice to Comply served, by an authorised officer;
- (f) fails to comply with a sign erected by Council; or
- (g) makes or attempts to make any agreement with an authorised officer to induce that authorised officer to compromise their duty -

is guilty of an offence and is liable to -

- (i) a maximum penalty of 20 penalty units; and
- (ii) a further penalty of 2 penalty units for each day after a finding of guilt or conviction for an offence during which the contravention continues.

### 9.2 Notice to Comply

- (1) Council or an authorised officer may, by serving a Notice to Comply, direct an owner, occupier or other person in breach of this Local Law to remedy anything which constitutes an offence under this Local Law.
- (2) A Notice to Comply must state the time and date by which the thing must be remedied.
- (3) The time required by a Notice to Comply must be reasonable in the circumstances having regard to:
  - (a) the amount of work involved;
  - (b) the degree of difficulty;
  - (c) the availability of necessary materials or other necessary items;
  - (d) climatic conditions;
  - (e) the degree of risk or potential for risk; and
  - (f) any other relevant factor.

# 9.3 Infringement Notices

- (1) Where an authorised officer, believes that a person has committed an offence against this Local Law, an authorised officer may as an alternative to a prosecution for the offence, issue and serve on the person an infringement notice.
- (2) The amounts of the penalty payable in respect of an infringement notice is set out in Schedule 1.
- (3) In order to avoid prosecution, the person who is served with an infringement notice must pay the penalty to the Council by the date specified.
- (4) Where an infringement notice is directed to a person who is the owner or occupier of land or the proprietor of a vehicle and that person's name is not known, the notice issued

- under this Local Law may be addressed to "the owner", "the occupier" or the "person in control."
- (5) If an infringement notice is withdrawn, after the person pays the penalty, the person is entitled to a refund of the penalty.
- (6) If a person served with an infringement notice has not paid the penalty within the time specified or an infringement notice is withdrawn, prosecution proceedings may be instituted by Council.

### 9.4 Urgent Circumstances

- (1) Where, in the opinion of an authorised officer, a breach of the Local Law or a permit issued under the Local Law arises which may place a person, animal or property or thing at risk or in danger and there is not time or it is impractical to serve a Notice to Comply, then the authorised officer may take reasonable action to immediately abate or minimise the risk or danger identified.
- (2) As soon as practicable, the authorised officer must contact the person by whose fault, permission or decision the situation has arisen, whether they be the owner, occupier of the land, animal, property or thing involved.

### 9.5 Impounding or Seizure

- (1) An authorised officer may impound or seize any item, thing or animal which is the subject of a breach of this Local Law or any legislation which is administered and enforced by Council.
- (2) Where any item, thing or animal is impounded or seized pursuant to this Local Law, notice of the impounding or seizure is to be given to the person that is known or appears to be the owner of the impounded item, thing or animal.
- (3) Any item, thing or animal impounded or seized in accordance with this Local Law may be held until any fee or charge for its release is paid.
- (4) Council may include in any fee or charge any cost that Council has incurred in impounding, seizing, transporting, holding, storing or disposing of the item, thing or animal.
- (5) If the specified time for retrieval of an impounded or seized item, thing or animal has expired and it has not been claimed then it may be disposed of or destroyed according to the following principles:
  - (a) if it has no saleable value, in the most economical and appropriate way as determined by an authorised officer; or
  - (b) if it has a saleable value, by public auction, tender or private sale as determined by an authorised officer.
- (6) The monies realised from the sale of any impounded or seized item, thing or animal must be disbursed as follows:
  - (a) in payment of any expenses incurred by the Council;
  - (b) the balance to be paid to the owner or person who in the opinion of Council's Chief Executive Officer appears to be authorised to receive the money.
- (7) If no person can be identified for payment of any money then any excess must be treated in accordance with legislation dealing with unclaimed money or, failing this, paid into the Council's revenue.

SCHEDULE 1
PENALTIES FIXED FOR INFRINGEMENT NOTICE PURPOSES

Provision	Offence	Penalty Units
2.1	Behaviour in Municipal Buildings contrary to Local Law	2
2.2	Access to Municipal Buildings	2
2.3 -2.4	Activities prohibited in reserves	2
3.1	Tapping into Council drains	5
3.2	Taking water from Council controlled standpipe	5
3.3	Interference with watercourse	4
3.4	Constructing vehicle crossings	4
3.5	Maintaining vehicle crossings	3
3.6	Directing vehicle crossing works	4
3.7	Asset protection infringements	4
3.8	Failing to manage building sites	4
3.9(3)	Hoardings, fencing and barriers	4
3.10	Failure to display property numbers	2
4.1	Street parties, festivals and processions	4
4.2	Consuming or possessing alcohol contrary to Local Law	2
4.3	Open air fire and incinerator infringements	5
4.4	Fire hazards	3
4.5	Unsightly and/or dangerous land	3
4.6	Placing a shipping container contrary to Local Law	3
4.7	Camping and using temporary accommodation contrary to Local Law	3
4.8	Sleeping in vehicles contrary to Local Law	3
4.9	Placing clothing recycling bins contrary to Local Law	3
4.10	Shopping trolley infringements	2
4.11	Smoking in a smoke free area	2
4.12	Possessing/taking glass into a glass free area	2
4.13	Entering prohibited sand dune areas	3
4.14	Recreational vehicles on private land	3
4.15	Using a skateboard or other wheeled recreation device	2
	contrary to Local Law	
5.1	Keeping extra animals	3
5.2	Trespassing animal(s)	3
5.3(a)	Failing to have in their possession at all times a bag or	2
	container which can be used for the collection of animal excrement	_
5.3(b)	Failing to collect animal litter contrary to Local Law	3
5.4	Failing to have effective control of an animal	2
5.5	Using a horse contrary to Local Law	3
6.1	Damaging Council roads	4
6.2	Acting contrary to Local Law on Council land (behaviour)	3.5
6.3	Grazing or droving livestock contrary to Local Law	3

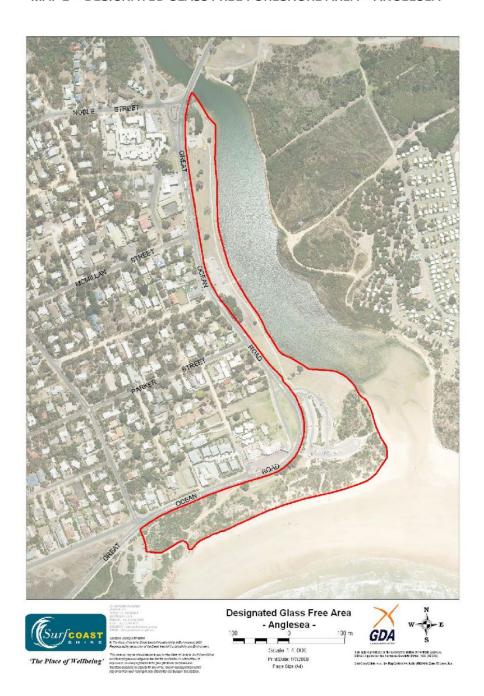
Provision	Offence	2021 Updated Penalty Units
6.4	Commercial activities on Council land contrary to Local Law	4
6.5	Using or altering Council land or a road (including a nature strip)	4
6.6	Storage of vehicles in excess of 7 continuous days	3
6.7	Collection of firewood from Council land	3
6.8	Using Council roads for works	4
6.9	Unregistered, derelict or abandoned vehicles	3
6.10	Repairing vehicles on Council land or road	3
6.11	Selling of vehicles contrary to Local Law	3
6.12	Obstructions on land	3
6.13	Damage to Council assets from adjoining properties	4
7.1	Failing to properly dispose of domestic waste	3.5
7.2	Failing to properly dispose of commercial and industrial waste	6
9.1(a) - (g)	Various offences against Local Law as outlined	4
9.2	Failing to comply with Notice to Comply, permit conditions or other Local Law requirements	4

SCHEDULE 2

MAP 1 – DESIGNATED GLASS FREE FORESHORE AREA – TORQUAY



MAP 2 – DESIGNATED GLASS FREE FORESHORE AREA – ANGLESEA



MAP 3 – DESIGNATED GLASS FREE FORESHORE AREA – LORNE



Surf Coast Shire Council Council Meeting

4.2 Proposed Community Amenity Local Law 2021 - Approval for Public Exhibition

APPENDIX 2 PROPOSED COMMUNITY AMENITY LOCAL LAW 2021 (WITH TRACKED CHANGES)



COMMUNITY AMENITY LOCAL LAW 2021 NO. 1 OF 2011

Note: This Local Law needs to be read in conjunction with any other relevant legislation,
 provisions or documents that the Local Law incorporates for application.

# SURF-COAST-SHIRE COUNCIL COMMUNITY-AMENITY LOCAL LAW NO. 1 OF 202111

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#### Commented [WH1]: Explanatory Notes for the Community

This version of the Proposed Local Law is being provided to allow visibility of tracked changes and some references, including page numbers, have not been updated.

For fully updated contents, clauses and page numbers please see separate clean version of the proposed Local Law on Council's 'Your Say' page of the website.

Changes are outlined and explained in the Local Law Community Impact Statement also on Council's 'Your Say' page of the website.

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NOTE: Introductions to Parts, headings and notes are explanatory notes and do not form part of this Local Law. They are provided to assist understanding.

### PART ONE-1 - PRELIMINARY PROVISIONS

This is the Community Amenity Local Law No1 of 20211.

The purposes of this Local Law are to provide for the peace order and good government of the Surf Coast Shire by:

- regulating and controlling uses and activities on Council land and roads so that the Council is aware of uses or activities which may:
  - (a) be detrimental to the amenity of the area or the enjoyment of facilities on land or roads;
  - (b) cause damage to Council and community assets;
  - (c) create a danger or expose others to risk;
  - (d) interfere with the safety and convenience of people travelling on or using Council land or roads; or
  - impede free and safe access for people, in particular those with sight and movement impairment or disabilities:
- (2) managing, regulating and controlling activities and uses on any land which:
  - (a) may be dangerous, cause a nuisance or be detrimental to the amenity of the area or the environment;
  - are directed at maintaining a healthy and safe environment for residents and visitors;
  - promotes community expectations and demands about their desired lifestyle and the availability of goods and services provided to them;
- identifying activities and uses that are not permitted so as to achieve the purposes in (3) sub-paragraphs (1) and (2); and
- (4) providing for the administration of the Council's powers and functions.

### 1.3 Authorising Provision

This Local Law is made under sSection 71 of the Local Government Act 2020 and s.42 of the Domestic Animals Act 1994.111(1) of the Local Government Act 1989.

### 1.4 Commencement and Revocation & Area of Operation

This Local Law:

- (a) commences on insert when approved by Council 14 December 2011 and (b) unless sooner revoked, ceases to operate on 14 December 2021; and
- unless sooner revoked, ceases to operate on 14 December 2021; and
- (c) operates throughout the whole municipal district.

### 1.5 Repeal of Local Law

On the commencement of this Local Law, Council's Surf Coast Shire Community Amenity Local Law No.12011 Local Law No. 1 of 2008 (Community Amenity) is repealed and ceases 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.

### 1.6 Incorporated Documentation

Council's Community and Amenity Local Laws Policies and Procedures Manual is incorporated under this Local Law by reference.

#### 1.7 Other Legislation

Anything allowed under any Act, Regulation or Planning Scheme is not affected by any prohibition, requirement or restriction under this Local Law.

### 1.8 Charter of Human Rights and Responsibilities

This Local Law was prepared following due consideration of the *Charter of Human Rights* and *Responsibilities Act 2006*.

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#### 1.9 Definitions

In this Local Law, words which are not defined will adopt their ordinary meaning, and unless the contrary intention appears, the following words have the meaning ascribed: the documents incorporated by reference under clause 1.6—

"Act" - means the Local Government Act 2020 1989;

"alcohol" - means a beverage intended for human consumption with an alcohol content greater than 0.5 per centum by volume at a temperature of 20 degrees Celsius;

"animal" - includes every species of quadruped and every species of bird:

"appropriate fee" - means the appropriate fee determined by the Council in accordance with this Local Law;

"authorised officer" - means a person appointed pursuant to section 224 of the <u>Local Government Act 1989</u> as an authorised officer for the purposes of this Local Law;

"barbeque" - means a structure or appliance designed or constructed for the primary purpose of cooking food in the open air for human consumption:

"bird" means small birds suitable for domestic aviaries;

"brazier" – means a container for fire, generally taking the form of an upright standing or hanging metal bowl or box that is used for holding burning coal as well as fires, and allows for a source of light, heat, or cooking;

### building" - includes:

- (a) a structure and part of a building or a structure; and
- (b) fences, walls, out buildings and service installations.

"building site" - means any land on which building works are or are proposed to be, carried out and includes any road or other land used in association with the building works;

"building works" - means works for or in connection with the construction, renovation, alteration, demolition, relocation or removal of a building and includes road making and drainage works:

"built up area" - means an area in which a 60kmh or lesser speed limit applies

"bulk rubbish container" - means a container (eg: skip) designed to take bulk quantities of rubbish and refuse which can only be lifted with mechanical assistance and includes a skip and a wheel mounted and tray bin type hopper;

"camping" - means using a tent, caravan, articulated recreational vehicle self-propelled self-contained motor home, vehicle or any temporary form of accommodation including sleeping bags or swags, for overnight sleeping;

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- **"Chief Executive Officer"** means the person appointed as the Chief Executive Officer of the Council:
- "clothing recycling bin" means a bulk container designed for receiving donations of clothes which can only be lifted with mechanical assistance;
- "Council" means the Surf Coast Shire Council;
- "Council controlled standpipe" means a water outlet owned and maintained by the Council within the municipal district which is located in a public place and to which the public has access to water;
- "Council land" means land, buildings and facilities which are owned, occupied or vested in the Council or in respect of which the Council has the care and management and to which the public has access whether an entry fee is paid or not and includes a public place;
- "commercial area" means any part of the municipal district which is in a commercial zone in the Planning Scheme;
- "firewood" means parts of trees made up into bundles stacks cords or loads or cut up in the manner in which it is usual to cut wood for burning, and includes refuse wood generally:
- "glass free area" means any beach area comprising of sand and any area designated by Council as glass free and no glass containers or vessels of any type are permitted;
- "graffiti" means any writing or drawing or markings on land which has not been authorised in writing by the Council or authorised or allowed under the Planning Scheme:
- "hoarding" (including fences and/or barriers) means an erection of precautions over the street alignment which is a screen of boards enclosing a house and materials while builders are at work:
- $\hbox{\bf ``incinerator''} \ \ means \ a \ structure \ or \ device \ that \ is \ not \ enclosed \ in \ a \ building \ which \ is:$ 
  - (a) used or is intended, adapted or designed to be used or capable of being used for the purpose of burning any matter, material or substance;
  - (b) not licensed or otherwise subject to control under the provisions of any other Act;
  - (c) not a barbeque;
- "infringement notice penalty" means the penalty applicable to an infringement notice;
- "municipal building" means buildings and facilities which are owned, occupied or vested in the Council or in respect of which the Council has the care and management and to which the public has access whether an entry fee is paid or not and includes a public place;

"noxious weed" - means:

- (a) a State prohibited weed; or
- (b) a regionally prohibited weed; or
- (c) a regionally controlled weed; or
- (d) a restricted weed;

"owner" - in relation to a vehicle includes the owner of the vehicle at the time of the offence or the person whose name appears on the certificate of registration issued by the Victorian Roads Corporation:

### "pedestrian" - includes:

- a person driving a motorised mobility device that cannot travel at over 10 kilometres per hour on level ground; and
- (b) a person in a non-motorised mobility device; and
- (c) a person pushing a motorised or non-motorised mobility device; and
- (d) a person in or on a wheeled recreational device or wheeled toy;

"penalty" - means the Court imposed penalty for an offence against this Local Law;

"permit" - means a permit issued under this Local Law;

"Planning Scheme" - means the <u>Surf Coast</u> Planning Scheme, operating in the <u>Surf Coast</u> Shire that is made under the *Planning and Environment Act 1987*.

"poultry" - means birds kept for the production of eggs or meat for human consumption but does not include ducks, geese or roosters;

"premises" - has the same definition as that within the Graffiti Prevention Act 2007;

"prohibited area" – means an area designated by Council where entry or access is prohibited;

"public place" - has the same meaning as in the Summary Offences Act 1966 which includes—  $\,$ 

- (a) any public highway, road, street, bridge, footway, footpath, court, alley, passage or thoroughfare notwithstanding that it may be formed on private property;
- b) any park, garden, reserve or other place of public recreation or resort;
- (c) any railway station platform or carriage;
- (d) any wharf, pier or jetty;
- (e) any passenger ship or boat plying for hire;
- (f) any public vehicle plying for hire;
- (g) any church or chapel open to the public or any other building where divine service is being publicly held;
- (h) any Government school or the land or premises in connexion therewith;
- any public hall, theatre or room while members of the public are in attendance at, or are assembling for or departing from, a public entertainment or meeting therein.
- (j) any market;
- (k) any auction room or mart or place while a sale by auction is there proceeding;
- any licensed premises or authorised premises within the meaning of the Liquor Control Reform Act 1998;
- (m) any race-course, cricket ground, football ground or other such place while members of the public are present or are permitted to have access thereto whether with or without payment for admission;
- (n) any place of public resort;

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- (o) any open place to which the public whether upon or without payment for admittance have or are permitted to have access; or
- (p) any public place within the meaning of the words "public place" whether by virtue of the Act or otherwise:

"recreational vehicle" – means any mini-bike, trail-bike, motorbike, motor scooter, go-kart, monkey bike, articulated recreational vehicle self-propelled self-contained motor home used for camping or other recreational activities or other vehicle propelled by a motor which is ordinarily used for recreational purposes but excludes a motorised wheelchair or scooter designed to transport a person of limited mobility, and a motorised bicycle with a maximum capacity of 22 watt aggregate power;

"registrable movable dwelling" - means a movable dwelling such as a caravan, camper trailer or motor home that is, or has been, registered or is required to be registered under the Road Safety Act 1986;

"reserve" - includes an active or passive recreation ground;

"residential area" - means any part of the municipal district which is in a residential zone in the Planning Scheme:

 ${}^{\bullet}$ road ${}^{\bullet}$  - has the same meaning as in the Act and applies to roads for which the Council has responsibility under the Road Management Act 2004 which includes—

- (a) any public highway;
- (b) any ancillary area; or
- any land declared to be a road under section 11 or forming part of a public highway or ancillary area;

"smoke free area" – means an area designated by Council where smoking is prohibited;

"stormwater pollutant" – means any material including litter, sediment, soil, mud, sand, concrete, plaster, brick and tile dust, paint and acid entering the stormwater system that degrades the quality of the stormwater to the detriment of the environment;

"stormwater system" – means the system that carries any stormwater run-off or any materials from land and includes kerb and channel, open channels, underground pipe systems and natural waterways:

"trade waste" - means any waste generated from a commercial or industrial activity on land;

"township area" – means all land within the Council designated township boundaries;

"unsightly and/or dangerous land" – means land that:

- (a) is being kept in a manner which is dangerous or likely to cause danger to life or property because of the materials or substances that are kept on the land; or
- (b) is unsightly or detrimental to the general amenity of the neighbourhood because of rubbish, waste or other material giving the appearance of the land as one of neglect and out of character with other land in the vicinity; or

- (c) is likely to cause a nuisance or be a health hazard because of the existence of noxious weeds or because the conditions provide a harbour for vermin; or
- (d) has grass or weeds or similar vegetation that is in excess of 30cm from the natural surface of the ground; or
- (e) contains disused excavation or waste material; or
- (f) has dismantled vehicles or vehicle parts visible from adjoining roadway or properties; or
- (g) has any other matter deemed to be offensive or unsightly by an authorised officer of Council;

"vehicle" - means a transport conveyance such as a motor vehicle, car, bus, van, automobile or truck that is designed to be propelled or drawn by any means, including a bicycle or other pedal-powered vehicle, trailer, tram-car and air-cushion vehicle but does not include railway locomotive or railway rolling stock;

"wheeled recreational device" - has the same meaning as in the Road Safety Road Rules 2009 which state that is a wheeled device, built to transport a person, propelled by human power or gravity (or in the case of a scooter, propelled by a person pushing one foot against the ground, or by an electric motor or motors, or by a combination of these), and ordinarily used for recreation or play, and —

- (a) includes rollerblades, rollerskates, a skateboard, a scooter that is not a motor vehicle, or similar wheeled device; and
- (b) does not include a golf buggy, pram, stroller or trolley, or a bicycle, wheelchair or wheeled toy, or a scooter that is a motor vehicle.

### PART 2 - COUNCIL MUNICIPAL BUILDINGS AND RESERVES

#### Introduction:

This part contains provisions that define what is and what is not permitted on Council land. Section 4.2 of this Local Law also applies. Generally, the provisions apply to what are known as Municipal Buildings. Specific provisions then extend to reserves.

### 2.1 What Council May Do:

#### Council may

(a) restrict access to a Municipal Building or part of it;

(b) close any Municipal Building or part of it to the public;

(c) establish conditions of entry to a Municipal Building;

(d) set and collect fees or charges for admission to or the hire or use of a Municipal Building or part of it;

(e) set and collect fees or charges for the hire or use of any Council land) in connection with a Municipal Building; and

(f) authorise a person to do any one or more of the things described in clause 2.1 2.5 (inclusive)

### 2.5 (inclusive)

### 2.2 What a Person Cannot Do:

A person must not, without the consent of Council or an authorised officer:

(a) act contrary to any conditions of entry applicable to a Municipal Building;

(b) enter a Municipal Building without paying any fee or charge applicable to that Municipal Building or the hire or use of the Municipal Building; or

(e) hire or use any Council property in connection with a Municipal Building without first paying any fee or charge which is applicable.

### 2.3 Behaviour in Municipal Buildings

A person must not:

- (a) commit any nuisance in a Municipal Building;
- (b) interfere with another person's use and enjoyment of a Municipal Building;
- (c) act in a manner which endangers any other person in a Municipal Building:
- (d) use indecent, insulting, offensive or abusive language in a Municipal Building;
- (e) behave in an indecent, offensive, insulting or riotous manner in a Municipal Building;
- (f) destroy, damage, interfere with or deface a Municipal Building or anything located at, on or in a Municipal Building or
- (g) remove any object which is owned by Council from a Municipal Building, without the consent of Council or an authorised officer;
- act in a manner contrary to any restriction or prohibition contained in the inscription on a sign at, on or in a Municipal Building;
- deposit any litter in a Municipal Building, except in a receptacle provided for that purpose;
- (j) except for a child under the age of six (6) years in a the care of a responsible person, and for a carer providing assistance to a person with a disability, enter or use any dressing room, shower, convenience or other area in a Municipal Building which has been appropriated for persons of the opposite gender;
- (k) without the consent of Council or an authorised officer, sell any goods or

- services in a Municipal Building;
- (I) without the consent of Council or an authorised officer, erect, affix, place or leave any advertisement in a Municipal Building;
- (m) without the consent of Council or an authorised officer, erect, operate or cause to be erected or operated any amusement in a Municipal Building;
- (n) obstruct, hinder or interfere with any member of staff of Council in the performance of his or hertheir duties in a Municipal Building;
- (o) act contrary to any lawful direction of an authorised officer or member of Council staff given in a Municipal Building, including, without limitation, a direction to leave the Municipal Building, whether or not a fee for admission to the Municipal Building has been paid;
- use or interfere with any life-saving or emergency device located in a Municipal Building unless:
  - (i) using the device in an emergency; or
  - (ii) participating in an instruction approved by Council or an authorised officer;
- (q) organise any function or event in a Municipal Building without the consent of Council or an authorised officer;
- (r) bring any animal into, or allow any animal under his or her their control to remain in, a Municipal Building without the consent of Council or an authorised officer, except for a guide dog being used by a visually impaired person, a hearing dog being used by a hearing impaired person or a dog being used to assist a person with limited mobility;
- (s) bring any vehicle or toy vehicle into a Municipal Building without the consent of Council or an authorised officer, except for:
  - (i) a pram or pusher being used by a child; or
  - (ii) a wheelchair or motor scooter being used by a physically disabled person; or
- (t) bring into a Municipal Building any substance, liquid or powder which may:
  - be dangerous or injurious to health;
  - (ii) have the potential to foul, pollute or soil any part of the Municipal Building; or
  - (iii) cause discomfort to any person without the consent of Council or an authorised officer.
- (u) without a permit, alter a Municipal Building.

Municipal Building; or

Infringement Notice Penalty: 1 Penalty Unit
Penalty: 5 Penalty Units
2.4: Access to Municipal Buildings
(1) Council or an authorised officer may:
(a) determine the hours when any Municipal Building will be open to the public;
(b) restrict access to a Municipal Place or part of a Municipal Building;
(c) close any Municipal Building or part of a Municipal Building to the public; and
(d) charge fees for admission to or the use of a Municipal Building or part of a Municipal Building.

(2) Council may:
(a) authorise any person to occupy a Municipal Building or restrict access to a

- authorise any person to charge and collect fees for admission to or the use of a Municipal Building or part of a Municipal Building.
- (3) Council, an authorised officer or any person authorised by Council, may from time to time establish:
  - (a) conditions applying to and fees or charges for admission to or the hire or use of a Municipal Building or part of a Municipal Building; and
  - (b) conditions applying to and fees or charges for the hire or use of any property of Council in connection with a Municipal Building.
- (4) In exercising the powers conferred by this clause, Council, an authorised officer or any person authorised by Council may determine conditions applying to and fees and charges for admission to or the use of Municipal Building:
  - (a) on multiple occasions;
  - (b) over a period of time; or
  - (c) on any other basis that it, he or she considers appropriate.
- (5) A person must not, without the consent of Council or an authorised officer:
  - (a) enter a Municipal Building other than through an entrance provided for
  - (b) enter or remain in a Municipal Building during hours when the Municipal Building is not open to the public;
  - (c) enter or remain in a Municipal Building without having paid any fee or charge imposed by Council, an authorised officer or any person authorised by Council for admission to the Municipal Building;
  - (d) remain in a Municipal Building after being directed to leave by an authorised officer; or
  - (e) enter a Municipal Building, after having been directed to leave that Municipal Building by an authorised officer, until her or she isunless granted written permission to do so by Council or an authorised officer.

Infringement Notice Penalty: 1 Penalty Unit Penalty: 5 Penalty Units

### 2.5 Activities Prohibited in Reserves

In a reserve, a person must not:

- (a) unless that person is a player, official or competitor in or at a sporting match or gathering, enter upon or remain on an area set aside as a playing ground during the course of a sporting match or gathering;
- (b) act in any manner so as to endanger any other person, cause any damage to any property or the environment or interfere with the quiet enjoyment of the reserve by any person;
- (c) use any children's playground equipment other than for the purpose for which it is provided;
- (d) fish in or swim, paddle, dive or jump into or enter any wetland, lake, pond or fountain contrary to any sign erected in the reserve;
- <u>\_(e)</u> <u>feed any bird;</u>
- (f) abandon any animal or bird;
- (g) throw, place or allow to be thrown or placed any liquid, stone, stick, paper, dirt or other object, substance or thing into any wetland, lake or pond;

- play, engage in or practise any game or sport, whether or not in accordance with a permit issued under this Local Law, in a manner that is:
  - dangerous to any other person in the reserve; or
  - (ii) likely to interfere with the reasonable use or enjoyment of the reserve by any other person;
- (i) ride any horse other than in an area and at a time designated by Council;
- drive, ride in or on or otherwise use any motor vehicle other than in an area designated by Council;
- (k) alter Council land.

Infringement Notice Penalty: 1 Penalty Unit Penalty: 5 Penalty Units

### 2.6. Activities Which May be Permitted in Reserves

In a reserve, a person must not, without a permit or the <u>written</u>-consent of an authorised officer.

- ride or drive a vehicle or animal in a manner or in a place which is likely to damage or ruin any grassed area or turf surface or otherwise interfere with the use of the reserve by another person;
- (b) light a fire or permit any fire to remain alight except in:
  - (i) a barbecue provided by Council; or
  - (ii) a portable liquid petroleum gas barbecue;
  - (iii) charcoal fuelled barbecue;
- organise any competitive sport, game, event or activity other than a sport, game, event or activity played for family or social purposes.
- (d) camp or pitch, erect or occupy any camp, tent, caravan or temporary structure;
- (e) conduct or celebrate a wedding;
- (f) organise or hold any rally, procession, demonstration or any other public gathering;
- (g) make a collection of money;
- (h) destroy, damage or interfere with any flora or kill, injure or interfere with any fauna;
- (i) use an amplifier;
- (j) walk on any plot, bed, border or any other area set aside for vegetation;
- (k) construct or install a film set, or record for television or other media purposes
  any event or activity, if the construction, installation or recording (as the case
  may be) is for fee or reward or commercial purposes (but excluding wedding and
  general photography or recording and any media photography or recording for
  news production purposes); or
- (I) drive any livestock

### PART 3 - PROTECTION OF COUNCIL LAND AND ASSETS

Introduction: This Part is designed to protect Council land and assets. Specifically, it regulat

drains, vehicle crossings and recreational vehicles. More generally, it establishes a system of Asset Protection Permits, as a means of regulating building work which may harm Council land or assets.

### 3.1 Tapping into Council Drains

A person must not, without a permit, tap into or interfere with any Council drain, without first obtaining a permit.

Infringement Notice Penalty: 4 Penalty Units

Penalty: 20 Penalty Units

### 3.2. Taking Water from Council Controlled Standpipes

(1)—A <u>person must not, without a permit, ny person</u> take water from a Council-operated standpipe, <u>must</u>:

- (a) Have a valid permit on their person;]
- (b) Only take water for a maximum period of 48 hours from the date of issue of the
- (c) Only take up to the maximum volume of water specified on the permit;
- (d) Only use the water in compliance with regulations published by the relevant water authority; and
- (e) Ensure that details concerning the amount of water taken, the date and time are immediately recorded on the permit-

Infringement Notice Penalty: 4 Penalty Units
Penalty: 10 Penalty Units

(2) Immediately after a person takes water from a Council-operated standpipe, that

- (a) Completely turn the standpipe tap off;
- (b) Securely lock the standpipe (if applicable); and
- (c) Return the key to the standpipe operator (if applicable).
- (3) A person obtaining water from a Council-operated standpipe for the purposes of filling a CFA or other authorised fire fighting appliances on any day, including a day of total fire pan, is exempt from the requirements of clause 3.2(1).

## 3.3 Interference with Watercourse

- (1) A person must not destroy, damage or interfere with any watercourse, wetland, ditch, creek, gutter, tunnel, bridge or levy which is vested in or under the management or control of Council
- (2) A person must not, without a permit, divert the contents of any such watercourse, wetland, ditch, creek, gutter, tunnel, bridge or levy which is vested in or under the management or control of Council.

Infringement Notice Penalty: 3 Penalty units

### Penalty:10 Penalty Units 3.4 Constructing Vehicle Crossings -A person must not, without a permit, construct, remove or relocate any temporary or permanent vehicle crossing(s). ach owner and occupier of land must not, without a permit: construct or allow to be constructed; or use or allow to be used a second or subsequent vehicle crossing to service the land. **Infringement Notice Penalty:** 3 Penalty units Penalty: 10 Penalty units 3.5 Maintaining Vehicle Crossings Each owner and occupier of land must maintain and keep in good condition any vehicle crossing(s) which service that land. 3 Penalty Units Infringement Notice Penalty: Penalty: 10 Penalty Units 3.6. Directing Vehicle Crossing Works Council or an authorised officer may direct the owner or occupier of land to: (a) construct a temporary or permanent vehicle crossing; (b) repair or reconstruct a vehicle crossing; or remove a vehicle crossing, and reinstate any kerb, channel, footpath or other areas: to the satisfaction of the authorised officer. The owner or occupier of land to whom a direction has been given under this clause must first apply to Council for a permit to do the thing which is directed. Infringement Notice Penalty: 3 Penalty Units 10 Penalty Units Penalty: Asset Protection The: (a) owner of any land; builder engaged to carry out building work on land; appointed agent of any person listed in paragraphs (a) and (b); or (c) demolition contractor engaged to carry out the demolition of a structure on the land, in the case of building work involving demolition; Must: (i) obtain a permit before carrying out the building work or allowing the building work to be carried out on that land; or not carry out or allow to be carried out any building work on that land

unless an Asset Protection permit has been obtained.

On the payment of an application fee, Council may issue an Asset Protection Permit in

An Asset Protection Permit may allow a person to enter land from a road other than by a permanently constructed vehicle crossing whether or not public assets or

An Asset Protection Permit may be subject to such conditions as Council determines,

respect of any land where building work is to be carried out.

infrastructure are likely to be damaged.

including conditions:

(a) requiring protection works to be done;

(b) requiring the payment of a security bond;

(c) requiring that any or all public assets or infrastructure damage be cleaned, repaired, replaced or re-instated within a specified time and to the satisfaction of Council; or

(d) requiring a temporary vehicle crossing to be installed to Council's specification before commencement of any building work or delivery of any equipment or materials to the land.

- (5) A person who is not one of the persons described in subclause 3.7(1) must not:
  - (a) carry out building work on land unless, in respect of the building work, an Asset Protection Permit has been obtained; or
  - (b) deliver to a building site any equipment or materials unless an Asset Protection Permit has, in respect of the building work being carried out on the land, been obtained.

Infringement Notice Penalty: 3 Penalty units
Penalty: 10 Penalty units

### 3.8 Managing Building Sites

For the purposes of this clause -

"Person in Charge" means:

- (a) the person in charge of the building site;
- (b) the builder or the person responsible for carrying on building works on the building site;
- (c) the owner of the building site;
- (d) in the case of a company, each director of that company; or
- (e) a combination of any of the persons listed in paragraphs (a) (d).
- (1) A person in charge of a building site must:
  - before commencing any building work, obtain a permit to use or alter Council land or a road to;
    - (i) place bulk rubbish containers (eg a skip) on Council land or a road;
    - (ii) undertake ancillary building works where:
      - a. the Council requires a temporary vehicle crossing for access to the road from the land where building works are being done; or
         b. building materials will be left or stored on a road; or
    - (iii) plant or add anything that changes or interferes with the existing condition of the Council land, including installing a gate in a boundary fence or access across Council land; or
    - (iv) remove anything that changes or interferes with the existing condition of Council land; or
    - (v) remove any native plant or native vegetation or any plant or vegetation that Council consider to be significant to the municipality.
  - (b) pay any security bond if required by the Council; and
  - (c) comply with any requirements where access or approval is required under other legislation administered by the Council.
- (2) At the completion of the building work the security bond paid to the Council may be:
  - (a) retained by the Council and applied towards the costs of repairing any damage to the Council's assets because of the building work; or

- refunded to the person in charge of the building site if the Council is satisfied that no damage has been caused because of the building work or that any damage has been repaired to the satisfaction of the Council.
- (3) A person in charge of a building site must if requested to do so by an authorised officer identify any person responsible for failing to comply with the requirements of the permit or where access or approval is required under other legislation administered by
- (4) Ensure that all works are carried out within the Environment Protection Authority Victoria's (EPA) residential noise guidelines.
- (5) Comply with Deliver appropriate building site controls as recommended in the EPA Current Publication: 'Civil construction, building and demolition guide', the Better Practice Building Site Management Code of Practice.

Infringement Notice Penalty: 3 Penalty Units

Penalty: 20 Penalty Units

### Requirements Applying to the Management of Building Sites

- The following requirements apply to a person in charge of a building site:
  - (a) Stormwater Management
    - Stormwater must be retained on the site wherever possible for i) connection to the stormwater system; and
    - ii) Sediment must be prevented from polluting stormwater discharges and from entering the sewerage system.
  - Protection of the environment and vegetation (b)
    - Preservation of grass and vegetation, especially on the perimeters of the building site;
    - ii) Minimisation of work on slopes, along streams and environmentally sensitive areas;
    - (iii Minimise soil exposure and revegetate as soon as possible
    - iv) Removal of excess soil from the building site as soon as practicable
  - Excavations
    - Reinstatement of trenches as soon as pipes or cables are laid;
    - ii) Cleaning of roads during excavation works
    - (iii) Protection of stormwater entry pits close to roadworks
  - Site access and access roads
  - Minimisation of dust or mud from road surfaces (e)
  - Stockpiles (f)
    - Positioning of stockpiles away from drainage flows; and i)
    - ii) No placement of stockpiles on roads (unless a permit has been granted under the Community Amenity Local Law)
  - Waste Management (g)
    - Containment of litter from the building site in a container kept on the building site;
    - ii) Immediate cleaning of spills and prevention of paint residues or other liquid wastes from entering the stormwater system or soaking into the ground;
    - iii) Provision of proper sanitary facilities on site:
    - iv) Provision of a dedicated chemical storage area

- Containment or filtration of run off pressure cleaning and brick, tile or pavement cutting;
- vi) Recycling wherever possible and sending waste which is not recyclable to landfill: and
- vii) Containment of waste from concrete deliveries on the site or on the truck.
- (h) Contaminated Soil
  - Testing of soil for contamination and evidence of old fill material or previous industrial use prior to any works commencing; and
  - Compliance with EPA guidelines on the management and containment of soils
- (i) Outside the site
  - i) No hosing of litter into drains;
  - ii) Daily inspection and cleaning of roads and gutters around the site;
  - iii) Minimisation of dust from the site; and
  - Keeping of all equipment and material used in association with the building work on the building site unless a permit under the Community Amenity Local Law has been obtained.
- Potential stormwater pollutants must not be allowed to escape from a building site.
- (k) Any potential stormwater pollutant must be stored in a way that it is prevented from escaping from a building site.
- (I) A bulk rubbish container (skip) must:
  - be provided on the building site and kept at the site until the building works are completed; and
  - ii) be emptied as often as necessary so that it is not overfilled; and
  - be able to be kept closed and secured with a lid at all times so that litter and building rubbish cannot escape from it.
- (m) Litter and building rubbish from a building site or an area approved must be disposed of at an approved landfill or recycling facility.
- (n) Building works must be contained entirely within the building site or within an area approved by the Council.
- (2) A permit is required for the erection of Hoardings, Fencing or Barriers that extends beyond the building site and applications must contain a site plan indicating:
  - (a) location of all existing features including footpath, kerb and roadway details, service utility assets and fire hydrants, drainage pits, trees, street furniture and bus stops:
  - (b) details of proposed building works;
  - (c) location of proposed temporary public protection measures;
  - (d) location of proposed construction site access;
  - (e) architectural and/or structural plans including sections and a street elevation to a scale of 1:100 including all necessary dimensions;
  - (f) duration of temporary public protection work; and
  - (g) purpose and details of temporary hoarding and public protection measures.
- (3) The purpose of a permit to erect a hoarding, barrier or fencing is to ensure that adequate measures are employed to protect the public from activities that are occurring, around and above the worksite. In deciding whether to grant a permit Council will take into account measures which may consist of:
  - (a) erection of side protection measures such as timber hoardings or protective barriers around the construction site;

- (b) erection of overhead protection measures such as overhead gantries or awnings above a pedestrian zone;
- establishing specific protected hoisting zones to safely deliver materials to the site.
- (d) temporarily closing part of a road or footpath but ensuring at least 1.5m wide trafficable path is available;
- (e) erecting adequate signage to warn the public;
- (f) preparing and implementing a traffic management plan to appropriately manage vehicle and pedestrian traffic in the vicinity of the site where necessary.

Infringement Notice Penalty: 3 Penalty units
Penalty:10 Penalty units

### 3.10 Displaying Property Numbers

(4) —Where a road number has been allocated to a property, the owner or occupier must ensure that the allocated number is clearly visible and legible from the road on which the property has its frontage,

Infringement Notice Penalty: 1 Penalty Units
Penalty: 5 Penalty Units

#### PART 4 - MUNICIPAL AMENITY

This Part is concerned with the visual amenity of the municipal district. Its provisions control a number of activities which, if left uncontrolled, have the potential to detract from the

### 4.1 Street Parties, Festivals and Outdoor Entertainment Events

A person must not without a permit hold an outdoor entertainment event where the proposed use of Council land or a road means that they will have exclusive use of that land or a road for a specified period that will prevent others from using or accessing that Council

Infringement Notice Penalty: 3 Penalty Units Penalty: 20 Penalty Units

### 4.2 Consumption and Possession of Alcohol

A person must not without a permit, consume or possess alcohol in an unsealed container on Council land or a road, including while in a vehicle on Council land or a road, or a public place, unless the person is at premises licensed or authorised under the Liquor Control Reform Act

Infringement Notice Penalty: 1.25 Penalty Units Penalty: 5 Penalty Units

### 4.3 Open Air Fires and Incinerators

- A person must not without a permit, light a fire in the open air or  $\,$  in an incinerator on any land in a residential area on any day or time other than on a Wednesday or a Saturday between the hours of 10am and 3pm. The open air fire and the matter being burnt occupy no more than 1 cubic metre of land and space and must be dried vegetation only.
- (2) A person must not light a fire during a CFA declared fire danger period.
- (3) A person must not without a permit light a fire in the open air where the open air fire will be lit or used on any Council land or public place.
- The requirement to obtain a permit does not apply to:
  - (a) a person lighting a barbeque or similar for cooking food; or
  - a constructed fireplace, recreational fire pit or brazier; or
  - (c) a fire that is authorised or directed to be lit under any other legislation.
- A person must not light a fire in the open air or an incinerator to burn any material or substance that:
  - (a) causes a nuisance to any other person;
  - could harm or damage a person's health; (b)
  - (c) be offensive to any other person; or
- A person must not burn any:
  - rubber or plastic substance; (a)
  - petroleum oil or material containing any petroleum oil;
  - paint or container which contains or has contained paint;
  - manufactured chemical;
  - (e) household rubbish, building or other materials;
  - (f) green vegetation (dried only);
  - food waste -

unless they are permitted to do so by other legislation.

Infringement Notice Penalty:

Penalty: 20 Penalty Units

#### 4.4 Fire Hazards

- (1) An owner or occupier of premises must ensure that:
  - (a) all necessary steps are taken to:
    - (i) prevent fire on; and
    - (ii) minimise the possibility of spread of fire from those premises; and
  - (b) the premises are kept free of material or substances likely to assist the spread of fire; and
  - (c) any materials or substances which are likely to constitute a fire hazard because
    of the type of vegetation or because weeds, stubble or grass exceeds 30cm in
    height.
- (2) For the purposes of this clause "material or substances" includes undergrowth, scrub, bracken, ferns, weeds, stubble and grass (whether alive or dead and whether standing or not standing).
- (3) An authorised officer may enter and inspect those premises to determine whether:

  (a) there is on any premises any material which constitutes or is likely to
- constitute a fire danger to property; or
- (b) a fire break is required to be made or cleared on those premises.

Infringement Notice Penalty: 2 Penalty Units
Penalty: 20 Penalty units

#### 4.5 Unsightly / Detrimental to Amenity and Dangerous Land

An owner or occupier of land must not allow that land to be kept in a dangerous and/or unsightly condition.

An owner or occupier of land must not keep or allow that land to:

- (a) Be kept in a manner which is dangerous or likely to cause danger to life or property because of the materials or substances that are kept on the land; or
- (b) Be unsightly or detrimental to the general amenity of the neighbourhood because of rubbish, waste or other material giving the appearance of the land as one of neglect and out of character with other land in the vicinity; or
- (c) Be likely to cause a nuisance or be a health hazard because of the existence of noxious weeds or because the conditions provide a harbour for vermin;
- (d) Have grass or weeds or similar vegetation that is in excess of 30cm from the natural surface of the ground;
- (e) Contain disused excavation or waste material;
- Have dismantled vehicles or vehicle parts visible from adjoining roadway or properties; or
- (g) Have any other matter-deemed to be offensive or unsightly by an authorised officer of Council.

Infringement notice penalty: 2 Penalty Units

Penalty: 20 Penalty Units

#### New Shipping Containers

An owner or occupier of land must not, without a permit, allow a shipping or other similar transport container to be placed or kept on the land.

## 4.6 Camping and Temporary Accommodation

 A person must not, without a permit, camp on any land in the Municipal District in or under a vehicle, tent, caravan, registrable movable dwelling, or any other type of

- temporary or provisional form of accommodation  $\underbrace{\mathsf{except}}_{\mathsf{in}}$  in accordance with subclauses (2) and (3).
- (2) Sub-clause (1) does not prevent the occupier of any private property where a dwelling exists placing one caravan or a tent on their property for the use of a member of their household or a temporary visitor to sleep in for a total period not exceeding 28 days in any one year, provided that such caravan or tent occupant(s) are provided with proper sanitation, bathing and drainage facilities to the satisfaction of Council.
- (3) Sub-clause (1) does not prevent the occupier of any private property where a dwelling exists placing one caravan or a tent on their property for use as key worker accommodation for a total period not exceeding 120 days in any one year, provided that such caravan or tent occupant is provided with proper sanitation, bathing and drainage facilities to the satisfaction of Council. A key worker must provide written evidence to Council of employment, including tenure, by a local business in the Municipal District.

*Note* - This does not apply to camping or the use of a caravan or mobile home in a registered caravan park or an area designated by Council to be available for camping.

Infringement Notice Penalty: 1.25 Penalty Units Penalty: 20 Penalty Units

(2) In deciding whether to grant a permit under this clause, Council must consider the following:

The location of the land;

The statutory planning requirements relevant to the land;

The suitability of the land for camping;

The number of persons or other structures to be located or accommodated on the land;

The length of time the tents and other structures will be erected on the land;

The availability of sanitary facilities to the land;

The likely damage to be caused;

The likely impact on nearby residents;

Council policy; and

Any other matter relevant to the circumstances of the application.

- (3) Council may issue a permit, with or without conditions, for a maximum period of six months provided that the following conditions are met:
  - (a) The property in question is suitable for temporary residency;
  - (b) A Building and/or Planning Permit for a permanent dwelling has been issued;
  - (c) Adequate progress is being made towards completion of the dwelling;
  - (d) Appropriate sanitary facilities are provided;
  - (e) Appropriate services (e.g. water supply) are provided;
  - (f)—Suitable solid and liquid waste disposal methods are in place;
  - (g) The granting of the permit will not be to the detriment of, disturb, annoy or disrupt neighbouring properties; and
  - (h) The applicant has demonstrated that appropriate fire protection measures are in place.
- 4.7 Caravans or Tents as Temporary Accommodation
- (1) A person must not without a permit occupy temporary accommodation a caravan or tent within the Municipal District except in accordance with sub clause (2) or Clause 4.8 Infringement Notice Penalty: 2.5 Penalty Units

#### Penalty: 20 Penalty Units.

- (2) Sub-clause (1) does not prevent the occupier of any private property where a dwelling exists placing one caravan owned by that person him/her or a tent on his/hertheir property for the use of a member of his/hertheir household or a temporary visitor to sleep in for a total period not exceeding 28 days in any one year provided that such caravan or tent occupant must be provided with proper sanitation, bathing and drainage facilities to the satisfaction of the Council.
- (3) In determining whether to grant a Permit to allow a caravan or tent to be used as temporary accommodation, the Council must take into account the arrangements proposed to ensure:
- (a) adequate disposal of waste water into a fixture approved by the Sewerage Authority of the area or the satisfaction of the Council;
- (b) that no objectionable noise will be created to cause a nuisance to any other person on any adjacent or nearby land or premises:
- (c) that toilet pan waste and grey water waste will be disposed of in a manner approved by the Council.
- (4) Permits may be renewed at the discretion of Council subject to a further application by the property owner.

#### 4.8 Using Vehicles for Sleeping or Accommodation

A person must not camp or use any vehicle on any land within the township areas of the municipal district for sleeping or accommodation.

 $Note \cdot This \ does \ not \ apply \ to \ camping \ or \ the \ use \ of \ a \ vehicle \ in \ a \ registered \ caravan \ park \ or \ an \ area \ designated \ by \ \frac{the \ Council \ to \ be \ available \ for \ camping.$ 

Infringement Notice Penalty: 1.25 units
Penalty: 20 Penalty Units

## 4.9 Clothing Recycling Bins

A person must not place a <u>clothing recycling bin</u> on Council land or on a road, a <u>clothing recycling bin</u>.

Infringement Notice Penalty: 2 Penalty Units
Penalty: 20 Penalty Units

# 4.10 Shopping Trolleys

- (1) The owner of any shopping trolley that is made available to members of the public must ensure that the shopping trolley legibly identifies the owner's name or the owner's business name.
- (2) A person must not leave a shopping trolley on:
  - (a) a road, footpath or median strip;
  - (b) Council land except in an area designated by Council for the leaving of shopping trolleys; or
  - (c) any vacant land.
- (3) A person must not remove a shopping trolley from a designated shopping centre carpark.

Infringement Notice Penalty: 1 unit Penalty: 10 Penalty Units

#### 4.11 Smoke Free Areas

A person must not on the sand area of any beach within the municipal district, smoke a cigarette, cigar, pipe or like tobacco substance at any time:

- (a) on the sand area of any beach within the municipal district; or
- (b) within four metres of a Municipal Building; or
- (c) within the signposted boundary of a Council-run or funded event; or
- (d) within ten metres of a sports ground.

# Infringement Notice Penalty: 1 Penalty Unit

#### 4.12 Glass Free Areas

- A person must not without a permit, take any glass container, bottle, receptacle, vessel or like product:
  - (a) onto the sand area of any beach within the municipal district, at any time; or
  - (b) onto designated glass free foreshore areas between 9pm and 6am as identified in the maps in Schedule 2 of this Local Law:
    - Torquay Map 1 area highlighted as Surf Beach Drive, from Bell Street, to the prolongation of The Esplanade to Bell Street from 15 November to 31 January (inclusive).
    - (iii) Anglesea Map 2 area highlighted from the prolongation of Murray Street to the river mouth and the grassed area between the Great Ocean Road and the Anglesea River to the bridge from 15 November to 31 January (inclusive).
    - (iii) Lorne Map 3 area highlighted from the prolongation of Bay Street along Mountjoy Parade to the southern boundary of Mantra Erskine Beach, east to Cypress Lane, excluding any premises licensed under the Liquor Control Act, from 15 November to 31 January (inclusive); or
  - (c) onto designated glass free foreshores areas on 31 December between 6pm and 7pm; or
  - (d) into any other area designated by Council from time to time to be glass free.

Infringement Notice Penalty: 1 Penalty Unit Penalty: 10 Penalty Units

# 4.13 Sand Dune Area — prohibited access

A person must not enter a sand dune area at any beach apart from defined walking tracks and beach access tracks.

 $\it Note$  - The prohibited area applies to the fenced sand dunes, or in the case of no fencing, applies from the toe of the primary sand dune.

Infringement Notice Penalty: 2 Penalty Units
Penalty: 10 Penalty Units

## 4.14 Recreational Vehicles on Private Land

A person:

- (a) must not, without a permit, drive, ride on or otherwise use any recreational vehicle on private land within 500 metres of a dwelling located on any other land; or
- (b) who is the occupier of any private land must not, without a permit, allow a person to drive, ride on or otherwise use any recreational vehicle on that land within 500 metres of a dwelling located on any other land

 ${\it Note} \cdot {\it This} \ clause \ does \ not \ apply \ to \ the \ use \ of \ vehicles \ in \ the \ conduct \ of \ farming \ activities \ and \ primary \ production \ on \ land \ zoned \ rural \ under \ the \ Planning \ Scheme.$ 

Infringement Notice Penalty: 1.5 Penalty Units
Penalty: 10 Penalty Units

4.15 Graffiti

An owner or occupier of land or premises must not allow or permit graffiti to remain on his or her land or premises for more than 28 days.—

Infringement Notice Penalty: 2 Penalty Units Penalty: 20 Penalty Units

4.16 Skateboards and other Wheeled Recreational Devices

A person must not use a skateboard or any other wheeled recreational device on Council land or a road or a public place in a way that:

- (a) other users of the Council land or road may have their safety compromised or they could be injured; or
- (b) other users of the Council land or road are inconvenienced or feel intimidated; or
- (c) damage could be caused to any property on the Council land or road or public place.

Infringement Notice Penalty: .5 Penalty Unit Penalty: 10 Penalty Units

#### PART 5 - KEEPING OF ANIMALS

Introduction: In this Part, the provisions regulate the keeping of animals, birds, reptiles and bees. They regulate the number and type of animals, birds, pigeons, reptiles and bees which can be kept, and the conditions in which they are kept.

#### 5.1 Keeping Extra Animals

- A person must not, without a permit, keep domestic animals, in a dwelling, in residential zones, a rural living zone or a built up area:
  - (a) any animal that is not listed in table one; or
  - (b) more than 5 different types of animals or more than the number prescribed for each type of animal in table one.
- (2) A person must not, without a permit, keep animals in flats and units in a residential area:
  - (a) any animal that is not listed in the table two; or
  - (b) more than the number prescribed for each type of animal in the table two.
- (3) A person must not, without a permit for keeping animals, also applies to a person keeping more than 5 dogs or 5 cats on any other land in the municipal district.
- (4) Bees must be kept in accordance with the terms of the Livestock Disease Control Act 1994 and the Apiary Code of Practice 1997 and be registered with the Department of Primary Industries.
- (5) A person keeping an animal in a residential area, rural living zone or a built up area must ensure that the condition of the land resulting from the way in which an animal is kept does not affect or interfere with the amenity of other people living in reasonable proximity.
- (6) This Part does not apply to any land:
  - (a) on which a pet shop is located; or
  - (b) on which an animal hospital or veterinary practice is located
- (7) The following animals and the maximum number permitted are allowed to be kept in residential zones, a rural living zone or a built up area to:

Table One:

TYPE OF ANIMAL	MAXIMUM PERMITTED
Dog	2
Cat	2
Poultry*	10
Domestic bird	100
Guinea pig	10
Domestic mice	10
Domestic rabbit	10
Domestic fish	No maximum limit
Turtles & tortoise	4
Frogs	No maximum limit
Pigeons	20
Geese	4
Ducks	4
Ferrets	4

The definition of "poultry" in the Community Amerity Local Law excludes ducks and geese. Roosters are prohibited in residential areas or built up areas.

(78) The following animals and the maximum number permitted are allowed to be kept in flats and units in residential areas are:

#### Table Two:

TYPE OF ANIMAL	MAXIMUM PERMITTED (without permit)
Dog	1
Cat	1
Domestic bird	4
Guinea pig	2
Domestic mice	4
Domestic rabbit	2
Domestic fish	No maximum limit
Turtle & tortoise	2
Frogs	No maximum limit
Ferrets	2

Infringement Notice Penalty: 2 Penalty Units
Penalty: 10 Penalty Units

## 5.2 Trespassing Animal

The owner or occupier of any land where any animal is kept, other than a dog or a cat, must ensure the type of animal being kept on the land does not trespass on any Council land or a road.

Infringement Notice Penalty: 5 Penalty Unit Penalty: 20 Penalty Units

# 5.3 Animal Excrement Litter

The owner or person in charge of an animal must:

- (b) Immediately collect and remove all of the excrement left by the animal on Council land or a road or a public place.

#### New Animal Control

The owner or person in charge of an animal must, whilst on Council land or a road or in a public place, have effective control of that animal.

Infringement Notice Penalty: 2.5 Penalty Units Penalty: 10 Penalty Units

#### 5.4 Horses on Council Property

- (1) A person in charge of a horse must not without a permit:
  - (a) ride or lead a horse on any Council land or footpath in a residential area;
  - (b) allow the horse to cause any damage to Council land or to a road; or
  - (c) allow the horse to create a risk or danger to other users of the Council land or road.
- (2) A person in charge of a horse must immediately collect and remove all of the excrement left by the animal on Council land or a road or a public place.

Infringement Notice Penalty: 2 Penalty Units
Penalty: 10 Penalty Units

PART 6 – ROADS AND COUNCIL LAND: OBSTRUCTIONS AND BEHAVIOUR Introduction: In this Part, the emphasis is on things which interfere with the use and enjoyment of roads and Council land.

#### 6.1 Damaging Council Roads

A person must not use a vehicle on a Council road contrary to any sign or behave in a way that could cause damage to or could be detrimental to a Council road or road user.

Infringement Notice Penalty: 3 Penalty Units

Penalty: 20 Penalty Units

#### 6.2 Behaviour on Council Land

A person using Council land must not behave in a way that could cause harm or injury or which interferes with any other person's enjoyment of the Council land by:

- using language or behaving in a manner which offends, annoys, disturbs, interferes or obstructs any person's enjoyment of Council land; or
- b) acting in a way which could endanger any person; or
- (c) damaging, destroying, defacing, removing or interfering with anything in or on any building, improvement or other structure of any kind; or
- (d) acting contrary to any conditions or signs that contain conditions that apply to the use of the Council land; or
- (e) acting contrary to any direction of any authorised officer.

Infringement Notice Penalty: 2.5 Penalty Units
Penalty: 20 Penalty Units

#### 6.3 Grazing or Droving of Livestock

(1) A person must not, without a permit, graze livestock where a road or Council land is to be used for grazing or where a person is proposing to drive livestock in the municipal district.

(2) The Council must not issue a permit for the grazing by livestock on a road or Council land unless; approval has been obtained from the Infrastructure Department and the Environment Department of the Council;

the road or Council land can be grazed without threat to areas of conservation value and significance and without causing any damage whatsoever to any road or Council land or any adjacent structure, culvert, watercourse or vegetation;

the applicant for the permit provides evidence to the satisfaction of Council that:

the livestock will be adequately supervised and effectively controlled;

the conditions of a permit can be complied with;

the livestock are healthy and not be infected by any condition that would be detrimental to them or livestock in adjacent areas:

the livestock will receive adequate food and water;

grazing only be permitted in daylight hours;

the written authority of VicRoads has been obtained in respect of any declared roads;

the grazing by the livestock will be restricted to that position of the road reserve or Council land which is within the limit of the owner's boundary frontage, unless written permission is obtained from the owner of other land consenting to grazing being undertaken on a road, road reserve or Council controlled land which is adjacent to such owner; and

information is provided specifying the number of stock to be grazed, the hours during the day and the duration of the proposed grazing time.

(3) The applicant must give written notification to the adjacent property owner or occupier who may object in writing to the application which will be considered by Council.

(4) A person who is charge of livestock which are being grazed on a road must ensure that: the livestock are supervised and under effective control at all times by a person who is competent in the management of livestock and who is not less than 16 years of age; the carcass of any livestock in that person's charge which dies on a road is properly disposed

the carcass of any livestock in that person's charge which dies on a road is properly disposed of in accordance with any Environment Protection Authority guidelines;

livestock are grazed only during daylight hours;

signs-conforming-with-guidelines-prepared by-VicRoads and referred to in the Road-Safety (Road-Rules) Regulations 1999 are in place;

appropriate precautions are taken to ensure that no damage occurs to road surfaces, furniture, drains, culverts, bridges and private entrance ways or to trees and shrubs growing within the road reserve or Council land and that crosion is not caused by excessive grazing; in the event that livestock are causing damage including where overgrazing occurs, they are removed from the road reserve or Council land and the Council is notified by the person in charge of any damage;

the livestock are enclosed by fencing or control equipment which is of a temporary construction, with minimal impact to site but which is suitable to prevent the escape of the livestocke

the person has a current public liability policy (\$10 million subject to risk assessment) on which the Council's (and where appropriate, VicRoads) interest is noted and that proof of such notation is provided to the Council prior to commencement of grazing along with a map of the proposed grazing area;

an inspector of Livestock of Agriculture Victoria administering the Livestock Disease Control Act 1994 is notified if the person in charge of such livestock becomes aware or suspects that livestock (or any of them) have a disease or has died of a disease listed as a notable disease under the Act.

the person in charge of the livestock complies with the provisions of the Livestock Disease Control Act 1994 and the Prevention of Cruelty to Animals Act 1986;

no roadside grazing takes place on any day declared as a Total Fire Ban Day for this Region under the Country Fire Authority Act 1958:

electric fences that comply with current standards applicable to electric fencing are erected on one side of the road reserve at any one time, with the landholder on the opposite side of the road being entitled to make application for grazing periods outside of any times specified for permits issued for the opposite side of the road;

electric fences are removed to the satisfaction of an Authorised Officer before or on the expiry date of the permit, or at the direction of an Authorised Officer of the Council; and

the person in charge of the livestock complies with the Catchment and Land Protection Act and demonstrates that the risk of weed spread by stock is minimal to the satisfaction of Council.

(5) Failure to comply with any condition of a permit or direction of an authorised officer may result in any bond paid prior to the granting of a permit being forfeited or permit revoked.
 (6) The Council may require the applicant to provide any other information considered to be relevant to the application.

Infringement Notice Penalty: 3 Penalty Units
Penalty: 20 Penalty Units

- 6.4 Using footpaths or Council Land for Commercial Activities on Council Land
- A person must not, without a permit, conduct commercial activities on a footpath, road reserve or Council land where a person proposes to use a footpath, road reserve, Council land or public place for:

   (a) outdoor eating:

- (b) displaying goods for sale;
- (c) placing signs and/or advertising goods for sale; or
- (d) placement of signage on a vehicle.
- (2) A person must not, without a permit, trade from Council land or a road where trading is to be done from a vehicle, stall or any other temporary structure and irrespective of whether trading is on a permanent or casual basis.
- (3) A person must not, without a permit, trade under sub-clause (2) and is limited to Council land or a road that the Council has designated for trading unless the Council has permitted the use of the Council land or road as a result of a tender process.
- (4) A person must not, without a permit, conduct artistic performances on Council land or a road includes including where a person proposes to busk or do pavement art busking or pavement art.

Infringement Notice Penalty: 3 Penalty Units Penalty: 20 Penalty Units

#### 6.5 Commercial Activities on Road Reserves

- A person must not, without a permit, conduct commercial activities on a road reserve where a person proposes to use a road reserve, council land or public place for:

   (a) outdoor eating;
  - (b) displaying goods for sale;
  - (c) placing signs and/or advertising goods for sale; or
  - (d) placement of signage on a vehicle.
- (2) A person must not, without a permit, trade from Council land or a road where trading is to be done from a vehicle, stall or any other temporary structure and irrespective of whether trading is on a permanent or casual basis.
- (3) A person must not, without a permit to trade under sub-clause (2), is limited to Council land or a road that the Council has designated for trading unless the Council has permitted the use of the Council land or road as a result of a tender process.
- (4) A person must not, without a permit, conduct artistic performances on Council land or a road includes where a person proposes to busk or do pavement art.

Infringement Notice Penalty: 3 Penalty Units Penalty: 20 Penalty Units

#### 6.6 Using or Altering Council Land or and/or a Road (including a Nature Strip)

- (1) A person must not, without a permit, use or alter Council land or a road <u>(including a nature strip)</u> where a person proposes to:
  - (a) place bulk rubbish containers on Council land or a road;
  - (b) undertake ancillary building works where:
    - the Council requires a temporary vehicle crossing for access to the road from the land where building works are being denecarried out; or
    - (ii) Geeds goods and/or building materials will be left or stored on Council land or a road; or
  - (c) plant or add anything that changes or interferes with the existing condition of the Council land, including installing a gate in a boundary fence or access across Council land; or

- (d) remove anything that changes or interferes with the existing condition of Council land; or
- (e) remove any native plant or native vegetation or any plant or vegetation that Council considers to be significant to the municipality; or
- (f) construct any fence, building or thing or plant any tree, bush or vegetation; or (g) store any object that changes or interferes with the safety or amenity of Council
- land or a road.

  (2) A person who commits an offence under clause (1) must remove and rectify any change made to Council land or any road (including a nature strip), as a result of the
- made to Council land or any road (including a nature strip), as a result of the unauthorised occupation, within one month, or other reasonable time determined by the Council.
- (3) If a person fails to remove and rectify any change to Council land or any road under clause (2) the Council may remove and rectify the change and recover the cost of the removal and rectification from the offender.
- (4) The following are excluded from this clause:
  - (a) Minor maintenance activities such as mowing, weeding or tidying leaves on an existing nature strip.
  - (b) Person(s) employed, contracted or authorised by the Council to carry out the use or alteration.
- (2) In addition to complying with any conditions of a permit, a person using or altering Council land must comply with the following requirements:
- (3) Additional requirements for Vehicle Crossings (Better dealt with under Part 3 Protection of Council land)

Infringement Notice Penalty: 3 Penalty Units
Penalty: 20 Penalty Units

New - Storage of Vehicles (including Caravans and Trailers)

A person must not allow any vehicle (including a caravan or a trailer) that is currently registered or having a permit form VicRoads, or any other relevant authority, to be left standing continuously in a public place for a period in excess of seven consecutive days.

New - Collection of Firewood

Collection of firewood from Council land is prohibited at all times.

## 6.7 Works on Council Land and Roads

Where a person is required to undertake any works on Council land or a road other than under the Road Management Act 2004, that person must:

- (a) undertake those works safely:
- \_\_\_\_\_(b) provide and maintain pedestrian and traffic control devices during the course of the works; and
  - \_\_(c) ensure that any pedestrian or traffic control device which is being used on or in respect of the land complies with Australian Standard AS1742.3 published by or on behalf of Australian Standards.

Infringement Notice Penalty: 3 Penalty Units
Penalty:10 Penalty Units

#### 6.8 Unregistered, Derelict or Abandoned Vehicles

- A person must not leave any vehicle that is unregistered-, derelict or abandoned on Council land or a road.
- (2) A person must not allow any vehicle not currently registered or having a permit from Vic Roads or any other relevant authority to be left standing in any public place.
- (3) A person must not allow any vehicle currently registered or having a permit from Vic Roads or any other relevant authority to be left standing continuously in any public place for a period in excess of seven consecutive days.
- (4) A person must not store or allow remaining in public view on any property within the municipal district more than two unregistered vehicles.

Infringement Notice Penalty: 2 Penalty Units

Penalty: 10 Penalty Units

#### 6.9 Repairing Vehicles

A person must not dismantle, paint, carry out maintenance or repair a vehicle on Council land or road except for an emergency or where it is necessary to enable the vehicle to be removed.

Infringement Notice Penalty: 2 Penalty Units Penalty: 10 Penalty Units

#### 6.10 Selling of Vehicles

A person must not use Council land, a road or a public place for the purpose of selling a vehicle

Infringement Notice Penalty: 2 Penalty Units Penalty: 5 Penalty Units

# 6.11 Obstructions on Land Locating trees and plants, fencing and signs

A tree or plant, fencing or a sign or other similar object must not be planted or located on a person's property so that it obstructs or interferes with pedestrian or vehicular traffic because it:

- (a) overhangs a property boundary onto a footpath or other part of the road used by pedestrians limiting safe access or likely to cause injury or damage; or
- (b) extends over any part of the road or on the boundary of a road so that it:
  - (i) obstructs the view between vehicles at an intersection; or
  - (ii) obstructs the view between vehicles and pedestrians; or
  - (iii) obscures a traffic control item from an approaching vehicle or pedestrian; or
  - obscures street lighting; or(c)constitutes a danger to vehicles or pedestrians or compromises the safe and convenient use of the road.

Infringement Notice Penalty: 2 Penalty Units
Penalty: 20 Penalty Units

# 6.12 Damage to Council Assets from Adjoining Properties

 $\underline{\text{On any land that is owned or occupied them, }} \textbf{A-}\underline{\textbf{a}} \text{ person must not:}$ 

- (a) allow any tree or plant; or
- (b) use any vehicle or equipment; or
- (c) allow any other condition -

on land owned or occupied by him or her to that causes damage to or interferes with Council land or a road, or any drain or building vested in or under the control of the Council.

Infringement Notice Penalty: 3 Penalty Units
Penalty: 20 Penalty Units

#### PART 7 - WASTE MANAGEMENT

This Part is concerned with the collection and disposal of waste. Among other things, it regulates the collection and disposal of garbage, green waste, recyclables and hard waste.

- 7.1 Disposaling of Domestic Waste, Organic Waste & Recyclable Materials
- A person who places any garbage, organic waste or recycling bin for collection by the Council must ensure that the bin is placed for collection before 5.00am on the designated collection day.
- 2) Any bin placed for collection must be:
  - (a) a Council supplied bin with Council logo visible
  - (b) placed as close as possible to the kerbside, at least a standing bin width apart from other bins placed for collection and with the wheels facing away from the kerbside;
  - (c) not overfilled and have the lid closed properly; and
  - (d) placed <u>4 at least one metre</u> away from obstructions such as cars, trees, <u>fences</u>, signs and light poles.
  - (e) Nnot be under overhead obstructions such as trees or; utility lines less than 3.6m above the road surface.
- (3) Only the type of waste intended for the type of bin provided may be placed in a bin, and in the case of a bin provided for:
  - (a) provided for garbage \_must only be used for waste or material that cannot be reused, recycled or composted;
  - (b) provided for resource recovery must only be used for the waste types specified for that bin in accordance with Council's waste strategies, recycling, must only be used for recycling plastic bottles (with recycle codes 1-7), cans, glass bottles, jars, paper and cardboard but not for chemical containers, electrical appliances or garden organics.
  - (c) provided for garden organics, must only be used for leaves, branches and small logs, grass clippings and weeds and flowers but not for

plastic bags and plastic pots;

sand and soil;

household rubbish, light globes and food scraps;

ceramics, crockery and

nappies and paper products.

- (4) All users of Council's waste collection services must ensure that bins are
  - (a) placed at appropriate collection locations not more than 24 hours prior to scheduled collections; and
  - (b) retrieved from collection locations not more than 48 hours after collection has occurred.
- (5) Subclause (4) does not apply to any person permitted by Council to leave a bin at the roadside.
- (6) All waste must be placed within Council supplied bins and; excess waste must not be placed on the ground next to or near bins.
- (7) Each occupier of a property must keep a Council provided mobile bin on that property and maintain it in good working order and in a clean and sanitary condition upon or about the Property. Damaged bins must be reported to Council for repair or replacement.
- (8) Unless exempted by Council, the owner of any block of flats or units, not occupied by the owner, must provide for the use of the occupiers a:
  - a) clearly defined; and
  - b) sufficiently large area for the storage of Council provided mobile bins.

- (9) The occupier of any block of flats or units must keep their Council provided mobile bin in the area required to be provided by the owner of the premises.
- (10) Hard waste is not permitted to be placed on public land including road reserves or nature. strips.
- (11) A person using the Council's waste collection services must comply with any instructions or requirements that the Council notifies in writing in relation to that service.
- (12) Public litter bins and public place recycling bins must not be used to deposit household waste.
- (13) A person other than a person authorised by the Council must not interfere with any domestic bin or waste materials left for collection unless that person has generated that waste, or has been engaged to manage waste on behalf of the person that generated that waste.
- (14) The owner of short term rental properties must ensure occupiers are provided with sufficient information to ensure compliance with this clause is maintained. Any breaches of this clause at the premises are the responsibility of the owner.

Infringement Notice Penalty: 2.5 Penalty Units
Penalty: 15 Penalty Units

#### 7.2 Disposal of Trade Commercial and Industrial Waste

- (1) A person disposing of trade\_commercial or industrial waste must ensure that any container used for trade\_commercial and industrial waste is:
  - a) kept on the property for which the bin has been obtained unless alternative arrangements approved by the Council are in place;
  - constructed of approved impervious material to prevent leakage and the absorption or accumulation of any refuse or rubbish that may be deposited in it;
  - c) constructed so that it is water-tight, fly and vermin proof; and
  - d) has a removable drainage plug so that it can be cleaned; and
  - is fitted with a fly and vermin proof lid with overlapping flanges which must be kept continuously closed when not in use; and
  - of a sufficient size to contain all refuse and rubbish generated on the premises in between clearances; and
  - emptied at least weekly, or more regularly if the contents become offensive.
- (2) A person using a tradecommercial or industrial waste container for the disposal of trade commercial or industrial waste must ensure that the place at which the container is stored or kept and the surrounding area is maintained at all times in a clean, sanitary and inoffensive condition.
- (2)(3) A person using a tradecommercial or industrial waste container must ensure that every container used by <a href="https://doi.org/industrial">https://doi.org/industrial</a> waste displays a notice indicating the type of waste or material which is permitted and stating that it is an offence to deposit any material contrary to the notice.
- (4) Any bin placed for collection must:
  - a) not be overfilled and have the lid closed properly
  - b) be placed at appropriate collection locations not more than 24 hours prior to scheduled collections; and
  - be retrieved from collection locations no more than 24 hours after collection has occurred.
- (5) Commercial and industrial waste must not be placed in public bins provided for litter and recycling.

- (6) Waste generated from a commercial property must be managed by that business including outdoor dining areas.
- (7) Where outdoor dining areas are provided by a business, and food or beverages are supplied in single use packaging, waste disposal options must be provided for patrons to appropriately dispose of waste.
- (8) Businesses must evaluate waste generation and only provided for disposal to landfill if waste or material cannot be reused, recycled or composted.

Infringement Notice Penalty: 5 Penalty Units

3

#### **PART 8 - PERMITS AND FEES**

#### 8.1. Application for Permits

- An application for a permit must be in the form prescribed by Council and must be accompanied by the appropriate fee prescribed by Council,
- (2) Council may require an applicant to:
  - (a) provide additional information; or
  - (b) give notice of the application or invite any person to make a submission or do both, before the application is determined.
- (3) A permit may include any condition which the Council considers to be reasonable and appropriate having regard to the activity to be authorised by the permit and the effects or anticipated effects of that activity.
- (4) Unless otherwise stated in the permit, a permit:
  - (a) only authorises the person named in the permit to carry out the permitted activity; and
  - (b) is not transferrable

#### 8.2. Decision on Permit Applications

After considering all relevant documentation, Council may decide:

- (a) to grant a permit:
- (b) to grant a permit subject to conditions;
- (c) refuse to grant a permit; or
- (d) exempt a person or class of persons from the requirement to obtain a permit.

#### 8.3. Correction, Amendment, Cancellation and Suspension of Permit

- The Council may correct a permit if the permit contains a clerical mistake, error or omission.
- (2) The Council may cancel, suspend or amend a permit at any time if:
  - (a) it is requested to do so by the permit holder; or
  - (b) it considers that there has been:
    - a material mis-statement or concealment of fact in relation to the application for the permit;
    - (ii) any material mistake in relation to the issue of the permit:
    - (iii) any material change of circumstances which has occurred since the grant of the permit; or
    - (iii) there has been a substantial failure to comply with the permit or a Notice to Comply.
- (3) The Council must give written notice to a permit holder of any correction, cancellation, suspension or amendment of a permit.
   (4) Before it cancels a permit, the Council must provide the permit holder an opportunity to
- (4) Before it cancels a permit, the Council must provide the permit holder an opportunity to make a submission on the proposed cancellation.
- (5) If a permit holder is not the owner of the land and the owner's consent was required to be given to the application for the permit, the owner must be notified of any Notice to Comply subsequently issued by Council and of the reason why it has been served.
- (6) Unless otherwise stated, the permit will operate from the date it is granted and will expire 12 months from the date of issue.

8.4. Fees

- (1) Council may by resolution determine fees and charges for the purposes of this Local
- (2) Council may waive, reduce or defer payment of fees and charges in whole or in part with or without conditions.

ADMINSTRATION AND ENFORCEMENTThis Part aims to supplement the preceding provisions of the Local Law by explaining how the Local Law may be administered and enforced. In particular, powers to impound and serve Notices to Comply and Infringement Notices are given, and the system of applying for, obtaining and retaining permits is provided for.

#### DIVISION 1 - PERMITS, FEES AND DELEGATIONS

#### 8.1. Applying For a Permit

- (1) A person who wishes to apply for a permit may do so by:-
  - (a) lodging with the Council an application, in a form approved by the Council; and (b) paying to the Council the appropriate application fee:
- (2) The Council may require an applicant to provide additional information before dealing with an application for a permit or for exemption.
- (3) The Council may require a person making an application for a permit to give public notice which will entitle any person to make a submission and to be heard in accordance with section 223 of the Act.
- (4) In deciding whether to grant a permit the Council may take into consideration whether the proposed activity or use will:
  - (a) conform with any related policies of the Council;
  - (b) cause a danger or hazard to pedestrians or vehicles;
  - (c) disturb, annoy or disrupt adjacent property owners or occupiers;
  - (d) be detrimental to the amenity of the area;
  - (e) destroy native vegetation on Council land or roads;
  - (f) cause damage to Council assets;
  - (g) require the consent or should be referred to obtain the opinion of any other public authority or inclividual;
  - require additional arrangements to be made for waste water disposal, litter and garbage disposal, lighting and security;
  - obstruct a footpath so that it will not be possible to maintain a clear walkway at all times;
  - (j) necessitate the applicant to have insurance against any risk;
  - (k) necessitate a written indemnification of the Council against liability arising from activities authorised by the permit; and
  - any other matters relevant to the circumstances of the application.

## 8.2 Issue of Permits

#### The Council may:-

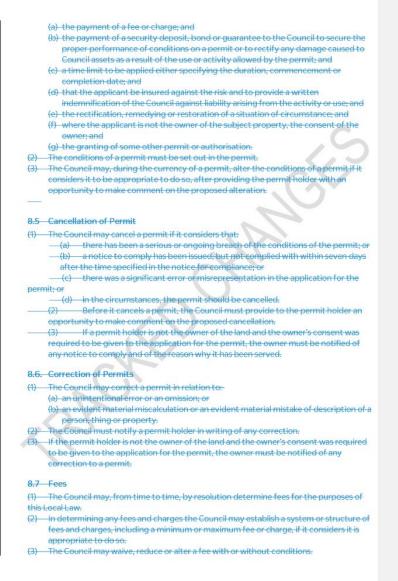
- (a) issue a permit with or without conditions; or
- (b) refuse to issue a permit.

# 8.3 Duration of Permits

- (1) A permit is in force until the expiry date indicated on the permit, unless it is cancelled before the expiry date.
- (2) If no expiry date is indicated on the permit, the permit expires on 30 June next after the day on which it is issued:

# 8.4 Conditional Permits

(1) A conditional permit may be subject to conditions which the Council considers to be appropriate in the circumstances including:



## 8.8 Registers

- (1) The Council must maintain a register of permits, including details of corrections and cancellations.
- (2) The Council must maintain a register of determinations made and of guidelines or procedures prepared for the purposes of this Local Law.
- (3) The Council must ensure that the registers are available for public inspection at the office of the Council during normal business hours.

#### 8.9 Exemptions

- (1) The Council may by written notice exempt any person or class of persons from the requirement to have a permit, either generally or at specified times.
- (2) An exemption may be granted subject to conditions.
- (3) A person must comply with the conditions of an exemption.
- (4) An exemption may be cancelled or corrected as if it were a permit.

#### 8.10 Offences

A person who makes a false representation or declaration (whether oral or in writing), or who intentionally omits relevant information in an application for a permit or exemption is guilty of an offence.

Infringement Notice Penalty: 3 Penalty Units
Penalty: 20 Penalty Units

#### PART 9 - DIVISION 2 - ENFORCEMENT

#### 9.1 Offences

#### A person who:

- (a) contravenes or fails to comply with any provision of this Local Law or any document incorporated by reference;
- (b) contravenes or fails to comply with any condition contained in a permit issued under this Local Law;
- (c) knowingly provides false information in support of an application for a permit issued under this Local Law;
- (d) knowingly supplies false or misleading information to an authorised officer;
- (e) fails to comply with a verbal direction issued, or a Notice to Comply served, by an authorised officer;
- (f) fails to comply with a sign erected by Council; or
- (g) makes or attempts to make any agreement with an authorised officer to induce that authorised officer to compromise their duty.

#### is guilty of an offence and is liable to-

- (i) a maximum penalty of 20 penalty units; and
- a further penalty of 2 penalty units for each day after a finding of guilt or conviction for an offence during which the contravention continues.

#### 9.2 Notice to Comply

- (1) Council or an authorised officer may, by serving a Notice to Comply, direct an owner, occupier or other person in breach of this Local Law to remedy anything which constitutes an offence under this Local Law.
- (2) A Notice to Comply must state the time and date by which the thing must be remedied.
   (3) The time required by a Notice to Comply must be reasonable in the circumstances
  - having regard to:
    (a) the amount of work involved:
- (b) the degree of difficulty;
- (c) the availability of necessary materials or other necessary items;
- (d) climatic conditions:
- (e) the degree of risk or potential for risk; and
- (f) any other relevant factor.

# 9.3 Infringement Notices

- (1) Where an authorised officer, believes that a person has committed an offence against this Local Law, an authorised officer may as an alternative to a prosecution for the offence, issue and serve on the person an infringement notice.
- (2) The amounts of the penalty payable in respect of an infringement notice is set out in Schedule 1.
- (3) In order to avoid prosecution, the person who is served with an infringement notice must pay the penalty to the Council by the date specified.
- (4) Where an infringement notice is directed to a person who is the owner or occupier of land or the proprietor of a vehicle and that person's name is not known, the notice issued

- under this local law may be addressed to "the owner", "the occupier" or the "person in control."
- (5) If an infringement notice is withdrawn, after the person pays the penalty, the person is entitled to a refund of the penalty.
- (6) If a person served with an infringement notice has not paid the penalty within the time specified or an infringement notice is withdrawn, prosecution proceedings may be instituted by Council.

#### 9.4 Urgent Circumstances

- (1) Where, in the opinion of an authorised officer, a breach of the Local Law or a permit issued under the Local Law arises which may place a person, animal or property or thing at risk or in danger and there is not time or it is impractical to serve a Notice to Comply, then the authorised officer may take reasonable action to immediately abate or minimise the risk or danger identified.
- (2) As soon as practicable, the authorised officer must contact the person by whose fault, permission or decision the situation has arisen, whether they be the owner, occupier of the land, animal, property or thing involved.

#### 9.5 Impounding or Seizure

- (1) An authorised officer may impound or seize any item, thing or animal which is the subject of a breach of this Local Law or any legislation which is administered and enforced by Council.
- (2) Where any item, thing or animal is impounded or seized pursuant to this Local Law, notice of the impounding or seizure is to be given to the person that is known or appears to be the owner of the impounded item, thing or animal,
- (3) Any item, thing or animal impounded or seized in accordance with this Local Law may be held until any fee or charge for its release is paid.
- (4) Council may include in any fee or charge any cost that Council has incurred in impounding, seizing, transporting, holding, storing or disposing of the item, thing or animal.
- (5) If the specified time for retrieval of an impounded or seized item, thing or animal has expired and it has not been claimed then it may be disposed of or destroyed according to the following principles:
  - (a) if it has no saleable value, in the most economical and appropriate way as determined by an authorised officer; or
  - (b) if it has a saleable value, by public auction, tender or private sale as determined by an authorised officer.
- (6) The monies realised from the sale of any impounded or seized item, thing or animal must be disbursed as follows:
  - (a) in payment of any expenses incurred by the Council;
  - (b) the balance to be paid to the owner or person who in the opinion of Council's Chief Executive Officer appears to be authorised to receive the money.
- (7) If no person can be identified for payment of any money then any excess must be treated in accordance with legislation dealing with unclaimed money or, failing this, paid into the Council's revenue.

# 8.11 Compliance with directions A person must comply with any reasonable direction or instruction of an authorised officer, member of the Police Force or an emergency service when requested to do so in urgent circumstances or for public safety reasons whether or not the person has a permit under this Infringement Notice Penalty: 2.5 Penalty Units Penalty: 20 Penalty Units 8.12 Warning to Offenders Where there is a breach of this Local Law an authorised officer may request the person breaching the Local Law to stop or remedy the breach. 8.13 Power of authorised officer notice to comply Where there is a breach of this Local Law, an authorised officer may serve a notice to comply, in a form approved by Council, on the person who is breaching the Local Law. 8.14 Time to Comply (1) A notice to comply must state the time and date by which the situation must be (2) The time required by a notice to comply must be reasonable in the circumstances having regard to: (a) the amount of work involved; and (b) the degree of difficulty; and (c) the availability of necessary materials or other necessary items; and (d)climatic conditions: and (e) the degree of risk or potential risk; and (f) any other relevant factor. 8.15 Failure to comply with a Notice to Comply (1) A person who fails to comply with a notice to comply served on that person is guilty of an offence. Infringement Notice Penalty: 3 Penalty Units Penalty: 20 Penalty Units (2) Where a notice to comply requiring works to be undertaken is not complied with an authorised officer may carry out the works to ensure compliance and may recover the costs incurred to the Council. 8.16 Power of Authorised Officers to Act in Urgent Circumstances In urgent circumstances arising as a result of a failure to comply with this Local Law, an authorised officer may take action to remove, remedy or rectify a situation without first serving a notice to comply if: the authorised officer considers the circumstances or situation to be sufficiently urgent and that the time involved or difficulties associated with the serving of a notice, may place a person, animal, property or thing at risk or in danger; and (b) wherever practicable, a senior officer is given prior notice of the proposed

(2) In deciding whether circumstances are urgent, an authorised officer must take into consideration, to the extent relevant: (a) whether it is practicable to contact:-(i) the person by whose default, permission or tolerance the situation has arisen; or (ii) the owner or the occupier of the premises or property affected; and whether there is an urgent risk or threat to public health, public safety, the environment or animal welfare. (3) The action taken by an authorised officer under sub-clause (1) must not extend beyond what is necessary to cause the immediate abatement of or minimise the risk or danger involved. (4) An authorised officer who takes action under sub-clause (1) must ensure that, as soon as practicable: (a) details of the circumstances and remedying action are forwarded to the person on whose behalf the action was taken; and a report of the action taken is submitted to the Chief Executive Officer or the (b) relevant Director. 8.17 Power of Authorised Officers to Impound Where any items, vehicles, signage, goods, equipment or machinery are used in contravention of this Local Law an authorised officer may remove and impound (2) Where any items, goods and equipment are impounded under this provision, as soon as possible after the impounding and where practicable to do so, the authorised officer must serve written notice on the owner or person responsible for the item which has been impounded setting out the fees and charges payable and time by which the item must be retrieved: If after the time required in the notice an impounded item is not retrieved, an authorised officer may take action to dispose of the impounded item according to the where the item has no saleable value, it may be disposed of in the most where the item has some saleable value it may be disposed of either by tender, public auction or private sale but failing sale may be treated as in paragraph (a). When the identity or whereabouts of the owner or person responsible for the impounded item is unknown, the authorised officer must take reasonable steps to ascertain the identity or whereabouts of that person and may proceed to dispose of the impounded item in accordance with sub-clause (3) once he or she is satisfied that all reasonable efforts have been made to contact the owner or person responsible for the impounded item. Any proceeds from the disposal of impounded items under this Local Law must be paid to the owner or to the person who, in the opinion of the Council, appears to be authorised to receive the money except for the reasonable costs incurred by the Council in the administration of this Local Law If a person described in sub-clause (5) cannot be identified or located within six months after the date of the notice of impounding, any proceeds of the sale cease to be payable to that person and may be retained by the Council for municipal purposes.

If an authorised officer has impounded anything in accordance with this Local Law, the Council may refuse to release it until the appropriate fee or charge for its release

has been paid to the Council.

(8) The Council may, by resolution, fix charges (generally or specifically) for the purposes of this clause.

#### 8.18 Infringement Notices & Penalties

- (1) As an alternative to prosecution an authorised officer may issue an infringement notice to any person whom the Authorised Officer reasonably considers has committed an offence against this Local Law.
- (2) The penalty fixed in respect of an infringement is the amount set out in Schedule 1.

#### 8.19 Payment of Penalty

- (1) A person issued with an infringement notice may pay the penalty amount to the Surf Coast Shire Council at the address indicated in the notice:
- (2) To avoid prosecution, the penalty indicated must be paid within 28 days after the day on which the infringement notice is issued:
- (3) A person issued with an infringement notice is entitled to disregard the notice and defend the prosecution in court.

#### 8.20 Waiver & Withdrawal

- (1) Within 28 days of receiving an infringement notice a person may make a written request to the Council that the infringement notice be withdrawn:
- (2) A Director, Manager or Coordinator with the responsibility for the administration and enforcement of the Council's Local Laws may withdraw an infringement notice at any time either as a result of the consideration of a written representation received or with a view to prosecuting for an offence:
- —(3) Where an infringement notice is withdrawn, the person upon whom it was served is entitled to a refund of any payment which that person has made other than any costs which the Council has paid as part of the enforcement process.

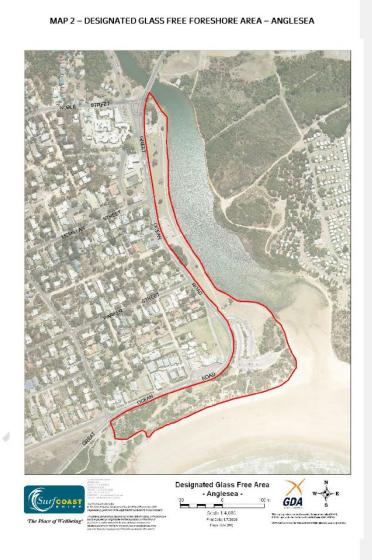
This Local Law was made by resolution of the Surf Coast Shire Council on 14 December 2011	
Signed on behalf of the Surf Coast Shire Council ) by Mark Davies, Chief Executive Officer ) pursuant to the instrument of delegation (dated 23 September 2009 in the presence of: )	
Witness	
Council provided notice to the public of the intention to make this Local Law which was duly advertised in the Victoria Government Gazette and The Echo and Surf Coast Times on 3 November 2011	
was duly advertised in the Victoria Government Gazette and The Echo on 22 December 2011 and the Surf Coast Times on 20 December 2011.	

# SCHEDULE 1 PENALTIES FIXED FOR INFRINGEMENT NOTICE PURPOSES

Provision	Offence	Penalty Units \$100	2021 Updated Penalty Units
2. <mark>31</mark>	Behaviour in Municipal Buildings contrary to Local Law	1	2
2.42	Access to Municipal Buildings	1	2
2.5 <u>3 -2.4</u>	Activities prohibited in reserves	1	2
3.1	Tapping into Council drains	4	5
3.2	Taking water from Council controlled standpipe	4	5
3.3	Interference with <u>watercourse</u>	3	4
3.4	Constructing <u>vehicle crossings</u>	3	4
3.5	Maintaining vehicle crossings	3	3
3.6	Directing vehicle crossing works	3	4
3.7	Asset protection infringements	3	4
3.8	Failing to manage building sites, contrary to Local Law	3	4
3.9(3)	Hoardings, fencing and barriers	3	4
3.10	Failure to display property numbers	1	2
4.1	Street parties, festivals and processions	3	4
4.2	Consuming or possessing alcohol contrary to Local Law	1.25	2
4.3	Open air fires and incinerators infringements	4	5
4.4	Fire hazards	2	3
4.5	Unsightly/detrimental to amenity and/or and/or dangerous land	2	3
4.6	Placing a shipping container contrary to Local Law	-	3
4.67	Camping <u>and using temporary accommodation</u> contrary to Local Law	1.25	3
4.7	Using a Caravan as Temporary Accommodation	2.5	
4.8	Sleeping in vehicles contrary to Local Law	1.25	3
4.9	Placing clothing recycling bins contrary to Local Law	2	3
4.10	Shopping trolleys infringements	1	2
4.11	Smoking in a smoke free area	1	2
4.12	Possessing/taking glass into a glass free area	1	2
4.13	Entering prohibited sand dune areas	2	3
4.14	Recreational vehicles on private land	1.5	3
4.15	Failing to remove graffiti from land	2	
4. <del>16<u>15</u></del>	Using a skateboard or other wheeled recreation device contrary to Local Law	.5	2
5.1	Keeping extra animals	2	3
5.2	Trespassing animal(s)	5	3
5.3(a)	Failing to have in their possession at all times a bag or container which can be used for the collection of animal	.5	2
F 24-1	excrement	2.5	
5.3(b)	Failing to collect animal litter contrary to Local Law	2.5	3
5.4	Failing to have effective control of an animal	-	2
5.4 <u>5</u>	Using a horse contrary to Local Law	2	3
6.1	Damaging Council roads	3	4

Provision	Offence	Penalty Units \$100	2021 Updated Penalty Units
6.2	Acting contrary to Local Law on Council land (behaviour)	2.5	3.5
6.3	Droving and grazing livestock contrary to Local Law	3	3
6.4	Using footpaths for commercial activities Commercial activities on Council land contrary to Local Law	3	4
<del>6.5</del>	Trading or collecting from a road	3	-
6. <u>65</u>	Using or altering Council land or a road (including a nature strip)	3	4
<u>6.6</u>	Storage of vehicles in excess of 7 continuous days	( a) 4	3
<u>6.7</u>	Collecting firewood from Council land	\(\frac{1}{2}\)	<u>3</u> 4
6.7 <u>8</u>	Using Council roads for works	3	
6.9	Unregistered, derelict or abandoned vehicles	2	3
6. <del>9</del> 10	Repairing vehicles on Council land or road	2	3
6. <del>10</del> 11	Selling of vehicles contrary to Local Law	2	3
6. <del>11</del> 12	Obstructions on land Locating trees & other obstacles to interfere with pedestrians & trafficl	2	3
6. <del>12</del> 13	Damage to Council assets from adjoining properties  Adjoining owners causing damage to Council land or road	3	4
7.1	Failing to properly dispose of domestic waste	2.5	3.5
7.2	Failing to properly dispose of trade commercial and industrial waste	5	6
<del>8.10</del> (9.1(a)-(g)	Various offences against Local Law as outlined Making a false declaration or representation	3	4
8.11	Failing to comply with directions of an authorised officer	2.5	=
8.15 <u>9.2</u>	Failing to comply with Notice to Comply, permit conditions or other Local Law requirements	3	4







# 4.3 SCS-044 Live Streaming Policy

Author's Title:Coordinator GovernanceGeneral Manager:John BertoldiDepartment:Governance & RiskFile No:F17/78Division:Governance & InfrastructureTrim No:IC21/1510

Appendix:

1. SCS-044 Live Streaming Policy (D21/175674)

2. SCS-044 Live Streaming Policy with tracked changes (D19/126685)

Officer Conflict of Interest:

In accordance with Local Government Act 2020 – Section 130:

Tyes

Status:

Defined as confidential information in accordance with Local Government Act 2020, Section 3(1):

Tyes

No

Status:

Defined as confidential information in accordance with Local Government Act 2020, Section 3(1):

## **Purpose**

Reason: Nil

The purpose of this report is to present the reviewed SCS-044 Live Streaming Policy to Council for adoption.

Reason: Nil

## Summary

Council's Live Streaming Policy governs the live streaming of meetings of Council and Delegated Committees. The Policy confirms Council's commitment to make all meetings which are open to the public widely accessible to all members of the municipal community. The Policy was initially adopted by Council in 2019, and has been reviewed to ensure accuracy and currency with best practice and legislative requirements.

## Recommendation

That Council adopts SCS-044 Live Streaming Policy as attached at Appendix 1.

## **Council Resolution**

# MOVED Cr Paul Barker, Seconded Cr Mike Bodsworth

That Council adopts SCS-044 Live Streaming Policy as attached at Appendix 1, subject to the end of section 5.5 of the SCS-044 Live Streaming Policy being re-worded to "...." Subject to this policy, access to view will be granted where a request has been made by a member of the public".

CARRIED 9:0

#### Voting

Voted on as follows:

Cr Stapleton Cr Wellington

For Against Abstained
Cr Allen Nil Nil
Cr Barker
Cr Bodsworth
Cr Gazzard
Cr Hodge
Cr Pattison
Cr Schonfelder

CARRIED 9:0

# 4.3 SCS-044 Live Streaming Policy

## Report

#### Officer Direct or Indirect Interest

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

#### Background

The Live Streaming Policy was initially adopted by Council in September 2019, and was reviewed in May 2020. The Policy governs the livestreaming and recording of meetings of Council and Delegated Committees, as well as the availability of meeting recordings.

#### Discussion

In reviewing the policy, officers identified and rectified the following areas:

- The Privacy provisions were considered to not conform with best practice, and the provisions have been amended to remove 'deemed consent', and rather to set out a method for managing the privacy of meeting attendees and participants.
- The definition if 'defamatory' was considered to be incomplete and has been amended.
- The Public Question Time section was not consistent with Council's Governance Rules, and has been amended.
- Minor grammatical and wording corrections has been applied throughout the document.

#### 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

## Reporting and Compliance Statements:

Local Government Act 2020 – LGA 2020

Implications	Applicable to this Report
Governance Principles	Yes
(Consideration of the Governance Principles under s.9 of LGA 2020)	
Policy/Relevant Law	Yes
(Consideration of the Governance Principles under s.9 of LGA 2020)	
Environmental/Sustainability Implications	No
(Consideration of the Governance Principles under s.9 of LGA 2020)	
Community Engagement	No
(Consideration of Community Engagement Principles under s.56 LGA 2020	
and Council's Community Engagement Policy SCS-017)	
Public Transparency	Yes
(Consideration of Public Transparency Principles under s.58 of LGA 2020)	
Strategies and Plans	No
(Consideration of Strategic Planning Principles under s.89 of LGA 2020)	
Financial Management	Yes
(Consideration of Financial Management Principles under s.101 of LGA	
2020)	
Service Performance	No
(Consideration of Service Performance Principles under s.106 of LGA 2020)	
Risk Assessment	No
Communication	Yes
Human Rights Charter	No

## Governance Principles - Local Government Act 2020 (LGA 2020)

By livestreaming and publishing recordings of Council and Delegated Committee meetings, this promotes the transparency of Council decisions, actions and information (s9(2)(i)), which has a strong connection to the prioritisation of achieving the best outcomes for the municipal community (s9(2)(b)).

# Policy/Relevant Law

This policy has been reviewed and updated in line with the requirements of the Local Government Act 2020.

Surf Coast Shire Council
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# 4.3 SCS-044 Live Streaming Policy

# **Public Transparency**

The Live Streaming Policy ensures that the public transparency principles are adhered to, by ensuring that all information which is open to the public is made publicly available. This includes the livestreaming of meetings which are closed to the public for security reasons, as well as meetings which are held virtually due to public health restrictions.

#### Risk Assessment

There are no identified Workplace Health and Safety implications associated with this report.

#### Communication

Once adopted, the Policy will be updated on Council's website, and all relevant public information and correspondence will be updated as required.

# **Options**

## Option 1 – Adopt SCS-044 Live Streaming Policy as attached at Appendix 1.

This option is recommended by officers as the Policy has undergone a thorough review and update by Council staff and all changes have been thoroughly considered.

# Option 2 – Adopt SCS-044 Live Streaming Policy with changes.

This option is not recommended by officers as all changes have been thoroughly considered and any additional changes may have unintended effects on the Policy which have not been assessed.

# Option 3 - Do not adopt SCS-044 Live Streaming Policy

This option is not recommended by officers as failure to adopt the reviewed Policy will result in significant improvements being discarded.

#### Conclusion

SCS-044 Live Streaming Policy has been reviewed and appropriate updates have been made. The Policy is now presented to Council for adoption.

Surf Coast Shire Council Council Meeting 28 September 2021 Page 432

# 4.3 SCS-044 Live Streaming Policy

# APPENDIX 1 SCS-044 LIVE STREAMING POLICY



We exist to help our community and environment to thrive

**COUNCIL POLICY** 

# SCS-044 - Live Streaming Policy

TRIM Reference: D19/126685 Due for Review: 1 October 2023

Responsible Officer: Manager Governance and Risk

#### **Purpose**

This policy outlines Surf Coast Shire Council's (Council) provisions for live streaming, and recording and publishing video and audio of its Council and Committee meetings that are open to the public.

#### **Policy Principles**

Surf Coast Shire Council is committed to providing live streaming and recording of Council and delegated committee meetings in order to:

- Provide a fuller public view of Council meeting proceedings;
- Present greater openness and transparency of Council's decision making processes;
   and
- Provide community access in a flexible and convenient way that is not impacted by geographic location.

#### Scope

This policy applies to:

- Council meetings and delegated committee meetings when open to the public in accordance with section 66(1) of the Local Government Act 2020;
- · Councillors and Council employees;
- Members of the public who attend and participate in Council or delegated committee meetings; and
- Members of the public who access Council and delegated committee meetings via the Council website or any other means provided and/or approved by Council.

#### **Policy**

Sessions open to the public of Council meetings and delegated committee meetings held in the Council Chamber, at 1 Merrijig Drive, Torquay, where practicable and possible, will be live streamed on the internet via Council's website at the time of the meeting. A recorded version of the Council or Committee meeting will be posted to the Council website approximately three days after the meeting has occurred where appropriate and possible.

Signage will be displayed in and near the Council Chamber immediately prior to and during Council meetings to alert people entering the gallery to the fact that the meeting is being video and audio streamed and recorded.

## 1. Meetings Closed to Public

- 1.1. Section 66 of the Local Government Act 2020 allows Council to resolve that the meeting be closed to members of the public under certain provisions.
- 1.2. Where a resolution has been made to close a meeting to the public for confidential reasons, the live streaming of the meeting will cease.

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#### **COUNCIL POLICY**

1.3. Where the meeting has been closed in accordance with section 66 for security reasons or to enable the meeting to proceed in an orderly manner, livestreaming and recording will continue.

#### 2. Public

- 2.1. All efforts will be made by Council to avoid streaming or recording video and audio of the public gallery.
- 2.2. Persons invited to speak during a meeting will be directed to a location in the Council Chamber which is not within the designated video capture area; however, a microphone will capture audio which will be live streamed and recorded.
- 2.3. Where the meeting is conducted by virtual means, the speaker's audio and video may be live streamed and recorded.
- 2.4. Where a member of the public participates in the meeting in any form, those members of the public are, in doing so, agreeing to be recorded.

#### 3. Public Question Time

3.1. When a member of the public asks a question during public question time, their name and suburb will be read out by the Chair or other designated individual prior to the question being asked. If the person wishes to have their name only, and not their suburb, read out, this must be clearly indicated when submitting their question via the prescribed methods as set out in Council's Governance Rules.

#### 4. Councillors

4.1. It is intended that the standard camera positions will provide live and recorded vision of all Councillors and delegated committee members who are present at a Council or delegated committee meeting, and live and recorded audio when they speak.

#### 5. Officers

- 5.1. Council officers who attend Council or delegated committee meetings and sit in the gallery are subject to section 2 of this policy.
- 5.2. General Managers, the CEO, and staff member/s recording the minutes of the Council meeting or providing other technical assistance may be seen in camera view through the live streaming and recording of the Council meeting.
- 5.3. The CEO and General Managers will be provided with microphones to capture and record audio where they may be required to respond to a question or communicate information to Council or the gallery during the course of the meeting.

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## **COUNCIL POLICY**

#### Access to Recordings

- 5.4. Council and delegated committee meetings that are streamed live on the internet will be processed by Council's service provider and recordings will be made available on Council's website, approximately 72 hours after the meeting.
- 5.5. Recordings of meetings will be accessible on Council's website for a period of approximately one year. Council will retain recordings of meetings and access to view may be granted where a request has been made by a member of the public.

#### 6. Technical Disclaimer

- 6.1. Where technical difficulties beyond Council's control prevent or interrupt the video and audio of a Council or Committee meeting, live stream and/or the recording may not be available. Every reasonable effort will be made to make available on Council's website the livestreaming and recordings of meetings.
- 6.2. Technical issues may include, but are not limited to, the availability of the internet, network or device failure or malfunction, or power outages.
- 6.3. If technical issues cause the livestreaming to be interrupted during a virtual meeting, or during a meeting closed to the public in accordance with section 66 of the Act for security reasons or to enable the meeting to proceed in an orderly manner, the meeting will be adjourned until the technical issues are resolved and the live streaming can continue. This adjournment should occur in accordance with Council's Governance Rules.

## 7. Legal Disclaimers

#### 7.1. Privacy

- 7.1.1. The camera equipment will be configured in a way which aims to avoid coverage of the public gallery area. Council will endeavour to ensure images in this area are not streamed and/or recorded. However, Council expressly provides no assurances to this effect, and attendees in the public gallery risk being video and/or audio recorded.
- 7.1.2. Appropriate signage will be placed at the entrance to the meeting location notifying all attendees that the meeting will be streamed live and recorded. Notice will also be given on Council's website and printed in the Council Meeting Agenda and on Public Question Time forms. At the commencement of each meeting, the Chair will state that the meeting will be livestreamed and that a video and audio recording of the meeting will be made publicly available for viewing on Council's website.
- 7.1.3. The following notice will be displayed at the entrance points to the Council Chamber and included in meeting agendas:

"Please note that this meeting is being recorded and streamed live on the internet in accordance with Council's policy. Recordings will be published on Council's website. The Council Chamber is set up so that only Councillors and staff are in frame of the recording. All care is taken to maintain your privacy however, as a visitor in the public gallery or member of the public submitting a question, your presence may be recorded."

7.1.4. Members of the public who participate in meetings conducted by virtual means in doing so are consenting to the broadcasting and recording of their image and/or voice. Individuals will be informed by the Chair at the commencement of any virtual

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## **COUNCIL POLICY**

meeting that they may turn off their video and use audio only if they do not wish to be video recorded.

#### 7.2. Liability

- 7.2.1. Opinions, comments or statements made during Council or Committee meetings are those of the individual, and not the opinions or statements of Council. Council does not, unless otherwise stated, endorse or support the views, opinions, or information captured and contained in the live streaming/recording of the Council and Committee meetings.
- 7.2.2. Council does not accept any responsibility for actions and comments made during Council and Committee meetings which are inaccurate, incorrect or defamatory, and does not warrant nor represent that the material or statements made during the streamed meetings are complete, reliable, accurate or free from error.
- 7.2.3. Local Government does not afford Councillors with parliamentary privilege during the course of Council meetings, or any other Council related activity. Therefore, all associated laws apply to actions made and words spoken during meeting proceedings. No protection is afforded to Councillors, employees or the public for comments made during meetings which are subsequently challenged in a court of law and determined to be; defamatory, inaccurate, or in contravention of any other current and enforceable law.
- 7.2.4. Whilst Council is not liable for any inaccurate or defamatory comments made by an individual at a meeting, it may, however, be liable if it publishes that material. Therefore, the CEO has discretion to direct the exclusion of all or part of any meeting recording which they deem to be inappropriate. Material considered as inappropriate may include, but is not limited to:
  - Inaccuracies
  - · Misinformation
  - Defamation
  - · Infringement of Copyright
  - Breach of Privacy / Disclosure of Personal Information
  - Offensive Behaviour including Discrimination
  - · Vilification or Inciting Hatred
  - · Confidential or Privileged Council Information
- 7.2.5. The Chair and/or CEO have the discretion and authority at any time during a meeting to direct the termination or interruption of live streaming if they believe it is appropriate to do so. Such direction will only be given in exceptional circumstances, where the content of debate is considered misleading, defamatory, or potentially inappropriate to be broadcast and published.
- 7.2.6. Council does not accept responsibility or liability for any loss, damage, cost, or expense incurred by any individual or entity as a result of the viewing, use or reliance on information or statements provided in the livestreaming/recording of Council meetings.
- 7.2.7. Council is under no obligation to provide live streaming or recordings of its Council or Committee meetings with the exception of virtual meetings held under Part 12 of the Local Government Act 2020; therefore, Council accepts no liability in the event that live streaming of a meeting, a recording of a meeting, or Council's website are unavailable.

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7.2.8. Viewing live or recorded video over the internet can consume larger than usual amounts of data. Council is not responsible or liable for any costs incurred by the viewer

#### 9. Licence and Use of Live Streams and Recordings

9.1. Surf Coast Shire Council live streamed and recorded video, images and audio must not be altered, reproduced or republished without the permission of Council. Copyright of this material belongs to Council. For any commercial or media queries or use, please contact Council's Media Unit.

#### **Local Government Act 2020 Principles**

Principles	Applicable to this policy	If yes, provide details
Governance Principles (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes	Applicable to section 9(2)(i) of the Local Government Act (LGA) 2020. 'the transparency of Council decisions, actions and information is to be ensured'
Community Engagement (Consideration of Community Engagement Principles under s.56 LGA 2020)	No	
<b>Public Transparency</b> (Consideration of Public Transparency Principles under s.58 of LGA 2020)	Yes	Livestreaming and recording of meetings ensures accessibility of information which is in the public interest to members of the municipal community.
Strategies and Plans (Consideration of Strategic Planning Principles under s.89 of LGA 2020)	No	
Financial Management (Consideration of Financial Management Principles under s.101 of LGA 2020)	No	
Service Performance (Consideration of Service Performance Principles under s.106 of LGA 2020)	No	

### **Definitions**

CEO - Chief Executive Officer, Surf Coast Shire Council

Chair - Person presiding over the meeting; usually the Mayor

Committee -As defined under sections 63 and 64 of the Local Government Act 2020.

**Closed Session** – A confidential section of a Council meeting that is closed to members of the public under Section 66 Local Government Act 2020.

Council - Surf Coast Shire Council

**Council Meeting** – a formal meeting of the Surf Coast Shire Council held in accordance with section 61 and section 62 of the Local Government Act 2020

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**Defamatory** – Material communicated to a third party which contravenes the relevant defamation legislation as in force at the time.

**Live Streaming** – To stream and broadcast a live event over the internet, with minimal delay to live coverage.

#### **Related Procedure**

Nil.

## **Document History**

Version	Document History	Approved by – Date
1		Council Resolution – 24 Sept 2019
2	LGA 2020 Update	Council Resolution – 26 May 2020
3	Scheduled Review	

Surf Coast Shire Council Council Meeting

# 4.3 SCS-044 Live Streaming Policy

# APPENDIX 2 SCS-044 LIVE STREAMING POLICY WITH TRACKED CHANGES



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**COUNCIL POLICY** 

# SCS-044 - Live Streaming Policy

TRIM Reference: D19/126685 Due for Review: 1 October 20230

Responsible Officer: Manager Governance and Risk

## **Purpose**

This policy outlines Surf Coast Shire Council's (Council) provisions for live streaming, and recording and publishing video and audio of its Council and Committee meetings that are open to the public.

#### **Policy Principles**

Surf Coast Shire Council is committed to providing live streaming and recording of Council and <a href="delegated cCommittee">delegated cCommittee</a> meetings in order to:

- Provide a fuller public view of Council meeting proceedings;
- Present greater openness and transparency of Council's decision making processes;
   and
- Provide community access in a flexible and convenient way that is not impacted by geographic location.

#### Scope

This policy applies to:

- Council meetings and <u>delegated cCommittee</u> meetings when open to the public in accordance with section 66(1) of the Local Government Act 2020;
- · Councillors and Council employees;
- Members of the public who attend and participate in Council or <u>delegated cCommittee</u> meetings; and
- Members of the public who access Council and <u>delegated cCommittee</u> meetings via the Council website or any other means provided and/or approved by Council.

#### **Policy**

Sessions open to the public of Council meetings and <u>delegated cCommittee</u> meetings held in the Council Chamber, at 1 Merrijig Drive, Torquay, where practicable and possible, will be live streamed on the internet via Council's website at the time of the meeting. A recorded version of the Council or Committee meeting will be posted to the Council website approximately three days after the meeting has occurred where appropriate and possible.

Signage will be displayed in and near the Council Chamber immediately prior to and during Council meetings to alert people entering the gallery to the fact that the meeting is being video and audio streamed and recorded.

## 1. Meetings Closed to Public

- 1.1. Section 66 of the Local Government Act 2020 allows Council to resolve that the meeting be closed to members of the public under certain provisions.
- 1.2. Where a resolution has been made to close a meeting to the public for confidential reasons, the live streaming of the meeting will cease.

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## **COUNCIL POLICY**

1.3. Where the meeting has been closed in accordance with section 66 for security reasons or to enable the meeting to proceed in an orderly manner, livestreaming and recording will continue.

#### 2. Public

- 2.1. All efforts will be made by Council to avoid streaming or recording video and audio of the public gallery.
- 2.2. Persons invited to speak during a meeting will be directed to a location in the Council Chamber which is not within the designated video capture area; however, a microphone will capture audio which will be live streamed and recorded.
- 2.3. Where the meeting is conducted by virtual means, the speaker's audio and video may be live streamed and recorded.
- 2.4. Where a member of the public participates in the meeting in any form, those members of the public are, in doing so, agreeing to be recorded.

#### 3. Public Question Time

- 3.1. If a questioner does not wish for any personal details (name, address, organisation representing) read out, this must be clearly indicated when submitting their question via the prescribed methods as set out in the Local Law No 2 of 2019 Council Meeting Procedures & Common Seal.
- 3.1. When a member of the public asks a question during public question time, their name and suburb will be read out by the Chair or other designated individual prior to the question being asked. If the person wishes to have their name only, and not their suburb, read out, this must be clearly indicated when submitting their question via the prescribed methods as set out in Council's Governance Rules.
- 3.2. Where a questioner is electing anonymity during the course of the meeting, the questioner can request to have their proxy or the Chief Executive Officer (CEO) read out the question. In this case either the proxy or the questioner must be present in the gallery at the time the question is read out.

#### 4. Councillors

4.1. It is intended that the standard camera positions will provide live and recorded vision of all Councillors and delegated committee members who are present at a Council or delegated committee Committee meeting, and live and recorded audio when they speak.

## 5. Officers

- 5.1. Council officers who attend Council or <u>delegated c</u>Committee meetings and sit in the gallery are subject to section 2 of this policy.
- 5.2. General Managers, the CEO, and staff member/s recording the minutes of the Council meeting or providing other technical assistance may be seen in camera view through the live streaming and recording of the Council meeting.
- 5.3. The CEO and General Managers will be provided with microphones to capture and record audio where they may be required to respond to a question or communicate information to Council or the gallery during the course of the meeting.

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## **COUNCIL POLICY**

#### Access to Recordings

- 5.4. Council and <u>delegated</u> <u>cC</u>ommittee meetings that are streamed live on the internet will be processed by Council's service provider and <u>recordings will be</u> made available on Council's website, approximately 65-72 hours after the meeting.
- 5.5. Recordings of meetings will be accessible on Council's website for a period of approximately one year. Council will retain recordings of meetings and access to view may be granted where a request has been made by a member of the public.

#### 6. Technical Disclaimer

- 6.1. Where technical difficulties beyond Council's control prevent or interrupt the video and audio of a Council or Committee meeting, live stream and/or the recording may not be available. Every reasonable effort will be made to make available on Council's website the live-streaming and recordings of meetings.
- 6.2. Technical issues may include, but are not limited to, the availability of the internet, network or device failure or malfunction, or power outages.
- 6.2.6.3. If technical issues cause the livestreaming to be interrupted during a virtual meeting, or during a meeting closed to the public in accordance with section 66 of the Act for security reasons or to enable the meeting to proceed in an orderly manner, the meeting will be adjourned until the technical issues are resolved and the live streaming can continue. This adjournment should occur in accordance with Council's Governance Rules.

#### 7. Legal Disclaimers

#### 7.1. Privacy

- 7.1.1. The camera equipment will be configured in a way which aims to avoid coverage of the public gallery area. Council will endeavour to ensure images in this area are not streamed and/or recorded. However, Council expressly provides no assurances to this effect, and attendees in the public gallery risk being video and/or audio recorded. and in the event that a person's image is webcast, by remaining in the public gallery area, it is assumed that consent has been given to the Council to broadcast the individual's image.
- 7.1.2. A privacy notice will be displayed in the public gallery area to notify visitors of live streaming and recording of meetings. The meeting Chair will also be provided with a script to alert members of the gallery of the live streaming and recording of the meeting at the commencement of the meeting. It is therefore the individual's responsibility to determine if they have privacy concerns and to choose to stay or leave the meeting.
- 7.1.2. Appropriate signage will be placed at the entrance to the meeting location notifying all attendees that the meeting will be streamed live and recorded. Notice will also be given on Council's website and printed in the Council Meeting Agenda and on Public Question Time forms. At the commencement of each meeting, the Chair will state that the meeting will be livestreamed and that a video and audio recording of the meeting will be made publicly available for viewing on Council's website.
- 7.1.3. The following notice will be displayed at the entrance points to the Council Chamber and included in meeting agendas:

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"Please note that this meeting is being recorded and streamed live on the internet in accordance with Council's policy. Recordings will be published on Council's website. The Council Chamber is set up so that only Councillors and staff are in frame of the recording. All care is taken to maintain your privacy however, as a visitor in the public gallery or member of the public submitting a question, your presence may be recorded."

7.1.3.7.1.4. Members of the public who participate in meetings conducted by virtual means in doing so are consenting to the broadcasting and recording of their image and/or voice. Individuals will be informed by the Chair at the commencement of any virtual meeting that they may turn off their video and use audio only if they do not wish to be video recorded.

#### 7.2. Liability

- 7.2.1. Opinions, comments or statements made during Council or Committee meetings are those of the individual, and not the opinions or statements of Council. Council does not, unless otherwise stated, endorse or support the views, opinions, or information captured and contained in the live streaming/recording of the Council and Committee meetings.
- 7.2.2. Council does not accept any responsibility for actions and comments made during Council and Committee meetings which are inaccurate, incorrect or defamatory, and does not warrant nor represent that the material or statements made during the streamed meetings are complete, reliable, accurate or free from error.
- 7.2.3. Local Government does not afford Councillors with parliamentary privilege during the course of Council meetings, or any other Council related activity. Therefore, all associated laws apply to actions <a href="made">made</a> and words spoken during meeting proceedings. No protection is afforded to Councillors, employees or the public for comments made during meetings which are subsequently challenged in a court of law and determined to be; defamatory, inaccurate, slanderous, or in contravention of any other current and enforceable law.
- 7.2.4. Whilst Council is not liable for any inaccurate or defamatory comments made by an individual at a meeting, it may, however, be liable if it publishes that material. Therefore, the CEO has discretion to direct the exclusion of all or part of any meeting recording which they deem to be inappropriate. Material considered as inappropriate may include, but is not limited to:
  - Inaccuracies
  - Misinformation
  - Defamation
  - · Infringement of Copyright
  - Breach of Privacy / Disclosure of Personal Information
  - · Offensive Behaviour including Discrimination
  - · Vilification or Inciting Hatred
  - · Confidential or Privileged Council Information
- 7.2.5. The Chair and/or CEO have the discretion and authority at any time during a meeting to direct the termination or interruption of live streaming if they believe it is advisable appropriate to do so. Such direction will only be given in exceptional circumstances, where the content of debate is considered misleading, defamatory, or potentially inappropriate to be broadcast and published.

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## **COUNCIL POLICY**

- 7.2.6. Council does not accept responsibility or liability for any loss, damage, cost, or expense incurred by any individual or entity as a result of the viewing, use or reliance on information or statements provided in the live-streaming/recording of Council meetings.
- 7.2.7. Council is under no obligation to provide live streaming or recordings of its Council or Committee meetings with the exception of virtual meetings held under Part 12 of the Local Government Act 2020; therefore, Council accepts no liability in the event that live streaming of a meeting, a recording of a meeting, or Council's website are unavailable.
- 7.2.8. Viewing live or recorded video over the internet can consume larger than usual amounts of data. Council is not responsible or liable for any costs incurred by the viewer.

#### 9. Licence and Use of Live Streams and Recordings

9.1. Surf Coast Shire Council live streamed and recorded video, images and audio must not be altered, reproduced or republished without the permission of Council. Copyright of this material belongs to Council. For any commercial or media queries or use, please contact Council's Media Unit.

#### **Local Government Act 2020 Principles**

<u>Principles</u>	Applicable to this policy	If yes, provide details
Governance Principles (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes	Applicable to section 9(2)(i) of the Local Government Act (LGA) 2020.  'the transparency of Council decisions, actions and information is to be ensured'
Community Engagement (Consideration of Community Engagement Principles under s.56 LGA 2020)	<u>No</u>	
Public Transparency (Consideration of Public Transparency Principles under s.58 of LGA 2020)	Yes	Livestreaming and recording of meetings ensures accessibility of information which is in the public interest to members of the municipal community.
Strategies and Plans (Consideration of Strategic Planning Principles under s.89 of LGA 2020)	<u>No</u>	
Financial Management (Consideration of Financial Management Principles under s.101 of LGA 2020)	No	
Service Performance (Consideration of Service Performance Principles under s.106 of LGA 2020)	<u>No</u>	

#### **Definitions**

CEO - Chief Executive Officer, Surf Coast Shire Council

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## **COUNCIL POLICY**

Chair - Person presiding over the meeting; usually the Mayor

**Committee** –As defined under section 86 of the Local Government Act 1989 and sections 63 and 64 of the Local Government Act 2020.

**Closed Session** – A confidential section of a Council meeting that is closed to members of the public under Section 66 Local Government Act 2020.

Council - Surf Coast Shire Council

**Council Meeting** – a formal meeting of the Surf Coast Shire Council held in accordance with section 61 and section 62 of the Local Government Act 2020

**Defamatory** — Material communicated to a third party which contravenes the relevant defamation legislation as in force at the time. Tending to disgrace or lower public opinion of a person or to harm a person's reputation.

**Live Streaming** – To stream and broadcast a live event over the internet, with minimal delay to live coverage.

#### **Related Procedure**

Nil.

## **Document History**

Version	Document History	Approved by – Date
1		Council Resolution – 24 Sept 2019
2	LGA 2020 Update	Council Resolution – 26 May 2020
3	Scheduled Review	

#### 4.4 **Annual Report - Road Management Activities**

Author's Title: Manager Engineering Services General Manager: John Bertoldi **Department: Engineering Services** File No: F18/1655-2 Division: Governance & Infrastructure Trim No: IC21/1456

Appendix:

Nil

Officer Conflict of Interest: Status:

In accordance with Local Government Act 2020 -Defined as confidential information in accordance with Local Government Act 2020, Section 3(1):

Section 130:

No No Yes Yes

Reason: Nil Reason: Nil

## **Purpose**

The purpose of this report is to provide Council and the community with an overview of key road management activities carried out during the last financial year to the end of June 2021.

## Summarv

The report provides Council and community with information for this period relating to:

- Compliance with the Road Management Plan
- Overview of maintenance activities
- Overview of key capital works activities
- Road safety program

## Recommendation

That Council:

- 1. Notes the performance against the timeframes set in the Road Management Plan.
- 2. Notes that a range of other road management activities have been delivered across the municipality.

## **Council Resolution**

## MOVED Cr Kate Gazzard, Seconded Cr Adrian Schonfelder

That Council:

- Notes the performance against the timeframes set in the Road Management Plan.
- Notes that a range of other road management activities have been delivered across the municipality.

CARRIED 9:0

## Voting

Voted on as follows:

For **Against Abstained** 

Cr Allen Cr Barker

Cr Bodsworth

Cr Gazzard

Cr Hodge

Cr Pattison

Cr Schonfelder

Cr Stapleton

Cr Wellington

**CARRIED 9:0** 

# 4.4 Annual Report - Road Management Activities

## Report

#### Officer Direct or Indirect Interest

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

#### Background

Council is responsible for approximately 1,083 kms of the local road network, comprising both sealed and unsealed roads in urban and rural areas. Council is continuing to work on an integrated management system for road-related activities, as outlined in Figure 1 below.

Figure 1 - Integrated Road Management System Overview



This activity report has been prepared to provide information regarding a range of road-related activities with a focus on outcomes and achievements against key objectives where they have been set.

## **Discussion**

The report has been broken down into a number of sections to assist with the presentation of the information.

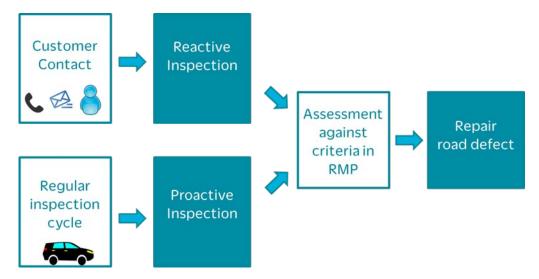
## 1. Road Management Plan Overview

Council's primary obligations, powers and functions as a road authority are founded in the Road Management Act 2004. The Road Management Plan (RMP) is an important document through which Council demonstrates how it will meet its duty of care to road users, in particular the service levels relating to the inspection, repair and maintenance of roads and footpaths.

Council responds to issues raised by customers through reactive inspections. Council also has a program of proactive inspections across the network based on a risk management approach. If the inspections identify defects or hazards that exceed the intervention levels set through the RMP, the defect is scheduled for repair. The process for inspections and repairs is shown in Figure 2 below.

Figure 2 – Inspection and Repair of Roads - Process Overview

# 4.4 Annual Report - Road Management Activities

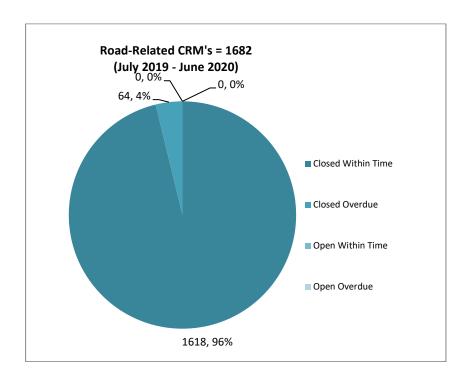


The RMP sets out the service levels relating to timeframes and intervention levels for most road-related defects. The following datasets (figures 3, 5 and 6) present performance against the three activities outlined in the process diagram above.

The RMP sets out the service levels relating to timeframes and intervention levels for most road-related defects. The following datasets (figures 3, 5 and 6) present performance against the three activities outlined in the process diagram above.

Customer requests are registered as CRM's for tracking and performance measurement. Performance against the service levels set in the RMP for these inspections is shown in Figure 3 below.

Figure 3 - Compliance of Reactive Inspections with the RMP Service Levels

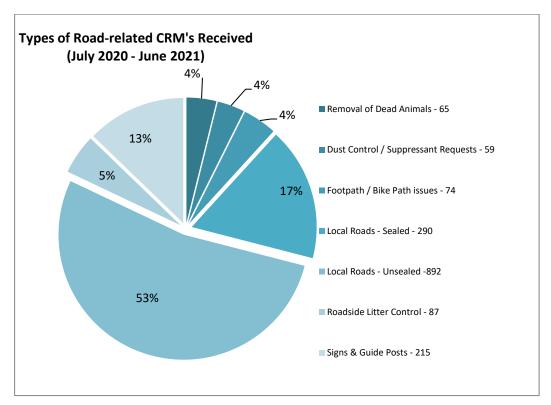


# 4.4 Annual Report - Road Management Activities

Figure 3 indicates that of the defects arising from customer requests, 1682 (i.e. 96%) were completed within the target timeframes and three remained open at the end of the period.

Figure 4 provides information about the type of issue raised by customers during the period.

Figure 4 – Types of issues raised by customers in the period



Approximately half of the customer requests relate to unsealed roads. Council undertakes routine road inspections on a schedule set through the RMP. These inspections are grouped into three geographic areas of the municipality. Some roads may be inspected more than once in the period, while others may be inspected on a cycle that is outside of this period. The length of roads inspected is detailed in the Table 1.

Table 1 - Compliance of Proactive Inspections with the RMP Service Levels

Zone	2020 – 21			
	Inspections	Length(km)	Inspections within time	Inspections overdue
Road - Eastern	4322	1538.3	4263	0
Road - South Western	1033	405.3	1030	0
Road - North Western	2056	1734.7	2012	0
Footpath - Eastern	1498	302.1	1447	0
Footpath – South Western	142	33.7	145	0
Footpath – North Western	150	31.7	147	0
Totals	9201	4046.0	8752	0

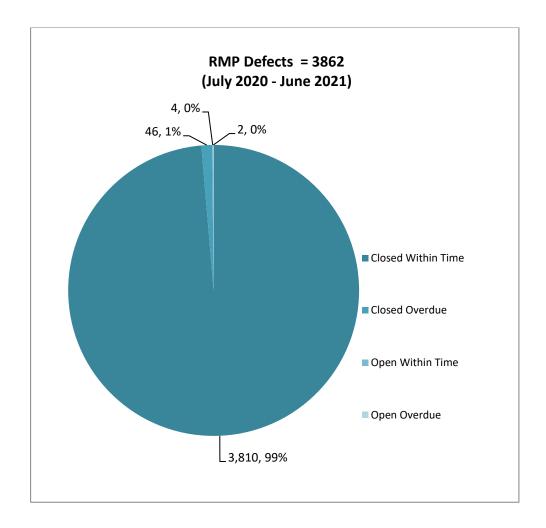
## 4.4 Annual Report - Road Management Activities

All programmed inspections were completed within the timeframes set in the RMP.

Council has established different timeframes for the repair of different types of defects, e.g. pot holes and missing signs have different timeframes. The target timeframes apply consistently regardless of whether the defect is identified through a reactive inspection (i.e. initiated by customer) or proactive inspection (i.e. through Council's routine inspections).

Figure 5 details compliance with the timeframes for repair of defects as set in the RMP.

Figure 5 – Compliance of Repair of Defects with the RMP Service Levels

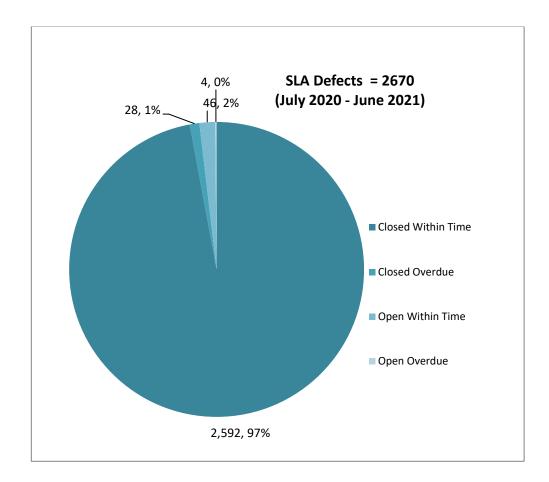


Of the 3862 defects repaired in the period, 3810 of these were completed within the target timeframes in the RMP, representing 99% of completed tasks.

All of the defects identified and programmed within the agreed timeframes. While the majority of safety-related defects are detailed in the RMP, there are a number of activities that are delivered through a separate Service Level Agreement (SLA). Compliance against these timeframes are presented in Figure 6 below.

## 4.4 Annual Report - Road Management Activities

Figure 6 - Compliance of Repair of Defects with the SLA Service Levels



Of the 2670 tasks that relate to the SLA rather than the RMP, 2592 were completed within the target timeframes in the RMP, representing 97% of completed tasks.

## 2. Maintenance Activities

Council undertakes a range of routine maintenance activities each year, with an overview of key activities highlighted below:

## a. Dust Suppression Program

The dust suppression program was delivered in the second and third quarter prior to the summer holiday season. This has been a very successful program in the past which generates considerable interest. The number of requests continues to increase as traffic volumes increase across the network.

# b. Line Marking

The line marking program has commenced with 100% of the program complete.

# c. Unsealed Road Grading Program

Council has continued its grading program in accordance with its inspection program. Proactive pavement shaping and drain cleaning has been carried out on a number of roads. Council has graded 1491km of roads this year.

## 3. Capital Works Activities

## a. Unsealed Roads Resheet Program

Council undertakes cyclic reviews of the overarching condition of all of its assets including sealed and unsealed roads. These inspections are focussed on structural integrity of the road assets rather than the day-to-day condition. The asset condition assessments may identify where an asset can no

# 4.4 Annual Report - Road Management Activities

longer support intended service without excessive maintenance costs. These roads become asset renewal candidates with unsealed roads being resheeted through importing, placing and compacting new rock material.

The roads identified for the 2020-21 resheet program are listed in Table 2.

Table 2 - Resheet Program 2020-21

Road	Section
<b>Buckley School Road</b>	Princes Hwy To Mt Pollock Rd Wainewrights Lane
McGilvrays Lane	Winch/Deansmarsh To Water Channel
Babenorek Track	Pennyroyal Valley Road To End
Nobles Road, Gnarwarre	Volums Rd To House #190
McConachy Road	Hopkins St To Bambra Rd
Cambridge Street	Dangers Rd To Lyons St
Bambra-Aireys Inlet Road	Painkalac Resv (From Ch 1110m) To To Breakfast Ck Rd
Fultons Lane	Cape Otway Rd To Ch 1200m (South side of Property 75)
<b>Gnarwarre Road</b>	Peels Rd To Inverleigh Road
Flaxbournes Road	Portreith Rd To Forest Rd (Deferred to 20/21)
Dickins Road	Williams Rd To Ghazeepore Rd
Blackgate Road	End of Seal heading west for 1000 metres
<b>Ghazeepore Road</b>	Dickins Rd To Blackgate Rd (Deferred to 20/21)

## b. Reseal Program

Road seals also undergo asset condition assessments to identify asset renewal candidates. The roads included in Table 3 are identified in the 2020-21 program. Preparation has commenced on a number of projects with patching, regulation of pavements, shoulder maintenance, drain clearing and vegetation management.

Table 3 - Reseal Program 2020-21

Road	Section
<b>Duffields Road</b>	Great Ocean Rd to Meaby St
Barrabool Road	Andersons Road To Hendy Main Road
Cressy Road, Ombersley	Eastside of Property 1095 To Property 1200
Hendy Main Road, Mount	
Moriac	Barrabool Rd To Princes Hwy
Della Avenue	Anderson St To End Of Road
Pennyroyal Valley Road	Sealed Section for about 1000 metres
Brickmakers Road	Intersection - Winchelsea-Deans Marsh Rd
Beal Court	Intersection seal at Worland St
Aurel Road	Intersection at Birregurra Deans Marsh Rd
Rudd Avenue	Bell Street To Price Street
Time Court	Scammell Crescent To End Of Street (Asphalt Overlay)
Varydale Avenue	Darian Road To Cowrie Road (Asphalt Overlay)

## c. New Works and Network upgrades

Works have been completed on the reconstruction of Cape Otway Road.

The majority of work has been completed on Mousley Road. The sealing contractor needs to attend site to finalise some works once weather permits.

A short section of Gundry's road was constructed and sealed to improve road safety.

## 4.4 Annual Report - Road Management Activities

## 4 Road Safety Program

Council has developed a Road Safety Strategy with key partners to guide safety-related activities over a four year period. An overview of activities is provided below:

## a. Capital Improvements

- Road safety improvements at Lower Mt Duneed at Railway Crossing (Blackspot funded location)
- Road safety improvement and Widening Cape Otway Road
- Barwon Terrace outstand and speed awareness project
- Road safety improvements on Messmate Road at intersection of Briody Drive
- Pedestrian improvements Fischer street at Deep creek
- Bike racks at various bus stops (active travel project)
- Deans Marsh footpath construction
- · Raised platform on river reserve road Anglesea
- Raised platform at Jan Juc Kinder car park
- Planned Pedestrian island works at Quay Blvd to reserve
- Guard rail installation on Barwon Park Road.
- Cape Otway widening and Rehab at Church Road intersection
- Pedestrian wombat crossing Torquay town centre Bristol Road, Pearl street and Gilbert Street

## b. Program Development

- Rural Road Safety Audit currently undertaken on Atkins Road and Blackgate Road (unsealed section).
- Intersection Road safety design for future funded LRCI grant works at Horseshoe Bend/Blackgate Road intersection
- Successful in requests and installation of speed reduction on Blackgate Road to 80km/hr and Aireys inlet lighthouse precinct to 40k/hr.
- Rural road sealing safety improvements being developed for Wensleydale station road intersection
- Speed review of 11 locations including Coombes, Grossmans Road precinct, Erskine Falls Road, HSB road at Culvert crossing and Dickins Road Freshwater creek
- Successful application for Blackspot funding 2021/22 location at Cape Otway Road Lloyd Mews to town centre
- Development of 5 possible Blackspot applications for consideration in 2022/23
- Pedestrian improvement LATM Torquay town centre TAC part funded
- Road safety improvements at Legacy Drive

# 4.4 Annual Report - Road Management Activities

- Pearl Street/Bristol Road intersection improvements Design phase
- Grays Road widening and rehab works for improved heavy vehicle movements Design phase
- Barwon Park road Widening and Rehab Design Phase
- Lorne School TM improvements design phase
- Bingley Parade TM improvements design phase
- Torquay North traffic study
- Ongoing response to community requests on local traffic, pedestrian, cycling, speed concerns
- Continuous monitoring and review of the road network

# c. Strategy development

- Road Safety Strategy 2021-2026 currently under review
- Safer cycling strategy currently being developed
- · Pathway strategy currently being review

## d. Education and Awareness

Council has recognised that its role in road safety extends beyond the provision and maintenance if infrastructure. Education is an important element in assisting road users to be safe. Council has a mobile speed detection trailer to advice drivers of their speed.

The speed trailer has been deployed to various locations during this period to provide road safety messaging.

The speed education campaign for various high speed roads over the year on high risk speed roads in both rural and urban areas

School safety banners installed at Deans Marsh and Moriac School to address road safety issues

Looking after your mates educational programmes have been offered to the 2 local high schools on hold due to COVID-19.

Bike safety programs at primary schools to promote safe active travel through Bike Ed program

Ongoing work with schools on active travel and safe routes to school programs.

#### Council Plan

Theme 3 Balancing Growth

Objective 3.2 Ensure infrastructure is in place to support existing communities and provide for growth Strategy 3.2.4 Ensure appropriate funding mechanisms are in place to support future growth including

developer contributions

Theme 3 Balancing Growth

Objective 3.4 Understand and manage the impact of population and visitation growth in neighbouring

municipalities and our own shire

Strategy 3.4.4 Explore the impact of increased traffic on the road network including inland transport

routes

Theme 5 High Performing Council

Objective 5.2 Ensure that Council decision-making is balanced and transparent and the community is

involved and informed

# 4.4 Annual Report - Road Management Activities

Strategy 5.2.3 Use technology to make Council decision-making more accessible

### Reporting and Compliance Statements:

Local Government Act 2020 - LGA 2020

Implications	Applicable to this Report
Governance Principles	Yes
(Consideration of the Governance Principles under s.9 of LGA 2020)	
Policy/Relevant Law	Yes
(Consideration of the Governance Principles under s.9 of LGA 2020)	
Environmental/Sustainability Implications	Yes
(Consideration of the Governance Principles under s.9 of LGA 2020)	
Community Engagement	Yes
(Consideration of Community Engagement Principles under s.56 LGA 2020	
and Council's Community Engagement Policy SCS-017)	
Public Transparency	Yes
(Consideration of Public Transparency Principles under s.58 of LGA 2020)	
Strategies and Plans	Yes
(Consideration of Strategic Planning Principles under s.89 of LGA 2020)	
Financial Management	Yes
(Consideration of Financial Management Principles under s.101 of LGA	
2020)	
Service Performance	Yes
(Consideration of Service Performance Principles under s.106 of LGA 2020)	
Risk Assessment	Yes
Communication	Yes
Human Rights Charter	Yes

# Governance Principles - Local Government Act 2020 (LGA 2020)

Council aims to deliver good service to its community through prompt and effective maintenance of its road network

#### Policy/Relevant Law

Inclusive of delivery of Council's Road Management Plan in accordance with the Road Management Act.

#### Environmental/Sustainability Implications

The report has no environmental implications

## Community Engagement

Management of the road network includes a variety of activities, many of which are not visible across the whole community. Council will seek opportunities to provide the community with an increased understanding of the broad range of activities that are undertaken, and this report provides some information about this.

In accordance with Council's Community Engagement Policy SCS-017, the engagement level varies dependent on specific works.

## Public Transparency

This report to an open meeting of Council as well as the public notice and calling for submissions are processes that are transparent to the community

#### Strategies/Plans

Inclusive of delivery of Council's Road Management Plan in accordance with the Road Management Act.

## 4.4 Annual Report - Road Management Activities

## Financial Management

There is no financial implication with the recommendation contained in this report.

#### Service Performance

There is no financial implication with the recommendation contained in this report.

#### Risk Assessment

There are no identified Workplace Health and Safety implications associated with this report.

## Communication

The report is a public document that can be accessed through Council's website and may be promoted through media and social media. Officers will also draw the report to the attention of Moriac Community Network group and other community-based groups that have demonstrated an ongoing interest in road management matters.

## **Human Rights Charter**

The proposal will not impact one or more human rights recognised in the Charter

### **Options**

## Option 1 – Endorse the officer's recommendation

This option is recommended by officers because it is consistent with the purpose of the report, which is to provide information on road management metrics and outcomes rather than seek direction or decision from Council at this time.

# Option 2 – Not endorse the officer's recommendation

This option is not recommended by officers as although it would have no impact on the tasks already undertaken it does not recognise the work undertaken by Council over the past 12 months.

#### Conclusion

The information contained in this report supports a conclusion that Council is performing well against the service levels in the Road Management Plan, albeit not achieving 100% compliance at this time.

The information also demonstrates that Council has a range of activities underway across the network that relate to both infrastructure management and driver education.

Key performance metrics against the Road Management Plan include:

- 95% of reactive inspections (arising from customer contact) were completed within the timeframes set in the Road Management Plan (refer to Figure 3)
- 100% of programmed inspections (scheduled by Council) were completed within the timeframes set in the Road Management Plan (refer to Table 1)
- 99% of completed tasks to repair defects were completed within the timeframes set in the Road Management Plan (refer to Figure 5)
- 0.4% of the tasks to repair defects are still open within the timeframes set in the Road Management Plan (refer to Figure 5).

## Other observations include:

- Almost half of customer contact relates to the unsealed road network
- 98% of completed tasks to repair defects that sit outside of the RMP (were completed within the timeframes set in the Service Level Agreement (refer to Figure 6)
- Annual maintenance activities are progressing and an action plan has been developed to use the additional unsealed road funding in areas to improve customer service and improved quality of work
- The 2020 21 Resheet program has been completed with no project deferred to 2021/22 and Reseal Programs projects now complete with two projects deferred to 2021/22.

# 4.4 Annual Report - Road Management Activities

The 2021-22 Road Safety Program is now prepared with some projects from the previous financial year to be programmed early this year.

# 4.5 Blackspot Funding Grant Opportunities 2022/23

Author's Title: Coordinator Design & Traffic General Manager: John Bertoldi Department: **Engineering Services** File No: F21/655 Division: Governance & Infrastructure Trim No: IC21/1485 Appendix: Nil Officer Conflict of Interest: Status: In accordance with Local Government Act 2020 -Defined as confidential information in accordance with Local Government Act 2020, Section 3(1): Section 130: Yes Yes Reason: Nil Reason: Nil

## **Purpose**

The purpose of this report is to

- 1. Inform Council of the 2021/22 projects that Officers are planning on submitting to the Federal Government Blackspot Funding grant program
- 2. Seek agreement from Council to pursue these grant opportunities in line with the recommendations

## Summary

Department of Transport (DoT) has invited Surf Coast Shire Council to apply for 2022-23 blackspot grant funding at locations within Councils local road network. Submissions to this program are due by 29 October 2021. Officers are currently finalising these funding submissions. Through adoption of the 2016-21 Road Safety Strategy, Council committed to pursuing blackspot funding applications for projects that would address local roads with high accident data (strategy action 1.1).

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

- Horseshoe Bend Road between Quay Boulevard and South Beach Road, Torquay:- safety improvements to include raised hump, roundabout modifications, gateway treatment, line marking and green pavement treatments up to the value of \$200,000.
- Cape Otway Road West Winchelsea Deans Marsh Road to Kildean Road:- Safety improvements including guard fence, speed reduction along with line marking and signage works up to a value of \$225,000
- Beach Road between Surf Coast Highway and Kooringa Place, Torquay:- safety treatments including raised crossing, line marking and lane narrowing works up to the value of \$90,000.
- Ghazeepore Road between Blackgate Road and Coombes Road:- safety improvements to include guard fence, line marking and localised widening, guide post road delineation works up to the value of \$350,000
- Atkins Road between Buckley Road South and Mathisons Road:- Safety improvements including barrier at high risk locations, intersection lighting improvements, raised reflective pavement markers and improved signs and delineation up to a value of \$500,000.

If successful these projects would be fully funded through the blackspot funding program administered by DoT. There will be no requirement for a Council contribution. Council has been successful in securing blackspot funding in recent years. In 2020-21 Council successfully attracted funding of \$1,680,000 (inclusive of DoT admin costs) for improvement works on Cape Otway Road East – Considines Road to Hendy Main Road.

## Recommendation

That Council:

- 1. Authorises officers to lodge and pursue Blackspot funding opportunities for the following projects:
  - 1.1 Horseshoe bend road between Quay Boulevard and South Beach Road, up to an estimated project cost of \$200,000;
  - 1.2 Cape Otway Road West, between Winchelsea-Deans Marsh Road and Kildean Road up to an estimated project cost of \$225,000;

## 4.5 Blackspot Funding Grant Opportunities 2022/23

- 1.3 Beach Road between Surf Coast Highway and Kooringa Place up to an estimated project cost of \$90,000;
- 1.4 Ghazeepore Road between Blackgate Road and Coombes Road up to an estimated project cost of \$350,000;
- 1.5 Atkins Road between Buckley Road South and Mathisons Road up to an estimated project cost of \$500,000.
- 2. Authorises the Chief Executive Officer to sign blackspot funding agreements on behalf of Council for any application that is successful.

#### **Council Resolution**

## MOVED Cr Adrian Schonfelder, Seconded Cr Mike Bodsworth

That Council:

- 1. Authorises officers to lodge and pursue Blackspot funding opportunities for the following projects:
  - 1.1 Horseshoe bend road between Quay Boulevard and South Beach Road, up to an estimated project cost of \$200,000;
  - 1.2 Cape Otway Road West, between Winchelsea-Deans Marsh Road and Kildean Road up to an estimated project cost of \$225,000;
  - 1.3 Beach Road between Surf Coast Highway and Kooringa Place up to an estimated project cost of \$90,000;
  - 1.4 Ghazeepore Road between Blackgate Road and Coombes Road up to an estimated project cost of \$350,000;
  - 1.5 Atkins Road between Buckley Road South and Mathisons Road up to an estimated project cost of \$500,000.
- 2. Authorises the Chief Executive Officer to sign blackspot funding agreements on behalf of Council for any application that is successful.

CARRIED 9:0

#### Voting

Voted on as follows:

Cr Stapleton Cr Wellington

For Against Abstained
Cr Allen Nil Nil
Cr Barker
Cr Bodsworth
Cr Gazzard
Cr Hodge
Cr Pattison
Cr Schonfelder

CARRIED 9:0

## 4.5 Blackspot Funding Grant Opportunities 2022/23

## Report

#### Officer Direct or Indirect Interest

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

#### Background

Council adopted the current Road Safety Strategy and Action Plan in July 2016. A new Road Safety Strategy is currently in development for 2022-2027 This current strategy targets towards a zero death toll on roads within the Surf Coast Shire Council region. To achieve this it is vital that Council seek to address high accident locations across our network. One of the key opportunities for Council is to seek funding for road safety improvements at high risk locations is through the Federal Blackspot Program. This was identified within the adopted strategy. Department of Transport has recently approached Surf Coast Shire Council regarding this grant application for 2022-23 funding, recommending that Council apply for blackspot locations within the Surf Coast Shire managed local road network.

#### **Discussion**

The Federal Blackspot Program is funded by the Federal Government and is administered by the Victorian Department of Transport with grant applications decided upon by a consultative panel.

To qualify for funding under the program potential projects must meet a stringent set of criteria based around crash data analysis. The projects listed below were chosen as they:

- Meet the Federal Blackspot Program's current funding criteria (refer below for details)
- Align with current Council priorities identified through the SCSC Road Safety Strategy and/or subsequent road safety audits
- Are considered to have a reasonable probability of being successful as they achieve a good cost benefit ratio (projects under this program are prioritised in accordance with the benefit cost ratio they achieve - standardised formula applies)
- Will help upgrade Councils network and aid Council to meet our obligations to provide a safe and efficient road network.

Federal Black Spot Program Criteria are as follows:

- Crash stats for the period must be 1/7/15 to 30/06/20
- Benefit Cost Ratio (BCR) > 2
- Total Estimate Cost < \$2 million
- Blackspots Minimum of 3 casualty crashes
- Blacklengths Minimum of 1 injury crash per km over the five year period i.e. 0.2/km/yr
- Projects to be completed within one financial year

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

Council has been successful over the last two years in attracting \$2,630,000 of funding through this program

# 4.5 Blackspot Funding Grant Opportunities 2022/23

The projects that Council staff are developing for funding applications that meet the criteria are included in the table below

Road Name	Project Length (m)	Problem Definition	Project Description	Estimated Funding to be sought
Horseshoe Bend Road: Quay Blvd to South Beach Road	1000	High number of cyclist related crashes, improve cycle lanes and access through roundabouts	Raised intersection platform on side road approach to South Beach Road RAB, line marking, cycle lane paint at conflict points, Gateway treatments and roundabout modification	\$200,000
Cape Otway Road West: Winchelsea - Deans Marsh Rd to Kildean Rd	4500	Run-off road crash pattern involving vehicles losing control and turning onto private accesses	Guardrail installation, speed reduction from 100kph to 80kph, additional signage and edge line marking with raised reflective pavement markers	\$225,000
Beach Road: Surf Coast Highway to Kooringa Place	215	Crash history from Surf Coast Hwy to Kooringa PI has identified a pattern involving a vehicle travelling straight crashing into a vehicle entering or exiting a driveway.	Raised wombat crossing, wide centre median and tactical urbanism measures	\$90,000
Ghazeepore Road: Blackgate Rd to Coombes Rd	3000	Run-off road crashes involving vehicles losing control and crashing into a fixed roadside object	Guard fence, localised widening road delineation works	\$350,000
Atkins Road: Buckley Rd south to Mathisons Rd	4500	Run-off road crashes involving vehicles losing control and crashing into a fixed roadside object	Guard fence, intersection lighting additional signage and edge line marking with raised reflective pavement markers	\$500,000

Council has other known accident hotspots within the region such as Deans Marsh Road/Cape Otway Road intersection along the Princes Hwy and Great Ocean Road. These are not locally managed intersections or roads, Surf Coast Shire is therefore unable to attract any funding at these locations through the blackspot grant application.

## Council Plan

Theme 1 Community Wellbeing
Objective 1.3 Improve community safety

Strategy 1.3.1 Understand community safety issues and needs, and design an appropriate local

response

Theme 4 Vibrant Economy

Objective 4.1 Support the creation and retention of jobs in existing and new businesses to meet the needs

of a growing community

Strategy 4.1.2 Investigate how the strategic road network impacts on commercial transport

Theme 5 High Performing Council

Objective 5.1 Ensure Council is financially sustainable and has the capability to deliver strategic objectives 5.1.4 Build on relationships with agencies and key stakeholders for the benefit of the community

## 4.5 Blackspot Funding Grant Opportunities 2022/23

## Reporting and Compliance Statements:

Local Government Act 2020 - LGA 2020

Implications	Applicable to this Report
Governance Principles	Yes
(Consideration of the Governance Principles under s.9 of LGA 2020)	
Policy/Relevant Law	Yes
(Consideration of the Governance Principles under s.9 of LGA 2020)	
Environmental/Sustainability Implications	No
(Consideration of the Governance Principles under s.9 of LGA 2020)	
Community Engagement	Yes
(Consideration of Community Engagement Principles under s.56 LGA 2020	
and Council's Community Engagement Policy SCS-017)	
Public Transparency	Yes
(Consideration of Public Transparency Principles under s.58 of LGA 2020)	
Strategies and Plans	No
(Consideration of Strategic Planning Principles under s.89 of LGA 2020)	
Financial Management	Yes
(Consideration of Financial Management Principles under s.101 of LGA	
2020)	
Service Performance	No
(Consideration of Service Performance Principles under s.106 of LGA 2020)	
Risk Assessment	Yes
Communication	Yes
Human Rights Charter	No

# Governance Principles - Local Government Act 2020 (LGA 2020)

The identified and recommended grant applications have been thoroughly investigated and qualify through the Federal Government funding criteria which is based on stringent analysis of crash data at locations within the local road network only

## Policy/Relevant Law

Under the Road Management Act, Council has a responsibility to provide a road network which is 'as safe for road users as is reasonably practicable'. Applying for this grant opportunity is one action under The Road Safety Strategy 2016-21 which will help support this requirement.

## Community Engagement

Currently no community engagements has occurred on this funding applications to date.

A communications and engagement plan based on the IAP2 spectrum of engagement will be developed for these road projects if successful to ensure all adjacent landholders and relevant stakeholders are engaged in the delivery of proposed works in line with Council's 'SCS-025 Capital Works Community Engagement Policy'.

## Public Transparency

This Council report seeks to provide maximum transparency regarding the proposed funding applications to be developed and submitted under the Blackspot funding Program. The proposed funding application list is subject to Council affirmation at an open Council Meeting.

#### Financial Management

If successful these projects would be fully funded by Department of Transport with no requirement for a Council contribution. Council will project manage the delivery of each successful funding application and each funding application includes a project management and contingency allowance

## 4.5 Blackspot Funding Grant Opportunities 2022/23

#### Risk Assessment

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

The grant funding applications are considered the priority projects that meet the funding guidelines set out by the Federal Government

#### Communication

As per above a communications and community engagement plan will need to be developed for this individual project if successful, local community will be consulted regarding the works as required.

## Option 1 – Develop and Submit grant funding application

This option is recommended by officers as these fully funded grants will help improve the road safety on local roads at identified black spot location. It aligns with recommendations of the 2016-21 adopted Surf Coast Shire Road Safety Strategy.

## Option 2 – Do not submit grant funding application

This option is not recommended by officers as Council will be required to fund any road safety improvements from within its own budget. Any future accidents at this location could be more serious if these works are not undertaken

#### Conclusion

These blackspot funding grant opportunities are in line with the recommended action plan from the Road Safety Strategy 2016-21 which was developed in collaboration with key partners in Department of Transport and Victoria Police. The locations identified for blackspot funding have been prepared through a detailed analysis of traffic crash data and provide an excellent opportunity for Council to upgrade high risk locations on our network.

## 4.6 Project Budget Adjustments and Cash Reserve Transfers - September 2021

Author's Title:Coordinator Management AccountingGeneral Manager:John BertoldiDepartment:FinanceFile No:F18/850-4Division:Governance & InfrastructureTrim No:IC21/1480

Appendix:

Officer Direct or Indirect Conflict of Interest: Status:

In accordance with Local Government Act 1989 – De

Section 80C:

Defined as confidential information in accordance with Local Government Act 2020, Section 3(1):

Reason: Nil Reason: Nil

## **Purpose**

The purpose of this report is to present the project budget adjustments and cash reserve transfers for Council approval and the project budget adjustments and cash reserve transfers endorsed by the Executive Management Team for Council ratification.

## **Summary**

The project budget adjustments presented in this September 2021 report relate to the 2021-22 financial year. All figures in this report are exclusive of GST.

#### Recommendation

That Council:

- 1. Approves the project budget adjustments and ratifies the project budget adjustments endorsed by the Executive Management Team outlined in Tables 1 to 7 of this report.
- 2. Approves the net changes to cash reserves resulting from the project budget adjustments listed in this report:

Funding Sources	Transfers From / (To) Reserve
Asset Renewal Reserve	300,000
Developer Contributions Reserve – Street Lighting	15,000
Gherang Gravel Pits Reserve	100,000
Grand Total	415,000

#### **Council Resolution**

## MOVED Cr Paul Barker, Seconded Cr Mike Bodsworth

That Council:

- 1. Approves the project budget adjustments and ratifies the project budget adjustments endorsed by the Executive Management Team outlined in Tables 1 to 7 of this report.
- 2. Approves the net changes to cash reserves resulting from the project budget adjustments listed in this report:

Funding Sources	Transfers From / (To) Reserve
Asset Renewal Reserve	300,000
Developer Contributions Reserve – Street Lighting	15,000
Gherang Gravel Pits Reserve	100,000
Grand Total	415,000

Surf Coast Shire Council Council Meeting

# 4.6 Project Budget Adjustments and Cash Reserve Transfers - September 2021

# Voting

Voted on which was as follows:

For Against Nil Abstained
Cr Allen Nil Nil
Cr Barker
Cr Bodsworth
Cr Gazzard
Cr Hodge
Cr Pattison
Cr Schonfelder
Cr Stapleton
Cr Wellington

# 4.6 Project Budget Adjustments and Cash Reserve Transfers - September 2021

## Report

#### Officer Direct or Indirect Interest

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

#### Background

In providing a balance between smooth project delivery and ensuring Council involvement in decision making on material scope change or new projects to be created, the Executive Management Team are being presented on a fortnightly basis for its endorsement project budget adjustments of a straight forward nature such as allocating grant funding to a project and corrections; transfers relating to material scope change or new projects not already approved by Council are presented to Council for approval. Transfers endorsed by the Executive Management Team are presented to Council for ratification. This process ensures that Councillors have the decision on major changes and are kept informed of all project budget changes and allows for smoother project delivery. The report also provides transparency for the community.

#### **Discussion**

The following project adjustments, detailed in Table 1 and 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. The project adjustments in Table 1 have been endorsed at an Executive Management Team meeting.

Table 1 - For Council Ratification - Projects Requiring Adjustment

Project Name	Funding Source	Basis for Variation	Project Allocation \$
Surf Coast Aquatic and Health Facility	Grant Funded	Funding agreement executed with Sport and Recreation Victoria towards the aquatic and health facility.	10,000,000
Road Safety Strategy Implementation	Grant Funded	Department of Transport funding received for Community Road Safety 2021-22.	21,820
Maternal and Child Health Sleep and Settling	Grant Funded	Funding from the Department of Health and Human Services for Maternal and Child Health Sleep and Settling.	7,141
Nautical Rise Linear Reserve Yarning Circle and Indigenous Edibles Educational Landscape	Grant Funded	Agreement confirmed with Barwon Water 'Water Smart Councils' funding program to contribute to the supply and installation of an irrigation system for the indigenous edible garden.	2,697

Table 2 - For Council Approval - Projects Requiring Adjustment

Project Name	Funding Source	Basis for Variation	Project Allocation \$
Barwon River Reserve Mud Brick Shelter Reconstruction	Asset Renewal Reserve	Additional allocation requested from Asset Renewal Reserve to align with recent cost estimates prior to going to market. Not for additional scope. Will be returned to reserve if not required.	50,000
Winchelsea Helen M Kininmonth Kindergarten Entrance Ramp	Project Savings Account	Request to allocate Council funding to existing grant funded project to enable delivery. Initial scope developed by Kinder representatives to deliver an accessible entrance ramp did not include that the entrance gate, door and windows would need to be relocated to achieve Disability Discrimination Act (DDA) compliance. New life of project budget \$59,735.	21,944

# 4.6 Project Budget Adjustments and Cash Reserve Transfers - September 2021

Project Name	Funding Source	Basis for Variation	Project Allocation \$
Birregurra Deans Marsh Pathways	Gherang Gravel Pits Reserve	Project commenced as part of the 2019-20 Adopted Budget following community submissions advocating for pathways. The initial budget allocation was made on an estimate with the information available at that point in time. To complete project delivery, additional funds are requested for additional scope items identified during delivery for drainage improvements, guardrail, road safety items, service pit adjustments and hydro excavation near high voltage line.	100,000
Building Renewal Program	Project Account	Contribution from the Building Renewal Program to	(36,000)
Anglesea Community House - Main Entry Ramp (DDA Program)		the Anglesea Community Centre Ramp project in the DDA Implementation Program given ramp is due for renewal. Project will complete renewal works in conjunction with the DDA compliance improvements. New life of project budget \$66,000.	36,000
Building Renewal Program	Project Account	Building Renewal Program contribution to the standalone project for the Lorne Historical Society	(22,000)
Lorne Historical Society Facade - Stage 2		Facade - Stage 2. New life of project budget \$72,000.	22,000

The following budget transfers, detailed in Tables 3 and 4, are newly initiated projects, Table 3 projects have been endorsed at an Executive Management Team meeting.

Table 3 – For Council Ratification – New Projects

Project Name	Funding Source	Basis for Variation	Project Allocation \$
Road Side Pest and Weeds	Grant Funded	State Government road side weeds and pests program funding.	28,573

Table 4 - For Council Approval - New Projects

Project Name	Funding Source	Basis for Variation	Project Allocation \$
Non Standard Streetlight Replacement	Developer Contributions Reserve – Street Lighting	Allocation from this reserve for non-standard street light replacement.	15,000
IT Software Renewal	Asset Renewal Reserve	IT software renewal scope to budget program. Scope includes replacement of InfoCouncil and Cambron software, along with a review of core systems.	250,000

# 4.6 Project Budget Adjustments and Cash Reserve Transfers - September 2021

The following project closures, detailed in Table 5, have been endorsed at an Executive Management Team meeting.

Table 5 - For Council Ratification - Closed Projects

Project Name	Funding Source	Basis for Variation	Project Allocation \$
Mt Moriac Reserve AFL Lighting Upgrade (Oval 1) and Mt Moriac Reserve Sub Surface Drainage (Oval 2)	Project Savings Account	Scope complete and savings can be returned to source. Life of project cost \$545,023	(2,704)
Mt Moriac Reserve Equestrian Pavilion Redevelopment and Mt Moriac Reserve Netball Lighting Upgrade	Project Savings Account	Scope complete and savings can be returned to source. Life of project cost \$996,348.	(1,380)
'Wrecked' TV Pilot Contribution	Project Savings Account	Council made an allocation to this TV pilot in the 2019-20 Budget which was subject to the organisers receiving/leveraging other significant funding. Pilot is not proceeding. Project to close, with savings returned to source.	(5,000)
Surf Coast Aquatic and Health Centre Feasibility Study	Project Savings Account	Scope complete and savings can be returned to source. Life of project cost \$40,400.	(62,600)
Merrijig Drive Car Parking	Project Savings Account	Scope complete and savings can be returned to source. Life of project cost \$57,875.	(1,250)
This Girl Can Local Area Marketing	Project Savings Account	Scope complete and savings can be returned to source. Life or Project cost \$14,580.	(419)

The following project detailed in Table 6 has been endorsed by the then Acting Chief Executive Officer.

Table 6 – For Council Ratification – CEO Approved Transfers

Project Name	Funding Source	Basis for Variation	Project Allocation \$
Nil			

# 4.6 Project Budget Adjustments and Cash Reserve Transfers - September 2021

Table 7 - Accumulated Unallocated Cash Reserve Movement

Accumulated Unallocated Cash Reserve	2021-22 \$'000	2022-23 \$'000	2023-24 \$'000	2024-25 \$'000
Opening Balance	3,493	3,079	2,346	748
Budgeted Annual Surplus/(Deficit)	50	(1,018)	(1,598)	(3,312)
Transfer for Adopted Projects Funded	(465)	285	-	-
Net Allocations During Year	-	-	-	-
New Allocations Proposed	-	-	-	-
Closing Balance *	3,079	2,346	748	(2,564)

Accumulated Unallocated Cash Reserve	2021-22 \$'000
Net Allocations During Year	
Nil	-
Net Allocations (From)/To	-
New Allocations Proposed	
Nil	-
Total New Net Allocations (From)/To	-

<sup>\*</sup>Note: Includes budgeted annual surplus/(deficit) as per Adopted Budget 2021-22.

# 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

# Reporting and Compliance Statements:

Local Government Act 2020 – LGA 2020

Implications	Applicable to this Report
Governance Principles	Yes
(Consideration of the Governance Principles under s.9 of LGA 2020)	
Policy/Relevant Law	No
(Consideration of the Governance Principles under s.9 of LGA 2020)	
Environmental/Sustainability Implications	No
(Consideration of the Governance Principles under s.9 of LGA 2020)	
Community Engagement	No
(Consideration of Community Engagement Principles under s.56 LGA 2020)	
Public Transparency	Yes
(Consideration of Public Transparency Principles under s.58 of LGA 2020)	
Strategies and Plans	No
(Consideration of Strategic Planning Principles under s.89 of LGA 2020)	
Financial Management	Yes
(Consideration of Financial Management Principles under s.101 of LGA 2020)	
Service Performance	Yes
(Consideration of Service Performance Principles under s.106 of LGA 2020)	
Risk Assessment	No
Communication	No
Human Rights Charter	No

# 4.6 Project Budget Adjustments and Cash Reserve Transfers - September 2021

# Governance Principles - Local Government Act 2020 (LGA 2020)

This report contributes to financial viability by ensuring Council approves and is well informed about the allocation and movement of project funds to achieve the best outcomes for the municipal community.

### **Public Transparency**

This report contributes to public transparency by ensuring that the allocation and movement of project funds is made available to the community.

### Financial Management

This report contributes to financial management principles by recording the allocation and movement of project funds that may impact on the budget, current and future.

#### Service Performance

This report contributes to service performance for project delivery by considering the allocation and movement of project funds for successful project outcomes.

#### Risk Assessment

There are no identified Workplace Health and Safety implications associated with this report.

### **Options**

# Option 1 – Not approve transfers as recommended

This option is not recommended by officers 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.

### Conclusion

It is recommended that Council approve the Project Budget Adjustments and Cash Reserve Transfers for September 2021.

Author's Title:Coordinator GovernanceGeneral Manager:John BertoldiDepartment:Governance & RiskFile No:F18/2442Division:Governance & InfrastructureTrim No:IC21/1540

Appendix:

1. S6 Instrument of Delegation - Council to Members of Council Staff (D16/100258)

Officer Conflict of Interest:

In accordance with Local Government Act 2020 – Section 130:

Defined as confidential information in accordance with Local Government Act 2020, Section 3(1):

Yes

No

Reason: Nil Reason: Nil

### **Purpose**

The purpose of this report is to consider the S6 Instrument of Delegation from Council to Members of Staff, which has been reviewed and updated in accordance with established procedures.

#### Summary

Council is subscribed to a service provided by Maddocks Lawyers which provides bi-annual updates to Council's Instruments of Delegation. These updates were presented and approved by Council at the August Council meeting, however some staffing changes require minor updates to the instrument. These changes are as follows:

- 1. Role title of 'Para Planning Administration Officer' changed to 'Para Planning Officer' (no change to items delegated).
- 2. Role of 'Compliance Resolution Manager' added. This role has been added to all delegations also held by the existing role of 'Coordinator Planning Compliance'.

The S6 Instrument of Delegation has been reviewed and updated, and is presented for Council approval.

### Recommendation

That Council, in the exercise of the powers conferred by the legislation referred to in the attached S6 Instrument of Delegation:

- 1. Delegates to the members of Council staff holding, acting in or performing the duties of the positions referred to in that Instrument, the powers, duties and functions set out in the Instrument, subject to the conditions and limitations specified in that Instrument;
- 2. Authorises the Chief Executive Officer to execute the S6 Instrument of Delegation;3. Approves the S6 Instrument of Delegation to come into force immediately upon execution;
- 4. Approves that on the coming into force of the S6 instrument of delegation, the previous S6 instrument of delegation from Council to members of Council staff is revoked.

### **Council Resolution**

# MOVED Cr Gary Allen, Seconded Cr Mike Bodsworth

That Council, in the exercise of the powers conferred by the legislation referred to in the attached S6 Instrument of Delegation:

- 1. Delegates to the members of Council staff holding, acting in or performing the duties of the positions referred to in that Instrument, the powers, duties and functions set out in the Instrument, subject to the conditions and limitations specified in that Instrument;
- 2. Authorises the Chief Executive Officer to execute the S6 Instrument of Delegation;3. Approves the S6 Instrument of Delegation to come into force immediately upon execution;
- 4. Approves that on the coming into force of the S6 instrument of delegation, the previous S6 instrument of delegation from Council to members of Council staff is revoked.

CARRIED 9:0

# Voting

Voted on which was as follows:

For Against Abstained
Cr Allen Nil Nil
Cr Barker
Cr Bodsworth
Cr Gazzard
Cr Hodge
Cr Pattison
Cr Schonfelder
Cr Stapleton
Cr Wellington

CARRIED 9:0

### 4.7 S6 Instrument of Delegation

### Report

#### Officer Direct or Indirect Interest

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

#### Background

Council's Instruments of Delegation are updated biannually as advised by Maddocks Lawyers, and are also updated from time to time as required to reflect changes in roles and organisational structure. The S6 Instrument of Delegation was last updated by Council resolution on 24 August 2021.

Prior to the implementation of the *Local Government Act 2020*, Council had the power to delegate to Council staff in accordance with s98 of the *Local Government Act 1989*. An equivalent provision does not exist in the new Act, however there are provisions under each Act within the Instrument which allow Council to delegate directly to staff. These sections are displayed under each Act within the Instrument.

#### **Discussion**

Council's ability to delegate to members of staff is provided under many of the Acts applicable to Council's activities. These delegations allow Council to operate effectively by delegating certain powers to enable staff to undertake specific activities without having to take each decision into the Chamber for resolution before being able to act.

The updates to the S6 Instrument of Delegation are summarised as follows:

- 1. Role title of 'Para Planning Administration Officer' changed to 'Para Planning Officer' (no change to items delegated).
- 2. Role of 'Compliance Resolution Manager' added. This role has been added to all delegations also held by the existing role of 'Coordinator Planning Compliance'.

#### 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

### Reporting and Compliance Statements:

Local Government Act 2020 - LGA 2020

Implications	Applicable to this Report
Governance Principles	Yes
(Consideration of the Governance Principles under s.9 of LGA 2020)	
Policy/Relevant Law	Yes
(Consideration of the Governance Principles under s.9 of LGA 2020)	
Environmental/Sustainability Implications	No
(Consideration of the Governance Principles under s.9 of LGA 2020)	
Community Engagement	No
(Consideration of Community Engagement Principles under s.56 LGA 2020)	
Public Transparency	Yes
(Consideration of Public Transparency Principles under s.58 of LGA 2020)	
Strategies and Plans	No
(Consideration of Strategic Planning Principles under s.89 of LGA 2020)	
Financial Management	No
(Consideration of Financial Management Principles under s.101 of LGA 2020)	
Service Performance	No
(Consideration of Service Performance Principles under s.106 of LGA 2020)	
Risk Assessment	Yes
Communication	Yes
Human Rights Charter	No

### 4.7 S6 Instrument of Delegation

### Governance Principles - Local Government Act 2020 (LGA 2020)

Delegations provide for fluid and timely decision making in relation to specified Council activities to be undertaken by appropriately skilled and qualified staff members. This ensures that, in accordance with the overarching governance principles, priority is given to achieving the best outcomes for the municipal community.

#### Policy/Relevant Law

Section 11 of the *Local Government Act 2020* allows Council to delegate certain matters to the CEO, however does not address delegations from Council to members of staff. The below sections of legislation identify the mechanisms by which Council is authorised to delegate the items in the S6 Instrument of Delegation. This eliminates any concern that Council's ability to delegate to staff has not been taken into account under section 11 of the new Act. Council's delegations are derived from the Maddocks Lawyers Instruments of Delegation package templates and have therefore been thoroughly vetted and reviewed by local government lawyers.

The relevant provisions are as follows:

- Domestic Animals Act 1984 s41A(4)
- Environment Protection Act 1970 s53M(8)
- Food Act 1984 s58A
- Heritage Act 2017 s116(3)
- Planning and Environment Act 1987 s188
- Residential Tenancies Act 1997 s524(2)
- Road Management Act 2004 s118(1)

## Public Transparency

Instruments of Delegation are made available to anyone upon request. This allows the community to be informed on which officer positions are responsible for making decisions or undertaking activities on behalf of Council.

### Risk Assessment

The operational risks associated with not delegating certain powers and duties include a severe slowing of Council's operations and Council meetings being overwhelmed with day-to-day decisions. This would ultimately result in the community not being serviced adequately.

By effectively utilising its powers to delegate, Council can ensure that day to day operations continue unhindered, allowing the Council to focus on strategic decision making for the Surf Coast Shire municipality.

### Communication

Staff will be notified of changes to all Instruments of Delegation upon enactment using established processes.

# 4.7 S6 Instrument of Delegation

### **Options**

## Option 1 - Adopt the Instrument of Delegation as attached at Appendix 1

This option is recommended by officers to ensure compliance with the relevant legislation, allowing Council activities to continue to operate effectively and without disruption. The Instruments have been provided by lawyers and reviewed by appropriately qualified staff to ensure that all changes are applied correctly.

# Option 2 - Adopt the Instrument of Delegation with changes

This option is not recommended by officers as a thorough review has been conducted by staff to ensure the correct positions are included under each provision. Changes this the recommendation could result in unqualified personnel being made responsible for actioning operations, or appropriately qualified personnel being unable to perform their roles.

### Option 3 – Do not adopt the Instrument of Delegation

This option is not recommended by officers as it would require all related decisions to be made by Council directly, which would significantly impact service delivery and other decision-making processes.

#### Conclusion

The s6 Instrument of Delegation has been reviewed and updated by officers to reflect legislative changes and is now presented to Council for adoption.

# 4.7 S6 Instrument of Delegation

# APPENDIX 1 S6 INSTRUMENT OF DELEGATION - COUNCIL TO MEMBERS OF COUNCIL STAFF



# Surf Coast Shire

# Instrument of Delegation

S6 Instrument of Delegation – Council to Members of Council Staff



# S6 Instrument of Delegation - Council to Members of Council Staff

# Instrument of Delegation

In exercise of the powers conferred by the legislation referred to in the attached Schedule, the Council:

- delegates each duty and/or function and/or power described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the member of Council staff holding, acting in or performing the duties of the office or position described opposite each such duty and/or function and/or power in column 3 of the Schedule;
- 2. record that references in the Schedule are as follows:

Title	Position
AOPD	Administration Officer Planning and Development
AOPlan	Administrative Officer
APO	Asset Protection Officer
BI	Building Inspector
BS	Building Surveyor
ссо	Coordinator Civil Operations
CDE	Coordinator Development Engineering
CDT	Coordinator Design & Traffic
CEH	Coordinator Environmental Health
CEng	Construction Engineer
CEO	Chief Executive Officer
CFA	Coordinator Financial Accounting
CPC	Coordinator Planning Compliance
CRMg	Compliance Resolution Manager
CRS	Coordinator Ranger Services
CSLUP	Coordinator Strategic/Land Use Planning
cso	Customer Services Officer and Team Leader
CSP	Coordinator Statutory Planning
CWM	Coordinator Waste Management
DE	Development Engineer
EHO	Environmental Health Officer
GMCC	General Manager Culture & Community
GMED	General Manager Environment & Development



Title	Position
GMGI	General Manager Governance & Infrastructure
IDO	Infrastructure Development Officer
MBIRSBC	Manager Business Improvement, Ranger Services and Building Compliance
MBS	Municipal Building Surveyor
MES	Manager Engineering Services
MF	Manager Finance
MPD	Manager Planning & Development
ND	Not Delegated
PAO	Planning Administration Officer
PCSASO	Planning Customer Service and Administration Support Officer
PIO	Planning & Investigations Officer
РО	Planning Officer
PPIO	Principal Investigations Officer
PPO	Para Planning Officer
PropO	Property Officer
PSO	Project Support Officer
PStaP	Principal Statutory Planner
PStrP	Principal Strategic Planner
SAM	Strategic Asset Manager
SPIO	Senior Planning & Development Investigations Officer
SPP	Senior Statutory Planner
TLPPS	Team Leader Para Planning and Subdivisions
TLRS	Team Leader Ranger Services
VFTP	VicSmart and Fast Track Planner

### 3. declares that:

- $3.1.\ this\ Instrument\ of\ Delegation\ is\ authorised\ by\ a\ resolution\ of\ Council\ passed\ on\ 24\ August\ 2021,\ and$
- 3.2. the delegation:
  - $3.2.1. \quad \text{comes into force immediately upon signing of this Instrument of Delegation};\\$
  - 3.2.2. remains in force until varied or revoked;
  - 3.2.3. is subject to any conditions and limitations set out in sub-paragraph 3.3, and the Schedule; and



- 3.2.4. must be exercised in accordance with any guidelines or policies which Council from time to time adopts: and
- 3.3. the delegate must not determine the issue, take the action or do the act or thing:
  - 3.3.1 if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council;
  - 3.3.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a:
    - (a) policy; or
    - (b) strategy adopted by Council;
  - 3.3.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation; or
  - 3.3.4 the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff or delegated committee.

Executed by the Chief Executive Officer on behalf of the Surf Coast Shire Council pursuant to the Council resolution dated 28 September 2021.

Chief Executive Officer
Dated



#### **Domestic Animals Act 1994**

Section 41A(4) states - The council may delegate its power under subsection (1) to a Council authorised officer

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 41A(1)	Power to declare a dog to be a menacing dog	CRS, GMED, MBIRSBC, TLRS	Council may delegate this power to a Council authorised officer

#### Food Act 1984

Section 58A states - (1) A council may delegate to one or more of its officers or members of its staff its powers and discretions under Part III (other than its power under section 19(3), 19AA(4)(a) or 19AA(4)(b)), Part IIIB, Part VI and section 46(5).

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 19(2)(a)	Power to direct by written order that the food premises be put into a clean and sanitary condition	CEH, EHO	If s 19(1) applies

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#### Food Act 1984

Section 58A states - (1) A council may delegate to one or more of its officers or members of its staff its powers and discretions under Part III (other than its power under section 19(3), 19AA(4)(a) or 19AA(4)(b)), Part IIIB, Part VI and section 46(5).

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 19(2)(b)	Power to direct by written order that specified steps be taken to ensure that food prepared, sold or handled is safe and suitable	CEH, EHO	If s 19(1) applies
s 19(3)	Power to direct by written order that the food premises not be kept or used for the sale, or handling for sale, of any food, or for the preparation of any food, or for any other specified purpose, or for the use of any specified equipment or a specified process	CEH, EHO	If s 19(1) applies  Only in relation to temporary food premises or mobile food premises
s 19(4)(a)	Power to direct that an order made under s 19(3)(a) or (b), (i) be affixed to a conspicuous part of the premises, and (ii) inform the public by notice in a published newspaper or otherwise	CEH, CEO	If s 19(1) applies

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#### Food Act 1984

Section 58A states - (1) A council may delegate to one or more of its officers or members of its staff its powers and discretions under Part III (other than its power under section 19(3), 19AA(4)(a) or 19AA(4)(b)), Part IIIB, Part VI and section 46(5).

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 19(6)(a)	Duty to revoke any order under section 19 if satisfied that an order has been complied with	CEH, CEO, EHO	If s 19(1) applies
s 19(6)(b)	Duty to give written notice of revocation under section 19(6)(a) if satisfied that an order has been complied with	CEH, CEO, EHO	If s 19(1) applies
s 19AA(2)	Power to direct, by written order, that a person must take any of the actions described in (a)-(c).	CEH, EHO	Where Council is the registration authority
s 19AA(4)(c)	Power to direct, in an order made under s 19AA(2) or a subsequent written order, that a person must ensure that any food or class of food is not removed from the premises	CEH, EHO	Note: the power to direct the matters under s 19AA(4)(a) and (b) not capable of delegation and so such directions must be made by a Council resolution

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#### Food Act 1984

Section 58A states - (1) A council may delegate to one or more of its officers or members of its staff its powers and discretions under Part III (other than its power under section 19(3), 19AA(4)(a) or 19AA(4)(b)), Part IIIB, Part VI and section 46(5).

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 19AA(7)	Duty to revoke order issued under s 19AA and give written notice of revocation, if satisfied that that order has been complied with	CEH, EHO	Where Council is the registration authority
s 19CB(4)(b)	Power to request copy of records	CEH, EHO	Where Council is the registration authority
s 19E(1)(d)	Power to request a copy of the food safety program	CEH, EHO	Where Council is the registration authority
s 19GB	Power to request proprietor to provide written details of the name, qualification or experience of the current food safety supervisor	CEH, EHO	Where Council is the registration authority
s 19M(4)(a) & (5)	Power to conduct a food safety audit and take actions where deficiencies are identified	ND	Where Council is the registration authority

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#### Food Act 1984

Section 58A states - (1) A council may delegate to one or more of its officers or members of its staff its powers and discretions under Part III (other than its power under section 19(3), 19AA(4)(a) or 19AA(4)(b)), Part IIIB, Part VI and section 46(5).

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 19NA(1)	Power to request food safety audit reports	CEH, EHO	Where Council is the registration authority
s 19U(3)	Power to waive and vary the costs of a food safety audit if there are special circumstances	ND	
s 19UA	Power to charge fees for conducting a food safety assessment or inspection	CEH	Except for an assessment required by a declaration under s 19C or an inspection under ss 38B(1)(c) or 39.
s 19W	Power to direct a proprietor of a food premises to comply with any requirement under Part IIIB	CEH, EHO	Where Council is the registration authority
s 19W(3)(a)	Power to direct a proprietor of a food premises to have staff at the premises undertake training or instruction	CEH	Where Council is the registration authority

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#### Food Act 1984

Section 58A states - (1) A council may delegate to one or more of its officers or members of its staff its powers and discretions under Part III (other than its power under section 19(3), 19AA(4)(a) or 19AA(4)(b)), Part IIIB, Part VI and section 46(5).

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 19W(3)(b)	Power to direct a proprietor of a food premises to have details of any staff training incorporated into the minimum records required to be kept or food safety program of the premises	CEH	Where Council is the registration authority
	Power to register, renew or transfer registration	CEH, EHO	Where Council is the registration authority  refusal to grant/renew/transfer registration must be ratified by Council or the CEO (see s 58A(2))
s 36A	Power to accept an application for registration or notification using online portal	CEH, EHO	Where Council is the registration authority
s 36B	Duty to pay the charge for use of online portal	CEH	Where Council is the registration authority

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#### Food Act 1984

Section 58A states - (1) A council may delegate to one or more of its officers or members of its staff its powers and discretions under Part III (other than its power under section 19(3), 19AA(4)(a) or 19AA(4)(b)), Part IIIB, Part VI and section 46(5).

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 38AA(5)	Power to (a) request further information; or (b) advise the proprietor that the premises must be registered if the premises are not exempt	CEH, EHO	Where Council is the registration authority
s 38AB(4)	Power to fix a fee for the receipt of a notification under s 38AA in accordance with a declaration under s 38AB(1)	CEH	Where Council is the registration authority
s 38A(4)	Power to request a copy of a completed food safety program template	CEH, EHO	Where Council is the registration authority
s 38B(1)(a)	Duty to assess the application and determine which class of food premises under s 19C the food premises belongs	CEH, EHO	Where Council is the registration authority
s 38B(1)(b)	Duty to ensure proprietor has complied with requirements of s 38A	CEH, EHO	Where Council is the registration authority

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#### Food Act 1984

Section 58A states - (1) A council may delegate to one or more of its officers or members of its staff its powers and discretions under Part III (other than its power under section 19(3), 19AA(4)(a) or 19AA(4)(b)), Part IIIB, Part VI and section 46(5).

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 38B(2)	Duty to be satisfied of the matters in s 38B(2)(a)-(b)	CEH, EHO	Where Council is the registration authority
s 38D(1)	Duty to ensure compliance with the applicable provisions of s 38C and inspect the premises if required by s 39	CEH, EHO	Where Council is the registration authority
s 38D(2)	Duty to be satisfied of the matters in s 38D(2)(a)-(d)	CEH, EHO	Where Council is the registration authority
s 38D(3)	Power to request copies of any audit reports	CEH, EHO	Where Council is the registration authority
s 38E(2)	Power to register the food premises on a conditional basis	CEH, EHO	Where Council is the registration authority

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#### Food Act 1984

Section 58A states - (1) A council may delegate to one or more of its officers or members of its staff its powers and discretions under Part III (other than its power under section 19(3), 19AA(4)(a) or 19AA(4)(b)), Part IIIB, Part VI and section 46(5).

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
			not exceeding the prescribed time limit defined under s 38E(5)
s 38E(4)	Duty to register the food premises when conditions are satisfied	CEH, EHO	Where Council is the registration authority
s 38F(3)(b)	Power to require proprietor to comply with requirements of this Act	CEH, EHO	Where Council is the registration authority
s 38G(1)	Power to require notification of change of the food safety program type used for the food premises	CEH, EHO	Where Council is the registration authority
s 38G(2)	Power to require the proprietor of the food premises to comply with any requirement of the Act	CEH, EHO	Where Council is the registration authority
s 39A	Power to register, renew or transfer food premises despite minor defects	CEH, EHO	Where Council is the registration authority

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#### Food Act 1984

Section 58A states - (1) A council may delegate to one or more of its officers or members of its staff its powers and discretions under Part III (other than its power under section 19(3), 19AA(4)(a) or 19AA(4)(b)), Part IIIB, Part VI and section 46(5).

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
			Only if satisfied of matters in s 39A(2)(a)-(c)
s 40(2)	Power to incorporate the certificate of registration in one document with any certificate of registration under Part 6 of the Public Health and Wellbeing Act 2008	CEH	
s 40C(2)	Power to grant or renew the registration of food premises for a period of less than 1 year	CEH, EHO	Where Council is the registration authority
s 40D(1)	Power to suspend or revoke the registration of food premises	CEH	Where Council is the registration authority
s 40F	Power to cancel registration of food premises	CEH, EHO	Where Council is the registration authority

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#### Food Act 1984

Section 58A states - (1) A council may delegate to one or more of its officers or members of its staff its powers and discretions under Part III (other than its power under section 19(3), 19AA(4)(a) or 19AA(4)(b)), Part IIIB, Part VI and section 46(5).

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 43F(6)	Duty to be satisfied that registration requirements under Division 3 have been met prior to registering, transferring or renewing registration of a component of a food business	CEH, EHO	Where Council is the registration authority
s 43F(7)	Power to register the components of the food business that meet requirements in Division 3 and power to refuse to register the components that do not meet the requirements	CEH, EHO	Where Council is the registration authority
s 46(5)	Power to institute proceedings against another person where the offence was due to an act or default by that other person and where the first person charged could successfully defend a prosecution, without proceedings first being instituted against the person first charged	CEH, EHO	Where Council is the registration authority

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### Heritage Act 2017

Section 116(3) states - A responsible authority to which a function, duty or power has been delegated under subsection (1) may sub-delegate that function, duty or power to an officer of the responsible authority if the instrument of delegation authorises its sub-delegation.

NOTE: Responsible authority has the meaning given by section 13 of the Planning and Environment Act 1987

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 116	Power to sub-delegate Executive Director's functions, duties or powers	CEO, GMED	Must first obtain Executive Director's written consent
			Council can only sub-delegate if the Instrument of Delegation from the Executive Director authorises sub-delegation

Local Government Act 1989				
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations	
s 185L(4)	Power to declare and levy a cladding rectification charge	CEO		

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 4B	Power to prepare an amendment to the Victorian Planning Provisions	CSLUP, CSP, GMED, MPD	If authorised by the Minister
s 4G	Function of receiving prescribed documents and a copy of the Victorian Planning Provisions from the Minister	CSLUP, CSP, GMED, MPD, PO, PSO, PStaP, PStrP, SPP, TLPPS, VFTP	
s 4H	Duty to make amendment to Victoria Planning Provisions available in accordance with public availability requirements	AOPD, AOPlan,	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		CSLUP, CSP, GMED, MPD, PAO, PCSASO, PO, PPO, PSO, PStaP, PStrP, SPP, TLPPS, VFTP	
s 4I	Duty to keep Victorian Planning Provisions and other documents available in accordance with public availability requirements	AOPD, AOPlan, CSLUP, CSP, GMED,	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		MPD, PAO, PCSASO, PO, PPO, PropO, PSO, PStaP, PStrP, SPP, TLPPS	
s 8A(2)	Power to prepare amendment to the planning scheme where the Minister has given consent under s 8A	CSLUP, CSP, GMED, MPD, PStaP, PStrP	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 8A(3)	Power to apply to Minister to prepare an amendment to the planning scheme	CSLUP, CSP, GMED, MPD	
s 8A(5)	Function of receiving notice of the Minister's decision	CSLUP, CSP, GMED, MPD, PStaP, PStrP	
s 8A(7)	Power to prepare the amendment specified in the application without the Minister's authorisation if no response received after 10 business days	CSLUP, CSP, GMED, MPD	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 8B(2)	Power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district	CSLUP, CSP, GMED, MPD	
s 12(3)	Power to carry out studies and do things to ensure proper use of land and consult with other persons to ensure co-ordination of planning scheme with these persons	CSLUP, CSP, GMED, MPD	
s 12A(1)	Duty to prepare a municipal strategic statement (including power to prepare a municipal strategic statement under s19 of the Planning and Environment (Planning Schemes) Act 1996)	CSLUP, CSP, GMED, MPD	
s 12B(1)	Duty to review planning scheme	CSLUP, CSP,	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		GMED, MPD	
s 12B(2)	Duty to review planning scheme at direction of Minister	CSLUP, CSP, GMED, MPD	
s.12B(5)	Duty to report findings of review of planning scheme to Minister without delay	CSLUP, CSP, GMED, MPD	
s 14	Duties of a Responsible Authority as set out in s 14(a) to (d)	AOPD, AOPlan, CPC, CRMg, CSLUP,	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		CSP, GMED, MPD, PAO, PCSASO, PIO, PO, PPIO, PStaP, PStrP, SPP, TLPPS, VFTP	
s 17(1)	Duty of giving copy amendment to the planning scheme	CSLUP, CSP, GMED, MPD, PO, PSO,	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		PStaP, PStrP, SPP, TLPPS, VFTP	
s 17(2)	Duty of giving copy s 173 agreement	CSLUP, CSP, GMED, MPD, PO, PStaP, PStrP, SPP, TLPPS, VFTP	
s 17(3)	Duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days	CSLUP, CSP, GMED,	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		MPD, PO, PSO, PStaP, PStrP, SPP, TLPPS, VFTP	
s 18	Duty to make amendment etc. available in accordance with public availability requirements	AOPD, AOPlan, CSLUP, GMED, MPD, PAO, PCSASO, PO, PPO, PStrP, SPP, TLPPS	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 19	Power to give notice, to decide not to give notice, to publish notice of amendment to a planning scheme and to exercise any other power under s 19 to a planning scheme	CSLUP, CSP, GMED, MPD, PO, PStaP, PStrP, SPP, TLPPS, VFTP	
s 19	Function of receiving notice of preparation of an amendment to a planning scheme	CSLUP, CSP, GMED, MPD, PO, PStaP, PStrP, SPP,	Where Council is not the planning authority and the amendment affects land within Council's municipal district; or  Where the amendment will amend the planning scheme to designate Council as an acquiring authority.

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		TLPPS, VFTP	
s 20(1)	Power to apply to Minister for exemption from the requirements of s 19	CSLUP, CSP, GMED, MPD, PStaP, PStrP, SPP, TLPPS	
s 21(2)	Duty to make submissions available in accordance with public availability requirements	CSLUP, CSP, MPD, PO, PSO, PStaP, PStrP,	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		SPP, TLPPS	
s 21A(4)	Duty to publish notice	CSLUP, CSP, MPD, PO, PSO, PStaP, PStrP, SPP, TLPPS, VFTP	
s 22	Duty to consider all submissions	CSLUP, CSP, MPD, PO, PStaP, PStrP, SPP,	Except submissions which request a change to the items in s 22(5)(a) and (b)  Except those referred to a Hearing of Submissions Committee.

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		TLPPS, VFTP	
s 23(1)(b)	Duty to refer submissions which request a change to the amendment to a panel	CSLUP, CSP, MPD	
s 23(2)	Power to refer to a panel submissions which do not require a change to the amendment	CSLUP, CSP, MPD	
s 24	Function to represent Council and present a submission at a panel hearing (including a hearing referred to in s 96D)	CSLUP, CSP, GMED, MPD, PStaP, PStrP,	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		SPP, TLPPS	
s 26(1)	Power to make report available for inspection in accordance with the requirements set out in s 197B of the Act	CSLUP, CSP, GMED, MPD, PStaP, PStrP	
s 26(2)	Duty to keep report of panel available in accordance with public availability requirements	CSLUP, CSP, MPD, PO, PSO, PStaP, PStrP, SPP,	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		TLPPS, VFTP	
s 27(2)	Power to apply for exemption if panel's report not received	CSLUP, CSP, GMED, MPD, PStaP, PStrP, SPP, TLPPS	
s 28(1)	Duty to notify the Minister if abandoning an amendment	CSLUP, CSP, GMED, MPD	Note: the power to make a decision to abandon an amendment cannot be delegated

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 28(2)	Duty to publish notice of the decision on Internet site	CSLUP, CSP, MPD, PO, PSO, PStaP, PStrP, SPP, TLPPS, VFTP	
s 28(4)	Duty to make notice of the decision available on Council's Internet site for a period of at least 2 months	CSLUP, CSP, MPD, PO, PSO, PStaP, PStrP, SPP,	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		TLPPS, VFTP	
s 30(4)(a)	Duty to say if amendment has lapsed	CSLUP, CSP, MPD, PStaP, PStrP	
s 30(4)(b)	Duty to provide information in writing upon request	CSLUP, CSP, MPD, PStrP, TLPPS	
s 32(2)	Duty to give more notice if required	CSLUP, CSP, MPD, PO,	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		PSO, PStaP, PStrP, SPP, TLPPS, VFTP	
s 33(1)	Duty to give more notice of changes to an amendment	CSLUP, CSP, MPD, PO, PSO, PStaP, PStrP, SPP, TLPPS, VFTP	
s 36(2)	Duty to give notice of approval of amendment	CSLUP, CSP,	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		MPD, PO, PSO, PStaP, PStrP, SPP, TLPPS, VFTP	
s 38(5)	Duty to give notice of revocation of an amendment	CSLUP, CSP, MPD, PSO, PStaP, PStrP, SPP, TLPPS, VFTP	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 39	Function of being a party to a proceeding commenced under s 39 and duty to comply with determination by VCAT	CSLUP, CSP, GMED, MPD, PStaP, PStrP	
s 40(1)	Function of lodging copy of approved amendment	CSLUP, CSP, GMED, MPD, PO, PSO, PStaP, PStrP, SPP, TLPPS, VFTP	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 41(1)	Duty to make a copy of an approved amendment available in accordance with the public availability requirements during inspection period	CSLUP, CSP, GMED, MPD, PO, PSO, PStaP, PStrP, SPP, TLPPS, VFTP	
s 41(2)	Duty to make a copy of an approved amendment and any documents lodged with it available in person in accordance with the requirements set out in s 197B of the Act after the inspection period ends	CSLUP, CSP, MPD, PO, PSO, PStaP, PStrP, SPP,	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		TLPPS, VFTP	
s 42(2)	Duty to make copy of planning scheme available in accordance with the public availability requirements	AOPD, AOPIan, CSLUP, CSP, GMED, MPD, PAO, PCSASO, PO, PPO, PSO, PStaP, PStrP, SPP, TLPPS, VFTP	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 46AAA	Duty to prepare an amendment to a planning scheme that relates to Yarra River land that is not inconsistent with anything in a Yarra Strategic Plan which is expressed to be binding on the responsible public entity	ND	Where Council is a responsible public entity and is a planning authority
			Note: this provision is not yet in force, and will commence on the day on which the initial Yarra Strategic Plan comes into operation. It will affect a limited number of councils
s 46AW	Function of being consulted by the Minister	CSLUP, CSP, GMED, MPD	Where Council is a responsible public entity
s 46AX	Function of receiving a draft Statement of Planning Policy and written direction in relation to the endorsement of the draft Statement of Planning Policy	CSLUP, CSP,	Where Council is a responsible public entity

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Power to endorse the draft Statement of Planning Policy	GMED, MPD	
s 46AZC(2)	Duty not to prepare an amendment to a declared area planning scheme that is inconsistent with a Statement of Planning Policy for the declared area that is expressed to be binding on the responsible public entity	CSLUP, CSP, GMED, MPD, PStaP, PStrP	Where Council is a responsible public entity
s 46AZK	Duty not to act inconsistently with any provision of the Statement of Planning Policy that is expressed to be binding on the public entity when performing a function or duty or exercising a power in relation to the declared area	CSLUP, CSP, GMED, MPD, PStaP, PStrP	Where Council is a responsible public entity

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 46GI(2)(b)(i)	Power to agree to a lower rate of standard levy for a class of development of a particular type of land than the rate specified in a Minister's direction	CSLUP, CSP, GMED, MPD, PStaP, PStrP	Where Council is the planning authority, the municipal Council of the municipal district in which the land is located and/or the development agency
s 46GJ(1)	Function of receiving written directions from the Minister in relation to the preparation and content of infrastructure contributions plans	CSLUP, CSP, GMED, MPD, PStaP, PStrP	
s 46GK	Duty to comply with a Minister's direction that applies to Council as the planning authority	CSLUP, CSP, GMED, MPD,	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		PStaP, PStrP	
s 46GN(1)	Duty to arrange for estimates of values of inner public purpose land	CSLUP, CSP, GMED, MPD, PStaP, PStrP	
s 46GO(1)	Duty to give notice to owners of certain inner public purpose land	CSLUP, CSP, GMED, MPD, PStaP, PStrP	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 46GP	Function of receiving a notice under s 46GO	CSLUP, CSP, GMED, MPD, PStaP, PStrP	Where Council is the collecting agency
s 46GQ	Function of receiving a submission from an affected owner who objects to the estimated value per hectare (or other appropriate unit of measurement) of the inner public purpose land	CSLUP, CSP, GMED, MPD, PStaP, PStrP	
s 46GR(1)	Duty to consider every submission that is made by the closing date for submissions included in the notice under s 46GO	CSLUP, CSP, GMED, MPD,	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		PStaP, PStrP	
s 46GR(2)	Power to consider a late submission  Duty to consider a late submission if directed to do so by the Minister	CSLUP, CSP, GMED, MPD, PStaP, PStrP	
s 46GS(1)	Power to accept or reject the estimate of the value of the inner public purpose land in a submission made under s 46GQ	CSLUP, CSP, GMED, MPD, PStaP, PStrP	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 46GS(2)	Duty, if Council rejects the estimate of the value of the inner public purpose land in the submission, to refer the matter to the valuer-general, and notify the affected owner of the rejection and that the matter has been referred to the valuer-general	CSLUP, CSP, GMED, MPD, PStaP, PStrP	
s 46GT(2)	Duty to pay half of the fee fixed by the valuer-general for arranging and attending the conference	CSLUP, CSP, GMED, MPD, PStaP, PStrP	
s 46GT(4)	Function of receiving, from the valuer-general, written confirmation of the agreement between the planning authority's valuer and the affected owner's valuer as to the estimated value of the inner public purpose land	CSLUP, CSP, GMED, MPD,	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		PStaP, PStrP	
s 46GT(6)	Function of receiving, from the valuer-general, written notice of a determination under s 46GT(5)	CSLUP, CSP, GMED, MPD, PStaP, PStrP	
s 46GU	Duty not to adopt an amendment under s.29 to an infrastructure contributions plan that specifies a land credit amount or a land equalisation amount that relates to a parcel of land in the ICP plan area of the plan unless the criteria in s 46GU(1)(a) and (b) are met	CSLUP, CSP, GMED, MPD, PStaP, PStrP	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 46GV(3)	Function of receiving the monetary component and any land equalisation amount of the infrastructure contribution  Power to specify the manner in which the payment is to be made	CSLUP, CSP, GMED, MPD, PStaP, PStrP	Where Council is the collecting agency
s 46GV(3)(b)	Power to enter into an agreement with the applicant	CSLUP, CSP, GMED, MPD, PStaP, PStrP	Where Council is the collecting agency
s 46GV(4)(a)	Function of receiving the inner public purpose land in accordance with s 46GV(5) and (6)	CSLUP, CSP, GMED, MPD,	Where Council is the development agency

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- (b) an officer of the authority; or
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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		PStaP, PStrP	
s 46GV(4)(b)	Function of receiving the inner public purpose land in accordance with s 46GV(5) and (6)	CSLUP, CSP, GMED, MPD, PStaP, PStrP	Where Council is the collecting agency
s 46GV(7)	Duty to impose the requirements set out in s 46GV(3) and (4) as conditions on the permit applied for by the applicant to develop the land in the ICP plan area	CSLUP, CSP, GMED, MPD, PStaP, PStrP	

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### Planning and Environment Act 1987

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 46GV(9)	Power to require the payment of a monetary component or the provision of the land component of an infrastructure contribution to be secured to Council's satisfaction	GMED, GMGI, MF, MPD	Where Council is the collecting agency
s 46GX(1)	Power to accept works, services or facilities in part or full satisfaction of the monetary component of an infrastructure contribution payable	CSLUP, CSP, GMED, MPD, PStaP, PStrP	Where Council is the collecting agency
s 46GX(2)	Duty, before accepting the provision of works, services or facilities by an applicant under s 46GX(1), to obtain the agreement of the development agency or agencies specified in the approved infrastructure contributions plan	GMED, GMGI, MF, MPD	Where Council is the collecting agency

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 46GY(1)	Duty to keep proper and separate accounts and records	GMED, GMGI, MF, MPD	Where Council is the collecting agency
s 46GY(2)	Duty to keep the accounts and records in accordance with the Local Government Act 2020	GMED, GMGI, MF, MPD	Where Council is the collecting agency
s 46GZ(2)(a)	Duty to forward any part of the monetary component that is imposed for plan preparation costs to the planning authority that incurred those costs	GMED, GMGI, MF, MPD	Where Council is the collecting agency under an approved infrastructure contributions plan  This duty does not apply where Council is that planning authority

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 46GZ(2)(a)	Function of receiving the monetary component	GMED, GMGI, MF, MPD	Where the Council is the planning authority  This duty does not apply where Council is also the collecting agency
s 46GZ(2)(b)	Duty to forward any part of the monetary component that is imposed for the provision of works, services or facilities to the development agency that is specified in the plan, as responsible for those works, services or facilities	CSLUP, CSP, GMED, MPD, PStaP, PStrP	Where Council is the collecting agency under an approved infrastructure contributions plan  This provision does not apply where Council is also the relevant development agency

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 46GZ(2)(b)	Function of receiving the monetary component	GMED, GMGI, MF, MPD	Where Council is the development agency under an approved infrastructure contributions plan
			This provision does not apply where Council is also the collecting agency
s 46GZ(4)	Duty to use any land equalisation amounts to pay land credit amounts under s 46GZ(7), except any part of those amounts that are to be forwarded to a development agency under s 46GZ(5)	GMED, GMGI, MF, MPD	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZ(5)	Duty to forward any part of a land equalisation amount required for the acquisition of outer public purpose land by a development agency specified in the approved infrastructure contributions plan to that development agency	GMED, GMGI, MF, MPD	Where Council is the collecting agency under an approved infrastructure contributions plan
			This provision does not apply where Council is also the relevant development agency

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 46GZ(5)	Function of receiving any part of a land equalisation amount required for the acquisition of outer public purpose land	GMED, GMGI, MF, MPD	Where Council is the development agency specified in the approved infrastructure contributions plan
			This provision does not apply where Council is also the collecting agency
s 46GZ(7)	Duty to pay to each person who must provide an infrastructure contribution under the approved infrastructure contributions plan any land credit amount to which the person is entitled under s 46GW	GMED, GMGI, MF, MPD	Where Council is the collecting agency under an approved infrastructure contributions plan

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 46GZ(9)	Duty to transfer the estate in fee simple in the land to the development agency specified in the approved infrastructure contributions plan as responsible for the use and development of that land	CSLUP, CSP, GMED, MPD	If any inner public purpose land is vested in Council under the Subdivision Act 1988 or acquired by Council before the time it is required to be provided to Council under s 46GV(4)
			Where Council is the collecting agency under an approved infrastructure contributions plan
			This duty does not apply where Council is also the development agency
s 46GZ(9)	Function of receiving the fee simple in the land	GMED, GMGI, MF, MPD	Where Council is the development agency under an approved infrastructure contributions plan  This duty does not apply where Council is also the collecting agency

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 46GZA(1)	Duty to keep proper and separate accounts and records	GMED, GMGI, MF, MPD	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZA(2)	Duty to keep the accounts and records in accordance with the Local Government Act 2020	CSLUP, CSP, GMED, MF, MPD	Where Council is a development agency under an approved infrastructure contributions plan
s 46GZB(3)	Duty to follow the steps set out in s 46GZB(3)(a) – (c)	GMGI, MF	Where Council is a development agency under an approved infrastructure contributions plan
s 46GZB(4)	Duty, in accordance with requirements of the VPA, to report on the use of the infrastructure contribution in the development agency's annual report and provide reports on the use of the infrastructure contribution to the VPA	GMED, GMGI, MF, MPD	If the VPA is the collecting agency under an approved infrastructure contributions plan
			Where Council is a development agency under an approved infrastructure contributions plan

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- (c) the Victorian Planning Authority.

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 46GZD(2)	Duty, within 6 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s 46GZD(2)(a) and (b)	GMED, GMGI, MF, MPD	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZD(3)	Duty to follow the steps set out in s 46GZD(3)(a) and (b)	GMED, GMGI, MF, MPD	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZD(5)	Duty to make payments under s 46GZD(3) in accordance with ss 46GZD(5)(a) and 46GZD(5)(b)	GMED, GMGI, MF, MPD	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZE(2)	Duty to forward the land equalisation amount back to the collecting agency within 6 months after the expiry date if any part of a land equalisation amount paid or forwarded to a development agency for acquiring outer public purpose	GMED, GMGI, MF, MPD	Where Council is the development agency under an approved infrastructure contributions plan

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	land has not been expended by the development agency to acquire that land at the date on which the approved infrastructure contributions plan expires		This duty does not apply where Council is also the collecting agency
s 46GZE(2)	Function of receiving the unexpended land equalisation amount	GMED, GMGI, MF, MPD	Where Council is the collecting agency under an approved infrastructure contributions plan
			This duty does not apply where Council is also the development agency
s 46GZE(3)	Duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s 46GZE(3)(a) and (b)	GMED, GMGI, MF, MPD	Where Council is the collecting agency under an approved infrastructure contributions plan

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 46GZF(2)	Duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to use the public purpose land for a public purpose approved by the Minister or sell the public purpose land	GMED, GMGI, MF, MPD	Where Council is the development agency under an approved infrastructure contributions plan
s.46GZF(3)	Duty, if land is sold under s.46GZF(2)(b), to follow the steps in s.46GZF(3)(a) and (b)	GMED, GMGI, MF, MPD	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZF(3)	s 46GZF(3)(a) function of receiving proceeds of sale	GMED, GMGI, MF, MPD	Where Council is the collection agency under an approved infrastructure contributions plan  This provision does not apply where Council is also the development agency

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 46GZF(4)	Duty to divide the proceeds of the public purpose land among the current owners of each parcel of land in the ICP plan area and pay each current owner a portion of the proceeds in accordance with s 46GZF(5)	GMED, GMGI, MF, MPD	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZF(6)	Duty to make the payments under s 46GZF(4) in accordance with s 46GZF(6)(a) and (b)	GMED, GMGI, MF, MPD	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZH	Power to recover the monetary component, or any land equalisation amount of the land component, payable under Part 3AB as a debt in any court of competent jurisdiction	GMED, GMGI, MF, MPD	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZI	Duty to prepare and give a report to the Minister at the times required by the Minister	GMED, GMGI, MF, MPD	Where Council is a collecting agency or development agency

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 46GZK	Power to deal with public purpose land which has vested in, been acquired by, or transferred to, Council	GMED, GMGI, MF, MPD, PropO	Where Council is a collecting agency or development agency
s 46LB(3)	Duty to publish, on Council's Internet site, the payable dwelling amount for a financial year on or before 1 July of each financial year for which the amount is adjusted under s 46LB (2)	CSLUP, CSP, GMED, GMGI, MF, MPD	
s 46N(1)	Duty to include condition in permit regarding payment of development infrastructure levy	CSLUP, CSP, GMED, MPD, PStaP, PStrP	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 46N(2)(c)	Function of determining time and manner for receipt of development contributions levy	CSLUP, CSP, GMED, MPD, PStaP, PStrP	
s 46N(2)(d)	Power to enter into an agreement with the applicant regarding payment of development infrastructure levy	CSLUP, CSP, GMED, MPD, PStaP, PStrP	
s 46O(1)(a) & (2)(a)	Power to ensure that community infrastructure levy is paid, or agreement is in place, prior to issuing building permit	CSLUP, CSP, GMED, MPD,	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		PStaP, PStrP	
s 46O(1)(d) & (2)(d)	Power to enter into agreement with the applicant regarding payment of community infrastructure levy	CSLUP, CSP, GMED, MPD, PStaP, PStrP	
s 46P(1)	Power to require payment of amount of levy under s 46N or s 46O to be satisfactorily secured	CSLUP, CSP, GMED, MPD, PStaP, PStrP	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 46P(2)	Power to accept provision of land, works, services or facilities in part or full payment of levy payable	CSLUP, CSP, GMED, MPD,	
s 46Q(1)	Duty to keep proper accounts of levies paid	CEng, CFA, CSLUP, CSP, DE, GMED, GMGI, IDO, MF, MPD	
s 46Q(1A)	Duty to forward to development agency part of levy imposed for carrying out works, services, or facilities on behalf of development agency or plan preparation costs incurred by a development agency	CEng, CFA, CSLUP, CSP, DE,	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		GMED, GMGI, IDO, MF, MPD	
s 46Q(2)	Duty to apply levy only for a purpose relating to the provision of plan preparation costs or the works, services and facilities in respect of which the levy was paid etc	CEng, CEO, CFA, CSLUP, CSP, DE, GMED, GMGI, IDO, MF, MPD, SAM	
s 46Q(3)	Power to refund any amount of levy paid if it is satisfied the development is not to proceed	CFA, CSLUP, CSP,	Only applies when levy is paid to Council as a 'development agency'

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		GMED, GMGI, MF, MPD	
s 46Q(4)(c)	Duty to pay amount to current owners of land in the area if an amount of levy has been paid to a municipal council as a development agency for plan preparation costs incurred by the Council or for the provision by the Council of works, services or facilities in an area under s 46Q(4)(a)	CFA, CSLUP, CSP, GMED, GMGI, MF, MPD	Must be done within six months of the end of the period required by the development contributions plan and with the consent of, and in the manner approved by, the Minister
s 46Q(4)(d)	Duty to submit to the Minister an amendment to the approved development contributions plan	CSLUP, CSP, GMED, MPD	Must be done in accordance with Part 3

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s46Q(4)(e)	Duty to expend that amount on other works etc.	CFA, CSLUP, CSP, GMED, GMGI, MF, MPD, SAM	With the consent of, and in the manner approved by, the Minister
s 46QC	Power to recover any amount of levy payable under Part 3B	CFA, CSLUP, CSP, GMED, GMGI, MF, MPD, SAM	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 46QD	Duty to prepare report and give a report to the Minister	GMED, GMGI, MF, MPD	Where Council is a collecting agency or development agency
s 46V(3)	Duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents lodged with it available	ND	
s 46Y	Duty to carry out works in conformity with the approved strategy plan	ND	
s 47	Power to decide that an application for a planning permit does not comply with that Act	AOPD, AOPlan, CPC, CRMg,	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		CSLUP, CSP, GMED, MPD, PAO, PCSASO, PO, PPIO, PPO, PSO, PStaP, PStrP, SPIO, SPP, TLPPS, VFTP	
s 49(1)	Duty to keep a register of all applications for permits and determinations relating to permits	AOPD, AOPlan, CPC,	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		CRMg, CSLUP, CSP, GMED, MPD, PAO, PCSASO, PO, PPIO, PPO, PSO, PStaP, PStrP, SPIO, SPP, TLPPS, VFTP	
s 49(2)	Duty to make register available for inspection in accordance with the public availability requirements	AOPD, AOPlan,	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		CSLUP, CSP, GMED, MPD, PAO, PCSASO, PO, PPO, PSO, PStaP, PStrP, SPP, TLPPS, VFTP	
s 50(4)	Duty to amend application	AOPD, AOPlan, CSLUP, CSP, GMED,	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		MPD, PAO, PCSASO, PO, PPO, PSO, PStaP, PStrP, SPP, TLPPS, VFTP	
s 50(5)	Power to refuse to amend application	CSLUP, CSP, MPD, PO, PStaP, PStrP, SPP, TLPPS, VFTP	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 50(6)	Duty to make note of amendment to application in register	AOPD, AOPlan, CSLUP, CSP, GMED, MPD, PAO, PCSASO, PO, PPO, PSO, PStaP, PStrP, SPP, TLPPS, VFTP	
s 50A(1)	Power to make amendment to application	CSLUP, CSP, GMED,	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		MPD, PO, PStaP, PStrP, TLPPS, VFTP	
s 50A(3)	Power to require applicant to notify owner and make a declaration that notice has been given	CSLUP, CSP, GMED, MPD, PO, PStaP, PStrP, TLPPS, VFTP	
s 50A(4)	Duty to note amendment to application in register	AOPD, AOPlan, CSLUP, CSP,	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		GMED, MPD, PAO, PCSASO, PO, PPO, PSO, PStaP, PStrP, SPP, TLPPS, VFTP	
s 51	Duty to make copy of application available for inspection in accordance with the public availability requirements	CSLUP, CSP, GMED, MPD, PO, PStrP, TLPPS	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 52(1)(a)	Duty to give notice of the application to owners/occupiers of adjoining allotments unless satisfied that the grant of permit would not cause material detriment to any person	AOPD, AOPlan, CSLUP, CSP, GMED, MPD, PAO, PCSASO, PO, PPO, PSO, PStaP, PStrP, SPP, TLPPS, VFTP	
s 52(1)(b)	Duty to give notice of the application to other municipal council where appropriate	AOPD, AOPlan, CSLUP,	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		CSP, GMED, MPD, PAO, PCSASO, PO, PPO, PSO, PStaP, PStrP, SPP, TLPPS, VFTP	
s 52(1)(c)	Duty to give notice of the application to all persons required by the planning scheme	AOPD, AOPlan, CSLUP, CSP, GMED, MPD,	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		PAO, PCSASO, PO, PPO, PSO, PStaP, PStrP, SPP, TLPPS, VFTP	
s 52(1)(ca)	Duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if may result in breach of covenant	AOPD, AOPlan, CSLUP, CSP, GMED, MPD, PAO, PCSASO, PO, PPO,	

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- (c) the Victorian Planning Authority.

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		PSO, PStaP, PStrP, SPP, TLPPS, VFTP	
s 52(1)(cb)	Duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if application is to remove or vary the covenant	AOPD, AOPlan, CSLUP, CSP, GMED, MPD, PAO, PCSASO, PO, PPO, PSO, PStaP, PStrP,	

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### Planning and Environment Act 1987

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- (b) an officer of the authority; or
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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		SPP, TLPPS, VFTP	
s 52(1)(d)	Duty to give notice of the application to other persons who may be detrimentally effected	AOPD, AOPlan, CSLUP, CSP, GMED, MPD, PAO, PCSASO, PO, PPO, PSO, PStaP, PStrP, SPP, TLPPS, VFTP	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s.52(1AA)	Duty to give notice of an application to remove or vary a registered restrictive covenant	AOPD, AOPlan, CSLUP, CSP, GMED, MPD, PAO, PCSASO, PO, PPO, PSO, PStaP, PStrP, SPP, TLPPS, VFTP	
s 52(3)	Power to give any further notice of an application where appropriate	AOPD, AOPlan, CSLUP,	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		CSP, GMED, MPD, PAO, PCSASO, PO, PPO, PSO, PStaP, PStrP, SPP, TLPPS, VFTP	
s 53(1)	Power to require the applicant to give notice under s 52(1) to persons specified by it	AOPD, AOPlan, CSLUP, CSP, GMED, MPD,	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		PAO, PCSASO, PO, PPO, PSO, PStaP, PStrP, SPP, TLPPS, VFTP	
s 53(1A)	Power to require the applicant to give the notice under s 52(1AA)	AOPD, AOPlan, CSLUP, CSP, GMED, MPD, PAO, PCSASO, PO, PPO,	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		PSO, PStaP, PStrP, SPP, TLPPS, VFTP	
s 54(1)	Power to require the applicant to provide more information	CSLUP, CSP, GMED, MPD, PO, PStaP, PStrP, SPP, TLPPS, VFTP,	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 54(1A)	Duty to give notice in writing of information required under s 54(1)	CSLUP, CSP, GMED, MPD, PO, PStaP, PStrP, SPP, TLPPS, VFTP	
s 54(1B)	Duty to specify the lapse date for an application	CSLUP, CSP, GMED, MPD, PO, PStaP, PStrP, SPP,	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		TLPPS, VFTP	
s 54A(3)	Power to decide to extend time or refuse to extend time to give required information	CSLUP, CSP, MPD, PO, PStaP, PStrP, SPP, TLPPS, VFTP	
s 54A(4)	Duty to give written notice of decision to extend or refuse to extend time under s 54A(3)	CSLUP, CSP, MPD, PO, PStaP, PStrP, SPP,	

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	Conditions and Limitations
TLPPS,	
VFTP	
e prescribed information, to every AOPD,	
eme AOPlan,	
CSLUP,	
CSP,	
GMED,	
MPD,	
PAO,	
PCSASO,	
PO, PPO,	
PSO,	
PStaP,	
PStrP,	
SPP,	
TLPPS,	
VFTP	
	e prescribed information, to every eme  AOPD, AOPlan, CSLUP, CSP, GMED, MPD, PAO, PCSASO, PO, PPO, PSO, PStaP, PStrP, SPP, TLPPS,

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 57(2A)	Power to reject objections considered made primarily for commercial advantage for the objector	CSLUP, CSP, MPD	Delegation will be exercised after written support for the intended decision has been obtained from a more senior officer, being the General Manager Environment & Development or Manager Planning & Development.
s 57(3)	Function of receiving name and address of persons to whom notice of decision is to go	AOPD, AOPlan, CSLUP, CSP, GMED, MPD, PAO, PCSASO, PO, PPO, PSO, PStaP,	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		PStrP, SPP, TLPPS, VFTP	
s 57(5)	Duty to make a copy of all objections available in accordance with the public availability requirements	AOPD, AOPlan, CSLUP, CSP, GMED, MPD, PAO, PCSASO, PO, PPO, PSO, PStaP, PStrP, SPP,	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		TLPPS, VFTP	
s 57A(4)	Duty to amend application in accordance with applicant's request, subject to s 57A(5)	AOPD, AOPlan, CSLUP, CSP, GMED, MPD, PAO, PCSASO, PO, PPO, PSO, PStaP, PStrP, SPP, TLPPS, VFTP	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 57A(5)	Power to refuse to amend application	CSLUP, CSP, GMED, MPD, PO, PSO, PStaP, PStrP, SPP, TLPPS, VFTP	
s 57A(6)	Duty to note amendments to application in register	AOPD, AOPlan, CSLUP, CSP, GMED, MPD, PAO, PCSASO,	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		PO, PPO, PSO, PStaP, PStrP, SPP, TLPPS, VFTP	
57B(1)	Duty to determine whether and to whom notice should be given	CSLUP, CSP, GMED, MPD, PO, PSO, PStaP, PStrP, SPP, TLPPS, VFTP	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 57B(2)	Duty to consider certain matters in determining whether notice should be given	CSLUP, CSP, GMED, MPD, PO, PSO, PStaP, PStrP, SPP, TLPPS, VFTP	
s 57C(1)	Duty to give copy of amended application to referral authority	AOPD, AOPlan, CSLUP, CSP, GMED, MPD, PAO, PCSASO,	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		PO, PPO, PSO, PStaP, PStrP, SPP, TLPPS, VFTP	
s 58	Duty to consider every application for a permit	CSLUP, CSP, GMED, MPD, PO, PSO, PStaP, PStrP, SPP, TLPPS, VFTP	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 58A	Power to request advice from the Planning Application Committee	CSLUP, CSP, GMED, MPD, PStaP, PStrP	
s 60	Duty to consider certain matters	CSLUP, CSP, GMED, MPD, PO, PSO, PStaP, PStrP, SPP, TLPPS, VFTP	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 60(1A)	Duty to consider certain matters	CSLUP, CSP, GMED, MPD, PO, PSO, PStaP, PStrP, SPP, TLPPS, VFTP	
s 60(1B)	Duty to consider number of objectors in considering whether use or development may have significant social effect	CSLUP, CSP, GMED, MPD, PO, PSO, PStaP, PStrP, SPP,	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		TLPPS, VFTP	
s 61(1)	Power to determine permit application, either to decide to grant a permit, to decide to grant a permit with conditions or to refuse a permit application	CSLUP, CSP, GMED, MPD, PO, PStaP, PStrP, SPP, TLPPS, VFTP	The permit must not be inconsistent with a cultural heritage management plan under the Aboriginal Heritage Act 2006  Delegation will be exercised after written support for the intended decision has been obtained from a more senior officer, being the General Manager Environment & Development, Manager Planning & Development or Coordinator Statutory Planning or the Principal Statutory Planner.  LIMITATIONS:

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
			determine the application where the application has been subject to public notice and there are no objections, or an exemption from public notice under the planning scheme exists and the intended decision is to grant a permit or grant a permit with conditions must have the written support of the Principal Statutory planner or Coordinator Statutory Planning or Manager Planning & Development, or General Manager Environment & Development.
			The Planning Officer, Vicsmart and Fast Track Planner and Senior Statutory Planner's authority to determine an application where the application has not been subject to public notice requires the written support of the Coordinator Statutory Planning or Manager Planning & Development, or General Manager Environment & Development.

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
			The authority to determine to approve an application with one objection is limited to the Coordinator Statutory Planning and the Manager Planning & Development and the General Manager Environment & Development
			The authority to determine an application with two or more objections is limited to the Manager Planning & Development and the General Manager Environment & Development
			The authority to determine to refuse an application is limited to the Manager Planning & Development and the General Manager Environment & Development.

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 61(2)	Duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	CSLUP, CSP, GMED, MPD, PStaP, PStrP	Delegation will be exercised after written support for the intended decision has been obtained from the General Manager Environment & Development, Manager Planning & Development or Coordinator Statutory Planning, or Principal Statutory Planner.
s 61(2A)	Power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	CSP, GMED, MPD	Delegation will be exercised after written support for the intended decision has been obtained from the General Manager Environment & Development, Manager Planning and Development, or Coordinator Statutory Planning.
s 61(3)(a)	Duty not to decide to grant a permit to use coastal Crown land without Minister's consent	CSLUP, CSP,	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		GMED, MPD	Delegation will be exercised after written support for the intended decision has been obtained from a more senior officer, being the General Manager Environment & Development, Manager Planning & Development or Coordinator Statutory Planning.
s 61(3)(b)	Duty to refuse to grant the permit without the Minister's consent	CSLUP, CSP, GMED, MPD	Delegation will be exercised after written support for the intended decision has been obtained from a more senior officer, being the General Manager Environment & Development, Manager Planning & Development or Coordinator Statutory Planning.
s 61(4)	Duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	CSLUP, CSP, GMED, MPD	Delegation will be exercised after written support for the intended decision has been obtained from a more senior officer, being the General Manager

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
			Environment & Development or Manager Planning & Development.
s 62(1)	Duty to include certain conditions in deciding to grant a permit	CSLUP, CSP, GMED, MPD, PO, PStaP, PStrP, SPP, TLPPS, VFTP	Delegation will be exercised after written support for the intended decision has been obtained from a more senior officer, being the General Manager Environment & Development, Manager Planning & Development or Coordinator Statutory Planning.
s 62(2)	Power to include other conditions	CSLUP, CSP, GMED, MPD, PO, PStaP, PStrP,	Delegation will be exercised after written support for the intended decision has been obtained from a more senior officer, being the General Manager

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		SPP, TLPPS, VFTP	Environment & Development, Manager Planning & Development or Coordinator Statutory Planning.
s 62(4)	Duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	CSLUP, CSP, GMED, MPD, PO, PStaP, PStrP, SPP, TLPPS, VFTP	Delegation will be exercised after written support for the intended decision has been obtained from a more senior officer, being the General Manager Environment & Development, Manager Planning & Development or Coordinator Statutory Planning.
s 62(5)(a)	Power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan	CSLUP, CSP, GMED, MPD, PO, PStaP,	Delegation will be exercised after written support for the intended decision has been obtained from a more senior officer, being the General Manager

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		PStrP, SPP, TLPPS, VFTP	Environment & Development, Manager Planning & Development or Coordinator Statutory Planning.
s 62(5)(b)	Power to include a permit condition that specified works be provided on or to the land or paid for in accordance with s 173 agreement	CSLUP, CSP, GMED, MPD, PO, PStaP, PStrP, SPP, TLPPS, VFTP	Delegation will be exercised after written support for the intended decision has been obtained from a more senior officer, being the General Manager Environment & Development, Manager Planning & Development or Coordinator Statutory Planning.
s 62(5)(c)	Power to include a permit condition that specified works be provided or paid for by the applicant	CSLUP, CSP, GMED, MPD, PO,	Delegation will be exercised after written support for the intended decision has been obtained from a

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		PStaP, PStrP, SPP, TLPPS, VFTP	more senior officer, being the General Manager Environment & Development, Manager Planning & Development or Coordinator Statutory Planning.
s 62(6)(a)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except in accordance with ss 46N(1), 46GV(7) or 62(5)	CSLUP, CSP, MPD, PO, PStaP, PStrP, SPP, TLPPS, VFTP	Delegation will be exercised after written support for the intended decision has been obtained from a more senior officer, being the General Manager Environment & Development, Manager Planning & Development or Coordinator Statutory Planning.
s 62(6)(b)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except a condition that a planning scheme requires to be included as referred to in s 62(1)(a)	CSLUP, CSP, MPD, PO, PStaP,	Delegation will be exercised after written support for the intended decision has been obtained from a

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		PStrP, SPP, TLPPS, VFTP	more senior officer, being the General Manager Environment & Development, Manager Planning & Development or Coordinator Statutory Planning.
s 63	Duty to issue the permit where a decision has been made in favour of the application (if no one has objected)	AOPD, AOPlan, CSLUP, CSP, MPD, PAO, PCSASO, PO, PPO, PSO, PStaP, PStrP, SPP, TLPPS, VFTP	Delegation will be exercised after written support for the intended decision has been obtained from a more senior officer, being the General Manager Environment & Development, Manager Planning & Development or Coordinator Statutory Planning.

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 64(1)	Duty to give notice of decision to grant a permit to applicant and objectors	AOPD, AOPlan, CSLUP, CSP, GMED, MPD, PAO, PCSASO, PO, PPO, PSO, PStaP, PStrP, SPP, TLPPS, VFTP	This provision applies also to a decision to grant an amendment to a permit - see s 75
s 64(3)	Duty not to issue a permit until after the specified period	AOPD, AOPlan, CSLUP,	This provision applies also to a decision to grant an amendment to a permit - see s 75

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		CSP, GMED, MPD, PAO, PCSASO, PO, PPO, PSO, PStaP, PStrP, SPP, TLPPS, VFTP	
s 64(5)	Duty to give each objector a copy of an exempt decision	AOPD, AOPlan, CSLUP, CSP, GMED, MPD,	This provision applies also to a decision to grant an amendment to a permit - see s 75

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		PAO, PCSASO, PO, PPO, PSO, PStaP, PStrP, SPP, TLPPS, VFTP	
s 64A	Duty not to issue permit until the end of a period when an application for review may be lodged with VCAT or until VCAT has determined the application, if a relevant recommending referral authority has objected to the grant of a permit	AOPD, AOPlan, CSLUP, CSP, GMED, MPD, PAO, PCSASO, PO, PPO,	This provision applies also to a decision to grant an amendment to a permit - see s 75A

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		PSO, PStaP, PStrP, SPP, TLPPS, VFTP	
s 65(1)	Duty to give notice of refusal to grant permit to applicant and person who objected under s 57	AOPD, AOPlan, CSLUP, CSP, GMED, MPD, PAO, PCSASO, PO, PPO, PSO, PStaP, PStrP,	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		SPP, TLPPS, VFTP	
s 66(1)	Duty to give notice under s 64 or s 65 and copy permit to relevant determining referral authorities	AOPD, AOPIan, CSLUP, CSP, GMED, MPD, PAO, PCSASO, PO, PPO, PSO, PStaP, PStrP, SPP, TLPPS, VFTP	

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## Planning and Environment Act 1987

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- (b) an officer of the authority; or
- (c) the Victorian Planning Authority.

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 66(2)	Duty to give a recommending referral authority notice of its decision to grant a permit	AOPD, AOPlan, CSLUP, CSP, GMED, MPD, PAO, PCSASO, PO, PPO, PSO, PStaP, PStrP, SPP, TLPPS, VFTP	If the recommending referral authority objected to the grant of the permit or the responsible authority decided not to include a condition on the permit recommended by the recommending referral authority
s 66(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	AOPD, AOPlan, CSLUP,	If the recommending referral authority objected to the grant of the permit or the recommending

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		CSP, GMED, MPD, PAO, PCSASO, PO, PPO, PSO, PStaP, PStrP, SPP, TLPPS, VFTP	referral authority recommended that a permit condition be included on the permit
s 66(6)	Duty to give a recommending referral authority a copy of any permit which Council decides to grant and a copy of any notice given under s 64 or 65	AOPD, AOPlan, CSLUP, CSP, GMED, MPD,	If the recommending referral authority did not object to the grant of the permit or the recommending referral authority did not recommend a condition be included on the permit

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		PAO, PCSASO, PO, PPO, PSO, PStaP, PStrP, SPP, TLPPS, VFTP	
s 69(1)	Function of receiving application for extension of time of permit	AOPD, AOPlan, CSLUP, CSP, GMED, MPD, PAO, PCSASO, PO, PPO,	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		PSO, PStaP, PStrP, SPP, TLPPS, VFTP	
s 69(1A)	Function of receiving application for extension of time to complete development	AOPD, AOPlan, CSLUP, CSP, GMED, MPD, PAO, PCSASO, PO, PPO, PSO, PStaP, PStrP,	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		SPP, TLPPS, VFTP	
s 69(2)	Power to extend time	CSLUP, CSP, MPD, PStaP, PStrP, SPP, TLPPS	Delegation will be exercised after written support for the intended decision has been obtained from a more senior officer, being the General Manager Environment & Development, Manager Planning & Development or Coordinator Statutory Planning, or Principal Statutory Planner.
s 70	Duty to make copy permit available for inspection in accordance with the public availability requirements	AOPD, AOPlan, CSLUP, CSP, GMED, MPD,	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		PAO, PCSASO, PO, PPO, PSO, PStaP, PStrP, SPP, TLPPS, VFTP	
s 71(1)	Power to correct certain mistakes	CSLUP, CSP, GMED, MPD, PStaP, PStrP	
s 71(2)	Duty to note corrections in register	AOPD, AOPlan,	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		CSLUP, CSP, GMED, MPD, PAO, PCSASO, PO, PPO, PSO, PStaP, PStrP, SPP, TLPPS, VFTP	
s 73	Power to decide to grant amendment subject to conditions	CSLUP, CSP, GMED, MPD, PO, PStaP,	Delegation will be exercised after written support for the intended decision has been obtained from a more senior officer, being the General Manager Environment & Development, Manager Planning &

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		PStrP, SPP, TLPPS, VFTP	Development or Coordinator Statutory Planning or the Principal Statutory Planner. LIMITATIONS:
			The Planning Officer, Vicsmart and Fast Track Planner and Senior Statutory Planner's authority to determine the application where the application has been subject to public notice and there are no objections, or an exemption from public notice under the planning scheme exists and the intended decision is to grant a permit or grant a permit with conditions must have the written support of the Principal Statutory planner or Coordinator Statutory Planning or Manager Planning & Development, or General Manager Environment & Development.

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
			The Planning Officer, Vicsmart and Fast Track Planner and Senior Statutory Planner's authority to determine an application where the application has not been subject to public notice requires the written support of the Coordinator Statutory Planning or Manager Planning & Development, or General Manager Environment & Development.
			The authority to determine to approve an application with one objection is limited to the Coordinator Statutory Planning and the Manager Planning & Development and the General Manager Environment & Development
			The authority to determine an application with two or more objections is limited to the Manager

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
			Planning & Development and the General Manager Environment & Development
			The authority to determine to refuse an application is limited to the Manager Planning & Development and the General Manager Environment & Development.
s 74	Duty to issue amended permit to applicant if no objectors	AOPD, AOPlan, CSLUP, CSP, GMED, MPD, PAO, PCSASO, PO, PPO,	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		PSO, PStaP, PStrP, SPP, TLPPS, VFTP	
s 76	Duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	AOPD, AOPlan, CSLUP, CSP, GMED, MPD, PAO, PCSASO, PO, PPO, PSO, PStaP, PStrP,	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		SPP, TLPPS, VFTP	
s 76A(1)	Duty to give relevant determining referral authorities copy of amended permit and copy of notice	AOPD, AOPlan, CSLUP, CSP, GMED, MPD, PAO, PCSASO, PO, PPO, PSO, PStaP, PStrP, SPP, TLPPS, VFTP	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 76A(2)	Duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	AOPD, AOPIan, CSLUP, CSP, GMED, MPD, PAO, PCSASO, PO, PPO, PSO, PStaP, PStrP, SPP, TLPPS, VFTP	If the recommending referral authority objected to the amendment of the permit or the responsible authority decided not to include a condition on the amended permit recommended by the recommending referral authority
s 76A(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	AOPD, AOPlan, CSLUP,	If the recommending referral authority objected to the amendment of the permit or the recommending

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		CSP, GMED, MPD, PAO, PCSASO, PO, PPO, PSO, PStaP, PStrP, SPP, TLPPS, VFTP	referral authority recommended that a permit condition be included on the amended permit
s 76A(6)	Duty to give a recommending referral authority a copy of any amended permit which Council decides to grant and a copy of any notice given under s 64 or 76	AOPD, AOPlan, CSLUP, CSP, GMED, MPD,	If the recommending referral authority did not object to the amendment of the permit or the recommending referral authority did not recommend a condition be included on the amended permit

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		PAO, PCSASO, PO, PPO, PSO, PStaP, PStrP, SPP, TLPPS, VFTP	
s 76D	Duty to comply with direction of Minister to issue amended permit	CSLUP, CSP, GMED, MPD, PStaP, PStrP	
s 83	Function of being respondent to an appeal	CSLUP, CSP,	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		GMED, MPD, PO, PStaP, PStrP, SPP, TLPPS, VFTP	
s 83B	Duty to give or publish notice of application for review	AOPD, AOPlan, CSLUP, CSP, GMED, MPD, PAO, PCSASO, PO, PPO, PSO, PSO,	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		PStrP, SPP, TLPPS, VFTP	
s 84(1)	Power to decide on an application at any time after an appeal is lodged against failure to grant a permit	CSLUP, CSP, GMED, MPD	Delegation will be exercised after written support for the intended decision has been obtained from a more senior officer, being the General Manager Environment & Development, Manager Planning & Development or Coordinator Statutory Planning.
s 84(2)	Duty not to issue a permit or notice of decision or refusal after an application is made for review of a failure to grant a permit	CSLUP, CSP, GMED, MPD, PStaP, PStrP	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 84(3)	Duty to tell principal registrar if decide to grant a permit after an application is made for review of its failure to grant a permit	CSP, GMED, MPD, PStaP, PStrP, SPP, TLPPS	
s 84(6)	Duty to issue permit on receipt of advice within 3 working days	CSLUP, CSP, GMED, MPD, PStaP, PStrP	
s 84AB	Power to agree to confining a review by the Tribunal	CSLUP, CSP, GMED,	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		MPD, PStaP, PStrP	
s 86	Duty to issue a permit at order of Tribunal within 3 working days	CSLUP, CSP, GMED, MPD, PO, PStaP, PStrP, VFTP	
s 87(3)	Power to apply to VCAT for the cancellation or amendment of a permit	CPC, CRMg, CSLUP, CSP, GMED, MPD	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 90(1)	Function of being heard at hearing of request for cancellation or amendment of a permit	CPC, CRMg, CSLUP, CSP, GMED, MPD, PStaP, PStrP	
s 91(2)	Duty to comply with the directions of VCAT	CPC, CRMg, CSLUP, CSP, GMED, MPD, PStaP, PStrP, SPIO	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 91(2A)	Duty to issue amended permit to owner if Tribunal so directs	CPC, CRMg, CSLUP, CSP, GMED, MPD, PStaP, PStrP	
s 92	Duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s 90	CPC, CRMg, CSLUP, CSO, GMED, MPD, SPP, TLPPS	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 93(2)	Duty to give notice of VCAT order to stop development	CPC, CRMg, CSLUP, CSP, GMED, MPD, PPIO, PStaP, PStrP, SPIO, SPP, TLPPS	
s 95(3)	Function of referring certain applications to the Minister	CSLUP, CSP, GMED, MPD,	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		PStaP, PStrP	
s 95(4)	Duty to comply with an order or direction	CSLUP, CSP, GMED, MPD, PStaP, PStrP, SPP, TLPPS	
s 96(1)	Duty to obtain a permit from the Minister to use and develop its land	CSLUP, CSP, GMED, MPD, PStaP, PStrP,	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		SPP, TLPPS	
s 96(2)	Function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	CSLUP, CSP, GMED, MPD	
s 96A(2)	Power to agree to consider an application for permit concurrently with preparation of proposed amendment	CSLUP, CSP, GMED, MPD	
s 96C	Power to give notice, to decide not to give notice, to publish notice and to exercise any other power under s 96C	AOPD, AOPlan, CSLUP, CSP, GMED,	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		MPD, PAO, PCSASO, PO, PPO, PSO, PStaP, PStrP, SPP, TLPPS, VFTP	
s 96F	Duty to consider the panel's report under s 96E	ND	
s 96G(1)	Power to determine to recommend that a permit be granted or to refuse to recommend that a permit be granted and power to notify applicant of the determination (including power to give notice under s 23 of the Planning and Environment (Planning Schemes) Act 1996)	ND	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 96H(3)	Power to give notice in compliance with Minister's direction	AOPD, AOPIan, CSLUP, CSP, GMED, MPD, PAO, PCSASO, PO, PPO, PSO, PStaP, PStrP, SPP, TLPPS, VFTP	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 96J	Power to issue permit as directed by the Minister	AOPD, AOPlan, CSLUP, CSP, GMED, MPD, PAO, PCSASO, PO, PPO, PSO, PStaP, PStrP, SPP, TLPPS, VFTP	
s 96K	Duty to comply with direction of the Minister to give notice of refusal	AOPD, AOPlan, CSLUP,	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		CSP, GMED, MPD, PAO, PCSASO, PO, PPO, PSO, PStaP, PStrP, SPP, TLPPS, VFTP	
s 96Z	Duty to keep levy certificates given to it under ss 47 or 96A for no less than 5 years from receipt of the certificate	CSLUP, CSP, GMED, MPD, PO, PStaP, PStrP,	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		SPP, TLPPS, VFTP	
s 97C	Power to request Minister to decide the application	GMED, MPD	
s 97D(1)	Duty to comply with directions of Minister to supply any document or assistance relating to application	AOPD, AOPlan, CSLUP, CSP, GMED, MPD, PAO, PCSASO, PO, PPO, PSO, PStaP, PStrP,	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		SPP, TLPPS, VFTP	
s 97G(3)	Function of receiving from Minister copy of notice of refusal to grant permit or copy of any permit granted by the Minister	CSLUP, CSP, GMED, MPD, PO, PSO, SPP, TLPPS, VFTP	
s 97G(6)	Duty to make a copy of permits issued under s 97F available in accordance with the public availability requirements	AOPD, AOPlan, CSLUP, CSP, GMED, MPD,	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		PAO, PCSASO, PO, PPO, PSO, PStaP, PStrP, SPP, TLPPS, VFTP	
s 97L	Duty to include Ministerial decisions in a register kept under s 49	AOPD, AOPlan, CSLUP, CSP, GMED, MPD, PAO, PCSASO, PO, PPO,	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		PSO, SPP, TLPPS, VFTP	
s 97MH	Duty to provide information or assistance to the Planning Application Committee	AOPD, AOPlan, CSLUP, CSP, GMED, MPD, PAO, PCSASO, PO, PPO, PSO, SPP, TLPPS, VFTP	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 97MI	Duty to contribute to the costs of the Planning Application Committee or subcommittee	GMED, MPD	
s 97O	Duty to consider application and issue or refuse to issue certificate of compliance	CPC, CRMg, CSLUP, CSP, GMED, MPD, SPP, TLPPS	Delegation will be exercised after written support for the intended decision has been obtained from a more senior officer, being the General Manager Environment & Development, Manager Planning & Development or Coordinator Statutory Planning.
s 97P(3)	Duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	CPC, CRMg, CSLUP, CSP, GMED, MPD,	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		PPIO, SPIO, SPP, TLPPS	
s 97Q(2)	Function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	CPC, CRMg, CSLUP, CSP, GMED, MPD, PPIO, PStaP, PStrP, SPIO, SPP, TLPPS	

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### Planning and Environment Act 1987

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 97Q(4)	Duty to comply with directions of VCAT	CPC, CRMg, CSLUP, CSP, GMED, MPD, SPIO, TLPPS	
s 97R	Duty to keep register of all applications for certificate of compliance and related decisions	AOPD, AOPlan, CPC, CRMg, CSLUP, CSP, GMED, MPD, PAO, PCSASO,	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		PPIO, PPO, PStaP, PStrP, SPIO, SPP, TLPPS	
s 98(1)&(2)	Function of receiving claim for compensation in certain circumstances	CSLUP, CSP, GMED, MPD, PO, PStaP, PStrP, SPP, TLPPS, VFTP	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 98(4)	Duty to inform any person of the name of the person from whom compensation can be claimed	CSLUP, CSP, GMED, MPD, PStaP, PStrP, SPP, TLPPS	
s 101	Function of receiving claim for expenses in conjunction with claim	CSLUP, CSP, GMED, MPD, PStaP, PStrP	
s 103	Power to reject a claim for compensation in certain circumstances	CSLUP, CSP,	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		GMED, MPD	
s.107(1)	function of receiving claim for compensation	CSLUP, CSP, GMED, MPD, PStaP, PStrP	
s 107(3)	Power to agree to extend time for making claim	CSLUP, CSP, GMED, MPD	
s 114(1)	Power to apply to the VCAT for an enforcement order	CPC, CRMg, CSLUP,	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		CSP, GMED, MPD, PPIO, PSO, PStaP, SPIO, SPP, TLPPS	
s 117(1)(a)	Function of making a submission to the VCAT where objections are received	CPC, CRMg, CSLUP, CSP, GMED, MPD, PPIO, PSO, PStaP,	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		SPIO, SPP, TLPPS	
s 120(1)	Power to apply for an interim enforcement order where s 114 application has been made	CPC, CRMg, CSLUP, CSP, GMED, MPD, PPIO, SPIO, SPP, TLPPS	
s 123(1)	Power to carry out work required by enforcement order and recover costs	CPC, CRMg, CSLUP, CSP,	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		GMED, MPD	
s 123(2)	Power to sell buildings, materials, etc salvaged in carrying out work under s 123(1)	CPC, CRMg, CSLUP, CSP, GMED, MPD	Except Crown Land
s 129	Function of recovering penalties	CPC, CRMg, CSLUP, CSP, GMED, MPD	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 130(5)	Power to allow person served with an infringement notice further time	CPC, CRMg, CSLUP, CSP, GMED, MPD	
s 149A(1)	Power to refer a matter to the VCAT for determination	CPC, CRMg, CSLUP, CSP, GMED, MPD, PPIO, PStaP, PStrP, SPP, TLPPS	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 149A(1A)	power to apply to VCAT for the determination of a matter relating to the interpretation of a s.173 agreement	CPC, CRMg, CSLUP, CSP, GMED, MPD, PStaP, PStrP, SPP, TLPPS	
s 156	Duty to pay fees and allowances (including a payment to the Crown under s 156(2A)), and payment or reimbursement for reasonable costs and expenses incurred by the panel in carrying out its functions unless the Minister directs otherwise under s 156(2B)power to ask for contribution under s 156(3) and power to abandon amendment or part of it under s 156(4)	CSLUP, CSP, GMED, MPD	Where Council is the relevant planning authority

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 171(2)(f)	Power to carry out studies and commission reports	CPC, CRMg, CSLUP, CSP, GMED, MPD, PStaP, PStrP, SPP, TLPPS	
s 171(2)(g)	Power to grant and reserve easements	CSLUP, CSP, GMED, MPD	
s 172C	Power to compulsorily acquire any outer public purpose land that is specified in the approved infrastructure contributions plan	GMED, GMGI	Where Council is a development agency specified in an approved infrastructure contributions plan

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 172D(1)	Power to compulsorily acquire any inner public purpose land that is specified in the plan before the time that the land is required to be provided to Council under s 46GV(4)	GMED, GMGI	Where Council is a collecting agency specified in an approved infrastructure contributions plan
s 172D(2)	Power to compulsorily acquire any inner public purpose land, the use and development of which is to be the responsibility of Council under the plan, before the time that the land is required to be provided under s 46GV(4)	GMED, GMGI	Where Council is the development agency specified in an approved infrastructure contributions plan
s 173(1)	Power to enter into agreement covering matters set out in s 174	CEO, GMED, MPD	The MPD and the GMED delegated power is limited to agreements required by the planning scheme, building envelopes and waste water management envelopes.
s 173(1A)	Power to enter into an agreement with an owner of land for the development or provision of land in relation to affordable housing	GMED	Where Council is the relevant responsible authority

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Power to decide whether something is to the satisfaction of Council, where an agreement made under s 173 of the Planning and Environment Act 1987 requires something to be to the satisfaction of Council or Responsible Authority	CPC, CRMg, CSLUP, CSP, GMED, MPD, PIO, PO, PPIO, PStaP, PStrP, SPIO, SPP, TLPPS, VFTP	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Power to give consent on behalf of Council, where an agreement made under s 173 of the Planning and Environment Act 1987 requires that something may not be done without the consent of Council or Responsible Authority	CSLUP, CSP, GMED, MPD, PO, PPIO, PStaP, PStrP, SPIO, SPP, TLPPS, VFTP	
s 177(2)	Power to end a s 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	CSP, GMED, MPD	Delegation will be exercised after written support for the intended decision has been obtained from a more senior officer, being the General Manager Environment & Development, Manager Planning & Development

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 178	power to amend a s 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	CEO, GMED	GMED has delegated power where the CEO has a conflict of interest.
s 178A(1)	Function of receiving application to amend or end an agreement	AOPD, AOPlan, CSLUP, CSP, GMED, MPD, PAO, PCSASO, PIO, PO, PPO, PSO, PStaP, PStrP, SPP,	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		TLPPS, VFTP	
s 178A(3)	Function of notifying the owner as to whether it agrees in principle to the proposal under s 178A(1)	CEO, GMED	Requires agreement of the CEO unless the CEO has a conflict of interest. Prior to making a decision the CEO (or GMED where the CEO has a conflict of interest) must:  i) Consult the Mayor, and  ii) provide all Councillors 48 hours' notice of the intention to make an in-principle decision.
s 178A(4)	Function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	GMED	Requires agreement of the CEO unless the CEO has a conflict of interest.

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 178A(5)	Power to propose to amend or end an agreement	GMED	Requires agreement of the CEO unless the CEO has a conflict of interest.
s 178B(1)	Duty to consider certain matters when considering proposal to amend an agreement	CSLUP, CSP, GMED, MPD	
s 178B(2)	Duty to consider certain matters when considering proposal to end an agreement	CSLUP, CSP, GMED, MPD	
s 178C(2)	Duty to give notice of the proposal to all parties to the agreement and other persons who may be detrimentally affected by decision to amend or end	CPC, CRMg, CSLUP,	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		CSP, GMED, MPD, PIO, PO, PStaP, PStrP, SPIO, SPP, TLPPS	
s 178C(4)	Function of determining how to give notice under s 178C(2)	CPC, CRMg, CSLUP, CSP, GMED, MPD, PStaP, PStrP,	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		SPP, TLPPS	
s 178E(1)	Duty not to make decision until after 14 days after notice has been given	GMED, MPD	
s.178E(2)(a)	Power to amend or end the agreement in accordance with the proposal	GMED, MPD	If no objections are made under s 178D
			Must consider matters in s 178B
s 178E(2)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	GMED, MPD	If no objections are made under s 178D
			Must consider matters in s 178B

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 178E(2)(c)	Power to refuse to amend or end the agreement	GMED, MPD	If no objections are made under s 178D
			Must consider matters in s 178B
s 178E(3)(a)	Power to amend or end the agreement in accordance with the proposal	GMED, MPD	After considering objections, submissions and matters in s 178B
s 178E(3)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	GMED, MPD	After considering objections, submissions and matters in s 178B  Requires agreement of the CEO unless the CEO has a conflict of interest.
s.178E(3)(c)	power to amend or end the agreement in a manner that is substantively different from the proposal	GMED, MPD	After considering objections, submissions and matters in s.178B

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
			Requires agreement of the CEO unless the CEO has a conflict of interest.
s 178E(3)(d)	Power to refuse to amend or end the agreement	GMED, MPD	After considering objections, submissions and matters in s 178B  Requires agreement of the CEO unless the CEO has a conflict of interest.
s 178F(1)	Duty to give notice of its decision under s 178E(3)(a) or (b)	GMED, MPD	
s 178F(2)	Duty to give notice of its decision under s 178E(2)(c) or (3)(d)	GMED, MPD	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 178F(4)	Duty not to proceed to amend or end an agreement under s 178E until at least 21 days after notice has been given or until an application for review to the Tribunal has been determined or withdrawn	GMED, MPD	
s 178G	Duty to sign amended agreement and give copy to each other party to the agreement	CEO, GMED	GMED has delegated power where the CEO has a conflict of interest.
s 178H	Power to require a person who applies to amend or end an agreement to pay the costs of giving notices and preparing the amended agreement	CSLUP, CSP, GMED, MPD, PO, PStaP, PStrP, SPP, TLPPS, VFTP	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 178I(3)	Duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	CPC, CRMg, CSLUP, CSP, GMED, MPD, PO, PStaP, PStrP, SPP, TLPPS, VFTP	
s 179(2)	Duty to make copy of each agreement available in accordance with the public availability requirements	CPC, CRMg, CSLUP, CSP, GMED, MPD, PO, SPIO,	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		SPP, TLPPS, VFTP	
s 181	Duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General	CSLUP, CSP, GMED, MPD, PO, PStaP, PStrP, SPP, TLPPS, VFTP	
s 181(1A)(a)	Power to apply to the Registrar of Titles to record the agreement	CSLUP, CSP, GMED, MPD, PO, PStaP,	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		PStrP, SPP, TLPPS, VFTP	
s 181(1A)(b)	Duty to apply to the Registrar of Titles, without delay, to record the agreement	CSLUP, CSP, GMED, MPD, PO, PStaP, PStrP, SPP, TLPPS, VFTP	
s 182	Power to enforce an agreement	CSLUP, CSP, GMED, MPD, PIO,	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		PO, SPP, TLPPS, VFTP	
s 183	Duty to tell Registrar of Titles of ending/amendment of agreement	CSLUP, CSP, GMED, MPD, PIO, PO, SPP, TLPPS, VFTP	
s 184F(1)	Power to decide to amend or end an agreement at any time after an application for review of the failure of Council to make a decision	GMED, MPD	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 184F(2)	Duty not to amend or end the agreement or give notice of the decision after an application is made to VCAT for review of a failure to amend or end an agreement	GMED, MPD	
s 184F(3)	Duty to inform the principal registrar if the responsible authority decides to amend or end an agreement after an application is made for the review of its failure to end or amend the agreement	CSLUP, CSP, GMED, MPD, PIO, PO, PStaP, PStrP, SPP, TLPPS, VFTP	
s 184F(5)	Function of receiving advice from the principal registrar that the agreement may be amended or ended in accordance with Council's decision	CSLUP, CSP, GMED,	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		MPD, PIO, PO, PStaP, PStrP, SPP, TLPPS, VFTP	
s 184G(2)	Duty to comply with a direction of the Tribunal	CSLUP, CSP, GMED, MPD, PO, SPP, TLPPS, VFTP	
s 184G(3)	Duty to give notice as directed by the Tribunal	CSLUP, CSP, GMED,	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		MPD, PO, SPP, TLPPS, VFTP	
s 198(1)	Function to receive application for planning certificate	CSLUP, CSP, GMED, MPD, PO, SPP, TLPPS, VFTP	
s 199(1)	Duty to give planning certificate to applicant	CSLUP, CSP, GMED, MPD, PO, SPP,	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		TLPPS, VFTP	
s 201(1)	Function of receiving application for declaration of underlying zoning	CSLUP, CSP, GMED, MPD, PO, SPP, TLPPS, VFTP	
s 201(3)	Duty to make declaration	CSLUP, CSP, MPD, PO, PStaP, PStrP, SPP,	Delegation will be exercised after written support for the intended decision has been obtained from a more senior officer, being the General Manager Environment & Development, Manager Planning & Development or Coordinator Statutory Planning or Principal Statutory Planner.

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		TLPPS, VFTP	
	Power to decide, in relation to any planning scheme or permit, that a specified thing has or has not been done to the satisfaction of Council	CPC, CRMg, CSLUP, CSP, MPD, PIO, PO, PPIO, PStaP, PStrP, SPIO, SPP, TLPPS, VFTP	Delegation will be exercised after written support for the intended decision has been obtained from a more senior officer, being the General Manager Environment & Development, Manager Planning & Development, Coordinator Statutory Planning, Coordinator Planning Compliance or Principal Statutory Planner.
	Power, in relation to any planning scheme or permit, to consent or refuse to consent to any matter which requires the consent or approval of Council	CPC, CRMg, CSLUP,	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		CSP, GMED, MPD, PIO, PO, PStaP, PStrP, SPIO, SPP, TLPPS, VFTP	Delegation will be exercised after written support for the intended decision has been obtained from a more senior officer, being the General Manager Environment & Development, Manager Planning & Development, Coordinator Statutory Planning, Coordinator Strategic Land Use Planning, Principal Statutory Planner, Principal Strategic Planner
	Power to approve any plan or any amendment to a plan or other document in accordance with a provision of a planning scheme or condition in a permit	CPC, CRMg, CSLUP, CSP, MPD, PO, PStaP, PStrP, SPP,	LIMITATIONS:  Delegated power to approve development plans is limited to the Manager Planning & Development, Coordinator Strategic Land Use Planning where there are no unresolved submissions objecting to the plan. Approval of minor amendments to

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		TLPPS, VFTP	development plans previously approved by Council resolution where there were submissions objecting to the plan and the new plan makes no significant change to the plan that would require public notice of that change.
			Delegation will be exercised after written support for the intended decision has been obtained from a more senior officer, being the General Manager Environment & Development or Manager Planning & Development.
			Planning Officer, Vicsmart and fast track planner and Senior Statutory Planner's authority to determine an application where the intended decision is to approve secondary consents require the written support of the Principal Statutory

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### Planning and Environment Act 1987

Section 188 states - (1) A planning authority or responsible authority other than the Minister or the Victorian Planning Authority may by instrument delegate any of its powers, discretions or functions under this Act to—

- (a) a committee of the authority; or
- (b) an officer of the authority; or
- (c) the Victorian Planning Authority.

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
			Planner, or Coordinator Statutory Planning or Manager Planning & Development, or General Manager Environment & Development.
	Power to give written authorisation in accordance with a provision of a planning scheme	CPC, CRMg, CSLUP, CSP, GMED, MPD, PO, PStaP, PStrP, SPP, TLPPS, VFTP	Delegation will be exercised after written support for the intended decision has been obtained from a more senior officer, being the General Manager Environment & Development, Manager Planning & Development, or Coordinator Statutory Planning, or Principal Statutory Planner.

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### Planning and Environment Act 1987

Section 188 states - (1) A planning authority or responsible authority other than the Minister or the Victorian Planning Authority may by instrument delegate any of its powers, discretions or functions under this Act to—

- (a) a committee of the authority; or
- (b) an officer of the authority; or
- (c) the Victorian Planning Authority.

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 201UAB(1)	Function of providing the Victoria Planning Authority with information relating to any land within municipal district	CSLUP, CSP, GMED, MPD, SPP, TLPPS	
s 201UAB(2)	Duty to provide the Victoria Planning Authority with information requested under s 201UAB(1) as soon as possible	CSLUP, CSP, GMED, MPD, SPP, TLPPS	

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#### Residential Tenancies Act 1997

Section 3(1) states - Council has the same meaning as in section 3(1) of the Local Government Act 2020.

Section 524(2) states – A Council may, by instrument, delegate to an officer of, or holder of an office in, the Council any of its power or functions, under this Part and the regulations under this Part, except this power of delegation.

Note: Part referenced is Part 14 (s.512 - s.527)

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 91ZU(1)	Power to give a renter a notice to vacate rented premises	CEO	Where Council is a public statutory authority engaged in the provision of housing
s 91ZZC(1)	Power to give a renter a notice to vacate rented premises	CEO	Where Council is a public statutory authority authorised to acquire land compulsorily for its purposes
s 91ZZE(1)	Power to give a renter a notice to vacate rented premises	CEO	Where Council is a public statutory authority engaged in the provision of housing

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#### Residential Tenancies Act 1997

Section 3(1) states - Council has the same meaning as in section 3(1) of the Local Government Act 2020.

Section 524(2) states – A Council may, by instrument, delegate to an officer of, or holder of an office in, the Council any of its power or functions, under this Part and the regulations under this Part, except this power of delegation.

Note: Part referenced is Part 14 (s.512 - s.527)

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 91ZZE(3)	Power to publish Council's criteria for eligibility for the provision of housing	GMCC	Where Council is a public statutory authority engaged in the provision of housing
s 142D	Function of receiving notice regarding an unregistered rooming house	CEH, EHO	
s 142G(1)	Duty to enter required information in Rooming House Register for each rooming house in municipal district	CEH	
s 142G(2)	Power to enter certain information in the Rooming House Register	CEH, EHO	

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#### Residential Tenancies Act 1997

Section 3(1) states - Council has the same meaning as in section 3(1) of the Local Government Act 2020.

Section 524(2) states – A Council may, by instrument, delegate to an officer of, or holder of an office in, the Council any of its power or functions, under this Part and the regulations under this Part, except this power of delegation.

Note: Part referenced is Part 14 (s.512 - s.527)

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 142I(2)	Power to amend or revoke an entry in the Rooming House Register if necessary to maintain the accuracy of the entry	CEH, EHO	
s 206AZA(2)	Function of receiving written notification	GMCC	
s 207ZE(2)	Function of receiving written notification	GMCC	
s 518F	Power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	BI, BS, CEH, EHO, MBS	

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#### Residential Tenancies Act 1997

Section 3(1) states - Council has the same meaning as in section 3(1) of the Local Government Act 2020.

Section 524(2) states – A Council may, by instrument, delegate to an officer of, or holder of an office in, the Council any of its power or functions, under this Part and the regulations under this Part, except this power of delegation.

Note: Part referenced is Part 14 (s.512 - s.527)

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 522(1)	Power to give a compliance notice to a person	BI, BS, CEH, EHO, MBS	
s 525(2)	Power to authorise an officer to exercise powers in s 526 (either generally or in a particular case)	CEO	
s 525(4)	Duty to issue identity card to authorised officers	CEO	
s 526(5)	Duty to keep record of entry by authorised officer under s 526	BI, BS, CEH, EHO, MBS	

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#### Residential Tenancies Act 1997

Section 3(1) states - Council has the same meaning as in section 3(1) of the Local Government Act 2020.

Section 524(2) states – A Council may, by instrument, delegate to an office of, or holder of an office in, the Council any of its power or functions, under this Part and the regulations under this Part, except this power of delegation.

Note: Part referenced is Part 14 (s.512 - s.527)

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 526A(3)	Function of receiving report of inspection	CEH, EHO	
s 527	Power to authorise a person to institute proceedings (either generally or in a particular case)	BI, BS, CEH, EHO, MBS	

#### Road Management Act 2004

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Note: road authority means a person or body specified in or under section 37 - including municipal council.

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations

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### Road Management Act 2004

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 11(1)	Power to declare a road by publishing a notice in the Government Gazette	GMGI, MES, SAM	Obtain consent in circumstances specified in s 11(2)
s 11(8)	Power to name a road or change the name of a road by publishing notice in Government Gazette	GMGI, MES, SAM	
s 11(9)(b)	Duty to advise Registrar	GMGI, MES, SAM	
s 11(10)	Duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc.	GMGI, MES, SAM	Subject to s 11(10A)
s 11(10A)	Duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person	GMGI, MES, SAM	Where Council is the coordinating road authority

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 12(2)	Power to discontinue road or part of a road	GMGI, MES, PropO, SAM	Where Council is the coordinating road authority
s 12(4)	Duty to publish, and provide copy, notice of proposed discontinuance	GMGI, MES, PropO, SAM	Power of coordinating road authority where it is the discontinuing body
			Unless s 12(11) applies
s 12(5)	Duty to consider written submissions received within 28 days of notice	GMGI, MES, SAM	Duty of coordinating road authority where it is the discontinuing body
			Unless s 12(11) applies

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 12(6)	Function of hearing a person in support of their written submission	GMGI, MES, SAM	Function of coordinating road authority where it is the discontinuing body
			Unless s 12(11) applies
s 12(7)	Duty to fix day, time and place of meeting under s 12(6) and to give notice	GMGI, MES, PropO, SAM	Duty of coordinating road authority where it is the discontinuing body
			Unless s 12(11) applies
s 12(10)	Duty to notify of decision made	GMGI, MES, PropO, SAM	Duty of coordinating road authority where it is the discontinuing body
			Does not apply where an exemption is specified by the regulations or given by the Minister

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 13(1)	Power to fix a boundary of a road by publishing notice in Government Gazette	GMGI, MES, SAM	Power of coordinating road authority and obtain consent under s 13(3) and s 13(4) as appropriate
s 14(4)	Function of receiving notice from the Head, Transport for Victoria	GMGI, MES, SAM	
s 14(7)	Power to appeal against decision of the Head, Transport for Victoria	GMGI, MES, SAM	
s 15(1)	Power to enter into arrangement with another road authority, utility or a provider of public transport to transfer a road management function of the road authority to the other road authority, utility or provider of public transport	GMGI, MES, SAM	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 15(1A)	Power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority	MES, SAM	
s 15(2)	Duty to include details of arrangement in public roads register	MES, SAM	
s 16(7)	Power to enter into an arrangement under s 15	MES, SAM	
s 16(8)	Duty to enter details of determination in public roads register	SAM	
s 17(2)	Duty to register public road in public roads register	SAM	Where Council is the coordinating road authority

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 17(3)	Power to decide that a road is reasonably required for general public use	MES, SAM	Where Council is the coordinating road authority
s 17(3)	Duty to register a road reasonably required for general public use in public roads register	SAM	Where Council is the coordinating road authority
s 17(4)	Power to decide that a road is no longer reasonably required for general public use	MES, SAM	Where Council is the coordinating road authority
s 17(4)	Duty to remove road no longer reasonably required for general public use from public roads register	SAM	Where Council is the coordinating road authority

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 18(1)	Power to designate ancillary area	MES, SAM	Where Council is the coordinating road authority, and obtain consent in circumstances specified in s 18(2)
s 18(3)	Duty to record designation in public roads register	SAM	Where Council is the coordinating road authority
s 19(1)	Duty to keep register of public roads in respect of which it is the coordinating road authority	SAM	
s 19(4)	Duty to specify details of discontinuance in public roads register	SAM	
s 19(5)	Duty to ensure public roads register is available for public inspection	SAM	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 21	Function of replying to request for information or advice	MES, SAM	Obtain consent in circumstances specified in s 11(2)
s 22(2)	Function of commenting on proposed direction	MES, SAM	
s 22(4)	Duty to publish a copy or summary of any direction made under s 22 by the Minister in its annual report.	GMGI	
s 22(5)	Duty to give effect to a direction under s 22	GMGI	
s 40(1)	Duty to inspect, maintain and repair a public road.	CCO, MES, SAM	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 40(5)	Power to inspect, maintain and repair a road which is not a public road	CCO, MES, SAM	
s 41(1)	Power to determine the standard of construction, inspection, maintenance and repair	CCO, MES, SAM	
s 42(1)	Power to declare a public road as a controlled access road	MES, SAM	Power of coordinating road authority and sch 2 also applies
s 42(2)	Power to amend or revoke declaration by notice published in Government Gazette	MES, SAM	Power of coordinating road authority and sch 2 also applies
s 42A(3)	Duty to consult with Head, Transport for Victoria and Minister for Local Government before road is specified	GMGI, MES, SAM	Where Council is the coordinating road authority

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
			If road is a municipal road or part thereof
s 42A(4)	Power to approve Minister's decision to specify a road as a specified freight road	CDT, GMGI, MES, SAM	Where Council is the coordinating road authority
			If road is a municipal road or part thereof and where road is to be specified a freight road
s 48EA	Duty to notify the owner or occupier of land and provider of public transport on which rail infrastructure or rolling stock is located (and any relevant provider of public transport)	CDT, GMGI, MES, SAM	Where Council is the responsible road authority, infrastructure manager or works manager
s 48M(3)	Function of consulting with the relevant authority for purposes of developing guidelines under s 48M	GMGI, MES, SAM	
s 49	Power to develop and publish a road management plan	GMGI, MES, SAM	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 51	Power to determine standards by incorporating the standards in a road management plan	GMGI, MES, SAM	
s 53(2)	Power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	GMGI, MES, SAM	
s 54(2)	Duty to give notice of proposal to make a road management plan	GMGI, MES, SAM	
s 54(5)	Duty to conduct a review of road management plan at prescribed intervals	GMGI, MES, SAM	
s 54(6)	Power to amend road management plan	GMGI, MES, SAM	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 54(7)	Duty to incorporate the amendments into the road management plan	GMGI, MES, SAM	
s 55(1)	Duty to cause notice of road management plan to be published in Government Gazette and newspaper	GMGI, MES, SAM	
s 63(1)	Power to consent to conduct of works on road	APO, CCO, CDE, CEng, DE, IDO, MES, SAM	Where Council is the coordinating road authority
s 63(2)(e)	Power to conduct or to authorise the conduct of works in, on, under or over a road in an emergency	CCO, MES, SAM	Where Council is the infrastructure manager

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 64(1)	Duty to comply with cl 13 of sch 7	MES, SAM	Where Council is the infrastructure manager or works manager
s 66(1)	Power to consent to structure etc	MES, SAM	Where Council is the coordinating road authority
s 67(2)	Function of receiving the name & address of the person responsible for distributing the sign or bill	MES, SAM	Where Council is the coordinating road authority
s 67(3)	Power to request information	MES, SAM	Where Council is the coordinating road authority
s 68(2)	Power to request information	MES, SAM	Where Council is the coordinating road authority

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 71(3)	Power to appoint an authorised officer	CEO	
s 72	Duty to issue an identity card to each authorised officer	CEO	
s 85	Function of receiving report from authorised officer	SAM	
s 86	Duty to keep register re s 85 matters	SAM	
s 87(1)	Function of receiving complaints	MES, SAM	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 87(2)	Duty to investigate complaint and provide report	MES, SAM	
s 112(2)	Power to recover damages in court	CCO, MES, SAM	
s 116	Power to cause or carry out inspection	CCO, MES, SAM	
s 119(2)	Function of consulting with the Head, Transport for Victoria	GMGI, MES, SAM	
s 120(1)	Power to exercise road management functions on an arterial road (with the consent of the Head, Transport for Victoria)	GMGI, MES, SAM	

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Section 118(1) states – A road authority may by instrument delegate to any person any function or power of the road authority under this Act or any other Act or under the regulations other than this power of delegation.

Note: road authority means a person or body specified in or under section 37 - including municipal council.

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 120(2)	Duty to seek consent of the Head, Transport for Victoria to exercise road management functions before exercising power in s 120(1)	CCO, MES, SAM	
s 121(1)	Power to enter into an agreement in respect of works	CDT, GMGI, MES, SAM	
s 122(1)	Power to charge and recover fees	CDT, GMGI, MES, SAM	
s 123(1)	Power to charge for any service	CDT, GMGI, MES, SAM	
sch 2 cl 2(1)	Power to make a decision in respect of controlled access roads	MES, SAM	

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
sch 2 cl 3(1)	Duty to make policy about controlled access roads	ND	
sch 2 cl 3(2)	Power to amend, revoke or substitute policy about controlled access roads	ND	
sch 2 cl 4	Function of receiving details of proposal from the Head, Transport for Victoria	CDT, MES, SAM	
sch 2 cl 5	Duty to publish notice of declaration	CDT, MES, SAM	
sch 7 cl 7(1)	Duty to give notice to relevant coordinating road authority of proposed installation of non-road infrastructure or related works on a road reserve	CDT, MES, SAM	Where Council is the infrastructure manager or works manager

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
sch 7 cl 8(1)	Duty to give notice to any other infrastructure manager or works manager responsible for any non-road infrastructure in the area, that could be affected by any proposed installation of infrastructure or related works on a road or road reserve of any road	CDT, MES, SAM	Where Council is the infrastructure manager or works manager
sch 7 cla 9(1)	Duty to comply with request for information from a coordinating road authority, an infrastructure manager or a works manager responsible for existing or proposed infrastructure in relation to the location of any non-road infrastructure and technical advice or assistance in conduct of works	CCO, MES, SAM	Where Council is the infrastructure manager or works manager responsible for non-road infrastructure
sch 7 cl 9(2)	Duty to give information to another infrastructure manager or works manager where becomes aware any infrastructure or works are not in the location shown on records, appear to be in an unsafe condition or appear to need maintenance	MES, SAM	Where Council is the infrastructure manager or works manager

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
sch 7 cl 10(2)	Where Sch 7 cl 10(1) applies, duty to, where possible, conduct appropriate consultation with persons likely to be significantly affected	MES, SAM	Where Council is the infrastructure manager or works manager
sch 7 cl 12(2)	Power to direct infrastructure manager or works manager to conduct reinstatement works	APO, CDE, CEng, DE, IDO, MES, SAM	Where Council is the coordinating road authority
sch 7 cl 12(3)	Power to take measures to ensure reinstatement works are completed	APO, CDE, CEng, DE, IDO, MES, SAM	Where Council is the coordinating road authority
sch 7 cl 12(4)	Duty to ensure that works are conducted by an appropriately qualified person	APO, CCO, CDE, CEng, DE, IDO, MES, SAM	Where Council is the coordinating road authority

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
sch 7 cl 12(5)	Power to recover costs	MES, SAM	Where Council is the coordinating road authority
sch 7 cl 13(1)	Duty to notify relevant coordinating road authority within 7 days that works have been completed, subject to sch 7 cl 13(2)	MES, SAM	Where Council is the works manager
sch 7 cl 13(2)	Power to vary notice period	MES, SAM	Where Council is the coordinating road authority
sch 7 cl 13(3)	Duty to ensure works manager has complied with obligation to give notice under sch 7 cl 13(1)	MES, SAM	Where Council is the infrastructure manager

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
sch 7 cl 16(1)	Power to consent to proposed works	APO, CDE, CEng, DE, IDO, MES, SAM	Where Council is the coordinating road authority
sch 7 cl 16(4)	Duty to consult	APO, CDE, CEng, DE, GMGI, IDO, MES, SAM	Where Council is the coordinating road authority, responsible authority or infrastructure manager
sch 7 cl 16(5)	Power to consent to proposed works	APO, CDE, CEng, DE, GMGI, IDO, MES, SAM	Where Council is the coordinating road authority
sch 7 cl 16(6)	Power to set reasonable conditions on consent	APO, CDE, CEng, DE, GMGI, IDO, MES, SAM	Where Council is the coordinating road authority

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
sch 7 cl 16(8)	Power to include consents and conditions	APO, CDE, CEng, DE, GMGI, IDO, MES, SAM	Where Council is the coordinating road authority
sch 7 cl 17(2)	Power to refuse to give consent and duty to give reasons for refusal	APO, CDE, CEng, DE, IDO, MES, SAM	Where Council is the coordinating road authority
sch 7 cl18(1)	Power to enter into an agreement	APO, CDE, CEng, DE, IDO, MES, SAM	Where Council is the coordinating road authority
sch7 cl 19(1)	Power to give notice requiring rectification of works	APO, CDE, CEng, DE, IDO, MES, SAM	Where Council is the coordinating road authority

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
sch 7 cl 19(2) & (3)	Power to conduct the rectification works or engage a person to conduct the rectification works and power to recover costs incurred	CDE, MES, SAM	Where Council is the coordinating road authority
sch 7 cl 20(1)	Power to require removal, relocation, replacement or upgrade of existing non-road infrastructure	CDE, MES, SAM	Where Council is the coordinating road authority
sch 7A cl 2	Power to cause street lights to be installed on roads	CDT, MES	Power of responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road
sch 7 cl 3(1)(d)	Duty to pay installation and operation costs of street lighting - where road is not an arterial road	CDT, MES	Where Council is the responsible road authority

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Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
sch 7A cl 3(1)(e)	Duty to pay installation and operation costs of street lighting - where road is a service road on an arterial road and adjacent areas	CDT, MES	Where Council is the responsible road authority
sch 7A cl (3)(1)(f)	Duty to pay installation and percentage of operation costs of street lighting - for arterial roads in accordance with cls 3(2) and 4	CDT, MES	Duty of Council as responsible road authority that installed the light (re: installation costs) and where Council is relevant municipal council (re: operating costs)

#### Planning and Environment Regulations 2015

Section 188 of the Planning and Environment Act 1987, for which this regulation is created under, states - (1) A planning authority or responsible authority other than the Minister or the Victorian Planning Authority may by instrument delegate any of its powers, discretions or functions under this Act to—

(a) a committee of the authority; or

(b) an officer of the authority; or

(c) the Victorian Planning Authority.

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations

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### Planning and Environment Regulations 2015

Section 188 of the Planning and Environment Act 1987, for which this regulation is created under, states - (1) A planning authority or responsible authority other than the Minister or the Victorian Planning Authority may by instrument delegate any of its powers, discretions or functions under this Act to—

- (a) a committee of the authority; or
- (b) an officer of the authority; or
- (c) the Victorian Planning Authority.

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
r.6	function of receiving notice, under section 19(1)(c) of the Act, from a planning authority of its preparation of an amendment to a planning scheme	CSLUP, CSP, GMED, MPD, PO, SPP, TLPPS, VFTP	where Council is not the planning authority and the amendment affects land within Council's municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority.
r.21	power of responsible authority to require a permit applicant to verify information (by statutory declaration or other written confirmation satisfactory to the responsible authority) in an application for a permit or to amend a permit or any information provided under section 54 of the Act	AOPD, AOPlan, CSLUP, CSP, GMED, MPD, PAO, PCSASO, PO, PPO, PSO, SPP, TLPPS, VFTP	
r.25(a)	duty to make copy of matter considered under section 60(1A)(g) available for inspection free of charge	CSLUP, CSP, GMED, MPD,	where Council is the responsible authority

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## Planning and Environment Regulations 2015

Section 188 of the Planning and Environment Act 1987, for which this regulation is created under, states - (1) A planning authority or responsible authority other than the Minister or the Victorian Planning Authority may by instrument delegate any of its powers, discretions or functions under this Act to—

- (a) a committee of the authority; or
- (b) an officer of the authority; or
- (c) the Victorian Planning Authority.

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		PO, SPP, TLPPS, VFTP	
r.25(b)	function of receiving a copy of any document considered under section 60(1A)(g) by the responsible authority and duty to make the document available for inspection free of charge	CSLUP, CSP, GMED, MPD, PO, SPP, TLPPS, VFTP	where Council is not the responsible authority but the relevant land is within Council's municipal district
r.42	function of receiving notice under section 96C(1)(c) of the Act from a planning authority of its preparation of a combined application for an amendment to a planning scheme and notice of a permit application	CSLUP, CSP, GMED, MPD, PO, SPP, TLPPS, VFTP	where Council is not the planning authority and the amendment affects land within Council's municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority.

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#### Planning and Environment (Fees) Regulations 2016

Section 188 of the Planning and Environment Act 1987, for which this regulation is created under, states - (1) A planning authority or responsible authority other than the Minister or the Victorian Planning Authority may by instrument delegate any of its powers, discretions or functions under this Act to—

- (a) a committee of the authority; or
- (b) an officer of the authority; or
- (c) the Victorian Planning Authority.

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
r 19	Power to waive or rebate a fee relating to an amendment of a planning scheme	CSLUP, GMED, MPD	
r 20	Power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	CSP, GMED, MPD	
r 21	Duty to record matters taken into account and which formed the basis of a decision to waive or rebate a fee under r 19 or 20	CSLUP, CSP, GMED, MPD	

#### Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020

Section 524(2) pf the Residential Tenancies Act states – A Council may, by instrument, delegate to an officer of, or holder of an office in, the Council any of its power or functions, under this Part and the regulations under this Part, except this power of delegation.

Note: Part referenced is Part 14 (s.512 - s.527) under which this regulation is made (s.514).

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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## Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020

Section 524(2) pf the Residential Tenancies Act states – A Council may, by instrument, delegate to an officer of, or holder of an office in, the Council any of its power or functions, under this Part and the regulations under this Part, except this power of delegation.

Note: Part referenced is Part 14 (s.512 - s.527) under which this regulation is made (s.514).

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
r 7	Function of entering into a written agreement with a caravan park owner	BI, BS, CEH, EHO, MBS	
r 10	Function of receiving application for registration	CEH, EHO	
r 11	Function of receiving application for renewal of registration	CEH, EHO	
r 12(1)	Duty to grant the registration if satisfied that the caravan park complies with these regulations	CEH, EHO	
r 12(1)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	СЕН	
r 12(2)	Duty to renew the registration if satisfied that the caravan park complies with these regulations	CEH, EHO	

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## Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020

Section 524(2) pf the Residential Tenancies Act states – A Council may, by instrument, delegate to an officer of, or holder of an office in, the Council any of its power or functions, under this Part and the regulations under this Part, except this power of delegation.

Note: Part referenced is Part 14 (s.512 - s.527) under which this regulation is made (s.514).

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
r 12(2)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	СЕН	
r 12(3)	Duty to have regard to matters in determining an application for registration or an application for renewal of registration	CEH, EHO	
r 12(4) & (5)	Duty to issue certificate of registration	CEH, EHO	
r 14(1)	Function of receiving notice of transfer of ownership	CEH, EHO	
r 14(3)	Power to determine where notice of transfer is displayed	CEH, EHO	
r 15(1)	Duty to transfer registration to new caravan park owner	CEH, EHO	
r 15(2)	Duty to issue a certificate of transfer of registration	CEH, EHO	

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## Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020

Section 524(2) pf the Residential Tenancies Act states – A Council may, by instrument, delegate to an officer of, or holder of an office in, the Council any of its power or functions, under this Part and the regulations under this Part, except this power of delegation.

Note: Part referenced is Part 14 (s.512 - s.527) under which this regulation is made (s.514).

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
r 16(1)	Power to determine the fee to accompany applications for registration or applications for renewal of registration	СЕН	
r 17	Duty to keep register of caravan parks	CEH	
r 18(4)	Power to determine where the emergency contact person's details are displayed	CEH, EHO	
r 18(6)	Power to determine where certain information is displayed	CEH, EHO	
r 22(1)	Duty to notify a caravan park owner of the relevant emergency services agencies for the caravan park, on the request of the caravan park owner	CEH, EHO	
r 22(2)	Duty to consult with relevant emergency services agencies	CEH, EHO	
r 23	Power to determine places in which caravan park owner must display a copy of emergency procedures	CEH, EHO	

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## Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020

Section 524(2) pf the Residential Tenancies Act states – A Council may, by instrument, delegate to an officer of, or holder of an office in, the Council any of its power or functions, under this Part and the regulations under this Part, except this power of delegation.

Note: Part referenced is Part 14 (s.512 - s.527) under which this regulation is made (s.514).

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
r 24	Power to determine places in which caravan park owner must display copy of public emergency warnings	CEH, EHO	
r 25(3)	Duty to consult with relevant floodplain management authority	CEH, EHO	
r 26	Duty to have regard to any report of the relevant fire authority	CEH, EHO	
r 28(c)	Power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	CEH, EHO	
r 40	Function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	BS, CEH, EHO, MBS	

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## Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020

Section 524(2) pf the Residential Tenancies Act states – A Council may, by instrument, delegate to an officer of, or holder of an office in, the Council any of its power or functions, under this Part and the regulations under this Part, except this power of delegation.

Note: Part referenced is Part 14 (s.512 - s.527) under which this regulation is made (s.514).

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
r 40(b)	Power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	BS, CEH, EHO, MBS	
r 41(4)	Function of receiving installation certificate	BS, CEH, EHO, MBS	
r 43	Power to approve use of a non-habitable structure as a dwelling or part of a dwelling	BS, MBS	
sch 3 cl 4(3)	Power to approve the removal of wheels and axles from unregistrable movable dwelling	BS, MBS	

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Residential Tenancies Regulations 2021 Sch 4 cl 3(a)(iii) provides direct reference systems approved by the local council.			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
sch 4 cl 3(a)(iii)	Power to approve any other toilet system	ND	

## Road Management (General) Regulations 2016

Section 118(1) of the Road Management Act 2004 states – A road authority may by instrument delegate to any person any function or power of the road authority under this Act or any other Act or under the regulations other than this power of delegation.

Note: road authority means a person or body specified in or under section 37 - including municipal council.

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
r 8(1)	Duty to conduct reviews of road management plan	MES, SAM	
r 9(2)	Duty to produce written report of review of road management plan and make report available	MES, SAM	

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## Road Management (General) Regulations 2016

Section 118(1) of the Road Management Act 2004 states – A road authority may by instrument delegate to any person any function or power of the road authority under this Act or any other Act or under the regulations other than this power of delegation.

Note: road authority means a person or body specified in or under section 37 – including municipal council.

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
r 9(3)	Duty to give notice where road management review is completed and no amendments will be made (or no amendments for which notice is required)	MES, SAM	Where Council is the coordinating road authority
r.10	Duty to give notice of amendment which relates to standard of construction, inspection, maintenance or repair under s 41 of the Act	MES, SAM	
r 13(1)	Duty to publish notice of amendments to road management plan	MES, SAM	where Council is the coordinating road authority
r 13(3)	Duty to record on road management plan the substance and date of effect of amendment	MES, SAM	
r 16(3)	Power to issue permit	MES, SAM	Where Council is the coordinating road authority

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## Road Management (General) Regulations 2016

Section 118(1) of the Road Management Act 2004 states – A road authority may by instrument delegate to any person any function or power of the road authority under this Act or any other Act or under the regulations other than this power of delegation.

Note: road authority means a person or body specified in or under section 37 – including municipal council.

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
r 18(1)	Power to give written consent re damage to road	CDT, MES, SAM	Where Council is the coordinating road authority
r 23(2)	Power to make submission to Tribunal	MES, SAM	Where Council is the coordinating road authority
r 23(4)	Power to charge a fee for application under s 66(1) Road Management Act	MES, SAM	Where Council is the coordinating road authority
r 25(1)	Power to remove objects, refuse, rubbish or other material deposited or left on road	CCO, CWM, MES, SAM	Where Council is the responsible road authority
r 25(2)	Power to sell or dispose of things removed from road or part of road (after first complying with regulation 25(3)	MES, SAM	Where Council is the responsible road authority

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#### Road Management (General) Regulations 2016

Section 118(1) of the Road Management Act 2004 states – A road authority may by instrument delegate to any person any function or power of the road authority under this Act or any other Act or under the regulations other than this power of delegation.

Note: road authority means a person or body specified in or under section 37 - including municipal council.

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
r 25(5)	Power to recover in the Magistrates' Court, expenses from person responsible	MES, SAM	

#### Road Management (Works and Infrastructure) Regulations 2015

Section 118(1) of the Road Management Act 2004 states – A road authority may by instrument delegate to any person any function or power of the road authority under this Act or any other Act or under the regulations other than this power of delegation.

Note: road authority means a person or body specified in or under section 37 - including municipal council.

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
r 15	Power to exempt a person from requirement under cl 13(1) of sch 7 of the Act to give notice as to the completion of those works	MES, SAM	Where Council is the coordinating road authority and where consent given under s 63(1) of the Act
r 22(2)	Power to waive whole or part of fee in certain circumstances	MES, SAM	Where Council is the coordinating road authority

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# 4.7 S6 Instrument of Delegation

# 5. ENVIRONMENT & DEVELOPMENT

Nil

#### 6. CULTURE & COMMUNITY

# 6.1 Adoption of Integrated Strategic Plans

Author's Title: Coordinator Community Health and General Manager: Chris Pike

Development

Department:Community Health and DevelopmentFile No:F19/824Division:Culture & CommunityTrim No:IC21/1389

Appendix:

People Place Future Public Exhibition Community Engagement Report (D21/173117)

- 2. Surf Coast Shire Community Vision (D21/176140)
- 3. Council Plan incorporating the Municipal Public Health and Wellbeing Plan 2021-2025 (D21/171428)
- 4. Financial Plan 2021-2031 (D21/175011)
- 5. Asset Plan 2021-2031 (D21/175689)

Officer Conflict of Interest:		Status:	
In accordance with Local Government Act 2020 – Section 130:		Defined as confidential information in accordance with Local Government Act 2020, Section 3(1):	
Yes Reason: Nil	⊠ No	Yes Reason: Nil	⊠ No

#### **Purpose**

The purpose of this report is to note the findings of the third phase of the People Place Future community engagement program and to adopt the long term Community Vision, the Council Plan 2021 – 25 incorporating the Municipal Public Health and Wellbeing Plan, Financial Plan 2021 – 2031 and Asset Plan 2021 – 2031.

#### Summary

This report documents the findings of the third phase of the People Place Future community engagement program to develop the Surf Coast Shire Community Vision, as well as four Surf Coast Shire Council strategic plans including the Council Plan incorporating the Municipal Public Health and Wellbeing Plan, the Financial Plan and the Asset Plan.

The third phase of engagement reviewed the inputs from other engagement phases including the recommendations of the People Place Future Community Panel, and affirms that the Surf Coast Shire Community Vision captures our community's long term vision for the Shire. The results from the public exhibition phase of engagement also confirm that the integrated suite of strategic plans including the Council Plan incorporating the Municipal Public Health and Wellbeing Plan, Financial Plan and Asset Plan are focused on our community's priorities and set out a viable program of strategic work that will contribute to the achievement of the Community Vision.

#### Recommendation

That Council:

- 1. Notes the public exhibition phase community engagement report as attached at Appendix 1, and thanks all individuals and groups who provided input during this and previous engagement phases.
- 2. Notes that the Department of Families, Fairness and Housing has granted Council an exemption under section 27 of the Public Health and Wellbeing Act 2008, and Council is not required to prepare a standalone Municipal Public Health and Wellbeing Plan.
- 3. Adopts the People Place Future Integrated Strategic Plans being the:
  - a. Surf Coast Shire Community Vision (attached at Appendix 2)
  - b. Council Plan incorporating the Municipal Public Health and Wellbeing Plan 2021-2025 (attached at Appendix 3)
  - c. Financial Plan 2021-2031 (attached at Appendix 4)
  - d. Asset Plan 2021-2031(attached at Appendix 5).
- 4. Commits to launch the integrated strategic plans at a series of ward and online-based events during November 2021.

#### **Council Resolution**

# MOVED Cr Mike Bodsworth, Seconded Cr Gary Allen

That Council:

- Notes the public exhibition phase community engagement report as attached at Appendix 1, and thanks all individuals and groups who provided input during this and previous engagement
- 2. Notes that the Department of Families, Fairness and Housing has granted Council an exemption under section 27 of the Public Health and Wellbeing Act 2008, and Council is not required to prepare a standalone Municipal Public Health and Wellbeing Plan.
- 3. Adopts the People Place Future Integrated Strategic Plans being the:
  - a. Surf Coast Shire Community Vision (attached at Appendix 2)
  - b. Council Plan incorporating the Municipal Public Health and Wellbeing Plan 2021-2025 (attached at Appendix 3)
  - c. Financial Plan 2021-2031 (attached at Appendix 4)
  - d. Asset Plan 2021-2031(attached at Appendix 5).
- 4. Commits to launch the integrated strategic plans at a series of ward and online-based events during November 2021.

CARRIED 9:0

## Voting

Voted on which was as follows:

**Abstained Against** Cr Allen Nil Cr Barker Cr Bodsworth Cr Gazzard Cr Hodge Cr Pattison Cr Schonfelder

CARRIED 9:0

#### Adjournment of Meeting

#### **Council Resolution**

Cr Stapleton Cr Wellington

#### MOVED Cr Gary Allen, Seconded Cr Mike Bodsworth

That Council agree to adjourn the meeting until 8:10pm.

**CARRIED 9:0** 

#### Voting

Voted on which was as follows:

For **Abstained Against** Cr Allen Cr Barker

Cr Gazzard Cr Hodge

Cr Pattison

Cr Schonfelder

Cr Bodsworth

Cr Stapleton

Cr Wellington

CARRIED 9:0

## 6.1 Adoption of Integrated Strategic Plans

#### Report

#### Officer Direct or Indirect Interest

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

#### Background

The Local Government Act 2020 requires Victorian councils to design, implement and monitor a suite of strategic documents underpinned by a deliberative engagement process. The Council documents that are required to be informed by deliberative engagement are the Council Plan which has a four year timeframe and the Financial and Asset Plans which have ten year timeframes. These plans must be integrated and be able to demonstrably contribute to the achievement of a long term community vision.

The Public Health and Wellbeing Act 2008 mandates that local governments have a responsibility to protect, improve and promote public health and wellbeing within their municipalities. Under section 26 of the Public Health and Wellbeing Act all local government authorities in Victoria are required to a develop Municipal Public Health and Wellbeing Plan (MPHWP) within 12 months of each general election of the council. Under section 27 of the Public Health and Wellbeing Act a council may apply for an exemption from developing a standalone Municipal Public Health and Wellbeing Plan if public health and wellbeing matters are properly addressed in the Council Plan. Council elected to incorporate their Municipal Public Health and Wellbeing Plan into the Council Plan in recognition of the role Council plays in creating the conditions for positive health and wellbeing and sought an exemption from the Department of Families, Fairness and Housing (DFFH) to this effect.

Outside of the requirements of the Local Government Act 2020 and Public Health and Wellbeing Act 2008, the Surf Coast Shire Council recognises the strategic value of investing in an evidence-based and inclusive planning process. Accordingly Council designed and implemented the People Place Future community engagement program. The engagement program included three phases of community engagement to ensure that the insights of Shire communities informed the design of an integrated program of work that measurably contributes to the delivery of our community's long term vision.

The first, participatory phase of engagement sought community input through surveys, online submissions, targeted consultations and in-person discussions at pop up stalls. One thousand one hundred and ninety-three surveys were completed, 20 online submissions were received, and over 180 people had their views captured at the pop up events.

A deliberative panel was the centrepiece of the second phase of engagement. Thirty-five community members from across the Shire were recruited to the People Place Future Community Panel (the Panel) Withdrawals over the course of the process reduced panel membership to 30. The Panel was randomly selected and representative of the Shire's demographic make-up in terms of age, gender and geographic location. The Panel met for 33 hours over seven online sessions and was independently facilitated by Mosaic Lab. The Panel's Recommendations Report included the development of a long term community vision, ten principles and 35 recommendations.

The findings of the first and second phases of engagement were made available to participants of the subsequent engagement phase, alongside any contextual information, for example the Discussion Paper and Community Panel Background Report which compiled relevant demographic, health, social, economic and environmental data and other research.

For the third phase of engagement, all relevant inputs to their development were published alongside the draft Community Vision, Council Plan incorporating the Health and Wellbeing Plan, Financial and Asset Plans. The draft documents were on public exhibition for three weeks from 3 to 24 August. Community members were invited to make submissions or complete an online survey regarding the draft strategic plans.

#### **Discussion**

#### Feedback

Forty-six people completed the survey and four individuals and groups made submissions. The first part of the survey asked respondents to rate out of 100 the extent to which the Community Vision aligned with their own vision for the Shire. Responses to all questions were not mandatory. Twenty-nine respondents

## 6.1 Adoption of Integrated Strategic Plans

answered the question regarding the Community Vision. The average rating of the responses was 66 out of 100.

Respondents were then asked to indicate how important they considered each of the principles to be. Respondents could select 'very important', 'somewhat important' or 'not important'. Thirty-four people provided a response to this question. Principle 1 'Protect, conserve and restore our natural environment', Principle 5 'Equitable delivery of community services', and Principle 7 'Accountability through timely, consultative and transparent communication' received the greatest show of support, with 100% of respondents indicating those principles were 'somewhat important' or 'very important'. Principle 9 'A place to nurture, acknowledge and promote innovation, the creative arts and industries' received the lowest level of support with 82% of respondents considering it 'somewhat important' or 'very important'. Eighty-five percent of respondents considered both principle 10 'Respectful engagement and consultation with first nations' and principle 3 'Sharing our home with the world' as 'somewhat important' or 'very important'. Ninety-one percent of respondents rated both principle 2 'Planning for growth' and principle 6 'Tackling Climate Change and implementing climate resilient strategies' as 'somewhat important' or 'very important'. And both principle 4. Identify and maintain our community identities' and principle 8 'Commitment to a community that promotes cultural and recreational activities', were seen as somewhat or very important to 91% of respondents.

Respondents were asked to rate the importance of each theme in the Council Plan incorporating the Health and Wellbeing Plan out of 100. The number of respondents varied for the questions relating to the themes and was between 25 and 28.

Respondents indicated that theme 3 'Environmental Leadership' was the most important to them, with an average score of 90 out of 100. Theme 7 'An Accountable and Viable Council' scored an average of 85 and theme 2 'Healthy Connected Community' had an average rating of 83. Theme 4 'Sustainable Growth' received an average rating of 82. Respondents scored theme 1 'First Nation Engagement' an average of 61 and theme 6 'Arts and Creativity' scored 71. Theme 5 'A Robust and Diverse Economy received an average rating of 73.

The next part of the survey asks respondents to consider the strategies that sit under each theme.

The Council Plan incorporating the Health and Wellbeing Plan has 19 strategies.

Respondents were asked to rate the importance of the strategies in two ways. Firstly, respondents were asked to indicate how important each of the strategies are to them personally. As a follow up question, respondents were asked to rate the importance of the strategy to achieving the goal of the theme under which they sit. As with previous questions, respondents could select 'very important', 'somewhat important' or 'not important' in rating the strategies to indicate their perception about the twin aspects of 'resonance' and 'efficacy'. The number of respondents for the questions relating to strategies varied between 25 and 30.

Overall, the respondents indicated a high level of resonance with the strategies. One hundred percent of respondents rated strategy 4 and strategy 19 as 'somewhat' or 'very important'. Ninety-seven percent of respondents described strategies 3, 5, 7, 9 and 14 as 'somewhat' or 'very important'. Apart from a slight dip regarding how important respondents considered strategy 17 'Increase support for creative industries and arts' (69%), other strategies scored 85% or above.

The results regarding the perceived efficacy of the strategies were similar. One hundred percent of respondents rated strategy 4 and strategy 19 as 'somewhat' or 'very important' to achieving the respective goals of theme 2 and theme 7. Again, respondents indicated a slightly lower level of support for strategy 17 (71%). Respondents rated the efficacy of other strategies in achieving their respective goals 85% or above.

Further detail regarding the findings of the third phase of engagement can be found in the Public Exhibition Community Engagement Report as attached at Appendix 1.

The public exhibition phase also invited feedback on the Financial and Asset Plans. Eleven comments were made in regards to the Financial Plan and eight comments were made in regards to the Asset Plan. These comments were reviewed and one minor amendment was made to the Financial Plan. Also, while the priorities identified in a couple of community submissions had a financial implication relating to the inception

## 6.1 Adoption of Integrated Strategic Plans

or expansion of a program or service, these submissions did not have a bearing on the principles and figures underpinning the long term Financial and Asset Plans.

#### Implications of the feedback

The first and second phases of the People Place Future community engagement program, incorporating representative and random sampling methodologies, were designed to encourage broad participation and invite considered deliberation on key issues and dilemmas. The participatory and deliberative phases of engagement have enabled Council to understand a diverse range of perspectives and experiences, as well as gain considered knowledge and insights to inform trade-offs and identify priorities.

The third 'review' phase of engagement provides an opportunity to check whether the insights drawn from the community engagement program are the right ones to set a guiding long term vision and scaffold priority themes and strategies upon.

The feedback from the public exhibition phase affirms that there is a strong alignment between the vision that respondents hold for the Shire and the long term vision and principles developed by the People Place Future Community Panel.

Additionally, the high degree of support for the themes and strategies of Council Plan incorporating the Health and Wellbeing Plan and the Financial and Asset Plans indicates that these integrated Plans represent our community's priorities and set out a viable program of strategic work that will measurably contribute to the achievement of the Community Vision.

#### Exemption from developing a standalone Municipal Public Health and Wellbeing Plan

Section 27 of the Public Health and Wellbeing Act 2008 provides councils with the option to seek an exemption from producing a standalone Municipal Public Health and Wellbeing Plan from the Secretary, Department of Health.

In preparation for the section 27 exemption and as described below, Council ensured section 26(2) requirements comprehensively informed the development of the Council Plan.

An examination of data about health status and health determinants in the municipal district (s26(2)(a)) helped to inform the selection of focus areas, strategies and actions in the Council Plan.

The health priority areas of focus are:

- 1. Increase healthy eating and active living
- 2. Prevent family violence and promote gender equity
- 3. Improve mental health and social connection
- 4. Takle the impact of climate change on health
- 5. Reduce harm from alcohol and other drugs

Goals and strategies based on available evidence for creating a local community in which people can achieve maximum health and wellbeing (s26(2)(b)) have been identified and are embedded across 79% of the Council Plan strategies.

In developing an evidence base the following inputs were considered:

- State and local health data
- Community engagement data
- The Victorian Public Health and Wellbeing Plan and G21 regional priorities
- Health promotion evidence and frameworks
- The Victorian Public Health and Wellbeing Act 2008 legislative requirements

Measures to prevent family violence and respond to the needs of victims of family violence in the local community(s26(2)(ba)) have been included in the Council Plan as indicated by the health priority focus areas listed above.

## 6.1 Adoption of Integrated Strategic Plans

Provision for the involvement of people in the local community in the development, implementation and evaluation of the public health and wellbeing plan (s26(2)(c)) has been included in the methodology of the People Place Future community engagement program. An Action Plan and Monitoring and Evaluation Framework will provide for the involvement of community members in the implementation and evaluation of the Council Plan incorporating the Health and Wellbeing Plan.

The way that Council will work in partnership with the Department of Health and other agencies undertaking public health initiatives, projects and programs to accomplish the goals and strategies identified in the Public Health and Wellbeing Plan ((s26(2)(d)) has been described in the Council Plan.

Additionally, the Council Plan incorporating the Health and Wellbeing Plan has been developed to be consistent with Municipal Strategic Statement (s26(2)(e)(i) and (ii)) and has regard to the State Public Health and Wellbeing Plan (s26(3)).

On 6 September, Council received notice that the Secretary of the Department of Health was satisfied that the draft Council Plan adequately addressed the matters specified in s26(2) and granted Council an exemption.

#### Council Plan

Theme 5 High Performing Council

Objective 5.1 Ensure Council is financially sustainable and has the capability to deliver strategic objectives

Strategy Select Strategy

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 Select Strategy

Theme 5 High Performing Council

Objective 5.4 Ensure the community has access to the services they need

Strategy Select Strategy

## Reporting and Compliance Statements:

Local Government Act 2020 – LGA 2020

Implications	Applicable to this Report
Governance Principles	Yes
(Consideration of the Governance Principles under s.9 of LGA 2020)	
Policy/Relevant Law	Yes
(Consideration of the Governance Principles under s.9 of LGA 2020)	
Environmental/Sustainability Implications	Yes
(Consideration of the Governance Principles under s.9 of LGA 2020)	
Community Engagement	Yes
(Consideration of Community Engagement Principles under s.56 LGA 2020	
and Council's Community Engagement Policy SCS-017)	
Public Transparency	Yes
(Consideration of Public Transparency Principles under s.58 of LGA 2020)	
Strategies and Plans	Yes
(Consideration of Strategic Planning Principles under s.89 of LGA 2020)	
Financial Management	Yes
(Consideration of Financial Management Principles under s.101 of LGA 2020)	
Service Performance	Yes
(Consideration of Service Performance Principles under s.106 of LGA 2020)	
Risk Assessment	Yes
Communication	Yes
Human Rights Charter	Yes

#### 6.1 Adoption of Integrated Strategic Plans

# Governance Principles - Local Government Act 2020 (LGA 2020)

The development of the Community Vision, Council Plan incorporating the Health and Wellbeing Plan, Financial Plan and Asset Plan:

- is underpinned by principles of social justice, including intragenerational and intergenerational equity and considers the cumulative impact of decision-making
- seeks to include community stakeholders (residents, businesses, diverse non-government organisations and all levels of government) to improve the environmental, social and economic wellbeing of our communities
- makes a commitment to monitoring and evaluation to ensure innovation and continuous improvement
- makes a commitment to partner with residents, community groups, businesses, non-government organisations and all levels of government to achieve shared outcomes, as described by the Community Vision for our communities.
- will support ongoing financial viability through more effective resource allocation, better utilising community expertise and resources
- Will consider regional, state and national plans and policies in strategic planning and decision making
- makes a commitment to seek out diverse perspectives to inform planning and decision-making and to be principled and equitable in its planning and allocation of resources to support communities' access to infrastructure, open space, facilities, programs and services and networks
- Will contribute to the transparency of Council decisions, actions and information

#### Policy/Relevant Law

In addition to meeting the requirements of the Local Government Act 2020, the Public Health and Wellbeing Act 2008 and the Climate Change Act 2017 as described above, the development of the Community Vision, Council Plan, Municipal Health and Wellbeing Plan, Financial Plan and Asset Plan also takes into account the following relevant laws.

Recommendation 94 of the Royal Commission into Family Violence, requires local governments to report on the measures they propose to take to reduce family violence and respond to the needs of victims in preparing their MPHWPs. Under the Gender Equality Act (2020), Victorian local governments must measure, report on, plan for and progress gender equality in their organisations and communities.

The Planning and Environment Act (1987) establishes a framework for planning the use, development and protection of land in Victoria. Within 18 months of a general election, each shire or municipality must produce a Municipal Planning Strategy (previously a Municipal Strategic Statement) which provides a succinct expression of the overarching strategic planning policy directions and is consistent with the objectives and commitments of the Council Plan.

# Environmental/Sustainability Implications

As described above, the requirements of the Climate Change Act 2017 and the commitments made by Council as part of its climate emergency declaration (2019) has informed the development of the Community Vision, Council Plan incorporating the Municipal Health and Wellbeing Plan, Financial Plan and Asset Plan.

#### Community Engagement

The development of the Council Plan incorporating the Municipal Public Health and Wellbeing Plan and Financial and Asset Plans was carried out in regards to S56 of the Local Government Act 2020 and Council's Community Engagement Policy (SCS-017). The process had clearly defined objectives and scope. Additionally it:

- gave participants access to objective, relevant and timely information to inform their participation;
- was representative of the persons and groups affected by the matter that is the subject of the community engagement;
- · provided participants with reasonable support to enable meaningful and informed engagement; and
- informed participants of the ways in which the community engagement process would influence Council decision making.

At the 19 January 2021 Council Meeting, Councillors resolved on the level of influence the deliberative panel would have on a Community Vision and the Council Plan incorporating the Municipal Public Health and Wellbeing Plan and Financial and Asset Plans.

Councillor have achieved the IAPP 'Collaborate' level of influence they agreed to in the development of the Community Vision and Council Plan. The Community Vision developed by the People Place Future Panel has been adopted with one small change, the elision of Surf and Coast. Similarly the principles and recommendations of the panel have been included in the Council Plan themes and strategies to the 'greatest extent possible'. On 28 August Councillors and Council staff met with the People Place Future Community Panel to talk through the draft Council Plan incorporating the Health and Wellbeing Plan and, where a recommendation could not be included, explained why.

Further detail regarding the IAPP level of influence and engagement commitment for each of the engagement phases can be found in the Public Exhibition Community Engagement Report (attached at appendix 1).

#### Public Transparency

The Community Vision, Council Plan, Municipal Public Health and Wellbeing Plan, Financial Plan and Asset Plan and the engagement program that informed their development supports transparency in decision-making, actions and information as described above under LGA 2020 s.9 (i) above.

The Council Plan incorporating the Municipal Public Health and Wellbeing Plan and Financial and Asset Plans identifies how revenue, expenses, assets and liabilities will be managed, which has an impact on our service performance.

#### Strategies/Plans

In line with s.89 of the LGA 2020, the development of the Community Vision, Council Plan, Municipal Public Health and Wellbeing Plan, Financial Plan and Asset Plan supports an integrated approach to planning, monitoring and performance reporting.

#### Financial Management

The development of the Council Plan incorporating the Municipal Public Health and Wellbeing Plan and Financial and Asset Plans has considered how revenue, expenses, assets and liabilities will be managed, as well as any future risk to financial viability, current and future liabilities and beneficial enterprises.

The budget allocated to the project to develop the Council Plan incorporating the Municipal Public Health and Wellbeing Plan and Financial and Asset Plans ex-contingencies was \$229,477. Project contingency is \$13,200. It is estimated at completed \$8,454 including contingency will remain.

#### Service Performance

The community engagement program utilised a range of methodologies to ensure the development of the Council Plan incorporating the Health and Wellbeing Plan would be informed by and responsive to the diverse needs of the municipal community. The Council Plan incorporating the Health and Wellbeing Plan makes a commitment to evidence-based decision-making and resource allocation underpinned by equity and accountability. A Monitoring and Evaluation Framework and Action Plan has been developed and will allow Council to assess the extent to which the Council Plan has adhered to these principles and successfully delivered the strategies and actions.

## Risk Assessment

The development of the Community Vision, Council Plan, Municipal Public Health and Wellbeing Plan, Financial Plan and Asset Plan reduces the risk of not meeting the process and output requirements of the Local Government Act 2020.

The transparency and good governance embedded in the process to develop the Community Vision, Council Plan, Municipal Public Health and Wellbeing Plan, Financial Plan and Asset Plan has contributed to a high level of awareness and support for Council's strategic and resource commitments, as well as interest in participating in their implementation.

The Financial and Asset Plans in particular position Council to uphold its Workplace Health and Safety obligations by providing sufficient resources and systematic approaches to asset management respectively.

## 6.1 Adoption of Integrated Strategic Plans

#### Communication

A communications and engagement plan is being developed for the adoption and launch phase of Community Vision and Council Plan incorporating the Health and Wellbeing Plan, Financial Plan and Asset Plan. Opportunities to attend the launch events and be involved in implementation will be communicated through established networks and connections with residents, community groups, businesses, peak bodies, as well as Council's website and social media platforms.

#### **Human Rights Charter**

The independently verified methodology of the People Place Future community engagement program has ensured that no human rights have been negatively impacted.

#### **Options**

Option 1 – Adopt the People Place Future Integrated Strategic Plans (Community Vision, Council Plan incorporating the Health and Wellbeing Plan, Financial Plan and Asset Plan);

This option is recommended by officers as the Community Vision and the Council Plan incorporating the Health and Wellbeing Plan, Financial and Asset Plans have been developed according to the Victorian Local Government Act 2020 and Public Health and Wellbeing Act 2008 and reflect best practice described in State government guidance resources. In adopting the Plans, Council is honouring its commitment to community regarding the level of influence the Panel would have on the People Place Future Strategic Plans (Community Vision, Council Plan incorporating the Health and Wellbeing Plan, Financial Plan and Asset Plan). Moreover, the three phases of engagement and other data insights have enabled Council to confirm that these Plans reflect the evidence and community's priorities. Adoption will enable Council to meet timelines for the delivery of the Community Vision and the Council Plan incorporating the Health and Wellbeing Plan and Financial Plan (31 October 2021).

Option 2 – Adopt the People Place Future Integrated Strategic Plans (Community Vision, Council Plan incorporating the Health and Wellbeing Plan, Financial Plan and Asset Plan) with minor amendments

This option is not recommended by officers as it might compromise the commitment Council made to

community regarding the Panel's level of influence over the People Place Future Integrated Strategic Plans (Community Vision, Council Plan incorporating the Health and Wellbeing Plan, Financial Plan and Asset Plan) and may challenge Council's ability to deliver the Community Vision and the Council Plan incorporating the Health and Wellbeing Plan and Financial Plan by 31 October 2021. It could negate the strong level of support received in the final engagement phase.

Option 3 – Do not adopt the People Place Future Integrated Strategic Plans (Community Vision, Council Plan incorporating the Health and Wellbeing Plan, Financial Plan and Asset Plan) and consider major changes.

This option is not recommended by officers as it undermines the commitment Council made to community regarding the Panel's level of influence over the People Place Future Strategic Plans (Community Vision, Council Plan incorporating the Health and Wellbeing Plan, Financial Plan and Asset Plan) and puts at risk Council's ability to meet the requirement of the Local Government Act 2020 to deliver the Community Vision and the Council Plan incorporating the Health and Wellbeing Plan and Financial Plan by 31 October 2021. It could negate the strong level of support received in the final engagement phase.

# Conclusion

The Community Vision and the Council Plan incorporating the Health and Wellbeing Plan, Financial and Asset Plans have been developed in line with the new requirements established in the Local Government Act 2020 relating to strategic plan development and deliberative engagement.

The three phases of community engagement undertaken to inform the Community Vision and the Council Plan incorporating the Health and Wellbeing Plan, Financial and Asset Plans, have confirmed that these Plans represent community priorities and set out a viable program of strategic work capable of positively contributing to the long term community vision.

# 6.1 Adoption of Integrated Strategic Plans

# APPENDIX 1 PEOPLE PLACE FUTURE PUBLIC EXHIBITION COMMUNITY ENGAGEMENT REPORT

Surf Coast Shire Council 28 September 2021 Council Meeting Page **708** 



# **People Place Future Public Exhibition Engagement Report**

September 2021



Contents	Page
Introduction	1
Methodology	2
Community Vision + principles	4
Council Plan + Health and Wellbeing Plan	8
Themes	8
Strategies	10

# **Reference Documents / Materials**

The following information and data sources have been used to develop the community engagement report:

On-line survey published at <a href="https://www.surfcoast.vic.gov.au/About-us/Your-Say/People-Place-Future">https://www.surfcoast.vic.gov.au/About-us/Your-Say/People-Place-Future</a> between 3 August and 24 August.

# **Version Control**

9/09/2021 – A Hooper – People Place Future Public Exhibition Community Engagement Report V1.

# Introduction

#### What is People Place Future?

People Place Future is the engagement program – concluded with this report - that has been led by Council to inform the development of a suite of strategic documents, including a four-year Council Plan and Health and Wellbeing Plan, ten-year Community Vision, Financial Plan and Asset Plan.

The People Place Future community engagement program was designed to encourage broad participation, seek a diverse range of community views, and foster considered deliberation on key issues and dilemmas. Input from three phases of engagement has influenced the development of the four integrated strategic plans.

Council's Community Engagement Policy recognises engagement as: 'a planned process with the specific purpose of working across organisations, stakeholders and communities to shape decisions or actions... in relation to a problem, opportunity or outcome' (IAP2).

The Policy outlines Council's commitment to working with Surf Coast communities to enhance decision making. The Policy specifically notes the Community Vision, Council Plan, Municipal Public Health and Wellbeing Plan, Financial Plan and Asset Plan as significant documents requiring tailored engagement.

In addition, the Local Government Act 2020 mandates the use of deliberative engagement processes in the development of these key strategic documents.

Council worked with a selection of specialised community engagement consultants to oversee and deliver this program of engagement and provide a level of independence to the process.

#### 1. Participatory phase

Phase 1 focused on broad, participatory engagement, seeking diverse perspectives and helped to provide the deliberative panel with an understanding of community views and priorities

#### 2. Deliberative phase

Phase 2 brought together a representative random sample of people from across the Surf Coast Shire to sit on the People Place Future Community Panel. The panel deliberated on the challenges and opportunities that we face as a community, setting a long term vision and identifying key principles and recommendations to inform the Council Plan incorporating the Health and Wellbeing Plan. Financial and Asset Plans.

#### 3. Review phase

**Phase 3** invited community members, businesses, networks and organisations to provide feedback on the community vision and principles, the themes and strategies of the Council Plan incorporating the Health and Wellbeing Plan and Financial and Asset Plans.

This engagement report will focus on the methodology and findings of the third phase of engagement, the review or public exhibition phase of the People Place Future project.

# Methodology

The engagement approach was made up of three interactive phases:



#### Participatory Phase

JANUARY - MARCH 2021

Methodology: on line surveys, submissions, targeted contact with stakeholders, in person discussions

**Influence and commitment: Consult – Involve.** Informing community about challenges and opportunities and working with community to understand and consider community concerns and aspirations.

Outcome: 1193 surveys completed, 20 submissions received, 180 conversations at pop-up stalls.

Outputs: Discussion Paper, Community Engagement Report March 2021



#### **Deliberative Phase**

MARCH - MAY 2021

Methodology: Open Expression of Interest (EoI) facilitated by the Sortition Foundation, 239 EoIs were received. 35 people were randomly selected and invited to be a member of the panel. Panel members were representative of our population by location, gender and age.

Influence and commitment: Involve – Collaboration. On 19 January 2021, Councillors committed to a 'collaborative' level of influence for the development of the Community Vision and the Council Plan and Health and Wellbeing Plan. This meant Council would accept panel recommendations 'to the great extent possible'. The level of influence for the Financial and Asset Plans was set at 'involve'. Facilitation experts, Mosaic Lab, were contracted to independently convene the panel who met for a total of 33 hours on seven occasions to consider key inputs and deliberate issues.

**Outcome:** The Community Panel developed a long term community vision, 10 principles and 35 recommendations.

**Outputs**: Background report, Community Panel Recommendations Report, Panel Vox Pops, Process Report (Mosaic Lab).



# **Review Phase**

JUNE – SEPTEMBER 2021

Methodology: Following a series of workshops with Councillors and staff to develop the Council Plan and Health and Wellbeing Plan and Financial and Asset Plans, the draft documents were exhibited for three weeks for public comment via submissions and an online survey.

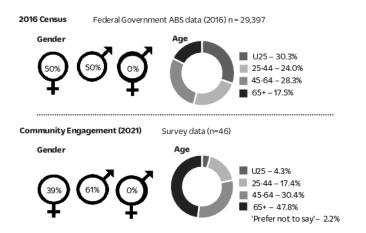
Influence and commitment: Inform – Consult. Council provided information about the process to develop the strategic plans and sought feedback on whether the resultant plans reflected community input and represented a reasonable program of work that would contribute to the achievement of the community vision and priorities.

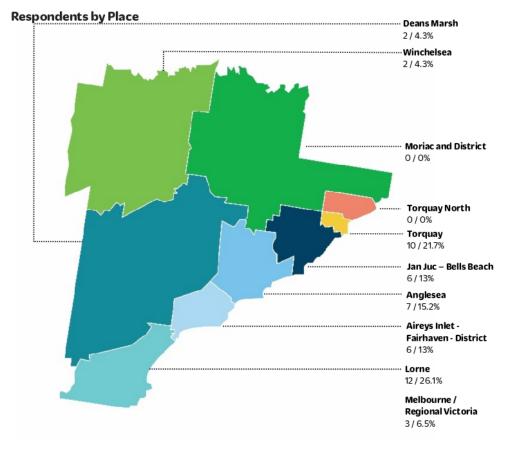
Outcome: 46 Surveys completed. Four submissions

Outputs: Public Exhibition Community Engagement Report.

## About the respondents

Gender and age profile of respondents in comparison to the 2016 ABS census





# **Community Vision and Principles**

The first part of the survey asked respondents to rate and comment on the Community Vision and the ten principles that underpin it.

## Community Vision

From the hinterland to the coast, from the first peoples to the children of the future, we are an active, diverse community that lives creatively to value, protect and enhance the natural environment and our unique neighbourhoods. We will leave the Surf Coast better than we found it.

#### Principles

- 1. Protect, conserve and restore our natural environment
- 2. Planning for growth
- 3. Sharing Our Home with the World
- 4. Identify and Maintain our Community Identities
- 5. Equitable delivery of Community Services
- 6. Tackling Climate Change and Implementing Climate Resilient Strategies

- 7. Accountability through timely, consultative and transparent communication about proposed council decisions
- 8. Commitment to a community that promotes cultural and recreational activities
- A place to nurture, acknowledge and promote innovation, the creative arts and industries
- 10. Respectful Engagement and Consultations with First Nations

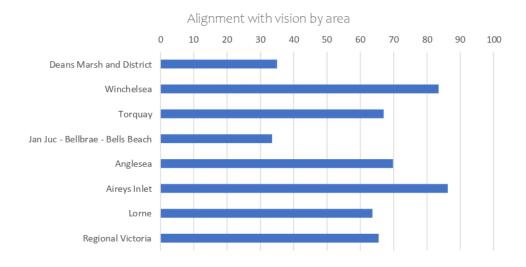
## Results

# **Community Vision**

Respondents were asked to rate out of 100 the extent to which the Community Vision aligned with their own vision. The following chart breaks down responses by gender, area and age (n = 29).

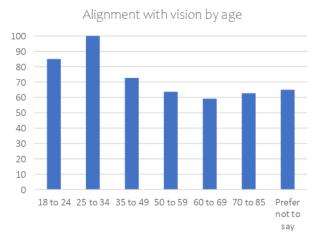


Women respondents indicated a greater level of alignment, 71 out of 100, compared to 63.



Aireys Inlet and District (86.25) and Winchelsea (83.5) respondents indicated the greatest alignment with the Community Vision. Deans Marsh and District and Jan Juc – Bellbrae – Bells Beach indicated the lowest (33.5).

Younger cohorts, 18 – 24 and 25 – 34 indicated the greatest alignment with the Community Vision (85 and 100 respectively).



# Results (Continued)

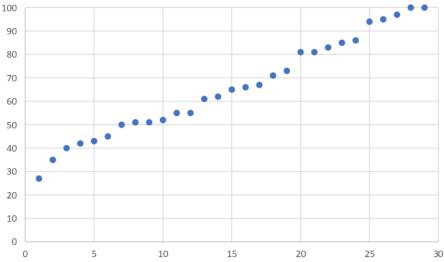
# **Community Vision**

Overall, the average rating for alignment with the community vision was 66.

Nineteen free text comments were made in reference to the Community Vision.

The level of support for the vision as indicated by the comments were relatively consistent with the scores out for 100, with 7 supportive comments, 7 unsupportive and 5 neutral or uncertain.





As indicated by a couple of comments, it can be difficult to connect with a statement that is by nature high level.

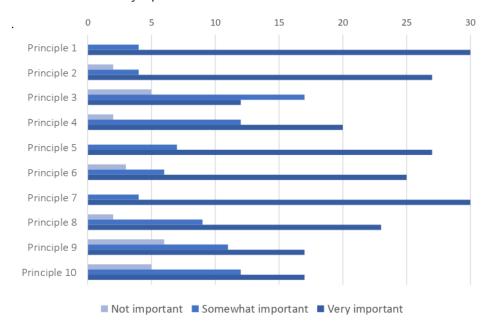
"It is very good and inclusive. It works for me." "... intent and fine words do not necessarily drive and/or achieve outcomes. The outcome is all that matters." "Instead of all this airy fairy "vision"....could you please be a bit more specific as to what you're on about??

## Results (continued)

## Principles

Respondents were asked to indicate how important they considered each of the 10 principles to be. Respondents could select 'Very important', 'Somewhat important' or 'Not important' (n = 34; as indicated by the top axis). Principles 1, 5 and 7 received the greatest show of support, with 100% of respondents indicating those principles were 'somewhat' or 'very important'.

In addition to according with the Community Panel's work, support for these principles concerning the protection of the natural environment, equitable access to community services, and transparency and accountability of communications and decision-making, is in line with the findings from the first phase of engagement.



Of the 24 comments, 9 were supportive, 11 were unsupportive and 6 were neutral or uncertain

'Progress with balance of preserving the place of natural beauty and history." "Totally agree with community panels recognition of environment being vitally important" "... not enough focus on providing real infrastructure needed for a small city we have become".

# Council Plan incorporating the Health and Wellbeing Plan

The second part of the survey asked respondents to rate and comment on the Council Plan themes and strategies.

# **Themes**

1. First Nations Reconciliation

Our goal: Reconciliation with Traditional Owners and other Aboriginal and Torres Strait Islander people in our community through respectful engagement, acknowledgement and collaboration

2. Healthy Connected Community

Our goal: To foster a thriving, connected, healthy community

3. Environmental Leadership

Our goal: Protect our environment and help our community to thrive through environmental leadership

4. Sustainable Growth

Our goal: Growth is not at the expense of environmental values or the unique heritage and character of our townships 5. A Robust and Diverse Economy

Our goal: Our economy is sustainable and supports a diversity of local enterprises and people

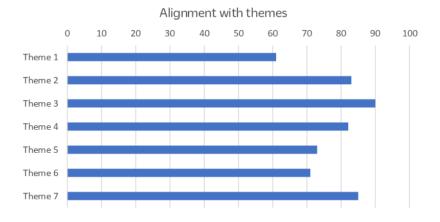
6. Arts and Creativity

Our goal: Acknowledge the value of arts and creativity and nurture their growth

7. An Accountable and Viable Council

Our goal: Council has financial capacity to deliver services now and into the future and decision making is informed by community views

#### Results



#### Results (continued)

## **Themes**

Respondents were asked to rate the importance of each theme out of 100 (n = 25 - 28).

Respondents indicated that theme 3 was the most important to them, with an average score of 90. Theme 7 scored an average of 85 and theme 2's average rating was 83. Support for themes concerning the protection of our natural environment and action on climate change, the accountability and viability of Council and Social infrastructure, open space and community services is consistent with the high level of support shown for principles 1, 5 and 7

Somewhat inconsistently, principle 10 'Respectful engagement with first nations' was seen as 'somewhat important' or 'very important' by 85% of respondents.

Respondents alignment with theme 1, 'First Nations Reconciliation' was rated 61 out of 100.

Similarly principle 9 'A place to nurture, acknowledge and promote innovation, the creative arts and industries' was considered 'somewhat important' or 'very important' to 82% of respondents. Respondents rated their alignment with theme 6 Arts and Creativity 71 out of 100.

While most comments indicated a high level of support, some of the comments regarding the themes suggest an uncertainty about the role of local government, as opposed to state or federal government, in arts and creative industries and Reconciliation. The comments seem to indicate that respondents are concerned that a focus on these themes would cause a redirection of resources away from other things they hold to be important, Or, perhaps, that efforts to grow creative industries or progress Reconciliation would not benefit all community members equally.

#### Theme 1.

"Not if it adds unreasonable cost"

"Continue with engagement and collaboration, but remember to make decisions for all the community, and give all the community the have input into the decision."

"....not ONE word about the appalling state of infrastructure in the shire.

#### Theme 6.

"Arts tourism is acknowledged as encouraging longer stays and more thoughtful visitors."

"The Arts always need subsidy, all over the World. But don't make for economic growth

Nice if it can be afforded - its in the realm of not a priority compared to basic services

# **Strategies**

The next part of the survey asks respondents to consider the strategies that sit under each theme. Respondents were asked to rate both the importance of each strategy to them and to the delivery of the theme goal. As with previous questions, respondents could select 'very important', somewhat important' or 'not important' in rating each strategy. The 19 strategies are listed below.

- Work with Traditional Owners and other Aboriginal and Torres Strait Islander people in our community to achieve reconciliation
- Ensure Council decisions consider and respect Traditional Owner perspectives, culture and knowledge
- 3. Facilitate the provision of social infrastructure and open space to enable healthy lifestyles
- Improve access to local services and programs that support people to be healthy and well
- 5. Make it easier for people to move around our towns and in nature without relying on cars.
- Enable communities to strengthen their social connections and participate in community life.
- 7. Protect significant habitats, landscapes and biodiversity
- 8. Reduce greenhouse gas emissions to limit the impacts of climate change
- 9. Divert more material from the waste stream
- 10. Adapt to a changing climate

- 11. Protect heritage and township character
- 12. Improve access to affordable residential accommodation
- 13. Support tourism and events that encourage people to stay longer and appreciate and care for this place
- 14. Enable people to run successful local businesses that grow and create jobs in our changing economy
- 15. Foster an environment that enables businesses to operate according to ethical, social and sustainable principles
- 16. Foster an environment where people with clever and creative ideas can make a difference in their communities
- 17. Increase support for creative industries and arts
- 18. Establish a sustainable financial position.
- 19. Improve Council's credibility as a trusted decision maker through meaningful engagement

#### Results

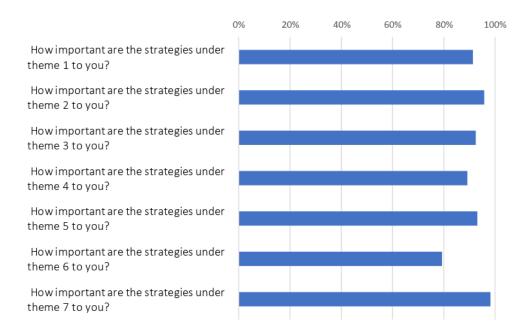
Overview of the support for strategies.

Respondents (n = 27-30) were asked to indicate how important they considered each strategy. The below chart aggregates these responses under their respective themes, ie, responses to strategies 1 and 2 have been aggregated under 'how important are the strategies under theme 1 to you?'. Responses to strategies 3, 4, 5 and 6 are included in 'how important are the strategies under theme 2 to you?', and so on. Pages 13 – 19 below disaggregate the data for each strategy.

This overview indicates a high level of support for the strategies under each of the themes, with more than 79% respondents considering the strategies under all themes to be 'somewhat important' or 'very important'.

Strategies under theme 7 'Accountable and Viable Council' were the most important to respondents (n = 29), with 98% indicating that strategies 18 and 19 were 'somewhat important' or 'very important'.

Ninety-six percent of respondents considered the four strategies under theme 2 'Healthy Connected Communities' to be 'somewhat important' or 'very important'. Ninety-three percent of respondents rated the strategies under 'A Robust and Diverse Economy' to be 'somewhat' or 'very important'. Ninety-one percent of respondents considered the 'First Nations Reconciliation strategies (1 and 2) to be 'somewhat' or 'very important'.



#### Results (continued)

Respondents (n = 25-30) were asked to indicate how important they considered each strategy to be for the delivery of the theme goal. Again, the below chart aggregates these responses under their respective themes. And, like for the 'part a' of this line of survey questions, responses to, for example, strategies 7, 8, 9 and 10 have been aggregated under 'how important are the strategies under theme 3 to achieving its goal?' Responses to strategies 11, 12 and 13 are included in 'how important are the strategies under theme 4 to achieving its goal?', and so on. Pages 13 – 19 disaggregate the data for each strategy.

The majority of respondents consider the strategies to be important to achieving the respective goals of the themes that they sit under.

Strategies under theme 7 'Accountable and Viable Council' were the most important to respondents (n = 29), with 98% indicating that strategies 18 and 19 were 'somewhat important' or 'very important' to achieving the goal of theme 7.

Ninety-four percent of respondents considered strategies under theme 2 to be 'somewhat important' or 'very important' to achieving the goal of Healthy Connected Communities'. Ninety-four and 93% of respondents rated the strategies under theme 3 and 5 as 'somewhat important' or 'very important' to achieving their respective theme goals. Ninety percent of respondents thought theme 4 strategies would be efficacious in achieving the goal of the theme. For theme 1 and theme 6 the efficacy rating was 88% and 80% respectively.



How important are the strategies under theme 2 to achieving its goal?

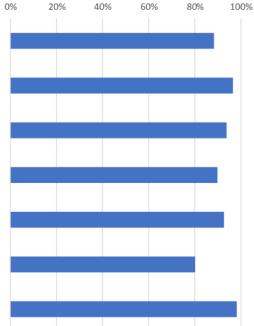
How important are the strategies under theme 3 to achieving its goal?

How important are the strategies under theme 4 to achieving its goal?

How important are the strategies under theme 5 to achieving its goal?

How important are the strategies under theme 6 to achieving its goal?

How important are the strategies under theme 7 to achieving its goal?



#### Results (continued)

The following pages provide a breakdown of responses to the twin questions of 'how 'important is this strategy to you?' and 'how important is this strategy to achieving the goal of the theme?'

#### Theme 1 strategies

Ninety-three percent of respondents (n = 29) considered strategy 1 to be 'somewhat important' or 'very important'. Ninety percent of respondents (n = 30) consider strategy 1 to be important to the achievement of the goal of theme 1.

Ninety percent of respondents (n = 29) considered strategy 2 to be 'somewhat important' or 'very important'. Eighty-seven percent of respondents (n = 30) consider strategy 2 to be important to the achievement of the goal of theme 1.



#### 'Strategy 1.

"This is such an important goal. Our community exists as if it's popped out of thin air, with very little public awareness, conversation or acknowledgement of our collective history. To return to history and learn how to reconcile with it, and walk forward together with T.O groups, will build a healthier, resilient community."

'Strategy 2.

"The First Nation people have a lot to offer our community. Listening to them is important."

#### Results (continued)

Theme 2 strategies.

Respondents indicated a high level of support for the strategies under theme 2. One hundred percent of respondents (n = 29) considered strategy 4 to be important to them and important in achieving the goal of 'Healthy Connected Communities'. Ninety-seven percent of respondents (n = 29) considered strategies 3 and 5 to be important to them and important in achieving the theme's goal.

Ninety percent of respondents (n = 30) considered strategy 6 to be 'somewhat important' or 'very important'. And 93% of respondents (n = 29) consider strategy 6 to be important to the achievement of the goal of 'fostering a thriving, connected, healthy community'.



Strategy 3.

"A no-brainer in a regional coastal community.
The open space is already there. This strategy
should not be used to justify additional
infrastructure."

Strategy 4.

"More support for mental health."

Strategy 5.

"Walking tracks and links for longer trekking important."

Strategy 6.

"Access to year round public transport, essential for the elderly, infirmed and youth."

Surf Coast Shire Council
Council Meeting

#### 6.1 Adoption of Integrated Strategic Plans

#### Results (continued)

#### Theme 3 strategies

Ninety-seven percent of respondents (n = 29/30) considered strategies 7 and 9 to be 'somewhat' or 'very important' to them.

Respondents (n = 28/29) rated the importance of these strategies to the delivery of the goal of theme 3, 96% and 97% respectively. Eighty-seven percent of respondents (n = 30) considered strategy 8 to be important and 89% (n = 28) considered it important to the theme's goal.

Ninety percent of respondents (n = 30) considered strategy 10 to be 'somewhat important' or 'very important'. And 93% of respondents (n = 28) consider strategy 10 to be important in the work to 'protect our environment and help our community to thrive'.



Strategy 7.

"Need proper greenspace and wildlife corridors and to protect existing remnant vegetation."

Strategy 8.

"Promote use of public participation into this infrastructure."

Strategy 9.

"Products need to be made to last and repaired - we must stop the endless "throw away mentality."

Strategy 10.

"Adapting to climate change won't help protect the environment."

P I 15

28 September 2021

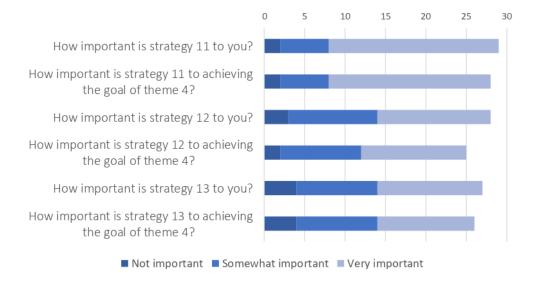
Page **724** 

#### Results (continued)

#### Theme 4 strategies

Ninety-three percent of respondents (n = 29/28) considered strategy 11 to be both important to them and important in achieving the goal of the theme. Eightynine percent of respondents (n = 28/29) rated the importance of these strategies to the delivery of the goal of theme 3, 96% and 97% respectively. Eighty-seven percent of respondents (n = 28) considered strategy 12 to be 'somewhat important' or 'very important'.

A higher proportion (92%) of a lower number of respondents (n = 25) considered strategy 12 to be 'somewhat important' or 'very important' in the delivery of the goal of the theme. Eighty-five percent of respondents (n = 27) consider strategy 13 to be both important to them and important to goal of upholding the 'environmental values and unique heritage and character of our townships'.



#### Strategy 11.

"Much has already been destroyed and lost at Lorne; however the Pier precinct is an example of an area needing sympathetic upgrade without destroying the history of what this area is and was all about."

#### Strategy 12.

"Discourage Holiday home and Vacant house and land by implement a levy on these type of properties."

#### Strategy 13.

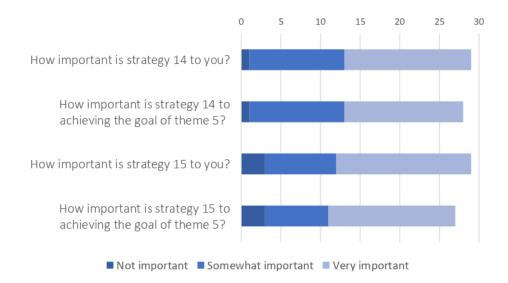
"Tourism clearly matters though the post -COVID period may see changes in tourist needs that we cannot yet appreciate."

#### Results (Continued)

#### Theme 5 strategies

Ninety-seven percent of respondents (n = 29) considered strategy 14 to be 'somewhat' or 'very important' to them. Ninety-six percent of respondents (n = 28) considered strategy 14 important to the delivery of the goal of a sustainable economy that supports a diversity of local enterprises and people.

Ninety percent of respondents (n = 29) saw strategy 15 as being 'somewhat important' or 'very important' to them. A slightly lower percentage -89 (n = 28) thought that strategy 15 was important to the achieving the theme' goal.



#### Strategy 14.

"need major employers, not just small business in order to be sustainable with the population projected."

#### Strategy 14.

"Geelong is a big centre to provide employment. Surf coast should remain low key small business."

#### Strategy 15.

"We like innovation too, not just cottage industries. We need more job opportunities on the Surfcoast."

#### Strategy 15.

"Support Green Local businesses."

#### Results (continued)

#### Theme 6 strategies

Ninety percent of respondents (n = 29) considered strategy 16 to be 'somewhat' or 'very important' to them. Eighty-nine percent thought that strategy 16 was important for the delivery of the theme's goal.

A lower percentage – 69% (n = 29) considered strategy 17 to be important to them and 71% (n = 28) considered the strategy to be important in achieving a community that 'acknowledges the value of arts and creativity and nurtures their growth'.



Strategy 16.

"So hard to measure, but intangibly vital for a healthy society."

Strategy 16.

"Support local ventures, but must be enviro sustainable."

Strategy 17.

"Don't waste time on this, creatives will just move to Melbourne".

Strategy 17.

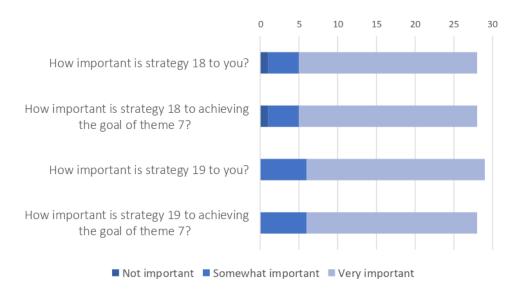
"Not at he expense of health and other facilities which will benefit the whole community."

#### Results (continued)

#### Theme 7 strategies

There was a high level of support for the strategies that sit under theme 7. Ninety-six percent of respondents (n = 28) considered strategy 18 to be both important to them and to achieving the theme goal which is, 'Council has financial capacity to deliver services now and into the future and decision making is informed by community views'.

One hundred percent of respondents (n = 29) identified that strategy 19 was 'somewhat important' or 'very important' to them. The same percentage (100), though there was one fewer respondents (n = 28), considered the strategy to be important in achieving the goal for the theme.



#### Strategy 18.

"Essential this occurs. Current indications are not encouraging with Council spending beyond their means."

#### Strategy 18.

"Would like to have a long term sustained effort to keep the budget in surplus."

#### Strategy 19.

"Opinion of residents from the entire Shire must be sought not just Torquay and when feedback is received it must be respected."

#### Strategy 19.

"This is an area where listening to and acting on community feedback speak louder than Vision and Strategy documents." Surf Coast Shire Council Council Meeting

#### 6.1 Adoption of Integrated Strategic Plans

#### APPENDIX 2 SURF COAST SHIRE COMMUNITY VISION



The following vision and principles represent a collective aspiration for the Surf Coast region. They were developed by a representative sample of community members on behalf of the broader community. Surf Coast Shire Council will work with the community and partner organisations to help support this vision.

Between March and May 2021 the community panel met to consider the future of the shire and to provide input into Surf Coast Shire Council's strategic plans.

#### People Place Future

After considering feedback from around 1200 survey respondents, and interpreting data and reading issues papers provided by Council, the 35 member panel produced a Community Panel Report. It contained a vision for the future, a set of principles and a series of recommendations for Council.

The vision captures the community aspiration for the future of Surf Coast Shire and has been adopted by Council as a foundation statement for its strategic plans.

#### Community Vision

From the hinterland to the coast, from the first peoples to the children of the future, we are an active, diverse community that lives creatively to value, protect and enhance the natural environment and our unique neighbourhoods. We will leave the Surf Coast better than we found it.

The community panel developed 10 principles to support the vision. The Principles have informed the Council Plan 2021–2025 including the Municipal Health Plan, the Financial Plan 2021–31 and Asset Plan 2021–2031.



#### Community Principles



### Principle 1. **Protect, conserve and restore our natural environment**

Protection, conservation and restoration of the environment should drive the decision making processes now and into the future

We value, preserve and prioritise our unique natural features and cultural heritage sites, hinterland, waterways and coast.

The community works collaboratively with council, relevant agencies and government to ensure that outcomes protect, improve and restore the natural environment and are not compromised.



#### Principle 2. Planning for Growth

Understand that our population will increase but this should not be at the detrimental expense of our unique neighbourhoods or the natural environment.

Land release, estate design and infill development must follow council and town structure plans in line with community expectations.

Council must take action to ensure estate developers construct innovative infrastructure to create a better place to live and work.

Council must take action to ensure housing estates contain a mix of dwellings to meet the breadth of economic needs of our diverse and seasonal population.



#### Principle 3. Sharing our Home with the World

We welcome visitors to the coast and hinterland and encourage them to respect and appreciate our home, heritage and lifestyle.

Encourage small scale, locally owned and operated tourist businesses.

Promote experiences and the use of existing infrastructure that are accessible and unencumbered.

Provide adequate visitor facilities that contribute to a better tourism experience and encourage visitors to stay longer, return or spend more via a circular economy so the benefits of tourism remain in the region.



### Principle 4. Identify and Maintain our Community

Protecting the distinctive and diverse communities from State Government/external rulings that impact our long held community values and lifestyles.

Supporting community events that celebrate the character of each unique township.



#### Principle 5. Equitable delivery of community services

A commitment to the basic physical and mental health needs for the community as a whole, encompassing infant welfare, immunisation, aged care services, community mental health/wellbeing. More community engagement for the aging, the vulnerable - targeting loneliness, suicide prevention, alcohol/drug abuse and domestic violence issues.



### Principle 6. Tackling Climate Change and Implementing Climate Resilient Strategies

Lead and advocate to deliver effective solutions to key climate influences such as waste minimisation strategies, renewable energy alternatives, carbon emissions, water management, deforestation management. Delivering Initiatives within planning strategies to improve home and business energy ratings and efficiency Lead in the protection of the natural environment, with salinity and soil management strategies to alleviate negative impacts on the natural habitat such as coastal erosion and ground pollution

Ensure that bushfire and sea level rise, management planning is undertaken.



# Principle 7. Accountability through timely, consultative and transparent communication about proposed council decisions

It is very important to be informed and engaged in advance (through accessible open communication) about upcoming decisions (particularly fiscal). As a diverse community, we want continued and improved opportunities to participate in the decision making process.



### Principle 8. Commitment to a community that promotes cultural and recreational activities

Enable the community to participate in physical, recreational and cultural activities to enhance a healthy lifestyle. Council funds and actively seeks to secure resources from the State and Federal Government in order to provide the necessary infrastructure to support these activities.



# Principle 9. A place to nurture, acknowledge and promote innovation, the creative arts and industries

Build a place that acknowledges and encourages creativity and innovation to resolve problems and promote a positive future. Enhance the visibility, capacity and growth of our creative communities.

Activate, maintain and create places for the arts, creative industries, local museums and community hubs for the benefit of everyone. Design collaborative networks to develop new pathways and inform decision making.



### Principle 10. Respectful Engagement and Consultations with First Nations

With self determination at the centre, we will strengthen relationships to collaboratively achieve meaningful change as we continue along the reconciliation journey. Surf Coast Shire must engage and collaborate with the appropriate Aboriginal representatives including Eastern Maar, Wadawurrung registered Aboriginal parties, and Wathaurong Aboriginal Cooperative to ensure all actions respect the traditions, culture, health, social and other needs of the Aboriginal communities.

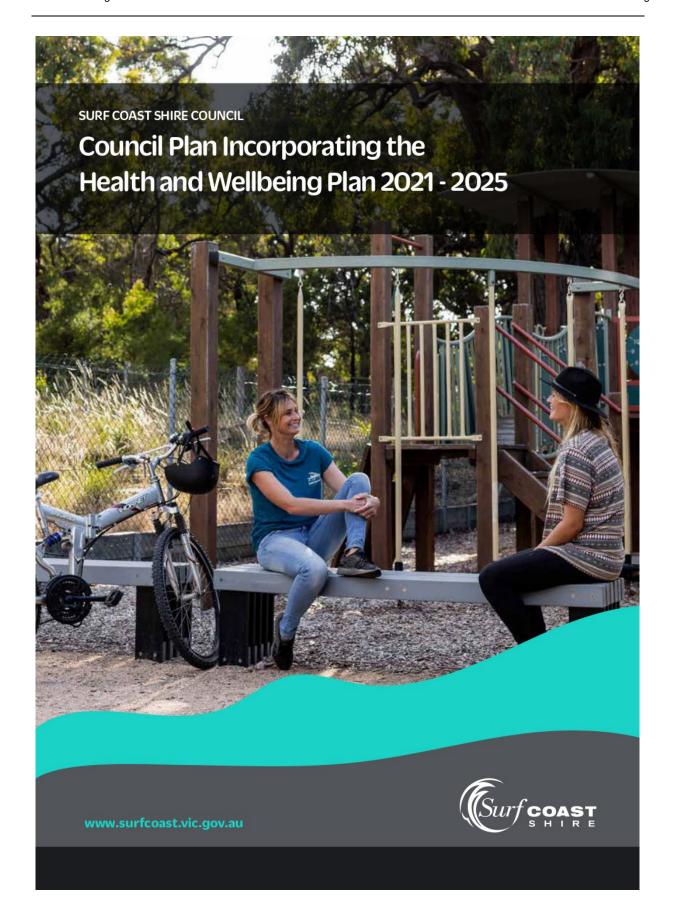
September 2021

Surf Coast Shire Council Council Meeting

6.1 Adoption of Integrated Strategic Plans

# APPENDIX 3 COUNCIL PLAN INCORPORATING THE MUNICIPAL PUBLIC HEALTH AND WELLBEING PLAN 2021-2025

Surf Coast Shire Council Council Meeting



# **Acknowledgment of Country**

We Acknowledge the Wadawurrung People and the Gulidjan and Gadubanud Peoples of the Eastern Maar, as the Traditional Owners and Protectors of the land we now call Surf Coast Shire. We Acknowledge their Ancestors who cared for the land and waters for thousands of generations. We pay our respects to their Elders past, present and future.

Further, we Acknowledge all other Aboriginal and Torres Strait Islander Peoples, who are part of today's Surf Coast Shire community.

#### Wadawurrung Traditional Owners Aboriginal Corporation

#### Our shared Vision: All people working together to make **Wadawurrung Country and Culture strong**

Wurrgurrwilwa gupma bengadak Wadawurrung

As Wadawurrung Traditional Owners we live by Bunjil's lore to care for Country and all things living as our ancestors have

Our Dja (Country), is more than a place. Our coastal cliffs, wetlands, grassy and volcanic plains, and people were all formed by Bunjil and our ancestor spirits who continue to live in the land, water and sky. Black Hill near Gordon is where Bunjil created Wadawurrung people. Lal Lal Falls near Ballarat is where he created the waterways and where he returned to before heading to his resting places in the stars continuing to

Our Dja is interwoven with relationships no matter whether the shape of that relation is human, granite hills, crow or Manna gum. Country is filled with relations speaking language, sharing stories and following lore. These spirits they link us back through time in a continuing connection with our past, our cultural practices and our stories. These spirits connect us to our Country and each other which gives us ongoing respect for our obligation to care for our Country.

We are educating the broader community and retelling the stories of history in our Country to provide a richer understanding of how important our people have been and continue to be in the formation and functioning of modernday Victoria.

Let's walk together Koling wada-ngal

Paleert Tjaara Dja - Let's Make Country Good Together Wadawurrung Healthy Country Plan 2020-2030 Wadawurrung Traditional Owners Aboriginal Corporation

#### **Eastern Maar Aboriginal Corporation**

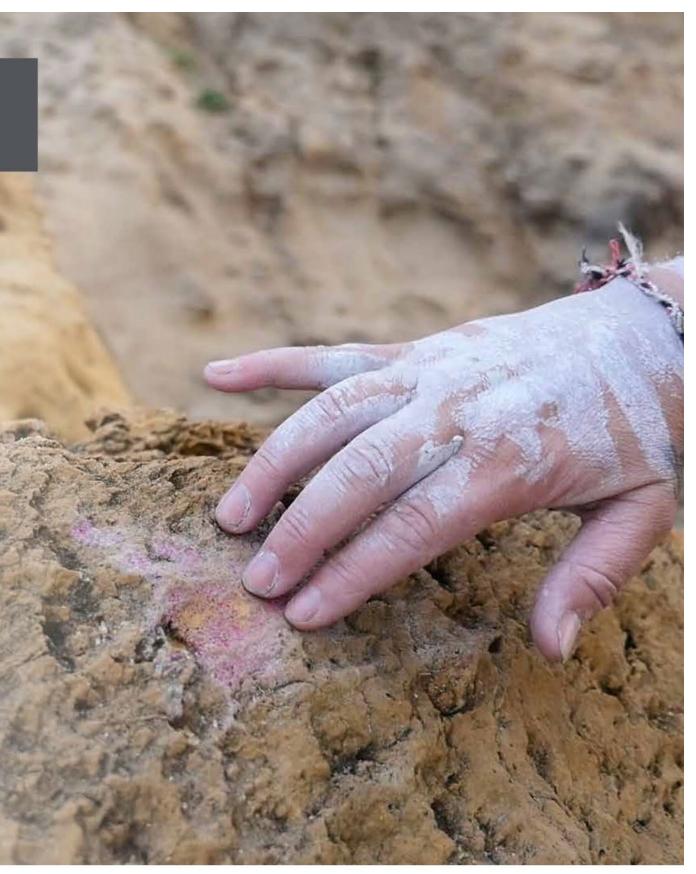
The contemporary Eastern Maar nation traces an unbroken line of descent back to our ancestors over many thousands of years. We have survived as our Country's First People and, despite the well documented colonial history, continue to maintain economic, traditional, cultural, familial and spiritual ties to our homeland. Through the leadership and authority of our Elders, we are practicing our laws and customs, strengthening our system of governance and nurturing our connection to Country.

We continue to pass on our traditional knowledge from generation to generation, inducting our young people into Maar society as a cultural practice initiated by our Ancestors. It is a process that keeps customs and stories alive and ensures we are able to maintain Maar culture, language and society. Drawing strength from our identity and past, we are able to live our culture as a set of attitudes, customs, and beliefs; helping us to be resilient and adaptable in changing

We acknowledge that looking after this place properly, in a way that benefits all people, will require strong and respectful partnerships. We will move forward in a positive and collaborative way with the people and organisations who share interests in, and responsibilities for, our traditional lands and natural resources. We will do this within the context of our cultural integrity and values.

Meerreengeeye Ngakeepoorryeeyt Eastern Maar Country Plan 2015 Eastern Maar Aboriginal Corporation

This country plan is called Meerreengeeye Ngakeepoorryeeyt. It is in our Maar language. Meerreengeeye means 'Our Country', which includes the land and waters, plants and animals, our stories and spirits, our citizens. This is how we see our Country, as connected and



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### **Meet the Councillors**

The Surf Coast Shire Council comprises four wards and has a total of nine councillors. The number of councillors that represent each ward is determined by the population in the ward. The Lorne ward has one councillor, Winchelsea and Anglesea wards have two councillors each and Torquay is represented by four councillors.

The current Council was elected on 5 November 2020 for a four year term. Cr Libby Stapleton was elected Mayor for a one year term on 18 November 2020. Cr Liz Pattison was elected to the position of Deputy Mayor.

#### Anglesea ward



Cr Libby Stapleton (Mayor 2021) Istapleton@surfcoast.vic.gov.au Ph: 0400 271 574



Cr Mike Bodsworth mbodsworth@surfcoast.vic.gov.au Ph: 0427 337 558

#### Lorne ward



Cr Gary Allen gallen@surfcoast.vic.gov.au Ph: 0438 637 274

#### **Torquay ward**



Cr Liz Pattison (Deputy Mayor 2021) Ipattison@surfcoast.vic.gov.au Ph: 0402 328 546



Cr Paul Barker pbarker@surfcoast.vic.gov.au Ph: 0409 626 614



Cr Kate Gazzard kgazzard@surfcoast.vic.gov.au Ph: 0428 570 094

#### Winchelsea ward



Cr Rose Hodge rhodge@surfcoast.vic.gov.au Ph: 0407 552 025



Cr Adrian Schonfelder aschonfelder@surfcoast.vic.gov.au Ph: 0400 169 741



Cr Heather Wellington hwellington@surfcoast.vic.gov.au Ph: 0417 542 967

### Mayor's Message



Whatever your connection to Surf Coast Shire I am sure you have a strong idea of what you love about it. It might be the natural beauty, the strong community bonds, or the healthy lifestyle. Most likely it's all the above and more besides.

Getting a clear picture of what is important about our shire was the first step in the development of this Council Plan and our other related strategic documents.

We received feedback from around 1200 people on what they cared about and then we heard from a dedicated cross section of our community who volunteered weeks of their time to explore this topic in detail.

This work culminated in a community vision for the shire which articulates the future direction for us as a community and Council. The vision records the diversity of landscapes, lifestyles and townships. Protecting our natural environment and the character of each of townships emerged as a central theme. The vision recognises the contribution of First Nations people and how ongoing understanding and respect is essential. Children are specifically mentioned in recognition of the legacy we as community will leave to them. Creativity, diversity and recreation are also acknowledged. At the heart of the vision is a desire to make the future Surf Coast Shire better in the future than the past.

It's a worthy encapsulation of what we collectively value and what we should protect and enhance.

From this, and the subsequent set of principles developed by our hard working community panel, Council has developed 19 strategies arranged across seven themes to steer us in the direction of the community vision. When Council is so many things to so many people it's been quite an exercise to hone our strategic approach to these few. In doing so we are acknowledging the role others have played and will continue

to play in our collective futures. Sometimes we will be the leader and other times it's best that we step aside and let our community and other partners shine.

The community has taken the lead on shaping this plan and we intend to honour that commitment by continuing to work in collaboration over the four year life of this plan.

That's not to underestimate the work ahead of us. For all the great things about Surf Coast Shire we know we have challenges ahead of us – with climate change possibly the most important issue of our lives. Reconciliation with First Nations people is also a critical priority and there is the complex issue of how to manage growth in a sustainable way without losing what we love. An urgent, related issue, is the lack of affordable housing for many in our community.

All the same, I am optimistic about the future of this beautiful place. Within our community we have the ingredients for success – there are more examples than we can count where creative, talented people, have banded together to achieve a common goal. This Council Plan celebrates collaboration and recognises the power that comes from having a common purpose.

Cr Libby Stapleton Mayor Surf Coast Shire Council

# **CEO's Message**



It's a fascinating time to be living, working or visiting the Surf Coast Shire. Like everywhere else we are navigating the impact of COVID-19 and whilst we have become more accustomed to the challenges since those distant days in early 2020 we now have the cumulative effect of lockdowns, health risks and daily tallies.

The impacts vary for each of us and certainly there are some in our community who have been dealt a disproportionate blow. Vulnerable members of our community, our tourism and hospitality operators and young people are some of those who have borne the brunt of the pandemic locally.

It might seem paradoxical but the pandemic has brought good as well. We've seen how genuinely and quickly our community has mobilised to help others. Initiatives that might have had their genesis on someone's kitchen table during lockdown 1.0 have since flourished and established really solid connections in our communities.

We have shown we have what it takes as a community to recover and get our lives to something like normal – at least COVID normal.

There are other challenges ahead of us but again we face them as a community that cares, that has great energy and ideas and that is willing to share the load.

This Council Plan distils the challenges and opportunities ahead of us and in so doing represents a series of choices - where we should focus effort, where we need to change our approach and where we need to concentrate our limited resources. We also note the value and importance of partnerships – within our community and with other agencies, councils and levels of government. The result is a set of strategies that focuses our intent over the next four years.

Whilst it's early days for me I'm proud to note the commitment of the Councillors and officers to support the goals of our community. It's been evident through the development of the Council Plan and in the day to day work of our organisation. There is a culture of care that parallels what we see in our broader community.

Council has set some ambitious goals in this Council Plan because it's important to strive and because we have some challenges that require a wholehearted commitment. We approach this work with confidence, however, knowing that, through this plan, we have a clear line of sight of where to focus our efforts.

In effect we are all custodians of Surf Coast Shire and together we can ensure it remains a beautiful, healthy, caring and prosperous place to call home.

Robyn Seymour CEO Surf Coast Shire Council



### **About this Plan**

The Council Plan sets out Council's strategic direction for the four years until 2024. It describes the goals we have for the term of the current Council and provides a road map for how we will achieve these goals.

The Council Plan incorporates a long term community vision for Surf Coast Shire. The vision was developed by a community panel which was convened to give guidance on community aspirations for the shire. The work of the community panel has been instrumental in the development of the Council Plan and other integrated documents.

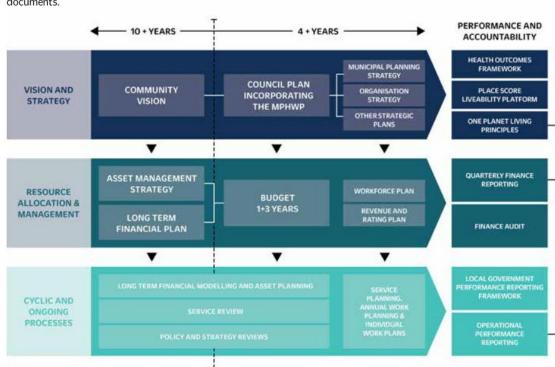
The four-year Council Plan incorporates our Municipal Public Health and Wellbeing Plan which provides further detail on how we support community health and wellbeing goals. Councils are required under the Public Health and Wellbeing Act 2008 to develop a Municipal Public Health and Wellbeing Plan.

A separate 10-year Financial Plan and 10-year Asset Management Plan are companions to the Council Plan. These additional plans give specific guidance on our long term strategic approach to managing financial sustainability and our approach to managing and maintaining community

An action plan will accompany the Council Plan, and be updated annually, to show the specific activities we will undertake to achieve the goals of the plan. We will report on progress throughout the life of the plan and will continuously review our actions to ensure our efforts remain focussed and effective.

#### Structure of the Plan

This diagram shows how the council Plan links to the Community Vision and its relationship to Council's other strategic documents.





# About Surf Coast Shire

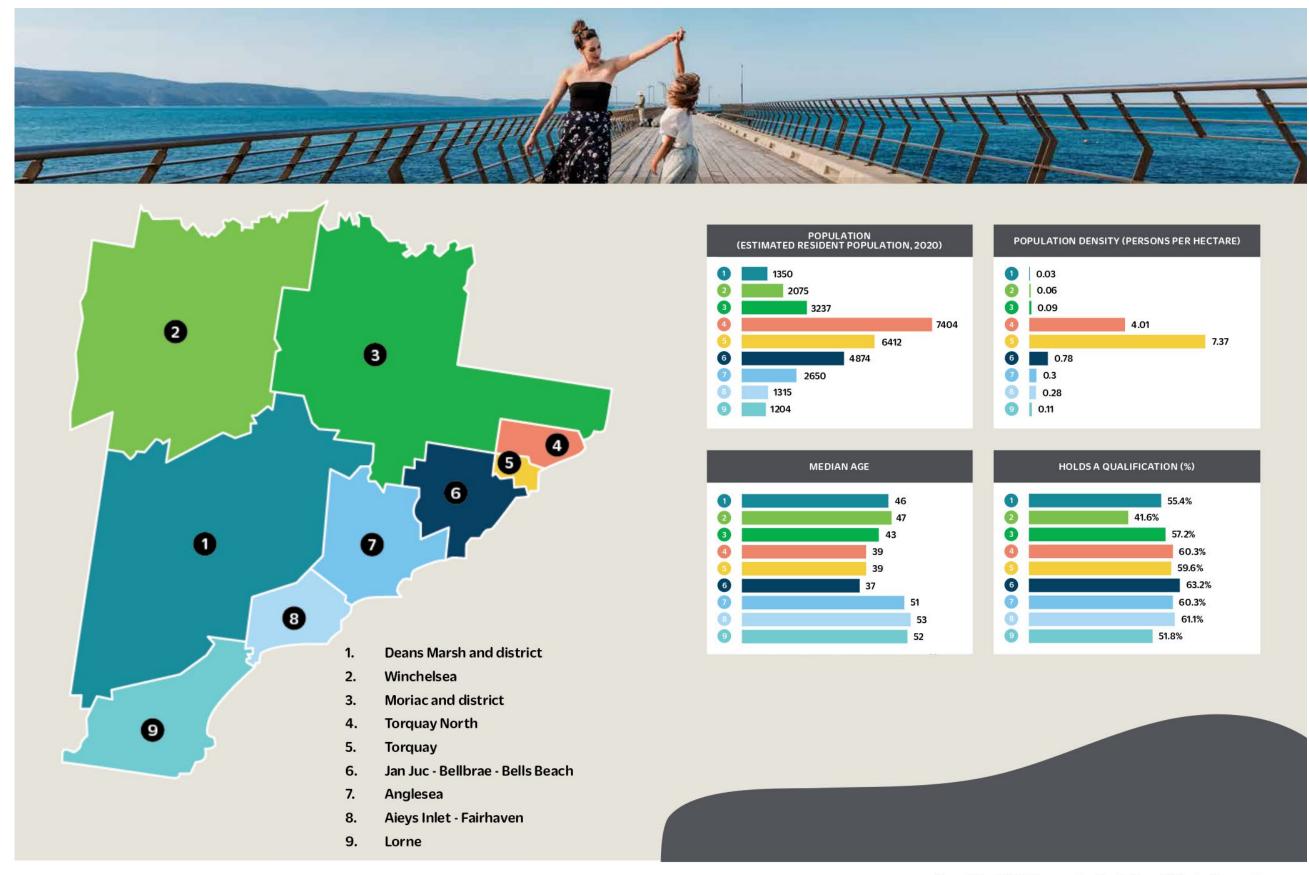
The Surf Coast Shire is located in south-western Victoria, 120 kilometres from Melbourne and 21 kilometres south of Geelong.

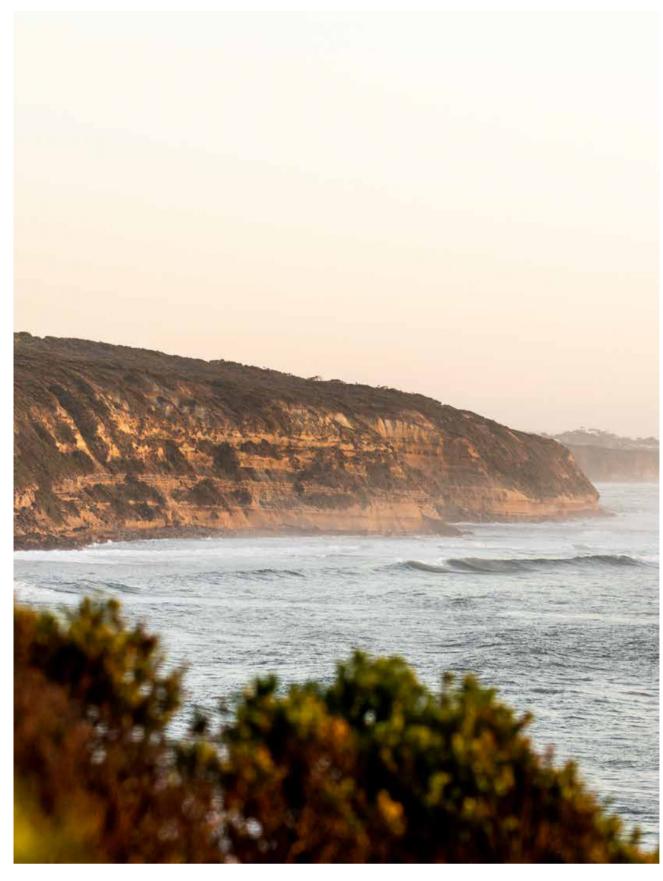
The landscape is a mix of coast, natural forest, urban settled areas and rural environments including land dedicated to agricultural production. The region's natural beauty and easy access make it a popular destination for tourists and day trippers. The Great Ocean Road is acknowledged as one of the nation's top destinations for international visitors and whilst COVID-19 has for now stopped international travel, domestic tourism remains a cornerstone of the regional economy. Other attractions include the Great Otway National Park and Bells Beach which is the best known of many outstanding surf breaks in the shire.

Surf Coast Shire comprises many individual townships, including Aireys Inlet, Anglesea, Bellbrae, Deans Marsh, Fairhaven Jan Juc, Lorne, Moriac, Torquay and Winchelsea. Each is a unique community with a sense of its own identity and a strong desire to protect what they cherish, including township character and the natural environment.



9 **surfcoast.vic.gov.au** 10





# **Our Challenges**

We have identified a number of long term challenges facing our shire and these have influenced the Council Plan and related strategic plans. Summaries of the challenges were available to people who completed our community surveys and to the members of the community panel to assist them in making their strategic recommendations.

The challenges are not exclusive to Council and the best response to them is likely to be a partnership with community, Council and other agencies. Our collective response to the challenges will determine the future liveability, sustainably and prosperity of our shire.

#### **Housing affordability**

A lack of affordable residential accommodation has emerged as a major problem in Surf Coast Shire and neighbouring municipalities. In May 2021 Surf Coast Shire Council declared a key worker accommodation crisis in recognition of how a lack of affordable accommodation was impacting on the economy and sustainability of local communities. House prices have soared with many towns now reporting median prices above \$1 million. For landlords short term holiday rentals are more appealing than long term rentals making it near impossible for workers to find rental properties in the town where their job is located. Most sectors of our economy are affected by the associated shortfall of staff.

#### **Growth pressure**

Surf Coast Shire's lifestyle and coastal and hinterland environments are enormously appealing. It is one of the most popular domestic travel destinations in Australia, and before the COVID lockdown, was Australia's number one international driving destination. Visitor numbers are compounded by growth in our permanent populations and those of neighbouring municipalities, which places additional pressure on local roads, parks and parking spaces. There is corresponding impact on beaches and other natural settings With coast on one side and a national park on the other. vehicle access to much of the Surf Coast Shire is limited to just one route - the Great Ocean Road. Surf Coast Shire is part of a state level designated growth zone which mandates a specified number of allotments be available for residential development. Equally Council is limited in its revenue sources, compounding the challenge of how to fairly spread the cost of infrastructure necessary to support non-rate paying visitors.

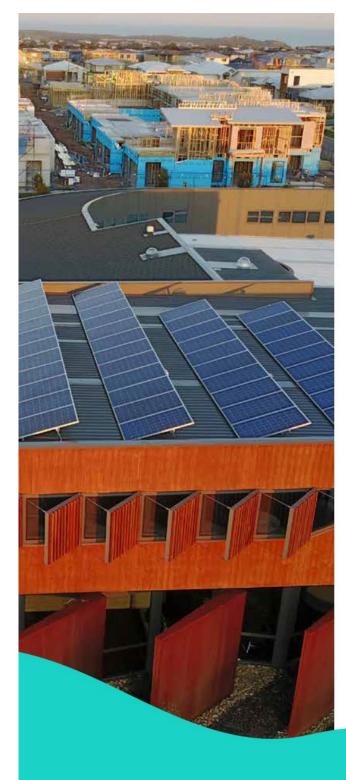
#### **Council income and spending**

Council needs an income to fund the services and facilities it provides to the community. Surf Coast Shire Council relies on rates revenue for a greater proportion of its income compared to other councils. The Victorian Government's Fair Go Rates system sets a maximum limit for rate increases each year, which means even if Council wanted to it cannot increase rates beyond the limit set by the government. The increase is typically around the Consumer Price Index increase each year – currently about 1.5% to 2.0%. Sports clubs and community groups pay fees to use certain public facilities but these fees are not enough to cover the full cost of these facilities

Long term modelling shows Surf Coast Shire financial status running into deficit based on current spending. Council is entering a period when a significant proportion of its public facilities, or assets, are becoming due for renewal or costly upgrades.

#### Reconciliation

Surf Coast Shire encompasses both Wadawurrung and Eastern Maar country. Australian Aboriginal culture is the oldest living culture in the world. Reconciliation with First Nations people is a fundamental and pressing need if we are to advance toward a fairer, more inclusive, society. The Native Title Act of 1993 and National Sorry Day are evidence of progress but the long history of injustice continues to impact on Aboriginal and Torres Strait Islander people. The Victorian Government has commenced a formal process to work towards reconciliation. Surf Coast Shire Council is seeking to build strong relationships with our Traditional Owners other Aboriginal and Torres Strait Islander people in our community. Our goal is to build a partnership that is respectful of their culture and traditions and supports their respective strategic goals.



#### Climate change

Climate change is an existential threat. Human activity, including burning of fossil fuels, has led to an increase in global temperatures. The Intergovernmental Panel on Climate Change (IPCC) predicts catastrophic effects if global temperatures increase by more than 1.5 degrees Celsius above pre-industrial levels. Changes to weather patterns are occurring, species extinction is accelerating and heat related human deaths have increased. Reducing emissions will require systemic change in areas such as economics and trade, energy generation, food production and transport.

#### Local economy

Small permanent populations mean many local businesses rely on the tourist economy to sustain them. Tourists spend \$500 million in Surf Coast Shire each year. A strong summer season can be the difference between a local business surviving the off season or not. This applied before pandemic and is an even more acute challenge now. COVID-19 has had a disproportionate impact on Surf Coast Shire compared to many other municipalities given how much of our economy is linked to tourism. Outside of peak tourism season our community relies on a sustainable local economy for daily essential such as food and fuel. In Surf Coast Shire there are distinct sub economies based on location and industry type. For businesses to thrive there needs to be a sufficient scale to maintain a enough large catchment. Communities function better when there are enough businesses to meet local needs. Local trading precincts create opportunities for social interaction and they lessen the reliance on car travel, for both customers and workers, with a subsequent reduction in greenhouse gas emissions

# **Community Engagement**

The engagement activities for the Council Plan and other related strategic plans were delivered through a campaign titled People Place Future.



#### Engagement



1,574 Visits to the Webpage



1,093 Online Survey Responses



100 Hard Copy Surveys



45 Participants of the Surf Coast Disability Network, All Abilities and Positive Ageing Advisory Committees



**30** Young people engaged via youth activities



30 Contributions from Kindergarten Children



6 Image Submissions



10 Other Online Submissions

The aim was to raise awareness of the challenges and opportunities facing our shire, encourage broad participation and seek diverse views.

The engagement methodology was designed to meet the requirements of the Local Government Act 2020 and our own Surf Coast Shire Council Community Engagement Policy.

The engagement approach comprised three interactive phases:

- 1. PARTICIPATORY PHASE
- 2. DELIBERATIVE PHASE
- 3. REVIEW PHASE







Council Plan 2021-25 Incorporating the Health and Wellbeing Plan surfcoast.vic.gov.au



#### Participatory Phase January – March 2021

This phase sought broad community and stakeholder input, through surveys, online submissions, targeted contact with stakeholders, and face to face discussions at pop up stalls. Newspapers, direct mail, posters, flyers, social media and web content were used to promote this phase.

INFLUENCE AND COMMITMENT: Council committed to review and consider all input received during this phase and provided this information to the Community Panel for further analysis. Characteristics of this phase were that anyone could contribute and participants did not need to have reached a consensus with others.

OUTCOME: Close to 1200 responses were received through a combination of surveys, written submissions and conversations with stakeholder groups and at pop up events.

#### **Deliberative Phase** March – May 2021

The deliberative phase was the primary engagement activity of the People Place Future program. It comprised a deliberative panel, membership of which was based on random selection following an expression of interest process. The panel met between March and May, and through six independently facilitated workshops, developed a long term community vision and a set of principles and recommendations for Council.

Membership of the panel was weighted to represent the geographic spread of the shire population and the age and gender mix.

This process was designed to conform to the requirements of the new Local Government Act 2020, which mandates the use of deliberative engagement to inform the Council Plan and other strategic plans of Council.

INFLUENCE AND COMMITMENT: Council committed to adopting the community vision and principles to the greatest extent possible. Characteristics of the deliberative engagement phases were that participants were given time and detailed information to enable them to achieve a deep understanding of a topic. Decision making required a greater than majority consensus.

OUTCOME: 293 expressions of interest were received, with 35 recruited for the community panel.

#### **Review Phase** August – September 2021

Council invited community submissions on draft versions of the Council Plan and other documents prior to their endorsement.

This opportunity was widely promoted to community members, including those who had been involved in previous phases of the project.

INFLUENCE AND COMMITMENT: Council committed to reporting back on the decisions made, and the ways community input influenced the draft report. Feedback from the submission process was reviewed and considered prior to the final plan being adopted.

# **Community Vision**

The Community Vision, as developed by the community panel, and adopted by Surf Coast Shire Council is:

"From the hinterland to the coast, from the first peoples to the children of the future, we are an active, diverse community that lives creatively to value, protect and enhance the natural environment and our unique neighbourhoods. We will leave the Surf Coast better than we found it."



Principle 1

Protect, conserve and restore our natural environment



Principle 2

**Planning for Growth** 



Principle 3 Sharing our Home with the World





Identify and Maintain our Community Identities



Principle 5 Equitable delivery of community services







Principle 7

Accountability through timely, consultative and transparent communication about proposed council decisions



Commitment to a community that promotes cultural and recreational activities



Principle 9

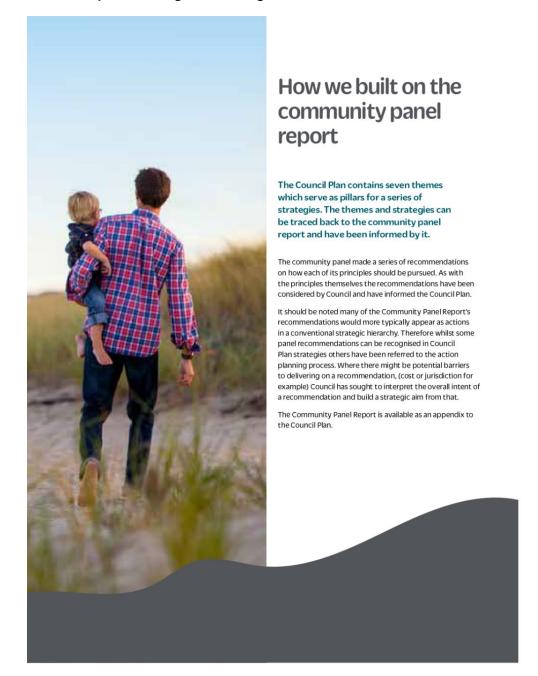
A place to nurture, acknowledge and promote innovation, the creative arts and industries



Principle 10

Respectful Engagement and Consultation with **First Nations** 

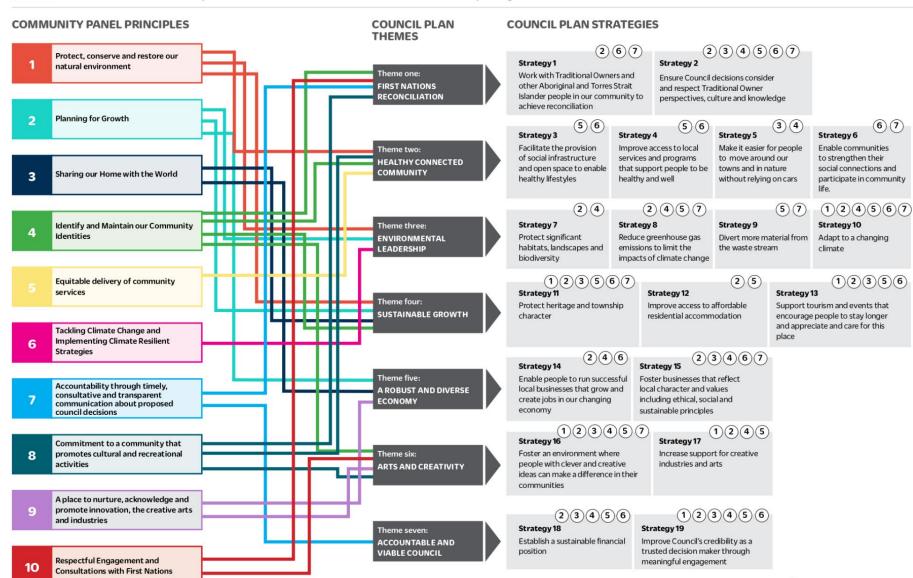
Council Plan 2021-25 Incorporating the Health and Wellbeing Plan surfcoast.vic.gov.au



# People Community Place Future From the him

#### **COMMUNITY VISION:**

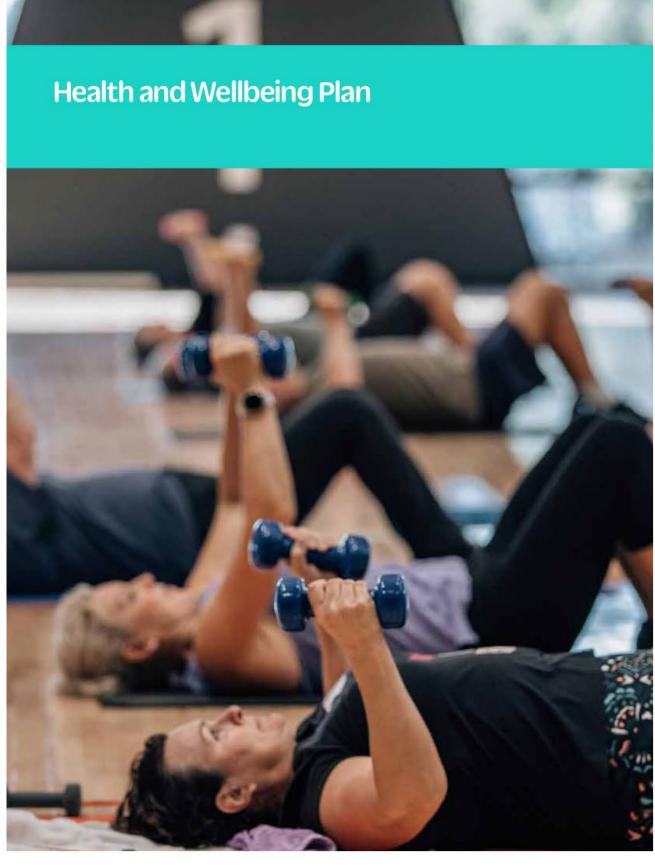
From the hinterland to the coast, from the first peoples to the children of the future, we are an active, diverse community that lives creatively to value, protect and enhance the natural environment and our unique neighbourhoods. We will leave the Surf Coast better than we found it.



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Indicates other related themes

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#### **Health and Wellbeing Commitment**

People's health and wellbeing are affected by how they live their daily lives and external factors such as access to employment and education, level of social connection, access to healthcare services and the physical environment. Surf Coast Shire Council is committed to creating environments that improve health outcomes for community members at every stage of their lives.

The Public Health and Wellbeing Act 2008 mandates that local governments have a responsibility to protect, improve and promote public health and wellbeing within their municipalities. Surf Coast Shire Council has chosen to integrate its health and wellbeing priorities within its Council Plan. We have done this because:

- It enables health and wellbeing to be embedded across Council priorities
- It reduces duplication of processes that might occur as part of the development of both plans
- It enables us to better align resources in the implementation of the plan across the four year cycle.

# Council's role in community health and wellbeing

The World Health Organisation defines the social determinants of health as "the non-medical factors that influence health outcomes. They are the conditions in which people are born, grow, work, live, and age, and the wider set of forces and systems shaping the conditions of daily life" (www.who.int.org).

The Social Model of Health identifies that there are many factors (social determinants) to building healthier communities, the social determinants are defined by the economic, environmental and social conditions that influences individual and community health outcomes.

Council addresses many, if not all social determinants, of health through:

- Leadership
- Advocacy
- · Partnerships and collaboration
- · Planning and built environment
- · Service and program delivery
- Regulation
- · Strategic planning and policy
- Education and promotion
- Resourcing







#### GENERAL SOCIAL, ECONOMIC, CULTURAL AND ECONOMIC FACTORS

53.3% employed full time (57% Vic)

64%

(52% Vic)

own two or more cars

average number of people per household (3.0 Vic)

formal qualifications (45% Vic)

0.6% Social Housing (3.2% Vic)

\$722 personal weekly income (\$644 Vic)



#### SOCIAL AND COMMUNITY SUPPORT NETWORKS

27.7%

volunteering (19.2% Vic)

21.5%

increase in family violence incidence since 2019

14.7%

undertake 15 hours or more of unpaid work per week (11% Vic)

23.5% experience rental stress (28.1% Vic)

3.5% need daily help due to a disability (5.1% Vic)

Higher

participation rate in kindergarten than state average



#### LIFESTYLE FACTORS

58.6% do not eat enough

fruit and vegetables (51.7% Vic)

**59**% **52.3**% of adults are premeet physical obese or obese activity guidelines (50.8% Vic) (50.9% Vic)

5.3%

consume sugar sweetened drinks daily (10.1% Vic)

> **17.7**% currently smoke (16.7% Vic)

18.7%

diagnosed

with anxiety

or depression

(27.4% Vic)

9.1% experiencing psychological distress (15.4% Vic)

17.7% have two or more chronic disease (25.5% Vic)

74.1% at risk of alcohol related harm (59.5% Vic)

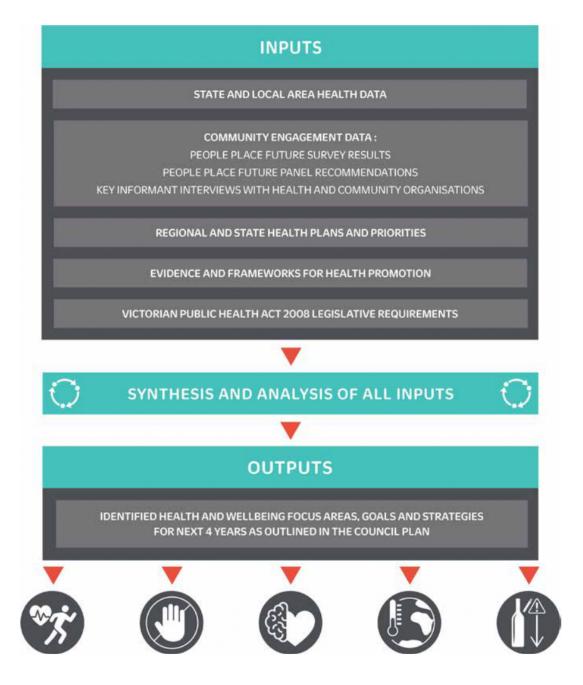
39.5 % excellent or very good dental health (37.2% Vic)

For more detailed health statistics see our Health and Wellbeing Data Profile at www.surfcoast.vic.gov.au/ peopleplacefuture.

For more detailed community feedback regarding health please read the Health and Wellbeing lens on People Place Community Engagement Report at www.surfcoast.vic.gov. au/peopleplacefuture.

#### **Determining our Health and Wellbeing priorities**

The health and wellbeing focus areas, goals and strategies were determined alongside the development of the Council Specific inputs that were considered to determine the health and wellbeing focus areas and goals are represented in the



#### **Health and Wellbeing focus areas**

After analysing health data, community feedback, state and regional health plans and relevant legislation Council has identified five health and wellbeing focus areas.

The health and wellbeing focus areas the Council Plan themes and goals addresses are outlined by the table below.



Healthy eating and physical activity is integral to health and wellbeing. Regular physical activity has major benefits including reducing people's risk of chronic disease, it helps reduce social isolation, strengthens social connection and improves mental wellbeing (VicHealth Physical Activity Strategy. 2019 -2023). Eating healthy food reduces the risk of physical health problems like heart disease and diabetes and positively impacts on energy levels and mental health (Australian Department of Health, Head to Health).

Surf Coast Shire has low rates of residents meeting daily fruit and vegetable consumption guidelines and just over half of adults meet recommended physical activity levels. Increasing physical activity is the top priority for the community identified in the community engagement survey. Healthy eating and physical activity are also priorities in the Victorian Public Health and Wellbeing Plan and for the G21 region.



Prevent family violence and promote gender equity Family violence is a serious, widespread, but preventable problem. In the year 2019 -2020 there was a 21.5 % increase in family violence incidences in Surf Coast Shire.

All Victorian Councils are required to take action to reduce family violence. Surf Coast Shire Council will focus on responding to family violence and tackling the drivers of violence against women and girls by promoting and progressing gender equity across the shire (Change the Story, A National Framework for the primary prevention of violence against women and children). Preventing all forms of violence is also a priority in the Victorian Public Health and Wellbeing Plan and for the G21 region.



Each year, one in five Victorians will experience a mental health condition, with 45 per cent of Victorians experiencing that in a lifetime (Victorian Public Health and Wellbeing Plan 2019 -2023). 'Strong ties with family, friends and the community provide us with happiness, security, support and a sense of purpose. Being connected to others is important for our mental and physical wellbeing and can be a protective factor against anxiety and depression (Beyond Blue, Connections Matter, www.beyond.blue.org.au).

Whilst the Surf Coast Shire does have lower proportions of adults experiencing anxiety or depression and psychological distress than the state average, and higher rates of volunteerism, this data was prior to the COVID19 pandemic and our community identified improving social connection and mental health as one of the top three health issues they would like Council to focus on in the People Place Future community survey. Improving Mental Wellbeing is also a priority in the Victorian Public Health and Wellbeing Plan 2019-2023.



Tackling the Impacts of Climate Change on Health Climate Change has been described by The World Health Organisation as the defining issue for public health in the 21st century. The WHO outlines the health impacts of a changing climate are overwhelmingly negative, with climate change negatively affective key determinants of health including clean air, safe drinking water, sufficient food and secure shelter (World Health Organization, Climate change and human health https://www.who.int). In 2019 Surf Coast Shire Council declared a climate emergency in recognition that climate change is a real and significant threat and urgent action is needed globally and locally.

Tackling Climate Change and its impacts on health was the second highest health priority for the Surf Coast Shire community and is also a priority within the Victorian Public Health and Wellbeing Plan 2019-2023.



Reduce harm from Alcohol and other drugs Alcohol is one of the top 10 avoidable causes of disease and death in Victoria. Excessive alcohol consumption can lead to a range of chronic diseases and serious health problems including high blood pressure, heart disease, stroke and a range of cancers (VicHealth, Alcohol harm prevention). Other health harms caused by excessive use of alcohol and other drugs include injury, crime, road fatalities and family violence.

Adults across the Surf Coast Shire consume alcohol at levels that put them at significantly greater risk of alcohol related harm than the Victorian average. 74.1% of adults on the Surf Coast are classified as at life time risk of alcohol related harm as a result of consumption levels, this is the fifth highest level of all local government areas in Victoria. 59.2% of adults are at risk of short term harm as a result of the amount consumed in a single occasion, second highest of all local government areas in Victoria (Victorian Department of Health, Victorian Population Health Survey 2017)

As the closest level of government to the community and as leaders, planners and policy makers, Council can prevent and minimize harm from alcohol and other drugs in our communities and this will be a focus for this plan.

Reducing harmful alcohol and drug use is also a priority of the Victorian Public Health and Wellbeing Plan 2019-2023.

The Council Plan strategies that contribute to these focus areas are identified with a heart symbol throughout the plan.

Additionally, there are specific actions included in the annual action plan accompanying the Council Plan.

# Putting the Health and Wellbeing plan into action

Focus areas are not mutually exclusive. Actions undertaken in one focus area can contribute to better health outcomes in other areas. For example 'taking actions to improve healthy eating and active living, address the health impacts of climate change and reduce to bacco-related harm are shown to improve mental wellbeing and reduce risk of developing mental illness' (Co-Benefits of health lifestyle for mental wellbeing, www.health.vic.gov.au)

We recognise we cannot improve the health and wellbeing of residents in isolation, and a whole of community approach is required. Council collaborated with partners to develop its action plan, so that we can collectively draw on our shared expertise and resources. This partnership also enables us to monitor and evaluate health outcomes across the shire over the life of the plan.

#### Partners include:

- Government agencies including the Victorian
   Department of Health, the Department of Families,
   Fairness and Housing and other local governments
- Health and community services including Barwon Health, Hesse Rural Health, and Women's Health and Wellbeing Barwon South West
- Education and early years providers including primary schools and kindergartens

 Community organisations and groups including Community Houses and sporting clubs.

Council also actively participates in a number of health partnerships including G21 Healthy Eating and Active Living and G21 Primary Prevention of Violence Against Women.

Council will seek to build new partnerships over the four years of the plan to address emerging issues, capitalise on funding opportunities and increase the impact of strategies.

#### **Monitoring and Evaluation**

Monitoring and evaluation of the Health and Wellbeing focus areas is not only a legislative requirement of the Public Health and Wellbeing Act 2008, but also is important in:

- · understanding what is and isn't working
- exploring ways in which Council and partners can do things differently
- identifying the impact that investment of resources is having on community health and wellbeing
- creating opportunities to innovate and adapt to address changing environments in health and wellbeing.
- acknowledging and reporting achievements to community and partners

Alongside our partners, we will review and report on the health and wellbeing outcomes and actions annually.

# Our Purpose and our Commitments

Surf Coast Shire Council has a defined purpose which guides our decision making. Supporting our purpose is an Organisation Direction statement that describes how our organisation works.

#### **Council Purpose**

To help our community and environment to thrive.

#### **Organisation Direction**

Our organisation will be:

An innovative and flexible leader,
And a constructive partner,
That values the strengths of others;
A place where people can do their best
And be proud of their achievements





#### Commitments

Additionally, as we work through the strategies within this plan Council will operate according to a set of commitments.

Equity We com

We commit to ensuring all community members are treated fairly and equitably

Partnership

We commit to working collaboratively with community and partner organisations to ensure we are working for the collective good, we are achieving the highest impact and the people best placed to respond are

doing so.

Place based

We commit to addressing needs and priorities according to an understanding of the uniqueness of each place.

Evidence based  $\,$  We commit to drawing on evidence when

we make decisions and determine a course

Ü

Collaboration

We commit to providing people with the opportunity to participate in community life and to have a say on matters of significance

in their lives.

Accountability We commit to being open and fair in

the way we operate and to keep people informed in a timely and easy to understand

way.

This chart shows how Council's strategic documents support the community vision and what the purpose is of each document. It also shows where they fit on a one to ten-year plus timeline.

#### **Community Vision**

Describes a broad shared goal that sets the direction for Council, community and partners

#### Council Plan

Contains themes and an associated goal which describe the future state we are aiming for.
Under each theme strategies describe how we will reach the goal

#### **Action Plans**

Actions show what we will do each year to achieve the strategies. Actions are short term and measurable

#### **Annual Budget**

The budget provides resources to fulfil the actions each year

#### Financial Plan

of Council's financial position to guide funding of Council Plan

#### **Asset Plan**

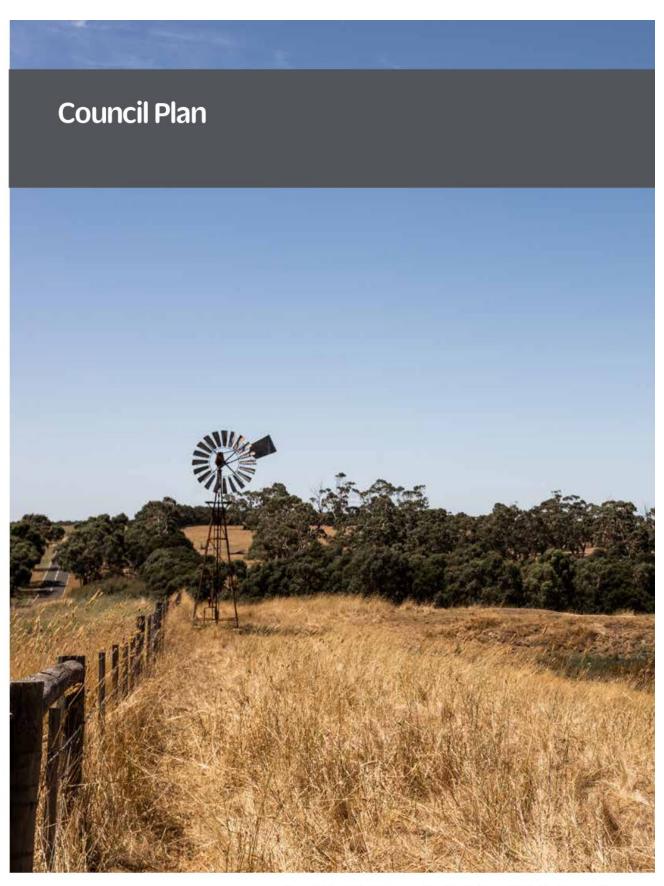
10-year guide for management of public assets through their life cycle including calculation of maintenance and renewal costs



10 plus year

horizon

One year horizon



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#### Goal:

Reconciliation with Traditional Owners and other Aboriginal and Torres Strait Islander people in our community through respectful engagement, acknowledgement and collaboration

STRATEGY 1: WORK WITH TRADITIONAL OWNERS AND OTHER ABORIGINAL AND TORRES STRAIT ISLANDER PEOPLE IN OUR COMMUNITY TO ACHIEVE RECONCILIATION



OUTCOME (In four years we'll see)

There is broad recognition and respect for the Wadawurrung people and the Gadubanud and Gulidjan peoples as the Traditional Owners of the lands on which the Surf Coast Shire is now situated.

#### Rationale

Reconciliation with First Nations people is a fundamental and pressing need if we are to advance toward a fairer, more inclusive, society. The Native Title Act of 1993 and National Sorry Day are evidence of progress but the long history of injustice continues to impact on Aboriginal and Torres Strait Islander people. The Victorian Government has commenced a formal process to work towards reconciliation. At Local Government level there is much we can do to support this goal. Surf Coast Shire sits within two First Nation countries – Wadawurrung and Eastern Maar. Our aim is to build strong relationships with Traditional Owners that are respectful of their culture and support their respective strategic goals. Our ultimate goal is to achieve reconciliation.

STRATEGY 2: ENSURE COUNCIL DECISIONS CONSIDER AND RESPECT TRADITIONAL OWNER PERSPECTIVES, CULTURE AND KNOWLEDGE



OUTCOME (In four years we'll see)

A greater understanding of Traditional Owner culture and perspective is reflected in Council business and decision making.

#### Rationale

Through this strategy Council is seeking to broaden its understanding of Traditional Owners' perspectives and to use this knowledge to make better decisions. This will apply widely across Council policy making and operations. We are aware Country has a significance of meaning to Indigenous Australians that requires the utmost respect and consideration. We are also mindful of the role Traditional Owners have in stewardship of the land and so we will seek to understand and learn from this knowledge.

#### LINKS TO COMMUNITY VISION

 $Of the 10\ Principles\ developed\ by\ the\ community\ panel\ this\ theme\ responds\ most\ directly\ to\ the\ following\ principles:$ 

Principle 10:	Respectful Engagement and Consultations with First Nations
Principle 4:	Identify and Maintain our Community Identities
Principle 7:	Accountability through timely, consultative and transparent communication about proposed council decisions
Principle 8:	Commitment to a community that promotes cultural and recreational activities



#### Goal:

To foster a thriving, connected, healthy community

# STRATEGY 3: FACILITATE THE PROVISION OF SOCIAL INFRASTRUCTURE AND OPEN SPACE TO ENABLE HEALTHY LIFESTYLES



OUTCOME (In four years we'll see)

The Surf Coast community has access to a sustainable network of facilities and open spaces, both structured and unstructured, that meets our needs now and as our community changes

#### Rationale

A growing body of research recognises the influence that social infrastructure and open spaces have on our physical, mental and social health and the important role it plays in reducing health inequities. Where the pandemic has exacerbated health inequities and confined us to our homes, we need to social infrastructure to help us re-establish our civic habitats. Social infrastructure and open space relates to both the formal and informal places and spaces of a communal, human or social nature that is required, by the different areas of the community, and progressively as a community grows. Council will invest in coordinated planning and delivery of a network of fit-for-purpose facilities and open spaces that are accessible and inclusive of different users, close to work and school, shops and services and connected through pathways and public transport.

STRATEGY 4: IMPROVE ACCESS TO LOCAL SERVICES AND PROGRAMS THAT SUPPORT PEOPLE TO BE HEALTHY AND WELL



OUTCOME (In four years we'll see)

Community members have a greater awareness of supports available locally and increase in community members participating in and accessing new and existing services and programs.

#### Rationale

Health equity research indicates access to health and social services such as GPs, allied health, dental health, mental health, housing and homelessness, family violence and alcohol and drug services support proactive help-seeking lessening the ripple effects caused when issues reach crisis point.

Participation in community groups, sporting clubs, social, learning, creative and recreational activities, neighbourhood networks, etc. knit us into our communities so that we're all knots in the safety net. Social distancing requirements has made it more difficult to be in the company of those who can tell at a glance that we're doing it tough. Health data shows that more people are reaching crisis point. In the Surf Coast Shire we've seen an increase in the number of family violence incidences, harmful alcohol consumption and need for mental health services.

By ensuring access to health services and community programs we can re-establish proactive supports and help-seeking avenues.

### STRATEGY 5: MAKE IT EASIER FOR PEOPLE TO MOVE AROUND OUR TOWNS AND IN NATURE WITHOUT RELYING ON CARS



OUTCOME (In four years we'll see)

Greater use of active and public transport as a result of Council and partner programs and initiatives.

#### Rationale

Being active in nature delivers well documented health and wellbeing benefits ranging from improved physical fitness to a positive impact on stress and anxiety levels. These benefits extend to active transport which is when we are travel by foot or bike. Active transport also means less cars on the road and a corresponding environmental benefit given vehicles are one of the largest contributors of greenhouse emissions in our shire. Traffic and parking congestion is reduced. There's a personal cost saving too. Through this strategy we will enable more people to travel to and around our towns, as well as natural attractions, such as trail heads and surf breaks, without relying on private vehicles. We will advocate to and partner with public transport providers to improve quality, connectivity and reach of current services.

# STRATEGY 6: ENABLE COMMUNITIES TO STRENGTHEN THEIR SOCIAL CONNECTIONS AND PARTICIPATE IN COMMUNITY LIFE.



OUTCOME (In four years we'll see)

Expanded capacity of community to provide social connection programs and initiatives to increase people's participation

#### Rationale

Evidence makes it clear people live their best lives when they are connected to others and have purpose.

Social isolation and loneliness is considered a significant health and wellbeing issue that can effect physical and mental health

There are number of factors that have contributed to the increase in social isolation and loneliness in recent years, including changes to the way we work, live, how we age, social media and life events such the COVID 19 pandemic.

Our community identified improving 'Social Connection' as the number three health and wellbeing priority for Council to focus on in the next four years,

Council has a role to play in supporting community to feel connected and can do this through advocacy, planning and delivering programs and services that build community capacity and knowledge and encourage community to connect with each other

We will work to remove barriers to participation in community life. A focus will be empowering people and building on existing strengths within the community, including the many benefits derived when people from different generations share experiences.

#### LINKS TO COMMUNITY VISION

 $Of the 10\,Principles \,developed \,by \,the \,community \,panel \,this \,theme \,responds \,most \,directly \,to \,the \,following \,principles:$ 

Principle 1:	Protect, conserve and restore our natural environment	
Principle 4:	Identify and Maintain our Community Identities	
Principle 5:	Equitable delivery of community services	
Principle 8:	Commitment to a community that promotes cultural and recreational activities	



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#### Goal:

Protect our environment and help our community to thrive through environmental leadership

#### STRATEGY7: PROTECT SIGNIFICANT HABITATS, LANDSCAPES AND BIODIVERSITY



OUTCOME (In four years we'll see)

Improved understanding and protection of biodiversity, local ecosystems, landscapes and natural features.

#### Rationale

Our natural landscapes are prized by our communities. Landscapes contribute to our sense of place and our wellbeing and they are important habitat for native flora and fauna. Habitat is critical for the protection of biodiversity which is the key to a healthy and sustainable eco-system. An intact eco system can reduce the amount of carbon dioxide released into the atmosphere thereby mitigating greenhouse gas emissions. On the other hand species loss has a cascading effect that can lead to unforeseen and catastrophic consequences. Through this strategy we will protect landscapes and habitats of significance both for their environmental and aesthetic value. Underpinning this aim is the protection of local biodiversity.

#### STRATEGY 8: REDUCE GREENHOUSE GAS EMISSIONS TO LIMIT THE IMPACTS OF CLIMATE CHANGE



OUTCOME (In four years we'll see)

Council's residual greenhouse gas emissions are reduced or offset to achieve net zero emissions and households and businesses have taken their own steps to become more sustainable.

#### Rationale

The Intergovernmental Panel on Climate Change (IPCC) predicts catastrophic effects if global temperatures increase by more than 1.5 degrees Celsius above pre-industrial levels. Reducing greenhouse gas emissions is essential if we are to decrease the rate at which temperatures are rising. It's an urgent and major risk. Council will aim to reduce its total emissions and where necessary offset residual emissions to become a carbon neutral organisation. It's an important step in its own right and we hope will inspire other organisations to take similar action.

#### STRATEGY 9: DIVERT MORE MATERIAL FROM THE WASTE STREAM



OUTCOME (In four years we'll see)

Our shire generates less waste through reduced consumption, and increased reuse and recycling initiatives

#### Rationale

Diverting material from the waste stream results in major environmental benefits, including reduced greenhouse gas emissions and less accumulation of toxins in the soil. There is a financial cost as every tonne of material is subject to EPA landfill levies which have historically increased as a deliberate measure to encourage more recycling. Additionally, there are cost and environmental benefits if we can maximise the life of the Anglesea landfill. We will build on recent initiatives including the introduction of the fourth kerbside bin for glass recycling and the Food Organics Garden Organics kerbside collection to further reduce the volume of material buried in landfill. Our goal is to work towards zero recoverable waste going to landfill in line with the concept of a circular economy, where materials continue to be reused rather than becoming waste.

#### STRATEGY 10: ADAPT TO A CHANGING CLIMATE



OUTCOME (In four years we'll see)

We are better placed to manage the impacts of climate change on our community places, spaces, and services.

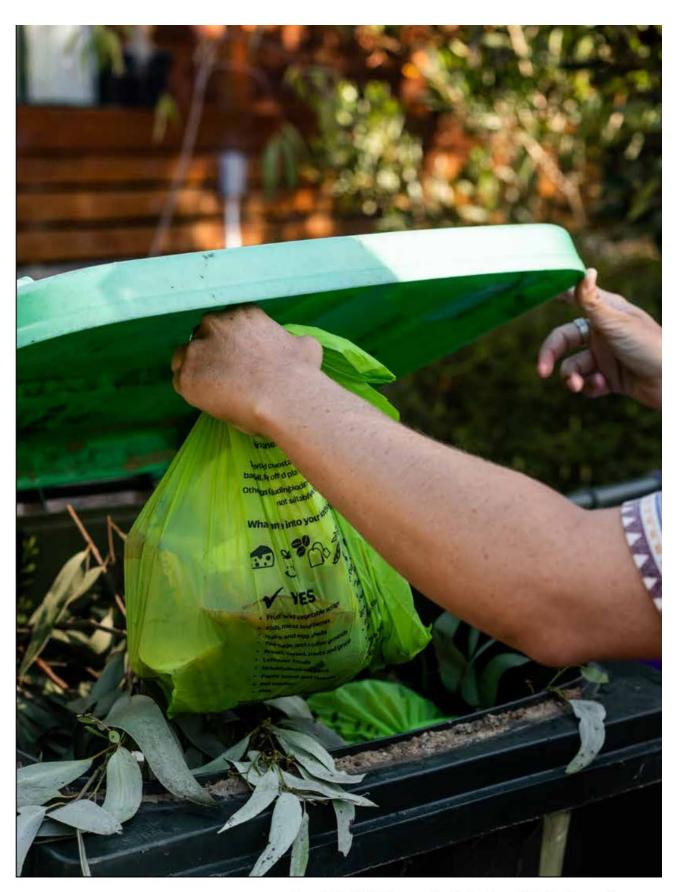
#### Rationale

Climate change is an existential threat. Human activity, including burning of fossil fuels, has led to an increase in global temperatures. Changes to weather patterns are occurring, species extinction is accelerating and heat related human deaths have increased. The impact of climate change has emerged as a significant mental health concern for our population. We have a clearer understanding of the impact on health and wellbeing and we have a legislative requirement to consider its impact. Public Health and Wellbeing Act and Climate Change Act. The impact at a local level will include extreme weather, erosion, flooding and heightened bushfire risk. Council will seek to understand the implications of a changing climate on its operations and adapt our work accordingly. We will also use this knowledge to support our community to adapt. Additionally, we will support emergency services organisations in the prevention and management of bushfires and other climate related events.

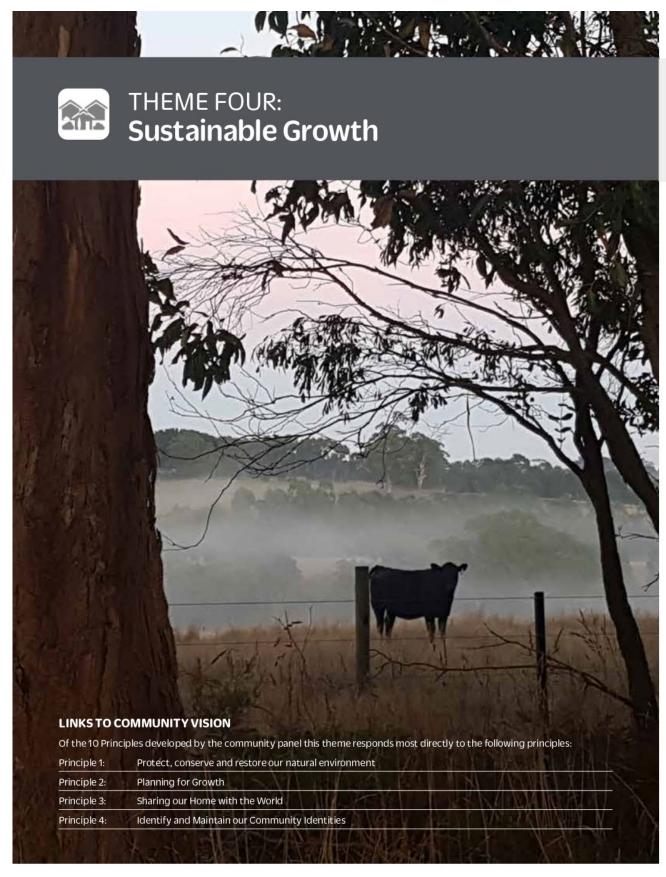
#### LINKS TO COMMUNITY VISION

Of the 10 Principles developed by the community panel this theme responds most directly to the following principles:  $\frac{1}{2} \left( \frac{1}{2} \right) = \frac{1}{2} \left( \frac{1}{2} \right) \left( \frac{$ 

Principle 1:	Protect, conserve and restore our natural environment
Principle 2:	Planning for Growth
Principle 6:	Tackling Climate Change and Implementing Climate Resilient Strategies



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#### Goal:

Growth is not at the expense of environmental values or the unique heritage and character of our townships

#### STRATEGY11: PROTECT HERITAGE AND TOWNSHIP CHARACTER

OUTCOME (In four years we'll see)

Sense of the uniqueness of towns and neighbourhoods - their natural elements and character - is strengthened.

#### Rationale

Surf Coast Shire contains many separate townships. Each has its own identity comprised of physical characteristics, such as building style and landscape, and of the values, lifestyle and history of the people who live there. This strategy recognises how important heritage and township character is to our communities. As visitor and permanent population numbers rise residents are increasingly concerned about the impact on their way of life and the look and feel of their townships. We will identify the qualities that contribute to the character of our towns and seek to protect them.

#### STRATEGY12: IMPROVE ACCESS TO AFFORDABLE RESIDENTIAL ACCOMMODATION



OUTCOME (In four years we'll see)

People have access to more affordable and sustainable residential accommodation options

#### Rationale

Median house prices in some Surf Coast Shire towns have surpassed \$1 million. Finding affordable accommodation is becoming an acute problem for younger and older age groups. Also affected are people who work in education, childcare, health, emergency services, retail and hospitality. Local businesses are in jeopardy because potential workers cannot find somewhere nearby to live. In 2020 real estate agents reported there were zero vacancies for rental properties in Surf Coast Shire towns. This strategy recognises the significant economic and social impacts of a lack of affordable housing and seeks to work with community and business on creative solutions.

STRATEGY 13: SUPPORT TOURISM AND EVENTS THAT ENCOURAGE PEOPLE TO STAY LONGER AND APPRECIATE AND CARE FOR THIS PLACE

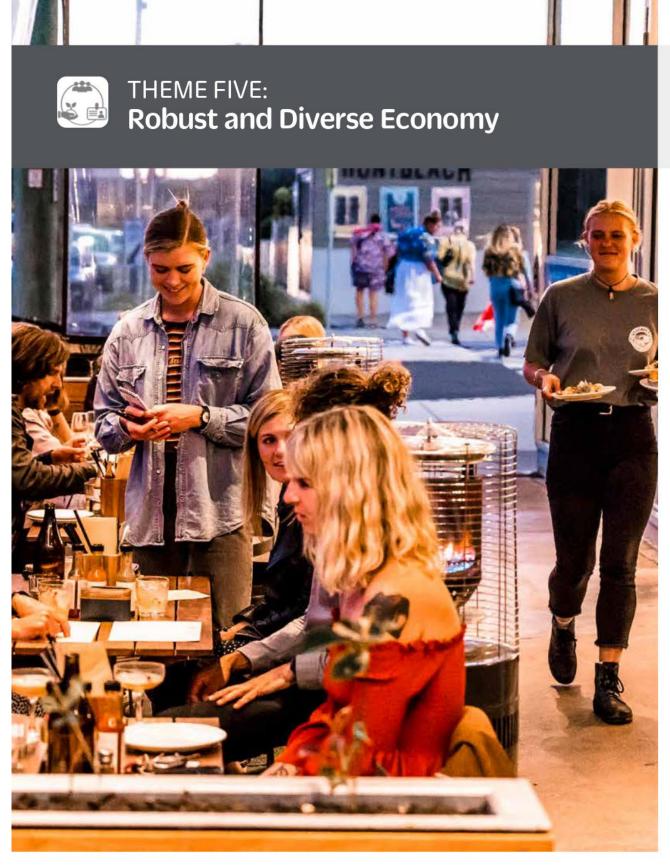
OUTCOME (In four years we'll see)

Visitors stay longer in the off season to better utilise our capacity and they demonstrate respect for our environment

#### Rationale

Small permanent populations mean many local businesses rely on the tourist economy. Tourists spend \$500 million in Surf Coast Shire each year and a strong summer season can be the difference between a local business surviving the off season or not. At the same time not all visitation is equal. So called slow tourism, where visitors linger and enjoy experiences over time, is preferable to rushed point-to-point visits that can create congestion yet return little income to local traders. Through activities such as building the off peak events program and supporting compatible tourism businesses we will encourage slow and purposeful visits that enhance rather detract from local amenity.

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#### Goal:

Our economy is sustainable and supports a diversity of local enterprises and people

# STRATEGY 14: ENABLE PEOPLE TO RUN SUCCESSFUL LOCAL BUSINESSES THAT GROW AND CREATE JOBS IN OUR CHANGING ECONOMY



OUTCOME (In four years we'll see)

Businesses are emerging locally and succeeding, contributing to job creation and enabling more residents to work closer to home

#### Rationale

Our business community is a key part of how we experience life in Surf Coast Shire. We want the necessities, such as food and fuel and we want the extras that add value and meaning such as a barista coffee or a custom made surfboard. A thriving local economy also means more employment can remain local providing job opportunities that reduce the need for commuter travel and enable young people to stay living locally. A successful local business is part of an eco-system that relies on a critical mass of complementary businesses that keeps us shopping locally. In Surf Coast Shire there are distinct sub economies based on location and clusters based on growth in specific industry sectors. This strategy recognises the role local businesses play in creating sustainable local economies and the benefits that derive from them. We will provide advice and streamlined processes to enable local business to start up and grow.

### STRATEGY15: FOSTER BUSINESSES THAT REFLECT LOCAL CHARACTER AND VALUES INCLUDING ETHICAL, SOCIAL AND SUSTAINABLE PRINCIPLES



OUTCOME (In four years we'll see)

More businesses are in a better position to take steps to operate according to social, ethical and sustainable principles.

#### Rationale

This strategy recognises the role local business plays in adding to the amenity and identity of our communities. It is based on the understanding that business can and does reflect a community's shared values. Local enterprises are leading the way in environmental sustainability and ethical manufacture for example. We will continue a facilitation role to encourage these kinds of enterprises with a view to growing a local economy that supports our community and is in turn supported by that community.

#### LINKS TO COMMUNITY VISION

Of the 10 Principles developed by the community panel this theme responds most directly to the following principles:

Principle 2:	Planning for Growth	
Principle 3:	Sharing our Home with the World	
Principle 9:	A place to nurture, acknowledge and promote innovation, the creative arts and industries	

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#### Goal:

Acknowledge the value of arts and creativity and nurture their growth

STRATEGY 16: FOSTER AN ENVIRONMENT WHERE PEOPLE WITH CLEVER AND CREATIVE IDEAS CAN MAKE A DIFFERENCE IN THEIR COMMUNITIES



OUTCOME (In four years we'll see)

More people access capacity building supports and resources to develop or scale-up creative ideas that will make a difference in their community

#### Rationale

Great ideas can emerge anytime and from any quarter. Advances in technology provide opportunities for innovation without high capital costs. People are opting more often to balance lifestyle and work leading to new ways of doing things and a desire to make a difference in their community. Through this strategy Council is seeking to encourage community innovation that will improve local lives and tackle the big issues facing our shire. This strategy is aligned to the Arts and Creativity theme but in practice may manifest itself across any of our Council Plan themes.

#### STRATEGY 17: INCREASE SUPPORT FOR CREATIVE INDUSTRIES AND ARTS



**OUTCOME** (In four years we'll see)

Greater investment into the creative sector and more collaboration between businesses, and cultural and creative practitioners.

#### Rationale

Surf Coast Shire is recognised as having one of the highest concentrations of creative jobs in regional Australia. It's an important and growing part of our local economy and we will seek to grow it further. There are opportunities to build creative clusters that respond to emerging industry sectors. There is also great potential to position Surf Coast Shire as a destination for arts and culture based tourism. This strategy also recognises the value of arts and culture to our wellbeing and sense of identity. The arts bring joy, provide meaning and bring us together as a community. Our aim is to nurture arts and culture and create more opportunities for its expression. We will do this through our own projects and by facilitating community efforts.

#### LINKS TO COMMUNITY VISION

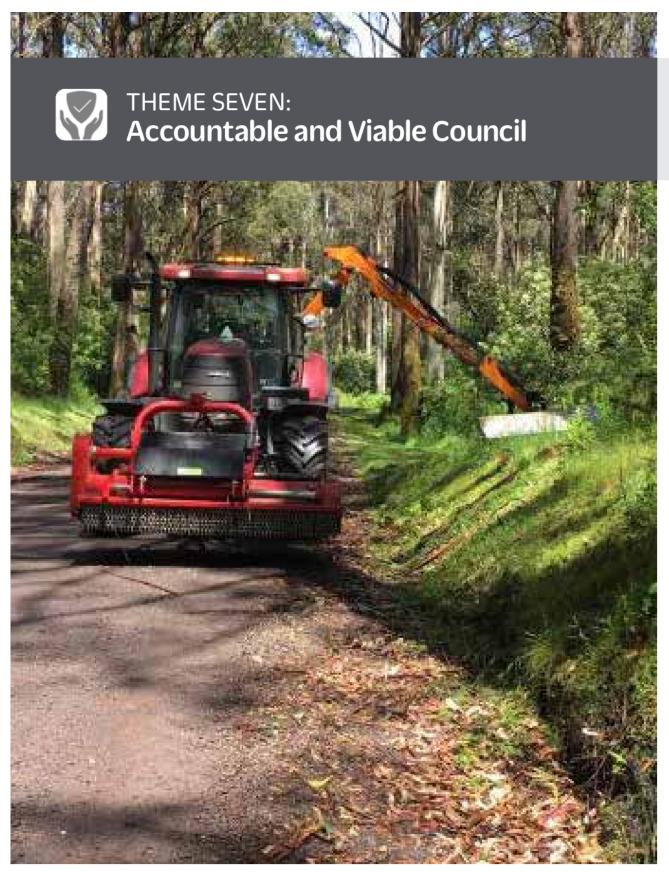
Of the 10 Principles developed by the community panel this theme responds most directly to the following principles:

Principle 4:	Identify and Maintain our Community Identities
Principle 8:	Commitment to a community that promotes cultural and recreational activities
Principle 9:	A place to nurture, acknowledge and promote innovation, the creative arts and industries
Principle 10:	Respectful Engagement and Consultations with First Nations

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# 6.1 Adoption of Integrated Strategic Plans



### Goal:

Council has financial capacity to deliver services now and into the future and decision making is informed by community views.

#### STRATEGY 18 ESTABLISH A SUSTAINABLE FINANCIAL POSITION

OUTCOME (In four years we'll see)

Council can fund the delivery of services that are most important for the community.

#### Rationale

Council faces annual deficits if it maintains the current balance of spending and income. We rely on rates revenue for a greater proportion of our income compared to other Councils. The Victorian Government's Fair Go rates system sets a maximum limit for rate increases which means even if Council wanted to it cannot increase rates beyond the limit set by the government. We need to find a way to reduce spending, increase income, or both in the face of high community expectations for services and facilities. Central to this is to look at when it is appropriate to subsidise the cost of services and facilities and when we should seek to recover costs. We also need to explore how many assets Council can afford to provide in the future, including where they should be located, and how the community can access and share these assets in an effective way.

# STRATEGY 19 IMPROVE COUNCIL'S CREDIBILITY AS A TRUSTED DECISION MAKER THROUGH MEANINGFUL ENGAGEMENT

OUTCOME (In four years we'll see)

Community members have increased confidence in Council as a trusted governor, financial manager and advocate and feel their input contributes to strategic decision-making.

### Rationale

The principle behind this strategy is that members of our community should have the ability to influence decisions that affect them. Community engagement was a focus area of the new Local Government Act 2020 which mandated more comprehensive, or deliberative, engagement be used to inform Council's key strategic work including this Council Plan. We will build on this foundation. Through well planned engagement we will provide opportunities for people to explore issues more fully and provide the considered feedback that deliberative methods enable.

## LINKS TO COMMUNITY VISION

Of the 10 Principles developed by the community panel this theme responds most directly to the following principles:

Principle 7: Accountability through timely, consultative and transparent communication about proposed council decisions

48 **surfcoast.vic.gov.au** Council Plan 2021-25 Incorporating the Health and Wellbeing Plan 49

# **Other Reading**

The Council Plan is part of a suite of strategic plans. Whilst the Municipal Public Health and Wellbeing plan is embedded within the Council Plan itself there are two companion documents that sit alongside the Council Plan.

#### Financial Plan 2021-2031

This plan provides a long term projection of Council's financial position to guide how the actions in the Council Plan can be funded. It contains a series of principals that guide strategic planning and financial management. There is also a series of actions which detail specific measures to achieve the funding requirements of the Council Plan

### Asset Plan 2021-2031

This plan guides the management of public assets throughout their life cycle. This plan informs the financial plan by identifying the amount of funding required to maintain, renew and upgrade assets. It calculates this according to defined service levels for each type of asset.

## **Community Engagement Findings Report**

This document provides in-depth details of the results of the People Place Future community engagement program.

### **People Place Future Community Panel Report**

This is the report prepared by the community panel that was convened for the deliberative engagement phase of the People Place Future project. The report contains the community vision and a set of principles and recommendations. It was used by Council as the framework for the Council Pan and other strategic documents.

#### SURF COAST SHIRE COUNCIL

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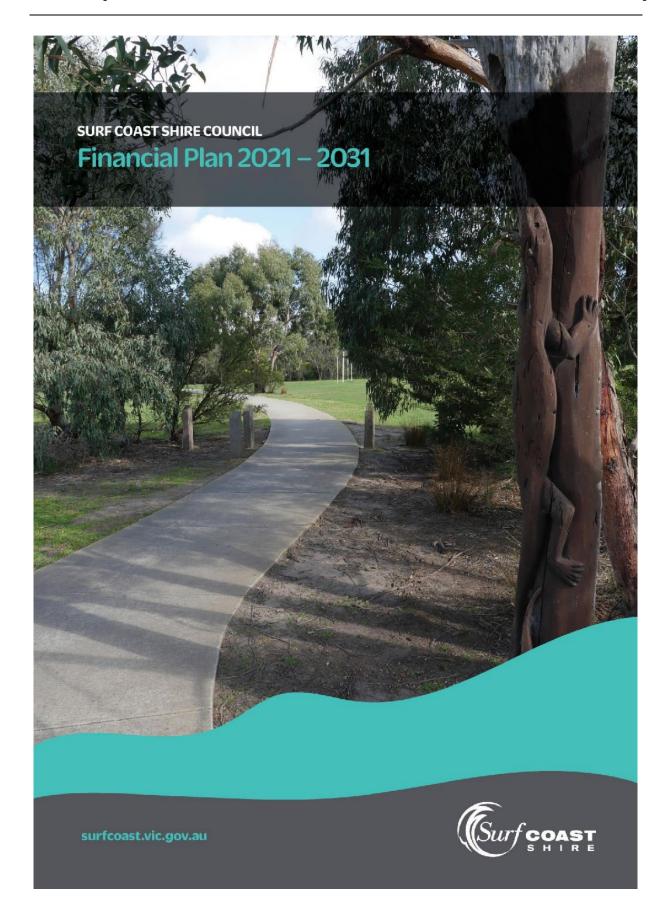


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# 6.1 Adoption of Integrated Strategic Plans

# APPENDIX 4 FINANCIAL PLAN 2021-2031

Surf Coast Shire Council Council Meeting



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# 1. Legislative Requirements

This section describes how the Financial Plan links to the achievement of the Community Vision and the Council Plan within the Integrated Strategic Planning & Reporting framework. This framework guides the Council in identifying community needs and aspirations over the long term (Community Vision), medium term (Council Plan) and short term (Annual Budget) and then holding itself accountable (Annual Report).

The following diagram provides an overview of the core legislated elements of an integrated strategic planning and reporting framework and outcomes.

Overview Outlook Elements Outcomes There is a consensus view of the desired future (10+ years) for the A community vision reflects a consensus view of the future community and potential pathway to achieve this. community wants and needs, and the high level actions required to Community Vision Intended directions, pathways and investments have legitimacy. achieve desired outcomes. Council's jurisdiction and targets for advocacy are understood. > 10-year aspiration for community Vision statements reflect shared values and aspirations and create There is an understanding of community, civil society and broader active tension between the current and desired future state. partnerships required to achieve the Vision. A Financial Plan is used by Council, community and the organisation Improved understanding of Council's capability to achieve its vision. to ensure the long term viability and sustainability of the Council. It **Financial Plan Asset Plan** Clear view of the fiscal capacity and constraints of Council. supports the achievement of the Community Vision and establishes 10-year financial framework to support Financial risk and potential areas of volatility are managed. 10-year asset management framework investment and spending thresholds. to support achievement of Community achievement of Community Vision and Council Plan, strategies, programs and projects can be resourced. The Asset Plan ensures effective management and stewardship of Council Plan Vision and Council Plan Council is a trusted and responsible steward and community assets meet future community needs. Council Plan outlines the agenda for a new Council and supports the Council owns the Council Plan and the community is clear on its Council Plan achievement of the Community Vision through Strategic objectives strategic direction. Revenue and Rating Plan 4-year plan to support achievement of There is clarity on how strategic objectives will be achieved and Community Vision 4-year plan to support achievement of consistency with available resources. Revenue and Rating Plan outlines a medium-term view of how Strategic objectives, major initiatives, Community Vision and Council Plan There is alignment with and progress towards the Community Vision . Council will raise revenue to support activities and achievement of strategies and indicators Council Plan strategies and objectives. It is clear how Council will collect revenue to support activities. Council will develop and adopt a budget each year that describes in Strategies and initiatives to achieve Council Plan are clearly more detail the way in which revenue will be raised and expenditure Workforce Plan Annual Budget articulated, mapped and resourced. 4-year plan reflecting organisational 1 + 3-year budget supporting Council Programs and initiatives have quality and cost standards. structure and staffing requirements to Plan delivery, includes description of The budget must include 3-year financial projections as well as Resources (including people) required to deliver on commitments are support delivery of Council Plan [s.46 services, major initiatives and description of services, major initiatives and performance measures. performance measures (4)] The community has had an opportunity for deliberative engagement. The CEO must prepare and maintain a 4-year Workforce Plan. The Council is accountable for its performance through the Annual Transparent monitoring of financial, service and program **Annual Report** Report, Local Government Performance Reporting Framework and mandatory quarterly financial reports that are presented to Council. Report on operations including **LGPRF** Improved accountability to Council and community for achievement implementation of Council Plan and Many Councils develop and maintain additional mechanisms to major initiatives Reporting Framework ensure public accountability, these include: quarterly reporting on Improvement opportunities captured and incorporated into planning. Service performance indicators achievement of capital works and Council Plan initiatives, routine Financial performance statement reporting on project, program and policy initiatives.

Source: Department of Jobs, Precincts and Regions

Performance Monitoring 10+ years 4+ years & Accountability MPHWP MSS Reporting on Vision, strategy Community Vision Council Plan Community Vision and policy Other Strategic Council Plan Reporting Plans Quarterly Finance & Asset Plan Project Reporting. Workforce Plan Resource Budget allocation and 1+3 years Financial Audit management Financial Plan Annual Report Policy & Strategy Review Cyclic and Ongoing Business / Service Planning, Service Review and Continuous Improvement Processes Long-term Financial Modelling and Asset Planning

The following figure demonstrates how each element might inform or be informed by other parts of the integrated framework.

Source: Department of Jobs, Precincts and Regions

# 1.1 Strategic Planning Principles

The Financial Plan provides a 10 year financially sustainable projection regarding how the actions of the Council Plan may be a constant of the Council Plan may be a constant of the Council Plan provided by the Councifunded to achieve the Community Vision. The Financial Plan is developed in the context of the following strategic planning principles:

- a) Council has an integrated approach to planning, monitoring and performance reporting.
- b) Council financial plan addresses the Community Vision by funding the aspirations of the Council Plan. The Council Plan aspirations and actions are formulated in the context of the Community Vision.
- c) The Financial Plan statements articulate the 10-year financial resources necessary to implement the goals and aspirations of the Council Plan to achieve the Community Vision.
- d) Council's strategic planning principles identify and address the risks to effective implementation of the Financial Plan. The financial risks are included at section 1.2.2 below.
- e) The Financial Plan provides for the strategic planning principles of monitoring of progress and reviews to identify and adapt to changing circumstances.

## 1.2 Financial Management Principles

The Financial Plan demonstrates the following financial management principles:

- Revenue, expenses, assets, liabilities, investments and financial transactions are managed in accordance with Council's financial policies and strategic plans.
- 1.2.2 Management of the following financial risks:
  - a) the financial viability of the Council (refer to section 2.1 Financial Policy Statements).
  - b) the management of current and future liabilities of the Council. The estimated 10 year-liabilities are disclosed in section 3.2 Balance Sheet projections.
  - c) the beneficial enterprises of Council (where appropriate).
- 1.2.3 Financial policies and strategic plans are designed to provide financial stability and predictability to the community.
- 1.2.4 Aim to maintain existing service levels with optimal resources and emphasis on innovation and efficiency.
- 1.2.5 Council maintains accounts and records that explain its financial operations and financial position (refer section 3 Financial Statements)

### 1.3 Engagement Principles

Council has engaged with the community via People Places Future project, including deliberative engagement on council priorities via a People's Panel. The outcome of this collaboration is the development of a fresh Community Vision that will inform all of Council's strategic planning. The following consultation activities have been undertaken to ensure due consideration and feedback for the Financial Plan is received from key stakeholders.

- a) Participatory engagement between 20 January and 28 February via online and face to face consultations.
- b) Deliberative engagement between 15 March and 19 May via a People's Panel, randomly selected for gender, age and
- c) Draft Financial Plan prepared by management in consultation with Councillors.
- d) Draft Financial Plan placed on public exhibition at a Special Council meeting on 3 August for a period of 21 days for public comment closing 24 August.
- e) Consideration of public comments to be undertaken by officers and councillors with a rationale of submission incorporation or exclusion to be included in the Council meeting report for adoption of the plan.
- Proposed Financial Plan, including any revisions, presented to Council for adoption on the 28 September.

## **1.4 Service Performance Principles**

Council services are designed to be purpose, targeted to community needs and value for money. The service performance

- Services are provided in an equitable manner and are responsive to the diverse needs of the community. The Council Plan is designed to identify the key services and projects to be delivered to the community. The Financial Plan provides the mechanism to demonstrate how the service aspirations within the Council Plan may be funded.
- b) Services are accessible to the relevant users within the community.
- c) Council provides quality services that provide value for money to the community. The Local Government Performance Reporting Framework (LGPRF) is designed to communicate council's performance regarding the provision of quality and efficient services.
- d) Council uses a performance monitoring framework to continuously improve its service delivery standards.
- Council service delivery framework considers and responds to community feedback and complaints regards service provision.

# 1.5 Asset Plan Integration

Integration to the Asset Plan, and supporting documents, is a key principle of the Council's strategic financial planning principles. The purpose of this integration is designed to ensure that future funding is allocated in a manner that supports service delivery in terms of the plans and the effective management of Council's assets into the future.

The Asset Plan identifies the operational and strategic practices which will ensure that Council manages assets across their life cycle in a financially sustainable manner. The Asset Plan, and associated asset management policies, provide council with a sound base to understand the risk associated with managing its assets for the community's benefit.

The Asset Plan is designed to inform the 10-year Financial Plan by identifying the amount of capital investment required for the renewal and upgrade of existing assets and planned assets where known, in addition to the maintenance funding that is required over the life of each asset category. The level of funding will incorporate knowledge of asset condition, the risk assessment issues as well as the impact of reviewing and setting intervention and service levels for each asset class.

In addition to identifying the operational and strategic practices that ensure that Council manages assets across their life cycle in a financially sustainable manner, the Asset Plan quantifies the asset portfolio and the financial implications of those practices. Together the Financial Plan and Asset Plan seek to balance projected investment requirements against projected budgets.

# 2. Financial Plan Context

This section describes the context and external / internal environment and consideration in determining the 10-year financial projections and assumptions.

## **Our Challenges and Opportunities**

- Tackling climate change and its impact on our environment, economy and people
- COVID-19 pandemic and economic recovery
- Meeting the changing needs and expectations of a growing and diverse community
- Developing a prosperous local economy that is the right fit for Surf Coast Shire
- Increasing Asset Renewal demands to maintain a growing and aging asset base
- Balancing constraints of the Fair Go Rates system with affordability of services for the community

#### **Surf Coast Shire Vision 2021**

From the hinterland to the coast, from the first peoples to the children of the future, we are an active, diverse community that lives creatively to value, protect and enhance the natural environment and our unique neighbourhoods. We will leave the Surf Coast better than we found it.

#### **Council Plan Themes**



# 2.1 Financial Policy Statements

This section defines the policy statements, and associated measures, that demonstrates Council's financial sustainability to fund the aspirations of the Community Vision and the Council Plan.

	Ballan Otalana at		Jet	Forecast Actual										
Notes	Policy Statement	Measure	Target	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31
1	A minimum balance of \$50,000 must be retained in the Accumulated Unallocated Cash Reserve to provide for unexpected demands.	Accumulated Unallocated Cash Reserve Balance	\$50,000	\$3,298,555	\$2,884,239	\$3,348,503	\$4,059,141	\$2,143,386	\$1,044,347	\$923,722	\$250,000	\$250,000	\$250,000	\$1,856,616
2	An unallocated cash deficit in any year must be funded by a reserve allocation; however this is only an interim solution with a strategy required to return to an ongoing surplus.	Unallocated Cash Result must be or greater than or equal to zero	>= \$0	\$924,057	\$50,378	\$179,569	\$710,639	(\$1,915,755)	(\$1,099,039)	(\$1,120,625)	(\$1,359,553)	(\$621,543)	\$724,292	\$2,189,698
	New borrowings will only be taken where there is capacity to fund debt servicing costs for every year of the loan and will not be taken out to fund deficits or asset renewal requirements.	Interest and principal repayments on interest bearing loans and borrowings / rate revenue	< 5%	4.52%	4.29%	4.12%	4.16%	4.15%	3.96%	3.77%	3.08%	2.92%	0.36%	0.12%
	That Council applies loan funding to new capital of to fund a defined benefit call and maintains total borrowings in line with rate income and growth of the municipality.	Interest bearing loans and	< 40%	33.50%	28.62%	24.29%	27.63%	23.12%	18.82%	14.78%	10.97%	7.88%	4.99%	4.62%
	Ensure Council maintains sufficient working capital to meet its debt obligations as they fall due.	Current Assets / Current Liabilities greater than 1.25	> 125%	275%	208%	211%	178%	182%	181%	179%	185%	168%	202%	218%
	Allocate adequate funds towards renewal capital in order to replace assets and infrastructure as they reach the end of their service life.	Asset renewal and upgrade expenses / Depreciation between 75% and 110%	> 75% & < 110%	108.33%	108.61%	76.81%	80.59%	66.39%	62.98%	75.02%	67.75%	74.22%	75.58%	80.66%
3	Recurrent EBITDA (excluding waste) is required to fund increases in obligations and discretionary allocations.	Recurrent EBITDA (excluding waste) growth year on year	Positive %	4.04%	-1.65%	2.51%	2.83%	-0.18%	2.13%	5.75%	5.04%	5.05%	5.06%	4.90%

## Notes to Policy Statement Targets

- 1. The Accumulated Unallocated Cash Reserve balance would not meet the target balance in years 2026-27 to 2029-30 if it were not for reserve transfers from the Gherang Gravel Pit Reserve (\$1.0m) and the Adopted Strategy Reserve (\$1.3m).
- 2. The unallocated cash results in years 2024-25 to 2028-29 are deficits. In terms of funding this Financial Plan:
  - i. The Accumulated Unallocated Cash Reserve holds sufficient funds to cover years the 2024-25 and 2025-26 deficits.
  - ii. Deficits from 2026-27 to 2028-29 are funded using surplus cash from the Gherang Gravel Pits Reserve which has a \$1.0 m spare capacity and by temporarily reassigning cash in the Adopted Strategy Reserve which holds funds that are not expended in
  - iii. This strategy requires discipline in coming years not to reallocate funds needed during 2024-25 to 2029-30 unless an alternative solution is in place.
  - iv. The Adopted Strategy Reserve funds are replaced using future surpluses which begin from the 2029-30 year onwards as loans are fully repaid and the funding requirements for the Torquay Jan Juc DCP are fully met.
- 3. The final measure of recurrent EBITDA (excluding waste) growth target is not met in the 2021-22 and in the 2024-25 year due to growth with approved budgeted new recurrent expenditure in 2021-22 and the operating costs of running the new Surf Coast Aquatic and Health Centre in 2024-25.

# 2.2 Strategic Actions

Following a series of community engagement activities, Council has identified the following strategic actions that will support the aspirations of the Council Plan.

The strategic actions are included to the 10-year financial plan and, where appropriate, referenced in the commentary associated with the 10-year Comprehensive Income Statement and the 10-year Statement of Capital Works.

- Prioritise the ongoing review of service delivery programs (including review of asset requirements, fees and charges in respect to subsidised, cost recovery or profit making; shared services and collaborative procurement).
- Prior to introducing any new or expanded services, Council will affirm that there is an external funding source, or identify the reduction or cessation of services/activities required to allow existing resources to be redirect to the new service.
- Apply a best value service/supply contract pricing approach to achieve quality and cost effective inputs to the delivery of Council services to the community (climate change to be considered in approach).
- Set rate revenue at the maximum increase permitted under the Fair Go Rates framework and Revenue and Rating
- Apply new debt funding to growth infrastructure where necessary and based on a sound business case and demonstrated community benefit.
- Implement the asset renewal funding strategy to maintain fit-for-purpose assets for the community as well as reduce the increasing risk and maintenance associated with aging infrastructure.
- Establish a policy around retiring/transferring/divesting/consolidating assets depending on viability of use and utilisation (to be informed by Social Infrastructure planning).
- Incorporate additional funding to address impacts of climate change on Council's operations and assets.
- Maintain practice of returning unexpended project funds 'to source' or to the Accumulated Unallocated Cash Reserve where no source.
- Land sales and interest revenue to be included in cash available for allocation, except for land sales relating to open space, then to be transferred to Open Space Reserve.
- Discretionary allocation to projects above that which allowed for in the Financial Plan Model need to be funded by  $proactively\ growing\ the\ increase\ to\ recurrent\ EBITDA\ greater\ than\ what\ is\ shown\ in\ the\ plan,\ or\ through\ project$ sayings from discretionary projects where funds are not to be returned to source.
- Establish policy to provide avenues for philanthropic and community based contributions to support programs and

# 2.3 Assumptions to the financial plan statements

This section presents information regarding the assumptions to the Comprehensive Income Statement for the 10 years from 2021-22 to 2030-31. The assumptions comprise the annual escalations / movement for each line item of the Comprehensive Income Statement.

Escalation Factors % movement	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31
CPI Increase	1.50%	1.75%	2.00%	2.25%	2.50%	2.50%	2.50%	2.50%	2.50%	2.50%
Average Rate Increase (Rate Cap)	1.50%	1.75%	2.00%	2.25%	2.50%	2.50%	2.50%	2.50%	2.50%	2.50%
Supplementary Rates & Charges \$'000	450	458	467	478	489	502	514	527	540	554
Garbage Collection Urban	1.41%	1.75%	2.00%	2.50%	2.50%	2.50%	2.50%	2.50%	2.50%	2.50%
Garbage Collection Rural	1.50%	11.20%	12.47%	2.50%	2.50%	2.50%	2.50%	2.50%	2.50%	2.50%
Statutory fees and fines	*	1.75%	2.00%	2.25%	2.50%	2.50%	2.50%	2.50%	2.50%	2.50%
User fees	2.50%	2.75%	3.00%	3.25%	3.50%	3.50%	3.50%	3.50%	3.50%	3.50%
Waste Disposal Fees	1.33%	1.15%	1.03%	1.03%	1.03%	1.03%	1.03%	1.03%	1.03%	1.03%
Grants - Operating	1.50%	1.75%	2.00%	2.25%	2.50%	2.50%	2.50%	2.50%	2.50%	2.50%
Contributions - Monetary	1.50%	1.75%	2.00%	2.25%	2.50%	2.50%	2.50%	2.50%	2.50%	2.50%
Contributions - non-monetary volunteers	2.25%	2.33%	2.58%	2.83%	2.60%	2.60%	2.60%	2.60%	2.60%	2.60%
Other income	0.50%	0.60%	0.60%	0.70%	0.80%	0.90%	1.00%	1.10%	1.20%	1.30%
Employee costs	3.03%	2.33%	2.58%	2.83%	2.60%	2.60%	2.60%	2.60%	2.60%	2.60%
Materials and services	1.50%	1.75%	2.00%	2.25%	2.50%	2.50%	2.50%	2.50%	2.50%	2.50%
Other expenses	1.50%	1.75%	2.00%	2.25%	2.50%	2.50%	2.50%	2.50%	2.50%	2.50%

<sup>\*</sup>Current year based on actual statutory fees and fines

#### 2.3.1 Rates and charges

The Victorian Government introduced rate capping from 2016 as a part of the Fair Go Rates system, requiring all Local Councils to limit their annual increase on rates. The rate cap applies to general rates and municipal charges. It does not apply to waste charges or the State's fire services property levy.

The rate cap for 2021-22 has been set at 1.5% as approved by the Minister for Local Government, in comparison to 2% prescribed for 2020-21. Financial plan forecasts are based on Council complying with the expected rate cap. The annual rate increase for future years is based on state treasury's budgeted CPI forecasts.

The actual rate cap is announced by the Minister for Local Government in December of the preceding year of the budget.

In addition, it is expected that an additional \$450,000 per annum plus the rate cap increase will be driven by growth (additional properties and development) through receipt of supplementary rates.

Waste charges are set to defray the total costs of waste management incurred across the municipal district. Future years' waste charges have been calculated to ensure Council continues to recover the full costs of providing waste services. With the changes to the waste services over the last couple of years, the cost for providing the rural and urban services now align. The fee for rural collections have a step change in years 2022-23 and 2023-24 which will align the garbage collection charges for rural and urban.

#### 2.3.2 Statutory fees and fines

The Financial Plan indexes statutory fees, set by legislation, according on the estimated annual rate of CPI. This is often a best case scenario given some fees are outside of the control by Council and therefore may be subject to increases less than CPI.

#### 2.3.3 User fees

Revenue from user fees is expected to increase by 2.5% for the 2021-22 year. Details of user fees for the 2021-22 budget year can be found in Council's schedule of Fees and Charges that is adopted in conjunction with the budget.

Revenue increases for the ensuing years are based on a conservative annual rate of increase of CPI to reflect, as a minimum, annual increases in line with the state government rate cap. A growth factor of 1% has been added on top of the CPI rate. The 2024-25 year includes an increase associated with the commencement of the Surf Coast Aquatic and Health Centre operations.

# 2.3.4 Grants

Council currently receives grants for tied (specific purpose grants) and un-tied Financial Assistance grant funding received via the Victorian Local Government Grants Commission (VLGGC). Operating grants are expected to increase in line with CPI to reflect, as a minimum, annual increases in line with the state government rate cap.

Council only allows for confirmed capital grant funding in budget allocations. Capital grants are essential for Council to deliver projects that will have intergenerational benefits and actively pursues grant funding opportunities where there is a sound business case and demonstrated community benefit.

#### 2.3.5 Contributions

Council receives contributions from developers. These contributions represent funds to enable council to provide the necessary infrastructure and infrastructure improvements to accommodate development growth. The contributions are for specific purposes and often require Council to outlay funds for infrastructure works often before receipt of this income source. These contributions are statutory contributions and are transferred to a restricted reserve until utilised for a specific purpose through the capital works program or delivered as works in kind by developers. The Torquay Jan Juc Developer Contribution Plan contributions are budgeted for based on modelling of the scheme.

Other contribution increases are based on CPI.

## 2.3.6 Other income

Revenue from other income mainly comprises investment income.

#### 2.3.7 Employee costs

Employee costs is one of the largest expenditure items and is required to deliver services supporting the community and meeting organisation commitments. Employee costs include a combination of direct wages and salaries, on-costs such as superannuation, WorkCover, leave entitlements, training and temporary staff arrangements. As well as recurrent employees, employee costs relating to operating projects and expensed capital projects are included.

The 2021-22 year includes an enterprise agreement increase of 2.25%, increase to the superannuation guarantee of 0.5% and an allowance for level increments. Employee costs that were reduced in the 2020-21 year are back to normal levels such as volunteers and training. An additional 1.6% relates to increased staff resources in the areas of waste, stadium operations (full 12 months), engaging with traditional owners, health and administration due to service demands.

The ensuing years, from 2022-23 to 2030-31 annual increases reflect an enterprise agreement based on CPI, level increments and Superannuation Guarantee increase to 12% by 2024-25. An allowance for new compliance and non-discretionary employees, net of recurrent savings of \$150k per annum is included from 2022-23 onwards.

#### 2.3.8 Materials and services

Material costs include items required for the maintenance and repairs of Council buildings, roads, drains and footpaths which are more governed by market forces based on availability than CPI. Other associated costs included under this category are utilities, materials for the supply of meals on wheels and consumable items for a range of services. Council also utilises external expertise on a range of matters, including legal services and audit. These costs are kept to within CPI levels year on year. An allowance for new compliance and non-discretionary employees, net of recurrent savings of \$150k per annum is included from 2022-23 onwards. The 2024-25 year includes an increase associated with the commencement of the Surf Coast Aquatic and Health Centre operations.

#### 2.3.9 Depreciation & amortisation

Depreciation estimates have been based on Council's asset base and the projected capital spending contained within this plan.

## 2.3.10 Borrowing costs

Borrowing costs comprise the interest expense to service Council's loan portfolio that is described in Section 5.1 Borrowing

#### 2.3.11 Other expenses

Other expenses include administration costs such as Councillor allowances, lease expenditure, lease interest and audit costs. These costs are kept to within CPI levels year on year.

## 2.4 Other Matters impacting the 10-year financial projections

Description of the current challenges and expected future events likely to impact the Financial Plan projections.

- Lower rate environment: The overall financial impact of the lower rate environment is impacting Council's discretionary project allocations and has required Council to implement a financial savings program which includes service reviews and business case investments.
- New Local Government Act 2020: The requirement for Asset Management Planning will be better informed by new deliberative community engagement. A possible re-defining of service demand and service levels in respect of community assets and infrastructure may affect asset maintenance and renewal expenditure.
- COVID-19 impact: As the economy recovers from this pandemic, our community will continue to recover from these challenges. Council will continue to support the community and businesses where possible and provide assistance. We are learning different ways of working and making council facilities more akin to provide hybrid work environment and more services to move electronically. Our innovative ways of working and advanced use of technology supported us to work through the pandemic and we will need to continue to build our IT infrastructure to grow the organisation.

- Natural Disasters: These are occurrences of unknown timing. Whilst Council does significant work on prevention and recovery, these events impact on Council's resources. The most recent of these was the flooding in 2016 at Lorne. Council continues to invest money in Climate strategy projects and increased focus for generations to come.
- Cost Shifting: This occurs where Local Government provides a service to the community on behalf of the State or Federal Government. Over time the funds received by Local Governments do not increase in line with real cost increases. An example of this is Maternal & Child Health, where the level of payment received by Council from the State Government does not reflect the real cost of providing the service to the community. Council still plays a role in maintaining crown land reserves and has some exposure to infrastructure owned by other State authorities.
- Public infrastructure maintenance: Councils across Australia raise approximately 3% of the total taxation collected by all levels of Government in Australia. In addition, Councils are entrusted with the maintenance of more than 30% of all Australian public assets including roads, bridges, parks, footpaths and public buildings. This means that a large proportion of Council's income must be allocated to the maintenance and replacement of these valuable public assets in order to ensure the quality of public infrastructure is maintained at satisfactory levels.
- Population growth will continue to place stress on Council's resources.
- The value of developer contributed assets and completed capital works, together with an increase in the value of existing assets, are significantly increasing depreciation and maintenance expenditure.

## 2.5 Financial Plan Model Explained

- 1. Recurrent EBITDA: EBITDA stands for 'Earnings before Interest, Tax, Depreciation and Amortisation' and is a measure of normal operations without the impact of one-off revenue and expenses. It allows a clear focus on Council's recurrent operational performance without the impact of one-off revenue and expenses. This is important as Recurrent EBITDA provides the funding to allocate to, commitments and discretionary allocations. It includes a modest recurrent financial savings target of \$300k per year underpinned by investments in technology and service reviews. The last five years of the program have proven it to be a steady achievable target. It also includes an allowance for compliance costs and nondiscretionary growth both at \$300k per year.
- 2. Cash Adjustments: Account for balance sheet adjustments not related to projects, interest revenue, asset sales and an adjustment for Grants Commission funds received early. Balance sheet adjustments are part of working capital movements and are included as the model reconciles back to cash. Interest revenue is excluded from operational performance as returns on investments are outside management's control and variability on returns would skew performance results. The Grants Commission funds have been budgeted to be received 50% in advance over the life of the plan. These funds are ring fenced and transferred into the adopted strategy reserve. If in any year the funds are not paid in advance, the shortfall in recurrent EBITDA will be offset by the transfer from the adopted strategy reserve. Funds from asset sales, with the exception of open space (which is to be transferred to the open space reserve), are made available for allocations. Recurrent EBITDA and Cash adjustments provide cash available for distribution to allocation.
- 3. Allocations to Commitments: Includes Council's funding priorities which often Council has no discretion on funding. Components of commitments include:
  - Debt interest and principal allocations to meet our current and planned debt financing commitments.
  - Development allocations including the Torquay/Jan Juc Developer Plan which will receive its final allocation in 2028-29; and the Winchelsea Infrastructure Plan.
  - Waste allocation which is the surplus from the recurrent Waste EBITDA and is used solely to meet Council's waste obligations, including the landfill rehabilitation.
  - Towards Environmental Leadership allocation to support Council's Climate Emergency Corporate Response Action Plan and other environmental initiatives.
  - Business case investments allocations to fund business case proposals which have a return on investment over five years as a minimum. The savings made on business cases are included in the financial savings targets in recurrent
  - Council election year allocations to funds the cost of elections every four years.
  - Aireys Inlet aged units' allocations that represent the surplus from the service which is ring fenced for future maintenance and capital expenditure required on the units.

Growth and compliance cost allocations fund one off projects that have gone through a rigorous project proposal process culminating with Council ratification prior to proceeding through to the draft annual budget on display.

Any balance of cash available for distribution once all allocations to commitments are funded, is available to fund discretionary cash allocations.

- 4. Discretionary Cash Allocations: Are determined annually and affirmed through the budget process depending on cash availability. Proposed discretionary projects that create new or improved assets must be assessed for the impact on Council's future Recurrent EBITDA and renewal requirements, and the ability for this to be afforded in the Financial Plan. If there is no discretionary cash available in any year, Council may choose to fund discretionary allocations from the accumulated unallocated cash reserve if sufficient funds are available. If not, temporary funding from an unrestricted cash reserve may be an option provided a viable plan for future return of funds is put in place. The balance of cash once allocations to discretionary cash is made is the unallocated cash surplus/(deficit), this is added to the opening balance of the Accumulated Unallocated Cash Reserve to give the closing balance of the reserve for the
- 5. Accumulated Unallocated Cash Reserve: Identifies Council's unallocated cash which can only be drawn upon by Council resolution. Surpluses for the year are transferred to the reserve as well as project savings not funded by any other reserve (as these savings are returned to the reserve that funded the project).

# 3. Financial Plan Statements

 $This section\ presents\ information\ regarding\ the\ Financial\ Plan\ Statements\ for\ the\ 10\ years\ from\ 2021-22\ to\ 2030-2031.$ 

- Comprehensive Income Statement
- Balance Sheet
- Statement of Changes in Equity
- Statement of Cash Flows
- Statement of Capital Works
- Statement of Human Resources
- Planned Human Resources expenditure
- Financial Plan Model (non-statutory)

# 3.1 Comprehensive Income Statement

	2020-21										
	Forecast	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Income											
Rates and charges	56,771	58,950	60,563	62,569	64,738	67,113	69,566	72,100	74,717	77,420	80,211
Statutory fees and fines	1,927	2,041	2,076	2,118	2,166	2,220	2,275	2,332	2,390	2,450	2,511
User charges	5,343	7,207	7,629	7,836	11,193	11,641	12,180	12,591	13,017	13,457	13,871
Grants - Operating	9,518	7,999	8,086	8,003	8,183	8,388	8,597	8,812	9,032	9,258	9,490
Grants - Capital	12,829	4,501	1,051	1,051	1,051	1,051	1,051	1,051	1,051	1,051	1,051
Contributions - monetary	2,593	2,697	2,838	2,723	2,810	2,885	2,354	2,434	2,017	3,434	2,354
Contributions - non-monetary	6,251	11,401	6,235	4,520	5,040	5,140	2,121	2,941	552	563	9,875
Net gain/(loss) on disposal of property infrastructure, plant and equipment	431	236	-	281	-	-	-	-	-	-	-
Other Income	449	460	533	496	529	565	590	614	615	640	747
Total Income	96,113	95,491	89,012	89,597	95,709	99,002	98,734	102,876	103,392	108,274	120,110
Expenses											
Employee costs	33,615	35,539	35,650	36,703	37.867	38,978	40,114	41,275	42,463	43,678	44,920
Materials and services	29,248	28,434	28,480	28,387	33,225	34,558	35,511	36,499	38,008	39,244	39,589
Depreciation	16,586	18,328	19,373	20,325	21.131	21,872	22,575	23,373	24,171	24,963	25,790
Amortisation - intangible assets	5,639	5,639	5,639	5,639	5,639	5,639	-	-		-	-
Amortisation - right of use assets	526	379	387	394	402	410	418	427	435	444	453
Bad and doubtful debts	87	111	112	114	117	120	123	126	129	132	135
Borrowing costs	417	371	326	281	351	302	251	200	155	117	95
Finance costs leases	22	24	24	24	24	34	33	32	31	30	29
Other Expenses	2,825	4.426	1.970	1.982	2,146	2.486	2,689	2,993	3,136	3,331	3,072
Total expenses	88,965	93,250	91,960	93,849	100,903	104,398	101,715	104,925	108,529	111,939	114,083
Surplus/(deficit) for the year	7,148	2,241	(2,947)	(4,252)	(5, 193)	(5,397)	(2,982)	(2,049)	(5, 137)	(3,665)	6,028
Other Comprehensive Income											
Items that will not be reclassified to surplus	or deficit in fu	iture periods									
Net asset revaluation increment/(decrement)	8,554	7,259	19,431	4,700	13,166	15,812	10,409	8,513	22,325	5,670	14,583
Total Comprehensive Result	15,702	9,500	16,483	448	7,973	10,415	7,428	6,463	17,189	2,004	20,611

# 3.2 Balance Sheet

	2020-21										
	Forecast	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Assets											
Current assets											
Cash and cash equivalents	9,733	5,109	5,607	6,112	5,667	6,646	6,541	6,711	7,318	7,954	9,157
Trade and other receivables	6,304	6,156	6,172	6,203	6,238	6,279	6,323	6,369	6,418	6,469	6,523
Other financial assets	50,000	45,000	39,000	31,000	33,000	32,000	32,000	33,000	33,000	33,000	36,000
Inventories	300	306	306	306	306	306	306	306	306	306	306
Non-current assets classified as held for sale	-	-	519	-	-	-	-	-	-	-	-
Other assets	800	816	832	849	866	883	901	919	937	956	975
Total current assets	67,137	57,387	52,436	44,470	46,077	46,114	46,071	47,305	47,980	48,686	52,961
Non-current assets											
Trade and other receivables	38	13	4	-	-	-	-	-	-	-	-
Property, infrastructure plant & equipment	815,127	838,109	860,317	877,158	887,139	901,122	906,548	909,722	924,536	921,434	937,940
Investments in associates and joint ventures	538	538	538	538	538	538	538	538	538	538	538
Right of use assets	495	506	267	22	224	389	130	121	(149)	(424)	(444)
Intangible assets	28,193	22,554	16,916	11,277	5,639				. ,	. ,	, ,
Total non-current assets	844,390	861,720	878,041	888,995	893,539	902,049	907,216	910,381	924,924	921,548	938,033
Total assets	911,527	919,107	930,477	933,465	939,615	948,163	953,287	957,686	972,904	970,234	990,994
Liabilities											
Current liabilities											
Trade and other payables	6,627	6,504	6,620	6,739	6,862	6,987	7,114	7,245	7,378	7,514	7,653
Trust funds and deposits	8,020	8,336	8,336	8,336	8,336	8,336	8,336	8,336	8,336	8,336	8,336
Provisions	7,196	10,243	7,402	7,389	7,463	7,537	7,613	7,689	10,466	7,843	7,922
Interest bearing liabilities	2,150	2,160	2,171	2,322	2,337	2,353	2,369	2,021	2,024	161	- 1,522
Lease Liabilities	408	2,160	293	140	315	2,353 321	328	334	341	281	355
Total current liabilities	24,401	27,541	24,822	24,925	25,312	25,534	25,760	25,625	28,545	24,136	24,266
Non-current liabilities											
Provisions	11,516	8,524	8,446	8,454	8,462	8,471	8,479	8,488	5,796	5,805	5,814
Lease Liabilities	53	146	0,440	0,454	119	374	205	288	113	5,605	12
Interest bearing liabilities	16,871	14,711	12,539	14,968	12,631	10,278	7,909	5,889	3,864	3,703	3,703
Total non-current liabilities	28,440	23,380	20,985	23,422	21,213	19,123	16,593	14,665	9,773	9,508	9,529
Total liabilities	52,841	50,921	45,807	48,347	46,525	44,657	42,354	40,290	38,319	33,644	33,794
Net assets	858,686	868,186	884,670	885,117	893,090	903,505	910,933	917,397	934,585	936,589	957,200
Equity											
Accumulated surplus	475,143	487,007	489,562	492,805	486,057	480,682	477,805	474,585	468,842	464,540	466,366
Asset revaluation reserve	325,243	332,502	351,933	356,633	369,799	385,610	396,020	404,533	426,858	432,527	447,110
Other reserves	58,301	48,677	43,175	35,680	37,235	37,213	37,109	38,279	38,886	39,522	43,724
Total equity	858,686	868,186	884,670	885,117	893,090	903,505	910,933	917,397	934,585	936,589	957,200

# 3.3 Statement of Changes in Equity

	/ Total	Accumulated Surplus	Revaluation Reserve	Other Reserves
	\$'000	\$'000	\$'000	\$'000
2020-21 Forecast Balance at beginning of the financial year	842,984	470,461	316,689	55,835
Surplus/(deficit) for the year	7,148	7,148	310,009	-
Net asset revaluation increment/(decrement)	8,554		8,554	-
Transfers to other reserves Transfers from other reserves	-	(35,017) 42,050	-	35,017 (42,050)
Balance at end of the financial year	858,686	484,641	325,243	48,802
2021-22				
Balance at beginning of the financial year Surplus/(deficit) for the year	858,686 2,241	484,641 2,241	325,243	48,802
Net asset revaluation increment/(decrement)	7,259		7,259	-
Transfers to other reserves	-	(22, 157)	-	22,157
Transfers from other reserves  Balance at end of the financial year	- 868,186	31,780 <b>496,506</b>	332,502	(31,780) 39,179
2022-23				
Balance at beginning of the financial year	868,186	496,506	332,502	39,179
Surplus/(deficit) for the year	(2,947)	(2,947)	-	-
Net asset revaluation increment/(decrement) Transfers to other reserves	19,431 -	(16,300)	19,431	16.300
Transfers from other reserves	-	21,802	-	(21,802)
Balance at end of the financial year	884,670	499,060	351,933	33,677
2023-24				
Balance at beginning of the financial year Surplus/(deficit) for the year	884,670 (4,252)	499,060 (4,252)	351,933	33,677
Net asset revaluation increment/(decrement)	4,700	(4,232)	4,700	-
Transfers to other reserves	-	(17,709)	-	17,709
Transfers from other reserves  Balance at end of the financial year	- 885,117	25,204 <b>502,303</b>	356,633	(25, 204) 26, 182
•	000, 111	552,555	555,555	20,102
2024-25  Balance at beginning of the financial year	005 117	E02 202	256 622	26 102
Balance at beginning of the financial year Surplus/(deficit) for the year	885, 117 (5, 193)	502,303 (5,193)	356,633	26,182
Net asset revaluation increment/(decrement)	13,166	-	13,166	-
Transfers to other reserves Transfers from other reserves	-	(15,291) 13,736	-	15,291 (13,736)
Balance at end of the financial year	893,090	495,555	369,799	27,737
0005.00				
2025-26  Balance at beginning of the financial year	893,090	495,555	369,799	27,737
Surplus/(deficit) for the year	(5,397)	(5,397)	-	-
Net asset revaluation increment/(decrement) Transfers to other reserves	15,812	- (17.607)	15,812	17.607
Transfers from other reserves	-	(17,697) (52)	-	17,697 52
Balance at end of the financial year	903,505	472,409	385,610	45,486
2026-27				
Balance at beginning of the financial year Impact of adoption of new accounting standa	903,505	472,409	385,610	45,486
Adjusted opening balance	903,505	472,409	385,610	45,486
Surplus/(deficit) for the year	(2,982)	(2,982)	-	-
Net asset revaluation increment/(decrement) Transfers to other reserves	10,409	- (17,857)	10,409	17,857
Transfers from other reserves	-	17,962	-	(17,962)
Balance at end of the financial year	910,933	469,532	396,020	45,381
2027-28	010.000	400 500	000.000	45.004
Balance at beginning of the financial year Surplus/(deficit) for the year	910,933 (2,049)	469,532 (2,049)	396,020	45,381
Net asset revaluation increment/(decrement)	8,513	-	8,513	-
Transfers to other reserves Transfers from other reserves	-	(18,930)	-	18,930
Balance at end of the financial year	917,397	17,760 <b>466,313</b>	404,533	(17,760) 46,552
2028-29 Balance at beginning of the financial year	917,397	466,313	404,533	46,552
Surplus/(deficit) for the year	(5, 137)	(5, 137)	-	-
Net asset revaluation increment/(decrement) Transfers to other reserves	22,325	- (10.160)	22,325	10.160
Transfers from other reserves	-	(19,160) 18,553	-	19,160 (18,553)
Balance at end of the financial year	934,585	460,569	426,858	47,159
2029-30				
Balance at beginning of the financial year	934,585	460,569	426,858	47,159
Surplus/(deficit) for the year  Net asset revaluation increment/(decrement)	(3,665) 5,670	(3,665)	- 5,670	-
Transfers to other reserves	-	(22,476)	-	22,476
Transfers from other reserves  Balance at end of the financial year	936,589	21,840 <b>456,267</b>	432,527	(21,840) 47,795
-	200,009	-50, <b>2</b> 01	+0E, JE1	41,133
2030-31 Balance at beginning of the financial year	936,589	456,267	432,527	47,795
Surplus/(deficit) for the year	6,028	6,028	432,527	-17,180
Net asset revaluation increment/(decrement)	14,583	- (0.4.00.4)	14,583	-
Transfers to other reserves Transfers from other reserves	-	(24,234) 20,032	-	24,234 (20,032)
Balance at end of the financial year	957,200	458,093	447,110	51,997

## 3.4 Statement of Cash Flows

	2020-21 Forecast \$'000	2021-22 Budget \$'000	2022-23 \$'000	2023-24 \$'000	2024-25 \$'000	2025-26 \$'000	2026-27 <b>\$</b> 000	2027-28 \$'000	2028-29 \$'000	2029-30 \$000	2030-31 <b>\$0</b> 00
Cash flow from operating activities											
Rates and charges	57,618	58,938	60,539	62,527	64,690	67,061	69,513	72,045	74,661	77,363	80,153
Statutory fees and fines	2,036	1,991	2,076	2,118	2,166	2,220	2,275	2,332	2,390	2,450	2,511
User charges	5,532	7,456	7,893	8,107	11,583	12,046	12,604	13,030	13,470	13,926	14,355
Grants - operating	9,854	8,281	8,371	8,285	8,471	8,683	8,900	9,123	9,351	9,585	9,824
Grants - capital	12,830	4,521	1,071	1,071	1,072	1,072	1,073	1,073	1,074	1,075	1,075
Contributions - monetary	2,593	2,697	2,838	2,723	2,810	2,885	2,354	2,434	2,017	3,434	2,354
Interest received	439	450	523	486	518	554	579	603	603	628	735
Trust funds and deposits taken/(repaid)	(1,478)	316	-	-	-	-	-	-	-	-	-
Net GST refund/payment	5,375	4,990	4,400	5,228	4,117	4,453	4,596	4,664	4,902	5,236	5,175
Employee costs	(33,313)	(34,800)	(35,050)	(36, 095)	(37,250)	(38,352)	(39, 478)	(40,629)	(41,807)	(43,010)	(44,241)
Materials and Services	(36,071)	(35,224)	(34,346)	(35, 103)	(38,976)	(40,693)	(41,840)	(42,943)	(44,740)	(46, 360)	(46,694)
Net cash provided from operating activities	25,415	19,616	18,314	19,346	19,199	19,928	20,575	21,732	21,923	24,327	25,248
Cash Flows from investing activities											
Proceeds from sale of property, plant & equipment	878	664	390	1,190	390	390	390	390	390	390	390
Payments for property, plant, equipment & infrastructure assets	(30, 163)	(26,950)	(21,398)	(30,000)	(15,028)	(17,352)	(18, 111)	(18,022)	(19, 165)	(21,568)	(20, 803)
Cash flows from investments	16,546	5,000	6,000	8,000	(2,000)	1,000	-	(1,000)	-	-	(3,000)
Net cash used in investing activities	(12,740)	(21,285)	(15,008)	(20,810)	(16,638)	(15,962)	(17,721)	(18,632)	(18,775)	(21, 178)	(23,413)
Cash flows from financing activities											
Finance costs	(418)	(372)	(327)	(282)	(351)	(302)	(251)	(200)	(155)	(117)	(95)
Repayment of lease liabilities	(573)	(408)	(297)	(303)	(309)	(315)	(321)	(328)	(334)	(341)	(348)
Interest paid - lease liabilities	(22)	(24)	(24)	(24)	(24)	(34)	(33)	(32)	(31)	(30)	(29)
Proceeds from borrowings		-	-	4,750	-		-	-	-		- 1
Repayment of borrowings	(2, 149)	(2,150)	(2,160)	(2, 171)	(2,322)	(2,337)	(2, 353)	(2,369)	(2,021)	(2,024)	(161)
Net cash provided from financing activities	(3, 162)	(2,954)	(2,809)	1,969	(3,006)	(2,988)	(2,958)	(2,930)	(2,541)	(2,513)	(633)
Net increase/(decrease) in cash & cash equivalents held	9,513	(4,624)	498	505	(445)	979	(105)	170	607	636	1,202
											· I
Cash & cash equivalents at the beginning of the period	220	9,733	5,109	5,607	6,112	5,667	6,646	6,541	6,711	7,318	7,954
Cash & cash equivalents at the end of the period	9,733	5,109	5,607	6,112	5,667	6,646	6,541	6,711	7,318	7,954	9,157
Investments (current and non-current financial assets)	50,000	45,000	39,000	31,000	33,000	32,000	32,000	33,000	33,000	33,000	36,000
Total cash & investments at the end of the period	59,733	50,109	44,607	37,112	38,667	38,646	38,541	39,711	40,318	40,954	45,157

# 3.5 Statement of Capital Works

	2020-21	2021-22									
	Forecast	Budget	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31
	\$000	\$000	\$*000	\$000	\$000	\$'000	\$000	\$000	\$000	\$000	\$000
Land	77	-	-	-	-	-	-	-	-	-	-
Buildings	8,692	4,991	2,708	9,221	386	914	1,500	2,000	2,500	3,000	4,050
Total Property	8,769	4,991	2,708	9,221	386	914	1,500	2,000	2,500	3,000	4,050
Plant and Equipment											
Plant, Machinery & Equipment	1,760	2,289	1,943	1,135	2,866	1,815	1,775	1,175	1,775	2,163	1,019
Fixtures, Fitting & Furniture	23	380	-			-		-	-	-	
Computers & Telecomms	973	1,859	150	200	300	350	500	5,000	5,000	5,000	520
Total Plant and Equipment	2,756	4,528	2,093	1,335	3,166	2,165	2,275	6,175	6,775	7,163	1,539
Infrastructure											
Bridges	324	_	-	2,500	-	-	-	-	-	-	-
Drainage & Sewerage	540	371	205	205	205	205	205	205	205	205	315
Footpaths & Cycleways	1,680	568	573	1,074	875	2,561	1,002	2,601	1,377	1,227	1,020
Parks, Open Space & Streetscapes	1,566	1,443	723	265	282	1,005	1,408	333	1,460	543	354
Recreation, Leisure & Communities	4,813	3,744	3,712	1,458	1,556	2,302	590	1,372	624	913	5,200
Boads	9.395	8,315	8,384	10,170	6.566	8,001	9,331	5,124	6,005	5,817	7,400
Offstreet Car Parks	55	203	-,	-	-,	-,	-,	-,	-,	-,	.,
Waste	211	2.762	-	3.686	1,992	199	1.800	212	219	-	925
Expensed Capital Works	1,728	1,399	1,360	780	680	1.066	680	680	680	1,384	680
Landfill Provision	55	25	3.000	86	-	-	000	-	-	2,700	-
Total Infrastructure	20,367	18,831	17,956	20,224	12,156	15,339	15,016	10,527	10,570	12,789	15,894
	20,001	10,001	11,500	20,224	12,100	10,000	10,010	10,021	10,010	12,100	10,034
Total Capital Works Expenditure	31,892	28,349	22,757	30,780	15,708	18,418	18,791	18,702	19,845	22,952	21,483
Represented By:											
New Asset Expenditure	11,932	5,263	3,083	13,100	500	3,577	1,174	2,187	1,225	-	_
Asset Renewal Expenditure	11,841	11,236	10,984	14,552	12.024	13,087	14.046	15,524	16,918	18,216	19,674
Asset Expansion Expenditure	210	1,757	435	435	500	-	-	-	-	-	-
Asset Upgrade Expenditure	6,127	8,669	3,897	1,828	2,004	688	2,891	311	1,022	652	1,129
Expensed Capital Works	1,728	1,399	1,360	780	680	1,066	680	680	680	1,384	680
Landfill Provision Works	55	25	3,000	86	-	-	-	-	-	2,700	-
Total Capital Works Expenditure	31,892	28,349	22,757	30,780	15,708	18,418	18,791	18,702	19,845	22,952	21,483
Funding Sources Represented By:											
External											
Capital Grants	12,829	4,501	1,051	1,051	1.051	1,051	1,051	1,051	1,051	1,051	1,051
Contributions	150	50	-	-	-	-	-	-	-	-	
Borrowings	3,275	-	_	4,750	_	_	_	_	_	_	
Council Cash	15,638	23,797	21,706	24,979	14.657	17,367	17.740	17,651	18,794	21.901	20,432
Total Capital Works Funding Sources	31,892	28,349	22,757	30,780	15,708	18,418	18,791	18,702	19,845	22,952	21,483

# 3.6 Statement of Human Resources

	2021-22									
	Budget	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31
Staff Expenditure	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Staff Expenditure										
Female	16,314	16,693	17,123	17,607	18,065	18,535	19,017	19,511	20,019	20,539
Male	16,723	17,112	17,553	18,049	18,518	19,000	19,494	20,001	20,521	21,054
Vacant Role	1,157	1,184	1,214	1,249	1,281	1,315	1,349	1,384	1,420	1,457
Total Staff Expenditure	34,193	34,989	35,891	36,905	37,865	38,849	39,859	40,896	41,959	43,050
Full Time										
Female	8,190	8,381	8,596	8,839	9,069	9,305	9,547	9,795	10,050	10,311
Male	15,522	15,884	16,293	16,753	17,189	17,636	18,095	18,565	19,048	19,543
Vacant Role	465	475	488	502	515	528	542	556	570	585
Total Full Time	24,177	24,740	25,377	26,095	26,773	27,469	28,183	28,916	29,668	30,439
Part Time										
Female	8,124	8,313	8,527	8,768	8,996	9,230	9,470	9,716	9,969	10,228
Male	1,200	1,228	1,260	1,295	1,329	1,364	1,399	1,436	1,473	1,511
Vacant Role	692	708	727	747	767	787	807	828	850	872
Total Part Time	10,016	10,249	10,513	10,811	11,092	11,380	11,676	11,980	12,291	12,611
Staff Expenditure Reconcilied to Income Statement										
Total Staff Expenditure	34,193	34,989	35,891	36,905	37,865	38,849	39,859	40,896	41,959	43,050
Casuals	497	509	522	536	550	565	579	594	610	626
Volunteers	<del>4</del> 81	492	505	519	532	546	560	575	590	605
Capitalised Operational Employee Costs	(2,010)	(2,057)	(2,110)	(2,170)	(2,226)	(2,284)	(2,343)	(2,404)	(2,467)	(2,531)
Other Employee Costs and Project Staff	2,378	1,567	1,596	1,626	1,657	1,688	1,720	1,752	1,786	1,820
Unallocated New Compliance and Non Discretionary Employee		150	300	450	600	750	900	1,050	1,200	1,350
Employee Costs as per Income Statement	35,539	35,650	36,703	37,867	38,978	40,114	41,275	42,463	43,678	44,920

	2021-22									
	Budget	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31
Staff Numbers	FTE									
Staff Expenditure										
Female	159.6	159.6	159.6	159.6	159.6	159.6	159.6	159.6	159.6	159.6
Male	151.3	151.3	151.3	151.3	151.3	151.3	151.3	151.3	151.3	151.3
Vacant Role	12.4	12.4	12.4	12.4	12.4	12.4	12.4	12.4	12.4	12.4
Total Staff Expenditure	323.4	323.4	323.4	323.4	323.4	323.4	323.4	323.4	323.4	323.4
Full Time										
Female	72.0	72.0	72.0	72.0	72.0	72.0	72.0	72.0	72.0	72.0
Male	139.0	139.0	139.0	139.0	139.0	139.0	139.0	139.0	139.0	139.0
Vacant Role	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0
Total Full Time	216.0	216.0	216.0	216.0	216.0	216.0	216.0	216.0	216.0	216.0
Part Time										
Female	87.6	87.6	87.6	87.6	87.6	87.6	87.6	87.6	87.6	87.6
Male	12.3	12.3	12.3	12.3	12.3	12.3	12.3	12.3	12.3	12.3
Vacant Role	7.4	7.4	7.4	7.4	7.4	7.4	7.4	7.4	7.4	7.4
Total Part Time	107.4	107.4	107.4	107.4	107.4	107.4	107.4	107.4	107.4	107.4
Staff Numbers included in Income Statement										
Total Staff Expenditure	323.4	323.4	323.4	323.4	323.4	323.4	323.4	323.4	323.4	323.4
Casuals	5.3	5.3	5.3	5.3	5.3	5.3	5.3	5.3	5.3	5.3
Volunteers	6.8	6.8	6.8	6.8	6.8	6.8	6.8	6.8	6.8	6.8
Capitalised Operational Employee Costs	(16.1)	(16.1)	(16.1)	(16.1)	(16.1)	(16.1)	(16.1)	(16.1)	(16.1)	(16.1)
Other Employee Costs and Project Staff	8.9	4.5	3.5	3.5	3.5	3.5	3.5	3.5	3.5	3.5
Unallocated New Compliance and Non Discretionary Emplo	-	1.4	2.7	4.0	5.2	6.3	7.4	8.4	9.4	10.3
Total Staff Numbers included in Income Statement	328.2	325.2	325.5	326.8	328.0	329.1	330.2	331.2	332.2	333.1

2021-22	Permanent I	Full Time						
Staff Expenditure	Female	Male	Vacant	Total	Female	Male	Vacant	Total
Division	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Chief Executive Office	559			559	101			101
Culture and Community	2,560	4,267	69	6,897	4,404	281	308	4,992
Environment and Development	3,335	4,923	215	8,472	1,958	361	103	2,422
Governance and Infrastructure	1,736	6,333	180	8,249	1,661	559	282	2,502
Total Staff Expenditure	8,190	15,522	465	24,177	8,124	1,200	692	10,016

# 3.7 Planned Human Resource Expenditure

	2021-22									
	Budget	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31
Staff Expenditure by Division	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Chief Executive Office										
Full Time										
Female	559	572	587	603	619	635	652	668	686	704
Male	-	-	-	-	-	-	-	-	-	-
Vacant Role	-	-	-	-	-	-	-	-	-	-
Part Time										
Female	101	103	106	109	112	115	118	121	124	127
Male	-	-	-	-	-	-	-	-	-	-
Vacant Role	-	-	-	-	-	-	-	-	-	-
Total Chief Executive Office	660	675	693	712	731	750	769	789	810	831
Culture and Community										
Full Time										
Female	2,560	2,620	2,687	2,763	2,835	2,909	2,985	3,062	3,142	3,223
Male	4,267	4,367	4,479	4,606	4,726	4,848	4,975	5,104	5,237	5,373
Vacant Role	69	71	73	75	77	79	81	83	85	87
Part Time										
Female	4,404	4,506	4,622	4,753	4,877	5,003	5,134	5,267	5,404	5,544
Male	281	287	295	303	311	319	327	336	344	353
Vacant Role	308	315	323	332	341	349	359	368	377	387
Total Culture and Community	11,889	12,166	12,479	12,832	13,166	13,508	13,859	14,220	14,589	14,969
Environment and Development										
Full Time										
Female	3,335	3,412	3,500	3,599	3,693	3,789	3,887	3,989	4,092	4,199
Male	4,923	5,037	5,167	5,313	5,451	5,593	5,738	5,887	6,040	6,197
Vacant Role	215	220	226	232	238	244	251	257	264	271
Part Time										
Female	1,958	2,004	2,055	2,113	2,168	2,225	2,283	2,342	2,403	2,465
Male	361	369	378	389	399	410	420	431	442	454
Vacant Role	103	105	108	111	114	117	120	123	126	130
Total Environment and Development	10,894	11,147	11,435	11,758	12,064	12,377	12,699	13,029	13,368	13,716
Governance and Infrastructure										
Full Time										
Female	1,736	1,776	1,822	1,874	1,922	1,972	2,023	2,076	2,130	2,185
Male	6,333	6,480	6,647	6,835	7,012	7,195	7,382	7,574	7,771	7,973
Vacant Role	180	184	189	194	199	205	210	215	221	227
Part Time										
Female	1,661	1,699	1,743	1,792	1,839	1,887	1,936	1,986	2,038	2,091
Male	559	572	587	604	619	635	652	669	686	704
Vacant Role	282	288	296	304	312	320	328	337	346	355
Total Governance and Infrastructure	10,750	11,000	11,284	11,603	11,904	12,214	12,531	12,857	13,192	13,534
Total Staff Expenditure	34,193	34,989	35,891	36,905	37,865	38,849	39,859	40,896	41,959	43,050

	2021-22 Budget	2022-23	2023-24	2024-25	2025-26	2026-27 Projections	2027-28	2028-29	2029-30	2030-31
Staff Number by Division	FTE	FTE	FTE	FTE	FTE	FTE	FTE	FTE	FTE	FTE
Chief Executive Office										
Full Time										
Female	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0
Male	-	-	-	-	-	-	-	-	-	-
Vacant Role	-	-	-	-	-	-	-	-	-	-
Part Time										
Female	1.3	1.3	1.3	1.3	1.3	1.3	1.3	1.3	1.3	1.3
Male	-	-	-	-	-	-	-	-	-	-
Vacant Role	-	-	-	-	-	-	-	-	-	-
Total Chief Executive Office	4.3	4.3	4.3	4.3	4.3	4.3	4.3	4.3	4.3	4.3
Culture and Community										
Full Time										
Female	23.4	23.4	23.4	23.4	23.4	23.4	23.4	23.4	23.4	23.4
Male	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0
Vacant Role	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0
Part Time										
Female	47.7	47.7	47.7	47.7	47.7	47.7	47.7	47.7	47.7	47.7
Male	3.5	3.5	3.5	3.5	3.5	3.5	3.5	3.5	3.5	3.5
Vacant Role	3.3	3.3	3.3	3.3	3.3	3.3	3.3	3.3	3.3	3.3
Total Culture and Community	119.0	119.0	119.0	119.0	119.0	119.0	119.0	119.0	119.0	119.0
Environment and Development										
Full Time										
Female	29.6	29.6	29.6	29.6	29.6	29.6	29.6	29.6	29.6	29.6
Male	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0
Vacant Role	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0
Part Time										
Female	20.8	20.8	20.8	20.8	20.8	20.8	20.8	20.8	20.8	20.8
Male	3.6	3.6	3.6	3.6	3.6	3.6	3.6	3.6	3.6	3.6
Vacant Role	0.9	0.9	0.9	0.9	0.9	0.9	0.9	0.9	0.9	0.9
Total Environment and Development	96.9	96.9	96.9	96.9	96.9	96.9	96.9	96.9	96.9	96.9
Governance and Infrastructure										
Full Time										
Female	16.0	16.0	16.0	16.0	16.0	16.0	16.0	16.0	16.0	16.0
Male	59.0	59.0	59.0	59.0	59.0	59.0	59.0	59.0	59.0	59.0
Vacant Role	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0
Part Time										
Female	17.8	17.8	17.8	17.8	17.8	17.8	17.8	17.8	17.8	17.8
Male	5.2	5.2	5.2	5.2	5.2	5.2	5.2	5.2	5.2	5.2
Vacant Role	3.2	3.2	3.2	3.2	3.2	3.2	3.2	3.2	3.2	3.2
Total Governance and Infrastructure	103.2	103.2	103.2	103.2	103.2	103.2	103.2	103.2	103.2	103.2
Total Staff Numbers by Division	323.4	323.4	323.4	323.4	323.4	323.4	323.4	323.4	323.4	323.4
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# 3.8 Financial Plan Model

Refer to Section 2.5 for an explanation on the Financial Plan Model

Financial Plan Model 2021-22 to 2030-31	2020-21 Forecast \$'000	2021-22 Budget \$'000	2022-23 Projection \$'000	2023-24 Projection \$'000	2024-25 Projection \$000	2025-26 Projection \$'000	2026-27 Projection \$'000	2027-28 Projection \$'000	2028-29 Projection \$000	2029-30 Projection \$'000	2030-31 Projection \$'000
Recurrent EBITDA less Waste and Other Spec	ial Purposes										
Property Rates and Charges	48,125	49,765	50,636	51,649	52,811	54,131	55,485	56,872	58,294	59,751	61,245
Property Rates and Charges Rebate	(250)	-	-	-	-	-	-	-	-	-	- 1
Supplementary Property Rates and Charges	600	450	1,030	1,635	2,268	2,937	3,637	4,371	5,139	5,943	6,784
Grants	7,890	7,665	7,799	7,955	8,134	8,338	8,546	8,760	8,979	9,203	9,433
Other Revenue	5,531	6,874	7,030	7,208	7,408	7,633	7,865	8,104	8,350	8,604	8,866
Total Recurrent Income	61,896	64,754	66,496	68,447	70,622	73,039	75,533	78,106	80,762	83,501	86,328
Employee Benefits	30,978	32,485	33,240	34,097	35,061	35,972	36,908	37,867	38,852	39,862	40,898
Materials and Services	14,870	15,425	15,695	16,009	16,370	16,779	17,198	17,628	18,069	18,521	18,984
Total Expenditure - Existing Operations	45,848	47,910	48,936	50,106	51,430	52,751	54,106	55,495	56,921	58,383	59,882
Financial Recurrent Savings Target	-	-	300	600	900	1,200	1,500	1,800	2,100	2,400	2,700
Compliance Costs (Recurrent)		34	300	600	900	1,200	1,500	1,800	2,100	2,400	2,700
Non-Discretionary Growth	-	543	300	600	1,456	2,172	2,308	2,560	2,810	3,057	3,336
Recurrent Growth Budget Year		-	1,080	1,103	1,128	1,155	1,183	1,211	1,240	1,269	1,300
Discretionary Service Growth		483									
Total Expenditure - New Operations	-	1,060	1,680	2,303	3,484	4,527	4,991	5,571	6,150	6,726	7,336
Recurrent EBITDA less Waste and Other											
Special Purposes	16,048	15,784	16,180	16,638	16,607	16,960	17,936	18,840	19,791	20,792	21,810
Recurrent EBITDA Waste											
Garbage Charges	8,296	8,554	8,897	9,286	9,659	10,045	10,444	10,857	11,284	11,725	12,182
Other Revenue	2,816	3,267	3,584	3,673	3,765	3,859	3,956	4,055	4,156	4,260	4,366
Total Recurrent Income	11,112	11,821	12,480	12,959	13,424	13,904	14,400	14,912	15,440	15,985	16,548
Employee Benefits	776	820	840	861	883	905	928	951	975	999	1,024
Materials and Services	8,045	10,207	10,971	11,246	11,527	11,815	12,469	12,781	13,101	13,428	13,764
Total Expenditure - Existing Operations	8,821	11,027	11,812	12,107	12,410	12,720	13,397	13,732	14,075	14,427	14,788
Discretionary Growth		59	61	63	65	66	68	70	72	74	76
Total Expenditure - New Operations		59	61	63	65	66	68	70	72	74	76
Recurrent EBITDA Waste	2,291	735	608	789	950	1,118	935	1,110	1,293	1,484	1,685
Recurrent EBITDA Other Special Purposes											
Other Revenue Materials and Services	23 16	24 17	24 17	25 17	25 18	26 18	27 18	28 19	29 19	29 20	30 20
Recurrent EBITDA Other Special Purposes	7	7	7	8	8	8	9	9	9	10	10
Total Recurrent EBITDA	18,347	16,526	16,795	17,435	17,565	18,086	18,879	19,958	21,093	22,286	23,505

Financial Plan Model 2021-22 to 2030-31	2020-21 Forecast \$'000	2021-22 Budget \$'000	2022-23 Projection \$'000	2023-24 Projection \$'000	2024-25 Projection \$1000	2025-26 Projection \$'000	2026-27 Projection \$000	2027-28 Projection \$*000	2028-29 Projection \$'000	2029-30 Projection \$'000	2030-31 Projection \$'000
Total Recurrent EBITDA	18,347	16,526	16,795	17.435	17.565	18,086	18.879	19,958	21.093	22,286	23,505
	10,041	10,320	10,7 55	11,400	11,000	10,000	10,073	10,000	21,000	22,200	20,000
Cash Adjustments:-			400	407			400	405	4.07		
Balance Sheet Movements	905	(2)	183	167	164	162	163	165	167	169	171
Interest Revenue	449	640	533	496	529	565	590	614	615	640	747
Grants Commission funds received early adjust	(173)	-	-	(49)	(51)	(52)	(54)	(56)	(57)	(59)	(61)
Asset sales - Plant/Fleet	709	451	390	390	390	390	390	390	390	390	390
Asset sales - Land	382	-	-	800	-	-	-	-	-	-	-
Total Cash Adjustments	2,273	1,089	1,106	1,803	1,031	1,064	1,089	1,113	1,114	1,139	1,247
Total Cash Available for Allocation	20,619	17,615	17,902	19,238	18,596	19,150	19,968	21,071	22,207	23,426	24,753
Allocations to Commitments											
Debt Interest & Principal	2,207	2,162	2,127	2,093	2,314	2,279	2,245	2,211	2,176	2,141	256
Torquay/Jan Juc Developer Plan Allocation	2,448	2,551	2,658	2,770	2,770	2,770	2,770	2,770	1,211	-	-
Winchelsea Infrastructure Plan Allocation	212	219	225	232	239	246	253	261	269	277	285
Developer Contribution Interest Allocation			-	-	1	-	2	-	-	3	-
Waste Allocation	2,291	735	608	789	950	1,118	935	1,110	1,293	1,484	1,685
Asset Renewal Allocation	7,775	8.724	9,482	10,305	11,400	12,498	13,596	14,791	16,091	17,507	19,047
Towards Environmental Leadership	250	280	280	280	280	280	280	280	280	280	280
Business Case Investments	500	500	500	500	500	500	500	500	500	500	500
Council Election Year	472		-	-	500		-		500		-
Aireys Inlet Aged Units	7	7	7	8	8	8	9	9	9	10	10
Growth and Compliance Costs (Non-Recurrent)	326	383	500	500	500	500	500	500	500	500	500
Total Allocations to Commitments	16,488	15,560	16,387	17,477	19,462	20,199	21,089	22,431	22,829	22,702	22,563
Discretionary Cash Available	4,131	2,055	1,514	1,761	(866)	(1,049)	(1,121)	(1,360)	(622)	724	2,190
Discretionary Cash Allocations											
Discretionary Capital & Operating Works	2,157	1,955	1,285	1,000	1,000	_					_
Defined Benefits Superannuation Allocation	50	50	50	50	50	50	-	-	-	-	
Future Infrastructure Plan Allocation			-			-	_	_			_
Pathways			-	-	-	-	-	-	-	-	-
COVID-19 Support Allocation	1.000						-	-	-	-	
Total Discretionary Allocations	3,207	2,005	1,335	1.050	1.050	50	-	-			-
Unallocated Cash Surplus / (Deficit)	924	50	180	711	(1,916)	(1,099)	(1,121)	(1,360)	(622)	724	2,190
Accumulated Unallocated Cash											
Opening Balance	2.434	3.299	2.884	3.349	4.059	2.143	1.044	924	250	250	250
Annual Surplus/(Deficit)	924	50	180	711	(1,916)	(1,099)	(1,121)	(1,360)	(622)	724	2,190
Reserve Transfer *	324	50	100		(1,510)	(1,009)	1,000	686	622	(724)	(583)
Transfers for Project Funding	234	(465)	285				1,000	-	022	(724)	(303)
The sector of Project Fulluling	204	(400)	200		•	•		•		•	
Closing Balance Accumulated Unallocated Cash Reserve	3,299	2,884	3,349	4,059	2,143	1,044	924	250	250	250	1,857

<sup>\*</sup> Refer to notes on the Financial Policy Statements section 2.1 and Strategic Actions section 2.2 to understand how the deficits will be managed and potential for increases to discretionary allocations will be made.

# 4. Financial Performance Indicators

The following table highlights Council's projected performance across a range of key financial performance indicators. These indicators provide an analysis of Council's 10-year financial projections and should be interpreted in the context of the organisation's objectives and financial management principles.

Indicator	Measure	NOTES	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	Trend +/o/-
Operating Position	Weasure	NOTES	2021-22	2022-23	2023-24	2024-25	2025-20	2020-21	2021-28	2026-29	2029-30	2030-31	1/0/-
Adjusted underlying result	Adjusted underlying surplus (deficit) / Adjusted underlying revenue	1	-15.71%	-11.09%	-10.31%	-11.29%	-11.23%	-5.28%	-4.99%	-5.53%	-3.93%	-3.49%	+
Liquidity	•												
Working Capital	Current assets / current liabilities	2	208.37%	211.25%	178.41%	182.03%	180.60%	178.84%	184.61%	168.08%	201.72%	218.25%	0
Unrestricted Cash	Unrestricted cash/current liabilities	3	-51.20%	-49.59%	-50.71%	-54.54%	-54.13%	-57.41%	-59.98%	-54.38%	-65.58%	-62.74%	
Unrestricted Cash (VAGO)	Unrestricted cash/current liabilities	3	112.19%	107.53%	73.66%	75.83%	71.20%	66.81%	68.80%	61.23%	71.15%	85.61%	-
Obligations													
Loans and borrowings	Interest bearing loans and borrowings / rate revenue	4	28.62%	24.29%	27.63%	23.12%	18.82%	14.78%	10.97%	7.88%	4.99%	4.62%	+
Loans and borrowings	Interest and principal repayments on interest bearing loans and borrowings / rate revenue		4.29%	4.12%	4.16%	4.15%	3.96%	3.77%	3.08%	2.92%	0.36%	0.12%	+
Indebtedness	Non-current liabilities / own source revenue		33.83%	29.48%	31.56%	26.85%	23.34%	19.52%	16.66%	10.72%	10.08%	9.75%	+
Asset renewal	Asset renewal and upgrade expenses / Asset depreciation	5	108.61%	76.81%	80.59%	66.39%	62.98%	75.02%	67.75%	74.22%	75.58%	80.66%	o
Stability													
Rates concentration	Rate revenue / adjusted underlying revenue	6	62.31%	62.42%	62.63%	60.75%	60.80%	61.20%	61.28%	61.68%	60.99%	61.71%	o
Rates effort	Rate revenue / CIV of rateable properties in the municipality		0.23%	0.24%	0.24%	0.24%	0.25%	0.25%	0.26%	0.26%	0.27%	0.27%	+
Efficiency													
Expenditure level	Total expenses / number of property assessments		\$3,983	\$3,862	\$3,876	\$4,097	\$4,167	\$3,991	\$4,046	\$4,113	\$4,169	\$4,174	+
Revenue level	Total rate revenue / Number of property assessments		\$2,145	\$2,170	\$2,200	\$2,236	\$2,278	\$2,320	\$2,362	\$2,404	\$2,446	\$2,489	+
Workforce turnover	Number of permanent staff resignations & terminations / average number of permanent staff for the financial year		9.10%	8.50%	8.50%	8.50%	8.50%	8.50%	8.50%	8.50%	8.50%	8.50%	-

#### **Notes to Indicators**

- 1. Adjusted Underlying Result an indicator of the sustainable operating result required to enable Council to continue to provide core services and meet its objectives. This indicator is improving with a notable step change in the 2026-27 year due to the closure of the tip and the \$5.6m amortisation expense no longer being incurred. The negative result indicates a deficit. This indicator includes expensed capital expenditure and asset write off, if these and the amortisation for the landfill are excluded from the calculation the ratio would be considered a medium risk over the life of the plan under the Victorian Auditor General's Office risk assessment criteria for financial sustainability
- 2. Working Capital the proportion of current liabilities represented by current assets. A ratio of higher than 150% indicates no issues with repaying short-term liabilities as they fall due.
- 3. Unrestricted cash equals cash and cash equivalents less trust deposits, carried forward capital works and restricted cash reserves. A negative result indicates that unrestricted cash is a deficit. The LGPRF ratio excludes long term investments from unrestricted cash, hence the difference to the VAGO indicator. Long term investments are appropriately managed to be available to cover commitments when required.
- 4. Loans and borrowings ratios are within Council's targeted range of below 40% and 10% respectively.
- 5. Asset renewal is indicating a medium risk over the life of the plan under VAGO's risk assessment criteria for financial sustainability indicators. Council has developed an asset renewal funding strategy that takes into account asset usage and condition data. Based on the modelling Council's backlog will grow over the next ten years (noting that our backlog is a low 0.62% of our asset base in 2021-22), then in the following ten years the backlog will reduce as less renewal will fall due.
- 6. Rates Concentration Reflects extent of reliance on rate revenues to fund all of Council's on-going services. Generally, this ratio indicates Council will become more reliant on rate revenue compared to all other revenue sources. Note the decrease in 2024-25 is related to the new Aquatic Centre budgeted to be operational increasing the adjusted underlying revenue.

# 5. Strategies and Plans

This section describes the strategies and plans that support the 10-year financial projections included to the Financial Plan.

## 5.1 Borrowing Strategy

#### 5.1.1 Current Debt Position

The total amount borrowed as at 30 June 2022 is \$16.9 million.

 $Council \ has \ accessed \ debt \ funding \ to \ complete \ a \ range \ of \ major \ projects \ including \ the \ civic \ precinct, \ Kurrambee \ Myaring$ Community Centre and Stribling Reserve Pavilions.

#### 5.1.2 Future Borrowing Requirements

The following table highlights Council's projected loan balance, including new loans and loan repayments for the 10 years of the Financial Plan. In 2023-24 Council plans to take out \$4.8 million of new borrowings to help fund the Surf Coast Aquatic and Health Centre.

	Forecast 2020-21 \$'000	2021-22 \$'000	2022-23 \$'000	2023-24 \$'000	2024-25 \$'000	2025-26 \$'000	2026-27 \$'000	2027-28 \$'000	2028-29 \$'000	2029-30 \$'000	2030-31 \$'000
Opening balance	21,170	19,021	16,871	14,711	17,289	14,968	12,631	10,278	7,909	5,889	3,864
Plus New Ioans	-	-	-	4,750	-	-	-	-	-	-	-
Less Principal repayment	(2,149)	(2,150)	(2,160)	(2,171)	(2,322)	(2,337)	(2,353)	(2,369)	(2,021)	(2,024)	(161)
Closing balance	19,021	16,871	14,711	17,289	14,968	12,631	10,278	7,909	5,889	3,864	3,703
Interest payment	417	371	326	281	351	302	251	200	155	117	95

### 5.1.3 Performance Indicators

The following table highlights Council's projected performance across a range of debt management performance indicators.

Performance Indicator	Target	Forecast 2020-21 %	2021-22 %	2022-23 %	2023-24 %	2024-25 %	2025-26 %	2026-27 %	2027-28 %	2028-29 %	2029-30 %	2030-31 %
Total borrowings / Rate revenue	Below 40%	34%	29%	24%	28%	23%	19%	15%	11%	8%	5%	5%
Debt servicing / Rate revenue	Below 5%	0.7%	0.6%	0.5%	0.4%	0.5%	0.4%	0.4%	0.3%	0.2%	0.2%	0.1%
Debt committment / Rate revenue	Below 10%	4%	4%	4%	3%	4%	3%	3%	3%	3%	3%	0.2%
Indebtedness / Own source revenue	Below 45%	43%	34%	29%	32%	27%	23%	20%	17%	11%	10%	10%

Council maintains its loan borrowing within prudent and management limits as demonstrated by the following performance

Total borrowings as a percentage of rate revenue Loans balance is well within the target level of below 40% to meet Council's targets over the ten year period.

### Debt servicing / Rate revenue

 $Debt\ servicing\ (interest\ payments)\ as\ a\ percentage\ of\ rates\ revenue\ is\ well\ within\ the\ target\ level\ of\ below\ 5\%\ to\ meet$ Council's targets over the ten year period.

#### Debt commitment / Rate revenue

Debt commitment (principal repayments) as a percentage of rate revenue is well within the target level of below 10% to meet Council's targets over the ten year period.

## Indebtedness / Own source revenue

 $Indebtedness (total non-current liabilities) \ as a percentage of own source revenue is well within the target level of below 45\% and the source revenue is well within the target level of below 45\% and the source revenue is well within the target level of below 45\% and the source revenue is well within the target level of below 45\% and the source revenue is well within the target level of below 45\% and the source revenue is well within the target level of below 45\% and the source revenue is well within the target level of below 45\% and the source revenue is well within the target level of below 45\% and the source revenue is well within the target level of below 45\% and the source revenue is well within the target level of below 45\% and the source revenue is well within the target level of below 45\% and the source revenue is well within the target level of below 45\% and the source revenue is well within the target level of below 45\% and the source revenue is well within the target level of below 45\% and the source revenue is well within the target level of below 45\% and the source revenue is well within the target level of the source revenue is well within the target level of the source revenue is well within the target level of the source revenue is well within the target level of the source revenue is well within the target level of the source revenue is well within the target level of the source revenue is well within the target level of the source revenue is well within the target level of the source revenue is well within the target level of the source revenue is well within the target level of the source revenue is well within the target level of the source revenue is well within the target level of the source revenue is well within the target level of the source revenue is well within the target level of the source revenue is well within the target level of the source revenue is well within the target level of the source revenue is well within the target level of the source revenue is well within the ta$  $to meet \ Council's \ targets \ over \ the \ ten \ year \ period. \ A \ point \ of \ difference \ to \ many \ other \ councils \ if \ comparing \ this \ ratio, \ is \ that$ Council has a landfill provision which is included in non-current liabilities. Over the life of the plan the provision ranges from  $$7.7 \mathrm{m}$  to  $$4.9 \mathrm{m}$ . Council sets aside funds in the waste reserve to fund this provision.

### 5.2 Reserves Strategy

#### 5.2.1 Current Reserves

#### **Accumulated Unallocated Cash Reserve**

Purpose

The purpose of this reserve is to separately identify Council's unallocated cash.

#### Typical Sources of Inflows and Outflows:

Inflows into this reserve will be funds allocated by Council based on operational savings or unallocated sources of funding. Outflows from this reserve will be allocations based solely on Council resolutions.

#### **Adopted Strategy Implementation Reserve**

Purpose

The purpose of this reserve is to provide funding for projects in line with approved strategies adopted by Council and is funded from operations or grants received.

#### Typical Sources of Inflows and Outflows:

Inflows into this reserve will be funds allocated via Council resolution. Outflows will be funds allocated to specific projects by Council resolution.

#### Aireys Inlet Units Reserve (legislative)

Purpose

The purpose of this reserve is as the funding source for the maintenance of social housing for disadvantaged low income earners. Four social housing units currently exist in Aireys Inlet.

#### Typical Sources of Inflows and Outflows:

Inflows are received by way of rent. Outflows cover future maintenance and capital expenditure related to the units.

#### **Asset Renewal Reserve**

Purpose

The purpose of this reserve is to provide funding based on the Asset Renewal Funding Strategy.

#### Typical Sources of Inflows and Outflows:

Inflows into this reserve will be funds allocated on a straight line basis increasing year on year at a predetermined rate as set by Council. Funds from renewal projects completed under budget will also be returned to this reserve. Outflows from this reserve will be spent on renewal of Council assets including Council's heavy plant (graders, trucks, etc.) and fleet previously funded from the now closed Plant Reserve.

#### **Carried Forward Capital Works Reserve (restricted)**

Purpose

The purpose of this reserve is to act as a mechanism to carry over funding for capital works that are still in progress at year end.

#### Typical Sources of Inflows and Outflows:

Inflows into this reserve will be funds allocated at end of financial year relating to incomplete projects. Outflows will be funds allocated in the new financial year to complete the projects in progress.

### **Carried Forward Operational Projects Reserve**

Purpose

The purpose of this reserve is to act as a mechanism to carry over funding for operational projects that are still in progress at year end.

Typical Sources of Inflows and Outflows:

Inflows into this reserve will be funds allocated at end of financial year relating to incomplete projects. Outflows will be funds allocated in the new financial year to complete the projects in progress.

#### **Defined Benefits Superannuation Reserve**

Purpose

The purpose of this reserve is to provide funding for future defined benefits superannuation fund shortfalls.

#### Typical Sources of Inflows and Outflows:

Inflows to this reserve are at the discretion of Council, set via the Annual Budget process. Council will make an estimate on the future defined benefits superannuation funding shortfalls and build a reserve in order to meet the shortfall.

Outflows from this reserve will fund defined benefit funding calls from Council's superannuation provider.

#### **Developer Contributions Reserve (restricted)**

#### Purpose

The purpose of this reserve is to hold funds contributed by developers for specific works associated with subdivisions (except for funds in relation to Torquay Jan Juc DCP and Winchelsea Infrastructure Plan which have their own separate reserves). Funds are contributed for works such as footpaths, fencing, streetscape works, lighting and other such items where it is deemed that these works should occur at a later point than the initial development. Funds collected are very specific and tied to particular projects.

## Typical Sources of Inflows and Outflows:

Inflows are from contributions collected from developers and outflows are on the works specified.

#### **Future Infrastructure Plan Allocation Reserve**

#### Purpose

The purpose of this reserve is to provide funding for projects in line with strategies yet to be approved and adopted by Council and is funded from operations or grants received.

#### Typical Sources of Inflows and Outflows:

Inflows into this reserve will be funds allocated on a straight line basis at a predetermined rate as set by Council. Funds from Winchelsea Infrastructure Plan projects completed under budget will also be returned to this reserve. Outflows from this reserve will be spent on the delivery of Winchelsea Infrastructure Plan Allocation projects that are yet to be defined.

#### **Gherang Gravel Pits Reserve**

#### Purpose

The purpose of this reserve is to provide funding for rehabilitation of the gravel pits reserve site. The balance of funds exceeds this requirement over the life of this plan.

#### Typical Sources of Inflows and Outflows:

Inflows to this reserve have accrued form surpluses from the Gravel Pits Reserve Operations. If further inflows are required to fund rehabilitation of the gravel pits reserve site, they will be transferred from the Accumulated Unallocated Cash Reserve.

Outflows from this reserve are for rehabilitation of the gravel pits reserve site and, given the balance exceeds the expected rehabilitation requirements, a portion may be used for Council's discretionary requirements.

## Main Drainage Reserve (restricted)

### Purpose

The purpose of this reserve is to hold developer contributions for main drainage works at a later point than the initial development. As such they are also tied to works within the catchment area from which funds were derived.

#### Typical Sources of Inflows and Outflows:

 $In flows \, are \, from \, contributions \, collected \, from \, developers \, and \, outflows \, are \, on \, the \, works \, specified.$ 

#### **Open Space Reserve (restricted)**

#### Purpose

The purpose of this reserve is to provide improved recreational facilities for the Surf Coast Shire, both of an active and a passive nature.

#### Typical Sources of Inflows and Outflows:

Inflows to the open space reserve are solely composed of contributions from subdividers in lieu of the provision of land for public open space. It is noteworthy that substantial income flows into this reserve annually, and these funds will be critical in delivering key outcomes of the Open Space Strategy.

Outflows have been limited to capital works on parks, playgrounds, and both active and passive recreation reserves.

#### **Torquay Jan Juc DCP Contributions**

#### Purpose

The purpose of this reserve is to provide funding based on the Torquay/Jan Juc Developer Plan.

#### Typical Sources of Inflows and Outflows:

Inflows into this reserve will be funds allocated on a straight line basis at a predetermined rate as set by Council and contributions from developers and community levies. Funds from Torquay/Jan Juc DCP projects completed under budget will also be returned to this reserve. Outflows from this reserve will be spent on the delivery of DCP projects.

#### Trust and Deposits Reserve (restricted)

#### Purpose

Whilst not technically a reserve, Trust and Deposits represent cash that Council holds under a contractual agreement, and therefore should be considered part of restricted cash holdings. Some examples of use of this reserve include subdividers holding deposits, fire services levy and contractors retention. Council has decided to utilise a reserve for this purpose to provide clarity.

#### Typical Sources of Inflows and Outflows:

Cash inflows and to the Trust and Deposits Reserve will arise from contractual agreements between Council and other parties. Outflows generally occur when the agreement expires.

#### **Waste Reserve**

#### Purpose

The purpose of this reserve is to ensure that the full cost of the waste function is met by the waste charges (garbage charge and fee income from landfill) and that surpluses and deficits on an annual basis can be covered without any adverse impact on the balance of Council's budget. This facet is particularly relevant in terms of Council meeting its long-term obligations for landfill rehabilitation where funds need to be set aside in the interim to plan for large-scale costs in the future. The rehabilitation of the Anglesea Landfill is expected to take place in 2022-23 to 2029-30.

#### Typical Sources of Inflows and Outflows:

Cash inflows to the reserve arise from any surplus funds remaining from the combined income from garbage charges and landfill fees, less the cost of operating the landfills, waste administration, kerbside collection, recycling and other associated waste costs. Outflows are due to waste capital expenditures.

#### Winchelsea Infrastructure Plan Allocation Reserve

## Purpose

The purpose of this reserve is to provide funding for projects in line with strategies yet to be approved and adopted by Council and is funded from operations or grants received.

#### Typical Sources of Inflows and Outflows:

Inflows into this reserve will be funds allocated on a straight line basis at a predetermined rate as set by Council. Funds from Winchelsea Infrastructure Plan projects completed under budget will also be returned to this reserve. Outflows from this reserve will be spent on the delivery of Winchelsea Infrastructure Plan Allocation projects that are yet to be defined.

### 5.2.2 Reserve Usage Projections

The table below discloses the balance and annual movement for each reserve over the 10-year life of the Financial Plan. Total amount of reserves, for each year, is to align with the Statement of Changes in Equity.

Restricted reserves are to be included to the disclosure of restricted cash assets.

Reserves	2020-21 \$000's	2021 <i>-</i> 22 \$000's	2022-23 \$000's	2023-24 \$000's	2024-25 \$000's	2025-26 \$000's	2026-27 \$000's	2027-28 \$000's	2028-29 \$000's	2029-30 \$000's	2030-31 \$000's
Restricted Reserves											
Carried Forward Capital V											
Opening balance	18,281	17,513	8,075	6,281	6,616	6,836	7,329	7,692	7,942	8,201	8,640
Transfer to reserve	17,513	8,075	1,206	1,335	220	493	363	250	259	439	100
Transfer from reserve	(18,281)	(17,513)	(3,000)	(1,000)	-	-	-	-	-	-	-
Closing balance	17,513	8,075	6,281	6,616	6,836	7,329	7,692	7,942	8,201	8,640	8,740
Developer Contributions I	Reserve (restrict	ted)									
Opening balance	690	445	487	487	487	488	488	490	490	490	493
Transfer to reserve	61	42	-	-	1	-	2	-	-	3	-
Transfer from reserve	(306)	-	-	-	-	-	-	-	-	-	-
Closing balance	445	487	487	487	488	488	490	490	490	493	493
Main Drainage Reserve (re	estricted)										
Opening balance	210	210	210	210	210	210	210	210	210	210	210
Transfer to reserve	-	-	-	-	-	-	-	-	-	-	-
Transfer from reserve	-	_	_	-	-	_	-	-	-	-	_
Closing balance	210	210	210	210	210	210	210	210	210	210	210
Open Space Reserve (rest	ricted)										
Opening balance	2,496	2,253	2,103	2,603	3,103	3,603	4.103	4.603	5,103	5,603	6,103
Transfer to reserve	264	-	500	500	500	500	500	500	500	500	500
Transfer from reserve	(508)	(150)	-	-	-	-	-	-	-	-	-
Closing balance	2,253	2,103	2,603	3,103	3,603	4,103	4,603	5,103	5,603	6,103	6,603
Trust and Deposits Reserv	(restricted)										
Opening balance	9,498	8,020	8,336	8,336	8,336	8,336	8,336	8,336	8,336	8,336	8,336
Transfer to reserve	5,150	316	0,000	0,000	0,000	0,000	0,000	0,000	0,000	0,000	0,000
Transfer from reserve	(1,478)	-	_	_	_	_	_	_	_	_	_
Closing balance	8,020	8,336	8,336	8,336	8,336	8,336	8,336	8,336	8,336	8,336	8,336
Total Restricted Reserves											
Opening balance	31,176	28,441	19,211	17.917	18,752	19,473	20,466	21,331	22,081	22.840	23,782
Transfer to reserve	17,838	8,433	1,706	1,835	721	993	865	750	759	942	600
Transfer from reserve	(20,573)	(17,663)	(3,000)	(1,000)	721	-	-	750	755	512	-
Closing balance	28,441	19,211	17,917	18.752	19,473	20.466	21,331	22,081	22,840	23,782	24,382

Reserves	2020-21 \$000's	2021-22 \$000's	2022-23 \$000's	2023-24 \$000's	2024-25 \$000's	2025-26 \$000's	2026-27 \$000's	2027-28 \$000's	2028-29 \$000's	2029-30 \$000's	2030-31 \$000's
Unrestricted Reserves											
Accumulated Unallocated	d Cash Reserve										
Opening balance	2,434	3,299	2,884	3,349	4,059	2,143	1,044	924	250	250	250
Transfer to reserve	1,268	50	464	711	(1,916)	(1,099)	(121)	(674)	0	724	2,190
Transfer from reserve	(404)	(465)	-	-	-	-	-	-	-	(724)	(583)
Closing balance	3,299	2,884	3,349	4,059	2,143	1,044	924	250	250	250	1,857
Adopted Strategy Implen											
Opening balance	5,876	5,277	5,277	5,277	5,326	5,377	5,429	5,483	4,853	4,289	5,072
Transfer to reserve	335	-	-	49	51	52	54	56	57	783	644
Transfer from reserve	(935)	-	-	-	-	-	-	(686)	(622)	-	-
Closing balance	5,277	5,277	5,277	5,326	5,377	5,429	5,483	4,853	4,289	5,072	5,716
Aireys Inlet Units Reserv	e										
Opening balance	312	319	326	333	341	349	357	366	374	384	393
Transfer to reserve	7	7	7	8	8	8	9	9	9	10	10
Transfer from reserve	-	-	-	-	-	-	-	-	-	-	-
Closing balance	319	326	333	341	349	357	366	374	384	393	403
Asset Renewal Reserve											
Opening balance	2,363	2,511	2,306	2,471	77	312	588	805	951	1,010	968
Transfer to reserve	8,301	8.724	9,482	10.305	11.400	12.498	13.596	14.791	16.091	17,507	19.047
Transfer from reserve	(8,153)	(8,930)	(9,317)	(12,699)	(11,165)	(12,222)	(13,379)	(14,645)	(16,032)	(17,549)	(19,007)
Closing balance	2,511	2,306	2,471	77	312	588	805	951	1,010	968	1,008
Carried Forward Operation	onal Proiects Re	serve									
Opening balance	4,151	1,155	-	-	-	-	_	-	-	-	_
Transfer to reserve	1,155	-	-	-	-	-	-	-	-	-	-
Transfer from reserve	(4,151)	(1, 155)	_	-	-	-	_	_	-	_	-
Closing balance	1,155	-	-	-	-	-	-	-	-	-	-
Defined Benefits Superar	nuation Res <u>erve</u>										
Opening balance	1,124	1,174	1,224	1,274	1,324	1,374	1,424	1,424	1,424	1,424	1,424
Transfer to reserve	50	50	50	50	50	50	-,	-,	-,	-, -	
Transfer from reserve	-	-	-	-	-	-	-	-	-	-	-
Closing balance	1,174	1,224	1,274	1,324	1.374	1,424	1,424	1,424	1,424	1,424	1,424

Reserves	2020-21 \$000's	2021-22 \$000's	2022-23 \$000's	2023-24 \$000's	2024-25 \$000's	2025-26 \$000's	2026-27 \$000's	2027-28 \$000's	2028-29 \$000's	2029-30 \$000's	2030-31 \$000's
Gherang Gravel Pits Res	erve										
Opening balance	2,650	2,469	1,389	1,389	1,389	1,389	1,389	389	389	389	389
Transfer to reserve	144	-	-	-	-	-	-	-	-	-	-
Transfer from reserve	(325)	(1,080)	-	-	-	-	(1,000)	-	-	-	-
Closing balance	2,469	1,389	1,389	1,389	1,389	1,389	389	389	389	389	389
Torquay Jan Juc DCP Co	ontributions Rese	erve									
Opening balance	4,907	3,905	6,409	3,972	459	3,888	2,441	3,125	3,556	2,577	2,759
Transfer to reserve	3,406	3,564	3,448	3,686	3,788	3,831	3,267	3,314	1,303	1,473	357
Transfer from reserve	(4,408)	(1,059)	(5,885)	(7,199)	(359)	(5,278)	(2,583)	(2,883)	(2,282)	(1,291)	-
Closing balance	3,905	6,409	3,972	459	3,888	2,441	3,125	3,556	2,577	2,759	3,116
Waste Reserve											
Opening balance	9,470	8,663	7,969	4,977	1,460	198	1,097	31	909	1,963	447
Transfer to reserve	2,295	735	608	789	950	1,118	935	1.110	1,293	1,484	1,685
Transfer from reserve	(3,101)	(1,429)	(3,600)	(4,306)	(2,212)	(219)	(2,000)	(232)	(239)	(3,000)	(1,025)
Closing balance	8,663	7,969	4,977	1,460	198	1,097	31	909	1,963	447	1,107
Winchelsea Infrastructure	e Plan Allocation	Reserve									
Opening balance	870	1,089	1,682	2,217	2,493	2,732	2,978	3,231	3,492	3,761	4,038
Transfer to reserve	218	593	535	276	239	246	253	261	269	277	285
Transfer from reserve	-	-	-	-	-	-	-	-	-	-	-
Closing balance	1,089	1,682	2,217	2,493	2,732	2,978	3,231	3,492	3,761	4,038	4,323
Total Unrestricted Reserv	/es										
Opening balance	34,157	29,859	29,466	25,258	16,928	17,761	16,747	15,778	16,198	16,046	15,740
Transfer to reserve	17,179	13,723	14,594	15,874	14,570	16,704	17,993	18,866	19,022	22,259	24,217
Transfer from reserve	(21,477)	(14,117)	(18,802)	(24,204)	(13,736)	(17,719)	(18,962)	(18,446)	(19, 174)	(22,564)	(20,615)
Closing balance	29,859	29,466	25,258	16,928	17,761	16,747	15,778	16,198	16,046	15,740	19,342
Reserves Summary											
Opening balance	65,333	58,301	48,677	43,175	35,680	37,235	37,213	37,109	38,279	38,886	39,522
Transfer to reserve	35,017	22,157	16,300	17,709	15,291	17,697	18,857	19,616	19,781	23,200	24,817
Transfer from reserve	(42,050)	(31,780)	(21,802)	(25,204)	(13,736)	(17,719)	(18,962)	(18,446)	(19,174)	(22,564)	(20,615)
Closing balance	58,301	48,677	43,175	35,680	37,235	37,213	37,109	38,279	38,886	39,522	43,724

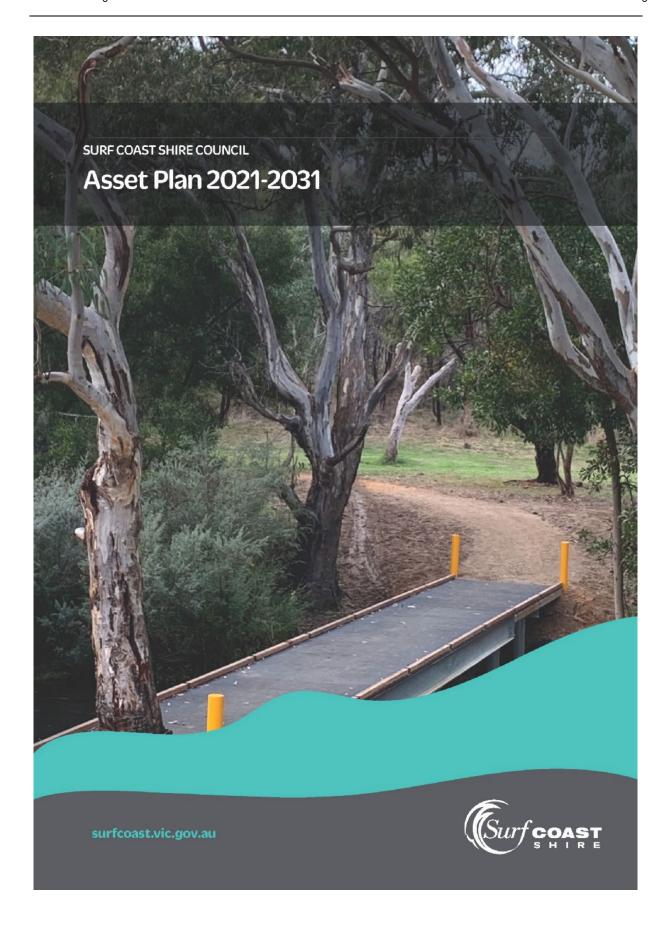
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Council Meeting

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## 6.1 Adoption of Integrated Strategic Plans

### APPENDIX 5 ASSET PLAN 2021-2031

Surf Coast Shire Council Council Meeting



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### **Amendment Register**

Issue	Date	Details	Ву
1	July 2021	Initial draft	Tym Guthridge
2	3 August 2021	Draft Asset Plan for public exhibition	Tym Guthridge
3	28 Sept 2021	Final Asset Plan for adoption	Tym Guthridge

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### 1. Executive Summary

### 1.1 Purpose of the Plan

This Asset Plan provides an overview of the key elements and processes required by Surf Coast Shire for the responsive management of assets (including asset components and services); to ensure our compliance with regulatory requirements, and funding needed to provide the required levels of service over a 20-year planning period. The Asset Plan is a legislative requirement as pert the Local Government Act 2020.

### 1.2 Asset Description

Council's asset base comprises:

Asset Category	Indicative Quantity	Replacement Value (\$,000)
Land	3,252.70 Ha	\$ 212,811
Buildings	322 Structures	\$ 112,883
Plant and Equipment	Fleet – 35 Small Plant – 168 Heavy Plant – 71	\$ 8,470
Roads	6,572,306 m <sup>2</sup>	\$ 435,715
Bridges and Major Culverts	44 Structures	\$ 5,278
Footpaths and Cycleways	424,190 m <sup>2</sup>	\$ 34,491
Drainage	336 km Pipes 11895 Pits	\$104,893
Water and Sewer	5 Systems	\$ 978
Recreational, Leisure and Community	6846 Items	\$ 27,431
Parks Open Space and Streetscapes		\$17,863
Off-street Car Parks	Included in Roads	\$ 11,888
TOTAL		\$ 971,958

#### 1.3 Levels of Service

Service levels can described in two way:

- 1. Technical Levels of Service, which generally describe the physical attributes of the asset regardless of where the asset is located (eg. footpath width or surface); and
- 2. Customer Levels of Service, which generally describe how, when and where a customer might access an asset (eg. footpath to be provided on one side of each residential street).

Revisions and updates to Customer Levels of Service will typically undergo greater level of community consultation. Technical Levels of Service are more often informed by legislation, regulation and engineering standards and technical data.

#### 1.4 Future Demand

The main demands for new services are created by:

- Population Growth
- Seasonal Population
- · Legislative changes

These will be managed through a combination of managing existing assets, upgrading of existing assets and providing new assets to meet demand and demand management. Demand management practices include non-asset solutions, insuring against risks and managing failures.

- Increase proactive inspections and maintenance
- Awareness of legislative changes

#### 1.5 Lifecycle Management Plan

Council implement lifecycle management of our assets through a number of means and core principles:

- Adoption of condition rating specifications and industry standards to ensure repeatable and consistent auditing results;
- Set condition rating for each asset class;
- Set frequency of auditing of each asset class;
- Renewal planning and implementation based on core decision making principles and prioritisation criteria when funding is insufficient;
- New and upgrading of assets process; and
- Decommissioning and rationalisation of assets.

#### 1.6 Risk Management

Council have a Risk Management Framework that is made up of a set of components that provide the foundations and organisational arrangements for designing, implementing, monitoring, reviewing and continually improving the management of risk throughout the organisation including:

- The Risk Management Policy & Strategy
- Reporting structure including Key Performance Indicators
- · Accountability and Responsibilities
- Risk Tools including an electronic progressive Risk Register

### 1.7 Financial Summary

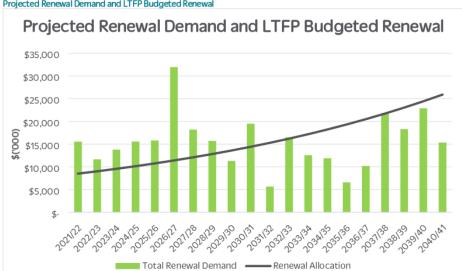
Each asset case is assessed and monitored for sustainable service delivery. Council utilise four indicators to assess sustainable service delivery:

- Asset Renewal Funding Ratio;
- Long Term Life Cycle Costs/Expenditures;
- Medium Term Life Cycle Costs/Expenditures (Over 10 years); and
- Short Term Life Cycle Costs/Expenditures (Over 5 Years).

The purpose of each indicator is to measure whether Council has the capacity to deliver the projected renewal, maintenance and operations functions over the nominated planning period. A figure of 100% or greater correlates to adequate or over funding.

Renewal demand is developed through the use of asset modelling that uses material and condition data, useful life data and applicable degradation curves to project when an asset will reach intervention.

Current renewal demand projections and Long Term Financial Plan (LTFP) renewal budgets over the 20 year planning period show a growing backlog within the first 10 years and by the end of the planning period Council should be up to date with the modelled back log. Council remodel and review renewal demand each year to track and monitor progress and also add the 20th year to all projections and the LTFP.



Projected Renewal Demand and LTFP Budgeted Renewal

Figure Values are in current (real) dollars.

### 1.8 Asset Management Systems

Our systems to manage assets include:

- Civica Authority Finance Module
- Civica Authority Asset Management Module

Assets requiring renewal are identified from assessment of the asset data within the Authority Asset Management Module.

#### **Monitoring and Plan Improvement**

The next steps resulting from this Asset Plan to improve asset management practices are:

- Maintain and refine condition data;
- Monitor funding performance;
- Reduce renewal backlog; and
- Review asset rationalisation, decommissioning and service levels.

### 2 Introduction

#### 2.1 Background

This Asset Plan outlines the key elements and process required by Surf Coast Shire (Council) for the responsive management of assets (including asset components and services); to ensure our compliance with regulatory requirements, and funding needed to provide the required levels of service over a 20-year planning period. The Asset Plan is a legislative requirement as per the Local Government Act 2020.

The Asset Plan is to be read in conjunction with Council's planning documents. Council's key planning documents are outlined below:

- Strategic Asset Management Policy;
- Asset Management Strategy;
- Council Plan 2021-2025;
- Finance Plan 2021-22 to 2030-31;
- Asset Capitalisation Policy.

#### 2.1.1 Relationship with Other Planning Documents

- Road Management Plan
- Pathways Strategy
- Torquay Jan Juc Development Contribution Plan
- · Open Space Strategy; and
- Asset Management Plans

#### 2.1.2 Recognition of Climate Change

Council has declared a Climate Emergency and developed a Climate Action Plan outlining Council's corporate response to this issue. Council has committed to help the community and environment to thrive in a safe climate and therefore planning for new, upgraded and renewed assets needs to be informed by Climate Change principles of mitigation and adaptation.

### 2.1.3 Asset Management Framework

Council's Asset Management Framework is detailed in Figure 2-1. The framework is the overarching Asset Management hierarchy including the Asset Management Policy, Objectives, Strategy, Asset Plan and Asset Management Sub-Plans.

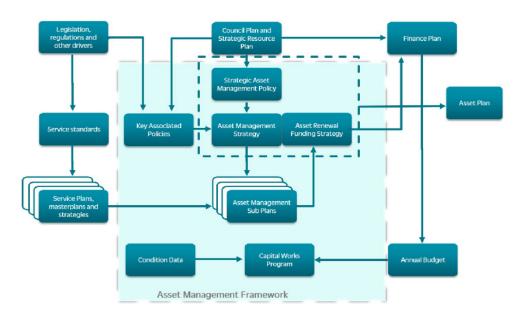


Figure 2-1 Asset Management Framework

#### 2.1.4 Council's Infrastructure Assets

Council's infrastructure assets covered in this Asset Plan are shown in Table 2-1. These assets have a replacement value of \$972 Million as at 30 June 2020 and are used to provide facilitate service delivery to the community.

Table 2-1 Assets covered by this plan

Asset Category	Indicative Quantity	Replacement Value (\$,000)
Land	3,252.70 Ha	\$ 212,811
Buildings	322 Structures	\$ 112,883
Plant and Equipment	Fleet – 35 Small Plant – 168 Heavy Plant – 71	\$ 8,470
Roads	6,572,306 m <sup>2</sup>	\$ 435,715
Bridges and Major Culverts	44 Structures	\$ 5,278
Footpaths and Cycleways	424,190 m²	\$ 34,491
Drainage	336 km Pipes 11895 Pits	\$104,893
Water and Sewer	5 Systems	\$ 978
Recreational, Leisure and Community	6846 Items	\$ 27,431

Asset Category	Indicative Quantity	Replacement Value (\$,000)
Parks Open Space and		\$ 17,863
Off-street Car Parks	Included in Roads	\$ 11,888
TOTAL		\$ 971,958

### 2.1.5 Key Stakeholders in the Plan

Stakeholder	Role in this Plan
Bicycle user groups	Customer
Commercial operators	Customer
Community User Groups	Customer
Cyclists, pedestrians and other non-vehicle users	Customer
Public Transport services	Customer
School Buses services	Customer
Sporting Clubs	Customer
Tourists, residents	Customer
Land Developers	Other interested party
Road Authorities (VicRoads, DELWP, DoT)	Other interested party
Road Safety organisations	Other interested party

### 2.2 Goals and Objectives of Asset Ownership

Our goal in managing Council's assets base is to provide our assets for community use to a defined level of service in the most cost effective way for the present and future communities. The key elements of infrastructure asset management are:

- Meet service levels that are informed by customer expectations;
- Managing the impact of growth through demand management and infrastructure investment:
- Taking a lifecycle approach to developing cost-effective management strategies for the longterm that meet the defined level of service;
- Support the organisation to deliver effective outcomes:
- Are fit and safe for the purpose for which they have been provided;
- Are replaced as required subject to agreed prioritisation;
- Minimise detrimental impact on the natural environment; and
- Identifying, assessing and appropriately controlling risks.

Linking to a long-term financial plan which identifies required, affordable expenditure and how it will be allocated.

Other references to the benefits, fundamental principles and objectives of asset management are:

- International Infrastructure Management Manual 2015
- ISO 55000

### 2.2.1 Strategic and Corporate Goals

This Asset Plan is prepared under the direction of Council's community vision, organisational direction, goals and objectives.

#### Our purpose is:

"We exist to help our community and environment to thrive."

### Our Community Vision is:

From the hinterland to the coast, from the first peoples to the children of the future, we are an active, diverse community that lives creatively to value, protect and enhance the natural environment and our unique neighbourhoods. We will leave the Surf Coast better than we found it.

#### Our organisational direction is:

An innovative and flexible leader, and a constructive partner, that values the strengths of others; a place where people can do their best and be proud of their achievements.

#### 2.2.2 Plan Framework

The framework of this asset plan is consistent with the recommended format outlined in the International Infrastructure Management Manual (IIMM).

Key elements of the asset management plan are as follows:

- Summary of the organisations strategic goals and Asset Management (AM) policies;
- · Levels of service;

- Demand forecasts;
- Asset portfolio;
- Lifecycle Management;
- Financial summary; and
- Plan monitoring and improvement.

### 3 Levels of Service

#### 3.1 Community Engagement

Council has engaged with the community via the People Places Future project, followed by deliberative engagement on Council priorities via a People's Panel. The outcome of this collaboration is the development of an inaugural Community Vision. The following consultation process has been undertaken to ensure due consideration and feedback for the Asset Plan is received from relevant stakeholders.

- a. Participatory engagement between 20 January and 28 February 2021 via online and face to face consultations.
- b. Deliberative Engagement between 15 Marsh and 19 May 2021 via a People's Panel, randomly selected for gender, age and location.
- c. Draft Asset Plan prepared by management for consultation with Councillors.
- d. Draft Asset Plan placed on public exhibition at a Special Council Meeting on 3 August 2021 for a period of 21 days for public comment closing 24 August 2021.
- e. Consideration of public comments to be undertaken by officers and Councillors with a rationale of submission incorporation or exclusion to be included in the Council Meeting report for adoption of the plan.
- f. Proposed Asset Plan, including any revisions, presented to Council for adoption on 28 September.

While the community engagement process did not provide statements or strategies specifically for asset planning, there was clearly information that is relevant to how Council manages its asset base, e.g. appropriate for future climate, environmentally sensitive.

### 3.2 Legislative Requirements

Detailed in Table 3-1 are the legislative requirements Council adheres to in the management of our asset base.

Table 3-1 Legislative Requirements

Legislation
Local Government Act 2020 (LGA)
Road Management Act 2004
Subdivisions Act 1988
Road Management Plans
Disability Discrimination Act 1992
Occupational Health and Safety Act 2004
Council local laws

#### 3.3 Achieving Levels of Service

Service levels are split into two types, customer levels of service and technical levels of service.

#### 3.3.1 Customer Levels of Service

Council sets customer levels of service though targeted strategies such as service planning. The Levels of Service are then adapted into targeted areas with key performance targets or measures placed against each with an ideal target also identified.

#### 3.3.2 Technical Levels of Service

**Technical levels of service** relate to work as usual costs to ensure Council's asset base meets legislative, regulatory and customer levels of service. These activities are as follows:

- Operations the regular activities to provide services (e.g. opening hours, cleansing, mowing grass, energy, inspections, etc.
- Maintenance the activities necessary to retain an asset as near as practicable to an
  appropriate service condition. Maintenance activities enable an asset to provide service for its
  planned life (e.g. road patching, unsealed road grading, building and structure repairs),
- Renewal the activities that return the service capability of an asset up to that which it had
  originally (e.g. road resurfacing and pavement reconstruction, pipeline replacement and
  building component replacement),

Service and asset managers plan, implement and control technical service levels to influence the customer service levels.

#### 3.3.3 Levels of Services Review and Monitoring

Ongoing review and monitoring of the service levels is an important factor in Council's suite of asset plans and documentation as they are expected to change and develop over time. Current performance measures and practises relate to customer priorities, technology and efficiency procedures of this current time.

Review and establishment of the agreed position which achieves the best balance between service, risk and cost is essential.

### **4 Future Demand**

### 4.1 Demand Forecast and Management plan

The impact of demand drivers that may affect future service delivery and use of assets are shown in Table 4-1.

Table 4-1 Demand Forecast and Management Plan

Demand drivers	Present position	Projection	Impact on services
Population Growth <sup>1</sup>	30,445 in 2018	45,717 by 2036	Increased demand for network extension/ asset base increase, functionality and capacity upgrades.
Demographic Change	Influx of more affluent residents	Surf Coast Shire is one of the least disadvantaged municipalities	Community Levels of Service expectations exceed what Council can provide
Rate Capping	2.0% in 2020/21	Rate capping remains in place going forward resulting in increasing asset renewal backlogs due to reduced funding	Each year the Minister for Local Government sets the rate increase cap, limiting the ability for Council to increase rates to further improve the community
Seasonal Population/ Tourism	Currently population is estimated to double in the summer i.e. 60,000 in 2017	Expected summer population at a minimum would be double i.e. 88,000 in 2036.	Increased usage of services leading to quicker deterioration of services/ assets
Legislative Change	Assets provided, constructed/installed in accordance with standards and legislation	Higher standards and levels of service required to comply with amended legislation	High levels of service may impact upon maintenance and renewal requirements resulting in less value for money
Climate Change	Currently no known impact to Council assets	Potential sea level and temperature rises, drought, severe weather events frequency increase	Increased damage risk to assets. Changes to construction, design and material standards increasing costs and impacting on existing assets useful lives.
Environmental Sustainability	Council published the Environmental Management Strategy in 2006 that outlines how Council will protect, manage and enhance the local environment	Further environmental restrictions are developed and placed on Council at federal or state level	Increased environmental scrutiny impacts on the delivery of cost effective works due to increased environmental processes to go through prior to all works

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 $<sup>^{1}\,\</sup>text{Based on the Economic and population profiles for Surf Coast Shire at}\, \underline{\text{https://forecast.id.com.au/surf-coast.}}$ 

### 5 Lifecycle Management Plan

The lifecycle management plan details how the Council plans to manage and operate the assets at the agreed levels of service while managing life cycle costs.

### 5.1 Background Data

#### 5.1.1 Asset Condition

Condition is monitored on a 3 year cyclic basis. Road Surfaces/Pavements and Pathways are supplemented by proactive Road Management Plan inspections at 6 and 12 month intervals dependent upon pathway hierarchy. Open Space reserves are also supplemented by scheduled inspections throughout the year.

Shown in Table 5-1 are the frequency and timing of each condition audit and whether these are undertaken internally, externally or by other means.

 ${\sf Table}\, 5\text{--}1\, Condition\, assessment\, frequency\, and\, type$ 

Asset Class	Asset Type	Cyclic Condition	Audit Type
Roads	Pavement	Year A	External Auditor
	Surface	Year A	External Auditor
	Unsealed Pavement	Year A	External Auditor
	Carparks	Year A	External Auditor
	Kerb/Traffic Control	Year A	External Auditor
	Devices		
	Road Bridges and Major Culverts	Year A	External Auditor
Pathways	Road Pathways	Year B	External Auditor
	Open Space Pathways	Year B	External Auditor
Parks and Open Space	Hard Surface Courts	Year B	External Auditor
	Skate Parks	Year B	External Auditor
	Light Towers	Year B	External Auditor
	Parks Assets i.e. Fences, bollards	Year B	Internal Auditor
Drainage and WSUD	Pits	Year C	Age based
	Pipes	Year C	Age based
	WSUD	Year C	External Auditor
Buildings	Simple Buildings – Overall	Year C	External Auditor
	Complex Buildings –	Year C	External Auditor
	Overall		
	Building Specific	Year C	External Auditor
	Components i.e. Air		
	conditioners		
	<b>Building Sub-components</b>	Year C	Internal/External
	i.e. floor surfaces		Auditor

Condition is measured using a 1-5 grading system as detailed in Table 5-2, further detail is provided in the pathway condition audit specification based upon the 2017 audit.

Table 5-2 Condition Grading System

Condition Grading (1- 10)	Condition Grading (1-5)	Description of Condition
1	. 1	Very Good: only planned maintenance required
2		
3	. 2	Good: minor maintenance required plus planned maintenance
4		
5	. 3	Fair: significant maintenance required
6		
7	. 4	Poor: significant renewal/rehabilitation required
8		
9	. 5	Very Poor: physically unsound and/or beyond rehabilitation
10		

Table 5-3 Asset Condition Rating by Class

Accord Miles	- "			
Asset Class	Condition Rating Scale	Intervention		
Land	Not Ap	Not Applicable		
Buildings – Overall/Components	1-10	8		
Buildings – Subcomponents	1-5	4		
Plant & Equipment	Based on age /	Based on age / optimum resale		
Roads	1-10	8		
Kerb	1-10	9		
Bridges	1-10	8		
Pathways	1-5	4		
Drainage & WSUD	1-5	4		
Sewer	1-5	4		
Recreational, Leisure &	1-5	4		
Community				
Parks Open Space &	1-5	4		
Streetscapes				
Off-street Car Parks	Included	d in roads		

### 5.1.2 Historical Data

Surf Coast Shire maintains and stores the historical data within the Authority Asset Module. The following data is stored for reference and modelling purposes:

- Previous condition data;
- Maintenance and defect costs; and
- Renewal, replacement and disposed assets.

Previous customer survey information is also retained and may be used to identify trends in service levels.

#### 5.2 Operations and Maintenance Plan

Operations include regular activities to provide services such as public health, safety and amenity, e.g. sweeping, inspections.

Routine maintenance is the regular on-going work that is necessary to keep assets functioning, including sections of an asset that fail and need immediate repair to make the asset safe and functional again, e.g. edge grinding, patching.

#### 5.2.1 Summary of Future Costs

 $Future\ operations\ and\ maintenance\ costs\ are\ ideally\ forecast\ to\ trend\ in\ line\ with\ the\ value\ of\ the\ asset\ network.$ 

Future operations and maintenance costs are based on real or budgeted figures for the first year of the modelling i.e. 2020/21. This real/ budgeted figure is then divided by the total Current Replacement Cost (CRC) for pathways and output as a percentage. This percentage is then used to calculate future operations and maintenance costs based upon the projected CRC increase for each financial year.

Future maintenance and operations budgets are increased by nominated growth and Construction Index percentages each year using the first year actuals as the starting point.

#### 5.3 Renewal Plan

Renewal is the replacement or rehabilitation of an asset. Renewal works do not increase the capacity of the asset but restore the asset back to original service level while meeting current-day standards and informed by Climate Change principles of mitigation and adaptation.

Any works that significantly alter, extend or upgrade an existing asset are viewed as upgrade/ expansion and these additions are not funded by renewal, this is further detailed in Council's *Asset Renewal Funding Strategy*.

#### 5.3.1 Decision Making Principles

Council's *Asset Renewal Funding Strategy* outlines the key decision making principles in relation to asset renewal. These principles are summarised below. Each principle is described in greater detail in the *Asset Renewal Funding Strategy*.

- Asset Renewal is a priority
- 2. Core business will not be debt-funded
- 3. Intergenerational equity
- 4. Smoothing renewal demand
- 5. Smoothing funding allocation
- 6. Planning for growth
- 7. Optimising timing for renewal
- 8. Renewal funding should achieve a "like-for-like" replacement

- 9. Only renew assets that have ongoing need
- 10. Renewing in advance of planned intervention

#### 5.3.2 Renewal Identification

Assets requiring renewal/replacement are identified through the Authority Strategic Asset Modelling module that links to the Authority Asset Module and utilises IPWEA degradation curves to estimate intervention years based upon project asset condition.

Ad hoc inspections of assets can also inform renewal identification at times. These inspections can originate from routine inspections i.e. .Road Management Plan inspections or from community notification to Council i.e. CRM.

Asset classes that are not as heavily reliant on condition but require renewal based upon age, time of use or manufacture support such as fleet and IT are reviewed annually and typically have set timeframes for renewal. Fleet for instance as a typically 3 year life of use before renewal is required as per Council's Motor Vehicle Policy.

The following parameters are input in the modelling module to assist in developing renewal programs:

- Intervention levels as per Table 5-3;
- Current condition rating data;
- Renewal treatment rates for material type; and
- Useful lives as per MPP-001 where applicable.

Surf Coast Shire Management Policy and Procedure: MPP-001 Asset Accounting useful life component breakdown has been implemented throughout the Authority Asset Module for each asset class.

Utilising the above parameters and a degradation curve based upon useful life or asset type Council can assess how an asset condition is likely to change over the course of its useful life and when intervention may be reached or is likely to occur. Typically intervention occurs when an asset has expended 75-90% of its useful life. Figure 5-1 represents a typical degradation curve that would be implemented within the renewal modelling.

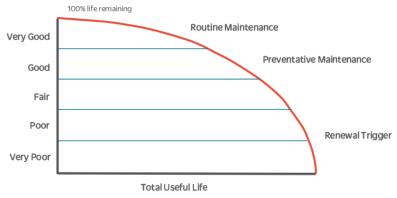


Figure 5-1 Typical Degradation Curve

#### 5.3.3 Renewal Strategies

Council will plan capital renewal projects to meet level of service objectives and minimise infrastructure service risks by:

- Utilising strategic modelling of asset classes, annual renewal program development to validate modelled renewal candidates and review any requests from land managers, inspectors or the community to renewal assets that are at or above intervention.
- Develop project charters for scope to budget programs and standalone projects. The charters will aim to identify:
  - · Scope items;
  - Project Risks, key stakeholders and timelines;
  - Identify any previous lessons learned and opportunities for value adds or new technologies; and
  - · Implementation plan and project plan.

#### 5.3.3.1 Renewal Ranking Criteria

Throughout the asset lifecycle there will be times where renewal demand is greater than available funding. Whilst having a long term plan will assist to plan and level out works, there will be situations where impartial assessment of which asset should be prioritised for renewal is required.

To determine renewal priorities, Council will implement a renewal ranking criteria applicable to each asset class. This will consist of three criteria at a minimum, which may be:

- Condition:
- · Criticality; and
- Risk

The system will also provide an indication on critical assets that may exhibit some of the following characteristics:

- Have a high consequence of failure;
- Have high use and subsequent impact on users would be greatest;
- Have a total value representing the greatest net value;
- Have the highest average age relative to their expected lives; and
- Have high operational or maintenance costs.

### 5.3.3.2 <u>Renewal and Replacement Standards</u>

Refer to the *Asset Renewal Funding Strategy* for direction on Council's approach to renewal and replacement standards.

#### 5.3.4 Summary of Renewal Demand and Funding

Projected renewal demand and Long Term Financial Plan (LTFP) renewal funding allocation is outlined and shown in Section 7.

#### 5.4 New and Upgrade Plan

New works are those that create a new asset that did not previously exist, or works which will upgrade or improve an existing asset beyond its existing capacity. These assets may be provided through one of the following categories:

- · Council funded;
- · Granted asset i.e. developer funded;
- · Council or developer contribution; or
- Contribution by the land owner via a special charge scheme.

#### 5.4.1 Capital Investment Strategies

Upgrade/new asset priorities are identified through Council Strategies. Once priorities are identified projects are submitted to Council for funding consideration through the annual Budget Submission process. Projects may also be funded through various grant funding programs initiated by Federal and State Governments.

### 5.5 Disposal Plan

In undertaking a holistic approach to asset management Council at times will be required to dispose of existing assets. Assets that are identified for disposal typically will meet one of the following criteria:

- · No longer serves a genuine community demand; or
- Multiple access pathways in one area and there is an opportunity to consolidate.

### 6 Risk Management Plan

Risk is defined as the effect of uncertainty on objectives - where the effect may be positive or negative and where objectives apply across Surf Coast Shire Business Units and activities.

Surf Coast Shire Council faces a range of risks that can have an impact on the achievement of its objectives from both a strategic and operational level, including the management of assets. A risk management framework supports the process to systematically identify, analyse and control risk.

The Risk Management Framework is made up of a set of components that provide the foundations and organisational arrangements for designing, implementing, monitoring, reviewing and continually improving the management of risk throughout the organisation including:

- · The Risk Management Policy & Strategy
- · Reporting structure including Key Performance Indicators
- Accountability and Responsibilities
- Risk Tools including an electronic progressive Risk Register

The objectives of the framework are to provide a systematic approach to the early identification and management of risks supported by the risk management process described in more detail in The Risk Management Strategy.

#### 6.1 Critical Asset Identification and Management

Critical assets and/or infrastructure are defined as those which have a high consequence of failure causing significant loss or reduction of service i.e. single access Timber Bridge in and out of a property or area that is located within a high risk bushfire area.

Critical failure modes are those which have the highest consequences.

### 6.2 Risk Assessment Framework

Council implements a risk management framework that provides an effective process for the identification, analysis and management of both negative and positive impacts on physical, social and economic capital. That will safeguard Councils assets, infrastructure, people, finances, reputation and sustainability.

Through the application of a robust and consistent approach to risk management Council:

- Recognises risk management as an integral part of good management practice and decision making:
- Integrates risk management into planning and operational processes;
- Creates and maintains a risk management environment that enables Council to deliver high
  quality services and meet performance objectives in line with our principle of continuous
  improvement;
- Ensures resources and operational capabilities are identified and deployed responsibly and effectively; and

 Demonstrates the application of the risk management process of identifying, analysing, evaluating and treating risks, as detailed in the risk management standard, AS/NZS ISO 31000:2009 Risk management—Principles and Guidelines.

The framework is based on:

- AS/NZS ISO 31000:2009 Risk Management Principles and Guidelines;
- SA/SNZ HB 436:2013 Risk Management Guidelines Companion to AS/NZS ISO 31000:2009;
   and
- ISO Guide 73: Risk Management Vocabulary.

Further depth and clarity for the Surf Coast Shire framework is contained within *Management Procedure RM-001: Risk Management Process.* 

The risk management process used in this AMP is shown in Figure 6-1.

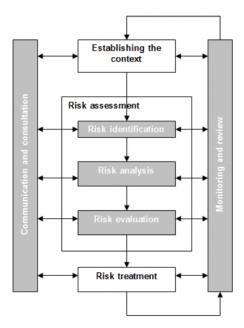


Figure 6-1 Risk Management Process

### 6.3 Approach to Managing Resilience

The resilience of our critical infrastructure (refer to Section 6.1) is vital to our customers and the services we provide. To adapt to changing conditions and grow over time we need to understand our capacity to respond to possible disruptions and be positioned to absorb disturbance and act effectively in a crisis to ensure continuity of service.

Resilience is built on aspects such as response and recovery planning, financial capacity and crisis leadership.

### 7 Financial Plan

Detailed in this section are the financial metrics Council assess each asset class against including renewal, maintenance and operations projections. Acquiring more condition data, maintenance data and other key metrics will further improve the financial projection reliability moving forward.

Each asset case is assessed and monitored for sustainable service delivery. Council utilise four indicators to assess sustainable service delivery:

- · Asset Renewal Funding Ratio;
- Long Term Life Cycle Costs/Expenditures;
- Medium Term Life Cycle Costs/Expenditures (Over 10 years); and
- Short Term Life Cycle Costs/Expenditures (Over 5 Years).

The purpose of each indicator is to measure whether Council has the capacity to deliver the projected renewal, maintenance and operations functions over the nominated planning period. A figure of 100% or greater correlates to adequate or over funding.

#### 7.1 Financial Projections

Renewal demand is developed through the use of asset modelling that uses material and condition data, useful life data and applicable degradation curves to project when an asset will reach intervention. The theoretical intervention year is then used to develop a renewal demand for a nominated financial year. This is then utilised to develop a smooth allocation over the planning period of 20 years. Figure 7-1 displays the renewal demand verses the smooth allocation.

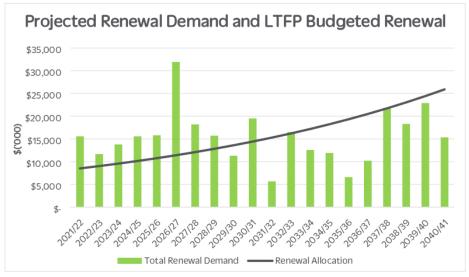


Figure 7-1 Projected Renewal Demand and LTFP Budgeted Renewal

Figure Values are in current (real) dollars and do not have CPI applied.

Outlined further in Council's *Asset Renewal Funding Strategy* are the pros and cons of this funding model and why it has been applied within the LTFP.

Using a smoothed allocation will lead to an asset renewal backlog, that over the 20 year planning period will be balanced out. The renewal demand and smooth allocation is assessed each year through modelling and by adding in the  $20^{th}$  year.

Table 7-1 shows the shortfall between projected renewal demand and budgeted renewal in the long term financial plan.

Table 7-1 Projected and LTFP Budgeted Renewals and Financing Shortfall

Financial Year	Projected Renewal Demand (\$'000)	LTFP Renewal Budget (\$'000)	Renewal Financing Shortfall (- gap, + surplus) (\$'000)	Cumulative Shortfall (- gap, + surplus) (\$'000)
2021-22	\$15,568	\$8,511	-\$7,056	-\$7,056
2022-23	\$11,664	\$9,025	-\$2,639	-\$9,695
2023-24	\$13,793	\$9,569	-\$4,224	-\$13,919
2024-25	\$15,573	\$10,147	-\$5,426	-\$19,345
2025-26	\$15,802	\$10,759	-\$5,043	-\$24,387
2026-27	\$31,945	\$11,408	-\$20,537	-\$44,925
2027-28	\$18,200	\$12,096	-\$6,104	-\$51,029
2028-29	\$15,715	\$12,826	-\$2,889	-\$53,917
2029-30	\$11,300	\$13,600	\$2,300	-\$51,617
2030-31	\$19,501	\$14,420	-\$5,081	-\$56,698
2031-32	\$5,662	\$15,290	\$9,629	-\$47,069
2032-33	\$16,507	\$16,213	-\$294	-\$47,363
2033-34	\$12,566	\$17,191	\$4,625	-\$42,738
2034-35	\$11,906	\$18,228	\$6,322	-\$36,416
2035-36	\$6,591	\$19,328	\$12,737	-\$23,679
2036-37	\$10,203	\$20,494	\$10,291	-\$13,388
2037-38	\$21,797	\$21,731	-\$67	-\$13,454
2038-39	\$18,312	\$23,042	\$4,730	-\$8,724
2039-40	\$22,897	\$24,432	\$1,535	-\$7,189
2040-41	\$15,351	\$25,906	\$10,554	\$3,365

 $Note: A negative shortfall \ indicated \ a \ financing \ gap; a positive \ shortfall \ indicates \ a \ surplus \ for \ that \ year.$ 

The above figures in Table 7-1 are in current (real) dollars and have not had CPI applied.

### 7.2 Funding Strategy

Funding for assets is provided from the budget and long term financial plan.

Refer to Surf Coast Shire Asset Renewal Funding Strategy for further details.

### 7.3 Key Assumptions Made in Financial Forecasts

Shown below are the key assumptions made in development of this Asset Plan.

Key assumptions made in this asset management plan are:

- Growth as forecast
- No significant changes in legislation
- Staffing needs are resourced adequately
- Forecasted on "today's" dollars

### 7.4 Forecast Reliability and Confidence

Each asset class is internally assessed and given a confidence rating as per Table 7-2. The assessments are used to better inform improvement areas and highlights improvement or development opportunities within asset classes and Council systems.

 ${\sf Table\,7-2\,Data\,Confidence\,Rating\,System}$ 

Confidence Grade	Description
A Highly reliable	Data based on sound records, procedures, investigations and analysis, documented properly and agreed as the best method of assessment. Dataset is complete and estimated to be accurate ± 2%
B Reliable	Data based on sound records, procedures, investigations and analysis, documented properly but has minor shortcomings, for example some of the data is old, some documentation is missing and/or reliance is placed on unconfirmed reports or some extrapolation. Dataset is complete and estimated to be accurate ±10%
C Uncertain	Data based on sound records, procedures, investigations and analysis which is incomplete or unsupported, or extrapolated from a limited sample for which grade A or B data are available. Dataset is substantially complete but up to 50% is extrapolated data and accuracy estimated ± 25%
D Very Uncertain	Data is based on unconfirmed verbal reports and/or cursory inspections and analysis. Dataset may not be fully complete and most data is estimated or extrapolated. Accuracy ± 40%

### 8 Plan Improvement and Monitoring

#### 8.1 Summary of Current and Desired State of AM Practices

#### 8.1.1.1 Accounting and Financial Data sources

Assets were previously managed using a variety of systems and excel spreadsheets. 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 a Financial Asset Register (CVR Register), linked to the Asset Management Database within the Civica Authority Asset Management module. All financial assets or CVR records have a corresponding asset in the Asset management database. 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.

#### 8.1.1.2 <u>Asset register</u>

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.

#### 8.1.1.3 <u>Linkage from asset management to financial system</u>

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.

#### 8.1.1.4 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.

#### 8.1.1.5 <u>Asset Renewal Modelling</u>

Assets requiring renewal/replacement are identified through the Authority Strategic Asset Modelling module that links to the Authority Asset Module and utilises IPWEA degradation curves to estimate intervention years based upon project asset condition.

#### 8.1.1.6 Fleet Management System

Throughout 19/20 and 20/21 Council transitioned to a new fleet system, Ausfleet. This system better integrates with the existing asset and finance system whilst providing greater useability for staff and report metrics for the fleet team.

### 8.2 Improvement Plan

The asset management improvement plan generated from this asset plan is shown in Table 8-1. Table 8-1 improvement Plan

Task No	Task	Responsibility	Resources Required	Timeline
1	Maintain and refine condition data	Strategic Assets	Strategic Asset Manager and Asset Management Analyst	Ongoing
2	Monitor funding performance	Strategic Assets	Strategic Asset Manager and Asset Management Analyst	Ongoing
3	Reduce renewal backlog, by various means:     Sustainable longer life materials     Rationalisation of utilisation of assets     Review of service levels	Strategic Assets	Strategic Asset Manager and Asset Management Analyst	Ongoing through annual review
4	Review asset rationalisation, decommissioning, stand provision and service levels	Strategic Assets	Strategic Asset Manager and Asset Management Analyst	EOFY 2022/23

## 8.3 Monitoring and Review Procedures

This Asset Plan will be reviewed by the end of the financial in which a Council Election is complete as per the LGA. The next review is proposed to undertaken by July 2024.

### 9 References

- IPWEA, 2015, 3rd edn., 'International Infrastructure Management Manual', Institute of Public Works Engineering Australasia, Sydney, www.ipwea.org/IIMM
- IPWEA, Concise and Comprehensive Asset Management Plan Templates, Institute of Public works Engineering Australasia
- Risk Management Process, ISO 31000 Risk Management Principles and Guidelines on Implementation.
- SA/SNZ HB 436:2013 Risk management guidelines Companion to AS/NZS ISO 31000:2009
- HB 158-2010 Delivering assurance based on ISO 31000:2009 Risk management Principles and guidelines
- IEC/ISO 31010 Risk management Risk assessment techniques HB 327:2010 Communicating and consulting about risk
- Victorian Government Risk Management Framework
- VMIA Risk Management Developing and Implementing a Risk Management Framework
- Surf Coast Shire Risk Management Policy SCS-021
- Surf Coast Shire Management Policy and Procedure: MPP-001 Asset Accounting
- Surf Coast Shire Audit and Risk Committee Charter TRIM D16/102794
- Economic and population profiles Surf Coast Shire website: https://www.surfcoast.vic.gov.au/Community/Businesses/Economic-and-population-profiles;
- Surf Coast Shire Asset Renewal Funding Strategy
- 'Shire Coast Shire Council Plan 2021 2025', and
- 'Shire Coast Shire Annual Report 2020-2021'.

# 6.2 Cultural Facility and Library Project Update

Author's Title: Manager Community Relations General Manager: Chris Pike Department: File No: F20/647 Community Relations Division: Culture & Community Trim No: IC21/1487 Appendix: 1. Cultural Facility and Library Two Stage Option - September 2021 Council Report (D21/125583) Officer Conflict of Interest: Status: In accordance with Local Government Act 2020 -Defined as confidential information in accordance with Local Government Act 2020, Section 3(1): Section 130: Yes Yes Reason: Nil Reason: Nil

# **Purpose**

The purpose of this report is to consider a two stage approach to deliver the Cultural Facility and Library project and to consider submitting a funding application to the state government's Growing Suburbs Fund 2021-22, the Living Libraries Infrastructure Program 2021-22 and consider accessing the federal government's Local Roads and Community Infrastructure Phase 3 for this project.

# Summary

The Surf Coast Shire needs an expanded library. Council has a commitment and funding allocated to do this via the Torquay Jan Juc Development Contributions Plan (DCP). The current library space and design does not meet the needs of current and future populations.

Council has identified through numerous studies that Surf Coast Shire is undersupplied for arts and cultural facilities to cater for the needs of current and future populations. The most recent study on this topic received by Council in 2020 determined that a four in one facility comprising a new Library, Arts Facility, Australian National Surfing Museum (ANSM) and Visitor Information Centre (VIC) should be located at 77 Beach Road Torquay – the site of the current ANSM, VIC and former Sport and Recreation Centre. The ANSM needs to be redeveloped to effectively showcase an internationally significant surfing collection.

The early findings of a current planning project to develop a concept and business case for this new facility estimates that a building of this scope and scale is likely to cost more than \$50 million. This cost estimate means delivering such a project is unlikely or perhaps unattainable in the current funding environment. For this reason, the investigative work done to date concludes that retaining the vision of a four in one facility and delivering it in two stages is the preferred and most achievable option. Stage 1 would include delivery of the new Library, ANSM and VIC which is estimated at \$33 million with an expected deliver date of 2024. Stage 2 would deliver the Arts Facility later and is estimated to cost \$21 million with an expected delivery date of 2030.

Council has \$6.9 million allocated in the DCP and can access just over \$1.16 million in renewal funds by 2024 set aside to renew existing buildings to help fund the new Cultural Facility and Library. Additional funding needs to be secured to progress and eventually construct the project.

Two major state government funding programs are now open – the Growing Suburbs Fund and the Living Libraries Infrastructure Program. The Growing Suburbs fund has a maximum grant amount of \$7.5 million and the Living Libraries Infrastructure Program has a maximum grant amount of \$1.5 million. Council has an opportunity to attract significant funding to help deliver this much needed facility by applying to these funds.

Council has received confirmation that it will receive an additional funding allocation of \$2.1 million in 2022 through Phase 3 of the federal government's Local Roads and Community Infrastructure Program. This program supports local councils to deliver local road and community infrastructure projects, supporting jobs and the resilience of local economies and communities. Council can allocate \$1.4 million of this funding to expand the fit out of the Multi Arts Centre which currently occupies the former Sport and Recreation Centre. This would extend the life of this facility until the new Stage 2 is delivered.

# 6.2 Cultural Facility and Library Project Update

#### Recommendation

That Council:

- 1. Endorses a staged approach to deliver the Cultural Facility and Library project with Stage 1 delivering the new Library, Australian National Suring Museum, Visitor Information Centre and Ancillary Facilities expected in 2024, and Stage 2 delivering the Visual and Performing Arts Facilities expected in 2030.
- 2. Notes Stage 1 is estimated to cost \$33 million requiring external funding of up to \$25 million.
- 3. Notes the opportunity to submit an application to the Victorian Government's Growing Suburbs Fund 2021-22, with an upper limit of \$7.5 million.
- 4. Notes the opportunity to submit an application to the Victorian Government's Living Libraries Infrastructure Program 2021-22, with an upper limit of \$1.5 million.
- 5. Authorises the Chief Executive Officer to submit the following application to the Victorian Government's current Growing Suburbs Fund (GSF) Round:
  - 5.1 Cultural Facility and Library Project Stage 1 Total Project Cost \$33 million, Growing Suburbs Fund \$7.5 million, Council contribution \$7.56 million
- 6. Authorises the Chief Executive Officer to submit the following application to the Victorian Government's Current Living Libraries Infrastructure Program Round:
  - 6.1 Cultural Facility and Library Project Stage 1 Total Project Cost \$33 million, Living Libraries Infrastructure Program \$1.5 million, Council contribution \$500,000.
- 7. Authorises the Chief Executive Officer to execute the Growing Suburbs Fund Round funding agreement on behalf of Council should the application be successful.
- 8. Authorises the Chief Executive Officer to execute the Living Libraries Infrastructure Program funding agreement on behalf of Council should the application be successful.
- 9. Notes should Council be successful in securing \$9 million via these funding programs, approximately \$16 million of additional funding will be required in order for this project to proceed.
- 10. Authorises the Chief Executive Officer to submit a project nomination to the 2022 Local Roads and Community Infrastructure Program Phase 3 for \$1.4 million to be allocated to the interim refurbishment out of the current performing and visual arts facility, known as the Multi Arts Facility (MAC).
- 11. Authorises the Chief Executive Officer to execute the Local Roads and Community Infrastructure Program Phase 3 funding agreement on behalf of Council should the project nomination be successful.
- 12. Notes that further advice on the project(s) to be funded from the remaining LRCIP Phase 3 funding will be the subject of a future report to Council.
- 13. Notes that a future report will be provided to Council with a final Cultural Facility and Library building concept and business case when the current planning project is complete.

# Council Resolution MOVED Cr Paul Barker, Seconded Cr Liz Pattison

#### That Council:

- 1. Endorses a staged approach to deliver the Cultural Facility and Library project with Stage 1 delivering the new Library, Australian National Suring Museum, Visitor Information Centre and Ancillary Facilities expected in 2024, and Stage 2 delivering the Visual and Performing Arts Facilities expected in 2030.
- 2. Notes Stage 1 is estimated to cost \$33 million requiring external funding of up to \$25 million.
- 3. Notes the opportunity to submit an application to the Victorian Government's Growing Suburbs Fund 2021-22, with an upper limit of \$7.5 million.
- 4. Notes the opportunity to submit an application to the Victorian Government's Living Libraries Infrastructure Program 2021-22, with an upper limit of \$1.5 million.
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- 8. Authorises the Chief Executive Officer to execute the Living Libraries Infrastructure Program funding agreement on behalf of Council should the application be successful.
- 9. Notes should Council be successful in securing \$9 million via these funding programs, approximately \$16 million of additional funding will be required in order for this project to proceed.
- 10. Authorises the Chief Executive Officer to submit a project nomination to the 2022 Local Roads and Community Infrastructure Program Phase 3 for \$1.4 million to be allocated to the interim refurbishment out of the current performing and visual arts facility, known as the Multi Arts Facility (MAC).
- 11. Authorises the Chief Executive Officer to execute the Local Roads and Community Infrastructure Program Phase 3 funding agreement on behalf of Council should the project nomination be successful.
- 12. Notes that further advice on the project(s) to be funded from the remaining LRCIP Phase 3 funding will be the subject of a future report to Council.
- 13. Notes that a future report will be provided to Council with a final Cultural Facility and Library building concept and business case when the current planning project is complete.

CARRIED 9:0

#### Voting

Voted on as follows:

Cr Wellington

For Against Nil Nil
Cr Allen Nil Nil
Cr Barker
Cr Bodsworth
Cr Gazzard
Cr Hodge
Cr Pattison
Cr Schonfelder
Cr Stapleton

CARRIED 9:0

# 6.2 Cultural Facility and Library Project Update

#### Report

# Officer Direct or Indirect Interest

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

#### **Background**

The Torquay Jan Juc Development Contribution Plan was adopted by Council in 2011, gazetted in August 2013 and reviewed in 2019. The Development Contributions Plan (DCP) system in Victoria is designed to ensure new development makes a contribution to new infrastructure required for the new community. Companies and new residents contribute levies to fund new infrastructure such as traffic signals, kindergartens, libraries and sporting fields. DCP contributions are designed to be contributions only and not full cost recovery. The remainder of the costs of the infrastructure in the DCP are covered by state or federal grants or Council revenue.

An expanded library is the only major remaining community facility still to be delivered through the DCP. Through the collection of levies and Council's own contribution, \$6.57 million is available to fund the library.

Council conducted an Arts Space Feasibility Study in 2015 which was received at the July 2015 Council meeting. A Theatre Feasibility Study followed in 2018 which was received at the November 2018 Council meeting. Most recently a broader Cultural Facility Feasibility Study - location and scope - was conducted in 2020 which was received at the July 2020 Council meeting. The 2015 study found that the (now former) Surf Coast Sport and Recreation Centre to be the most appropriate site for the development of new, municipal level arts space. The 2018 study built on the findings from 2015 and refined the concept into 2/3 performing art space and 1/3 visual art space in the sports court with a basic cost to fit out the building estimated at just under \$2 million. The 2020 planning work looked more broadly at cultural infrastructure and found that integrating a four in one cultural facility (Library, Arts, ANSM and VIC) at 77 Beach Road Torquay is the facility that Council should pursue. Council determined this preferred location and scope in July 2020.

The local arts community has actively engaged with Council throughout this planning work and during annual budget processes advocating for a dedicated art space. In 2019, Council determined that the (now former) Surf Coast Sport and Recreation Centre be used as a community-led arts facility when the building is no longer required for sport and recreation purposes. A Multi Arts Centre incorporated association formed during 2020 and the lease for the Multi Arts Centre (The MAC) commenced with Council in March 2021. Council received confirmation from the state government in late 2020 that \$240,000 is committed to the MAC fit out to go with \$60,000 of Council's contribution. This fit out will deliver gallery and theatre lighting, raked seating, dividing acoustic curtain, gallery hanging spaces and furniture.

Council allocated \$180,000 the current planning study to develop a building concept and business case in the 2020-21 budget. This project is well underway and its findings provide much of the guidance and recommendations in this report.

#### **Discussion**

# The Current and Future Need

The current Surf Coast Shire library in Torquay needs to be expanded to meet the current and future population needs. An expanded library is a contractual obligation that Council must deliver in its Torquay Jan Juc DCP. The current Surf Coast Shire library is 380m2 which is well below the population based spatial benchmark of 1,600m2 required for the projected 2036 population. Contemporary libraries are places for meeting, sharing ideas and knowledge, accessing technology and fostering creativity. The current building can't deliver these benefits.

Findings of previous Council planning work shows that Surf Coast Shire and Torquay in particular, is undersupplied for cultural infrastructure. The other key drivers for exploring a new Cultural Facility and Library includes a growing population including more families and older adults and the opportunity to better co-locate a number of facilities and services to better deliver community benefits.

Since its creation in 1993 the ANSM has not received any major upgrades. As such, the ANSM experience has diminished and does not reflect the significance of the facility as an international destination. Its ability to communicate the significance of objects in an interactive way is also constrained due to a lack of technology. In addition, the size and storage of the museum is not adequate and is unable to properly store and preserve

# 6.2 Cultural Facility and Library Project Update

all artefacts on site. Likewise, the nature of visitor information services has changed and there is a need to provide a more contemporary service model for visitors.

# The Benefits of the Four in One Cultural Facility

An entire new, four in one redeveloped cultural facility and library delivers the most benefits of four models and seven sites assessed in 2020. It is the preferred option as it maximises community benefits, is seen as the best value capital investment and delivers an operating result that can be accommodated in Council's Long Term Financial Plan.

This four in one model has the opportunity to enhance the entire precinct and deliver benefits to other facilities, businesses and community groups. Key reasons this was found to be the preferred option include:

- Good proximity to public transport and passing traffic.
- Provides opportunity to enhance the look and offerings in the Surf City precinct.
- Provides strong complimentary co-located cultural facilities.
- Zoning supporting of usage.
- · Council-owned site.
- Potential to generate higher library visitation and use due to critical mass of facilities.
- Economies of scale for integrated facility with combined reception area, public toilets, meeting rooms, storage facilities, staff room and amenities.
- Will encourage far greater average length of stay in precinct and offers more attractive all-weather visitor experiences.
- Can generate stronger visitor spend.
- Will allow for better visitor flow management with the four main building elements linked and integrated.

#### The Estimated Costs

While the benefits of this four in one model are exciting, an ambitious project such as this comes at a significant capital cost. The current planning work occurring to develop a concept and business case has estimated a building of this scope and size will cost in excess of \$50 million to build. This is more expensive than the capital cost estimates identified in 2020 as the earlier study did not include an actual concept. The more detailed investigation that is now being undertaken includes quantity surveyor expertise and is providing a higher level of detail and more accurate, albeit much higher, cost estimates.

There are some differences between the costs in the 2020 study and the current concept and business case development. Much of this is based on the community engagement done for the current study. The 2020 study investigated a 150 seat theatre however the engagement in this study showed a preference for a 250 seat theatre. The current investigation has identified benefits for this larger facility based on the type of performances it can accommodate. Other factors influencing the higher costs include escalations in the market which has been quite marked in the two years of the COVID 19 pandemic. The current study is proposing an expansion for the ANSM compared to the previous study. This help it deliver a better experience and drive higher visitation. The current concept development is proposing a forecourt and connections around the building to better integrate the site. This will require external work presents some increased costs.

The work currently underway in the Cultural Facility and Library Concept and Business Case development will refine the final costs and wherever possible, scope will be modified to reduce costs.

The operating and asset renewal cost modelling done to date is at a very preliminary level. Findings so far estimated this facility adds approximately \$550,000 per annum to Council's recurrent costs while Stage 1 buildings are in place. This is consistent with the 2020 location and scope study. There is provision for \$700,000 per annum in Council's long term financial projections.

#### The Staged Approach

Delivering the project in two stages retains the overall vision of a four in one cultural facility. This staged approach enhances The MAC community art space for a number of years and delivers a new Library, ANSM and VIC in Stage 1. It is anticipated Stage 1 can be delivered by approximately 2024 subject to attracting funding. This proposed approach will enhance the MAC in 2022-23 and retain this building as a dedicated performing and visual arts facility until Stage 2 (Full purpose built new Performing and Visual Arts Facility) is delivered by approximately 2030.

# 6.2 Cultural Facility and Library Project Update

In Stage 1, the new library will expand to approximately 1,500m2 compared to the current 380m2 in the existing library. It will display the collection as well as provide modern spaces for meeting, sharing ideas and knowledge, accessing technology and fostering creativity. The ANSM will expand to approximately 800m2 from the current space which is just above 500m2. It will include temperature controlled settings, storage spaces, a theatrette and a flexible temporary exhibition space. The VIC will be integrated in to the shared foyer spaces in a location that greets guests as they enter. All of these facilities will be serviced by shared amenities and will have access to meeting and makers spaces. Stage 1 also includes a rehearsal / function space.

Stage 2 will deliver a purpose built 250 seat theatre, dressing rooms, green room as well as a fitted out gallery and artists in residence space.

This staged approach provides the project with the best opportunity to be delivered with a more modest initial capital cost than delivering the entire project in one go. The current capital cost estimate for Stage 1 is \$33 million and Council's \$8.06 million contribution means a great deal of investment is required from other levels of government to complete this project. Given the estimated capital costs, Council's \$8.06 million needs to leverage the maximum amount possible.

The intention of the staged approach is that the MAC remains as a community-led facility until Stage 2 is delivered. Council may wish to reconsider at some time in the future while Stage 1 is in place if the arts facility could benefit from Council oversight in managing the facility. Upon delivery of stage 2, the performing and visual arts sections of the building are then managed by Council. These significant interim improvements can help deliver the performing and visual arts facility at a high standard for many years. This approach can help mitigate the risk of not being able to attract funding for the second stage or that the time assumption is not met and stage 2 is delivered beyond 2030.

A visual representation of the staged approach is included as appendix 1.

Other delivery approaches that were explored but are not preferred include:

Delivery approach	Reason it is not preferred		
One Stage Approach - Four in one development in one stage at 77 Beach Rd (\$50M+)	Financially unrealistic and therefore would not deliver an outcome in the foreseeable future.		
Three staged approach  1a. Build new Library.  1b. Refurb of existing VIC, ANSM, MAC.  2. Build New Arts Facility	<ul> <li>Likely to only deliver modest visitor growth for ANSM and VIC.</li> <li>Is not great value. Cost is estimated at 90% of total new build.</li> <li>Does not deliver climate controlled conditions and environmental sustainability requirements for museums.</li> <li>Loss of Council's leverage funding for stage 1b and 2.</li> </ul>		
Library Only – 77 beach road Torquay. 2020 cost estimates, no concept - \$14 - 21M	<ul> <li>Leaves existing ANSM, VIC and MAC in place which are not maximising benefits for each building or the overall site.</li> <li>Limited site profile / visibility.</li> <li>Ongoing maintenance and depreciation costs associated with Museum, VIC and MAC with no leverage funding for these components.</li> </ul>		
Public private partnership (PPP) or other commercial partnership at 77 Beach Rd.	<ul> <li>Not considered a viable PPP as there is no direct revenue generating opportunity for commercial partner.</li> <li>Commercial partner not able to generate an adequate return. E.g. not able to lease out multiple stories above ground floor due to height constraints.</li> </ul>		
Town Centre Library Only 2 – 4 Walker St Car Park (\$19M – \$28M approx. based on 2020 feasibility work which is likely to be underestimated)	<ul> <li>Site constraints and added \$ for underground parking</li> <li>Leaves ANSM, VIC and MAC in sub-optimal condition</li> <li>Misses the opportunities and benefits of integration</li> <li>Higher operating costs than Two Staged Option based on 2020 study figures</li> </ul>		

# 6.2 Cultural Facility and Library Project Update

Delivery approach	Reason it is not preferred		
Library Only at Civic Precinct (No cost modelling done to date)	<ul> <li>Assessed in 2020 as a less than optimal site in the earlier feasibility study due to:         <ul> <li>Access to site for older adults rated as low.</li> <li>Low connection to commercial spaces resulting in limited visitation uplift and little benefit to businesses.</li> <li>Two of the three land parcels assessed at this precinct provide limited parking.</li> </ul> </li> </ul>		

# The Funding Opportunities

Given the high capital cost for this project, Council must maximise every major funding opportunity available to generate the funds required to deliver it. The state and federal elections will both be held before November 2022. This presented an important opportunity for Council to seek further funding partnerships with other levels of government for this project.

# Growing Suburbs Fund 2021-22

The Victorian Government recently announced a further \$50 million as the third round of the Growing Suburbs Fund (GSF). The GSF is open to Victoria's ten interface and six peri-urban councils. Surf Coast Shire Council is a peri-urban council.

According to the state government, the GSF is positioned to quickly respond to the pressures being experienced by interface and peri-urban communities by fast-tracking high priority projects that support more resilient and liveable neighbourhoods and improved capacity for councils to respond to changing community needs and demands.

The funding ratio for projects is not set, however a notional program wide (not project specific) funding leverage of \$1 for \$1 is in place. The maximum amount a council can apply for is \$7.5 million and there is no limit to the number of applications a Council can submit.

The fund will prioritise "shovel-ready" projects that will have immediate economic and social impact. Grants will be targeted towards high priority community infrastructure projects that contribute to:

- the social and economic recovery of communities and groups impacted by coronavirus (COVID-19)
- the needs of rapidly growing communities
- local employment creation in both the construction phase and the ongoing operation
- improved local economic conditions in interface and peri-urban communities
- improved capacity for councils to respond to changing community needs and demands
- the delivery of innovative models of integrated/shared community infrastructure

Applications will be assessed on the following assessment criteria:

- Why? 25%
- Who? 25%
- What? 20%
- How? 20%
- The extent of council and community support for the project 10%

The table below provides a brief overview of the required Growing Suburbs Fund timelines:

Applications Open	1 September 2021	
Applications Close	13 October 2021	
Assessment and decision making	October/November 2021	
Announcements From	December 2021	
Funding Agreements executed	By February 2022	
Construction Commencement	Within 18 months of the funding announcement	
Construction Complete	Within 24 months of commencement	

# 6.2 Cultural Facility and Library Project Update

#### Living Libraries Infrastructure Program 2021-22

The 2021-22 round of the Living Libraries Infrastructure Program (LLIP) is a \$10.1 million funding round which will enable councils and regional library corporations to deliver new or renewed library infrastructure for their communities.

The program aims to enable councils to continue to provide library facilities that meet the needs of communities and, in doing so, support the role of libraries in strengthening communities and encouraging opportunities for community participation.

Funding is provided to support projects that deliver and demonstrate benefits for the community and/or aim to improve engagement and access to learning opportunities. To achieve this, projects must:

- be accessible and meet appropriate standards for people of all abilities
- demonstrate how the project contributes to local employment creation in both the construction phase (if applicable) and the ongoing operation
- demonstrate flexibility in meeting the long- term needs of the community
- incorporate principles of environmental sustainability design, such as the use of recycled/renewable materials, and improved energy and water efficiency

The funding ratio for the project is state government \$3 to local government \$1 for regional and rural councils such as Surf Coast Shire Council.

Applications will be assessed on the following assessment criteria:

- Why? 30%
- Who? 30%
- What? 25%
- How? 15%

The table below provides a brief overview of the required Living Libraries Infrastructure Program timelines:

Applications Open	1 September 2021	
Applications Close	13 October 2021	
Assessment and decision making October/November 2021		
Announcements From	December 2021	
Funding Agreements executed	By February 2022	
Construction Commencement	Within 18 months of the funding announcement	
Construction Complete	Within 36 months of commencement	

# <u>Local Roads and Community Infrastructure Program – Phase 3</u>

On 19 May 2021 the federal Department of Infrastructure, Transport, Regional Development and Communications announced Phase 3 of the LRCI program. The program aims to support local councils to deliver priority local road and community infrastructure projects across Australia, supporting jobs and the resilience of local economies to help communities bounce back from the COVID-19 pandemic.

Funding allocations for the LRCI Program have been calculated by taking into consideration road length and population and is based on recommendations of Local Government Grants Commissions. This method is similar to the one used for other funding streams - the Roads to Recovery Program and the road component of the Financial Assistance Grants.

All local councils in Australia have been identified as 'eligible funding recipients' as the intention is to fund local communities directly. By providing funding to the level of government closest to communities, the federal government can ensure that the economic boost is felt throughout every community across Australia. Further, by allowing councils to select projects to be undertaken (within a specified framework), local governments will be able to deliver projects in line with priorities at the local level.

# Eligible projects include:

• Local road projects that involve the construction or maintenance of roads managed by local governments.

# 6.2 Cultural Facility and Library Project Update

Community infrastructure projects that involve the construction, maintenance and/or improvements
to council-owned or managed assets (including natural assets) that are generally accessible to the
public.

Surf Coast Shire's Phase 3 funding allocation will be \$2.1 million. The Phase 3 guidelines are yet to be released however Council has received notification confirming of our allocation amount and that funding will be available from 1 January 2022, with construction due to be completed by 30 June 2023.

Officers have assessed projects in Council's Social Infrastructure Pipeline and Roads Renewal Program that meet the LRCI guidelines and this assessment concludes that the Cultural Facility and Library should be nominated for funding. This approach brings the benefit of including one major project which helps with project delivery capacity which is tested if a high number of smaller value projects are selected.

#### Other Projects Considered

Officers have engaged with GSF program representatives regarding a number of potential projects across the Shire including the Torquay Town Centre and Library and Cultural Facility. Due to the nature and current preliminary stage of the Torquay Town Centre, it is considered better placed for an application to a potential next round or may be suitable for an alternate funding program.

Once the Local Roads and Community Infrastructure guidelines are released, officers will present a report to Council summarising potential project nominations and seek approval to allocate remaining funds from this program.

# Council Plan

Theme 3 Balancing Growth

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

Strategy 3.2.6 Advocate for supporting infrastructure

Theme 1 Community Wellbeing

Objective 1.2 Support people to be healthy and active

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

# Reporting and Compliance Statements:

Local Government Act 2020 – LGA 2020

Implications	Applicable to this Report
Governance Principles	No
(Consideration of the Governance Principles under s.9 of LGA 2020)	
Policy/Relevant Law	No
(Consideration of the Governance Principles under s.9 of LGA 2020)	
Environmental/Sustainability Implications	Yes
(Consideration of the Governance Principles under s.9 of LGA 2020)	
Community Engagement	Yes
(Consideration of Community Engagement Principles under s.56 LGA 2020	
and Council's Community Engagement Policy SCS-017)	
Public Transparency	Yes
(Consideration of Public Transparency Principles under s.58 of LGA 2020)	
Strategies and Plans	Yes
(Consideration of Strategic Planning Principles under s.89 of LGA 2020)	
Financial Management	Yes
(Consideration of Financial Management Principles under s.101 of LGA	
2020)	
Service Performance	Yes
(Consideration of Service Performance Principles under s.106 of LGA 2020)	

# 6.2 Cultural Facility and Library Project Update

Risk Assessment	Yes
Communication	Yes
Human Rights Charter	No

## **Environmental/Sustainability Implications**

The environmental sustainability implications of this topic will be considered in the design of the project which will need to include building sustainability features to meet Council's goal to address the climate emergency.

# **Community Engagement**

Officers and consultants have engaged with stakeholders earlier in 2021 about their aspirations for this project. Key stakeholders have included: arts groups; Traditional Owners, artists, Geelong Regional Library Corporation staff; current facility users; business and tourism groups; arts organisations in the region.

This input gained to date has informed the proposed staged approach which retains the four in one facility vision which gained support through the engagement. Officers have tested this staged concept with key stakeholder groups in September 2021 including arts groups, business owners, Traditional Owners and regional arts organisations. The majority of stakeholders engaged at this time were positive or very positive about the staged approach and the concept of attracting funding for the project. A small number of people noted this may impact on access times to the enhanced arts facility during construction.

In accordance with Council's Community Engagement Policy SCS-017, the engagement level is **Involve** as shown below.

Engagement Level	Promise to the Community	Role of Community	Example of Activities
Involve	Council will work with you to	Participate in making	Face to face meetings
	ensure your concerns and	plans and decisions.	(when possible)
	aspirations are considered in		Online meetings
	the decision making.		Phone calls

#### **Public Transparency**

This report aligns to the principle of transparency in decision making by sharing an important decision milestone with the community. This report describes the proposal to deliver the project in two stages and the opportunity to submit significant funding applications which provides public transparency to these Council decisions.

# Strategies/Plans

The community was involved in the strategic planning process that identified a new library is required through the DCP. Community members provided input into previous cultural facility planning studies in 2015, 2018 and 2020 which has shaped the project and determined it is a priority for Council.

# **Financial Management**

Council has \$6.9 million allocated towards a new library in the current DCP. \$1.16 million of asset renewal funding can also be allocated to the project as this money is set aside to renew current buildings identified for removal to build Stage 1. This combined total of \$8.06 million is a significant Council contribution, however is well short of the total \$33 million required to deliver Stage 1. The staged approach is proposed as a full redevelopment in one project at \$50 million + is seen as too expensive and unachievable at this time.

This shortfall will need to be made up of funding from other sources and is the primary reason this report recommends applying to the Growing Suburbs Fund and the Living Libraries Infrastructure Program.

Preliminary modelling has occurred on the operating costs of the two staged approach. Early findings show that while Stage 1 facilities are in place, this adds approximately \$550,000 to Council's recurrent costs. This grows to approximately \$770,000 when stage 2 is built and being used. Council's 10 year long term financial plan allows for \$700,000 additional cost for operating and asset renewal of this facility.

# 6.2 Cultural Facility and Library Project Update

#### **Service Performance**

Geelong Regional Library Corporation (GRLC) delivers library services for Surf Coast Shire and four other councils in the G21 Region. GRLC is consistently rated by Public Libraries Victoria (PLV) as the state's top library service. PLV evaluate library services on 10 different performance indicators.

These indicators include the number of active library members, their customer satisfaction, and the turnover in both digital and physical items.

GRLC has consistently performed well across the categories. It was shown to have the third highest attendance at library programs per capita, the third highest number of public access devices per capita, and the fifth highest customer satisfaction rating.

The Torquay VIC plays a key role in the provision of information, encourages visitors to slow down their journey and experience more of the Surf Coast Shire and Great Ocean Road. It also performs an important accommodation referral function. The Torquay Visitor Centre is open 7 days a week. Prior to the commencement of COVID-19 restrictions it received between approximately 80,000 enquiries each year.

The ANSM is the largest and only accredited surfing museum in the world. Housing some of the most significant surfing artefacts and memorabilia in the country, if not the world, the ANSM tells stories of national significance. The ANSM is an international destination for visitors to the Surf Coast Shire and Great Ocean Road and typically attracts around 20,000 people each year. The ANSM is open 7 days a week.

#### **Risk Assessment**

This report identifies a number of risks and proposes an approach that balances the management of many of these risks. Significant financial investment is required from other levels of government to deliver this project. Given the amount of money Council has to contribute, the staged approach is preferred to make the project achievable and retain the vision of the four in one cultural facility.

These is a risk that people in the community would prefer to see the components in Stage 2 (visual arts and performing arts) delivered earlier. This risk is managed by providing further investment to the MAC facility and extending the life of this building which currently includes performing and visual art facilities. Officers have tested this risk with some stakeholders and so far most have been positive to the staged approach.

There are risks associated with submitting two significant funding applications with the project at such an early stage of planning. There is a chance that the applications are unsuccessful and officer time is spent for no direct immediate return. This risk is offset by the fact any work done now will be useful in future grant applications or advocacy efforts.

There is a risk that it may be difficult to deliver the project within the grant timelines. The timelines are quite generous however, Council needs to leverage more money to get to the stage where the project is viable and this may take time which impact delivery. Council can manage this risk by being clear and up front with funding bodies during application and provide open and regular communication should we be successful.

A potential and significant risks exists if Council does not apply for the money as proposed in this report. This may give the impression that we are not seriously pursuing relevant funding streams available. This approach may cause difficulties in the lead up to elections and elected representatives may question why funding applications have not been submitted to recent funding rounds. This risk is managed by submitting the applications.

There are no identified Workplace Health and Safety implications associated with this report.

# Communication

The proposed two stage approach and funding applications have been communicated to some key stakeholders directly in early / mid-September. Broader communication will occur following the Council meeting via local media and Council's communication channels.

# 6.2 Cultural Facility and Library Project Update

# **Options**

# Option 1 – As per the recommendation

This option is recommended by officers as the staged approach provides a better chance of delivering the project while retaining the vision and delivering the benefits of the four in one cultural facility. This approach can enhance and extend the life of the MAC facility. Applying for significant funding to the Growing Suburbs Fund and Living Libraries Infrastructure Program can help secure the money needed to deliver this project.

Option 2 – Attempt to deliver the four in one cultural facility in one go and submit applications to the Growing Suburbs Fund for \$7.5 million and the Living Libraries Infrastructure Program for \$1.5 million

This option is not recommended by officers as the estimated capital cost to deliver the project in one go is \$50 million + and makes it less likely to be achieved, if not unattainable, for the foreseeable future.

Option 3 – Confirm the project will be delivered in two stages but do not submit applications to the current rounds of the Growing Suburbs Fund or Living Libraries Fund.

This option is not recommended by officers as it does not seek the opportunity to attract \$9 million of external investment to the project. This significant funding is vital in making the project a reality.

Option 4 – Do not proceed with the two staged approach and reconsider the scope, cost and timing of the project.

This option is not recommended by officers as Council has a commitment to deliver a new library in the Torquay Jan Juc DCP and the current library is not big enough nor does it provide the experiences for current and future population sizes. This option would not pursue and deliver the benefits of an upgraded library, ANSM, VIC and Arts Facility and several Council studies have demonstrated the need for these facilities to improve.

#### Conclusion

The Cultural Facility and Library is Council's largest unfunded infrastructure project. The staged approach to deliver it retains the vision and benefits of a four in one cultural facility. This approach improves the chances of it being completed as it provides a more realistic investment pathway over time to fund and deliver the two stages.

Applying for significant funding now is wise as it signals the request to other levels of government and builds on the planning work done to date. This approach is useful in advocacy efforts in the lead up to two elections in the coming months. Work done on grant applications will be useful later on even if success proves elusive for these funding rounds.

# 6.2 Cultural Facility and Library Project Update

# APPENDIX 1 CULTURAL FACILITY AND LIBRARY TWO STAGE OPTION - SEPTEMBER 2021 COUNCIL REPORT

# **Existing Site Conditions**



STUDY AREA

--- INVESTIGATION AREA

FOCUS AREA

---- EASEMENT

COMMON PROPERTY

COUNCIL OWNED SITE

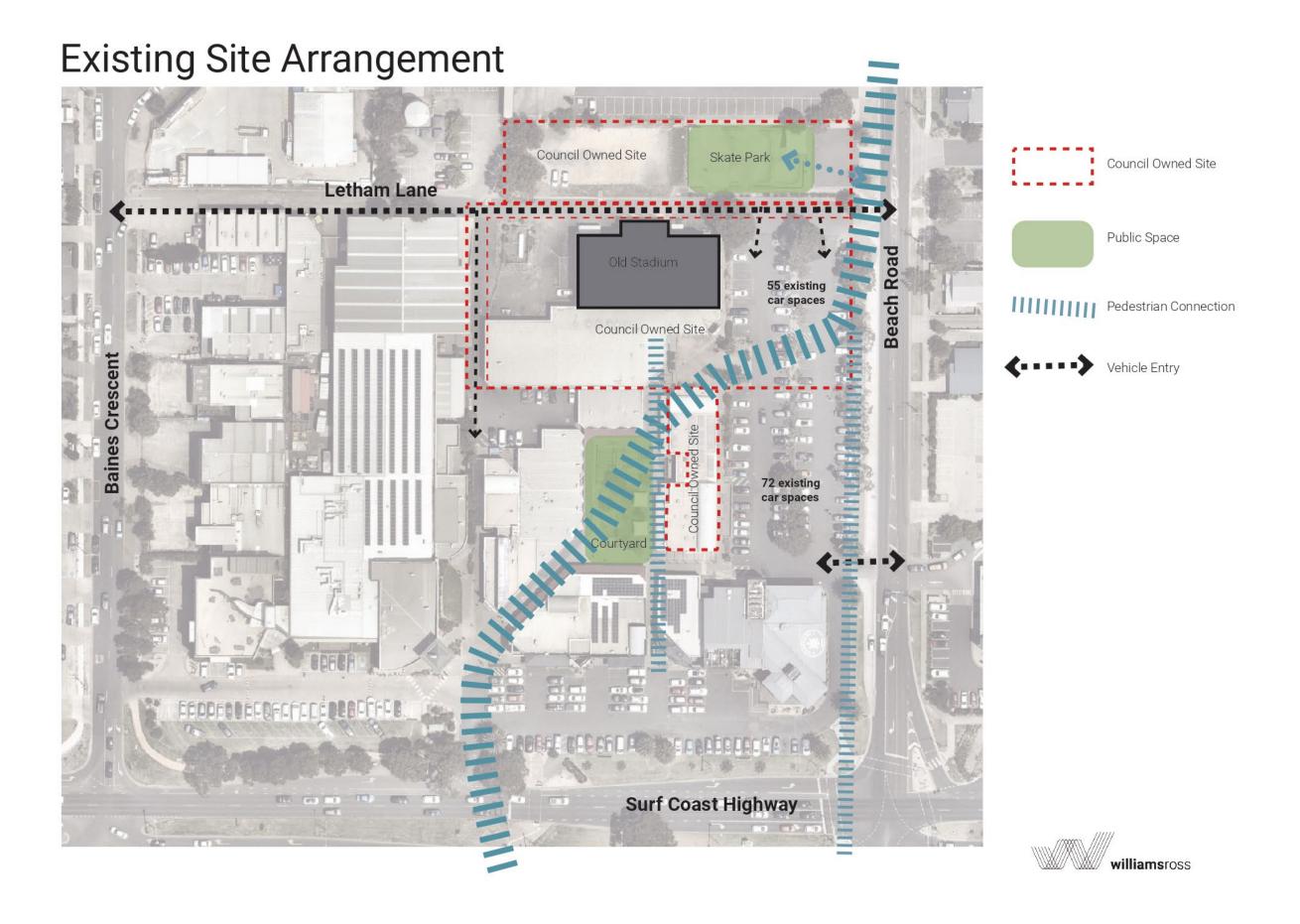
MAJOR LANDOWNERS

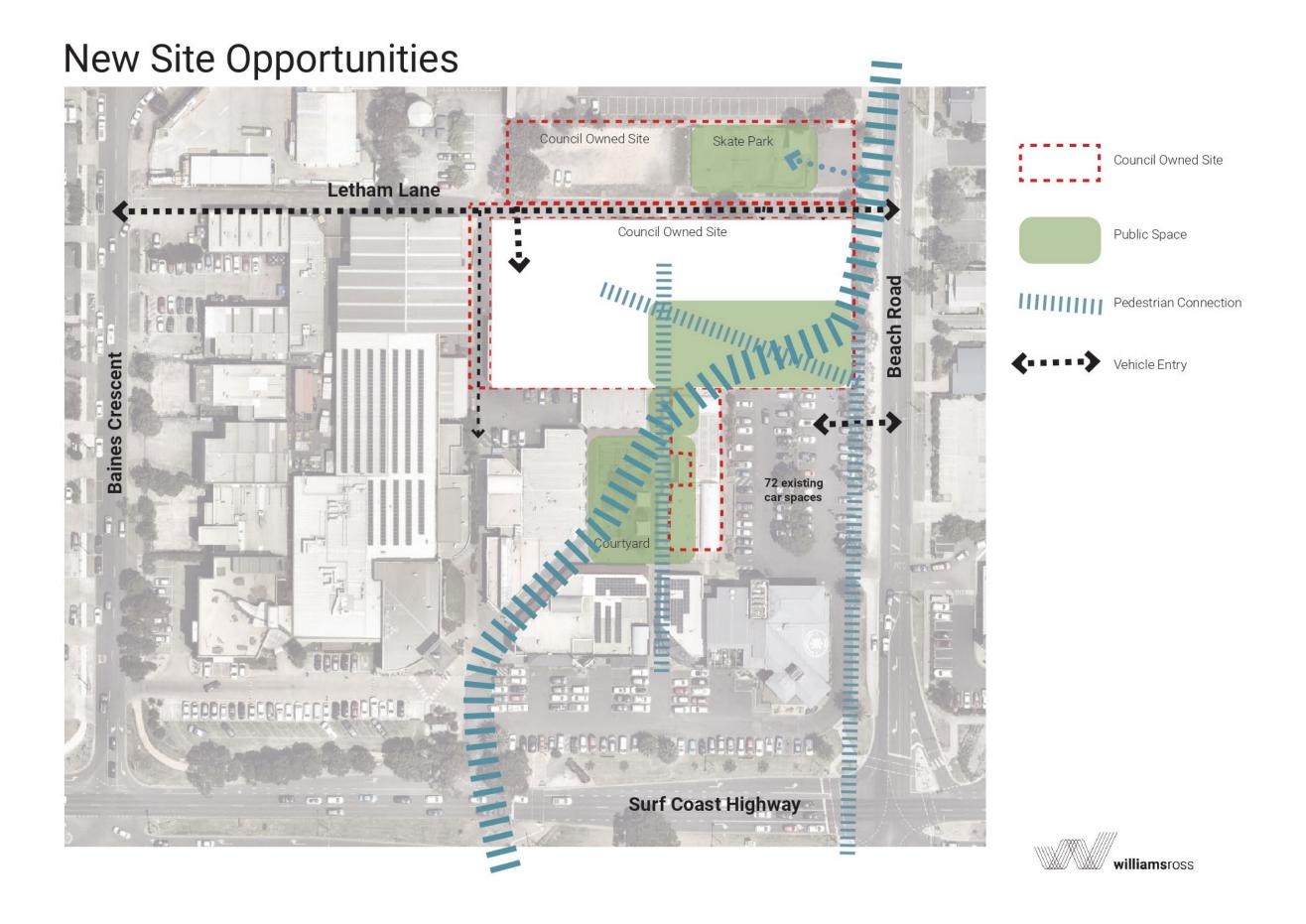
79 BEACH ROAD (SKATE PARK/GRAVEL CAR PARK)

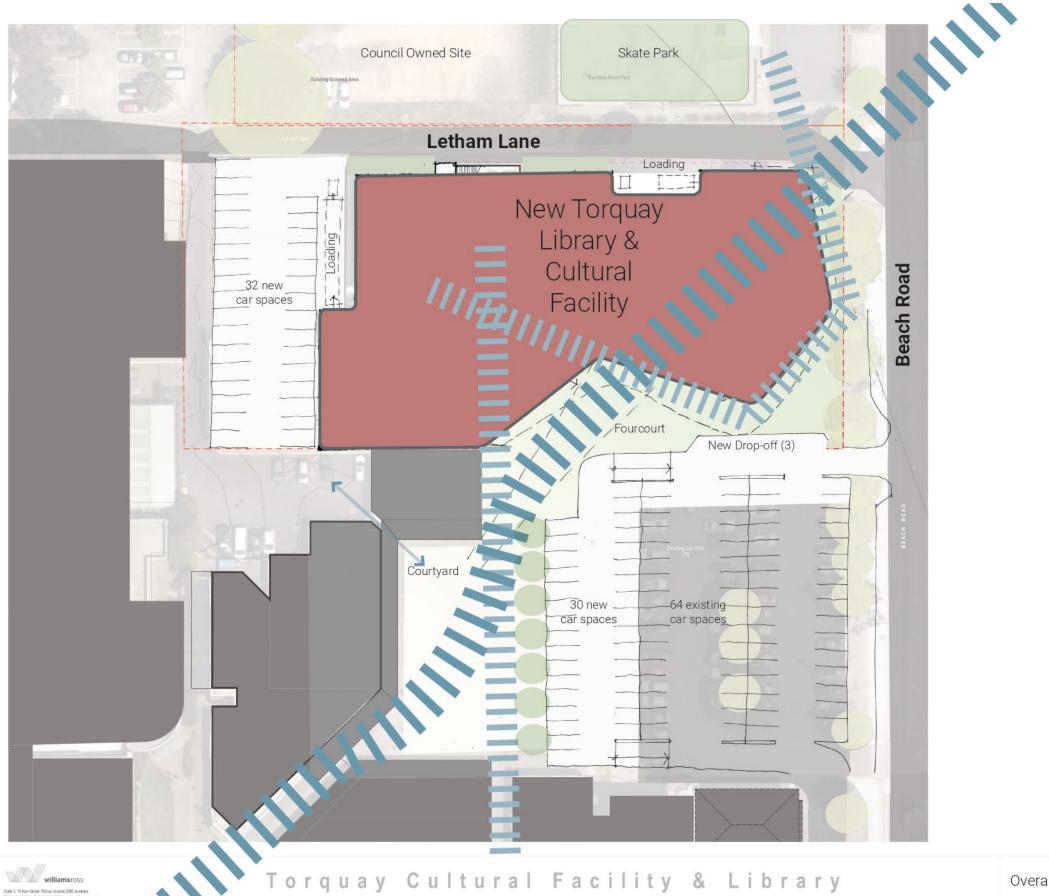
77 BEACH ROAD (REC CENTRE/ SURF COAST MUSEUM)

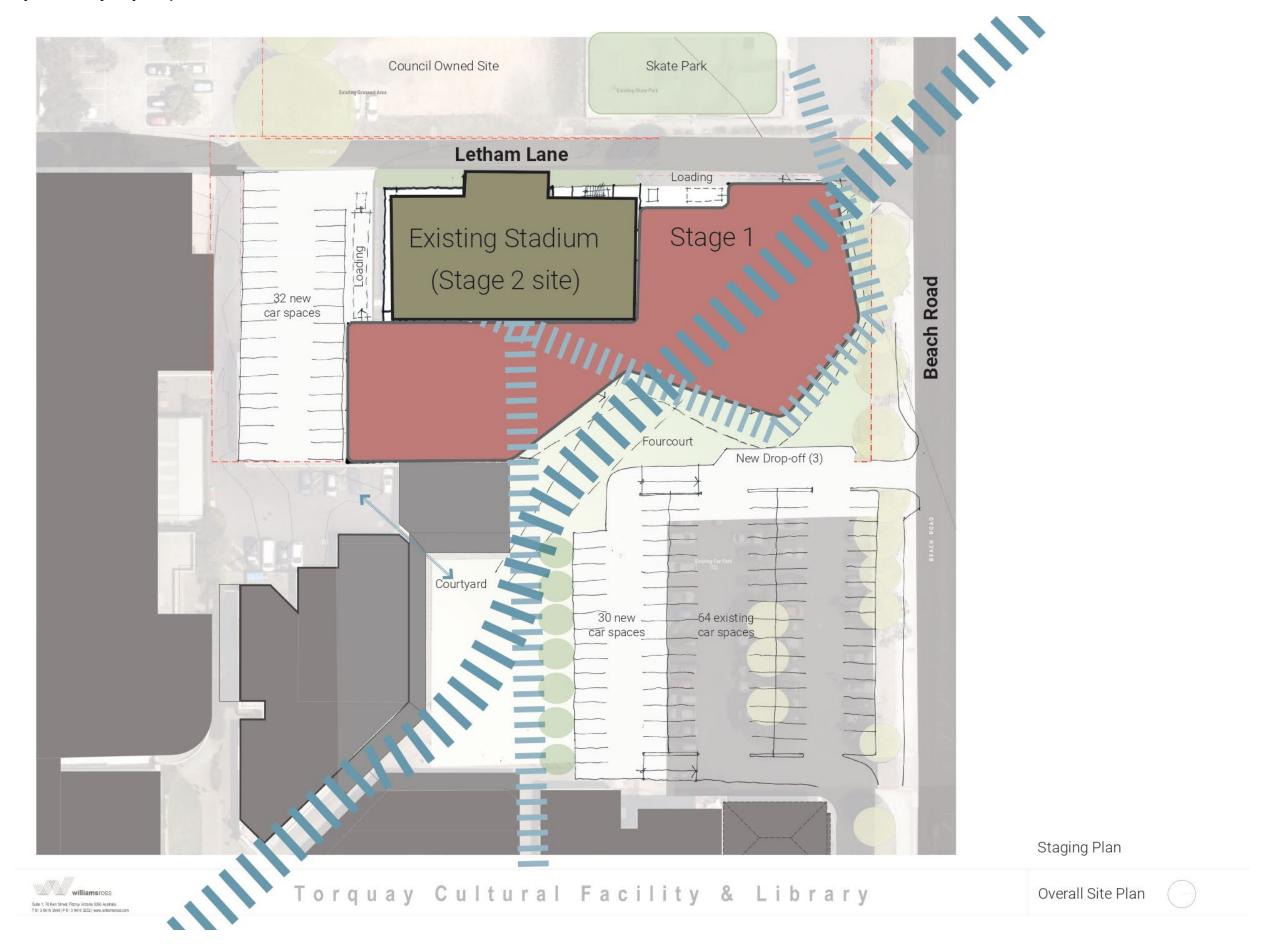
3 15-17 61 GEELONG RD (LIBRARY)

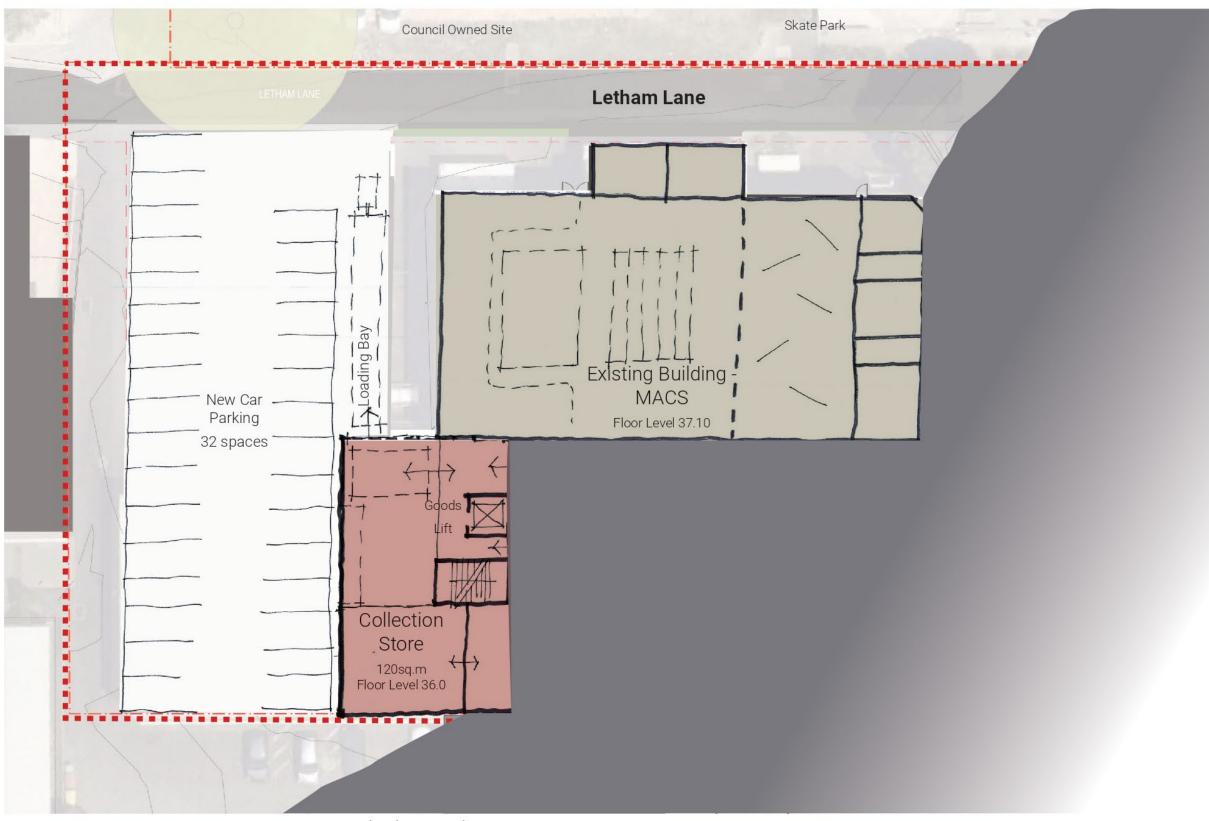






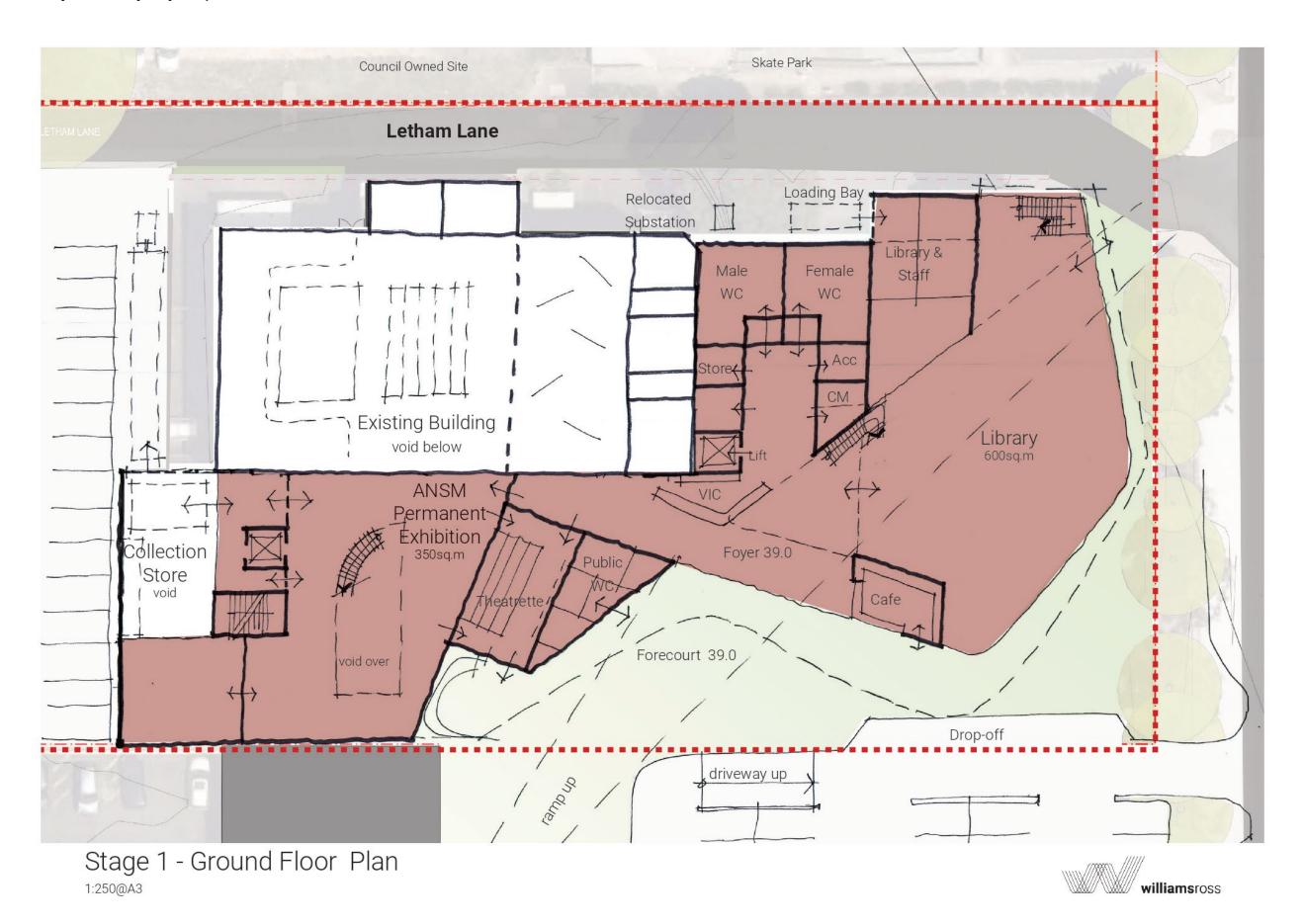


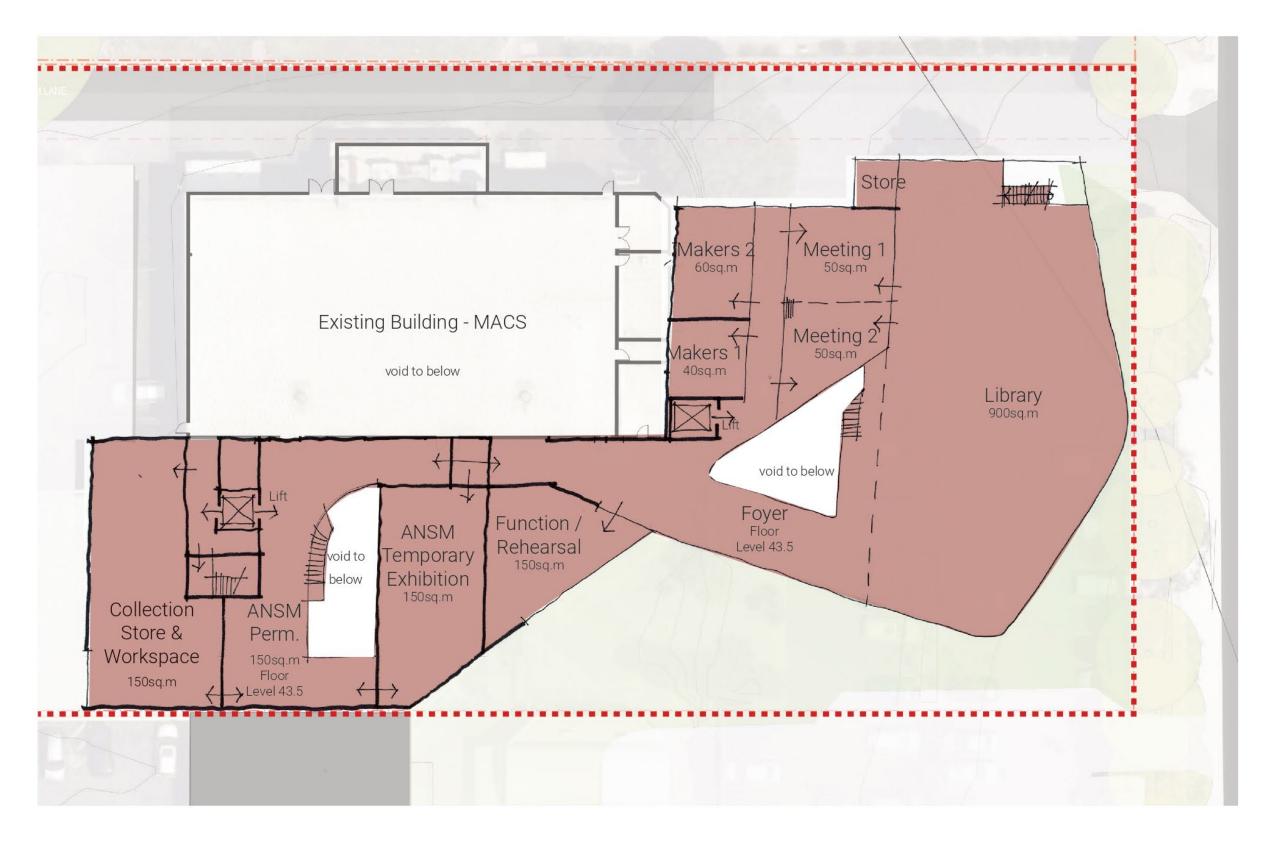




Stage 1 - Lower Ground Floor Plan
1:250@A3

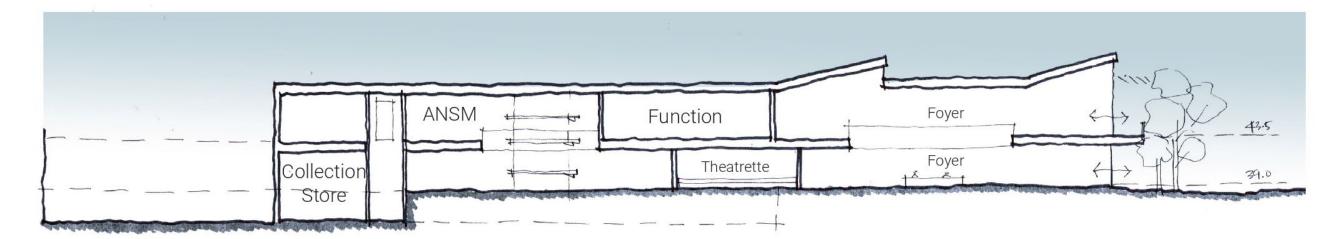




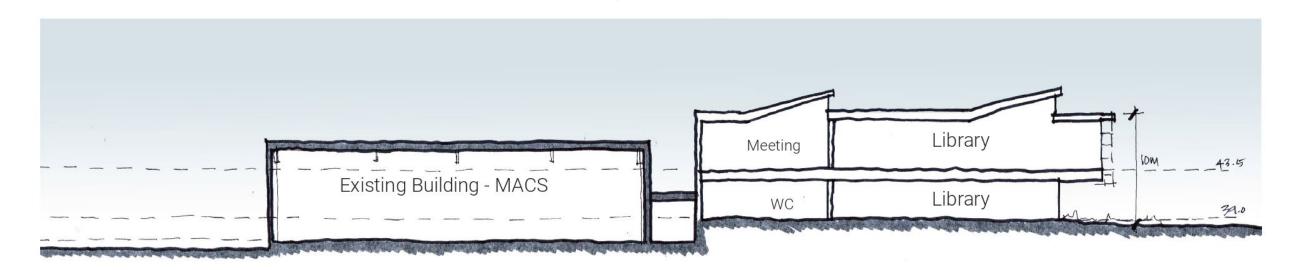






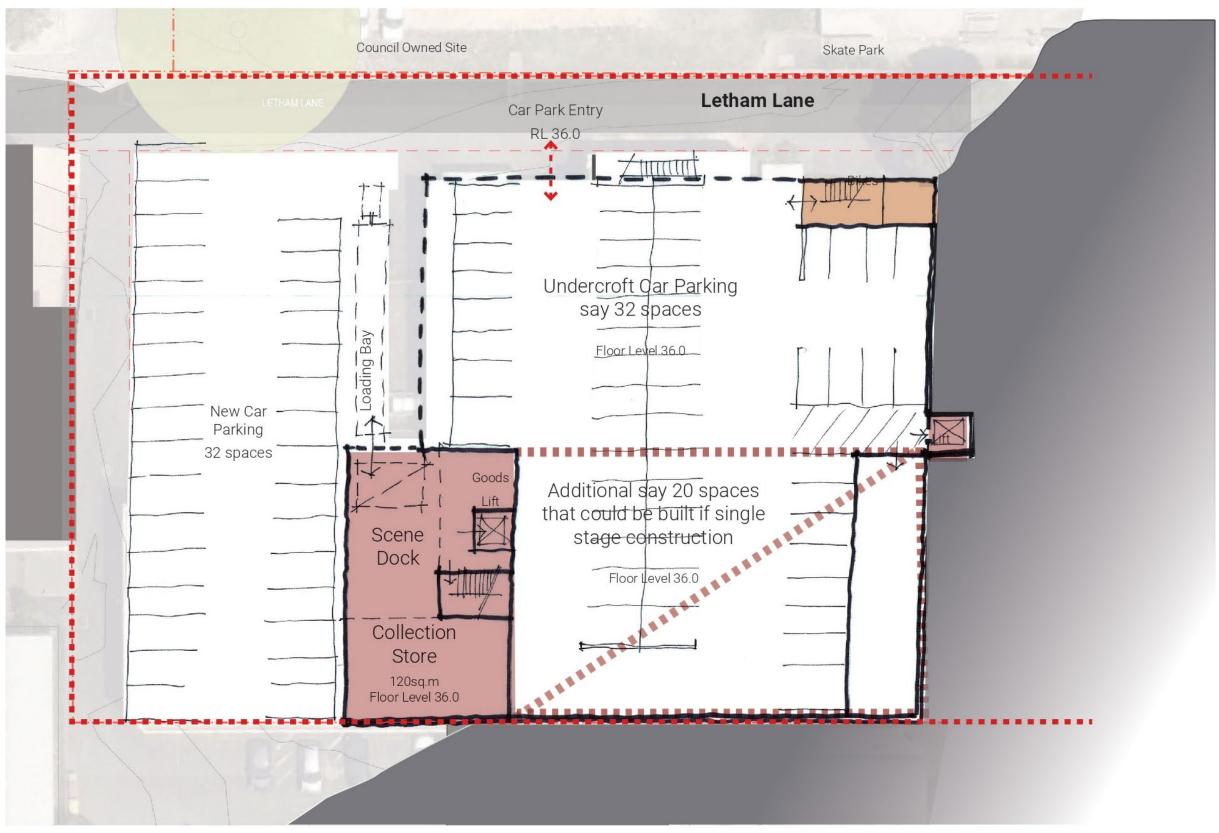


Section through ANSM and Foyer



Stage 1 - Section through Existing Stadium





Stage 2 Lower Ground Floor Plan
1:250@A3





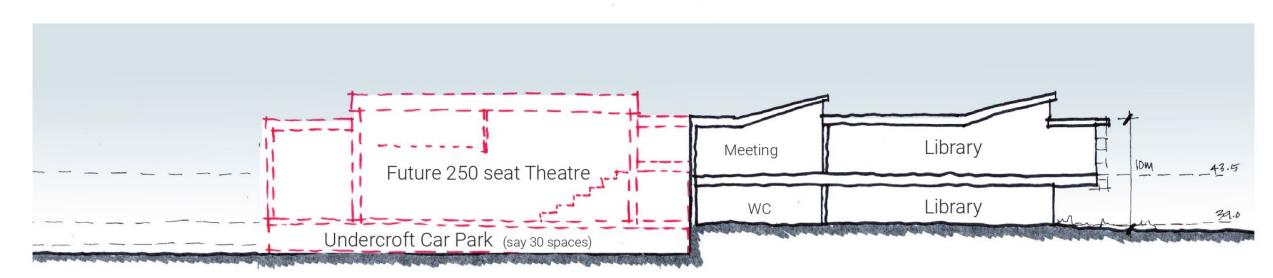
Stage 2 - Ground Floor Plan
1:250@A3





Stage 2 - First Floor Plan
1:250@A3





Stage 2 - Indicative Section through Future Theatre



Defined as confidential information in accordance

with Local Government Act 2020, Section 3(1):

# 6.3 Future Acknowledgement of 26 January

Author's Title:Manager Community RelationsGeneral Manager:Chris PikeDepartment:Community RelationsFile No:F19/390-3Division:Culture & CommunityTrim No:IC21/1350

Appendix:

Nil

Officer Conflict of Interest: Status:

In accordance with Local Government Act 2020 – Section 130:

Yes No Yes No

Reason: Nil Reason: Nil

# **Purpose**

The purpose of this report is to consider how Council acknowledges 26 January in the future.

# Summary

Council has partnered with community groups to deliver celebrations on 26 January for many years including holding citizenship ceremonies on this day which is a requirement of the federal government. Many people enjoy Council's support and partnership in delivering these events and many enjoy attending them.

26 January is a difficult day for First Nations People as it represents a date that Europeans settled in this country and commenced the decimation of their ancestors and culture.

Council is on a path of reconciliation with First Nations People and is developing its first Reconciliation Action Plan ('Reflect'). The Council Plan 2021-25 affirms the importance of reconciliation through the theme - 'First Nations Reconciliation'. Council's approach to 26 January is important to the integrity of Council's reconciliation efforts.

# Recommendation

That Council:

- 1. Agrees to fly the Aboriginal and Torres Strait Island flags at half-mast on the Front Entrance and Ceremonial Flag Poles at the Council Civic Centre on 26 January each year.
- 2. No longer participates in celebratory events on 26 January each year.
- 3. Notes the Australian Government requires Council to conduct a citizenship ceremony on 26 January each year.
- 4. Continues to conduct a citizenship ceremony on 26 January while it remains a requirement of the Australian Government.
- 5. Advocates to the Australian Government to change the requirement for councils to hold a citizenship ceremony on 26 January each year.
- 6. Engages with the Wadawurrung Aboriginal Corporation and the Eastern Maar Aboriginal Corporation regarding the potential of future mourning or survival events on 26 January and establishes how it can provide support if Traditional Owners determine it is appropriate for events to be delivered.

# Motion

Council Resolution
MOVED Cr Liz Pattison, Seconded Cr Rose Hodge
That the Motion be put.

**LOST 3:6** 

# Voting

Voted on as follows:

For Against Abstained
Cr Hodge Cr Allen Nil
Cr Pattison Cr Barker
Cr Stapleton Cr Bodsworth
Cr Gazzard

Cr Schonfelder Cr Wellington

**LOST 3:6** 

# **Council Resolution**

# **MOVED Cr Kate Gazzard, Seconded Cr Liz Pattison**

That Council:

- 1. Agrees to fly the Aboriginal and Torres Strait Island flags at half-mast on the Front Entrance and Ceremonial Flag Poles at the Council Civic Centre on 26 January each year.
- 2. No longer participates in celebratory events on 26 January each year.
- 3. Notes the Australian Government requires Council to conduct a citizenship ceremony on 26 January each year.
- 4. Continues to conduct a citizenship ceremony on 26 January while it remains a requirement of the Australian Government.
- 5. Advocates to the Australian Government to change the requirement for councils to hold a citizenship ceremony on 26 January each year.
- 6. Engages with the Wadawurrung Aboriginal Corporation and the Eastern Maar Aboriginal Corporation regarding the potential of future mourning or survival events on 26 January and establishes how it can provide support if Traditional Owners determine it is appropriate for events to be delivered.

CARRIED 6:3

# Voting

Voted on as follows:

<u>For</u>	<u>Against</u>	<u>Abstained</u>	
Cr Allen	Cr Barker	Nil	
Cr Bodsworth	Cr Schonfelder		
Cr Gazzard	Cr Wellington		
Cr Hodge	G		
Cr Pattison			
Cr Stapleton			
•			CARRIED 6:3

CARRIED 6:3

# Report

#### Officer Direct or Indirect Interest

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

#### Background

For many years, First Nations Australians, have found 26 January difficult as the day represents European settlement which commenced the decimation of their people and culture. Celebrations on this day do not demonstrate solemnity or understanding.

Council has partnered with the Anglesea and Torquay Lions Clubs to deliver celebratory events on 26 January for many years. Citizenship ceremonies have been conducted at the Torquay event. Other activities have included music, free or low cost barbeque breakfast, face painting and Australia Day Ambassador speeches.

Up until 2019, Council conducted an Australia Day Awards program and granted the awards at the 26 January celebrations. In 2020, Council introduced the 'Local Legends' community recognition program in place of the Australia Day Awards. The Local Legends program aimed to recognise many more people doing great work in the community over many months through Council and local media communication instead of a one day ceremony.

The 26 January celebratory events attracted crowds of up to 200. Council received a small amount of feedback in recent years that these activities have a negative impact of First Nations People and some people thought they should not continue

In February 2021 Council registered with Reconciliation Australia to develop a Reconciliation Action Plan – which is a 'Reflect' plan.

Council adopted a Statement of Commitment to Reconciliation in May 2021, pledging to walk together and work together with traditional custodians of the land while growing understanding of Aboriginal and Torres Strait Islander culture.

The Council Plan has been developed in recent months and Theme 1 in the soon to be adopted plan is 'First Nations Reconciliation'. The Council plan has been informed by extensive community engagement both a deliberative community panel and more open engagement activities such as surveys.

# Discussion

Council is now more aware that 26 January is not a day of celebration for First Nations People.

On the flip side, Council also understands that many people in Surf Coast Shire enjoy planning and attending celebratory events on 26 January.

There is a federal government requirement to conduct citizenship ceremonies on 26 January.

Given these competing influences, work has been done to understand ways Council can acknowledge 26 January more appropriately in the future.

#### Benchmarking

The 79 Victorian local governments recognise 26 January in their own way. Of course local government boundaries and Traditional Owner land boundaries are not aligned. This means Registered Aboriginal Parties who represent Traditional Owners usually cover multiple local government authorities.

The Wadawurrung Registered Aboriginal Party spans 11 local government areas including Surf Coast Shire. The Eastern Maar Registered Aboriginal Party spans 9 local government areas including Surf Coast Shire.

Research conducted of these 20 local government authorities found that only one – the City of Ballarat – acknowledges the day with a sorrowful event led by Aboriginal people to recognise the negative impacts of this day.

The other 19 hold celebratory events with activities such as; a family fun day, live music, kids' activities, market stalls, free outdoor movie, a laser light show, free barbecue, acknowledging Australia Day Community Awards and Australia Day Ambassador presentations.

More limited research has been conducted on Victorian metropolitan councils and councils in other states. There is a small number that are no longer holding celebrations on 26 January and some have discontinued citizenship ceremonies on this date. These councils include; Yarra (VIC), Darebin (VIC), Inner West (NSW) Fremantle (WA), Launceston (TAS) Moreland (VIC) and Byron Shire (NSW) with the last two listed still conferring citizenships on 26 January. The majority of other councils (537 in Australia) continue to conduct citizenship ceremonies and many also have celebratory events on 26 January.

# Community Engagement

Council resolved in March to conduct engagement with Traditional Owners and other First Nations People living in Surf Coast Shire. People engaged via an online survey, telephone or face to face conversations. Two in-person engagement sessions were planned but were changed to online events as COVID restrictions prevented gatherings.

The findings of the engagement included:

- Some people thought having no events at all on this day was the best approach while some thought a mourning / survival ceremony would be appropriate
- Some people suggested holding events on a date other than 26 January would be better.
- There was a strong thread of feedback from First Nations People that this is an issue that non-Aboriginal people need to work through and make decisions on because the problems and sorrow has been caused by European colonisation.
- There was support from people to lower the Aboriginal and Torres Strait Island flags to half-mast on 26 January.

The engagement sample size is quite small – 12 people – due in part to the late change from a face to face to online engagement session and the small population size of First Nations People in Surf Coast Shire. We are also aware that we need to build and deepen trust with First Nations People and this engagement is a step in the right direction which we can build on for future engagement activities.

#### **Federal Government Requirements**

It is a federal government requirement to hold citizenship ceremonies on 26 January. Advice from the Department of Immigration confirmed that when councils do not confer citizenships on 26 January the likely response is that the federal government revokes a council's right to do so at other times in the year.

The table below summarises the proposed actions and rationale influenced by the factors outlined above.

Proposed Action	Rationale
Fly Aboriginal and Torres Strait Island flags at half- mast.	A symbolic action communicating that Council understands 26 January is a difficult day for First Nations People. Wider communication can build understanding about this action and rationale.
Respectfully discontinue partnerships that plan and deliver traditional celebrations.	The 26 January is not a day of celebration for First Nations People so we can show solidarity and understanding by not participating in celebratory events. Council can still respect the right of those groups and individuals who wish to continue events whilst respectfully discontinuing being involved.
Conduct a citizenship ceremony on 26 January 2022 to meet our requirements. Advocate for this requirement to change.	It is a federal government requirement and not hosting a citizenship ceremony on this day is likely to jeopardize Council's ability to do so throughout the year. This balances the concerns about the day with the joy that new citizens experience by becoming citizens in their own community throughout the year. Advocating for change is a constructive approach.

# 6.3 Future Acknowledgement of 26 January

Proposed Action	Rationale
Support and follow the lead of Traditional Owners regarding potential future events.	The potential for a future 'reflection event' requires careful deliberation with Traditional Owners and won't necessarily be ready for 2022. There is merit in working with both traditional Registered Aboriginal Parties (RAP) to understand what role, if any, is appropriate for Council. Need to properly understand the capacity and desire of each RAP to be involved noting that:  - Wadawurrung RAP spans 11 councils - Eastern Maar RAP spans 9 councils

#### 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

# Reporting and Compliance Statements:

Local Government Act 2020 - LGA 2020

Implications	Applicable to this Report
Governance Principles	No
(Consideration of the Governance Principles under s.9 of LGA 2020)	
Policy/Relevant Law	No
(Consideration of the Governance Principles under s.9 of LGA 2020)	
Environmental/Sustainability Implications	No
(Consideration of the Governance Principles under s.9 of LGA 2020)	
Community Engagement	Yes
(Consideration of Community Engagement Principles under s.56 LGA 2020	
and Council's Community Engagement Policy SCS-017)	
Public Transparency	Yes
(Consideration of Public Transparency Principles under s.58 of LGA 2020)	
Strategies and Plans	No
(Consideration of Strategic Planning Principles under s.89 of LGA 2020)	
Financial Management	Yes
(Consideration of Financial Management Principles under s.101 of LGA	
2020)	
Service Performance	No
(Consideration of Service Performance Principles under s.106 of LGA 2020)	
Risk Assessment	Yes
Communication	Yes
Human Rights Charter	Yes

# Community Engagement

Community engagement activities are outlined in the 'background' and 'discussion' sections of this report.

Council resolved in March to consult with First Nations People on this topic. This approach supports Council taking the Reconciliation Action Plan development very seriously. This approach quelled a potentially divisive engagement process which would have likely created more sorrow for First Nations People.

Some people refer to debate on this topic as a culture war. Officers involved in this process provide the advice that a war is not required to deepen understanding and show compassion to people in our community who have experienced the negative impacts of European colonisation for centuries through until today.

In accordance with Council's Community Engagement Policy SCS-017, the engagement level is **INVOLVE** as shown below.

<b>Engagement Level</b>	Promise to the Community	Role of Community	Activities
Consult: Ask for	Council will listen to and	Contribute opinions and	Survey
feedback on a	acknowledge your	ideas.	Meetings
matter.	contribution		Face to face / telephone
			interviews.

# Public Transparency

This report supports public transparency as it shares the process by which the topic has been considered and the decision is being made.

# Financial Management

Council has allocated \$2,000 in the budget to support Australia Day celebrations. Some of this budget last year supported the Local Legends campaign and this can be increased if event savings are realised.

#### Risk Assessment

There is a reputational risk to Council in considering this topic and reaching a decision on it. There are members of the community who have the view that 26 January is a very sorry occasion as it marks the start of when First Nations People experienced decimation of their people and culture.

There are other people who enjoy Australia Day celebrations on 26 January and have the view that it is good to celebrate the place we live and the freedoms we enjoy. It is very difficult for people with these different views to understand the experience and views of others.

While this report does not eliminate reputational risk, it aims to find a balanced response to a difficult issue. The proposed approach upholds the commitment Council is making to reconciliation with First Nations People. It proposes commencing a shift in approach that acknowledges and supports First Nations People while still meeting our federal government requirement of conducting a citizenship ceremony so we are able to continue to do this at other times of the year.

There are no identified Workplace Health and Safety implications associated with this report.

# Communication

Council officers have shared the proposed new approach with Torquay and Anglesea Lions club representatives.

Council has previously communicated the Local Legends campaign and the change away from Australia Day Awards.

Council has received media interest and responded to an enquiry recently in this topic. We will communicate this decision via regular communication channels and it is expected to be reported in the local media.

# Human Rights Charter

This report supports and is in alignment with the *Charter of Human Rights and Responsibilities Act 2006* most notably in the areas of recognition, equality and cultural rights

# **Options**

Option 1 – As per the recommendation.

This option is recommended by officers as it recognises that 26 January is not a day of celebration for First Nations People which upholds Council's commitment to reconciliation while meeting our federal citizenship requirement and advocating for this requirement to change.

# 6.3 Future Acknowledgement of 26 January

Option 2 – Fly the Aboriginal and Torres Strait Island Flags at half-mast, discontinue celebrations, do not conduct a citizenship ceremony and conduct a mourning ceremony on 26 January

This option is not recommended by officers. Not conducting a citizenship ceremony is likely to result in Council having this opportunity removed altogether robbing people of the joy of experiencing this in their own community. Suggesting an event or ceremony is premature and it is more appropriate to be led by First Nations People on the future potential for this.

Option 3 – Maintain the status quo – partner with local groups on events, conduct citizenship ceremony and don't lower Aboriginal and Torres Strait Island flags to half-mast.

This option is not recommended by officers as it would be inconsistent with Council's commitment to reconciliation.

#### Conclusion

26 January is a hurt filled day for First Nations People. Council has the opportunity to be part of the healing and reconciliation by changing what it does on this day.

The journey to reconciliation and the work already undertaken on out Statement of Commitment and the Theme in the Council Plan 2021-25 provides guidance that change is required. Continuing to deepen our understanding with First Nations People can take us further on this journey.

The proposed approach and activities aim to support and show solidarity with First Nations People whilst meeting the requirements placed on councils by the federal government. This approach shows leadership and balance. There is scope for Council's activities to evolve in the future by walking with Traditional Owners as we build trust, forgiveness and learn more about how we can play a part in healing for this country.

# 6.4 Updating Advocacy Priorities

Author's Title:Manager Community RelationsGeneral Manager:Chris PikeDepartment:Community RelationsFile No:F18/854-4Division:Culture & CommunityTrim No:IC21/1353

Appendix:

1. Advocacy Priorities - Council Meeting 28 September 2021 (D21/173259)

Officer Conflict of Interest: Status:

In accordance with Local Government Act 2020 – Defined as cor

Section 130:

Defined as confidential information in accordance with Local Government Act 2020, Section 3(1):

✓ Yes
✓ No
✓ Yes

Reason: Nil
Reason: Nil

# **Purpose**

The purpose of this report is to consider updating Council's advocacy priorities.

# Summary

Council's advocacy program can be described as seeking and gaining support for priorities and projects of importance to the Surf Coast Shire community. Council often advocates to other levels of government to create funding partnership for projects or influence policy outcomes that bring benefits to our communities.

In recent years, Council has regularly adopted a defined set of advocacy priorities. Having a defined list of priorities enables Council to advocate effectively for funding, policy positions, or other support, to advance projects and strategic goals.

The finalisation of the Council Plan 2021-25 provides a focus and an opportunity to align advocacy priorities to the Council Plan themes. This ensures Council's advocacy efforts are targeted and aligned with our community's goals which were articulated through developing the Council Plan.

To make the advocacy program more effective, Council can bring a tiered structure to the priorities list which brings in greater clarity and confirms the types of activities which will be undertaken to achieve advocacy success. The three advocacy tiers are described as Strategic, Major and Standard.

The next 15 months is an important advocacy period with federal and state elections to be held before the end of November 2022. This provides great opportunities to partner with other levels of government for the benefit of Surf Coast Shire communities.

# Recommendation

That Council:

- 1. Aligns its advocacy priorities with the seven themes in the Council Plan 2021-25
- 2. Adopts a three-tiered approach to the advocacy program Strategic, Major and Standard to achieve clarity and maximise advocacy effectiveness.
- 3. Confirms its current advocacy priorities as those contained in Appendix 1.

# **Council Resolution**

# MOVED Cr Paul Barker, Seconded Cr Mike Bodsworth

That Council:

- 1. Aligns its advocacy priorities with the seven themes in the Council Plan 2021-25
- 2. Adopts a three-tiered approach to the advocacy program Strategic, Major and Standard to achieve clarity and maximise advocacy effectiveness.
- 3. Confirms its current advocacy priorities as those contained in Appendix 1.

**CARRIED 9:0** 

# 6.4 Updating Advocacy Priorities

# Voting

Voted on as follows:

ForAgainstAbstainedCr AllenNilNilCr Barker

Cr Bodsworth

Cr Gazzard

Cr Hodge

Cr Pattison

Cr Schonfelder

Cr Stapleton

Cr Wellington

**CARRIED 9:0** 

# Report

# Officer Direct or Indirect Interest

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

# Background

Council has regularly adopted advocacy priorities in recent years which helps describe what support we are seeking and why it is important. Adopting priorities has provided clarity and ensures Council is ready for opportunities that may arise.

Council has pursued an advocacy program underpinned by principles and priorities have previously been aligned to advocacy themes. This has helped tell a more compelling story about why the priorities are important to our communities.

Council recently has undertaken a significant engagement process to develop the Council Plan 2021-25. The Council plan provides direction and identifies the things that are most important to Council for this term. Seven key strategic themes have emerged in the Council Plan and there is an opportunity now to advocate in alignment with these themes.

The last time Council adopted advocacy priorities was September 2020. Now is an ideal time to revisit and adopt the advocacy priorities as Council has established its focus areas through the Council Plan.

Advocacy has continued in many forms during the past year. Council has continued to foster relationships with other levels of government and key regional organisations during that time. This is important work for a Council early in its term.

# Action and emerging issues

COVID 19 has continued to have a profound impact on the world in 2021. Council has responded with programs of its own including a \$1 million COVID recovery fund which has been accessed by community groups and businesses for over a year.

Council has acted to limit transmission of the virus. This included closure of public facilities, adjustments to service delivery and bolstered communications to support state level health messages with a recent focus on the vaccination program.

Council has been proactive in working with other levels of government to secure funding that helps our community through this pandemic. A summary of funding Council has sought and received is included in the table below.

Program name	Description	Amount
COVID 19 Vaccine	Grant to assist and support expenses associated with communicating	\$21,000
Ambassador	and engaging the community on the need to be vaccinated.	
Working for Victoria	Funding to employ 11 FTE temporary staff in Council operations	\$442,000

# 6.4 Updating Advocacy Priorities

	experiencing increased workloads due to COVID 19.	
COVID Relief	To help councils respond to relief support referrals from the	\$15,000
Program 2020-2021	Coronavirus Hotline and provide relief packages to vulnerable people undertaking isolation.	
Community Activation and Social Isolation initiative (CASI)	Funding to help people maintain important connections with family, friends and community and to build new social connections and networks of support in their local communities.	\$124,000
Local Councils Outdoor Eating and Entertainment Package	Funding to establish infrastructure to support outdoor dining and entertainment and implement swift and streamlined permit, enforcement and monitoring processes to support expanded outdoor dining and entertainment.	\$250,000
National Australia Day Council	Funding to enable a COVID safe event to proceed including online event and citizenship ceremony.	\$9,000
Family Day Care exceptional circumstances	Funding to support approved child care services that are experiencing financial viability issues due to COVID 19.	\$10,000

Council has been actively advocating for non-COVID topics and projects.

Council put forward an expression of interest for the Multi Arts Centre Fit Out with Regional Development Victoria. \$240,000 was confirmed in the state budget for this project in December 2020 complementing Council's \$60,000 contribution.

The federal government announced phase 2 of the Local Roads and Community Infrastructure (LRCI) funding program in December 2020. LRCI supports local councils to deliver priority local road and community infrastructure projects, supporting jobs and the resilience of local economies and communities. The funding aims to stimulate growth and employment in local communities following the impacts of COVID-19. Councils can choose which projects to nominate for funding (similar to the Roads to Recovery Program). Projects are funded as long as all eligibility requirements are met as stated in the fund guidelines. Projects do not require a co-contribution. In January 2021 Council resolved to allocate the LRCI program funds to the following projects totalling \$1,581,159. All projects were deemed eligible and are at various stages of implementation.

- Great Ocean Views Reserve Activation Stage 2
- Spring Valley Park Informal Ball Games
- Torquay Football Club Interchange Boxes
- Mt Moriac Reserve Oval 1 Goal Net
- Connewarre Riding Club Dressage Arenas Stage 2
- Camp Rd Anglesea Traffic Management Improvements
- Lorne School Traffic Management Improvements Stage 2
- Pearl Street and Gilbert Street Torquay Intersection Improvements
- Moriac Lions Park Upgrade
- Mt Moriac Reserve Oval 1 Drainage and Irrigation Upgrade
- Eastern Reserve Winchelsea Drainage and Irrigation Upgrade
- Bingley Parade Anglesea Traffic Management Improvements

In May 2021, the federal government announced that Phase 3 of LCRI will be available from 1 January 2022. Council's allocation in Phase 3 is \$2,102,120. Council will determine which projects this money is allocated to.

In March 2021, Council submitted two applications to the federal government's Building Better Regions Fund (BBRF). The projects and funding amounts are:

- Barwon River Loop Walk Stage 2 Total project cost \$630,000, consisting of Council \$330,000 and BBRF \$300,000.
- Torquay Walking and Cycling Connections Total project cost \$1.49million consisting of Council \$785,000 and BBRF \$705,000.

At the time of writing this report, Council had not been advised of the outcome of these applications.

Council was successful in obtaining \$500,000 from the state government's Local Sports Infrastructure Fund (LSIF) for the Anglesea Netball Pavilion Upgrade Project. Council applied in March 2021 and received

## 6.4 Updating Advocacy Priorities

confirmation of funding in July 2021. Total project cost is \$1.3 million consisting of \$775,000 from Council, \$25,000 from community and \$500,000 from LSIF

Council was successful in gaining \$3.5 million for the Surf Coast Aquatic and Health Centre in April 2021 from the state government's Growing Suburbs Fund. This funding, along with Council confirming a \$5.75 million contribution secures enough funding to commence this significant project.

#### Discussion

The Council Plan has been developed which describes the themes and goals of our work for the next four years. Advocacy is another way to achieve outcomes for our community and it makes sense that these outcomes are aligned to the themes in the Council Plan to ensure high relevance and impact for our communities.

The Council Plan themes are:

- First Nations Reconciliation
- · A Healthy, Connected Community
- Environmental Leadership
- Sustainable Growth
- Robust and diverse economy
- Arts and Creativity
- Accountable and Viable Council

Our advocacy program is guided by a set of principles that guide how we advocate for the relevant and impactful outcomes. The principles include:

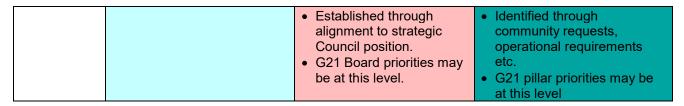
- Understanding our commitments (contractual, renewal, growth) is essential.
- It's about being effective, not the loudest.
- Our job is to prepare wonderful opportunities for partners to support.
- We need to understand political priorities.
- We need to work with all sides of politics.
- We need to be articulate, constructive and respectful.
- Balance the need for open communication and respecting confidences.
- Great to include community and business within partnerships.

Council has a strong track record and will continue participating in the region including an active role with G21. We understand that election times are important and so are sustained efforts.

A new feature in adopting Council's advocacy priorities in the introduction of three advocacy tiers. This structure prioritises the many topics Council will advocate for and describes the advocacy activities for each. This structure is particularly important around state and federal election times which will both fall in the next 15 months. It provides focus for Council and potential partners and helps our community understand where we are pitching our efforts. The tiered structure is described below.

Advocacy Tier	Strategic Priorities	Major Priorities	Standard Priorities
Definition	Strong alignment and high impact delivering the Council Plan themes. They produce critical outcomes for community and environment.	Significant benefits to our community, environment or local government sector.	Helps deliver core Council and community goals.
Examples of advocacy activities	<ul> <li>Discussions with politicians</li> <li>Major grant applications</li> <li>Council communication in lead up to elections</li> <li>Established by specific advocacy Council report and resolution</li> <li>Strategic advocacy plans developed and actioned.</li> </ul>	<ul> <li>Discussions with state or federal departments;</li> <li>Grant applications;</li> <li>Joint advocacy with partners such as G21, MAV.</li> <li>Active partnerships with other levels of government e.g. health.</li> </ul>	<ul> <li>Written submissions to other levels of government.</li> <li>Grant applications.</li> <li>Projects developed by and with communities</li> <li>Letters of support for community groups</li> <li>Project development at G21 pillars</li> </ul>

## 6.4 Updating Advocacy Priorities



The Strategic and Major Priorities are listed on the next page and are described in more detail in Appendix 1. The Standard advocacy tier is defined by a set of criteria which will be used to identify priorities

## Strategic Priorities aligned to Council Plan themes

Theme 1 - First Nations Reconciliation	Theme 2 - A Healthy, Connected Community	Theme 3 - Environmental Leadership
N.B. MORE WORK REQUIRED WITH TRADITIONAL OWNERS TO IDENTIFY THIS PRIORITY.	<ul> <li>Funding for Torquay Walking and Cycling Connections Project.</li> <li>Funding for Walk, Rest and Play Project Winchelsea - Barwon Riverloop Walk and Expansion of Eastern Reserve</li> <li>Provision of local services for family violence, mental health, disability / aged, alcohol and drug use.</li> </ul>	<ul> <li>Urgent reduction in greenhouse gas emissions to achieve at least a 50% reduction by 2030 and net zero emissions before 2050.</li> <li>Moving to a Circular Economy - Waste / recycling reform and solutions.</li> </ul>

Theme 4 - Sustainable Growth	Theme 5 - Robust and diverse economy	Theme 6 - Arts and Creativity	Theme 7 - Accountable and Viable Council
<ul> <li>Commitment to addressing the causes of the national residential accommodation crisis including developing a National Housing Policy.</li> </ul>	<ul> <li>Funding for Torquay         Town Centre         Revitalisation.</li> <li>Funding for Surf Coast         Trails - Anglesea         Mountain Bike Trails and         Bike Park.</li> </ul>	<ul> <li>Funding for Cultural Facility and Library Project.</li> <li>Improved mobile and internet coverage with increased data capacity.</li> </ul>	<ul> <li>Improved grant funding ratios more favourable to councils, particularly rural councils.</li> </ul>

## Major Priorities aligned to Council Plan themes

Theme 1 - First	Theme 2 - A healthy, connected community	Theme 3 - Environmental	Theme 4 - Sustainable
Nations Reconciliation		Leadership	Growth
Removal of the requirement for citizenship ceremonies to be held on 26 January.	Increased rail services that shuttle between Geelong and Colac via Winchelsea with a minimum of 8 return services per day.	<ul> <li>Funding for the electric vehicle charging stations project.</li> <li>Cessation of offshore resource exploration in areas that pose risk to our region.</li> </ul>	Inclusion of local knowledge and perspectives in state government Strategic Framework Policy and Plans.

Theme 5 - Robust and Diverse Economy	Theme 6 - Arts and Creativity	Theme 7 - Accountable and Viable Council
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- Improved key freight and industrial transport connections including key local road connectors and improved links to the Geelong Port.
- Increased financial support for businesses not registered for GST including artists and creative industries during recovery from the pandemic.
- Continued funding for shared services and innovations that assist local government.

### Standard Priority criteria

Priorities that meet any of the following criteria will be assessed and included for advocacy action at any time:

- Projects in our Social Infrastructure Pipeline.
- · Projects identified through Council's community project development program.
- Priorities to be delivered by other organisations or community groups that align closely to Council plan theme. *E.g. Net Zero Surf Coast, Barwon Health priorities.*
- Submissions to other levels of government that aim to bring about benefits for the Surf Coast Shire community or Council.
- A campaign to retain or increase existing program / service delivery funding Council receives. *E.g. Early Years' services, Good Times Great Breaks funding.*
- Supporting our partners who are advocating for funding for infrastructure or operational funding. *E.g. Geelong Regional Library Corporation*.
- Letters of support for Surf Coast Shire community groups applying for grants to deliver projects consistent with Council plan themes.

## MAV State Council Meeting

The Municipal Association of Victoria (MAV) State Council Meeting will be held on 12 November 2021. The MAV State Council meeting can be described as a moderately useful advocacy avenue with a focus on sector related topics. Resolutions adopted by MAV State Council are assessed by the MAV Board to determine how they will be progressed.

One limitation of The MAV State Council format is that all 79 councils may submit motions twice per year and MAV is not able effectively action the motions raised. To help deal with this issue, MAV requires councils to identify whether the subject matter of the motion:

- has state-wide significance to the sector
- relates to one of the priority themes in the MAV Strategy 2021-2025
- is identical or substantially similar to a motion submitted to State Council in May 2021, October 2019, May 2019 and October 2018

The advocacy priorities in Council's priority list - currently proposed and previous – are similar to motions considered by the MAV State Council in the previous four State Council Meetings. For this reason, and to allow MAV to be effective in what work it takes on, officers propose not putting forward a motion to the upcoming State Council meeting.

## Council Plan

Theme 3 Balancing Growth

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

Strategy 3.2.6 Advocate for supporting infrastructure

Theme 3 Balancing Growth

Objective 3.2 Ensure infrastructure is in place to support existing communities and provide for growth
3.2.1 Advocate for better public transport, including buses, and investigate the provision of community transport and transport connections

Theme 5 High Performing Council

Objective 5.4 Ensure the community has access to the services they need

## Reporting and Compliance Statements:

Local Government Act 2020 – LGA 2020

Implications	Applicable to this
	Report

## 6.4 Updating Advocacy Priorities

Governance Principles	Yes
(Consideration of the Governance Principles under s.9 of LGA 2020)	
Policy/Relevant Law	No
(Consideration of the Governance Principles under s.9 of LGA 2020)	
Environmental/Sustainability Implications	Yes
(Consideration of the Governance Principles under s.9 of LGA 2020)	
Community Engagement	Yes
(Consideration of Community Engagement Principles under s.56 LGA 2020 and Council's Community Engagement Policy SCS-017)	
Public Transparency	Yes
(Consideration of Public Transparency Principles under s.58 of LGA 2020)	
Strategies and Plans	Yes
(Consideration of Strategic Planning Principles under s.89 of LGA 2020)	
Financial Management (Consideration of Financial Management Principles under s.101 of LGA 2020)	Yes
Service Performance	No
(Consideration of Service Performance Principles under s.106 of LGA 2020)	
Risk Assessment	Yes
Communication	Yes
Human Rights Charter	No

### Governance Principles - Local Government Act 2020 (LGA 2020)

This report includes consideration of governance principles in the Local Government Act 2020 in particular making sure priority is given to achieving best outcomes for the municipal community. The advocacy program and related priorities also seek to ensure Council's financial viability.

## Environmental/Sustainability Implications

This report aligns advocacy priorities to the Environmental Leadership Theme in the Council Plan 2021-25 seeking to maximise outcomes for the environment and advance Council's aim to address the climate emergency.

## Community Engagement

The Council Plan 2021-25 is the product of significant engagement for the past 9 months. This engagement included a deliberative people's panel, open engagement activities such as surveys and seeking feedback on a draft plan. Specific engagement did not occur on the advocacy priorities, however aligning Strategic and Major Priorities to the Council Plan themes ensures alignment to the important goals the community has.

In accordance with Council's Community Engagement Policy SCS-017, the engagement level on establishing the Council Plan theme **COLLABORATE** as shown below.

Engagement Level	Promise to the Community	Role of Community	Example of Activities
Collaborate: Work	Council will look to the	Actively partner for an	Deliberative processes
together with the	community for advice and	agreed outcome	
community toward a	innovation, incorporating into	Citizen's advisory	
jointly agreed	decisions where possible.	committees	
outcome.			

### Public Transparency

The formal endorsement of a set of advocacy priorities makes it clear to the community and funding partners which are Council's key priorities at a given time.

## Strategies/Plans

Council's advocacy program supports strategic objectives in the Council Plan and supports other key strategies in areas such as health and wellbeing, environmental sustainability and financial sustainability.

## 6.4 Updating Advocacy Priorities

## Financial Management

Successful advocacy can result in a significant funding boost to Council projects. Typically government grants are allocated on the basis of a contribution from Council. Therefore Council needs to consider how its financial contribution to such projects would impact on its capacity to deliver other capital projects and financial commitments in future budgets.

#### Risk Assessment

Failure to determine clear advocacy priorities may limit Council's ability to achieve support for its priorities. An advocacy plan that clearly articulates priorities and is regularly reviewed mitigates against this risk.

There are no identified Workplace Health and Safety implications associated with this report.

#### Communication

Council will communicate its advocacy priorities through its own communication channels and invite media coverage on the topic. Updated advocacy priority information will be communicated to the relevant level of government which may include parliamentarians, government departments or partner organisations.

#### **Options**

## Option 1 – Adopt the advocacy priorities as tabled with this report

This option is recommended by officers as the advocacy priorities align to Council's strategic priorities as articulated in the Council Plan 2021-25. Adopting these priorities provides consistency and clarity to potential partners particularly other levels of government. By reviewing and affirming its advocacy list Council can ensure its priorities remain current and aligned to its strategic goals.

### Option 2 – Adopt different priorities than the ones included with this report

This option is not recommended by officers as the priorities included in the program are aligned Council's strategic goals and community expectations. Council is able to review the priorities on a regular basis.

### Option 3 – Do not adopt advocacy priorities

This option is not recommended by officers as Council's ability to attract funding support is reliant on having a clearly articulated set of priorities and by maintaining a positive working relationship with other levels of government, key community groups and organisations.

## Conclusion

Reviewing and confirming advocacy priorities and implementing actions to gain support gives Council its best chance of advocacy success. Maintaining a clearly defined list of advocacy priorities ensures Council is ready for opportunities that may arise and can tell a compelling story about its advocacy objectives. Project and advocacy action planning needs to occur to increase the likelihood of attracting funding and Council must consider its contribution to several large projects in future budgets.

## 6.4 Updating Advocacy Priorities

## APPENDIX 1 ADVOCACY PRIORITIES - COUNCIL MEETING 28 SEPTEMBER 2021



# **Advocacy Priorities**

Adopted September 2021

Council's advocacy priorities are aligned to the seven themes in the Council Plan 2021-25. There are three tiers of priorities Strategic, Major and Standard.

Advocacy Priorities Inment and high impact delivering the Council Plan themes. They produce critical outcomes for community and environment  WORK REQUIRED WITH TRADITIONAL OWNERS TO IDENTIFY THIS PRIORITY.  IN Torquay Walking and Cycling Connections Project  Walking and Cycling Connections Project comprises of five sections of shared pathways/bicycle lanes totalling 5.3km that are committed to be der the Torquay Jan Juc Developer Contribution Program.  In Torquay Walking and Cycling Connections to the existing shared pathways and cycle lanes in Torquay and Jan Juc and will ensure we have a healthy and the community with excellent access to major facilities and centres.  We seek  It is a Council contribution of \$785,000 to complete this \$1.49 million project.
or Torquay Walking and Cycling Connections Project Walking and Cycling Connections Project comprises of five sections of shared pathways/bicycle lanes totalling 5.3km that are committed to be der the Torquay Jan Juc Developer Contribution Program.  Nortant  will provide critical connections to the existing shared pathways and cycle lanes in Torquay and Jan Juc and will ensure we have a healthy and sed community with excellent access to major facilities and centres.  We seek
Walking and Cycling Connections Project comprises of five sections of shared pathways/bicycle lanes totalling 5.3km that are committed to be der the Torquay Jan Juc Developer Contribution Program.  Nortant  will provide critical connections to the existing shared pathways and cycle lanes in Torquay and Jan Juc and will ensure we have a healthy and sed community with excellent access to major facilities and centres.  We seek
re Walk, Rest and Play Project Winchelsea - Barwon Riverloop Walk, Expansion of Eastern Reserve the final stage of the 2km "Barwon River Loop Walk" connecting the four quadrants of Winchelsea together and improving the visitor experience the regions key tourist stopping points. Providing a second oval and community pavilion next to Winchelsea's Eastern Reserve to cater for future prowth.  Nortant The visitor experience for a tourist stopping point can maximise visitor spend benefiting the local economy. Completing Stage 2 of the walk will the benefits for locals by increasing physical activity opportunities and use of the Barwon River. Winchelsea is a growing community and a finithe future and pavilion can help provide the health and recreation benefits so important in our communities.  We seek The Barwon Riverloop Walk for a total project costing \$630,000. The Eastern Reserve second oval and pavilion is required many years ahead faction size demands it.  Pof local services for family violence, mental health, disability / aged, alcohol and drug use the greater local access to these health services. The COVID 19 pandemic has made these services even more important as research shows the impacts in these areas.  Nortant Shows that more people are reaching crisis point. In the Surf Coast Shire we've seen an increase in the number of family violence incidences, shows that more people are reaching crisis point. In the Surf Coast Shire we've seen an increase in the number of family violence incidences, shows that more people are reaching crisis point. In the Surf Coast Shire we've seen an increase in the number of family violence incidences, shows that more people are reaching crisis point.
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## Advocacy Priorities - adopted September 2021

	Urgent reduction in greenhouse gas emissions to achieve at least a 50% reduction by 2030 and net zero emissions before 2050
Environmental	Why it is important Urgent action is needed across all levels of governments and communities to address the climate emergency our planet is now facing. The State Government's interim emissions target (45-50% reduction on 2005 levels by 2030) is already strong. We want to play a part in exceeding this target and push all governments further to arrest the negative, and potentially disastrous impacts of climate change. The future of our planet depends on it.  The support we seek All other levels of government to adopt strong policies and back initiatives that achieve these reductions in these timeframes or better
	Station to Charles Foreign Works (according to the state of the state
Leadership	Moving to a Circular Economy - Waste / recycling reform and solutions  Description  Council is advocating for a solution to the current failure of Victorian waste management and recycling. The waste hierarchy - Avoid; Reduce; Reuse; Recycle: and Dispose - must be applied as the fundamental principal in managing waste  Why it is important The current waste and recycling system in Australia is failing. Significant action is needed to avoid more negative impacts to our environment. The support we seek Effective state and federal government legislation is needed to ensure the waste hierarchy is applied across all levels including supply chains. The state government needs to establish a coherent, coordinated, effective and environmentally responsible approach to recycling and waste management.
Sustainable Growth	Commitment to addressing the causes of the national residential crisis including developing a National Housing Policy  Description  Council has recently declared a short term key worker accommodation crisis and adopted a social housing policy. However Council is not able to do everything to solve this issue and greater gains will be best achieved through a policy at a national level with compliance by all jurisdictions.  Why it is important  There is a housing affordability crisis in Australia and many parts of the world. In Surf Coast Shire, many businesses cannot attract staff because there is no affordable access to housing. There are currently 883 people homeless in the g21 region with 48 of these from Surf Coast Shire.  The support we seek  For the federal government to develop a National Housing Policy to ensure a common standard and equality of access at national level.
Robust and diverse economy	Funding for Torquay Town Centre Revitalisation  Description Improving central Torquay through projects identified in the Torquay Centre Urban Design Framework (UDF). The UDF provides a clear vision for the Torquay town centre, and the projects included are, traffic improvements, streetscapes, supporting infrastructure, parks and other public spaces.  Why it is important The Torquay Town Centre is the 'heart' of a town which helped start of the Australian surf industry and is the start of the Great Ocean Road. Upgrades to the public spaces within the centre will boost local businesses and provide the focal point for entertainment and social activity for locals and visitors.  The support we seek Projects are estimated at \$12 million. Council has \$775,000 allocated to this project and is currently progressing work to make these projects shovel ready.



## Advocacy Priorities - adopted September 2021

bushfire prone locations. The support we seek

	Funding for Surf Coast Trails - Anglesea Mountain Bike Trails and Bike Park
	<u>Description</u>
	Securing the future for the Anglesea Bike Park and developing a mountain bike trail network with recognition of connections to other significant trail
	destinations in the region. A total of 36 new and upgraded trails will transform Anglesea into mecca for mountain bike riders of all ages and abilities.
	Why it is important
	Increasing the mountain biking opportunities has the ability to boost the local economy by increasing eco-tourism. Upgrades to the trails and bike park can
	also deliver health and wellbeing benefits for the local community.
	The support we seek
	The total cost of this project is \$3 million. Council has set aside \$500,000 for the Anglesea Bike Park.
	Funding for Cultural Facility and Library Project
	Description
	Council is planning to deliver a state of the art four in one Cultural Facility in Torquay including a Library, new Australian National Surfing Museum, Visitor
	Information Centre and Arts Facility.
	Why it is important
	A new facility will replace ageing buildings which no longer meet the needs of the local community. Surf Coast Shire is a creative industries hot spot, yet we
	are undersupplied for arts and cultural facilities. The new Cultural Facility and Library will deliver social benefits for locals, generate better visitation and
	provide a lift for the overall Surf City Precinct.
	The support we seek
	Stage one of the project is estimated at \$33 million. Council has \$7.7 million allocated to this project.
	Stage one of the project is estimated at \$55 million. Established and allocated to this project.
Arts and	Improved mobile and internet coverage with increased data capacity
Creativity	Description
	Mobile towers are needed in Surf Coast Shire to improve mobile and internet coverage. There is a particular focus on equitable access to the nbn services
	where towers do not cover all households in a particular location. Due to the topography of the Surf Coast Shire, mobile and internet coverage is poor in
	many places. Even the larger towns experience poor reception.
	Why it is important
	Surf Coast Shire has the fourth highest proportion of creative jobs compared to jobs in other industries in regional Australia (Regional Australia Institute).
	This is an important sector of our economy that needs high quality internet services if it is to remain strong. Many are home based businesses and internet
	coverage across all areas of Surf Coast Shire needs to improve. Mobile coverage is critical in emergencies and Surf Coast Shire is one of the state's most
	Coverage across an areas of sain coasts in checas to improve, mobile coverage is checan in chergeners and sain coast sillers one of the state sillost

Infrastructure and services that delivers strong and reliable internet and mobile coverage across Surf Coast Shire.



## Advocacy Priorities - adopted September 2021

		Improved grant funding ratios more favourable to councils, particularly rural councils	
	Accountable	<u>Description</u>	
- 1	and Viable	Calling on the state and federal governments to implement funding ratios in all grant programs that require rural councils to contribute less than 1:1 (or	
50%) in matched funding	50%) in matched funding		
	Council	Why it is important	
		Improved funding ratios will enable more councils to apply for state and federal government grants to deliver projects for their communities. Increasing	
		grant activity will provide more local jobs helping the economy recover from the COVID 19 pandemic.	

Council Plan	Major Advocacy Priorities			
Theme	Significant benefits to our community, environment or local government sector.			
First Nations Reconciliation	Removal of the requirement for citizenship ceremonies to be held on 26 January  Description  The federal government currently requires councils to confer citizenships on 26 January. We know this is a hurtful day for First Nations People and we seek to recognise this day more appropriately by removing this requirement.  Why it is important  Council committed to reconciliation and we understand celebrations on this day are not appropriate. As a result Council is recognising this day differently and we seek a time where citizenship ceremonies are not mandatory.  The support we seek  The federal government to remove this requirement			
A Healthy, Connected Community	Increased rail services that shuttle between Geelong and Colac via Winchelsea - a minimum of 8 return services per day.  Why it is important  There are many growing communities between Geelong and Colac including Winchelsea and Moriac. Increasing services on this line will reduce our heavy dependency on cars and road travel which is rapidly becoming unsustainable.  The support we seek  A minimum of 8 return services that shuttle between Geelong and Winchelsea per day.			
Environmental Leadership	Funding for electric vehicle charging stations project.  Description  Council is pursuing funding for the installation of four new charging stations – one each in Anglesea, Aireys Inlet, Lorne and Winchelsea, to improve electric vehicle connectivity and uptake across the shire and region.  Why it is important  In Surf Coast Shire, transport is the second largest source of greenhouse gas emissions in both our community and corporate emissions profiles. Increasing access and usage of electric vehicles will help reduce emission and address our current climate emergency.  The support we seek  Currently seeking \$70,000 for these four stations with an opportunity to grow in the future. Council has committed \$70,000			



## Advocacy Priorities - adopted September 2021

	Cessation of offshore resource exploration in areas that pose risk to our region.				
	<u>Description</u>				
	Council continues to call for the cessation of offshore resources exploration that pose high risks to our region. We have passed resolutions to oppose the				
	exploration and mining of unconventional gas within the Shire in June 2015, and to oppose plans to drill for oil in the Great Australian Bight in December 2018				
	as well as most recently to oppose the 2021 Offshore Petroleum Acreage Release and all new oil and gas exploration in the Otway Basin.				
	Why it is important				
	This priority is consistent with Council's climate emergency declaration as fossil fuels contribute to this emergency. It is important to stop this resource				
	exploration as there are real and catastrophic threats to our coastline if it continues.				
	The support we seek				
	State and federal legislation that cease this type of exploration forever.				
Inclusion of local knowledge and perspectives in state government Strategic Framework Policy and Plans.					
	<u>Description</u>				
We need local knowledge and perspectives reflected in the development of strategic policy and plans including Great Ocean Road Strategic and GORA policy and plans.					
			Growth	Why it is important	
Local knowledge is rich and valuable and is critical in achieving good land use planning and policy decisions.					
	The support we seek				
	The state government includes Council and the community in any future strategic policy and plan development exercises.				
	Improved key freight and industrial transport connections including key local road connectors and improved links to Geelong Po				
	<u>Description</u>				
Robust and	Support in strengthening road, rail and channel links and preserving adjoining land to enable the port's growth.				
diverse	Why it is important				
economy	Geelong Port is undergoing a major upgrade with \$135 million of private investment which will s=on see the Spirit of Tasmania operating from there. We need				
-	to improve key local roads to help leverage the projected \$57 million boost to tourism expenditure in G21 and 100 ongoing jobs.				
	The support we seek				
	We are supporting the G21 priority to secure \$15 million for essential road infrastructure to support the Spirit of Tasmania's relocation to Geelong.				
	Increased financial support for businesses not registered for GST including artists and creative industries during recovery from the				
pandemic.					
	Description				
<b>Arts and</b>	Arts and recreation services accounted for the second most job losses in the Surf Coast Shire by mid-2020 (behind accommodation and food services).				
Creativity	Government financial support rolled out slowly for this sector and we need it to increase and for it to be sustained.				
•	Why it is important				
	This heavily impacted sector still requires ongoing financial report.				
	The support we seek				
	State and federal funding programs to go to those in the creative industries and those not registered for GST.				



## Advocacy Priorities - adopted September 2021

	Continued funding for shared services and innovation that assist local government.		
	<u>Description</u>		
Accountable	Council will advocate to the state government to extend their commitment to funding programs that assist local government to respond to the sector's		
and Viable	financial sustainability challenge.		
	Why it is important		
Council	Local government needs to be able to continue to deliver services and facilities for the community. Keeping the sector strong and encouraging collaboration		
	will help achieve this for a bright future.		
	The support we seek		
	Continued incentives for local government to collaborate, innovate and remain strong.		

#### Standard Priority Criteria

Helps deliver core Council and community goals.

Priorities that meet any of the following criteria will be assessed and included for advocacy action at any time:

- Projects in our Social Infrastructure Pipeline.
- Projects identified through Council's community project development program.
- Priorities to be delivered by other organisation or community groups that align closely to Council plan theme. E.g. Net Zero Surf Coast, Barwon Health priorities.
- Submissions to other levels of government that aim to bring about benefits for the Surf Coast Shire community or Council.
- A campaign to retain or increase existing program / service delivery funding Council receives. E.g. Early Years' services, Good Times Great Breaks funding.
- Supporting our partners who are advocating for funding for infrastructure or operational funding. E.g. Geelong Regional Library Corporation.
- Letters of support for Surf Coast Shire community groups applying for grants to deliver projects consistent with Council plan themes.



## 6.5 Surf Coast Multiuse Synthetic Facility Business Case

Author's Title: Recreation Development Officer General Manager: Chris Pike Department: Social Infrastructure Planning File No: F19/557 Division: Culture & Community Trim No: IC21/1398 Appendix: 1. Surf Coast Multiuse Synthetic Facility - Business Case (D21/77346) Officer Conflict of Interest: Status: In accordance with Local Government Act 2020 -Defined as confidential information in accordance Section 130: with Local Government Act 2020, Section 3(1): Yes Yes

### **Purpose**

Reason: Nil

The purpose of this report is to receive the findings of the Surf Coast Multiuse Synthetic Facility Business Case and note a review of the Torquay Community & Civic Precinct Masterplan 2014 will commence in early 2022.

Reason: Nil

### **Summary**

This report presents the Business Case which evidences the need and benefits of the Surf Coast Multiuse Synthetic Facility being considered as a future project at Banyul Warri Fields in Torquay North. The Business Case is comprehensive in its coverage of the scope of works, design, estimated cost, potential funding models, management and use, operational revenue and expenditure, benefits, risks and recommendations proposed to progress the project.

Following the implementation of key actions from the 2014 Torquay and Community Civic Precinct Masterplan and planning work on projects including the Surf Coast Multiuse Synthetic Facility and Surf Coast Aquatic & Health Centre, Officers are proposing to undertake a review of the masterplan.

The masterplan identified an indoor stadium and potential future community (aquatic) facility in the north-east corner of Banyul Warri Fields Reserve which are now located elsewhere within the precinct. The parcel has no defined use and there has been no broader engagement on use of that land. It's important that this occurs ahead of any firmer Council commitment to proceed with the project.

The determination of the Multiuse Synthetic Facility being best use of the vacant land parcel will be tested through engagement with the community in the review.

### Recommendation

That Council:

- 1. Notes the findings of the Surf Coast Multiuse Synthetic Facility Business Case.
- 2. Notes the strategic alignment of the Surf Coast Multiuse Synthetic Facility to the Torquay Synthetic Hockey Pitch Feasibility Report (2015), the Hockey Victoria Strategic Facilities Master Plan 2015-25 (2015), and the G21 Regional Hockey Strategy (2019).
- 3. Notes that the determination of the Surf Coast Multiuse Synthetic Facility being best use of the vacant land parcel at Banyul Warri Fields will be tested through engagement with the community in a review of the Torquay Community & Civic Precinct Masterplan 2014 in early 2022.
- 4. Considers the findings of the Torquay Community & Civic Precinct Masterplan review at a future meeting of Council.

## **Council Resolution**

## MOVED Cr Rose Hodge, Seconded Cr Paul Barker

That Council:

- 1. Notes the findings of the Surf Coast Multiuse Synthetic Facility Business Case.
- 2. Notes the strategic alignment of the Surf Coast Multiuse Synthetic Facility to the Torquay Synthetic Hockey Pitch Feasibility Report (2015), the Hockey Victoria Strategic Facilities Master Plan 2015-25 (2015), and the G21 Regional Hockey Strategy (2019).
- 3. Notes that the determination of the Surf Coast Multiuse Synthetic Facility being best use of the vacant land parcel at Banyul Warri Fields will be tested through engagement with the community in a review of the Torquay Community & Civic Precinct Masterplan 2014 in early 2022
- 4. Considers the findings of the Torquay Community & Civic Precinct Masterplan review at a future meeting of Council.

CARRIED 9:0

## Voting

Voted on as follows:

For Against Abstained
Cr Allen Nil Nil
Cr Barker
Cr Bodsworth
Cr Gazzard
Cr Hodge
Cr Pattison
Cr Schonfelder
Cr Stapleton
Cr Wellington

## 6.5 Surf Coast Multiuse Synthetic Facility Business Case

### Report

### Officer Direct or Indirect Interest

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

#### **Background**

The Torquay Hockey Club (THC) made a community submission to Council's 2019-20 Annual Budget process for the development of a business case for this project. This followed a strong alignment to local, regional and state strategic documents, and 6 years of planning and advocacy from the Club and sport. The need for the business case was based on a previous Council and Club-led 'Torquay Synthetic Hockey Pitch Feasibility Report' in 2015, the 'Hockey Victoria Strategic Facilities Master Plan 2015-25', and the 'G21 Regional Hockey Strategy' in 2019. All documents referenced the location to be at Surf Coast Secondary College (SCSC).

A consultant was engaged in late 2019 who provided a draft business case for review in June 2020. The draft business case noted a risk to the project was the potential future need for the SCSC land by the College to support a growing student population. On further consideration of the draft proposal the School Council determined to no longer support the synthetic facility on College land. Although this was disappointing, stakeholders appreciated the need for the SCSC to reserve the land for future growth of the College and the decision provided clarity on needing to move forward with an alternate site.

In late 2020, two sites were assessed against a range of key criteria by Council and representatives from the Torquay Hockey Club. After careful consideration the preferred site was determined to be the vacant land parcel at Banyul Warri Fields which has no defined use as the 2014 masterplan notionally identified this location for a future indoor stadium and aquatic facility which are now located elsewhere within the precinct.

Officers briefed Council in April 2021 on two key issues relating to the project:

- 1. Vacant land in the Banyul Warri Fields sports precinct with no plan for future use:
  - There is a growing demand for active open space and it is expected that we'll experience a future shortage of recreation/open space in Torquay.
  - The parcel of land is of interest to the community with relatively frequent enquiries as to the future use.
  - The site has experienced issues of poor condition/rubbish dumping, resulting in complaints. The site was tidied up in 2020.
  - It isn't suitable to establish a temporary use as once a use is in place it may be challenging to remove for a preferred future use.
  - In theory the land could be sold for residential housing, however equivalent open space would have to be provided in close proximity, which is unlikely to be available in Torquay.
  - The future use of this critical parcel of land zoned for recreation needs to be resolved.
- 2. The need for a hockey/multiuse facility:
  - The Club firmly believe that a lack of a purpose-built facility is the primary factor limiting growth.
  - The Torquay Hockey Club membership grew from 173 in 2015 to 225 in 2018 and then declined to an estimated 150 in 2019. Following the COVID-impacted 2020 season, there are 152 members in 2021.
  - Hockey Victoria indicates that 220 registered hockey players are living in Surf Coast Shire. This data suggests that 68 of those play for clubs outside Torquay.
  - The G21 Regional Hockey Strategy (2019) highlighted travel as a significant barrier to participation for the sport, with limited venues throughout the region.
  - Torquay/Jan Juc is a growth area requiring facilities to meet community needs.
  - As the population grows, demand for sports fields will outstrip provision.
  - Diverse sports offerings are needed in a growing community of this size.
  - Comparative outdoor sport membership data and facility provision shows that other sports have significant facilities to support participation and growth. Hockey's penetration rate is low but has been stifled by not having a facility.
  - A multiuse facility will support numerous sports and uses.

## 6.5 Surf Coast Multiuse Synthetic Facility Business Case

It is important that Council determines a future use for the vacant land at Banyul Warri Fields. Officers have engaged the expertise of relevant consultants and completed a Surf Coast Multiuse Synthetic Facility Business Case with the key findings ready to be noted by Council.

#### Discussion

## Surf Coast Multiuse Synthetic Facility Business Case

The Business Case evidences the need and benefits of this facility being considered as a future project at Banyul Warri Fields in Torquay North. The key findings include:

#### THE NEED

- The project has a strong alignment with the aims of Federal, State, regional and local plans (as noted above).
- Established in 2010, the Torquay 'Tornadoes' Hockey Club (THC) evolved rapidly from a single U/13 mixed team, to a club boasting 225 players and 13 teams in 2016. Membership of 152 people in 2021 while still experiencing the impacts of COVID-19 is a positive outcome and foundation for future growth.
- The Torquay Hockey Club needs a synthetic pitch for the following key reasons:
  - To train for and play hockey safely in Torquay (the sport now requires a specialised synthetic surface)
  - To provide a home ground for the club where all members can train and play with minimal travel, alternating with away games at Geelong venues. The G21 Regional Hockey Strategy (2019) highlighted travel as a significant barrier to participation for the sport.
  - o To grow participation and support a healthy and sustainable club.
  - The Club firmly believe that a lack of a purpose-built facility is the primary factor limiting growth, which is demonstrated by rapid early growth from 2010 to 2016 followed by steady decline.
- Comparative outdoor sport membership data and facility provision shows that other sports have significant facilities to support participation and growth. Hockey's penetration rate is low but has been stifled by not having a facility. A multiuse facility will support numerous sports and uses.
- The 2021 membership of the Torquay Hockey Club is 152. The potential expansion of the Club over a 15 year period is quite significant, estimated to increase from 152 in 2021 to 345 in 2036; growth of 127%. This is an increase from 79 children now to 179 in 2036.

### THE PROJECT

- The proposed site for the Surf Coast Multiuse Synthetic Facility is the vacant parcel of land in the Banyul Warri Fields sports precinct in Torquay, adjacent to Yallock Circuit.
- Key considerations in determining that the multiuse synthetic facility was the most appropriate future use of this site included the best use of the land, the fit for the precinct, the benefits of the location, the Club preference, zoning, community support and potential future multiuse development.
- The project scope of works includes:
  - o Competition level sand-dressed hybrid synthetic hockey surface
  - o 250 lux sports lighting
  - Safety fencing (above industry standard)
  - Drainage and irrigation
  - Players shelters and coaches boxes
  - Spectator seating and shelter
  - Footpaths (connection to existing pathways)
  - Car parking (formal to match precinct, including access from Yallock Circuit)
  - Landscaping (minor)
- The cost estimate for the core scope of works is \$3.12m. This includes the above scope items, contingencies, design, cost escalation and Project Management. Additional optional items of concrete terracing, extended shelter, divider netting and a potential electrical upgrade are estimated at \$350,000.
- The potential traditional funding model requires a Council contribution of \$1.04m, noting the projects potential eligibility to access Council's Open Space Reserve Fund due to the existing open space being more intensively used as a result of the project.
- In light of the Council contribution to the Aquatic & Health Centre, and the pipeline of large infrastructure projects, an alternative funding option for this project is for the Club and sport to lobby for an election commitment to secure full funding. Whilst a notionally attractive option this is problematic because

## 6.5 Surf Coast Multiuse Synthetic Facility Business Case

community engagement on that site is yet to occur and it may attract funding at the expense of other Council and community infrastructure priorities.

#### FACILITY MANAGEMENT AND USE

- The facility will be within the Banyul Warri Fields precinct with the summer and winter seasonal allocation process and casual facility bookings managed by Council's Facilities & Open Space Operations (FOSO) Team.
- The Hockey Club will be the primary user after school hours for training and on weekends for games.
- The facility will be suitable for training for a range of sports and use by other activities, allowing for multiuse by other clubs and user groups such as netball, football or soccer training.
- A program of anticipated hours of organised use for the facility estimates 41 hours of use per week in Winter and 27 hours per week in Summer.
- The total estimated participation for the Winter Season (April September) is 21,494, whilst the Summer Season (October – March) is 6,240; providing an annual estimated total of 27,734.
- The operational revenue and expenditure estimated over a 10 year period ranges from -\$2,800 in Year 1 to -\$423 in Year 10. The average net result across this period is -\$1,371 per year which is low for a sports field. The revenue includes a notional \$7,000 from THC through a licence agreement.
- Estimated asset maintenance and renewal allocations over the first 10 years of the facility total \$639,673, with an average of \$63,967 per year, including surface renewal of \$320,340 in Year 9.

#### A COMPELLING BUSINESS CASE

- The project aligns with the Hockey Victoria Strategic Facilities Master Plan 2015-25, G21 Regional Hockey Strategy 2019 and Torquay Synthetic Hockey Pitch Feasibility Report 2015.
- There will be positive economic impacts through the construction stage, and to a lesser extent, the operations phase.
- The health and social benefits to the Torquay Hockey Club members will be significant, with a home base providing a true sense of physical identity, a place to socialise locally and enhance team cohesion, and introduce new members to the Club through expected growth.
- The positive impacts of training and playing locally on member's families will be very important to their wellbeing.
- The synthetic facility will provide environmental benefits for both the Club and Council through less water use and lower emissions than a grass turf pitch.
- Attraction of new volunteers will increase time contribution to the Club by 2,320 hours annually, on top of the existing estimated 4,000 hours.
- The project has the potential to provide over \$1 million in 'Social Return on Investment' and 'perceived personal benefits' to new members annually (from 2030 with 140 projected new members).

#### **BUSINESS CASE RECOMMENDATIONS**

The following recommendations are proposed to progress this project towards sourcing funding, define scope and usage, and ensure suitable management of the facility once constructed.

- 1. Identify the vacant land at Banyul Warri Fields as the preferred site for the multiuse synthetic facility.
- 2. Consider the project with other priorities for relevant grant opportunities in-line with the proposed funding model to source contributions for the construction of the facility.
- 3. The project scope is construction of a competition level sand-dressed hybrid synthetic hockey surface with 250 lux sports lighting, safety fencing (above industry standard), drainage and irrigation, divider netting, players shelters and coaches boxes, spectator seating and shelter, footpaths, car parking and landscaping.
- 4. The existing management model for the Banyul Warri Fields precinct will include the multiuse synthetic facility once constructed.
- 5. Prioritise the use of the synthetic facility by the Torquay Hockey Club after 4.00pm on weekdays, and weekends. Other community use to be programmed in the other available hours.
- 6. Encourage use by local clubs for training in winter, and actively promote the facility to the hockey community to increase bookings, particularly in summer.
- 7. Negotiate an annual licence fee for the Torquay Hockey Club (including utility costs) in line with their current costs to use synthetic facilities within the City of Greater Geelong.

8. Introduce a contract for the regular cleaning, grooming and inspection of the surface, to ensure it will be kept in good condition. Ensure the surface is replaced every 7-10 years, as required.

Further to the findings of the Business Case, the key factors in Officers determining that a multiuse synthetic facility is the best use for the vacant land parcel at Banyul Warri Fields include:

- The site is the best location for this facility. It makes sense that the facility would be located with the majority of other sporting fields in Torquay. Potential multiuse by other sports/SCSC is greater. Events potential is high. The Hockey Club will access the Grant Pavilion and their use will increase. It's located perfectly for visiting teams and is close to public transport and amenities.
- Best use. This parcel is for active open space. It can't be sold without finding alternate open space nearby (not possible). A hockey/multiuse synthetic facility is the best use.
- There is a demonstrated need for this facility. It will provide hockey with a home and support other uses.
- Prime open space is scarce and this won't change. This is the remaining large land parcel in the sports precinct. All other outdoor sports fields in the precinct master plan have been developed.
- Other open space needs can be accommodated elsewhere on Council land this facility cannot.
- Other sports are well provisioned for in the precinct. Hockey has no local facility.
- A synthetic facility will provide multiuse opportunities for other sports, particularly in the winter when demand for training space will increase as our population grows.
- There is potential for a future multiuse development. A hockey/multiuse synthetic facility will compliment a potential future community hub building, including shared amenities for sports use.
- Only one other site in Torquay can fit a hockey pitch, however it is not considered suitable like this site.

## Torquay Community & Civic Precinct (TCCP) Masterplan 2014 - Review

Following the implementation of key actions from the 2014 masterplan and planning work on projects including the Surf Coast Multiuse Synthetic Facility and Surf Coast Aquatic & Health Centre, Officers are proposing to undertake a review of the masterplan. The masterplan identified an indoor stadium and potential future community (aquatic) facility in the north-east corner of Banyul Warri Fields Reserve. The Stadium is now located in the north-west area of the precinct, with the aquatic and health centre planned to be located adjacent.

The precinct has developed into a sporting hub with facilities providing for cricket, football, soccer, junior hockey training, touch football, basketball, netball, badminton, group fitness, skateboarding/BMX, scooters, BBQ and playground spaces and other uses. Planning for the Surf Coast Aquatic & Health Centre is underway with completion expected in mid-2025, and the Business Case for the Surf Coast Multiuse Synthetic Facility is complete.

The parcel in the north-east corner has no defined use and there has been no broader engagement on potential use of that land. As the first recommendation in this Business Case is to 'Identify the vacant land at Banyul Warri Fields as the preferred site for the multiuse synthetic facility', it's important that community engagement occurs on the future of the precinct ahead of any firmer Council commitment to proceed with the Surf Coast Multiuse Synthetic Facility at this site.

The Social Infrastructure Planning team propose to undertake the masterplan review between January and June 2022 to understand potential future infrastructure needs and uses of land within the precinct.

#### Council Plan

Theme 1 Community Wellbeing

Objective 1.2 Support people to be healthy and active

Strategy Select Strategy

Theme 3 Balancing Growth

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

Strategy 3.2.6 Advocate for supporting infrastructure

Theme 5 High Performing Council

Objective 5.2 Ensure that Council decision-making is balanced and transparent and the community is

involved and informed

## 6.5 Surf Coast Multiuse Synthetic Facility Business Case

Strategy 5.2.2 Evolve our community engagement approach to inform strategic Council direction and decision-making

## Reporting and Compliance Statements:

Local Government Act 2020 - LGA 2020

Implications	Applicable to this Report
Governance Principles	Yes
(Consideration of the Governance Principles under s.9 of LGA 2020)	
Policy/Relevant Law	No
(Consideration of the Governance Principles under s.9 of LGA 2020)	
Environmental/Sustainability Implications (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
Community Engagement	Yes
(Consideration of Community Engagement Principles under s.56 LGA 2020 and Council's Community Engagement Policy SCS-017)	
Public Transparency	Yes
(Consideration of Public Transparency Principles under s.58 of LGA 2020)	
Strategies and Plans	Yes
(Consideration of Strategic Planning Principles under s.89 of LGA 2020)	
Financial Management (Consideration of Financial Management Principles under s.101 of LGA 2020)	Yes
Service Performance (Consideration of Service Performance Principles under s.106 of LGA 2020)	Yes
Risk Assessment	Yes
Communication	Yes
Human Rights Charter	No

## Governance Principles - Local Government Act 2020 (LGA 2020)

This project will ensure that a significant and positive outcome will be provided for a key Club within the community. The multiuse nature of the facility will provide greater opportunities for use by a range of clubs and groups. The facility design has included the current innovations in hockey pitch construction and materials.

#### Environmental/Sustainability Implications

The synthetic facility will provide environmental benefits for both the Club and Council through less water use and lower emissions that a grass turf pitch.

#### Community Engagement

Council officers have collaborated with the Torquay Hockey Club throughout the development of the Business Case. As noted, community engagement on the TCCP in 2022 will provide an opportunity for the community to outline future needs within the precinct, including consideration of the Multiuse Synthetic Facility as the preferred us of the vacant land parcel.

In accordance with Council's Community Engagement Policy SCS-017, the engagement level is 'Consult' as shown below.

Engagement Level	Promise to the Community	Role of Community	Example of Activities
Consult:	Council will listen to and	Contribute opinions and	'Have your say' public
Ask for feedback on	acknowledge your	ideas.	exhibition process.
a matter.	contribution.		Direct engagement with
			precinct user groups.

#### Public Transparency

The Business Case is an appendix to this Council Report and will be available to the community. This will aid in understanding the evidence of need, benefits and operational outcomes that have resulted in Council supporting the project.

## 6.5 Surf Coast Multiuse Synthetic Facility Business Case

#### Strategies/Plans

The project aligns with the Council and Club-led 'Torquay Synthetic Hockey Pitch Feasibility Report' that was produced in 2015, and the 'Hockey Victoria Strategic Facilities Master Plan 2015-25' which was adopted in 2015 with input from clubs and associations. The 'G21 Regional Hockey Strategy' was endorsed in 2019 following a comprehensive community engagement process with club workshops, surveys and a draft Strategy available for public comment. As noted, the Business Case has been developed in collaboration with the Torquay Hockey Club.

### Financial Management

There are no financial implications for Council arising from the recommendations in this report. The Business Case highlights a potential future traditional funding model that would require a Council contribution of \$1.04m, however there is no commitment to this through noting the findings of the Business Case.

The project would be considered an eligible allocation from Council's Open Space Reserve Fund due to the existing open space being more intensively used. However, this would require an assessment of all potential open space projects within Torquay at the time to determine its level of priority and whether a supplementary Discretionary Capital allocation would need to be considered through Council's Annual Budget process. This option would minimise the 'opportunity cost' to other pipeline projects. In light of the Council contribution to the Aquatic & Health Centre, and the pipeline of large infrastructure projects, an alternative funding option for this project is for the Club and sport to lobby for an election commitment to secure full funding.

#### Service Performance

Comparative outdoor sport membership data and facility provision shows that other sports have significant facilities to support participation and growth. Hockey's penetration rate is low but has been stifled by not having a local facility. A multiuse facility will support numerous sports and uses.

SPORT	MEMBERSHIP IN SCS (2019)	PENETRATION RATE (pop. 33,456)	FACILITY PROVISION
Hockey	223	7 per '000	Nil
Soccer	412	12 per '000	3 pitches, pavilion (2021)
Cricket	945	28 per '000	9 ovals, 7 pavilions
Tennis	1855	55 per '000	50 courts, 10 pavilions

Note: AFL and Netball not included as not as comparative.

Note: The Hockey Club currently pay for use of Stead Park in Corio and they expect to pay to use this facility. All other sports have free use of their facilities.

#### Risk Assessment

There are (no) identified Workplace Health and Safety implications associated with this report. The Business Case highlights potential risks for the project.

#### Communication

The completed Business Case will be provided to the Torquay Hockey Club, Geelong Hockey Association and Hockey Victoria. The community will be informed through the outcome of the Council meeting and associated media.

## 6.5 Surf Coast Multiuse Synthetic Facility Business Case

### **Options**

Option 1 – Note the findings of the Surf Coast Multiuse Synthetic Facility Business Case and that a review of the Torquay Community & Civic Precinct (TCCP) Masterplan 2014 is to be undertaken in 2022.

This option is recommended by officers as it ensures the completed Business Case is acknowledged by Council as a strategic document supporting a future facility identified for Banyul Warri Fields, whilst noting that a review of the precinct masterplan is required to understand the community perspectives on future infrastructure needs and consider the Multiuse Synthetic Facility as the preferred option for the vacant land parcel.

Option 2 – Note the findings of the Surf Coast Multiuse Synthetic Facility Business Case, but do not support a review of the Torquay Community & Civic Precinct (TCCP) Masterplan 2014.

This option is not recommended by officers as a review of the precinct masterplan is required to understand the community perspectives on future infrastructure needs and consider the Multiuse Synthetic Facility as the preferred option for the vacant land parcel. If a review is not completed, the masterplan will remain outdated and not reflective of current and future community needs.

Option 3 – Do not note the findings of the Surf Coast Multiuse Synthetic Facility Business Case, but note that a review of the Torquay Community & Civic Precinct (TCCP) Masterplan 2014 is to be undertaken in 2022. This option is not recommended by officers as the completed Business Case will not be acknowledged by Council as a strategic document, leaving the future of a facility in Surf Coast Shire unknown. Further, a review of the masterplan needs to consider a Multiuse Synthetic Facility for the vacant parcel of land and the community need to be able to consider the findings of the Business Case.

#### Conclusion

The strategic alignment and community need for a Multiuse Synthetic Facility is evidenced through the Business Case. With local, regional and state planning drivers and over 6 years of advocacy and planning work from the Torquay Hockey Club and sport, the Business Case presents an investment-ready project for consideration by Council and potential funding partners. The Business Case outlines a potential funding model, but doesn't commit Council to funding or contributing to the project.

The Torquay Hockey Club are a strong, inclusive and family friendly club with a short but proud history of growth, development and success. Their ability to grow further is impacted heavily by not having a local facility, with members travelling to Corio for training and games. In addition to supporting the club the facility will provide multiuse opportunities for other sporting clubs and groups, particularly in the winter season and as our population grows over the coming years.

Officers have identified a Multiuse Synthetic Facility as the best use of the vacant land parcel at Banyul Warri Fields. The determination of the Multiuse Synthetic Facility being best use of the vacant land parcel will be tested through engagement with the community in the review of the Torquay Community & Civic Precinct (TCCP) Masterplan 2014 which is to be undertaken in 2022 and findings presented at a future meeting of Council.

## 6.5 Surf Coast Multiuse Synthetic Facility Business Case

## APPENDIX 1 SURF COAST MULTIUSE SYNTHETIC FACILITY - BUSINESS CASE



Surf Coast Multiuse Synthetic Facility - Business Case

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### Acknowledgements

- Torquay Hockey Club: Support in the overall development of the document including the provision of content, data, programming information, history, photos and 3D renders via an in-kind contribution from a Club member.
- Geelong Hockey Association: Assistance with facility hire rates and potential scheduling.
- Hockey Victoria: Assistance with participation data and potential use of the facility.
- @leisure Planners: This Business Case contains content produced by @leisure for a previous Business Case when the facility was proposed to be located at the Surf Coast Secondary College site. Surf Coast Shire acknowledges the contribution by @leisure to this document.



#### Background

The business case is for a multiuse synthetic facility in Torquay. The document will enable the project to be considered in Council's future budget processes and assist stakeholders and Council in seeking external funds

Council has defined the following goals objectives and principles to guide the project.

#### Goal

 $Improved\ community\ health\ and\ well-being\ through\ the\ provision\ of\ high-quality\ facilities.$ 

## Objectives

- Develop a multiuse synthetic facility to cater to a range of complementary uses, supporting the activities of various clubs and user groups
- Support the growth and sustainability of the Torquay Hockey Club.

### Strategic Drivers

This project aligns with the aims of Federal, State, regional and local plans, in particular the Hockey Victoria Strategic Facilities Master Plan 2015-25, G21 Regional Hockey Strategy 2019 and Torquay Synthetic Hockey Pitch Feasibility Report 2015.

#### The Torquay Hockey Club

Established in 2010, the Torquay 'Tornadoes' Hockey Club (THC) evolved rapidly from a single U/13 mixed team, to a club boasting 225 players and 13 teams in 2016. Although the Club has experienced a decline in membership since 2016, the friendly, welcoming and professional club culture has strengthened, and success both on and off the field is clearly evident. Membership of 152 people in 2021 while still experiencing the impacts of COVID-19 is a positive outcome and foundation for future growth.

Surf Coast Multiuse Synthetic Facility - Business Case

#### The need for a multiuse synthetic facility

The Torquay Hockey Club needs a synthetic pitch for the following key reasons:

- To train for and play hockey safely in Torquay (the sport now requires a specialised synthetic surface)
- To provide a home ground for the club where all members can train and play with minimal travel, alternating with away games at Geelong venues. The G21 Regional Hockey Strategy (2019) highlighted travel as a significant barrier to participation for the sport.
- To grow participation and support a healthy and sustainable club.
- The Club firmly believe that a lack of a purpose-built facility is the primary factor limiting growth, which is demonstrated by rapid early growth from 2010 to 2016 followed by a gradual decline before plateauing in 2019 and 2021.

#### **Provision of Open Space and Sports Fields**

The Torquay population and that of the Surf Coast Shire are growing. Increases in population inherently increase the demand on local sporting clubs to support participation, which in turn requires access to sporting fields. This is particularly demanding in the winter season.

#### Diversification of sports offerings/opportunities

Provision of sporting facilities and the associated participation opportunities in the Surf Coast Shire are reflective of many regional Victoria towns. Australian Rules Football, Football/Soccer, netball, cricket and tennis facilities are available throughout towns within the municipality. The growth and sustained strong club culture of the THC demonstrates the appeal to Surf Coast residents of an alternate sports offering.

#### Comparative Sport Membership and Facility Provision

Comparative outdoor sport membership data and facility provision shows that other sports have significant facilities to support participation and growth. Hockey's penetration rate is low but has been stifled by not having a facility. A multiuse facility will support numerous sports and uses.

## **Potential Membership**

The 2021 membership of the Torquay Hockey Club is 152. The potential expansion of the Club over a 15 year period is quite significant, estimated to increase from 152 in 2021 to 345 in 2036; growth of 127%. This is an increase from 79 children now to 179 in 2036. The projected increase doesn't include the potential different types of memberships that might be associated with additional programming that the Club are already considering such as All Abilities programs, social programs and Lacrosse.

Surf Coast Multiuse Synthetic Facility - Business Case

#### Site Suitability

The proposed site for the Surf Coast Multiuse Synthetic Facility is the vacant parcel of land in the Banyul Warri Fields sports precinct in Torquay, adjacent to Yallock Circuit. Key considerations in determining that the multiuse synthetic facility is the most appropriate future use of this site included the best use of the land, the fit for the precinct, the benefits of the location, the Club preference, zoning, community support and potential future multiuse development.

The project scope of works includes:

- Competition level sand-dressed hybrid synthetic hockey surface
- 250 lux sports lighting
- Safety fencing (above industry standard)
- Drainage and irrigation
- Players shelters and coaches boxes
- Spectator seating and shelter
- Footpaths (connection to existing pathways)
- Car parking (formal to match precinct, including access from Yallock Circuit)
- Landscaping (minor)

#### **Construction Cost Estimate**

The cost estimate for the core scope of works is \$3.12m. This includes the above scope items, contingencies, design, cost escalation and Project Management. Additional optional items of concrete terracing, extended shelter, divider netting and a potential electrical upgrade are estimated at \$350,000.

## **Funding Model**

The potential traditional funding model would require a future Council contribution of \$1.04m, noting this Business Case doesn't commit Council to funding or contributing to the project. Council could consider a contribution through a future budget process, and/or use a portion of the Open Space Reserve Fund for their contribution rather than Discretionary Capital. The project would be considered an eligible allocation from Council's Open Space Reserve Fund due to the existing open space being more intensively used. However, this would require an assessment of all potential open space projects within Torquay at the time to determine its level of priority and whether a supplementary Discretionary Capital allocation would need to be considered through the Annual Budget process.

This option would minimise the 'opportunity cost' to other pipeline projects that would require funding through the Discretionary Capital budget. In light of the Council contribution to the Aquatic & Health Centre, and the pipeline of large infrastructure projects, an alternative funding option for this project is for the Club and sport to lobby for an election commitment to secure full funding.

### How the Facility should be managed

The facility will be within the Banyul Warri Fields precinct which is managed by Council's Facilities & Open Space Operations (FOSO) Team. A license agreement should be established with the Hockey Club as the primary user, encouraging sharing and maximising participation. The FOSO Team would manage the use of the facility by other clubs, user groups and hirers through casual bookings, the same as the other precinct facilities.

Surf Coast Multiuse Synthetic Facility - Business Case

#### How the Facility will be used

#### Priority uses

The Hockey Club will be the primary user after school hours for training and on weekends for games. The facility will be suitable for training for a range of sports and use by other activities, allowing for multiuse by other clubs and user groups such as netball, football or soccer training.

#### Potential Use Types/Groups

The potential user groups include a mix of Torquay Hockey Club training and academy, intra-club games, Association games, Hockey Victoria use and potential non-hockey sports use.

#### **Potential Facility Use**

#### **Potential Program**

A program of anticipated hours of organised use for the facility estimates 41 hours of use per week in Winter and 27 hours per week in Summer. The amount of use will vary between seasons, in school holidays and as demand changes and grows. Both seasons include projected potential multiuse opportunities.

#### **Projected Participation**

The total estimated participation for the Winter Season (April – September) is 21,494, whilst the Summer Season (October – March) is 6,240; providing an annual estimated total of 27,734.

#### **Hockey Victoria**

Hockey Victoria have outlined several additional programming opportunities for a facility constructed in Torquay. Potential pre-season training camps, a training venue for the Western Wildcats and Hockey Geelong Premier League games would greatly value-add to the use of the Torquay Hockey Club and local multiuse.

#### **Operational Revenue and Expenditure**

The Torquay Hockey Club will be the primary user, and as they currently pay to use the Stead Park facilities, it's expected that they'll pay for use of this facility also. With the establishment of a clear schedule of annual use, there is potential to implement a licence agreement with the Club including a fee for the years use and utilities. There may be an opportunity for incentives to be built into the licence agreement if the Hockey Club attract additional use and revenue for programs or events. For the purposes of this business case, Table 8 includes an estimate of \$7,000. The additional revenue of \$21,000 is expected to be received through away team fees, Geelong Hockey Association games (no Torquay teams) and Hockey Victoria programming opportunities.

Table 9 provides a 10 year estimated annual revenue and maintenance expenditure that applies different percentages for revenue based on a 3 year establishment period. The net result ranges from \$2,800 in Year 1 to -\$423 in Year 10. The average net result across this period is -\$1,371 per year.

#### Lifecycle / Asset Maintenance and Renewal Costs

Table 11 provides an indication of required asset maintenance and renewal allocations over the first 10 years of the facility. The total estimate is \$639,673 with an average of \$63,967 per year, including surface renewal of \$320,340 in Year 9 (not including the shockpad which is expected to last until the following surface renewal). For Years 1-8 and 10, the average allocation per year is \$31,752.

Surf Coast Multiuse Synthetic Facility - Business Case

#### Project Benefits / A Compelling Business Case

This section outlines a range of benefits that this project will provide, providing a compelling business case for the investment to construct the facility.

The project aligns with the Hockey Victoria Strategic Facilities Master Plan 2015-25, G21 Regional Hockey Strategy 2019 and Torquay Synthetic Hockey Pitch Feasibility Report 2015.

There will be positive economic impacts through the construction stage, and to a lesser extent, the operations phase. The health and social benefits to the Torquay Hockey Club members will be significant, with a home base providing a true sense of physical identity, a place to socialise locally and enhance team cohesion, and a fantastic introduction for new members to the Club through expected growth.

The positive impacts of training and playing locally on member's families will be very important to their wellbeing. The synthetic facility will provide environmental benefits for both the Club and Council through less water use and lower emissions.

Attraction of new volunteers will increase time contribution to the Club by 2,320 hours annually, on top of the existing estimated 4,000 hours. The project has the potential to provide over \$1 million in 'Social Return on Investment' and 'perceived personal benefits' to new members annually (from 2030 with 140 projected new members).

Many of these potential benefits are difficult to quantify and measure, however there is clear potential for a variety of positive outcomes to be generated from the facility's construction.

#### **Project Risks**

There are risks associated with planning, seeking funding, design and construction of significant open space infrastructure. Table 11 outlines key risks and preventative actions for this project including site suitability/support, sourcing of funds, Club growth, design and construction risks and facility maintenance.

#### **Conclusion & Recommendations**

A multiuse synthetic facility will have considerable benefits for the Torquay Hockey Club and wider Surf Coast community. The Banyul Warri Fields vacant land parcel is most suited to a hockey pitch that can be used primarily for hockey, and other community sports activities and casual use.

A surface suitable for hockey will improve hockey participation in Torquay, increase player safety and allow the club to play locally. A sand-dressed hybrid synthetic hockey surface is the most suitable. It will provide a home pitch for the Torquay Hockey Club and enhance their ability to retain existing players and grow the club through the attraction of new players.

If no multiuse synthetic facility with a competition level surface for hockey can be provided in Torquay, there is a danger that the Club's participation will decline or stagnate. For existing players, there will be increased costs for those who wish to continue to play hockey and a loss of social capital.

There is a compelling Business Case for this project, with clear strategic alignment, economic, health, social and environmental benefits to the Club, Geelong Hockey Association, the sport and community.

Surf Coast Multiuse Synthetic Facility - Business Case

#### Recommendations

The following recommendations are proposed to progress this project towards sourcing funding, define scope and usage, and ensure suitable management of the facility once constructed.

- Identify the vacant land at Banyul Warri Fields as the preferred site for the multiuse synthetic facility.
- 2. Consider the project with other priorities for relevant grant opportunities in-line with the proposed funding model to source contributions for the construction of the facility.
- The project scope is construction of a competition level sand-dressed hybrid synthetic hockey surface with 250 lux sports lighting, safety fencing (above industry standard), drainage and irrigation, divider netting, players shelters and coaches boxes, spectator seating and shelter, footpaths, car parking and landscaping.
- 4. The existing management model for the Banyul Warri Fields precinct will include the multiuse synthetic facility once constructed.
- Prioritise the use of the synthetic facility by the Torquay Hockey Club after 4.00pm on weekdays, and weekends. Other community use to be programmed in the other available hours.
- 6. Encourage use by local clubs for training in winter, and actively promote the facility to the hockey community to increase bookings, particularly in summer.
- 7. Negotiate an annual licence fee for the Torquay Hockey Club (including utility costs) in line with their current costs to use synthetic facilities within the City of Greater Geelong.
- 8. Introduce a contract for the regular cleaning, grooming and inspection of the surface, to ensure it will be kept in good condition. Ensure the surface is replaced every 7-10 years, as required.



The business case is for a multiuse synthetic facility in Torquay. The document will enable the project to be considered in Council's future budget processes and assist stakeholders and Council in seeking external funds.

## 1.1 Goal, Objectives and Principles

Council has defined the following goals objectives and principles to guide the project.

#### Goal

Improved community health and well-being through the provision of high-quality facilities.

#### **Objectives**

- Develop a multiuse synthetic facility to cater to a range of complementary uses, supporting the activities of various clubs and user groups
- Support the growth and sustainability of the Torquay Hockey Club.

#### **Principles**

- The design is to be in line with the community and civic precinct master plan
- The design is to be sympathetic to the existing building and reserve surrounds
- Focus on maximising the use of the facility by the key user group (the hockey club) and existing and new complementary activities including soccer/Australian Rules/rugby/netball training, and lacrosse, tennis and touch football (where relevant)
- The project must be considered in the context of Council's long-term financial planning and renewal budget
- The project will be one of many community projects that will provide community benefit and will compete for Council funding
- Future facility management and governance arrangements must be clear, including hours of use and financial responsibilities
- Enhance partnerships with stakeholders including Torquay Hockey Club, Geelong Hockey Association, Hockey Victoria and precinct user groups
- Develop new partnerships where appropriate opportunities arise

Surf Coast Multiuse Synthetic Facility - Business Case

### 1.2 Strategic Drivers

This project aligns with the aims of Federal, State, regional and local plans, including those listed below. Key points have been included.

## **Federal Plans**

- The Australian Government's National Sport Plan: Sport 2030
- National Sport and Active Recreation Policy Framework 2011
- Smart Cities Plan 2016

#### **State Plans**

- The Value of Community Sport & Active Recreation Infrastructure 2020
  - The report is the first ever comprehensive investigation into the economic, health and social impacts of community sport and active recreation infrastructure in the state.
  - Sport contributes annual economic benefits of \$2.1 billion, health benefits of \$2.3 billion and social benefits of \$2.6 billion.
- Infrastructure Plan for Victoria 2018
  - The plan outlines Victoria's priorities in providing and maintaining infrastructure throughout the state. Directions include to "deliver accessible, flexible, multipurpose facilities across regional Victoria".
- Active Victoria Strategic Framework 2017
  - The plan sets out a "blueprint" of future Victorian priorities within the sport and recreation sector. Strategic directions encompass meeting demand through increasing the capacity of infrastructure and the need to increase the community's level of physical activity.
- Victoria's Public Health and Wellbeing Plan 2019–2023
  - The Health and Wellbeing Plan identifies the need to increase active living (amongst other target areas) to improve Victorian health and wellbeing.
- Safe and Strong Gender Equity Strategy 2016
  - The document sets the framework to progressively build the attitudinal and behavioural change required to reduce violence against women and deliver gender equality.
- The Hockey Victoria Strategic Facilities Master Plan 2015-25.
  - The plan seeks further development of hockey within the G21 Region. A priority in the plan is to develop a new synthetic pitch in Torquay.

## **Regional Plans**

- · G21 Regional Hockey Strategy 2019
  - The plan notes the decline in numbers across the region and a current lack of facilities. A
    future development of a hockey pitch in Torquay is proposed, with the development of a
    Business Case highlighted as a critical action.

#### **Local Plans**

- Surf Coast Shire Council Plan 2021-2025
  - The Plan's Health and Wellbeing focus areas includes 'increase healthy eating and active living'
  - o Identifies the theme of 'a healthy connected community'.
  - o Includes key strategies of:

Surf Coast Multiuse Synthetic Facility - Business Case

- Facilitate the provision of social infrastructure and open space to enable healthy lifestyles.
- Improve access to local services and programs that support people to be healthy and well.
- Enable communities to strengthen their social connections and participate in community life
- The project also supports strategies within the other themes of 'environmental leadership', 'sustainable growth', 'robust and diverse economy' and 'accountable and viable council'.
- Torquay Synthetic Hockey Pitch Feasibility Report 2015
  - o Investigates the potential feasibility of a facility in Torquay.
  - Highlights the need for a facility to be developed within 5-10 years based on infrastructure and population ratio planning and the provision of pitches in the Geelong area. Notes that continued growth of the Club could justify a facility within 3-5 years.
  - Identified two preferred sites: the Surf Coast Secondary College and the Banyul Warri Fields precinct.
  - o Preliminary costs were estimated between \$1.5 \$1.8 million.
  - Recommended that a detailed business case be developed to further explore the feasibility and timing of construction.

## 1.3 Hockey in Torquay

#### The Torquay Hockey Club

Established in 2010, the Torquay 'Tornadoes' Hockey Club (THC) evolved rapidly from a single U/13 mixed team, to a club boasting 225 players and 13 teams in 2016. Although the Club has experienced a decline in membership since 2016, the friendly, welcoming and professional club culture has strengthened, and success both on and off the field is clearly evident.

On field, the Club coaches aim to develop a better understanding of tactics in their players through developing skills in an enjoyable, family-friendly environment, tailored to player's level of ability. Off field the club prides itself on its quality sports management, gender equity, inclusiveness, youth development program and continuous club development approach including enhancing social capital.

Seniors train at Stead Park in Geelong (a synthetic facility), while juniors rotate their training between a local Torquay AFL venue and at Stead Park on alternative weeks. All Torquay Hockey Club games are played within the Geelong Hockey Association competition. Games are held predominantly at Stead Park with some use of Rankin Field at Geelong College.

The hockey club does not have any purpose-built local facilities. A new multiuse synthetic facility would be the Torquay Hockey Club's home ground. A suitable facility in Torquay will support growth of the club, with the potential to attract players from within the Surf Coast Shire and nearby Armstrong Creek.

The current priority actions for the Torquay Hockey Club are:

- o Supporting the completion of the Business Case for a multiuse synthetic facility
- Partner with the Surf Coast Shire to attract funding for the development of a multiuse synthetic facility in Torquay
- o Grow their membership and number of teams in the future
- o Continue a strong commitment to women in sport
- o Strengthen inclusion and the welcoming club environment

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The Torquay Hockey Club are deeply committed to increasing participation of women in the sport of hockey. Their strategies have included:

- o A policy of having a minimum of 50% of females on the Committee
- o There are 5 female coaches in the club out of 9 teams
- o A young female leads their Hooked in 2 Hockey Programs and school clinics
- o Torquay Hockey Club actively promotes the VicHealth 'This Girl Can' initiative
- o All junior grades are mixed gender
- o Currently the Torquay Hockey Club have 38% female members.

#### **Current Participation**

The Club has 152 members ranging in age from 5 to 65 years. Approximately 62% of club members are male, and 38% are female. The proportion of male players is slightly higher than for the state average. The Torquay Hockey Club membership grew from 156 in 2014 to 225 in 2016. Torquay was the only club in the G21 region with growth in 2017. The Club experienced a decline in 2019 to an estimated 157, while COVID-19 restrictions meant that no competitions were held in 2020. In 2021 the Club are fielding 9 teams and have 152 members for the season, with teams in every grade including senior women (2 teams), senior men (2 teams), under 17, 14, 12, 10 and 8. This is a strong retention rate given the impact of COVID-19 in 2020.

The G21 Regional Hockey Strategy includes Hockey Victoria's 'Hockey Pitch Development Framework' which states that a single pitch is needed to support 225 players or 15 teams. THC membership was 225 in 2016 and the Club definitely have the potential to exceed this number with provision of a local facility and population/participation growth.

Hockey Victoria and Club data indicates that 220 registered hockey members are living in Surf Coast Shire, with 68 of those playing for a club outside Torquay.

The participation rate and inability to sustain growth is likely a reflection of the distance players need to travel to a desirable synthetic facility. Travel is more likely to be a barrier to participation for players under 18 years than over 18 years, given the reliance on parental support.

The G21 Regional Hockey Strategy (2019) highlights that while the regional facility at Stead Park (Corio) services current demand well, it is the only competition venue in the region and travel presents a barrier to participation.

The Club suggest that there are a number of former hockey players residing in the Surf Coast Shire that do not play due to no locally available synthetic hockey facility. If a facility was developed it is highly likely that they would return to the game.



## 2.1 The need for a multiuse synthetic facility

The Torquay Hockey Club needs a synthetic pitch for the following key reasons:

- To train for and play hockey safely in Torquay (the sport now requires a specialised synthetic surface)
- To provide a home ground for the club where all members can train and play with minimal travel, alternating with away games at Geelong venues. The G21 Regional Hockey Strategy (2019) highlighted travel as a significant barrier to participation for the sport.
- To grow participation and support a healthy and sustainable club.
- The Club firmly believe that a lack of a purpose-built facility is the primary factor limiting growth, which is demonstrated by rapid early growth from 2010 to 2016 followed by a gradual decline before plateauing in 2019 and 2021.

The demographic profile and projections for Torquay point to a growing population with VicHealth data also showing a relatively high proportion of people participating in physical activity. The Surf Coast Shire population of 34,300 (2021) is expected to grow 33% to 45,700 (2036). The growing population in the area will offer the Torquay Hockey Club additional growth opportunities, particularly if a local facility is developed.

#### **Provision of Open Space and Sports Fields**

The Torquay population and that of the Surf Coast Shire are growing. Increases in population inherently increase the demand on local sporting clubs to support participation, which in turn requires access to sporting fields. This is particularly demanding in the winter season. A 2020 assessment of Torquay and Jan Juc sports fields determined that there is insufficient supply of facilities on weekends in the winter season with 78% of fields over 100% utilisation. Weeknight utilisation of the Banyul Warri sports fields during winter is at 92%, while Torquay and Jan Juc sports fields is at 59%. With the expected population growth in coming years, these utilisation rates will continue to rise. A new multiuse synthetic facility will assist in providing additional programming space for sports clubs to train.

## Diversification of sports offerings/opportunities

Surf Coast Multiuse Synthetic Facility - Business Case

Provision of sporting facilities and the associated participation opportunities in the Surf Coast Shire are reflective of many regional Victoria towns. Australian Rules Football, Football/Soccer, netball, cricket and tennis facilities are available throughout towns within the municipality. The growth and sustained strong club culture of the THC demonstrates the appeal to Surf Coast residents of an alternate sports offering. The opportunity for members to participate in the Geelong Hockey Association competition offers strong opposition and development pathways not readily available in other regional areas. Provision of a local synthetic facility and supporting club growth will ensure a strong and sustainable Club that can provide an alternate sport offering for our community.

#### **Comparative Sport Membership and Facility Provision**

Comparative outdoor sport membership data and facility provision shows that other sports have significant facilities to support participation and growth. Hockey's penetration rate is low but has been stifled by not having a facility. A multiuse facility will support numerous sports and uses.

SPORT	MEMBERSHIP IN SCS (2019)	PENETRATION RATE (pop. 33,456)	FACILITY PROVISION
Hockey	223	7 per '000	Nil
Soccer	412	12 per '000	3 pitches, pavilion (2021)
Cricket	945	28 per '000	9 ovals, 7 pavilions
Tennis	1855	55 per '000	50 courts, 10 pavilions

- Note: AFL and Netball not included as not as comparative with higher numbers.
- Note: The Hockey Club currently pay for use of Stead Park in Corio and they expect to pay to use this
  facility. All other sports have free use of their facilities.

#### **Needs of the Sport**

Hockey Victoria and Hockey Australia would benefit greatly from a facility in Torquay, with potential for the facility to support an increase in hockey participation in Torquay and the G21 region. The provision of such a facility is supported by local plans, state government policies and Hockey Victoria's Strategic Facilities Master Plan.

#### 2.2 Population characteristics support the need

## The Key Demographic Influences

The critical demographic influences on leisure and participation in sport and physical activity are age, gender, income, education, cultural background and location. People who are more likely to participate in sport or physical activity are those of school age, born in Australia or an English-speaking country with some tertiary education and without social disadvantage (that may be associated with factors such as disability, health, employment, or remoteness).

The demographic profile of Torquay points to a growing population with a relatively high proportion of English-speaking residents, a higher percentage of children under 14 years, and a relatively low proportion of people over 65 years compared to the G21 region. In 2016 Torquay had a high SEIFA

Surf Coast Multiuse Synthetic Facility - Business Case

index (1019) reflecting a relatively low level of social disadvantage (in top 10 least disadvantaged for the state).

The Torquay population has a high propensity to play competitive sport and engage in physical activity, evidenced but the high utilisation rates of sports fields and courts, strong membership numbers, solid club growth and participation data such as the VicHealth LGA Profile.

#### **Total Population**

The Surf Coast Shire population of 34,300 (2021) is expected to grow 33% to 45,700 by 2036. Torquay, Jan Juc, Bellbrae and Bells Beach expect to experience 85% of this increase with 9,769 new residents (21,800 to 31,577). The majority of growth has been and will be in North Torquay, the project location. The facility will support a catchment including the rapidly-growing Armstrong Creek community (10 minutes from Torquay, estimated to grow to 55,000) as residents may choose to travel south to Torquay to play hockey rather than north to Geelong.

The Torquay Hockey Club Synthetic Hockey Pitch Feasibility study in 2015 found "If growth projections continue, demand for a synthetic hockey pitch within Torquay to service the Surf Coast Shire and into neighbouring Armstrong Creek for hockey, touch rugby and other school and community uses could be justified within the next 3-5 years." The 2015 Club membership was 173 and due to impacts of COVID-19 and the travel barrier to participation the 2021 membership was 152. Through a recovery from COVID-19 and the ongoing proactive efforts of the club, a timeframe of 3-5 years from 2021 would be reasonable for the facility project to proceed (depending on potential funding opportunities).

#### **Age Structure**

The age structure of the Torquay population shows a high number of preschool and school-aged children and a high number of people aged 44-49 years old. Less people are aged between 20-29 years and over 70 years. Compared to the G21 region, Torquay has a younger profile, which supports participation and growth in sports. Torquay has a higher proportion of people aged 0-14 years and 40-49 years than the region.

There are no significant changes in age structure projected to 2036. There is strong growth expected in young people from preschool to secondary school age that will be maintained to 2036. This will support the growth in sports and the need for a multiuse synthetic facility.

#### **Cultural Background**

In 2016, 13.2% of people in Torquay were born overseas, compared with 11.4% in Surf Coast Shire. The highest proportion of migration into Surf Coast Shire and Torquay is from the City of Wyndham, a municipality that has a high percentage of individuals from other countries. Cultural background has a bearing on preferences to play specific sports. With a high proportion of people born in South Asia now living in Victoria, several new hockey clubs have been established to support participation by these cultural groups.

There are relatively small numbers of people in Torquay born in other countries. However, the proportion of residents born elsewhere is increasing. In 2016 the highest number of people born overseas were born in the United Kingdom, New Zealand, South Africa, United States of America, Germany and the Netherlands. Some of these countries have strong hockey cultures, including New

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Zealand and the Netherlands. This cultural affinity with hockey may increase the likelihood of residents choosing hockey as a sport, particularly if it can be played at a local facility.

#### 2.3 Potential membership

The 2021 membership of the Torquay Hockey Club is 152. This is slightly higher than the 0.35% penetration rate of hockey in the region identified in the 2019 G21 Regional Hockey Strategy (for the projected 2021 Surf Coast population of 34,230, 0.35% would be 119.8 players). The following table demonstrates the potential growth of the Club through increases in population and the provision of a new facility, assumed for this exercise to be ready for the 2025 season (reliant on a successful funding model). The table includes two scenarios – 1) based on a starting membership of 120 as per the G21 Strategy penetration rate (0.35%), and 2) based on the 2021 membership and the related penetration rate (0.44%). Using the actual 2021 membership scenario, the potential expansion of the Club over a 15 year period is quite significant, increasing from 152 in 2021 to 345 in 2036; growth of 127%. This is an increase from 79 children now to 179 in 2036. The projected increase doesn't include the potential different types of memberships that might be associated with additional programming that the Club are already considering such as All Abilities programs, social programs and Lacrosse. The calculations make the following assumptions:

- 2021: Base/actual membership
- 2022 2024: Population growth increase at the penetration rate only
- New facility for 2025 season
- 2025 2031: Population growth increase at the penetration rate, and 10% additional growth with new facility
- 2032 2036: Population growth increase at the penetration rate (plateau of new facility growth)

Table 2: Potential membership

Year	Population	Based on G21 Penetration Rate	Based on 2021 total club members
2021	34,230	120	152
2022	34,992	122	155
2023	35,743	125	159
2024	36,464	128	162
2025	37,192	143	182
2026	37,948	159	202
2027	38,747	176	224
2028	39,536	194	246
2029	40,291	212	268
2030	41,052	230	292
2031	41,801	249	316
2032	42,545	253	321
2033	43,356	258	327
2034	44,142	263	333
2035	44,915	267	339
2036	45,717	272	345

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In addition to the potential growth of the Club via increases in population within Surf Coast Shire, the continued development of Armstrong Creek will also provide opportunities for the Club to expand. Armstrong Creek and Mt Duneed are expected to grow by over 26,000 people by 2041. Applying the penetration rate of 0.35% to only 50% of this increase (13,000), could provide the Club with an additional 45 members by 2041. Although this may seem minor, it would be an increase of almost 20% of the projected 2036 membership, and 45 members would provide an introduction to numerous families with different ages, demographics and social networks not already engaged with.

Lastly, Hockey Victoria data suggests that there are currently 68 hockey players residing in the Surf Coast Shire who play for another club, and an additional 13 that reside in Armstrong Creek/Mt Duneed. The construction of a facility in Torquay could encourage some of these players to join the Torquay Hockey Club.



The proposed site for the Surf Coast Multiuse Synthetic Facility is the vacant parcel of land in the Banyul Warri Fields sports precinct in Torquay, adjacent to Yallock Circuit. In the previous precinct masterplan this land had been flagged for infrastructure that is now being planned for in other locations. There is no better-suited location in Torquay for a multiuse/hockey facility, and AFL/cricket and soccer are already suitably catered for in the precinct.

Key considerations in determining that the multiuse synthetic facility is the most appropriate future use of this site included:

- Best use: This land parcel is for active open space. It can't be sold without finding alternate
  open space of the same size nearby (which is not possible with limited land supply in North
  Torquay). A multiuse/hockey synthetic facility is the best use and there is no better-suited
  site for hockey locally. A facility at this site will provide hockey with a home and support other
  user groups. There is scope for future development on this site for community spaces.
- The fit for the precinct: It makes sense that the facility would be located with the majority of other sporting fields in Torquay. Potential multiuse by other sports/Surf Coast Secondary College is greater at this location than any alternative. Events potential is high given the supporting infrastructure onsite and access for visitors from the Surf Coast Highway. Torquay Hockey Club use of the Grant Pavilion would increase and co-location with other clubs would provide social and connection benefits (including creating higher demand for a potential second stage development of the Grant Pavilion with AFL and/or other sports).
- Location: part of a sports precinct, better for other sports to use and visiting teams, close to
  public amenities and transport, some sport use by Surf Coast Secondary College. Only several
  other hockey facilities in the region and none to the southwest of Geelong.
- Club preference: following the unavailability of the Surf Coast Secondary College site, the Torquay Hockey Club have expressed their clear preference for this site.
- Zoning and community support: this parcel is zoned for recreation and being part of an
  existing sports precinct that residents built next to, should receive minimal objection to
  being developed. Further, a multiuse synthetic facility will provide nearby residents with an
  opportunity to participate in hockey locally, an excellent facility for casual use, and replace
  what is currently an usable and aesthetically displeasing site.
- Potential future multiuse development: the site is large and provides scope for a future sports pavilion / community hub building to accommodate multiple uses, car parking to support the precinct and/or other community infrastructure.

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Industry experts in sports field design SPORTENG were engaged by Council to develop a concept design and cost estimate for the multiuse synthetic facility. The project scope of works includes:

- Competition level sand-dressed hybrid synthetic hockey surface
- 250 lux sports lighting
- Safety fencing (above industry standard)
- Drainage and irrigation
- Divider netting
- Players shelters and coaches boxes
- Spectator seating and shelter
- Footpaths (connection to existing pathways)
- Car parking (formal to match precinct, including access from Yallock Circuit)
- Landscaping (minor) / site restoration

#### **Facility Design**

The SPORTENG design is shown on the following page in Figure 1, followed by 3D renders provided as an in-kind contribution by Paul Schram from PK Studio on behalf of the Torquay Hockey Club. The design and images are also provided in the Appendices.

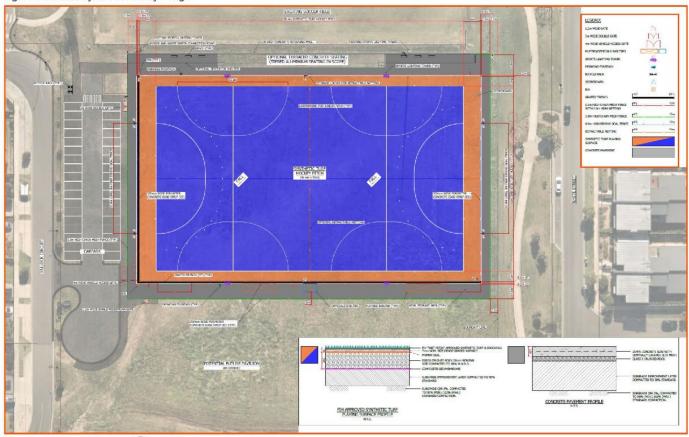
## Site-related Actions (when project initiates)

When funding is secured and the project initiates, Officers will:

- Undertake required Planning approvals and requirements.
- Liaise with Traditional Owners to ascertain potential involvement in the project.
- Develop and implement a communications plan in line with Council policy including notifying nearby residents and precinct user groups of project timeframes and potential impacts.
- Complete a detailed design of the facility (including additional geotechnical investigations) to ascertain all required ground condition information.
- Follow the current Project Management Framework for delivery of the construction phase.



Figure 1: Multiuse Synthetic Facility Design



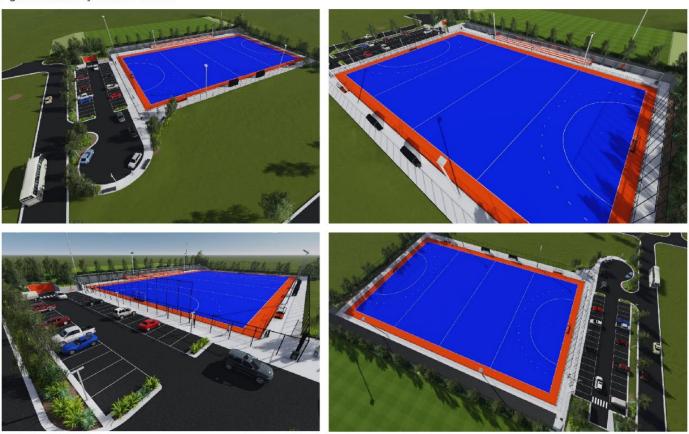




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Figure 2: Multiuse Synthetic 3D Renders





The cost estimate for the core scope of works is 3,118,487 (rounded to 3.12m). The full cost estimate from SportEng is provided in Appendix 3.

Table 3: Cost Estimate Breakdown

DESCRIPTION	DETAILS	AMOUNT
Construction Preliminaries	Site establishment, survey, supervision, etc.	\$138,500
Excavation	Strip, cut and fill	\$118,865
Stormwater Drainage	Drainage system	\$100,500
In-ground Services	Electrical (including lighting), irrigation	\$244,138
Pavements & Ancillaries	Compacted base, synthetic surface and shockpad system, concreting	\$953,504
Miscellaneous Works	Fencing and gates, retaining wall, scoreboard, shelters, seating, other equipment, landscaping	\$939,470
TOTAL		\$2,494,527
Contingencies 12%	Design and construction	\$299,343
Design 3%	Consultant fees	\$74,836
Cost Escalation 4%	Two years at 2%	\$99,781
Project Management	Council's Program Management Office	\$150,000
TOTAL Cost including conti	ngencies	\$3,118,487
Optional Items	Concrete terrace seating, shelter to entire spectator area, retractable divider netting, potential electrical upgrade	\$349,560
TOTAL Cost including optio	nal items and contingencies	\$3,468,047



The facility design consultant's cost estimate of the hockey/multiuse facility is \$3.12m (including design, contingencies, cost escalation and project management). It is a significant investment for a sports field. The potential traditional funding model is shown below, which would require a Council contribution of \$1.04m, noting this Business Case doesn't commit Council to funding or contributing to the project. Council could consider a contribution through a future budget process, and/or use a portion of the Open Space Reserve Fund for their contribution rather than Discretionary Capital. The project would be considered an eligible allocation from Council's Open Space Reserve Fund due to the existing open space being more intensively used. However, this would require an assessment of all potential open space projects within Torquay at the time to determine its level of priority and whether a supplementary Discretionary Capital allocation would need to be considered through the Annual Budget process.

This option would minimise the 'opportunity cost' to other pipeline projects that would require funding through the Discretionary Capital budget. In light of the Council contribution to the Aquatic & Health Centre, and the pipeline of large infrastructure projects, an alternative funding option for this project is for the Club and sport to lobby for an election commitment to secure full funding.

Table 4: Traditional Funding Model

SOURCE	DETAILS	AMOUNT
Federal Government	Building Better Regions Fund (50%)	\$1.56m
State Government	Local Sports Infrastructure Fund - Female Friendly Facilities (\$500k) - Community Sports Lighting (\$250k)	\$0.5m
Surf Coast Shire	<ul> <li>Council future budget process</li> <li>Potential Open Space Reserve Fund contribution</li> </ul>	\$1.04m
Torquay Hockey Club	Club contribution	\$0.02m
TOTAL		\$3.12m



## 6. Facility Management

#### How the Facility should be managed

The facility will be within the Banyul Warri Fields precinct which is managed by Council's Facilities & Open Space Operations (FOSO) Team.

A license agreement should be established with the Hockey Club as the primary user, encouraging sharing and maximising participation. The FOSO Team would manage the use of the facility by other clubs, user groups and hirers through casual bookings, the same as the other precinct facilities.

There will be a need to manage the levels and types of use, within the carrying capacity of the facility estimated at up to 60 hours of organised use per week. This amount is recommended as a maximum for seven years (estimated useful life). Levels of use need to maintain a high-quality pitch that is fit-for-purpose for hockey and ensure overuse does not diminish the life and increase the costs of replacing the synthetic surface.

Council doesn't require maintenance to be covered by user fees, however facility revenue will offset these costs. Costs to use the sports lighting will be covered by the club. Council will budget to replace the artificial sports surface through the Asset Renewal Program when required.



#### 7.1 How the Facility will be used

#### **Priority uses**

The Hockey Club will be the primary user after school hours for training and on weekends for games.

Multiuse synthetic facilities attract a range of different types of casual use, particularly if other surfaces have had recent rain. These activities may include soccer/football social use/games/practice, drills and coaching, serving practice for tennis, as well as other general ball play, sprints/running and exercises

The Surf Coast Secondary College may have some use during school hours however the synthetic soccer pitch is available in this time and in closer proximity to the school so would likely be their preference.

#### Demand from other sports and activities

Sports compatible with a hockey pitch surface for competition are tennis, gridiron and lacrosse. There may be potential for lacrosse to be developed as a social or cross-training program for Hockey Club players and members of the public during the summer season. The Club may be able to take a leadership role in establishing the demand in the local area in conjunction with Lacrosse Victoria, who have confirmed their support for partnering with the Club. Lacrosse Victoria run both primary school and secondary school programs and an introductory/social format called Lacrosse Gers. They have accredited coaches in the Torquay area and would be willing to introduce the sport to students in the Surf Coast. The Hockey Club could be the local provider to facilitate growth of the sport to complement hockey, and also increase usage of the synthetic facility.

There is no known demand for gridiron in Surf Coast Shire, and tennis is well catered for through other facilities. There may be some demand for cricket training on the space if netted practice wickets are not provided at the adjacent sports precinct, noting they were in the original master plan and may be a future project in the precinct. Sand dressed hybrid surfaces designed for hockey are sometimes marked for soccer, netball or tennis on school facilities. There are several examples of this at schools in Victoria, however additional line marking is not proposed for this facility.

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There is a significant compromise in performance for multiple sports using a synthetic surface for competition such as sand dressed hybrid hockey. Sports have different pile heights and ball roll and bounce requirements, and several such as Australian Rules and Netball are not recommended for this type of facility. The current provision of sporting facilities for other sports do not warrant compromising the surface for hockey.

The facility will be suitable for training for a range of sports and use by other activities, allowing for multiuse by other clubs and user groups such as football, netball or soccer training. Temporary/removable lines or tape could be used to allow for tennis or other sports on the facility if needed.

Daytime usage is expected to be quite low given the limited use from the Surf Coast Secondary College as the synthetic soccer pitch is in closer proximity to the school. There may be some potential use from private providers during school holidays.

## 7.2 Potential Facility Use

#### **Potential Use Types/Groups**

The potential user groups include a mix of Torquay Hockey Club training and academy, intra-club games, Association games, Hockey Victoria use and potential non-hockey sports use.

Table 5: Potential Use Types/Groups

Torquay Hockey Club Training - Senior
Torquay Hockey Club Training - Junior
Torquay Hockey Club – After School Program
Torquay Hockey Club Academy
Torquay Hockey Club – Hockey 6's
Geelong Hockey Association Games - Junior
Geelong Hockey Association Games - Senior
Potential Multiuse Senior Training
Potential Multiuse Junior Training
Potential Multiuse Community
Masters Competition
Lacrosse
Various Uses

## **Potential Program**

A program of anticipated hours of organised use for the facility for Winter and Summer seasons is shown below. The amount of use will vary between seasons, in school holidays and as demand changes and grows. The Winter program estimates 41 hours of use per week, while the Summer program is 27 hours per week. Both seasons include projected potential multiuse opportunities. In the

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Winter season the games on the weekend are likely to alternate between Geelong Hockey and Torquay Hockey home games. The Torquay Hockey Club will introduce a summer program which will be shorter and more social than the main winter inter-club competition. It is anticipated the social non-organised use of the pitch will be higher in summer than winter. The Club are also keen to establish an All Abilities Program for people with a disability, although this hasn't been included in the potential program.

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Table 6: Potential Winter Program

Winter	8:00 AM	9:00 AM	10:00 AM	11:00 AM	12:00 PM	1:00 PM	2:00 PM	3:00 PM	4:00 PM	5:00 PM	6:00 PM	7:00 PM	8:00 PM	9:00 PM
22 WEEKS														
Monday									After School Program	Under 8 - Under 10	Academy	Multiuse Seniors	Multiuse Seniors	
Tuesday									Academy	Under 12 - Under 14	Under 17	Senior Training	Senior Training	
Wednesday									After School Program	Hockey 6's	Hockey 6's	Hockey 6's	Hockey 6's	
Thursday									Multiuse Juniors	Under 12 - Under 14	Under 17	Senior Training	Senior Training	
Friday									Multiuse Juniors	Under 8 Comp	Under 8 Comp	Under 10	Under 10	
Saturday		Torquay Under 10	Torquay Under 10	Torquay Under 17	Division 2 Women	Division 2 Women	Division 2 Men	Division 1 Men	Division 1 Men					
Sunday		Torquay Under 12	Torquay Under 12	Torquay Under 14	GHA Game	GHA Game	Division 1 Women	GHA Game	GHA Game					



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Table 7: Potential Summer Program

Summer	8:00 AM	9:00 AM	10:00 AM	11:00 AM	12:00 PM	1:00 PM	2:00 PM	3:00 PM	4:00 PM	5:00 PM	6:00 PM	7:00 PM	8:00 PM	9:00 PM
13 WEEKS														
Monday											Masters / Family	Masters / Family	Masters / Family	
Tuesday									After School Program	Community Multiuse	Community Multiuse	Community Multiuse	Communi ty Multiuse	
Wednesday										Academy	Hockey 6's	Hockey 6's	Hockey 6's	
Thursday									After School Program		Lacrosse	Lacrosse		
Friday										Community Multiuse	Hockey 6's	Hockey 6's	Hockey 6's	
Saturday			Hookin 2 Hockey / Visiting Sports Teams / Community Multiuse / Hockey Victoria											
Sunday		Visiting Sports Teams / Community Multiuse / Hockey Victoria												

#### **Projected Participation**

The following table uses estimates of participants for each session/hour to suggest projected participation numbers through each week of each season. The total estimated participation for the Winter Season (April – September) is 21,494, whilst the Summer Season (October – March) is 6,240; providing an annual estimated total of 27,734. This level of participation would not be expected in year 1 of a new facility being constructed, but would be expected after several years of operation particularly as the need for non-hockey use in the winter season increases with the growth of other clubs.

Due to the nature of the facility being used primarily for Club activities, the time available for community use outside of the projected use in Tables 5 and 6 is mostly daytime hours between 7:00am to 4:00pm. Availability is greater during summer compared to winter due to the potential for winter season sporting clubs to use the facility for training. High daytime availability is primarily due to expected limited use by Surf Coast Secondary College with the existing synthetic soccer pitch in close proximity to the College. Although higher daytime use of the multiuse synthetic facility would be a better community outcome, from an asset management perspective, the limited non-sport use during the day will provide increased longevity for the surface and extend its useful life. This means that the significant investment in the renewal of the surface won't have to occur as frequently.

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Table 8: Projected Participation

			nter Season 22 weeks)				ner Season B weeks)		TOTAL PARTICIPATION
User Group	Hours Per Week	Participants per Hour	Total Weekly Participants	TOTAL SEASON PARTICIPANTS	Hours Per Week	Participants per Hour	Total Weekly Participants	TOTAL SEASON PARTICIPANTS	
Torquay Hockey Club Training - Senior	4	25	100	2,200	0	25	0	0	2,200
Torquay Hockey Club Training - Junior	9	25	225	4,950	0	25	0	0	4,950
Torquay Hockey Club – After School Program	2	20	40	880	2	20	40	520	1,400
Torquay Hockey Club Academy	2	20	40	880	1	20	20	260	1,140
Torquay Hockey Club – Hockey 6's	4	25	100	2,200	6	25	150	1950	4,150
Geelong Hockey Association Games - Junior	6	27	162	3,564	0	27	0	0	3,564
Geelong Hockey Association Games - Senior	10	25	250	5,500	0	25	0	0	5,500
Potential Multiuse Senior Training	2	15	30	660	О	15	О	0	1,320
Potential Multiuse Junior Training	2	15	30	660	О	15	0	0	660
Potential Multiuse Community	0	15	0	0	4	15	60	780	780
Masters Competition	0	13	0	0	3	13	39	507	507
Lacrosse	0	18	0	0	2	18	36	468	468
Various Uses (est. 9 hours - i.e. 1 x weekend day)	0	15	0	0	9	15	135	1755	1,755
Total Use (out of 105 hours (7 days x 15 hours))	41		977	21,494	27		480	6,240	27,734

#### **Hockey Victoria Programming Opportunities**

Hockey Victoria aims to Foster a Game for All. It understands that in order for the sport to grow and be accessible that is needs to work with Clubs to provide participants with more midweek opportunities (i.e. more midweek games (indoor and outdoor) and have greater facility access. It also needs to be more reflective of communities and their needs and provide appropriate facilities, scheduling, welcoming clubs, affordable playing options and different offerings. Hockey is now a sport that is played all year round and provides lifelong hockey experiences, social connections and opportunities for all Victorians.

Hockey Victoria have outlined several additional programming opportunities for a facility constructed in Torquay. The following would greatly value-add to the use of the Torquay Hockey Club, Geelong Hockey Association and local multiuse.

- Pre-season training camps for Melbourne based clubs during late January, February and March each year.
- Training venue for the Western Wildcats training for the first 3 years post the pitch being built. This would require 3 hours each Sunday for 6 weeks from around late April through to the end of June.
- One or two Hockey Geelong home matches each year as part of the Premier League / Victorian League matches (incentive from Council likely required)

These opportunities would provide increased use of the facility, but also attract additional teams and supporters from outside the region to play or train and enjoy what Surf Coast has to offer, providing a positive impact to the local economy.



Relatively high levels of use on a synthetic surface will require a suitable maintenance program to ensure the surface quality can be assured. The maintenance cost of the surface proposed is likely to be in the order of \$28,000 per annum to include minor monthly services and two major services per year, plus electricity, water and repairs.

The synthetic surface has an expected life of 7-10 years for approximately 60 hours of use per week, and the shockpad system has an expected life of 15-20 years. The synthetic surface replacement cost is estimated at \$281,000 (in 2021 value). The shockpad system would be assessed at the time of surface renewal to determine if it will last until the next renewal. The estimate to renew both the synthetic surface and shockpad system is \$514,000 (in 2021 value). Renewal costs for the synthetic surface will be funded from Council's future asset renewal program when it is deemed to be nearing the end of its useful life as per condition auditing.

Table 9 outlines the likely revenue and expenditure base scenario, and Table 10 provides a 10 year projection. As demonstrated, the projected revenue from facility hire can cover the annual maintenance costs in the Base Scenario.

Council doesn't charge local clubs for the use of sports fields except for utilities, however subject to future decision making a user pays model for use of Council owned or managed facilities may be implemented. The Torquay Hockey Club will be the primary user, and as they currently pay to use the Stead Park facilities, it's expected that they'll pay for use of this facility also. With the establishment of a clear schedule of annual use, there is potential to implement a licence agreement with the Club including a fee for the years use and utilities. There may be an opportunity for incentives to be built into the licence agreement if the Hockey Club attract additional use and revenue for programs or events. For the purposes of this business case, Table 9 includes an estimate of \$7,000. The additional revenue of \$21,000 (providing a total of \$28,000), is expected to be received through away team fees, Geelong Hockey Association games (no Torquay teams) and Hockey Victoria programming opportunities.

The Surf Coast Secondary College have an existing Joint-Use Agreement for the Sports Precinct however this facility will not be added to it due to an expected low level of usage, which could occur on a casual basis.

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The following table provides a Base Scenario for estimated revenue (\$28,000) and expenses (\$28,000) which forecasts a breakeven outcome. Table 10 provides a 10 year estimated annual revenue and maintenance expenditure that applies different percentages for revenue based on a 3 year establishment period. The net result ranges from -\$2,800 in Year 1 to -\$423 in Year 10. The average net result across this period is -\$1,371 per year.

Table 9: Estimated annual revenue and expenditure

Estimated Revenue	Base Scenario
Facility hire (see Appendix 4)	\$21,000
Club annual licence fee – estimate only	\$7,000
Total estimated revenue	\$28,000
Estimated Expenses	
Office and administration (i.e. bookings)	\$2,000
Pitch maintenance, grooming and cleaning (minor monthly services, two major services per year)	\$10,000
Maintenance (including fencing, scoreboard, players/officials shelters, goals, tiered seating, bench seats, shelter, bicycle racks, bins and drink fountains)	\$10,000
Electricity for pitch lighting (other than local clubs)	\$3,000
Water (required for a sand-dressed surface)	\$3,000
Total estimated expenses	\$28,000
Net result	Breakeven

#### **Financial Assumptions**

- Facility hire is based on fees for away teams using the facility in winter, Geelong Hockey Association games (two away teams), Hockey Victoria pre-season training camps and Western Wildcats training. See Appendix 4.
- Torquay Hockey Club to pay a licence fee to cover use and utilities.
- Away team hire fees will contribute towards the cost of utilities.
- There is no asset renewal allowance in the calculations.
- No school holiday programming has been included.



Table 10: 10 year estimated annual revenue and maintenance expenditure

Description	Base Scenario	Year1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10
Estimated Revenue											
Facility hire	\$21,000	\$18,900	\$19,950	\$20,580	\$21,000	\$21,630	\$22,260	\$22,890	\$23,520	\$24,150	\$24,780
Club annual licence fee – estimate only	\$7,000	\$6,300	\$6,650	\$6,860	\$7,000	\$7,210	\$7,420	\$7,630	\$7,840	\$8,050	\$8,260
Total estimated revenue	\$28,000	\$25,200	\$26,600	\$27,440	\$28,000	\$28,840	\$29,680	\$30,520	\$31,360	\$32,200	\$33,040
Estimated Expenses											
Office and administration (i.e. bookings)	\$2,000	\$2,000	\$2,040	\$2,081	\$2,122	\$2,165	\$2,208	\$2,252	\$2,297	\$2,343	\$2,390
Pitch maintenance, grooming and cleaning	\$10,000	\$10,000	\$10,200	\$10,404	\$10,612	\$10,824	\$11,041	\$11,262	\$11,487	\$11,717	\$11,951
Maintenance (equipment, lighting, fencing, etc)	\$10,000	\$10,000	\$10,200	\$10,404	\$10,612	\$10,824	\$11,041	\$11,262	\$11,487	\$11,717	\$11,951
Electricity for pitch lighting (other than local clubs)	\$3,000	\$3,000	\$3,060	\$3,121	\$3,184	\$3,247	\$3,312	\$3,378	\$3,446	\$3,515	\$3,585
Water (required for a sand- dressed surface)	\$3,000	\$3,000	\$3,060	\$3,121	\$3,184	\$3,247	\$3,312	\$3,378	\$3,446	\$3,515	\$3,585
Total estimated expenses	\$28,000	\$28,000	\$28,560	\$29,131	\$29,714	\$30,308	\$30,914	\$31,533	\$32,163	\$32,806	\$33,463
Net result	Breakeven	-\$2,800	-\$1,960	-\$1,691	-\$1,714	-\$1,468	-\$1,234	-\$1,013	-\$803	-\$606	-\$423

#### **Projection Assumptions**

- Following establishment of the facility in years 1-3, revenue calculations assume usage and programs will increase, with the Base Scenario for Year 4 and a 3% increase from Years 5 to 10. The following percentages have been applied to the Base Scenario:
  - Year 1 at 90%
  - Year 2 at 95%

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- Year 3 at 98%
- Year 4 at 100%
- Years 5 to 10 at 100% plus 3% increase per year (i.e. Year 5 at 103%, Year 6 at 106%, Year 7 at 109%, etc)
- Expenditure: 2% annual increase above the base case has been applied.
- The Club licence fee would increase by 3% annually.

#### Lifecycle / Asset Maintenance and Renewal Costs

Table 11 provides an indication of required asset maintenance and renewal allocations over the first 10 years of the facility. The total estimate is \$639,673 with an average of \$63,967 per year, including surface renewal of \$320,340 in Year 9 (not including the shockpad which is expected to last until the following surface renewal). For Years 1-8 and 10, the average allocation per year is \$31,752. The table shows estimated allocations for each capital item, providing a total for each year and an overall total for the 10 year period.

Table 11: 10 year estimated lifecycle / asset maintenance and renewal costs

Capital Expenditure Item	Initial Cost	Asset Life	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Comments
Synthetic surface	\$281,000 (surface only)	7-10 years	\$10,000	\$10,200	\$10,404	\$10,612	\$10,824	\$11,041	\$11,262	\$11,487	\$332,057	\$11,946	Maintenance \$10k p/y Est. renewal in year 9.
Sports Lighting (globes)	\$5,000 (per globe)	15 years	\$3,300	\$3,366	\$3,433	\$3,502	\$3,572	\$3,643	\$3,716	\$3,791	\$3,866	\$3,944	Cleaning of lamps
Carpark (surface)	\$412,100	30 years	\$4,121	\$4,203	\$4,287	\$4,373	\$4,461	\$4,550	\$4,641	\$4,734	\$4,828	\$4,925	1% maintenance
Footpaths	\$122,574	65 years	\$1,226	\$1,250	\$1,275	\$1,301	\$1,327	\$1,353	\$1,380	\$1,408	\$1,436	\$1,465	1% maintenance
Annual Maintenance All towards the following i			\$10,000	\$10,000	\$10,000	\$10,200	\$10,404	\$10,612	\$10,824	\$11,041	\$11,262	\$11,487	\$11,717
Fencing (all)	\$236,240	25 years	•	*	•	*	•	*	*	•	•	*	
Scoreboard	\$4,800	10 years	•	*	•	*	•	*	•	•		\$5,664	100% renewal
Players/officials shelters	\$16,260	25 years		•		•	•	•	•	•			



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Goals	\$24,000	15 years	*	*	*	*	*	*	*	*	•	*	
Tiered seating, bench seats and shelter	\$83,720	15 years			•			*		•			
Bicycle racks	\$6,000	15 years			*			*		*			
Bins	\$3,200	15 years			*			*		*			
Drink fountains	\$12,000	15 years			•			•		•			
Estimated Totals			\$28,647	\$29,220	\$29,804	\$30,400	\$31,008	\$31,628	\$32,261	\$32,906	\$353,904	\$39,895	\$639,673

#### NOTE:

- A \$10,000 maintenance allowance is allocated for equipment each year, including fencing, scoreboard, players/officials shelters, goals, tiered seating, bench seats, shelter, bicycle racks, bins and drink fountains. The asterisk denotes years in which it is anticipated maintenance may be required for each item, however assessments and Club/customer requests will determine required maintenance.
- Expenditure: 2% annual increase above Year 1 costs has been applied.



## 9.1 Benefits of Sport and Recreation

Participating in sport and physical activity helps Australians to enjoy healthier, happier and more productive lives. It also helps to bring communities together and benefits the local economy (Australian Government, Department of Health).

Sport and recreation benefits people and communities in many ways:

Economic Benefits	Health Benefits
<ul> <li>Economic growth through business investment, employment, major events and tourism.</li> <li>Creates employment opportunities.</li> <li>Creates opportunities for, and promotes, volunteering.</li> <li>Creates positive alternatives to youth offending, antisocial behaviour and crime.</li> </ul>	<ul> <li>Promotes a healthy, active lifestyle.</li> <li>Can help to prevent cardiovascular disease, diabetes and some cancers.</li> <li>Reduces obesity.</li> <li>Eases pressure on the health system.</li> <li>Healthy workers are more productive and take less sick days.</li> <li>Provides work/life balance.</li> <li>Improves mental health.</li> <li>Contributes to higher levels of self-esteem and self-worth.</li> <li>Keeps kids away from the TV or computer screen.</li> <li>Kids who participate learn better and are more likely to enjoy school.</li> <li>Contributes to lifelong learning.</li> <li>Tones and strengthens the body.</li> </ul>

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Social Benefits	Environmental Benefits
<ul> <li>Sport and recreation clubs are the hub of community life, especially in regional areas.</li> <li>Contributes to social capital.</li> <li>Develops life skills and leadership abilities.</li> <li>Brings people together, providing opportunities for social interaction.</li> <li>Empowers, inspires and motivates individuals.</li> <li>Great opportunities for networking.</li> <li>Provides a vehicle for inclusion, drawing together people of different races, religions and cultures.</li> <li>Binds families and communities through shared experiences.</li> <li>Fosters community pride.</li> <li>Provides a sense of belonging.</li> <li>Helps shape our national character and pride.</li> <li>Galvanises communities in times of need.</li> </ul>	<ul> <li>Reduces pollution – promotes use of active modes of transport like walking and cycling.</li> <li>Helps to sustain the environment through protecting open space and natural areas.</li> </ul>

Source: Government of Western Australia (Department of Local Government, Sport and Cultural Industries)

## 9.2 Benefits of a Multiuse Synthetic Facility in Torquay

Further to the population-wide benefits of sport and recreation, this project will provide positive benefits to local people and communities. The following section outlines the specific anticipated key benefits of the Multiuse Synthetic Facility in Torquay.

## **Economic Benefits**

- Reduce the financial and opportunity cost to hockey participants who currently travel to Geelong to play and train, freeing up money to spend locally and time to do so.
- Enable Torquay Hockey Club to host competition games, representative games, regional training. These activities will generate varying levels of economic benefit to the club and community.
- · Visiting teams playing and spending locally in Surf Coast communities.
- Potential to attract visiting hockey teams and events in partnership with Geelong Hockey Association and Hockey Victoria.

#### **Economic Impact of the Construction Phase**

Investment of \$3.12m will generate local and regional economic benefits throughout the construction phase. Modelling shows the demand for intermediate goods and services would rise by \$2.38m. The resulting increases in employment and local spending from salaries estimates a consumption effect of \$0.7m. Total output, including all direct, supply-chain and consumption effects is estimated to increase by up to \$6.2m. Construction activity will generate an estimated 7 FTE direct jobs and 7 FTE indirect jobs. The consumption effects under this scenario are estimated to further boost employment by 3 FTE jobs (RemPlan 2021).

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#### **Economic Outcomes in the Operation Phase**

The facility has the capacity to almost cover its costs of annual operation. As outlined in Section 6 the facility has potential to generate \$28,000 in revenue and is likely to incur \$28,000 in expenses per year. The net result ranges from -\$2,800 in Year 1 to -\$423 in Year 10. The average net result across this period is -\$1,371 per year. This provides a negative operating performance, meaning that the asset renewal allocations would not be offset by an operating surplus. As the estimated annual loss is minor, the potential for an open space field to almost cover operating costs is significant for Surf Coast Shire compared to other open space facilities.

#### **Health Benefits**

- Enhanced mental health of players and families due to reduced travel time, associated costs and the pressure to undertake 1 hour return trips to Corio in amongst other family commitments.
- · Improved physical health of new participants joining the sport.
- Improved mental and social health benefits of living, playing and training in their own community.
- Provide an incentive to join or continue to play hockey with an enhanced standard of competitive surface and a convenient multiuse synthetic facility.

#### **Social Benefits**

- Provide the ability to grow participation in hockey and the Torquay Hockey Club.
- Enable the Torquay Hockey Club to be more sustainable recruit new members and remain competitive with a new, safe and compliant facility.
- Allow the club to have a home base, providing an enhanced culture, opportunities for team cohesion and connection through socialisation.
- Facilitate the development of a social competition in summer and attract a wider variety of age groups.
- Maintain a diversity of sport options for residents. For regional towns, provision of facilities
  for sports like hockey that target a wide range of age groups is beneficial for the health and
  wellbeing of the community and can be attractive to prospective residents.
- Offer multiuse opportunities for other sports, including training and development programs (i.e. Gridiron and Lacrosse) and social physical activities.
- Close proximity to a competition pitch decreases the financial and social cost of playing the sport.

#### **Environmental Benefits**

- A multiuse synthetic facility will allow double the amount of use of a grass facility.
- Lower emissions than grass facilities (through reduced mowing and facility maintenance).
- Less water usage than a natural grass facility.
- Reduced emission from motor vehicles through shortened travel requirements by participants.
- Few (if any) games are likely to be interrupted by wet weather.

#### **Positive Impact of Volunteering**

It is expected that a new local facility for the club will generate an increase in both membership and volunteering. The value of volunteering in sporting clubs is significant for every community. The potential new volunteers in year 1 are estimated at 9 (1 new coach, 5 new team managers, 1 new ground coordinator and 2 new umpires). This increase would generate an estimated additional 2,320 hours annually (9 volunteers x total 58 hours x 40 weeks). This is in addition to the significant existing

Surf Coast Multiuse Synthetic Facility - Business Case

volunteering within the club, estimated at almost 4,000 hours per year by 31 volunteers. At a value of \$25 per volunteer hour, the total volunteering value within the Club would be estimated at \$158,000 in year 1, and increasing each year with the membership growth and need for additional volunteers to support club operations.

## 9.3 Other potential indications of benefits

#### Social Return on Investment

Several research studies in recent years have determined the social value of sporting clubs. The 'Social Return on Investment' demonstrated in the AFL Victoria/La Trobe University study was \$4.40 for every \$1 invested, while the Tennis Australia / Victoria University study found that community tennis delivers a \$5.16 return. If averaged and applied to the operations of the Torquay Hockey Club, the Social Return on Investment of Club operations would be approximately \$190,000.

If the average was applied to the construction cost of the facility, the Social Return on Investment is estimated at \$14,913,600.

Source: Value of a Community Football Club (2015)

https://www.latrobe.edu.au/\_data/assets/pdf\_file/0010/742528/Latrobe\_Value-of-a-Community-Football-Club\_summary\_FINAL.pdf

Social Return on Investment (Tennis Australia)

https://www.tennis.com.au/wa/news/2019/01/08/local-government-engaged

#### **Economic and Health Benefits Project**

This industry research project investigated a range of health, economic and community benefits delivered by local aquatic and recreation centres across Victoria and interstate. A key finding was that users value the personal benefits they receive at \$48.00 each time they use their centre. In the context of the Torquay Hockey Club, given that existing members are already receiving benefits of participation, the personal benefits could only be applied to new participation. If applied to the usage of the new multiuse synthetic facility based on the potential membership increases in Table 2, this would equate to new perceived personal benefits of \$940,000 per year in 2030 (140 new members at 4 hours per week for 35 weeks) and \$1,297,000 per year in 2036 (193 new members). Whilst this calculation is indicative only and based on use of an aquatic facility not participation in hockey, it still provides an insight into the perceived personal benefits of participation in physical activity that this facility would provide for our community members.

Surf Coast Multiuse Synthetic Facility - Business Case

## 9.4 A Compelling Business Case

This section has outlined a range of benefits that this project will provide, providing a compelling business case for future investment by funding partners to construct the facility.

The project aligns with the Hockey Victoria Strategic Facilities Master Plan 2015-25, G21 Regional Hockey Strategy 2019 and Torquay Synthetic Hockey Pitch Feasibility Report 2015.

There will be positive economic impacts through the construction stage, and to a lesser extent, the operations phase providing a sports facility that almost covers its expenses through generated revenue.

The health and social benefits to the Torquay Hockey Club members will be significant, with a home base providing a true sense of physical identity, a place to socialise locally and enhance team cohesion, and a fantastic introduction for new members to the Club through expected growth.

The positive impacts of training and playing locally on member's families will be very important to their wellbeing. The synthetic facility will provide environmental benefits for both the Club and Council through less water use and lower emissions.

Attraction of new volunteers will increase time contribution to the Club by 2,320 hours annually, on top of the existing estimated 4,000 hours. The project has the potential to provide over \$1 million in 'Social Return on Investment' and 'perceived personal benefits' to new members annually (from 2030 with 140 projected new members).

Many of these potential benefits are difficult to quantify and measure, however there is clear potential for a variety of positive outcomes to be generated from the facility's construction.



There are risks associated with planning, seeking funding, design and construction of significant open space infrastructure. The following table outlines key risks and preventative actions for this project. The Risk Rating Table is at Appendix 5.



Table 12: Project risks

Risk	Likelihood	Consequence	Level of risk	Preventative action required
Council no longer support the facility at this site.	Unlikely	Major	Moderate	Consider relocating the pitch to another suitable site (potential alternate option identified through 2020 assessment process).
External funds for capital development cannot be found in the short term.	Unlikely	Major	Moderate	Refer this project to a future budget process including consideration for grant opportunities. Consider with other priority projects for a potential contribution from the Open Space Reserve Fund.
The facility cannot secure funding ongoing. The impact on the club will be limited growth, while the impact on members will be the constant travel to and from Corio for training and games. It will continue to be difficult for the club to recruit players, and develop a stronger club culture.	Unlikely	Major	Moderate	Council to consider funding opportunities. Club to lobby politicians for support.
Design and construction risks are varied and would be specific to the site and project. They may include ground conditions, power/water supply, delay of materials, wet weather, traffic management, procurement, contractor performance, etc. They would be addressed in the planning for these stages.	Possible	Moderate	Moderate	Undertake suitable planning for known risks in preparation for the respective design and construction stages.
No engagement with Traditional Owners	Unlikely	Major	Moderate	When funding is secured and the project initiates, Officers will liaise with Traditional Owners to ascertain potential involvement in the project.
The Torquay Hockey Club membership declines and the facility isn't utilised to its full potential.	Unlikely	Moderate	Low risk	THC are a very proactive club whose growth has been limited without a home base. A club would likely organically grow with the introduction of a local facility, however it's expected that the proactive efforts of the club and strong culture will fast-track growth once a facility is available.
The synthetic surface is not well maintained, reducing the life of the surface. The surface is not fit-for-purpose or safe for hockey and need for replacement occurs earlier than forecast.	Possible	Moderate	Moderate	Monitor contract maintenance if there is higher than expected club and public use. Signage and code of conduct requiring no food and drink and no rubbish left.
The Torquay Hockey Club cannot access change facilities, toilets, a social and administration space and storage facilities.	Unlikely	Moderate	Low risk	Access to these facilities is available in the Grant Pavilion; booked through Council.



A multiuse synthetic facility will provide considerable benefits for the Torquay Hockey Club and wider Surf Coast community. The Banyul Warri Fields vacant land parcel is most suited to a hockey pitch that can be used primarily for hockey, and other community sports activities and casual use.

A surface suitable for hockey will improve hockey participation in Torquay, increase player safety and allow the club to play locally. A sand-dressed hybrid synthetic hockey surface is the most suitable. It will provide a home pitch for the Torquay Hockey Club and enhance their ability to retain existing players and grow the club through the attraction of new players.

The facility will reduce trips outside Torquay to train and play hockey and encourage use from regional clubs and representative teams.

The design concept and geotechnical assessment support the Banyul Warri Fields location as feasible. The site is bound by other infrastructure to all sides, however a space to the east of the facility could be considered for a potential future pavilion/community hub building.

The probable capital cost of the multiuse synthetic facility is \$3.12 million, including fees, cost escalation, project management, allowances and contingencies. Based on the assumptions provided, the annual maintenance costs (excluding annualised renewal and lifecycle costs) of the synthetic surface will almost be covered by the hire fees from the Club, non-resident club users and other hirers or events.

The asset replacement cost of the surface will be the responsibility of Council, and factored into the Asset Renewal Program.

If no multiuse synthetic facility with a competition level surface for hockey can be provided in Torquay, there is a danger that the Club's participation will decline or stagnate. For existing players, there will be increased costs for those who wish to continue to play hockey and a loss of social capital.

There is a compelling Business Case for this project, with clear strategic alignment, economic, health, social and environmental benefits to the Club, Geelong Hockey Association, the sport and community.

Surf Coast Multiuse Synthetic Facility - Business Case

#### Recommendations

The following recommendations are proposed to progress this project towards sourcing funding, define scope and usage, and ensure suitable management of the facility once constructed.

- Identify the vacant land at Banyul Warri Fields as the preferred site for the multiuse synthetic facility.
- Consider the project with other priorities for relevant grant opportunities in-line with the proposed funding model to source contributions for the construction of the facility.
- The project scope is construction of a competition level sand-dressed hybrid synthetic hockey surface with 250 lux sports lighting, safety fencing (above industry standard), drainage and irrigation, divider netting, players shelters and coaches boxes, spectator seating and shelter, footpaths, car parking and landscaping.
- The existing management model for the Banyul Warri Fields precinct will include the multiuse synthetic facility once constructed.
- Prioritise the use of the synthetic facility by the Torquay Hockey Club after 4.00pm on weekdays, and weekends. Other community use to be programmed in the other available hours.
- 6. Encourage use by local clubs for training in winter, and actively promote the facility to the hockey community to increase bookings, particularly in summer.
- 7. Negotiate an annual licence fee for the Torquay Hockey Club (including utility costs) in line with their current costs to use synthetic facilities within the City of Greater Geelong.
- 8. Introduce a contract for the regular cleaning, grooming and inspection of the surface, to ensure it will be kept in good condition. Ensure the surface is replaced every 7-10 years, as required.



Appendix 1 Design

Appendix 2 Renders

Appendix 3 Cost Estimate

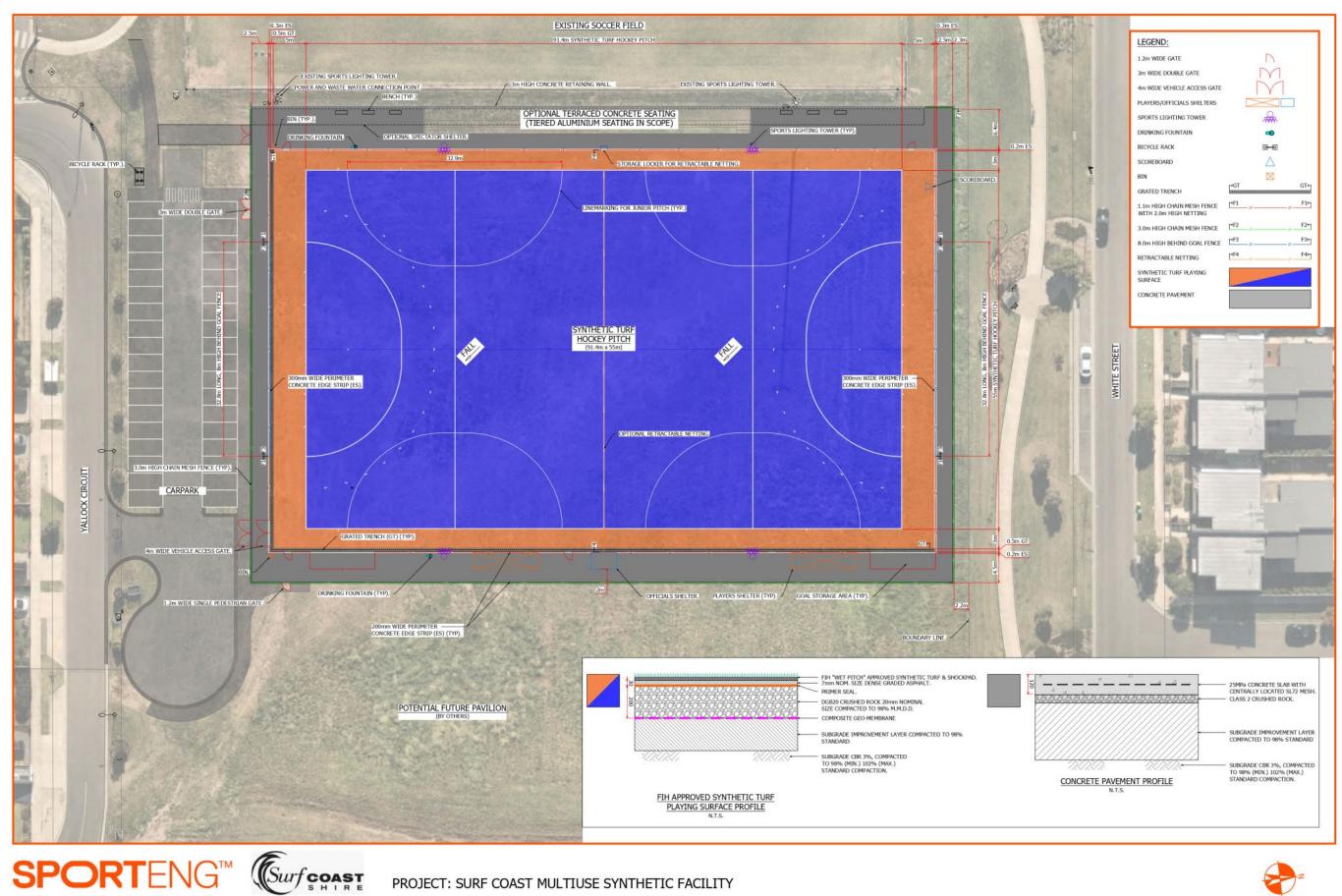
Appendix 4 Estimated Revenue

Appendix 5 Risk Rating Table



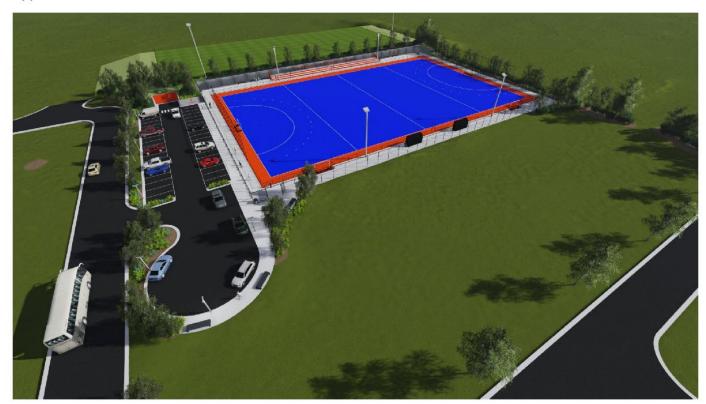
Appendix 1: Design

PROJECT: SURF COAST MULTIUSE SYNTHETIC FACILITY



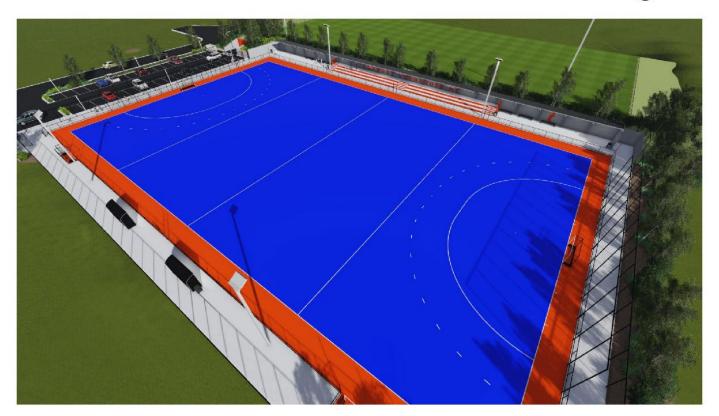


## Appendix 2: Renders



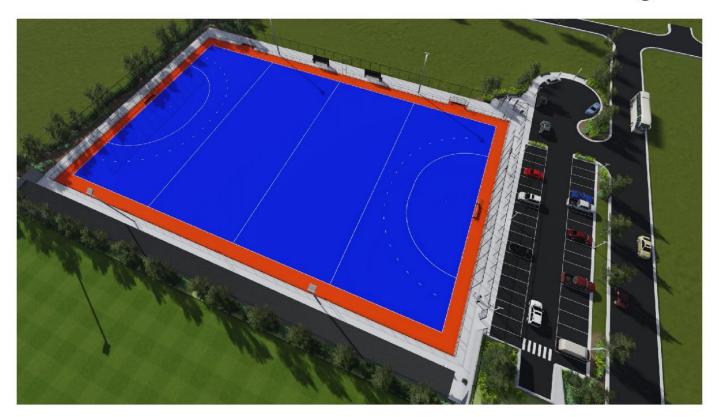
Surf Coast Multiuse Synthetic Facility – Business Case





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Appendix 3: Cost Estimate

#### **OPINION OF PROBABLE COST**

#### **Surf Coast Multiuse Synthetic Facility**

REVISION: E

#### DATE: 20/08/21

ALITHOD:	Allco	McCooke

Item	Description		Amount (\$)
1.0	CONSTRUCTION PRELI	MINARIES	\$ 138,500
2.0	EXCAVATION		\$ 118,865
3.0	STORMWATER DRAINA	GE	\$ 100,050
4.0	IN-GROUND SERVICES		\$ 244,138
5.0	PAVEMENTS & ANCILLA	ARIES	\$ 953,504
6.0	MISCELLANEOUS WOR	KS	\$ 939,470
	Total (excl. GST)		\$ 2,494,527
	Contingencies	12 %	\$ 299,343
	Design	3 %	\$ 74,836
	Cost Escalation	4 %	\$ 99,781
	Project Management		\$ 150,000
	Total Cost including	contingencies (excl. GST)	\$ 3,118,487
7.0	OPTIONAL ITEMS		\$ 349,560
	Total (excl. GST)		\$ 349,560
	Total Cost including	optional items and contingencies (excl. GST)	\$ 3,468,047

#### QUALIFICATIONS AND ASSUMPTIONS

- The Opinion of Probable Cost (OPC) is based on:
  - Standard civil rates supplied by Rawlinsons Australian Construction Handbook, 37th Ed. 2019
  - OPCs from proprietary product suppliers (e.g. synthetic surface, sports equipment etc.)
  - SPORTENG project experience, where similar in nature to the proposed development, and adjusted to accommodate factors known at the time the OPC was prepared.
- Rates will be subject to variation depending on a range of factors including timing, competitive bidding, market conditions, labour and material costs, all of which are outside the control of SPORTENG.
- 3. The OPC is based on quantities derived from the design at the time of issue.
- 4. Unless otherwise Indicated, the OPC excludes:
  - GST
  - Interest cost
  - Holding fees
  - Legal fees not otherwise specified
  - Flora/fauna or heritage conservation
  - Earthworks
  - Soil contamination
- 5. The OPC is supplied only for the guidance of the Client, and represents SPORTENG's best judgment as a design professional. SPORTENG does not guarantee the accuracy of the OPC as compared to actual bids or cost to the Client
- No stormwater attenuation is required
- None of the existing in-ground services or drainage infrastructure is asbestos.
- 8. Existing drainage infrastructure is adequatefor the proposed development
- 9. Adequate water supply is available for the proposed development and no upgrades are required upstream of the existing property water meter.
- 10. Adequate electrical supply is available for the proposed development and no major upgrades are required. (See Optional Items for a Power upgrade allowance)

Item	Description		Unit	Quantity	Rate		A	mount (\$)
1.0	CONSTRUCTION PRELIMINARIES	2						
Α	Site Establishment including con	struction of site access	Item	1	\$ 1	7,500.00	\$	17,500
В	Provision for Traffic		Item	1	\$	8,800.00	\$	8,800
С	Survey, set out and monitoring of	of the works by a licensed surveyor	Item	1	\$ 1	0,500.00	\$	10,500
D	Provision of Quality Plan, OH&S	Plan and Environmental Management Plan	Item	1	\$	1,800.00	\$	1,800
E	Provision of "Work-as-Executed"	drawings	Item	1	\$	7,000.00	\$	7,000
F	Provision for Authority fees and	charges	Item	1	\$	7,000.00	\$	7,000
G	Project Sign		Item	1	\$	1,500.00	\$	1,500
Н	Establishment and maintenance	of temporary erosion and water quality protection measures, including removal at the end of the contract	Item	1	\$	2,500.00	\$	2,500
I	Temporary fencing		Item	1	\$	3,500.00	\$	3,500
J	Provision of Quality Assurance p	rocesses (i.e. hold point documents, 3rd party independent assessments, etc.)	Item	1	\$	1,400.00	\$	1,400
К	Other preliminaries including sup	pervision, insurances, dis-establishment, etc	Item	1	\$ 7	7,000.00	\$	77,000
					Subt	otal	\$	138,500
Item	Description		Unit	Quantity	Rate		Α	mount (\$)
2.0	EXCAVATION							
2.1	Excavation							
2.1.1		Strip organic layer and stockpile onsite. (approx. 200mm)	m³	1,577	\$	10.00	\$	15,768
2.1.2		Re-use stripped soil for viewing mounds (Allowance)	m³	1,577	\$	10.00	\$	15,768
2.1.3		Cut to subgrade level (Allowance)	m³	4,336	\$	6.00	\$	26,017
2.1.4		Fill to subgrade level (Allowance)	m³	4,336	\$	12.00	\$	52,034
2.1.5		Prepare subgrade (final trim) +/- 20mm	$m^2$	6,185	\$	1.50	\$	9,278
					Subt	otal	\$	118,865
Item	Description		Unit	Quantity	Rate		A	mount (\$)
3.0	STORMWATER DRAINAGE							
3.1	Stormwater pits, pipes, trench gr	rates etc. (including excavation, bedding and backfill)						
3.1.1		Drainage System						
		PVC-U Pipes	m	164	\$	150.00	\$	24,600
		Pre-cast concrete junction pit	Item	6	\$	2,000.00	\$	12,000
		ACO grated inlet pit	Item	8	\$	800.00	\$	6,400
		Grated trench including concrete surroundings	m	163	\$	350.00	\$	57,050
					Subt	otal	\$	100,050
Item	Description		Unit	Quantity	Rate		^	mount (\$)
4.0	IN-GROUND SERVICES							
4.1	Electrical Services							
4.1.1		Lighting Poles (including electrical pits, conduits and installation)	Item	1	\$ 19	7,750.00	\$	197,750
4.2	Irrigation							
4.2.1		Irrigation system	m²	6,185	\$	7.50	\$	46,388
					Subt	otal	\$	244,138



Item	Description			Unit	Quantity	Rate		Amount (\$)
5.0	PAVEMENTS & ANCI	LLARIES			, ,			
5.1	FIH approved synthe	etic turf pla	ying surface profile					
5.1.1			FIH approved linemarked synthetic turf and shockpad system	m²	6,185	\$ 58.00	\$	358,730
5.1.2	30 mm	thick	7mm nomical size Type N dense graded asphalt	m²	6,185	\$ 18.00	\$	111,330
5.1.3	200 mm	thick	Class 2 crushed rock 20mm nominal size compacted to 98% M.M.D.D	m²	6,185	\$ 25.00	\$	154,625
5.1.4			Geo-composite membrane - installation, delivery and travel expenses	m²	6,185	\$ 9.00	\$	55,665
5.1.5	250 mm	thick	Type A capping layer compacted to 98% M.M.D.D	m²	6,185	\$ 18.00	\$	111,330
5.1.6			FIH certification	Item	1	\$ 10,000.00	\$	10,000
5.2	Concrete works							
5.2.1	300 mm	thick	25MPa concrete edge strip	m	325	\$ 90.00	\$	29,250
5.3	Concrete Footpath							
5.3.1	125 mm	thick	25MPa concrete with centrally locaed SL72 mesh	m²	1,318	\$ 65.00	\$	85,670
5.3.2	50 mm	thick	Class 2 crushed rock 20mm nominal size compacted to 98% M.M.D.D	m²	1,318	\$ 10.00	\$	13,180
5.3.3	250 mm	thick	Type A capping layer compacted to 98% M.M.D.D	m²	1,318	\$ 18.00	\$	23,724
						Subtotal	\$	953,504
Item	Description WISCELL AND OUG W	OBVC		Unit	Quantity	Rate		Amount (\$)
6.0	MISCELLANEOUS W	ORKS						
6.1	Fencing / Netting	b) = b	Challe much frame		260			21 200
6.1.1	1.1 m 3.0 m	high high	Chain mesh fence  Chain mesh fence with soft netting	m m	260 234	\$ 120.00 \$ 350.00		31,200 81,900
6.1.3	8.0 m	high	Chain mesh fence	m	66	\$ 350.00 \$ 1,750.00		115,500
6.1.4	1.2 m	wide	Pedestrian access gate	Item	5	\$ 520.00		2,600
6.1.5	3.0 m	wide	Pedestrian access gate	Item	2	\$ 520.00		1,040
6.1.6	4.0 m	wide	Vehicle access gate	Item	2	\$ 2,000.00		4,000
6.2	Sports Equipment	***************************************	Tomas deced yate	200111	-	2,000100	4	1,000
6.2.1			Hockey goals set	Item	2	\$ 6,000.00	\$	12,000
6.2.2			Junior hockey goals set	Item	4	\$ 3,000.00		12,000
6.2.3			Hockey corner flags set (4 flags)	Item	1	\$ 1,150.00		1,150
6.2.4			Scoreboard (Power Supplied)	Item	1	\$ 4,800.00	\$	4,800
6.3	Shelters							
6.3.1			Players shelters	Item	2	\$ 7,130.00	\$	14,260
6.3.2			Officials shelter	Item	1	\$ 2,000.00	\$	2,000
6.4	Other							
6.4.1			Drinking fountain (including water connection and plumbing)	Item	1	\$ 12,000.00	\$	12,000
6.4.2			Propriety aluminium grandstand seating (6m lengths)	Item	8	\$ 3,265.00	\$	26,120
6.4.3			Spectator aluminium shelter (48m length)	Item	1	\$ 48,000.00	\$	48,000
6.4.4			Bins	Item	2	\$ 1,600.00	\$	3,200
6.4.5			Bicycle racks	Item	2	\$ 3,000.00	\$	6,000
6.4.6			Concrete retaining wall (allowance)	Item	1	\$ 120,000.00	\$	120,000
6.4.7			Landscaping/Terracing and site restoration (allowance)	Item	1	\$ 20,000.00	\$	20,000
6.4.8			Paved Car Park (allowance)	m²	1,585	\$ 260.00	\$	412,100
6.4.9			Bench seats	Item	6	\$ 1,600.00	\$	9,600
						Subtotal	\$	939,470
Item	Description			Unit	Quantity	Rate		Amount (\$)
7.0	OPTIONAL ITEMS							
7.1	Fencing / Netting							
7.1.1	3.0 m	high	Retracteable netting	m	62	\$ 380.00	\$	23,560
7.2	Electrical Services							
7.2.1	Other		Electrical upgrade	Item	1	\$ 80,000.00	\$	80,000
7.3	Other		Constant to the control of the contr	Tr		# 1F0.000 C	_	150.000
7.3.1			Concrete terrace seating	Item	1	\$ 150,000.00		150,000
7.3.2			Aluminium shelter to entire spectator area	Item	1	\$ 96,000.00		96,000
						Subtotal	\$	349,560





## **Appendix 4: Estimated Revenue**

Activity	Frequency	Number of Sessions	Occurrences per Year	Hire Rate	Revenue	Comments
Torquay Hockey Club	Annual	N/A	N/A	Licence Fee	\$7,000	Licence fee would cover all club use throughout a year. It would cover half cost of every THC game on the pitch.
THC - Away Team - Seniors	Weekly	4	17	\$52.50	\$3,570	THC home game - this would be the half payment from the away teams
THC - Away Team - Juniors	Weekly	6	14	\$32.50	\$2,730	THC home game - this would be the half payment from the away teams
GHA Game - Seniors	Weekly	2	17	\$105.00	\$3,570	Two away teams using Torquay pitch
GHA Game - Juniors	Weekly	2	14	\$65.00	\$1,820	Two away teams using Torquay pitch
HV Pre-season Training Camps	One off	6	12	\$105.00	\$7,560	Based on 6 bookings (late-Jan - March) for 6 hours both weekend days (12 hours in total)
HV Western Wildcats (first 3 years only)	Weekly	6	3	\$105.00	\$1,890	Bookings of 3 hours each Sunday for 6 weeks
TOTAL			1		\$28,140	Inclusive of GST

Surf COAST

Surf Coast Multiuse Synthetic Facility – Business Case

### Appendix 5: Risk Rating Table

RISK RATING			LIKELIHOOD		
CONSEQUENCE	Rare The event will only occur in exceptional circumstances	<b>Unlikely</b> The event is not likely to occur in a year	Possible The event may occur within a year	<b>Likely</b> The event is likely to occur within a year	Almost certain The event is almost certain to occur within a year
Catastrophic (e.g. accidental death / serious injury)	Significant Risk	Significant Risk	High Risk	High Risk	High Risk
Major (e.g. serious injury, loss of essential service)	Low Risk	Moderate Risk	Significant Risk	High Risk	High Risk
Moderate (e.g. lost opportunity for a number of people, impact on health, injury, etc.)	Low Risk	Low Risk	Moderate Risk	Significant Risk	High Risk
Minor (minor impact – small number of people injury – time)	Low Risk	Low Risk	Low Risk	Moderate Risk	Significant Risk
Minimal (no injury, etc.)	Low Risk	Low Risk	Low Risk	Low Risk	Moderate Risk

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#### 6.6 Community Project Development - Quarterly Report - September 2021

Author's Title: Community Project Development General Manager: Chris Pike

Officer

Department:Social Infrastructure PlanningFile No:F16/1580-4Division:Culture & CommunityTrim No:IC21/1500

Appendix:

1. Community Project Proposal Master List - September 2021 (D21/62370)

Officer Conflict of Interest: Status:

In accordance with Local Government Act 2020 – Section 130:

Defined as confidential information in accordance with Local Government Act 2020, Section 3(1):

Reason: Nil Reason: Nil

#### **Purpose**

The purpose of this report is to receive the September 2021 Community Project Development Program update and recommendations.

#### Summary

Recommendations relating to the following community project proposals are provided for Council's consideration:

- CPP60: Deans Marsh Community Hall Multi-purpose Space (referred for detailed investigation at the 8 December 2020 Council Meeting) - Close proposal, noting that the scope of the investigation has expanded from a facility improvement opportunity to a whole of facility redevelopment project led by the Social Infrastructure Planning Department in 2021-22.
- CPP63: Winchelsea Station Precinct Planning including Stationeers Program (referred for detailed investigation at the 23 March 2021 Council Meeting) – Community investigation complete, viable concept ready for land owner consideration and approval (VicTrack).

Eleven new community project proposals were registered through the April to June 2021 and July to September 2021 quarters. Four of the eleven proposals are awaiting assessment for potential inclusion into the Master List. Seven of the eleven new proposals were either declined, referred to other programs or referred directly to a service manager to be addressed, and therefore did not require assessment.

Officers have completed a 5-year Community Project Development Program review which has reinforced the importance of the program and identified some areas for enhancement including communication, equity, eligibility, process and timing.

A number of community projects have been brought forward from future work plans as a result of COVID related stimulus funding. While this is a very positive outcome it also presents a resource challenge and requires a shift in focus towards supporting project delivery in the short term. Officers will need to pause investigations of new project proposals for a period of up to six months to allow the Social Infrastructure Planning Department to deliver on these community outcomes within existing resources and enable the implementation of actions arising from the Community Project Development Program 5-year review.

#### Recommendation

That Council:

- 1. Notes the closure of the Deans Marsh Community Hall Multi-Purpose Space Proposal (CPP60), with the scope of the investigation expanding from a facility improvement opportunity to a whole of facility redevelopment planning project to be undertaken in 2021-22.
- 2. Transfers the \$10,000 unspent investigation funds from the Deans Marsh Community Hall Multi-Purpose Space Proposal to the broader 2021-22 facility re-development project.
- 3. Notes the completion of the Winchelsea Station Precinct Planning including Stationeers Program (CPP63) project investigation with a viable concept, ready for land owner (VicTrack) consideration and approval.
- 4. Notes that \$10,000 will be returned to the Project Savings Account following the completion of the Winchelsea Station Precinct Planning including Stationeers Program Proposal (CPP63).
- 5. Notes that there will be pause in the referral of project proposals from the Community Project

Proposal Master List for investigation for a period of up to six months to support the delivery of important community projects brought forward from future work plans as a result of COVID related stimulus funding.

#### **Council Resolution**

#### MOVED Cr Gary Allen, Seconded Cr Paul Barker

That Council:

- 1. Notes the closure of the Deans Marsh Community Hall Multi-Purpose Space Proposal (CPP60), with the scope of the investigation expanding from a facility improvement opportunity to a whole of facility redevelopment planning project to be undertaken in 2021-22.
- 2. Transfers the \$10,000 unspent investigation funds from the Deans Marsh Community Hall Multi-Purpose Space Proposal to the broader 2021-22 facility re-development project.
- 3. Notes the completion of the Winchelsea Station Precinct Planning including Stationeers Program (CPP63) project investigation with a viable concept, ready for land owner (VicTrack) consideration and approval.
- 4. Notes that \$10,000 will be returned to the Project Savings Account following the completion of the Winchelsea Station Precinct Planning including Stationeers Program Proposal (CPP63).
- 5. Notes that there will be pause in the referral of project proposals from the Community Project Proposal Master List for investigation for a period of up to six months to support the delivery of important community projects brought forward from future work plans as a result of COVID related stimulus funding.

CARRIED 9:0

#### Voting

Voted on as follows:

For Allen Against Nil Nil Nil Cr Barker
Cr Bodsworth
Cr Gazzard
Cr Hodge
Cr Pattison
Cr Schonfelder
Cr Stapleton
Cr Wellington

#### Report

#### Officer Direct or Indirect Interest

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

#### Background

The Community Project Development (CPD) program exists to improve Council's ability to respond to community project ideas and to ensure that projects seeking Council support and / or funding are appropriately assessed, scoped and prioritised.

Through the April to June 2021 quarter and the July to September 2021 quarter the Winchelsea Station Precinct Planning including Stationeers Program Proposal (CPP63) was the focus for the community investigations process (noting that the Quarterly Report scheduled for June 2021 was deferred).

Investigation had paused on the Deans Marsh Community Hall Multi-purpose Space Proposal (CPP60) during this time, pending the outcome of a detailed invasive structural assessment of the building by the Strategic Asset Management team (that considered the Burra Charter principles for heritage building upgrade or replacement works).

Early indications, while we await the formal structural report in the coming weeks, confirm the scale of the structural issues associated with the building. Extensive building renewal work will be required before any new or upgrade works can be considered and it appears more feasible to replace the building rather than to renew.

This proposal investigation can now be closed with the Deans Marsh Community Asset Committee open to the option of replacement given it will eliminate ongoing building and site issues, address a poor functional layout and consider optimal service provision that responds to community needs into the future. The scope of this investigation has now expanded to a whole of facility re-design project led by the Social Infrastructure Planning Department in 2021-22.

The CPD program has been in place for 5-years triggering a timely cross-department program review which has reinforced the importance of the program and identified some areas for enhancement summarised in the discussion section of this report below.

#### Discussion

The key findings and recommendations relating to the following two community project proposals are presented in the summary table below:

- CPP60 Deans Marsh Community Hall Multi-purpose Space (referred by Council for investigation at the 8 December 2020 Council Meeting); and
- CPP63 Winchelsea Station Precinct Planning including Stationeers Program (referred by Council for investigation at the 23 March 2021 Council Meeting).

CPP60	Deans Marsh Community Hall Multi-purpose Space Proposal – CLOSE AND REFER TO WHOLE OF FACILITY REDEVELOPMENT PLANNING PROJECT
Proposal Description	<ul> <li>The proposal was tied to a kitchen renewal project and involved exploring an outdoor deck area with servery from the kitchen, repurposing the chair store into a lounge / social room, provision of an alternative chair storage area as an extension to the building, reactivation of the original building entry (east), upgrading the heating/cooling and solar panel provision.</li> </ul>
Background Information	<ul> <li>Preliminary investigation into this proposal identified significant structural issues associated with the building and drainage issues associated with the site. The proposal investigation was then paused to gain further clarification on the issues.</li> <li>A detailed invasive structural assessment (with the formal report due in September) has now been undertaken (that considered the Burra Charter principles for heritage building upgrade or replacement works) and has confirmed the scale of the issue.</li> <li>Early indications are that extensive building renewal work will be required before any new or upgrade works could be considered and that it appears</li> </ul>

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#### 6.6 Community Project Development - Quarterly Report - September 2021

more feasible to replace the building rather than to renew.

- This timely assessment of the overall building asset condition presented an
  opportunity to consider the best outcome for this important community hub,
  weighing up the cost of these significant intervention works to renew the
  building to a fit for purpose standard versus the replacement of a facility close
  to the end of its asset life.
- The building has a heritage overlay in the Surf Coast Planning Scheme and early advice is that a building replacement may require a Heritage Impact Statement that addresses building significance (however over time the original heritage features have been significantly compromised and no original features were found in the latest assessment) and building integrity (the intactness of the heritage asset).
- The Deans Marsh Community Asset Committee are open to the option of replacement given it will eliminate ongoing building and site issues, address a poor functional layout and consider optimal service provision that responds to community needs into the future.
- A Community Hub Facility Development Plan led by Social Infrastructure
  Planning in 2021-22 will include a facility design that meets the needs of the
  community, considers local heritage and character, and provides a cost
  estimate to an investment ready stage.





Photo of the original Deans Marsh Public Hall with front brick infill and south fibro sheeting verandah infill. The 1889 Mechanics Institute and Free Library was relocated to this site in 1921. The original building footprint has been impacted by several building extensions and modifications over the years.

#### **Engagement**

- Community stakeholders including Deans Marsh Community Asset Committee, Deans Marsh Community Cottage and community representatives who contributed to the project proposal submission.
- Internal stakeholders Strategic Asset Management, Social Infrastructure Planning, Facility Operations, Community Health and Development
- Heritage Advisor to Council
- Initial discussions with Regional Development Victoria about the project.

#### **Key Findings**

- A detailed and invasive structural assessment of the whole facility has now been undertaken (that considered the Burra Charter for heritage building upgrade or replacement works) and a final report due within coming weeks. Early indications are that:
  - extensive building renewal works would be required to address the asset's structural issues and site drainage issues;
  - the building's original heritage features have been significantly compromised to the point of almost non-existence; and
  - o it appears more feasible to replace the building rather than renew it.
- A Community Hub Facility Development Plan process led by the Social Infrastructure Planning Department in 2021-22 will include community engagement and provide a facility design and costing to an investment ready stage.
- There is an opportunity to transfer the unspent \$10,000 investigation funds to the broader 2021-22 facility re-development project.

Potential funding partners	<ul> <li>Once completed, there is an opportunity to leverage Council's asset renewal funding and seek significant external funding (via Regional Development Victoria or other levels of government) for this project.</li> </ul>
Officer Summary / Recommendation	<ul> <li>Close the Deans Marsh Community Hall Multi-purpose Space Proposal (CPP60) with the scope of the investigation having expanded from a facility improvement opportunity to a whole of facility re-design project led by the Social Infrastructure Planning Department in 2021-22.</li> <li>Opportunity to transfer unspent \$10k investigation funds to the broader 2021-22 facility re-development project.</li> </ul>

#### Winchelsea Station Precinct Planning including Stationeers Program CPP63 Proposal – COMPLETE AND READY FOR CONSIDERATION BY VICTRACK Proposal A Growing Winchelsea-led place transformation proposal involving Winchelsea Description Station precinct, including formalizing involvement in a railway station beautification program and reinvigorating an underutilised railway precinct, that has both historical and social value to the community. **Background** Keep Victoria Beautiful auspice a railway station beautification program called Information the Stationeers Program, while they have no funding for works, they insure volunteers linked to the program (requiring an approved works plan). This proposal investigation has been led by a Growing Winchelsea subcommittee, joined by a VLine employee stationed at Winchelsea, the Winchelsea Lions Club, Winchelsea Land and River Care, the Winchelsea Arboretum Trail Group and other interested community members. The 1.2 hectare railway precinct (focus area shown in image below). VicTrack land, has been determined with opportunity for staged works. The focus area contains leased lots (VLine, Rail Projects Victoria) and unleased areas and has high levels of local heritage significance with a heritage overlay over the station building, immediate surrounds and platform. In house resource support for landscape concept plan development (saving \$10,000) to enable community to present their proposal to VicTrack for assessment (involving site suitability and liaison with lease holders and Keep Victoria Beautiful). VicTrack are looking "to create more vibrant transport hubs that add value to communities" but note focus is on commercial opportunities over community projects. There is potential for pre-existing site contamination and any site developments will require an environmental assessment and soil testing. Whilst this project is not on Council land the community understand Council are not in a position to take on leaseholder responsibility. Officers have played a role in facilitating and supporting conversations between the community, key land owner (VicTrack) and other agencies. Winchelsea Station Precinct investigation area **Engagement** Growing Winchelsea led working group including VLine, Lions Club, Winchelsea Land and River Care, the Arboretum Trail Group and other

community representatives with interest.

- Liaison with the Winchelsea Historical Society for historical precinct records.
- Communications with VicTrack, Keep Victoria Beautiful, VLine Manager of Strategy and Development and Regional Development Victoria.
- Proposal advice sought from Council officers supporting community projects on railway land in the Central Goldfields Shire and Shire of Campaspe.
- Engagement including onsite inspections with Council officers from Open Space Operations, Social Infrastructure Planning and Economic Development has enabled a good understanding of the proposal opportunities, challenges and constraints.

#### **Key Findings**

- Council's internal resource support and expertise has been provided in the development of a landscape concept plan and associated report (saving \$10,000 in investigation funds).
- This plan will enable the community to submit a visual proposal to VicTrack for assessment (with the assessment timeline likely to be 3 to 6 months). VicTrack will assess the proposal based on site suitability and will also liaise with current lease holders (VLine and Rail Projects Victoria) along with Keep Victoria Beautiful who auspice the Stationeers Program.
- A feasible project assessment by Council will be pending VicTrack's support of the landscape plan and individual proposal elements within the focus area.
- The community are buoyed by VicTrack looking "to create more vibrant transport hubs that add value to communities" but are also mindful of the VicTrack focus on commercial opportunities over community projects.
- Council are not in a position to take on lease responsibilities for VicTrack land.
- The key elements represented on the landscape plan include:
  - Connectivity the site is 600m from town centre yet feels isolated and missing a pathway link from Hesse Street to Station building and platform; improving way finding signage and expanding the history trail signage at this site.
  - Beautification the site is tired and aesthetically poor (protect local heritage) with opportunities for natural shading of car park areas, planting of feature trees linking the site to the Arboretum Trail, establishing garden beds and adding artwork murals and installations.
  - Activation new garden beds including raised gardens, tree planting links to future Arboretum Trail, artwork and interpretative signage, potential relocation of Makers & Growers Market, and station building refurbishment and activation.
- An associated report to the landscape plan presents a range of propositional items to stimulate future conversations with VicTrack and aimed more at facility and transport infrastructure upgrades (i.e. car park expansion, secure bicycle parking enclosure, car park lighting, replacing the overhead power lines into the station with underground power supply and the station building restoration and refurbishment).

# Potential funding partners

- Many of the works could be delivered in-kind by the community as part of a staged and manageable works program that will also be aligned to a range of funding opportunities being explored by the community to assist with funding of project elements (such as Council's Small Grants Program).
- Regional Development Victoria are also now aware of the proposal.

## Officer Summary / Recommendation

- Note the completion of the Winchelsea Station Precinct Planning, including Stationeers Program (CPP63), project investigation with a viable concept, ready for land owner (VicTrack) consideration and approval.
- Return the unspent \$10,000 investigation funds to the Project Savings Account.

#### New community project proposals received

Eleven new community project proposals were registered in the last six months (including the April to June 2021 and July to September 2021 quarters). Four of the new proposals are awaiting assessment with only

one proposal likely to move into the Community Project Master List to be considered for investigation. Seven of the new proposals were declined, referred to other programs or referred directly to service managers for action. Appendix 1 contains details of the new proposals received and their status.

As each new project proposal is submitted online, it is assessed by relevant Council Service Managers. The Community Project Proposal Assessment Matrix determines where the proposal sits in priority order within the Master List.

Since the program's inception, 92 new project proposals (average 4 to 5 per quarter) have been registered via Council's on-line proposal registration process since February 2017.

#### Community Project Development – 5-year Review

The Community Project Development Program commenced in October 2016 and five years into the program provides a timely opportunity for a review.

Key internal program stakeholders and service managers were engaged in a July 2021 workshop to:

- Reflect on achievements to date in helping the community progress and realise their ideas
- Remind ourselves of the value of the program, its intention and how the process works
- Review where the program is at and collaboratively identify areas for improvement; and
- Refresh the program with enhancements including:
  - Formalisation of an Assessment Panel increased visibility of new proposals and contribution to evaluation, scoping / parameters and shared responsibility for end to end process and outcome.
  - Revision of the Assessment Criteria Matrix improving alignment to the Council Plan,
     Community Vision, Enabling Communities and other key strategies.
  - Enhance Communication and Promotion increase equity and awareness of the program and how the process is delivered going forward (e.g. eligibility, registration, process, timing and providing clarity around the end-to-end process).

#### Short term pause on new project investigations to focus on delivery

A number of community projects have been brought forward from future work plans as a result of COVID related stimulus funding. While this is a very positive outcome it also presents a resource challenge and requires a shift in team focus towards supporting project delivery in the short term.

There is an opportunity to pause investigation of new project proposals for a period of up to six months to allow the Social Infrastructure Planning Department to deliver on these community outcomes within existing resources and enable the implementation of actions arising from the Community Project Development Program 5-year review.

Whilst a pause in the investigation of any new community project proposals is not ideal, it should be noted that many of the fast tracked projects currently being delivered as a result of COVID related stimulus funding were received and investigated via Council's community project development program.

#### 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

Theme 4 Vibrant Economy

Objective 4.3 strengthen the vitality of town centres

Strategy 4.3.1 Identify and support the economic and social drivers of town centres within the shire

Theme 5 High Performing Council

Objective 5.1 Ensure Council is financially sustainable and has the capability to deliver strategic objectives

Strategy 5.1.3 Develop innovative funding partnerships with community, business and government

#### Reporting and Compliance Statements:

Local Government Act 2020 - LGA 2020

Implications	Applicable to this Report
Governance Principles	Yes
(Consideration of the Governance Principles under s.9 of LGA 2020)	
Policy/Relevant Law	Yes
(Consideration of the Governance Principles under s.9 of LGA 2020)	
Environmental/Sustainability Implications	Yes
(Consideration of the Governance Principles under s.9 of LGA 2020)	
Community Engagement	Yes
(Consideration of Community Engagement Principles under s.56 LGA 2020	
and Council's Community Engagement Policy SCS-017)	
Public Transparency	Yes
(Consideration of Public Transparency Principles under s.58 of LGA 2020)	
Strategies and Plans	Yes
(Consideration of Strategic Planning Principles under s.89 of LGA 2020)	
Financial Management	Yes
(Consideration of Financial Management Principles under s.101 of LGA	
2020)	
Service Performance	Yes
(Consideration of Service Performance Principles under s.106 of LGA 2020)	
Risk Assessment	Yes
Communication	Yes
Human Rights Charter	Yes

#### Governance Principles - Local Government Act 2020 (LGA 2020)

This report demonstrates application to the following relevant governance principles under s.9 of the *Local Government Act 2020*:

- **Innovation** and **continuous improvement** are being pursued by responding to and assessing community initiated project ideas, working with the community to appropriately scope and cost a proposal to a project or grant ready stage.
- A detailed proposal investigation, completed in collaboration with the community and relevant stakeholders, ensures that proposals being considered by Council have considered current and ongoing financial viability.
- During the proposal investigation phase, regional, state and national **plans**, **policies**, guidelines and standards are taken into account when considering proposed project scope and design.

#### Policy/Relevant Law

Specifically relevant to community proposals investigated in the last quarter (and in general terms relating to the eligibility assessment for new proposals), relevant policies / laws that have been and will be considered include:

- MPP-019 Non-recurrent Grants
- Surf Coast Planning Scheme
- Disability Discrimination Act (1992) / Victorian Disability Act (2006)
- Australian Standards and Building Code of Australia
- Burra Charter (for the Conservation of Places of Cultural Significance)

#### Environmental/Sustainability Implications

The contents of this report do not raise any adverse environmental sustainability implications. Where development is being proposed, minimising social, environmental and climate impacts is a high priority.

#### Community Engagement

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

Whilst this report recommends a pause (for up to 6 months) in the investigation of new community project proposals, the Community Project Development Program will continue to receive and respond to community enquiries in relation to new project proposal submissions.

In accordance with Council's Community Engagement Policy SCS-017, the Community Project Development Program achieves a range of engagement levels, with the most predominant levels described below:

Engagement Level	Promise to the Community	Role of Community	Example of Activities
Inform	Provide information to the community to raise awareness of the program and the support Council can provide in enabling communities to progress their project ideas	To receive this information and share this information with other community members	A promotion campaign for the program aims to inform the community about the program and provide an accessible 'no wrong door' approach to project idea submissions
Consult	Council will listen to and acknowledge community contribution that will lead to an enhanced program	To provide feedback on experiences working with Council through the program	Seek community feedback throughout the investigation phase of a community project
Collaborate	Supporting community project ideas, providing guidance and advice and enabling community to lead and own the process towards a feasible project outcome	Taking ownership of the project initiative, raising community awareness of the proposal, seeking support from community and stakeholders	Community led Project Proposal Working Groups to guide community towards a feasible project outcome
Empower	Encouraging community ownership of feasible community initiated project ideas, building capacity to source project funding through a variety of methods and sources and to lead project delivery	Ownership of the project initiative extending to achievement of funding for the project through a variety of sources and also leading project delivery	Community driving fundraising and taking responsibility for project management where possible or being represented on the Project Control Group.

#### Public Transparency

The Community Project Development Program is aimed at creating partnerships, providing support to communities, giving feedback on community project ideas, facilitating community strengthening and supporting prioritised projects to get to a project ready stage. Recommendations being presented to Council on behalf of communities are discussed with relevant community group stakeholders prior to being finalised.

#### Strategies/Plans

The community are involved in the project proposal planning phase where an assessment of need, benefit, stakeholders, scope and community sourced investment is determined.

During the planning phase, any relevant strategies or plans (community, Council, agency, State or Federal Government) are considered and form part of the project summary and strategic justification.

#### Financial Management

Completed Project Proposal Investigations:

Financial implications from proposed recommendations in this report include:

- Transfer the \$10,000 unspent investigation funds from the Deans Marsh Community Hall Multi-Purpose Space Proposal to the broader 2021-22 facility re-development project.
- Return \$10,000 of unspent investigation funds for the Winchelsea Station Precinct Planning including Stationeers Program Proposal (CPP63) to the Project Savings Account (works were completed within existing resources).

#### Service Performance

The investigation of community project proposals that propose renewal, improvement, upgrade or replacement of a Council asset, consider the current life of an asset or asset component and the timing of

any relevant asset renewal or replacement expenditure. Opportunities are sought where Council budgets such as this can align as potential funding leverage / partnership projects, providing good value for investment and resulting in outcomes that meet changing community needs.

Proposal investigations often involve a thorough assessment via the engagement of professional expertise, including architects, landscape architects, structural engineers, quantity surveyors and other subject matter experts.

#### Risk Assessment

There are no identified Workplace Health and Safety implications associated with this report.

The ongoing investigation into the Deans Marsh Community Hall Multi-Purpose Spaces Proposal (CPP60) has enabled a more thorough understanding of current building asset condition, structure and future options for building renewal or replacement to consider. Addressing the condition of the asset will mitigate the risk of safety issues emerging as the building ages and deteriorates further.

The Winchelsea Station Precinct Planning including Stationeers Program Proposal (CPP63) proposed works address the safety of rail service users when accessing the station site and also notes the environmental risks associated with potential railway land contamination (that would need further assessment to understand land use suitability).

#### Communication

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

All proposal applicants are contacted following a proposal registration to clarify project details. Further engagement is undertaken with applicants for those proposals that are referred for detailed investigation.

There is regular communication with submitters of project proposals waiting in the Community Project Proposal Master List.

Quarterly reports are presented to Council with recommendations relating to proposals referred for detailed investigation and endorsing new projects be investigated in the next quarter.

Implementation of actions from the 5-year review of the Community Project Development Program, namely to enhance program communication and promotion, will increase equity and awareness of the program and how the process is delivered going forward (e.g. eligibility, registration, process, timing and provide clarity around the end-to-end process).

#### **Human Rights Charter**

A Human Rights Impact Assessment has been undertaken and concludes that the contents of this report are compatible with the Victorian Charter of Human Rights and Responsibilities.

#### **Options**

Option 1 – Accept the Community Project Development recommendations as identified in this report. This option is recommended by officers as it is supported by comprehensive feasibility investigations into each community project proposal and provides clear direction regarding Council's level of support for each project.

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

This would involve reaching different conclusions on the:

- · Status of projects
- Timing and/or allocation of remaining unspent funds, and / or
- Pausing new community project proposal investigations for a period of up to six months to enable a focus on project delivery within existing resources.

This option is not recommended by officers as:

- Project proposals have been comprehensively assessed for their feasibility and alignment with Council and community objectives
- Funding allocation recommendations have considered Council's current and future financial capacity and the preferred practice of considering project funding through the annual budget process, and
- Funding for the delivery of projects has been fast tracked though COVID-19 related stimulus funding
  and this presents a human resource challenge for the department. A short-term focus on project
  delivery is required in the absence of additional resources and the availability of resources are
  limited at this time.

Option 3 – Do not accept the Community Project Development recommendations as identified in this report and authorise the Chief Executive Officer to allocate additional resources to alleviate the need to pause community investigations

This would involve reaching different conclusions on the:

• Pausing of new community project proposal investigations for a period of up to six months to enable a focus on project delivery within existing resources and authorising the Chief Executive Officer to allocated additional resources to alleviate the need to pause community investigations.

This option is not recommended by officers for the reasons identified in Option 2 above.

#### Conclusion

A Community Project Development process has been established to provide transparency in how new community project proposals are registered, assessed and prioritised for investigation. The process supports Council to create partnerships, respond to community project ideas, and facilitate enabling communities and support prioritised projects to get to an investment ready stage.

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6.6 Community Project Development - Quarterly Report - September 2021

#### APPENDIX 1 COMMUNITY PROJECT PROPOSAL MASTER LIST - SEPTEMBER 2021



# **Community Project Proposal Master List**

As at 18 August 2021 (since last reporting cut off 16 February 2021 and noting no report in June 2021)

	COUNCIL WARD	PROPOSALS AWAITING INVESTIGATION	INVESTIG- GATION \$	RATING
Dec 2019	Anglesea	Anglesea Resale Centre - Bicycle Recycle/Repair/Resell Space (ON HOLD waiting for progress on other site works)	\$0K	66
Dec 2017	Anglesea	Anglesea Bowls Club Mens Shed Carpark Upgrade (ON HOLD as a major upgrade project pending assessment of project priority)	\$10K	57
Jan 2021	Anglesea	Aireys Inlet Community Garden - Masterplan Implementation Stage 1 (ON HOLD pending land use planning assessment)	\$6K	55
Dec 2020	Torquay	Torquay Community Bike Hub Proposal (proposed referral to Eco- Dev Business Concierge process)	\$5K	54
Feb 2018	Torquay	Djila Tjarri Skate Bowl Shelter (ON HOLD pending further assessment of community interest / need / benefit)	\$1K	43

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

	COUNCIL WARD	PROPOSALS AWAITING ASSESSMENT *
March 2021	Torquay	New Torquay Bike Park  Potential referral to Social Infrastructure  Planning for further investigation for new site  planning and / or upgrades to existing bike  parks
May 2021	Torquay	Surf Coast Little Athletics Centre Potential for CPD process to investigate interim training options or referral to Social Infrastructure Planning for further investigation
May 2021	Anglesea	Anglesea Labyrinth
July 2021	Torquay	Quay Reserve and Oval Upgrade Potential for CPD process to investigate some minor activity area upgrades and referral of larger projects (oval drainage and cricket facilities) to Service Managers
	TOTAL	4

<sup>\*</sup> New initiative to introduce a Community Project Proposal Assessment Panel involving Service Managers across key Council areas to collaboratively assess new project proposals against a revised Assessment Matrix that considers Council Plan and Community Vision

	PROPOSALS CURRENTLY IN INVESTIGATION PHASE
CPP60	Deans Marsh Public Hall - Multipurpose Space (further Social Infrastructure Planning investigation to be undertaken re potential facility redevelopment option once Structural Engineering Report is received)
CPP63	Winchelsea Station Precinct Planning including Stationeers Program
TOTAL	2

INVESTIGATION COMPLETE		
(	STILL TO BE FUNDED)	
CPP13	Deep Crk Res multi-use Tennis area	
CPP44	Kalkarra Park Playspace - basketball	
	pad extension	
CPP53	Torquay Football and Cricket Club -	
	Unisex Change Room Upgrade	
	(Stage 2 design complete for canteen	
	timekeepers box concept and QS)	
CPP54	Anglesea Historical Society Building	
	Modification/Extension	
CPP55	Torquay Men's Shed – Future	
	Expansion (linked to CPP57)	
CPP57	Spring Creek Community Hub	
	(Tennis/Mens Shed) (linked to CPP55)	
CPP58	Jan Juc Cricket Club Deck Extension	
	(potential referral Club Funded Project	
	process for delivery)	
CPP59	Winchelsea Arboretum Trail (\$20K	
	advocacy phase funded)	
CPP61	Anglesea Riverbank Bingley Pde/	
	Agnes Lane - Park Facilities	
CPP62	Deans Marsh Priority Pathways#2 –	
	concept design consideration referred	
	to Pathway Strategy Review process	
TOTAL	10	

INVE	STIGATION COMPLETE
(P	ROJECT IN PROGRESS)
CPP01	Torquay Cricket Club Practice
	Facility Upgrade / Stage 2 Design
	(design in progress)
CPP03	Lorne Historical Society Front
	Facade Project (Stage 1 complete and
	Stage 2 underway)
CPP14	Mt Moriac Res Oval 1 goal net
	(funding via LRCI Fund #2)
CPP24	Nautical Rise Res Indigenous
	Garden (Stage 1 in progress and Stage
	2 still to be funded)
CPP25*	Torquay Football Club - relocate
	interchange boxes plus behind
	goal netting (18/19 budget –funded
	goal netting only and LRCI Fund Phase
	2 funding for interchange boxes)
CPP28	Great Ocean Views Res Activation
	(Stage 1 complete and funding via LRCI
	Fund Phase 2 for Stage 2)
CPP30	Deans Marsh Priority Pathways #1
	(project underway)
CPP31	1st Torquay Scouts storage
	extension (project underway)
CPP35	Deans Marsh Reserve shelter /
	outdoor stage (project underway)
CPP36	Helen Mary Kininmonth Kinder –
	Playground Rejuvenation (part
	completed and projects underway)
CPP37	Bob Pettitt Reserve Outdoor
	Performance Space (project
	underway)
CPP38	Surf Coast Soccer New Pavilion
	(project underway)
CPP39	Wurdale Reserve Plan Stage 2
CDD40	(project underway)
CPP40	Spring Valley Park –ball games area
CPP42	(funding via LRCI Fund Phase 2)
CPP42	Zeally Sands Playground upgrade
CPP43	(project underway) Anglesea Community Resale Shed
CFF43	Verandah Extension (carried f/w
	20/21)
CPP48	Anglesea & District War Memorial
311 40	(project underway)
CPP49	Sea to Tree Long Distance Horse
	Trail (Stage 1 audit funded and
	underway in Nov 2021)
CPP50	Anglesea Community Precinct
	Signage Upgrade (project underway)

CPP51	BMX Track for Ocean Acres Reserve (funding via LRCI Fund Phase 1 but paused)
CPP52	Moriac Greenfields Nature and Fitness Trail (project underway)
CPP56	Moriac Lions Park Upgrade (funding via LRCI Fund Phase 2 but paused)
TOTAL	22 *CPP25 included in this total

	ROJECT DELIVERED OR
	PROPOSAL CLOSED
CPP02	Ellimatta Res/ Anglesea Netball
	Additional Carpark
CPP04	Hesse St Reserve Winchelsea Scouts
	and Tennis Shared Facility
CPP05	Jan Juc Kinder Play Space Expansion
CPP06	Anglesea Football Club Training Ligh
CDDO7	Upgrade Stribling Res Stadium Ventilation
CPP07 CPP08	Mt Moriac Res Equestrian Clubroom
CPPU6	Redevelopment
CPP09	Anglesea Mens Shed – repurpose /
CFF03	refit 2 storage spaces
CPP10	Wurdale Hall - History Board
CPP11	Lorne Skate Shelter
CPP12	Hill Top Reserve Vegetation Barrier
CPP15	Quay Reserve shelter
CPP16	Freshwater Crk old Tennis Clubroom
CPP17	Anglesea Rec & Sports Club – power
CPP18	Anglesea Rec & Sports Club – new
	boat platform
CPP19	Anglesea Netball Club –additional
	netball shelters
CPP20	Anglesea Pre School Basket Swing
CPP21	Torquay Pre School Garden Plan
CPP22	Anglesea to Waurn Ponds Bus Servi
	(Achieved Stage 1 and Council to contin
00000	to advocate to T for V)
CPP23	Connewarre & District Riding Club
	Dressage Arenas (refer Stage 2 to ROSP funding now available under LRCI Fund #2)
CPP25*	Torquay Football Club - relocate
0 25	player interchange boxes and <b>behin</b>
	goal barrier netting (goal netting
	component is complete)
CPP26	Torquay Tigers Cricket Club – new
(CLOSED	shed for turf roller (Club confirmation t
8/21)	stand alone shed is no longer a priority and
	roller storage to be considered within CPP01 design)
CPP27	Torquay Quay Reserve Public Toilet
CPP29	Anglesea Hall Sound, Lighting and
	Projection
CPP32	Newling Reserve Playground Inclusion
	Basket Swing
CPP33	Torquay & District Historical Signs
CPP34	SC Soccer - Storage Enclosure for
	Goals
CPP41	Deans Marsh Fitness Element
	Installation
CPP45	Freshwater Creek Riding Club –
	additional fencing/ground works
CPP46	Torquay Tennis pathway between
	courts
CPP47	Anglesea Art House car park and
	landscape works
TOTAL	<b>29</b> CPP25 <b>not</b> included in this total



# **Community Project Proposal Master List**

As at 18 August 2021 (since last reporting cut off 16 February 2021 and noting no report in June 2021)

#### PROPOSALS NOT INVESTIGATED

DECLINED / RE	FERRED AT INITIAL PROPOSAL FILTER
COMPLETE	Anglesea Historical-Bathing Box (pre Feb 2017)
COMPLETE	Bellbrae Tennis Club – Seating (pre Feb 2017)
DECLINED	All Aboard container and garden
COMPLETE	Lorne Men's Shed Flagpole
Service Manager	Connewarre Reserve 1 Million Trees
Service Manager	Connewarre Reserve Walking Path
Small Grants	Connewarre & District Riding Club Equitation Park
COMPLETE	Torquay Historical Society Bathing Box
COMPLETE	Anglesea Transfer Station Store Shed
COMPLETE	Deans Marsh Hall curtain sign
COMPLETE	Anglesea Seniors /Lions Garden
Service Manager	Spring Creek Res drainage erosion rectification
COMPLETE	Anglesea flagpole / street light art installations
DECLINED	Seaview Res Basketball Pad
DECLINED	Growing Winch Storage Fees
Service Manager	Winch Bowls Club Internal and external painting
DECLINED	Deep Creek Bridge Artwork
Referred GORCC	Tqy Bowls Club Tesla Charging Station
DECLINED	Torquay Skate Park Lighting
Service Manager	Hill Top Reserve – Additional play equipment
Service Manager	Winchelsea Mens Shed - Car Park
Service Manager	Great Ocean Views Reserve - basketball court
Service Manager	Winch Community House - Solar Roof Panels
Service Manager	Deans Marsh Gathering Space Proposal
SCS COVID Grant	Deans Marsh Farm Gate Art
Small Grants	Winchelsea Girl Guides Replace Storage Shed
Service Manager	Eastern Reserve Perimeter Pathway
DECLINED	Torquay Memorial honouring Indigenous Australians
	who defended their land (NEW)
DECLINED	Aireys Inlet Flagpoles for Town Entrances (NEW)
Service Manager	Fraser Walk Pathway Proposal (NEW) funded in 21/22
	budget
Service Manager	HendyMain Road Treescape Proposal (NEW) Referred
	to Moriac Streetscape Project
Service Manager	IDAHOBIT Day Flag raising Ceremony Request (NEW)
Comice Manager	Referred to Comms and Events Team as pre-existing event
Service Manager	Bellbrae Primary School New Water Tank Mural
Camilea Managar	(NEW) Referred to Eco-Dev and Small Grants
Service Manager	Zeally Sands Basketball Pad (NEW) Part of proposed funded playground upgrade scope
TOTAL	<b>34</b> (post Feb 2017) – (7 added since last report)
IOIAL	(post report) = (7 udded since lust report)

REFERRED	RESOLVED PRIOR TO INVESTIGATION
Service Manager	Torquay Bowls Club – Masterplan Priorities
Small Grants	Anglesea Community Garden seat
Service Manager	Mt Moriac Res lighting –Oval 1,2, Netball Crt 3
Service Manager	Coogoorah Park - Noticeboard Refurb / Content
Not required	Hill Top Res - shelter battens / wind protection
COMPLETE	Connewarre Reserve Viewing Mound
COMPLETE	Soundproofing Torquay Men's Shed
Small Grants	Anglesea Netball Club – Shade sail
Not required	Torquay Parwan Pitch FlagPole
Resolved	Torquay Women's Shed
Small Grants	Aireys Inlet Community Garden Seat (Future App)
Not required	Torquay Tennis - Storage Container
Not required	Torquay Grant Pavilion - Kiosk Window
Not required	Downhill Bike Tracks/ Jumps
Refer Master List	Torquay Tennis Clubrooms - Male Toilet Refurbish
Not supported	Winchelsea Skate Park - Light Installation
Not supported	Djila Tjarri Skate Bowl – Permanent Lighting
Service Manager	Anglesea Skate Park - Stage 3 extension
Service Manager	Winchelsea Railway Station Redevelopment
Service Manager	Mt Moriac Reserve - Gym Facility Construction
Service Manager	Wurdale Hall Reserve Development Stage 3
Service Manager	Anglesea Netball Club – Existing carpark sealing
Service Manager	Anglesea Netball Club – Viewing deck
Service Manager	Winchelsea Township Cultural Heritage Facility
Service Manager	Bicycle /horse riding track Winchelsea to Inverleigh
Service Manager	Anglesea Skatepark Extension
CLOSED	Western District Quarter Horse Association - Arena
	Surface Repair (Mt Moriac Reserve) (Club relocated)
Service Manager	Bob Pettitt Reserve Soccer Goal Nets and
	Linemarking
Service Manager	Grossmans Ridge Playground Upgrade (2 proposals)
TOTAL	29

#### 7. REPORTS FOR NOTING

Nil

#### 8. URGENT BUSINESS

Nil

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#### 9. PROCEDURAL BUSINESS

#### 9.1 Conflict of Interest Records

Author's Title:Governance OfficerGeneral Manager:John BertoldiDepartment:Governance and RiskFile No:F18/225-3Division:Governance & InfrastructureTrim No:IC21/1406

#### Appendix:

- Conflict of Interest Record Meetings conducted under the auspices of Council Councillor Briefings -17 August 2021 (D21/163809)
- 2. Conflict of Interest Record Meetings conducted under the auspices of Council Councillor Briefings 24 August 2021 (D21/163811)
- 3. Conflict of Interest Record Meetings conducted under the auspices of Council Responsible and Planning Authority Briefings 24 August 2021 (D21/163875)
- 4. Conflict of Interest Record Meetings conducted under the auspices of Council Councillor Briefings 31 August 2021 (D21/166593)
- 5. Conflict of Interest Record Meetings conducted under the auspices of Council People Place Future Session 1 September 2021 (D21/174494)
- Conflict of Interest Record Meetings conducted under the auspices of Council Councillor Briefings -7 September 2021 (D21/173649)
- 7. Conflict of Interest Record Meetings conducted under the auspices of Council Councillor Briefings 14 September 2021 (D21/176540)

Officer Conflict of	Officer Conflict of Interest:		Status:			
In accordance with Section 130:	Local Government Act 2020 –		nfidential information in accordance vernment Act 2020, Section 3(1):			
Yes Reason: Nil	⊠ No	Yes Reason: Nil	⊠ No			

#### **Purpose**

The purpose of this report is to receive and note any conflict of interest records received since the previous Council meeting.

#### Summary

The *Local Government Act 2020* (the Act) outlines requirements for Councillors to declare and manage conflicts of interests. By disclosing conflicts of interests and following the prescribed procedures, Councillors engage in practices that promote the integrity and transparency of decision-making.

The attached conflict of interest records are prepared in accordance with the Act and Council's Governance Rules. The Act outlines that the procedure for disclosing conflicts must be included within the Governance Rules and Chapter 3 of these rules prescribes that a record of any meeting held under the auspices of Council must be kept and presented to the next possible Council meeting.

Meetings held under the auspices of Council may include (but are not limited to) Councillor briefings or forums, advisory committee meetings, public consultations and site meetings (including meetings the Council arranges jointly with other organisations).

These records replace the previous requirements for 'Assemblies of Councillors' under the *Local Government Act 1989*.

#### 9.1 Conflict of Interest Records

#### Recommendation

That Council receives and notes the conflict of interest records for the following meetings:

- Councillor Briefings 17 August 2021
- Councillor Briefings 24 August 2021
- Responsible and Planning Authority Briefing 24 August 2021
- Councillor Briefings 31 August 2021
- Councillor Workshop People Place Future 1 September 2021
- Councillor Briefings 7 September 2021
- Councillor Briefings -14 September 2021

#### **Council Resolution**

#### MOVED Cr Mike Bodsworth, Seconded Cr Paul Barker

That Council receives and notes the conflict of interest records for the following meetings:

- Councillor Briefings 17 August 2021
- Councillor Briefings 24 August 2021
- Responsible and Planning Authority Briefing 24 August 2021
- Councillor Briefings 31 August 2021
- Councillor Workshop People Place Future 1 September 2021
- Councillor Briefings 7 September 2021
- Councillor Briefings -14 September 2021

CARRIED 9:0

#### Voting

Voted on as follows:

For Against Nil Nil

Cr Allen Nil

Cr Barker

Cr Bodsworth

Cr Gazzard

Cr Hodge

Cr Pattison

Cr Schonfelder

Cr Stapleton

Cr Wellington

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#### 9.1 Conflict of Interest Records

APPENDIX 1 CONFLICT OF INTEREST RECORD - MEETINGS CONDUCTED UNDER THE AUSPICES OF COUNCIL - COUNCILLOR BRIEFINGS - 17 AUGUST 2021



#### **Conflict of Interest Record** Meetings conducted under the auspices of Council

Section 131 of the Local Government Act 2020 and Chapter 3 of Council's Governance Rules

Description of Meeting: Conflict of Interest Record - Meetings Conducted Under the Auspices of Council - Councillor Briefings - 17 August 2021 Responsible Officer: Chief Executive Officer Date: 17 August 2021 In Attendance: Yes (✓) No (X)

Councillors		Officers	
Cr. Libby Stapleton, Mayor	✓	Chief Executive Officer - Robyn Seymour	<b>√</b>
Cr. Gary Allen	<b>√</b>	Acting General Manager Environment & Development – Brendan Walsh	<b>√</b>
Cr. Paul Barker	✓	General Manager Culture & Community - Chris Pike	✓
Cr. Mike Bodsworth	T. Mike Bodsworth  ✓ Acting General Manager Governance & Infrastructure - John Bertoldi		✓
Cr. Kate Gazzard	X	Community Development Advisor – Shannon Fielder	
Cr. Rose Hodge	✓	Community Engagement Facilitator – Rochelle Harding	✓
Cr. Liz Pattison	✓	Coordinator Community Health & Development - Olivia Naughtin	✓
Cr. Adrian Schonfelder   ✓ Coordinator Governance – Liberty Nash		✓	
Cr. Heather Wellington	X	Manager Community Relations - Damian Waight	✓
		Manager Community Strengthening - Jill Moodie	✓
		Manager Social Infrastructure Planning - Shaan Briggs	✓

MEETING COMMENCED	11:02am	MEETING CO	NCLUDED	2.47pm			
Matters considered at the meeting  1. Enabling Communities							
Councillor Conflict of Interest Disclosures							
Councillor	Councillor Left Meeting (Y/N) Classification and nature of interest(s) disclosed						
Nil				•			
Responsible Officer Signature: Print Name: Robyn Seymour							

- Governance Rules, Chapter 3, Clause 3
  3.1. At a meeting under the auspices of Council that is not a meeting of the Council or delegated committee, the Chief Executive Officer must ensure that a written record is kept of—

  a) the names of all Councillors and members of Council staff attending;
  b) the matters considered;
  c) any conflict of interest disclosures made by a Councillor attending under subclause 3.3;
  d) whether a Councillor who has disclosed a conflict of interest as required by subclause 3.3 leaves the meeting.

To be completed on conclusion of session and provided to Governance Officer.

- 3.2. The Chief Executive Officer must ensure that the written record of a meeting held under this clause is, as soon as practicable—a) reported at a meeting of the Council; and
   b) incorporated in the minutes of that Council meeting.

Auspices of the Council
Any meeting that is organised, sponsored or otherwise facilitated by the council should be treated as an 'auspiced' meeting. Council auspiced meetings may include, but are not limited to:

- regular councillor briefings or forums, other briefing meetings, committees other than a delegated or community asset committee (such as advisory committees), public consultations, and site meetings (incl.include meetings the council arranges jointly with other organisations).

Surf Coast Shire Council Council Meeting

#### 9.1 Conflict of Interest Records

APPENDIX 2 CONFLICT OF INTEREST RECORD - MEETINGS CONDUCTED UNDER THE AUSPICES OF COUNCIL - COUNCILLOR BRIEFINGS - 24 AUGUST 2021

Print Name: Robyn Seymour

## **Conflict of Interest Record** Meetings conducted under the auspices of Council

Section 131 of the Local Government Act 2020 and Chapter 3 of Council's Governance Rules

**Description of Meeting:** Conflict of Interest Record - Meetings Conducted Under the Auspices

of Council - Councillor Briefings - 24 August 2021

Responsible Officer: Chief Executive Officer

**Date**: 24 August 2021

In Attendance: Yes (✓) No (X)

Councillors		Officers	
Cr. Libby Stapleton, Mayor	✓	Chief Executive Officer - Robyn Seymour	✓
Cr. Gary Allen	<b>√</b>	Acting General Manager Environment & Development – Brendan Walsh	<b>✓</b>
Cr. Paul Barker	✓	Acting General Manager Governance & Infrastructure - John Bertoldi	✓
Cr. Mike Bodsworth	✓	General Manager Culture & Community - Chris Pike	✓
Cr. Kate Gazzard	Х	Manager Governance and Risk - Sasha Tarasin	✓
Cr. Rose Hodge	✓	Manager People and Culture - Leanne Perryman	✓
Cr. Liz Pattison	✓	Community Engagement Facilitator - Robyn Lucas	✓
Cr. Adrian Schonfelder	✓	Coordinator Governance – Liberty Nash	✓
Cr. Heather Wellington	Х	Coordinator Governance Projects – Wendy Hope	✓
		Coordinator Risk Management & Legal Services - Mark Wilson	✓
		Coordinator Work Health & Safety – Sam Liston	✓
		Governance Officer - Julie Morales	✓

MEETING COMMENCED	9:34am	MEETING ADJOURNED	10:37am
MEETING RESUMED	1:00pm	MEETING CONCLUDED	3:06pm

#### Matters considered at the meeting

- Agenda Review
- Councillor Workshop Risk and the Community
- 3. Review of Local Law No. 1 - Community Amenity - Survey Responses
- Monthly Finance Report July 2021 4.
- 5. Digital Transformation Program Update
- Monthly Program Status Report Update July 2021 6.
- Water Quality Analysis of North Torquay Drainage Network

#### **Councillor Conflict of Interest Disclosures**

Councillor	Left Meeting (Y/N)	Classification and nature of interest(s) disclosed
Nil		

#### **Responsible Officer Signature:**

To be completed on conclusion of session and provided to Governance Officer.

#### Governance Rules, Chapter 3, Clause 3

- 3.1. At a meeting under the auspices of Council that is not a meeting of the Council or delegated committee, the Chief Executive Officer must ensure that a written record is kept of—
  a) the names of all Councillors and members of Council staff attending;

  - the matters considered;
  - any conflict of interest disclosures made by a Councillor attending under subclause 3.3;
  - whether a Councillor who has disclosed a conflict of interest as required by subclause 3.3 leaves the meeting.
- 3.2. The Chief Executive Officer must ensure that the written record of a meeting held under this clause is, as soon as practicable
  - reported at a meeting of the Council; and

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#### 9.1 **Conflict of Interest Records**

b) incorporated in the minutes of that Council meeting.

Auspices of the Council
Any meeting that is organised, sponsored or otherwise facilitated by the council should be treated as an 'auspiced' meeting. Council auspiced meetings may include, but are not limited to:

- regular councillor briefings or forums, other briefing meetings, committees other than a delegated or community asset committee (such as advisory committees),
- public consultations, and site meetings (incl.include meetings the council arranges jointly with other organisations).

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#### 9.1 Conflict of Interest Records

APPENDIX 3 CONFLICT OF INTEREST RECORD - MEETINGS CONDUCTED UNDER THE AUSPICES OF COUNCIL - RESPONSIBLE AND PLANNING AUTHORITY BRIEFINGS - 24 AUGUST 2021



### **Conflict of Interest Record** Meetings conducted under the auspices of Council

Section 131 of the Local Government Act 2020 and Chapter 3 of Council's Governance Rules

Description of Meeting: Responsible & Planning Authority Briefings		
Responsible Officer: Chief Executive Officer		
<b>Date</b> : 24 August 2021		
In Attendance: Yes (✓) No (X)		

Councillors		Officers	
Cr. Gary Allen	✓	Chief Executive Officer - Robyn Seymour	1
Cr. Paul Barker	✓	General Manager Culture & Community - Chris Pike	✓
Cr. Mike Bodsworth	✓	<ul> <li>Acting General Manager Environment &amp; Development - Brendan Walsh</li> </ul>	
Cr. Kate Gazzard	Х	Acting General Manager Governance & Infrastructure - John Bertoldi	<b>√</b>
Cr. Rose Hodge	✓	Acting Manager Planning & Development - Karen Hose	✓
Cr. Liz Pattison	r. Liz Pattison ✓ Principal Strategic Planner - Barb No		<b>✓</b>
Cr. Adrian Schonfelder	✓	✓ Principal Strategic Planner – Michelle Warren	
Cr. Libby Stapleton	✓	✓	
Cr. Heather Wellington	X		

MEETING COMMENCED 2:34pm MEETING CONC	<b>_UDED</b> 2:48pm
---------------------------------------	---------------------

Matters considered at the meeting	
	Amendment C134 - Winchelsea Town Centre and Highway Design Guidelines
- [	

Councillor Conflict of Interest Disclosures			
Councillor	Left Meeting (Y/N)	Classification and nature of interest(s) disclosed	
Nil			
Responsible Officer Signature:		Print Name: Robyn Seymour	
To be completed on conclusion of session and provided to Governance Officer.			

- Governance Rules, Chapter 3, Clause 3
  3.1. At a meeting under the auspices of Council that is not a meeting of the Council or delegated committee, the Chief Executive Officer must ensure that a written record is kept of—
  a) the names of all Councillors and members of Council staff attending;
  b) the matters considered;
  c) any conflict of interest disclosures made by a Councillor attending under subclause 3.3;
  d) whether a Councillor who has disclosed a conflict of interest as required by subclause 3.3 leaves the meeting.
- 3.2. The Chief Executive Officer must ensure that the written record of a meeting held under this clause is, as soon as practicable—

   a) reported at a meeting of the Council; and
   b) incorporated in the minutes of that Council meeting.

Auspices of the Council
Any meeting that is organised, sponsored or otherwise facilitated by the council should be treated as an 'auspiced' meeting. Council auspiced meetings may include, but are not limited to:

- regular councillor briefings or forums, other briefing meetings, committees other than a delegated or community asset committee (such as advisory committees), public consultations, and site meetings (incl. meetings the council arranges jointly with other organisations).

Surf Coast Shire Council Council Meeting

#### 9.1 Conflict of Interest Records

# APPENDIX 4 CONFLICT OF INTEREST RECORD - MEETINGS CONDUCTED UNDER THE AUSPICES OF COUNCIL - COUNCILLOR BRIEFINGS - 31 AUGUST 2021



Section 131 of the Local Government Act 2020 and Chapter 3 of Council's Governance Rules

Description of Meeting: Conflict of Interest Record - Meetings Conducted Under the Auspices of Council - Councillor Briefings - 31 August 2021

Responsible Officer: Chief Executive Officer

Date: 31 August 2021

In Attendance: Yes (✓) No (X)

Councillors		Officers	
Cr. Libby Stapleton, Mayor	<b>✓</b>	Chief Executive Officer - Robyn Seymour	✓
Cr. Gary Allen	<b>√</b>	Acting General Manager Governance & Infrastructure - John Bertoldi	✓
Cr. Paul Barker	<b>√</b>	Acting General Manager Environment & Development - Brendan Walsh	✓
Cr. Mike Bodsworth	✓	General Manager Culture & Community - Chris Pike	✓
Cr. Kate Gazzard	✓	Manager Governance and Risk - Sasha Tarasin	✓
Cr. Rose Hodge	✓	Acting Manager Planning and Development - Karen Hose	✓
Cr. Liz Pattison	X	Community Engagement Facilitator - Robyn Lucas	✓
Cr. Adrian Schonfelder	<b>√</b>	Coordinator Economic Development, Business and Tourism - Simon Loone	<b>√</b>
Cr. Heather Wellington	X	Coordinator Governance - Liberty Nash	✓
		Coordinator Governance Projects - Wendy Hope	✓
		Coordinator Statutory Planning - Ben Schmied	✓
		Governance Officer - Julie Morales	✓

III LET III O COMMILITORE	o. rouin	INIEE TING GONGEODED	TT.TOGITT		
Matters considered at the r	meeting				
Councillor Workshop – F	lisk and the Communi	ty – Part 2			
2. Review of Local Law No.	. 1 – Community Amer	nity - Survey Responses			
3. Planning Application 21/	0229 – 10 Winki Way,	Torquay (Lake Imaging)			
Councillor Conflict of Inter	est Disclosures				
Councillor	Left Meeting (Y/N)	Classification and nature of interest	est(s) disclosed		
Nil					
Responsible Officer Signature: Print Name: Robyn Seymour					
To be completed on conclusion of s	ession and provided to Gov	ernance Officer.			

MEETING CONCLUDED 11:16am

- Governance Rules, Chapter 3, Clause 3
  3.1. At a meeting under the auspices of Council that is not a meeting of the Council or delegated committee, the Chief Executive Officer must ensure that a written record is kept of—
  a) the names of all Councillors and members of Council staff attending;
  b) the matters considered;
  c) any conflict of interest disclosures made by a Councillor attending under subclause 3.3;
  d) whether a Councillor who has disclosed a conflict of interest as required by subclause 3.3 leaves the meeting.
- 3.2. The Chief Executive Officer must ensure that the written record of a meeting held under this clause is, as soon as practicable—

   a) reported at a meeting of the Council; and
   b) incorporated in the minutes of that Council meeting.

MEETING COMMENCED 9:16am

#### 9.1 **Conflict of Interest Records**



- regular councillor briefings or forums, other briefing meetings, committees other than a delegated or community asset committee (such as advisory committees), public consultations, and site meetings (incl.include meetings the council arranges jointly with other organisations).

Surf Coast Shire Council Council Meeting

## 9.1 Conflict of Interest Records

APPENDIX 5 CONFLICT OF INTEREST RECORD - MEETINGS CONDUCTED UNDER THE AUSPICES OF COUNCIL - PEOPLE PLACE FUTURE SESSION - 1 SEPTEMBER 2021



Section 131 of the Local Government Act 2020 and Chapter 3 of Council's Governance Rules

Description of Meeting: Councillor Workshop Series - Preparing the Council's Key Strategic Plans Responsible Officer: Chris Pike Date: 1 September 2021 In Attendance: Yes (✓) No (X)

Councillors		Officers	
Cr. Gary Allen	✓	Chief Executive Officer - Robyn Seymour	<b>✓</b>
Cr. Paul Barker	X	General Manager Culture and Community - Chris Pike	<b>✓</b>
Cr. Mike Bodsworth	✓	A/General Manager Governance & Infrastructure — John Bertoldi	<b>✓</b>
Cr. Kate Gazzard	✓	General Manager Planning & Environment - Ransce Salan	✓
Cr. Rose Hodge	Х	Social Planning and Recovery Advisor - Alicia Hooper	<b>✓</b>
Cr. Liz Pattison	X	Community Engagement Facilitator - Rochelle Harding	<b>✓</b>
Cr. Adrian Schonfelder	✓	Coordinator Communications and Community Engagement - Darryn Chiller	<b>✓</b>
Cr. Libby Stapleton	✓		
Cr. Heather Wellington	X		

MEETING COMMENCED	11.00am	MEETING CONCLUDED	1.00pm

#### Matters considered at the meeting

- Development of the Council Plan including the Health and Wellbeing Plan
- Development of the Financial Plan
- 3. Development of the Asset Plan

Councillor Conflict of Interest Disclosures  Councillor   Left Meeting (Y/N)   Classification and nature of interest(s) disclosed					
	Left Meeting (1714)	Classification and flature of filterest(s) disclosed			
Nil					
Responsible Officer Signa	ture:	Print Name: Chris Pike			

### Governance Rules, Chapter 3, Clause 3

- 3.1. At a meeting under the auspices of Council that is not a meeting of the Council or delegated committee, the Chief Executive Officer must ensure that a written record is kept of—
  a) the names of all Councillors and members of Council staff attending;

  - the nathers or an Counciliors and members of Counciliors and Counc
- 3.2. The Chief Executive Officer must ensure that the written record of a meeting held under this clause is, as soon as practicable—a) reported at a meeting of the Council; and
   b) incorporated in the minutes of that Council meeting.

- regular councillor briefings or forums, other briefing meetings, committees other than a delegated or community asset committee (such as advisory committees), public consultations, and site meetings (incl.include meetings the council arranges jointly with other organisations).

Surf Coast Shire Council Council Meeting

## 9.1 Conflict of Interest Records

APPENDIX 6 CONFLICT OF INTEREST RECORD - MEETINGS CONDUCTED UNDER THE AUSPICES OF COUNCIL - COUNCILLOR BRIEFINGS - 7 SEPTEMBER 2021



Section 131 of the Local Government Act 2020 and Chapter 3 of Council's Governance Rules

**Description of Meeting:** Conflict of Interest Record - Meetings Conducted Under the Auspices of Council - Councillor Briefings - 7 September 2021

Responsible Officer: Chief Executive Officer

Date: 7 September 2021

In Attendance: Yes (✓) No (X)

Councillors		Officers	
Cr. Libby Stapleton, Mayor	✓	Chief Executive Officer - Robyn Seymour	✓
Cr. Gary Allen	<b>√</b>	General Manager Environment & Development - Ransce Salan	✓
Cr. Paul Barker	<b>✓</b>	General Manager Culture & Community - Chris Pike	✓
Cr. Mike Bodsworth	<b>√</b>	Acting General Manager Governance & Infrastructure - John Bertoldi	✓
Cr. Kate Gazzard	X	Climate and Sustainability Officer - Sean Keown	✓
Cr. Rose Hodge	<b>√</b>	Acting Coordinator of Procurement - Julie Finnigan	✓
Cr. Liz Pattison	<b>√</b>	Asset Management Analyst - Tymothy Guthridge	✓
Cr. Adrian Schonfelder	<b>✓</b>	Community Engagement Facilitator - Robyn Lucas	✓
Cr. Heather Wellington	X	Community Engagement Facilitator - Rochelle Harding	✓
		Community Project Development Officer - Nicky Angus	✓
		Coordinator Communications and Community Engagement - Darryn Chiller	✓
		Coordinator Environmental Health - Adam Lee	✓
		Coordinator Environmental Sustainability - Sally Sneddon	✓
		Coordinator Environmental Sustainability - Lauren Watt	✓
		Coordinator Events - Kate Patterson	✓
		Coordinator Recreation Planning - Jarrod Westwood	✓
		Coordinator Social Infrastructure & Open Space Planning - Kristin Davies	✓
		Coordinator Strategic Land Use Planning - Karen Hose	✓
		Coordinator Visitor Centres & Australian National Surfing Museum - Kim Biggs	✓
		Governance Officer - Julie Morales	✓
		Manager Community Relations - Damian Waight	<b>✓</b>
		Manager Community Strengthening - Jill Moodie	✓
		Manager Economic Development - Matt Taylor	✓
		Manager Finance - Gabby Spiller	✓
		Manager Governance and Risk - Sasha Tarasin	✓
		Manager Social Infrastructure Planning - Shaan Briggs	✓
		Principal Strategic Planner - Michelle Warren	✓
		Project Manager - Capital and Operational Projects - Ronan Corcoran	✓
		Social Planning and Recovery Advisor - Alicia Hooper	✓

#### 9.1 **Conflict of Interest Records**



Councillors	Officers	
	Youth Development Officer - Mim Meirelles	✓

MEETING COMMENCED	10:05am		MEETING CONCLUDED	3:21pm
Matters considered at the r	meetina			
Zero Emissions Surf Coa				
Procurement Policy Revi	iew			
3. People Place Future - Fi		5		
4. Torquay-Jan Juc Retail 8			Vording Changes	
5. 150 Year Anniversary of	<del></del>			
6. Community Project Deve				
			ol and Other Drugs Action I	Plan - End of Action Plans
Report			_	
8. Future Acknowledgemer	nt of 26 January			
9. Updating Advocacy Prior	rities			
10. Surf Coast Multiuse Synt	thetic Facility Busines	s Case		
11. Cultural Facility and Libra	ary Project Update			
12. SCS-044 Live Streaming	Policy Review			
13. Major Events				
14. Councillor Topics				
Councillor Conflict of Inter	est Disclosures			
Councillor	Left Meeting (Y/N)	Classif	ication and nature of inte	rest(s) disclosed
Nil				
Responsible Officer Signature: Print Name: Robyn Seymour				
To be completed on conclusion of s	ession and provided to Gov	vernance O	fficer.	

- Governance Rules, Chapter 3, Clause 3
  3.1. At a meeting under the auspices of Council that is not a meeting of the Council or delegated committee, the Chief Executive Officer must ensure that a written record is kept of—

  a) the names of all Councillors and members of Council staff attending;
  b) the matters considered;
  c) any conflict of interest disclosures made by a Councillor attending under subclause 3.3;
  d) whether a Councillor who has disclosed a conflict of interest as required by subclause 3.3 leaves the meeting.
- 3.2. The Chief Executive Officer must ensure that the written record of a meeting held under this clause is, as soon as practicable—

   a) reported at a meeting of the Council; and
   b) incorporated in the minutes of that Council meeting.

- regular councillor briefings or forums, other briefing meetings, committees other than a delegated or community asset committee (such as advisory committees), public consultations, and site meetings (incl. include meetings the council arranges jointly with other organisations).

Surf Coast Shire Council Council Meeting

## 9.1 Conflict of Interest Records

APPENDIX 7 CONFLICT OF INTEREST RECORD - MEETINGS CONDUCTED UNDER THE AUSPICES OF COUNCIL - COUNCILLOR BRIEFINGS - 14 SEPTEMBER 2021



Section 131 of the Local Government Act 2020 and Chapter 3 of Council's Governance Rules

**Description of Meeting:** Conflict of Interest Record - Meetings Conducted Under the Auspices

of Council - Councillor Briefings – 14 September 2021

Responsible Officer: Chief Executive Officer

Date: 14 September 2021

In Attendance: Yes (✓) No (X)

Councillors		Officers	
Cr. Libby Stapleton, Mayor	<b>√</b>	Chief Executive Officer - Robyn Seymour	~
Cr. Gary Allen	<b>*</b>	General Manager Environment & Development - Ransce Salan	~
Cr. Paul Barker	<b>√</b>	General Manager Culture & Community - Chris Pike	~
Cr. Mike Bodsworth	<b></b>	Acting General Manager Governance & Infrastructure - John Bertoldi	
Cr. Kate Gazzard	<b>✓</b>	Acting Manager Planning & Development - Karen Hose	~
Cr. Rose Hodge	✓	Community Development Advisor - Shannon Fielder	~
Cr. Liz Pattison	<b>√</b>	Community Engagement Facilitator - Robyn Lucas	~
Cr. Adrian Schonfelder	<b>√</b>	Coordinator Design and Traffic - Mark Gibbons	~
Cr. Heather Wellington	Х	Coordinator Environment - Kate Smallwood	~
		Coordinator Financial Accounting - Tracey McCarthy	~
		Coordinator Ranger Services - Shaun Barling	~
		Coordinator Social Infrastructure & Open Space Planning - Kristin Davies	~
		Coordinator Statutory Planning - Ben Schmied	~
		Engineering Services Manager - Ian Stewart	~
		Governance Officer - Julie Morales	~
		Governance Statutory Compliance & Reporting Officer - Zoe Eastick	~
		Manager Business Improvement - Brendan Walsh	~
		Manager Community Relations - Damian Waight	~
		Manager Community Strengthening - Jill Moodie	~
		Manager Finance - Gabby Spiller	~
		Principal Strategic Planner - Michelle Warren	~
		Principal Strategic Planner - Samantha Natt	~
		Project Manager - Capital and Operational Projects - Kane Rogozik	~

### Matters considered at the meeting

- 1. Torquay Community Hospital
- 2. Point Grey
- 3. Annual Report Road Management Activities
- 2020-21 Finance Statements and Performance Statement

#### 9.1 **Conflict of Interest Records**



<ol><li>Planning Scheme Amer</li></ol>	ndment GC183 - Stage	2C of the Surf Coast Shire Heritage Study		
6. Domestic Animal Mana	gement Plan Commun	ity Consultation Feedback		
7. Surf Coast Wildlife Res	cue			
8. Working with Communi	ties			
9. Early Years Service Re	view – Project Charter			
10. Reports Coming to the	September Council Me	eeting		
Councillor Conflict of Inte	rest Disclosures			
Councillor	Left Meeting (Y/N)	Classification and nature of interest(s) disclosed		
Nil				
Responsible Officer Signature:  Print Name: Robyn Seymour  To be completed on conclusion of session and provided to Governance Officer.				
	0	U .		

- Governance Rules, Chapter 3, Clause 3
  3.1. At a meeting under the auspices of Council that is not a meeting of the Council or delegated committee, the Chief Executive Officer must ensure that a written record is kept of—
  a) the names of all Councillors and members of Council staff attending;
  b) the matters considered;
  c) any conflict of interest disclosures made by a Councillor attending under subclause 3.3;
  d) whether a Councillor who has disclosed a conflict of interest as required by subclause 3.3 leaves the meeting.
- 3.2. The Chief Executive Officer must ensure that the written record of a meeting held under this clause is, as soon as practicable—

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#### 10. **NOTICE OF MOTIONS**

#### 10.1 Climate Emergency Corporate Response Plan 2021-2031

#### Appendix:

#### **Surf Coast Shire Council**

#### **Notice of Motion**

#### **Council Services**

**NOM - 151** 

I, Councillor Heather Wellington, gave notice on 15 September 2021, of my intention to move the following motion:

#### **Motion**

That consistent with the opportunity already offered all other councillors, Council directs the Chief Executive Officer (CEO) to promptly:

- 1. invite Councillors Barker, Schonfelder and Wellington to provide a short personal comment for inclusion alongside comments by other councillors in the document: Surf Coast Shire Council Climate Emergency Corporate Response Plan 2021-2031 (the Document);
- 2. arrange for amendment of page 4 of the Document to include comments offered by any of those three councillors; and
- 3. remove all currently published copies of the Document from the internet and replace them with the amended Document.

#### **Council Resolution**

## MOVED Cr Heather Wellington, Seconded Cr Paul Barker

That consistent with the opportunity already offered all other councillors, Council directs the Chief Executive Officer (CEO) to promptly:

- 1. invite Councillors Barker, Schonfelder and Wellington to provide a short personal comment for inclusion alongside comments by other councillors in the document: Surf Coast Shire Council Climate Emergency Corporate Response Plan 2021-2031 (the Document):
- 2. arrange for amendment of page 4 of the Document to include comments offered by any of those three councillors: and
- 3. remove all currently published copies of the Document from the internet and replace them with the amended Document.

CARRIED 9:0

### Voting

Voted on as follows:

For Abstained Against Cr Allen Cr Barker

Cr Bodsworth

Cr Gazzard

Cr Hodge

Cr Pattison

Cr Schonfelder

Cr Stapleton

Cr Wellington

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### 10.1 Climate Emergency Corporate Response Plan 2021-2031

#### Rationale

The Shire's Climate Emergency Corporate Response Plan 2021-2031 is an important document that demonstrates the Shire's commitment to immediate and longer term environmental actions to protect the Surf Coast and its communities.

Page 4 of the document includes comments by six of nine Surf Coast Shire councillors. Each of those councillors was given an opportunity to describe their personal views on the importance of protecting the environment and addressing climate change.

Neither of the signatories to this notice of motion was invited to submit comments for inclusion in the Document. We are both readily available by email and telephone. No explanation has been given for excluding us from expressing our views alongside our fellow councillors.

The Document also does not include comments from Cr Schonfelder.

We are concerned that this unfortunate omission creates a very unfavourable and potentially permanent impression that we are unconcerned about the impact of climate change on the Surf Coast and/or the role of the Shire in addressing it.

We would appreciate an explanation of why we were excluded from contributing our views, however our main goal is to redress the problem. No hard copies of the document have been printed and it can therefore be amended and republished at very low cost to include comments from all councillors who choose to contribute.

We ask all councillors to support this motion, which we believe reflects Council's espoused commitment to teamwork and democracy.

The notice of motion is supported by the following two Councillors in accordance with Section 32 of the Governance Rules.

Cr Heather Wellington Cr Paul Barker Councillor Councillor

Date: 15 September 2021 Date: 15 September 2021

#### **CEO Information Report**

Additional Councillor comments are welcomed for inclusion in Council's Climate Emergency Corporate Response Plan 2021-2031 (the Plan).

If additional Councillor comments are received, officers will arrange for page 4 of the Plan to be amended to include them. All digital copies of the Plan will be replaced by the amended version. No copies of the Plan have been printed.

The inclusion of additional comments will have no impact on Council's commitment or obligations under the Plan; it will not change the goals or actions outlined in the Plan, nor their associated budget implications.

If additional comments are received for inclusion, it will have little impact on Council's level of service or expenditure as it will be a quick and simple process to action.

#### 10.2 Shire Christmas Decorations Plan

#### Appendix:

Nil

### **Surf Coast Shire Council**

#### **Notice of Motion**

#### **Council Services**

**NOM - 152** 

I, Councillor Adrian Schonfelder, gave notice on 15 September 2021, of my intention to move the following motion:

#### Motion

That Council asks the CEO to:

- 1. immediately establish and implement a Shire Christmas Decorations plan that allows for lighting decorations to be placed at two entrances to the following places: Anglesea, Aireys Inlet, Deans Marsh, Jan Juc, Lorne, Moriac, Torquay and Winchelsea
- 2. apply lights to a tree in a well situated location in Anglesea, Lorne, Torquay and Winchelsea
- 3. erect the lighting prior to December and remove the lighting in January.

#### **Council Resolution**

### MOVED Cr Adrian Schonfelder, Seconded Cr Heather Wellington

That Council asks the CEO to:

- immediately establish and implement a Shire Christmas Decorations plan that allows for lighting decorations to be placed at two entrances to the following places: Anglesea, Aireys Inlet, Deans Marsh, Jan Juc, Lorne, Moriac, Torquay and Winchelsea
- 2. apply lights to a tree in a well situated location in Anglesea, Lorne, Torquay and Winchelsea
- 3. erect the lighting prior to December and remove the lighting in January.

**LOST 1:8** 

#### Voting

Voted on as follows:

<u>For</u>	<u>Against</u>	Abstained	
Cr Schonfelder	Cr Allen	Nil	
	Cr Barker		
	Cr Bodsworth		
	Cr Gazzard		
	Cr Hodge		
	Cr Pattison		
	Cr Stapleton		
	Cr Wellington		
	3		
			LOST 1:8

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#### 10.2 Shire Christmas Decorations Plan

#### Rationale

The Shire Decorations Plan aims to:

- Increase visitation and spend to the Surf Coast supporting the economy.
- Bolster the festive energy of the shire, promoting the Surf Coast as a Christmas destination.
- To lift spirits of local communities and in particular children during the second year of COVID-19.

Many people celebrate Christmas and observe Christian traditions even if they are of a different or of no faith. A possibility is to have decorations that represent the local flora unique to the Surf Coast such as native flowers as light decorations. Important to note that other councils fund Christmas decorations including councils such as Colac-Otway, Geelong, Ballarat and many others in areas such as City of Stonnington and Frankston.

The notice of motion is supported by the following two Councillors in accordance with Section 32 of the Governance Rules.

Cr Adrian Schonfelder Cr Paul Barker
Councillor Councillor

Date: 15 September 2021 Date: 15 September 2021

### **CEO Information Report**

The development and implementation of a Shire Christmas Decorations plan is not currently on Council's work program and would require a reordering of priorities. This would cause the delay of existing projects most likely in Council's social infrastructure delivery program which is currently addressing a project 'log jam' due to COVID stimulus funding. Additionally, the organisation is currently contending with the impacts of COVID restrictions on its delivery capacity.

The cost of a Christmas lighting / decoration plan is difficult to estimate due to a number of influencing variables such as size of tree, location and nearby infrastructure. In addition, there is no allocation towards Christmas lighting in the current budget.

Previous Christmas decoration efforts (e.g. Torquay and Winchelsea) have been community and/or trader-led with Council assistance in the way of grants or storage.

- In 2014 Council provided Torquay Commerce a grant of \$5,000 towards a three year project to install Christmas decorations along Gilbert Street and Bell Street in Torquay. Torquay Commerce contributed approximately \$10,000. The installation and removal of the decorations each year was the responsibility of Torquay Commerce.
- In September 2019 Growing Winchelsea received \$2500 through the Small Grants process for solar powered Christmas lights.
- In Anglesea lights have been organised by Business and Tourism Anglesea

Council has experience of placing fairy lights in Gilbert Street Torquay in recent years. The cost to do so was approximately \$15,000, however, not all trees were able to be fully adorned with lights. It estimated that lighting multiple sites in each town to an acceptable standard could cost more than \$100,000 and potentially significantly higher. A major component of any project is in the installation and the removal of lighting, as well as any maintenance requirements.

In 2015 City of Greater Geelong funded a program to install main powered fairy lights in 32 trees in Ryrie St, 16 trees in St Leonards on Murradoc Rd and 40 trees in Barwon Heads on Hitchcock Ave costing \$300,000.

It is unknown what lead time there may be to procure the necessary lights in accordance with Council's procurement policy and the feasibility for 2021. Note Council's policy requires a tender process for any contract in excess of \$150,000 which results in a longer lead time.

Officers referenced Bayside City Council's Review of Council's Christmas Decorations Program 2015. Whilst featuring a broader range of decorations than simply lights the report found that "most similar organisations book their Christmas decorations (and finalise design concepts) with suppliers in April/May, allowing ample time to test, assess and resolve prototypes and ensure the concepts are well developed and tested in-situ".

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### 10.2 Shire Christmas Decorations Plan

Council has not undertaken any consultation on this program and so community views are unknown.

Lighting projects and/or temporary art installations have the potential to have a very positive impact on communities at Christmas and other times of the year. They would require appropriate scoping, planning, consultation and funding, potentially as part of a broader program of public realm improvements. They would need to be assessed against other funding priorities for council including social infrastructure.

# 11. CLOSED SECTION

Nil.

Close: There being no further items of business the meeting closed at 9:48pm.