

Bass Coast Shire Council

Meeting Minutes

Wednesday 16 March 2022

Council Chamber
Bass Coast Civic Centre
Baillieu Street East
Wonthaggi

Commencing at 1.00pm

1. These minutes are due to be confirmed on 20 April 2022
2. Any decision included in these minutes is subject to change resulting from a recession motion passed by Council

TABLE OF CONTENTS

A Present and Apologies 6

B Declarations of Interest 7

C Confirmation of Minutes 8

C.1 Council Meeting held on 16 February 2022 8

D Public Question Time 9

D.1 Neil Rankine, Native Vegetation Clearing 9
D.2 Kevin Griffin, Bass Coast Ratepayers and Residents Association, Rate Cap 9
D.3 Peter McMahon, Waste 10
D.4 Graham Jolly, Councils Income and Expenditure 10
D.5 Cally Cadd, Township Strategy Plans and Population 11
D.6 Cindie Giumarra Scholaz, Beach Erosion 11
D.7 Susie Wickes, Properties in Pioneer Bay 12
D.8 Trevor Smith, Inverloch Erosion 12
D.9 Melissa Dagg, Capital Works Projects 13
D.10 Gay Jolly, Parking Infringements 13
D.11 Gay Jolly, Capital Works Projects 13
D.12 Paul & Melanie Nelson, Shared Pathways 14
D.13 Paul & Melanie Nelson, Transfer Station 14
D.14 Neil Wilmot, Special Charge Scheme 14

E Petitions, Joint Letters, Deputations and Correspondence 15

E.1 Petition - Seal Bay Road & Foreshore Road 15

F Notices of Motion 18

F.1 244/22 Wonthaggi to Inverloch Inland Trail, Cr Les Larke 18
F.2 245/22 Greening Bass Coast Shire Regional Town of Wonthaggi, Cr Les Larke 21

G Mayor and Councillors Reports 24

G.1 Mayoral Report - Cr Michael Whelan 24
G.2 Councillor Report - Cr Leticia Laing 25
G.3 Councillor Report - Cr Les Larke 26
G.4 Councillor Report - Cr Bruce Kent 26
G.5 Councillor Report - Cr Rochelle Halstead 27
G.6 Councillor Report - Cr David Rooks 28
G.7 Councillor Report - Cr Ron Bauer 29

H Reports Requiring Council Decision 32

H.1 Planning Application 210164 - 219-221 Smiths Beach Road, Smiths Beach 32
H.2 Heritage Gaps Review and Prioritisation Framework 2020 and the Bass Coast Thematic Environmental History 2021 47
H.3 Bass Coast Industrial Land Study - Economic Analysis, Demand and Supply Assessment. 52
H.4 Bass Coast Aquatic Project 57
H.5 Surf Beach Sunderland Bay Potential Special Charge Scheme Community Information Gathering 66
H.6 Response to Petition - Road Surfaces 79
H.7 Instrument of Appointment and Authorisation 85
H.8 Bass Coast Shire Council Procurement Policy 88

I Statutory Reports..... 94

I.1 Informal Meeting of Councillors Records 94
I.2 Planning and Building Statistics - January 2022 96
I.3 Contracts Awarded 99
I.4 Receipt of Audit and Risk Committee Minutes - 24 November 2021 100
I.5 Quarterly Treasury Report - December 2021 102

J Urgent Business..... 104

Meeting commenced

The meeting commenced at 1.09pm

Cr Michael Whelan read the Livestreaming Statement.

Livestreaming Statement

As the Meeting Chair, I give my consent for this Open Council Meeting to be streamed live, recorded and published online, in accordance with Council's Livestreaming Policy and Governance Rules. To members of the public joining us in the gallery today, by attending this public Meeting of the Council you are consenting to your image, voice and comments being recorded and published.

The Chair and/or the CEO have the discretion and authority at any time to direct the termination or interruption of livestreaming.

Such direction will only be given in exceptional circumstances where deemed relevant. Circumstances may include instances where the content of debate is considered misleading, defamatory or potentially inappropriate to be published.

Attendees are advised that they may be subject to legal action if their actions result in inappropriate and/or unacceptable behaviour and/or comments. Thank you.

Cr Michael Whelan read the Virtual Meeting Statement.

Virtual Meeting Statement

The COVID-19 Omnibus Bill 2020 provision allows Council meeting attendance by electronic means.

Councillors are deemed as being in attendance if:

- They can hear proceedings
- They can see other members in attendance and can be seen by other members
- They can be heard (to speak)

Cr Michael Whelan read the Mobile Telephone Reminder.

Mobile Telephone Reminder

Please turn off all mobile telephones or in the case of an emergency, please advise the Chair and switch to silent mode.

Cr Michael Whelan read the Statement of Acknowledgement.

Statement of Acknowledgement

Bass Coast Shire Council acknowledge the Bunurong as the Traditional Owners and Custodians of the lands and waters, and pays respect to their Elders past, present and emerging, for they hold the memories, the traditions, the culture and Lore.

Bass Coast Shire Council celebrates the opportunity to embrace and empower the Aboriginal and/or Torres Strait Island Communities in their diversity.

Bass Coast Shire Council will create opportunities for future recognition and respectful partnerships that will honour the Traditional Owners and Custodians, and Aboriginal and/or Torres Strait Islander Peoples.

Cr David Rooks read the Councillor Statement.

Councillor Statement

All members of this Council pledge to the Bass Coast Shire community to consider every item listed on this evening's agenda:

- Based on the individual merits of each item;
- Without bias or prejudice by maintaining an open mind; and
- Disregarding Councillors' personal interests so as to avoid any conflict with our public duty.

Any Councillor having a conflict of interest in an item will make a proper, prior disclosure to the meeting and will not participate in the debate or vote on the issue.

A Present and Apologies

Councillors:

Cr Michael Whelan Island Ward (Mayor)

Cr Leticia Laing, Bunurong Ward (Deputy Mayor)

Cr Brett Tessari Bunurong Ward

Cr Les Larke, Bunurong Ward

Cr Ron Bauer, Island Ward

Cr David Rooks, Island Ward

Cr Rochelle Halstead, Western Port Ward

Cr Bruce Kent, Western Port Ward

Cr Clare Le Serve, Western Port Ward

Officers in Attendance:

Ms Ali Wastie, Chief Executive Officer

Mr Wayne Mack, General Manager Business Transformation

Mr Greg Box, General Manager Partnerships, Economy and Culture

Mr James Stirton, General Manager Place Making

Ms Jodi Kennedy, General Manager Resilient Communities

Ms Robyn Borley, Manager Governance and Property

Apologies: Nil

B Declarations of Interest

There were no Declarations of Interest.

C Confirmation of Minutes

C.1 Council Meeting held on 16 February 2022

Council Decision

Moved: Cr. Ron Bauer / Seconded: Cr. Brett Tessari

That the minutes of the Council Meeting held on 16 February 2022 be confirmed.

CARRIED

D Public Question Time

Note:

In accordance with the Governance Rules Council has met the requirement of section 53.1 and for this meeting chose not to enact section 53.5.

53.1 There must be a public question time at every Council meeting fixed under Rule 9 to enable members of the public to submit questions to Council.

53.5 The Chair or a member of Council staff nominated by the Chair may read at the meeting a question which has been submitted in accordance with this Rule.

D.1 Neil Rankine, Native Vegetation Clearing

Has the council completed its investigation into the clearing of approximately 5ha of mature native vegetation by the Barro Group at their 115 McGrady Rd Grantville property last year? What is the finding and has any action been taken against the company?

Response:

The vegetation removal is considered to be exempt from the need of a planning permit. The vegetation removal was undertaken for fire prevention purposes and an exemption under the Planning Scheme is afforded to the land owner to undertake these works.

D.2 Kevin Griffin, Bass Coast Ratepayers and Residents Association, Rate Cap

Will Council assure the community that it will not seek any increase to the 1.75% rate cap announced by the Minister and that in its 2022-23 budget Council will not seek to gouge ratepayers with excessive increases to the garbage charge or to any other council fees or charges?

Response:

Council is currently developing the proposed 2022/23 budget and this will be considered by Council at its April meeting.

D.3 Peter McMahon, Waste

1. Can you inform us how the process has gone or is going with bin lid uniformity with other Councils?
2. How many complaints were received over the holiday period regarding Red Bin/Land Fill issues/problems?

Response:

1. **Current Bass Coast bin lid colours are in line with the incoming state-wide standards and will not need to be changed.**
   The standardising of kerbside services (including bin lid colours) is ongoing across Victoria. According to the latest Local Government Waste Services Report 2019-20 published by Sustainability Victoria, fifty-three Victorian local governments provided a 3-bin system in 2019–20, while a further four councils used a 4-bin system, introducing a separate kerbside collection of glass.
   Refer https://www.basscoast.vic.gov.au/about-council/news-listing/whats-changing-in-waste-for-bass-coast for further information.
   https://www.sustainability.vic.gov.au/research-data-and-insights/waste-data/annual-waste-data-reports
2. **Over the summer period (1 December 2021 to 28 February 2022) 744 Customer Requests were lodged with Council's Waste Services Team. 9 of these requests reported dissatisfaction with Council's fortnightly kerbside service.**

D.4 Graham Jolly, Councils Income and Expenditure

1. Councillors recently approved the CEO's expenditure limit to $1million. Councillors also approved 182 Capital Works Projects with funding allocation of $61,206,892. Would Council please explain why only $13,741,015 has been expensed out of the $61,206,892 towards Capital Works as of 31/12/2021 the half year result ?
2. Council's Comprehensive Income Statement for the 31/12/2021 reports $69,307,00 of invoiced actual Year to Date Rates and Charges Income. How much of the $69,307,000 was actually received and banked by Council ?

Response:

1. **Capital expenditure is typically lower during the first half of the financial year due to the need to complete procurement processes following adoption of the budget. Council is forecasting to achieve an end of year expenditure result of 87.9%, noting some of the balance expenditure is due to budget phasing of multi-year projects.**

2. **Council accounts for its rates and charges in line with generally accepted accounting practice on an accrual basis rather than a cash basis. This allows it to record revenue from rates and charges by raising a rate debtor at the time the annual rate notice is generated, rather than waiting for the rates and charges to be paid. As at 31 December 2021, Council had $50.5 million in rates outstanding.**

D.5 Cally Cadd, Township Strategy Plans and Population

1. In 2016 Census Inverloch was 5437 and Cape Patterson's was 891. What are the population numbers in both towns today?
2. This is an essential link to any town planning scheme. Does Council have a 'Township Strategy Plan' for Inverloch?

Response:

1. **The 2016 Census data is the most up to date population count for Inverloch and Cape Paterson. The Australian Bureau of Statistics intends to release the 2021 census data after June 2022. This information will be included in the Community Profile on the Bass Coast Shire Council website when available.**
2. **There is an Inverloch Design Framework which sets the strategic direction for the urban structure, development and design of Inverloch into the future. This has informed Clause 11 of the Bass Coast Planning Scheme, including the Strategic Framework Plan for Inverloch.**

D.6 Cindie Giumarra Scholaz, Beach Erosion

What is Bass Coast planning to do to combat beach erosion and loss of sand on Anderson's Inlet beaches, and to combat the filling of the inlet with sand?

Response:

Council is working with DELWP and other land managers in the region through the Cape to Cape Resilience Project, to better understand the hazards and likely impacts on this dynamic coastline under current and future conditions.

Understanding that coastal erosion is not an issue that can be addressed by local government alone, Council actively partners with and advocates to other tiers of government for appropriate resources to support the Inverloch community to adapt.

D.7 Susie Wickes, Properties in Pioneer Bay

1. Of the 228 properties in Pioneer Bay what % are property owners vs govt/agency owned?
2. What are the costs per property based on previous Special Charge Scheme?

Response:

1. 227 (99.6%) of properties were privately owned and 1 property (0.4%) was owned by Council

2. The cost per property in terms of the special charge scheme are listed on the Council website and a link will be provided in the minutes.

https://www.basscoast.vic.gov.au/services/roads-footpaths/road-and-drainage-upgrades/pioneer-bay-road-and-drainage-upgrade

D.8 Trevor Smith, Inverloch Erosion

with the problem of erosion, down at the rotunda ,esplanade and Grandview street,. would it not be more common sense to extend wall from existing wall at rotunda, going towards cuttress street direction, and connect up with wall closest towards Cuttris street. (Angling shed).

Response:

Council officers are working with suitably qualified coastal engineers to identify the most appropriate and cost effective protection measures for the shelter and public open space at Rotary Park. This will include consideration of existing protection structures in the area and how they can be extended or otherwise augmented.

For more information and regular updates on this project, please visit https://www.basscoast.vic.gov.au/services/environment/foreshore-erosion-control#inverloch

D.9 Melissa Dagg, Capital Works Projects

1. Council spreadsheet of Capital Works page 28, reports projects 100121 and 100124 for the Major Buildings Cowes Cultural and Community Centre Redevelopment. Why is there two project numbers, one showing 100% complete and the other at 5% completed as of 31/12/2021?
2. Project 100657 Aquatic Centre Bass Coast (Wonthaggi) 75% complete with $47,921 YTD actual expensed. What is the estimated completion time frame for this project?

Response:

1. **Due to the size and nature of the project, initially project feasibility, scoping, design and planning costs were captured separately through project number 100124. There were some costs incurred in the 2022 financial year in relation to this phase which have been included in this report. This phase is now considered completed and reported as 100%. The construction phase of project is being tracked and monitored through project 100121 which has only recently commenced as result the 5% status presented as at 31 December 2021.**
2. **The Bass Coast Aquatic Project is currently in advocacy stage, where Council are seeking funding and election commitments to help support the delivery of the project. Completion of the two pool aquatics project is dependent on external funding.**

D.10 Gay Jolly, Parking Infringements

Would council please advise the numbers of parking infringement notices that were issued by council officers in Cowes for the period 1/12/2021 to 31/1/2022 during the peak period ?

Response:

There were 871 parking infringements issued in Cowes between 1/12/21 and 31/01/22.

D.11 Gay Jolly, Capital Works Projects

Capital Works Project's 100658 and 100657 are for Aquatic Centres in Cowes and Wonthaggi. Each project has allocated funding of $250,000. What is the $250,000 going to be expensed towards for the Cowes Aquatic Centre Project during the 2021/22 year ?

Response:

The budget allocated to the Cowes Aquatic Centre Project in 2021/2022 has been provided to continue works on the project, inclusive of finalisation of concept designs, site investigations, due diligence studies and advocacy work. Completion of further design is dependent on external funding.

D.12 Paul & Melanie Nelson, Shared Pathways

When will the shared pathways / improved pedestrian access (ie direct to beach and Broadbeach Estate commence.

Response:

A pathway extending the existing path from the Broadbeach development through to the foreshore is planned in Stage 5 of subdivision. The developer has commenced the design of this stage of the estate and we anticipate construction will commence this year.

D.13 Paul & Melanie Nelson, Transfer Station

What are plans for transfer Station with increased residential development surrounding the plant and planned pathways.

Response:

Council is aware of the changes in the broader vicinity of its Transfer Stations, and factoring these into its consideration of each facility's future operation.

D.14 Neil Wilmot, Special Charge Scheme

1. 70% of households do not live permanently within Surf Beach. Recent traffic counting would indicate high tourist traffic. Will State Government contribute, due to area being a tourist destination?
2. Contribution - What percentage are you asking landowners to contribute and what does that amount to in actual dollars? .

Response:

1. **The split of costs for a Special Charge Scheme at Surf Beach and Sunderland Bay between Council and the local community receiving special benefits has not yet been determined. This work is undertaken at a later date during the planning phase.**
2. **Cost estimates for Special Charge Scheme Projects, including the potential cost distribution between Council and property owners, is included in the project planning phase.**

E Petitions, Joint Letters, Deputations and Correspondence

E.1 Petition - Seal Bay Road & Foreshore Road

File No:	**CM22/127**
Division:	**Business Transformation**
Council Plan Strategic Objective:	**Leading for our Community** Demonstrating leadership through good governance, transparency and accountability

A Petition containing 50 signature has been received. The petition reads:

All residents have had their say with more than 70% wanting the road sealed. Being that we are a public beach we get a lot of tourist traffic and since COVID this has become increasingly worse, the dust is now becoming a health hazard too, particularly our drinking water.

The road is constantly having to be graded (at councils expense) due to corrugation caused by the amount of traffic we receive, particularly along Bay Road, residents are concerned about the damage caused to cars due to road conditions.

One disabled resident on Foreshore Road who takes his dog for a walk in his electric wheel chair has also complained the road surface not being satisfactory for wheel chair access, limiting his ability to get around.

Our understanding is at 70% plus we can have our road upgrade elevated up the list.

Section 54.1 of the Bass Coast Shire Council Governance Rules states that:

"Unless Council resolves to deal with it earlier, no motion (other than a motion to receive the same) may be made on any petition, joint letter or other like application until a future Ordinary Council meeting after that at which it has been presented."

Recommendation

1. **That the petition, Seal Bay Road & Foreshore Road, be received, noting in accordance with the Governance Rules it does not adhere to section 54.6 and lie on the table until a future meeting of Council.**
2. **That the head petitioner be advised of Council's decision.**

Attachments

AT-1 ***CONFIDENTIAL*** - Petition - Sealing of Bay Road and Foreshore Road 7 Pages

Council Decision

Moved: Cr. Rochelle Halstead / Seconded: Cr. Clare Le Serve

That the recommendation be adopted.

CARRIED

Notices of Motion

F Notices of Motion

F.1 244/22 Wonthaggi to Inverloch Inland Trail, Cr Les Larke

I, Cr *Les Larke*, hereby give notice that I intend to move a motion at the Council Meeting on 16 March 2022, which reads as follows:

WONTHAGGI TO INVERLOCH INLAND TRAIL

Motion

That Council puts on hold construction of the WIIT and allocation of Council's proposed contribution of $4.7 million pending:

Presentation to Council of a business case for investing in the WIIT including but not exclusive to:

1. **A clear understanding of the strategic alignment between the WITT and the Victorian State Government's new Yallock-Bulluk Marine and Coastal Park trail to run along the entire 40km of coastline between San Remo and Inverloch.**
2. **The case for investment in the WIIT including cost/benefit analysis.**
3. **The health and lifestyle benefits and participation levels for the local Bass Coast Shire Community**
4. **The economic benefits of investment in the WIIT including projections for:**
   a. **increased annual tourism numbers/expenditure (from out of region visitors)**
   b. **annual increase in visitor nights to the region; and**
   c. **total direct and indirect full time jobs created.**
5. **The conduct of a new and comprehensive communication and engagement strategy in partnership with WIIT stakeholders including the Bass Coast Shire Community as well as the development of alternatives and the identification and/or vindication of any preferred solution.**

Background by Councillor

Nil

Officers Comments

The Wonthaggi to Inverloch shared pathway was endorsed by Council as a project within the Bass Coast Shire Aspirational Network Pathways Plan 2016 on 18 May 2016.

The aspirational network of paths provides strategic connections to and within settlements, connecting townships or significant destinations. The Wonthaggi-Inverloch Pathway Network was reviewed as part of this Plan. This initiative didn't include the local footpath network within townships. It has focused on shared pathways and cycling routes.

This pathway was endorsed as an Advocacy Priority on 11 December 2019, when it was added as a project within the 'Pathways – Visitor Economy Infrastructure' Project where Council specifically requested a total of $11.05 million of funding towards its top three pathway projects:

- Cowes Rhyll Rd (shovel ready 2020) Stage one (Thompson Avenue to Coghlan road) $1.63 million Stage two (Coghlan Road to Rhyll) $1.88 million
- Inverloch to Wonthaggi connection - estimated $5.5 million
- Guy Rd Corinella (shovel ready) - $2.51 million

This project was re-affirmed as an Advocacy Priority in 2020 and 2021 and rebadged under 'Tourism Infrastructure – Tracks and Trails' to open up further funding opportunities.

Guy Road was successful in the previous round of Growing Suburbs Fund and Council funded stage 1 of the Cowes to Rhyll Road. In 2021 Council endorsed the application and co-contribution of $4.7million for the submission of the Wonthaggi to Inverloch shared pathway to the Growing Suburbs Fund.

This project aligns with the Climate Change Action Plan and Healthy Communities Plan 2021-25 and supports the Council Plan 2021-25 engagement which identifies ***Improved walking trails and paths*** as the number one thing Council can do to improve health and wellbeing. The project is listed as a regional project in in Active Bass Coast Plan 2018 – 2028.

Council is pleased with the outcome of the Growing Suburbs application and the commitment of the State Government to invest $3 million in this aspirational pathway. The Wonthaggi to Inverloch shared pathway will connect two of our major townships providing increased liveability and access for our community.

Adjacent landowners have been engaged throughout the design process. The project delivers on the alignment outlined in Active Bass Coast 2018 – 2028 and Council's Aspirational Pathways Plan. Community and key stakeholders will be kept informed throughout the project.

……..
Cr Les Larke, Bunurong Ward
Dated: **16 March 2022**

Attachments

There are no attachments for this report.

Council Decision

Moved: Cr. Les Larke / Seconded: Cr. Bruce Kent

That the motion be adopted.

LOST

F.2 245/22 Greening Bass Coast Shire Regional Town of Wonthaggi, Cr Les Larke

I, Cr *Les Larke*, hereby give notice that I intend to move a motion at the Council Meeting on 16 March 2022, which reads as follows:

GREENING BASS COAST SHIRE REGIONAL TOWN OF WONTHAGGI

Motion

That Council

1. **Commits to developing and commencement of a 10 year Urban Forest Plan (UFP) across The Regional Town of Wonthaggi by 30 June 2022.**
2. **Gives effect to the next three years (2022 to 2024) of the UFP by greening the main thoroughfares to and from Wonthaggi Central Business District including White Street, McKenzie Street, Wonthaggi-Inverloch Road, Wonthaggi-Cape Paterson Road to and from the respective 100km speed limit signs, and South Dudley Road (arterial streets/roads).**
3. **In this instance, notes that the term 'greening' is synonymous with the term 'urban forest plan', and involves commitment to achieving a canopy cover of trees in the arterial streets/roads aforementioned, to beautify and meet Wonthaggi's future need for urban cooling, carbon sequestration and reducing air pollution.**
4. **Allocate funds from its existing Climate Action Plan Budget and 10 year Long Term Financial Plan to give effect to the UFP and short term actions 2022 to 2024.**

Background by Councillor

Nil

Officers Comments

Officers have commenced the development of an Urban Forest Strategy and are on track to engage a dedicated consultant in March 2022.

The Strategy will aim to improve vegetation cover and protect existing vegetation and canopy across all urban centres in Bass Coast, including the main thoroughfares to and from Wonthaggi CBD. Council will be briefed on the proposed project methodology and community engagement plan. A draft strategy and action plan will be presented to Council in 2022 for adoption.

Funding has been allocated from the Climate Change Action Plan budget for the preparation of the Urban Forest Strategy to be developed in 2022.

……..
Cr Les Larke, Bunurong Ward
Dated: **16 March 2022**

Attachments

There are no attachments for this report.

Council Decision

Moved: Cr. Les Larke / Seconded: Cr. Rochelle Halstead

That the motion be adopted.

LOST

Mayor and Councillors Reports

G Mayor and Councillors Reports

G.1 Mayoral Report - Cr Michael Whelan

Acknowledgement – John Landy

Vale John Landy who passed away on 24 February at his Castlemaine home.

Mr Landy was well known as a 4 minute mile record breaker and for his famous gesture at the Australian National Championships in 1956. Whilst leading, Landy stopped mid-race to assist rival Ron Clarke who had fallen. Both were passed by many of the field. Landy went on to run down the field and win the race.

In 2001, as the newly appointed Governor of Victoria, Mr Landy attended the Wonthaggi Summer Show, where he and his wife Lynne watched events and presented awards and spent time with participants.

Mr Landy also spent a few days touring South Gippsland and the La Trobe Valley in June 2004.

Phillip Island stalwarts Anne and Bob Davie were presented with the Victorian Landcare Award at Government House by Mr Landy in 2005.

In October 2005 Mr Landy personally presented a letter which was held in a hidden compartment of the Commonwealth Games Baton, used in Bass Coast on 20 November 2006. The Baton was designed by local artist Ian Smith. The theme of the relay was from the "Coast to the Hills".

Activities

- International Women's Day Community Event WUCAC
- Photo Shoot - Centsible Teen Talk, Wonthaggi Secondary College
- International Women's Day Luncheon - Celebrating resilience, reinvention and reconnection, Phillip Island
- Record Video key messages for Climate Emergency Staff Training

Meetings

Attended Council Workshops and Briefings

Chaired Councillor Only Meetings

Weekly meetings with CEO, Council Support and Communications

Additional Meetings:

- Sustainability Victoria's Buy Recycled Service Launch
- One Gippsland - February Board Meeting
- Bass Coast Business Awards San Remo
- San Remo Channel Challenge
- SECCCA Councillor Advisory Group Meeting

- Event Brief - Minister Thomas RIF announcement
- Audit & Risk Committee Meeting
- Western Port Biosphere - Council Liaison Committee (CLC) meeting
- Regional Infrastructure Fund announcement - Aspirational Bridges and Boardwalks
- CUC Bass Coast 1st Birthday Celebrations- Education Aspiration Speakers
- Cowes Classic
- Bass Coast and Headline PR Workshop
- Community Panel Celebration Pre Meeting
- Russell Broadbent MP, Advocacy Priorities
- Gippswide Kerbside Project Update
- Jessica O Donnell, Labor Candidate, Bass Coast Shire Advocacy Priorities
- Australian First People Advisory (AFPAC) Meeting 2022-2023
- Bass Coast Shire Council Community Panel Appreciation Celebration Afternoon Tea

Other

Media Enquiries/Interviews

Phone calls, emails and letters

Photo opportunities

G.2 Councillor Report - Cr Leticia Laing

Events

- Wonthaggi Rotary Hand on Heart Ball
- Experience Cape Paterson Festival
- Unveiling of "Love and Precious Things" Public Art sculpture
- The PUSH All Ages music concert at YES Youth Hub
- Diverse-Ability Networking Breakfast
- Australian Superbike Championships Round 1 – Phillip Island Circuit
- A Sense of Place Art Exhibition launch – Inverloch Hub
- International Women's Day Community Breakfast
- International Women's Day luncheon
- Women's Stories (IWD) at Mitchell House Wonthaggi

Meetings

- Access and Inclusion Advisory Committee
- Wonthaggi Pony Club

Councillor Briefings

- Municipal Association of Victoria Understanding Council Finances course
- Various briefings

Ongoing

Responding to contact from residents via email and phone or in person.

G.3 Councillor Report - Cr Les Larke

- Councillor/Council virtual briefings, policy workshops, training and meetings
- Planning development site inspections
- Ratepayer, resident and community group issues including responses to phone calls, messages and emails

G.4 Councillor Report - Cr Bruce Kent

- 18/02 Bass Coast Business Awards
- 22/02 Westernport councillor catch up.
- 23/02 Council meeting via Teams
- 02/03 Council meeting at Wonthaggi
- 03/03 Listening Pop Up at Rhyll
- 03/03 Meeting with State Reps at Rhyll regarding trail grants
- 03/03 Meeting at Wonthaggi regarding briefing on DAL
- 07/03 WPW council briefings
- 07/03 WPW briefing on Corinella pathways
- 09/03 Council meeting at Wonthaggi
- 10/03 WPW IT meeting
- 16/03 Council meeting at Wonthaggi.

G.5 Councillor Report - Cr Rochelle Halstead

It is that time of the year and Council is looking to the 2022 / 23 Budget with Councillors working hard to move forward with capital works across the Shire. There are so many exciting plans for the years ahead including the new Cowes Cultural Centre, the Dinosaur Trail, the Wonthaggi North-East Precinct all amongst some of the larger projects adopted.

It is important we continue to invest in our townships, providing much needed upgrades to facilities, provision of new for our growing population, and crucial upgrades to, as some would say the less sexy items such as roads and drainage.

I was delighted to have taken the role of MC at the International Womens Day Breakfast on Tuesday 8th March 2022 where we heard from some incredibly talented and inspirational women on the theme of "Changing Climates: Equality today for a sustainable tomorrow". Nina Barry Macaulay – Chair of Women for Change, Kate Graham – CEO of Gippsland Womens Health, Benita Russell – BCS Climate Change and Sustainability Advisor and Zoe Gyer – Coordinator of Totally Renewable Phillip Island (TRPI). All trailblazers doing incredible work.

Events Across Bass Coast

- San Remo Channel Challenge
- Rhyll Art Expo
- Inverloch Regional Market
- Victorian Longboard Surfing Titles
- Woolamai Whirlwind Race Day
- Inverloch Dinghy Regatta
- Australian Super Bikes
- Phillip Island Classis Festival of Motorsport

Briefings

- Surf Beach Sunderland Bay Urban Road and Drainage Great Southern Wind Farm
- Bass Coast Industrial Land Use Strategy Bass Coast Unlocking Rural Tourism
- Communications and Engagement Strategy Revision 022 Aquatics
- Review of Fees and Charges Review of Operating Budgets Procurement Policy

- DALS DELWP
- Summer Waste Program Wrap Up Environment Funding
- Review of LTCWP and Initiatives Advocacy Priorities

Current Reviews and Community Engagement –

1. Communication & Engagement Strategy Review

   https://engage.basscoast.vic.gov.au/commsreview

In closing I would like to offer my condolences to the many thousands of people in Queensland and New South Wales who have suffered first hand the effect of climate change up close. As we all know the floods have been catastrophic to so many communities, destroying everything in its path. Thank you to the volunteers, emergency services, defence force personnel and the kindness of people from afar who have made a significant contribution in helping these communities get back on their feet. May life return to some sort of normality for all, as quickly as possible.

G.6 Councillor Report - Cr David Rooks

Meetings

- CAPRA catch up meeting
- CARPA pre worship planning meeting
- LTFP discussion with James Stirton
- Youth meeting with Erin
- VES CRG planning meeting
- Cowes Culture Centre project group monthly meeting
- PIITS CRG planning meeting with Simon Harris

Briefings

- Weekly Wednesday Council Briefings
- Additional planning briefings
- DAL briefing

Training

- IT training - security

Functions

- PIBN breakfast – sustainability theme

Other

- Site visit to two dwellings with applications for tree removal that will be coming to future Council meeting

Ongoing

- Prepared for monthly Councillor meeting
- Dealt with constituents' issue and queries – email, phone

G.7 Councillor Report - Cr Ron Bauer

Acknowledgement – Ukraine

As they say, bad things happen when good people say or do nothing.

I on behalf of many in the Bass Coast community I wish to express our deep shock and horror at the unfolding events in the Ukraine since the 24th February.

We affirm the Australian government's position of respecting territorial integrity, full respect of international law, and sovereignty. We further believe that disagreements and conflicts should be resolved through dialogue and diplomacy alone. We stand with the people of the Ukraine and victims of war everywhere.

We urge the Federal Government to approve many more than the 1000 visas currently allocated for Ukrainians displaced by the European conflict.

It is my understanding that as a refugee welcome zone, Bass Coast Shire Council is open to engage with the Australian and Victorian Governments to explore settlement options across our shire for people who have been displaced by war. For example, Ukraine is a country with significant experience in agricultural production. These experiences could make it easier for the refugees to be accepted in this region and to work here. This would be a comfort for these traumatised people and they would make a positive contribution on many levels including the needs of the rural sector, hospitality, food and fibre production sectors in Gippsland.

Activities

- 10-2-22 Opening of the Phillip Island surfing pro
- 13-2-22 Meeting the president of the Phillip Island board riders Association
- 11-2-22 inspection of Bermagui Crescent as part of the assessment of the road dust problem
- 15-2-22 presentation of the winners prizes for the 2022 Nitchelton Tour of Gippsland Rhyll criterium
- 18-2-22 PIMHAG meeting
- 22-2-22 Rhyll community meeting re: boat ramp and playground upgrade
- 23-2-22 Island voice meeting
- 28-2-22 CCC project control group briefing
- 7-3-22 Rhyll community meeting re: boat ramp and playground upgrade

- 23-2-22 Island voice meeting
- 23-2-22 Island ward briefings
- 8-3-22 International Women's' day luncheon

Various Council briefings hosted every Wednesday by Bass Coast Officers and consultants

Reports Requiring Council Decision

H Reports Requiring Council Decision

H.1 Planning Application 210164 - 219-221 Smiths Beach Road, Smiths Beach

File No: **CM22/68**
Division: **Place Making**
Council Plan Strategic Objective: **Growing our Economy**

Progressing opportunities for visitor economy and business growth in harmony with our natural environment and sustainable values

Declaration

The author has no direct or indirect interests in relation to this report.

Executive Summary

Application number:	210164
Applicant:	Sharyn Walls
Land/Address:	219-221 Smiths Beach Road, Smiths Beach
Ward:	Island Ward
Proposal:	Use of the land for a licensed premises in association with an existing food and drink premises in MUZ with flood lit advertising signage
Zone:	Mixed Use Zone
Overlay:	Vegetation Protection Overlay, Schedule 2
Planning permit triggers:	Clause 52.05 (Signage) - flood lit sign Clause 52.27 (Licensed Premises) – sale and consumption of alcohol
Number of submissions:	A total of 17 objections were received.
Reason a Council decision is required:	Council's delegations require applications that attract five or more objections to be determined by Council.
Officer recommendation:	Notice of Decision

Purpose of Report

For Council to consider a planning application 210164 for the use of the land for a licensed premises (Liquor) for an existing food and drink premise in MUZ with flood lit advertising signage at 219-221 Smiths Beach Road, Smiths Beach

Summary of Officer Recommendation

That Council authorise Officers issue a Notice of Decision subject to grounds outlined in the Officer Recommendation section of this report.

The proposal is supported for the following reasons:

- The proposal is consistent with the objectives of Clauses 17.02-1S (Business) and 17.04-1S (Facilitating Tourism) of the Bass Coast Planning Scheme.
- The proposal satisfies the purpose of the Mixed Use Zone and complements the function of a mixed use area.
- An existing general store and take away premises evolving into a licensed café with maximum occupancy of 60 patrons in the evening allows the business to diversify and grow consistent with expectations in a mixed use area.
- The proposal carefully considers potential off-site impacts on neighbouring properties and that proposes reduced operating hours to minimise off site impacts on neighbouring properties.
- The flood lighting to the existing signage can be appropriately conditioned to reduce the extent of light spill from the east side of Smith Beach Road.

The Proposal

This application proposes to use of the land for a licensed premises (Liquor) for an existing food and drink premise in MUZ with flood lit advertising signage in accordance with plans prepared by the applicant. The decision plans are provided as Attachment one and are detailed below:

- Shop layout red line plan
- Survey red line plan
- Signage Plan
- Amenity Statement

Key features of the proposal include:

- The red line plan includes the whole of the business and extends under the front verandah.
- The proposed hours for serving of alcohol are:
  - 5pm to 11pm Wednesday to Saturday;
  - 11am to 6pm Public Holidays and Sunday
- Patron numbers within the licensed area will not exceed 60
- The provision of a flood light above the existing signage

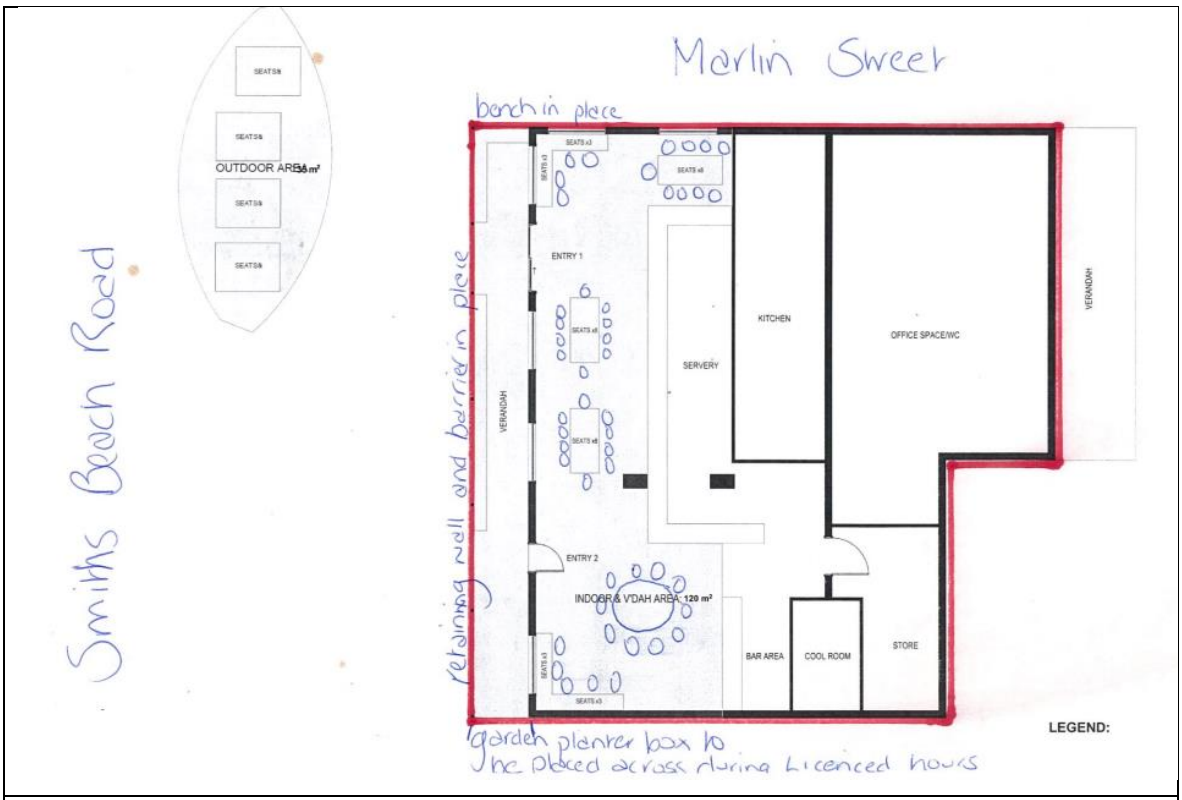


Figure 1 - Proposed Plans



Figure 2 – Signage

Background

Following is a description of the subject site and other relevant information pertaining to the allotment.

Site Dimensions and Area	The site is regular in shape with a frontage to Smiths Beach Road and Marlin Street.
Topography	Relatively flat
Vegetation Cover	Scattered pot plants located along the Smith Beach Road street frontage
Current Use and Development	Smith's Beach General Store
Easements	No easements are applicable
Restrictive Covenants and/or Section 173 Agreements	Not Applicable
Aboriginal Cultural Heritage Sensitivity	The site is not located within an area of identified cultural heritage sensitivity.
Planning Permit History	A search of Council records indicates no relevant Planning Permit history.

Subject Site And Surrounds

The site is located on the south east corner of Smiths Beach Road and Marlin Street. The site is a rectangular shaped lot with 18.29 meter wide frontage to Smith Beach Road, a maximum depth of 20.73 meters, and a site area of 379.15 square meters.



Figure 3 – Site and surrounds

The site is developed and is the sole general store in Smiths Beach. The business operates from 7:30am to 4.00pm as both a food and drinks premises (café) and limited general store selling a variety of goods such as newspapers, long-life goods, clothing and home wares, surfing accessories and bakery items.

The main characteristics of the surrounding area are:

North	Adjoining the land to the north is a Marlin Street. 217 Smiths Beach Road is approximately 560 square meters in area and contains a double storey dwelling orientated towards the south.
South	Adjoining the land to the south is 223 Smiths Beach Road. This lot is approximately 196 square meters in area and contains a commercial building used as the surf school.
East	Adjoining the land to the east is 27 Marlin Street. This lot is approximately 600 square meters in area and contains a single dwelling.
West	There are two allotments opposite the subject site on the west side of Smiths Beach Road. 218 Smiths Beach Road is a vacant allotment. 222 Smiths Beach Road contains a single dwelling.

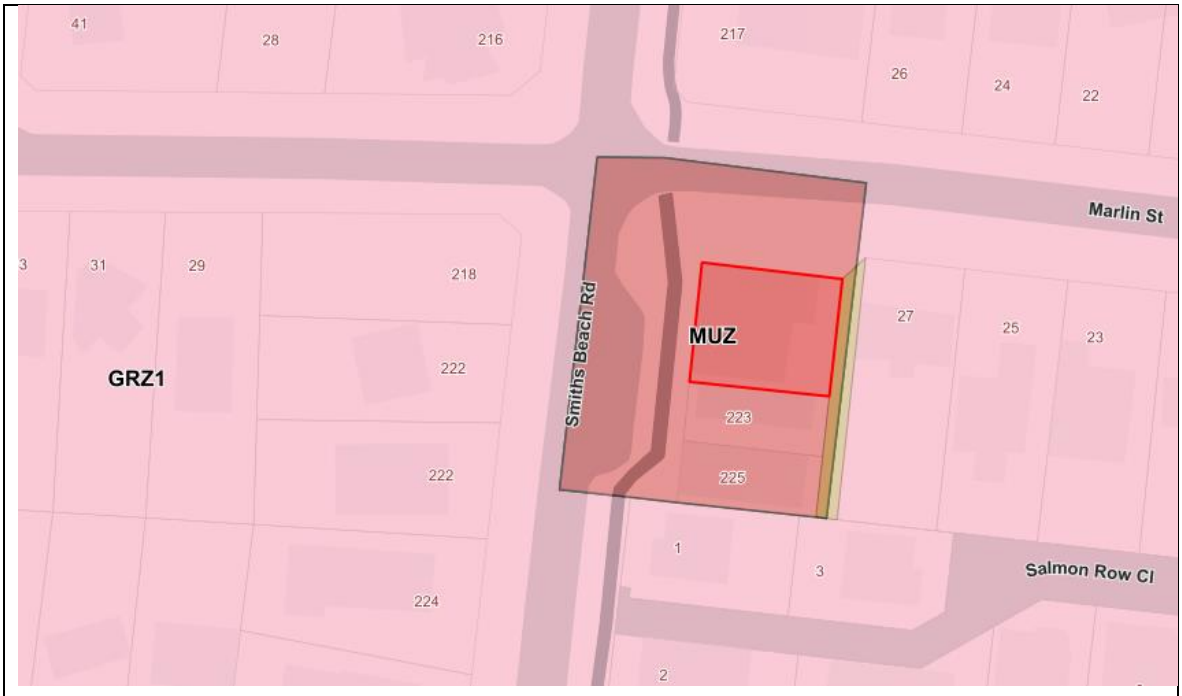


Figure 4 - Zoning Map

Consultation

Notice of the application was required under Section 52 of the *Planning & Environment Act 1987*, as the responsible authority was not satisfied that the grant of the permit would not cause material detriment to any person.

The Applicant gave notice in the following manner:

- Sent copies of the Notice by registered mail to 18 land owners and occupiers; and
- Placed a Notice on the land.

In response to notification the application attracted 17 submissions.

A copy of each submission is included in Attachment two.

The submitter concerns and comments are summarised further in this report including a Council Officer response in the table provided.

Referrals

The following table outlines the referral requirements of this application.

Referral Authority	Comments
External (Section 55 of the *Planning and Environment Act 1987*)	
Not Applicable	
Internal (Section 52 of the *Planning and Environment Act 1987*)	
Not Applicable	

Planning Scheme Provisions

Planning Policy Framework Assessment

The relevant Planning Policy Framework clauses are as follows:

- Clause 11-01-1S Settlement
- Clause 11-01-1R Settlement – Gippsland
- Clause 11-01-1L-01 Settlement
- Clause 11-01-1L-15 Smiths Beach
- Clause 11.03-4S Coastal settlement
- Clause 11.03-6S Regional and local places
- Clause 17.01-1S Diversified economy
- Clause 17.01-1R Diversified economy - Gippsland
- Clause 17.04-1S Facilitating tourism
- Clause 17.04-1R Tourism - Gippsland
- Clause 17.02-1S Business
- Clause 17.02-1R Commercial centres - Gippsland

The intent of the relevant policies is to maintain and enhance development within established settlements. Smith's Beach settlement policy promotes location commercial, community and residential development on the southwest corner of Marlin Street and Smiths Beach Roads at Smiths Beach.

The application meets these policy objectives by diversifying the existing commercial premises with an expansion of the business.

The intent of the relevant policies is to create business opportunities and diversification of the business to cater for both day and evening use.

The application does meet these policy objective of Clause 17.04-1L Facilitating tourism where the location strategy promotes integration of tourism-related development within existing settlements and existing tourist and urban infrastructure.

Zone Assessment

Clause 32.04 – Mixed Use Zone

This application does not trigger a planning permit under the zone.

Overlay Assessments

Clause 42.02 – Vegetation Protection Overlay – Schedule 2

This application does not trigger a planning permit under the overlay as the proposal does not require the removal of any vegetation from the subject site.

Particular Provisions

Clause 52.05 – Signs.

The purpose of Clause 52.05 – Signs is:

- To regulate the development of land for signs and associated structures.
- To ensure signs are compatible with the amenity and visual appearance of an area, including the existing or desired future character.
- To ensure signs do not contribute to excessive visual clutter or visual disorder.
- To ensure that signs do not cause loss of amenity or adversely affect the natural or built environment or the safety, appearance or efficiency of a road.

The sign is recognised as being in an area of high amenity area. High amenity areas require Council to ensure that signs are orderly, of good design and do not detract from the appearance of the building on which a sign is displayed or the surrounding area.

The applicant states that flood lit lights have been in-situ but not connected for several years. Google maps from 2013 show this statement to be correct.



Figure 5 – Google maps 2003 Image of the previous flood light



Figure 6 – Photo of the current signage supplied by the applicant

The flood lights extend from the top of the roofline and are directed towards the front façade signage. Submissions received include concern that light spill to residential area opposite will create adverse impact.

The owner states that '*repairs undertaken on the site including the lights used to ensure safety of the patrons while entering and leaving the building. The lighting is not used to promote or advertise the building outside of trading hours. The lights will be turned off after every service to protect the wildlife and respect the neighbours. They will not interfere with the natural aspects of the area & only be used for safety at the end of service for the patrons leaving. They will then be turned off when staff leave the premises'.*

Council is satisfied that with appropriate permit conditions, the extent of illumination from the lights can be limited to the site and not extend beyond the immediate area.

Clause 52.06 – Car Parking

As the use of the land is not proposed to change as a result of this application, no planning permit is required under this clause.

Clause 52.27 Licensed Premises

The purpose of Clause 52.27 – Licensed Premises is:

- To ensure that licensed premises are situated in appropriate locations.
- To ensure that the impact of the licensed premises on the amenity of the surrounding area is considered.

The food and drink premises has had a liquor license some time ago for the selling of packaged liquor (take away) however this has expired.

The application has evolved throughout the planning process from a cocktail bar that includes the use for sale and consumption of alcohol on the outdoor seating in Smiths Beach Road through to the application that is being assessed that is requesting a café/restaurant liquor licence utilising the existing café and the space under the front verandah.

The applicant has proposed an amended red line plan removing the area that patrons can consume alcohol under the front verandah. This is supported by Council officers and will be conditioned should a permit issue.



Figure 7 – Submitted amended redline plan removing the serving of alcohol for the front verandah

The application has been considered against the decision guidelines of Clause 52.27 and can be supported for the following reasons:

- The impact of the sale or consumption of liquor permitted by the liquor licence is not considered to unduly impact on the amenity of the surrounding area. The proposed amended red line plan will remove the consumption of alcohol from outside the front of the building. This also assists staff to effectively manage patron behaviour as all patrons will be located inside the building.

- The impact of the hours of operation is not considered to impact the amenity of the surrounding area. The need for the business to provide drink with a food and drink premises is vital for its long term survival. The applicant has also written to Council proposing to reduce the hours of operation for the serving of alcohol to reduce neighboring property concerns. The hours proposed are assessed as a reasonable compromise.
    - 5.00pm to 8.00pm, Wednesday to Thursday
    - 5.00pm – 11.00pm Fridays & Saturdays evenings & the night immediately prior to any public holiday
    - 12noon to 6.00pm Sundays and public holidays
- The impact of the number of patrons on the amenity of the surrounding area in not considered significant. The premises has requested a licence for up to 60 patrons. The property is surrounded by residential properties and will be required to address EPA noise requirements. A patron management plan will be required to address patron behaviour on and surrounding the site should a permit issue.
- Planning Practice Note 61 Licenced Premises - assessing cumulative assessments issued by DELWP provides guidelines for planners and applicants to use when addressing the decision guidelines under Clause 52.27. The extent of the assessment should be proportional to the likely impact of the proposal. The guidelines state they may be used for any planning application that would benefit from their use; however, it should be used for all applications for a new or expanded licensed premises that:
    a) will be licensed and open until 8pm Wednesday and Thursday and 11pm on Friday, Saturday and 6pm on Sunday; and
    b) is in an area where there is no cluster of licensed premises.

There are no licenced premises within close proximity. The number of patrons for the venue is set at 60 and can be managed through the planning permit should it issued and the proprietor be granted a license from the VCGLR. It is considered that the proposal complies with requirements for licenced premises and the decision guidelines of this clause.

Concerns Raised By Submitters

The following table summarises submissions into themes and provides a discussion on planning merit:

Submitter Theme	Council Officer Response
Operating Lack of clarity	The business is limited to trading five days with the applicant reducing the hours for the sale and consumption of alcohol on three of those days.
No toilets	There are two toilets on site & two bathroom areas. The applicant has confirmed these being as enhanced customer spaces for the use of patrons. This will mean customers are able to use the amenities without affecting the communal areas of Smiths Beach.

Noise Effect on disruption for the people leaving	By limiting the patron to inside the building rather than on the footpath, noise from the venue will be reduced. The patron management plan (which will be required as condition on permit), will put into place measures for staff to monitor and manage clients leaving the premises in a quiet manner consistent with expectations in a mixed use area.
No Environmental Management Plan (EMP)	An EMP (environment management plans) is not required for a proposal to sell and consume liquor. A patron management plan will be required to be submitted as a condition on any permit that is issued to ensure supervision of patrons inside and outside of the property.
Negative social and environmental impact	Liquor licenses are legal documents and the granting of these licenses impose regulatory obligations on licensees and staff. Serving and supplying liquor in a responsible manner means that Licensees, approved managers and staff who sell or supply liquor are required to conduct their business in a responsible manner to minimise risk.
Lighting - operating hours and effect on front rooms of the residences opposite	Permit conditions on any permit issued will require the flood light to be baffled and for the light not to project beyond the front footpath. Permit conditions will also require a timing system to be installed.
Effect on the youth	The serving of alcohol will be limited to patrons over 18.
Lack of public transport	Not a planning consideration for this application.
Risk of drowning	The manager and staff are responsible for serving of alcohol responsibly and in accordance with obligations limited to the extent of their license and business.
Impact of the Smiths Beach town plans	The proposal is considered to support the draft Smiths Beach town plan. A key aspiration is to support existing mixed use land for (general store and surf shop) additional development of services to support local residents and visitors
Impact on wildlife from patrons	In response to these concerns the applicant has reduced the hours of operation.
Use of public space	The applicant has amended the red line plan to ensure that the public space is no longer to be used for the serving of alcohol.

People may parking front of house	There is sufficient commercial on-street carparking readily available for patrons at the commercial premises to utilise. Vehicles may park out ide properties which is a public road. It is noted that no car parking waiver is required as part of this application.
Traffic impacts	The use of the land as an evening venue is not considered to unreasonably impact traffic. The patron numbers have not changed and the applicant has reduced the hours of operation to reduce the impact for adjoining properties.

Conclusion

The application has been assessed against the Bass Coast Planning Scheme and is considered appropriate in this located. The applicant has provided Council with changes to the redline and changes to the hours of operation as an avenue to address the objector concerns

The application underwent notification and as a result there were 17 submissions received. Concerns raised by submitters were considered in the assessment of the application.

It is recommended that Council resolve to issue a notice of decision to grant a planning permit for planning application 210164, subject to conditions.

Recommendation

That in relation to planning permit application 210164 for Use of the land for a licensed premises (Liquor) for an existing food and drink premise in MUZ with flood lit advertising signage located at 219-221 Smiths Beach Road, Smiths Beach, Council resolves to issue a Notice of Decision to Grant a Planning Permit subject to the following conditions:

Amended plans required

1. **Before the use of the land of the licensed premises commences, amended plans drawn to scale with dimensions must be submitted to and approved by the responsible authority. The plans must be generally in accordance with the redline plan submitted to Council via email on 15 February 2022 to include:**

   a) A redline plan that excludes the front verandah

   All to the satisfaction of the responsible authority. When approved, the plans will be endorsed and will then form part of this Permit.

Liquor Licence Conditions

2. **The area to be licensed premises as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.**

3. **Before the provision and/or consumption of liquor hereby permitted starts, a Liquor License must be obtained from Liquor Licensing Victoria, pursuant to the *Liquor Control Reform Act 1988*, as amended.**
4. **The hours of operation must be clearly displayed in a prominent position on the exterior window of the premises and also within the interior of the premises.**
5. **The predominant activity carried out on the premises, must be the preparation and serving of meals for consumption on the premises.**
6. **No more than 60 (sixty) seats may be made available at any one time to patrons on the premises during the serving of alcohol, unless with the written consent of the Responsible Authority.**
7. **The Licensee shall not cause or permit undue detriment to the amenity of the area to arise out of or in connection with the use to which the license relates, during or immediately after the trading hours authorised under this permit.**
8. **The sale of liquor may only occur between the hours of:**
   a) **5pm to 8pm, Wednesday to Thursday**
   b) **5pm to 11pm Friday and Saturday**
   c) **5pm – 11pm Fridays & Saturdays evenings & the night immediately prior to any public holiday**
   d) **12pm to 6pm Sundays and public holidays**
9. **Before the commencement of the use hereby permitted, an Amenity Management Plan to the satisfaction of the Responsible authority must be submitted to and approved by the Responsible authority.**
   When approved, the plan will be endorsed and will then form part of the permit. All activities forming part of the use must comply with the endorsed plan. The plan must include:
   a) **staffing and other measures which are designed to ensure the orderly arrival and departure of patrons;**
   b) **signage to be used to encourage responsible off-site patron behaviour;**
   c) **the training of staff in the management of patron behaviour;**
   d) **staff communication arrangements;**
   e) **measures to control noise emissions from the premises;**
   f) **litter management;**
10. **At all times during the operation of the use, there must be present on the premises a person over the age of *18/21* years who is responsible for ensuring that the activities on the premises and the conduct of persons attending the premises do not have a detrimental impact on the amenity of the area (referred to in this permit as "the manager").**

11. The manager must be authorised by the operator under this permit to make statements at any time on his/her behalf to any officer of the Responsible Authority *and of the Victoria Police and/or of Liquor Licensing Victoria authorised under Section 129 of the Liquor Control Reform Act 1998;* and/or to take action on his/her behalf in accordance with a direction by such officer.

12. A copy of this permit must be displayed in a conspicuous position on the premises and, where applicable, adjacent to any statutory notices required to be exhibited.

Advertising Signage

13. Lighting of the sign must be designed, baffled and located to the satisfaction of the responsible authority.

14. The sign hereby permitted must only be illuminated during the hours of operation of the business on the subject land and a timer must be installed to ensure compliance.

15. Any projection over the street must have a minimum vertical clearance above the footpath level of 2.7 metres and a minimum horizontal clearance of 750 millimetres from the street kerb unless otherwise approved in writing by the Responsible Authority.

16. This Permit will expire if:

a) This permit will expire if the sign is not erected within 2 years of the date of this permit. The Responsible Authority may extend the periods if a request is made in writing before the permit expires or within the timeframe specified in Section 69 of the *Planning and Environment Act 1987*.

b) The use of the land for a licensed premise does not start within 2 years from the date of this Permit; or

c) The use is of the land for a licensed premises is discontinued for a period of 2 years or more.

The responsible authority may extend the time referred to if a request is made in writing before this Permit expires or within six months after the expiry date if the use has not commenced.

Attachments

AT-1	Plans	7 Pages
AT-2	***CONFIDENTIAL*** - Copy of objections	37 Pages

Council Decision

Moved: Cr. David Rooks / Seconded: Cr. Clare Le Serve

That the recommendation be adoped.

CARRIED

H.2 Heritage Gaps Review and Prioritisation Framework 2020 and the Bass Coast Thematic Environmental History 2021

File No:	**CM21/809**
Division:	**Place Making**
Council Plan Strategic Objective:	**Sustainable Development**
	Prepare for growth while ensuring the intrinsic values and character of Bass Coast are retained.

Declaration

The author has no direct or indirect interests in relation to this report.

Summary

The purpose of this report is to present to Council for consideration, the *Bass Coast Heritage Gaps Review and Prioritisation Framework 2020* (*the Heritage Review*) at Attachment (AT-1) and the *Bass Coast Thematic Environmental History 2021 (the T.E.H)* at Attachment (AT-2).

Bass Coast Heritage Gaps Review and Prioritisation Framework 2020

In 2020, Council undertook the Heritage Review, which has two purposes:

1. To review the previous heritage studies and consult with the community to identify and document all known post-contact places and precincts of potential heritage significance across the Bass Coast Shire; and
2. To formulate a Prioritisation Framework and Action Plan to guide how Council should investigate the protection of the places and precincts with potentially heritage significance. The Action Plan outlines further strategic work and studies that would be required, these actions are categorised as either very high priority, high priority, medium priority and longer-term tasks, and ongoing.

Bass Coast Thematic Environmental History 2021

In 2021, following the completion of the Heritage Review, Council commenced with one of the Action Plan's highest priority tasks, an updated and more comprehensive Thematic Environmental History (TEH).

The TEH tells the unique history of the Bass Coast Shire through specific themes rather than purely on a chronological basis. Significant dates, members of society and locations are discussed in terms of how they have each shaped the Bass Coast Shire. This work details Bass Coast's rich history (post-European contact) and provides justification for the protection and retention of heritage precincts and places.

The TEH is a key strategic document that underpins the progression of the remaining heritage actions recommended by the Heritage Review.

Background

Within the Bass Coast Planning Scheme, the Heritage Overlay (HO) (at Attachment 3) at Clause 43.01, currently protects 171 heritage places and precincts across the Shire. Many of the places in the HO demonstrate various important phases in the development of individual towns and of the wider municipality. However, there are a number of places within the Shire that have never been fully studied or investigated for their potential heritage significance, and therefore at risk of not being properly protected through the land use and development process.

A major heritage study for was undertaken in 2002 (*Bass Coast Shire Heritage Study Stage 1*), which identified 651 potentially significant heritage places, precincts and archaeological sites across the municipality.

Following this, in 2004, 165 of these heritage places went through a second phase of investigation (*Bass Coast Shire Heritage Study Stage 2*) so that they could be formally introduced to the HO via a planning scheme amendment. These places were carefully selected to include places under threat, places of outstanding distinction, and places that were a representative sample from across the Shire.

More recently, over 2018 and 2019 Council audited the potential heritage places from to understand their condition, status and significance.

The Heritage Review considers those places identified in the *Bass Coast Shire Heritage Study* that were not progressed to the *Stage 2 Study* and identifies a number of new places worthy of consideration in a *Stage 2 Study*. It should be noted that a Stage 2 Study precedes any formal changes to the Heritage Overlay in the Bass Coast Planning Scheme that would occur as a result of a planning scheme amendment.

In addition to the Heritage Review, the T.E.H provides further justification for protection of significant heritage places around the Shire in providing more narrative about the specific history of places and precincts.

Strategic Basis

Council Plan Strategic Objective:

Sustainable Development - *Prepare for growth while ensuring the intrinsic values and character of Bass Coast are retained.*

Governing Documents

- *Planning and Environment Act 1987*

  The *P&E Act 1987* requires that planning in Victoria *conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value (Section 4(1)(d)).*
- The *Australia ICOMOS Charter for Places of Cultural Heritage Significance* (2013)

  ICOMOS (the Burra Charter) provides a best practice model for managing cultural heritage places and was considered in conjunction with the Victoria Planning Provisions (VPPs) Practice Note No. 1 '*Applying the Heritage Overlay*' (2018) in the preparation of the *Heritage Gaps Review and Prioritisation Framework.*

- Bass Coast Planning Scheme

  The Bass Coast Planning Scheme expresses state, regional and local policy for land use and development. The following clauses are relevant for heritage:
  - Clause 02.03-5 Built Environment and Heritage
  - Clause 15.03-1S Heritage Conservation

Discussion

Heritage Review

The Heritage Review has been prepared to:

- Identify and document post-contact places and precincts of potential heritage significance across the Bass Coast Shire; and
- Guide Council in the progression of future heritage studies.

To identify gaps in heritage protection across the Shire, the Heritage Review was prepared in accordance with *ICOMOS* and the VPPs Practice Note No. 1 '*Applying the Heritage Overlay*' (2018).

The Heritage Review identified a total of 311 places, precincts and group listings recommended for further investigation as well as a number of studies (including the TEH) that need to be completed.

The Heritage Review developed a prioritisation matrix to categorise the subsequent work as very high, high or medium priority or on-going actions. The list of actions are detailed in Attachment (AT-1).

Thematic Environmental History 2021

The TEH outlines the historical development of the Shire from European settlement to the present. The historical themes, sub-themes and representative places are all detailed in the TEH Report at Attachment 2.

Aboriginal Heritage in Bass Coast

It is acknowledged that Bass Coast Shire occupies the traditional country of the Bunurong people (of the Boonwurrung language group), who are one of the five tribes that make up the Kulin Nation.

It is noted that the TEH includes limited detail of aboriginal heritage. It is recommended that this gap be addressed by investigating a comprehensive Aboriginal heritage study with the Bunurong Land Council.

Sustainability Implications

The Heritage Review and the TEH are both important to ensure the Shire's rich history is understood and conserved through protecting and recognising significant heritage places, artefacts, precincts and trees.

Finances

Heritage Review

Costs associated with the preparation of the Heritage Review were included in the 2019/2020 Council budget.

Thematic Environmental History

Costs associated with the preparation of the TEH were included in the 2021/2022 Council budget.

Heritage Action Plan

If Council resolve to adopt the Heritage Review and TEH budget bids will be made to undertake the Actions and the study about Aboriginal Heritage.

Stakeholders

Heritage Review

In March and April 2020 the community were requested to nominate and provide information on heritage places that should be considered as part of the study.

Approximately 94 places were identified through the nominations process, some of which had already been identified in previous Studies or were already protected on the HO. Of this, 36 community-nominated places were recommended to proceed to further detailed assessment.

Thematic Environmental History

The consultation for the TEH included targeted engagement with local heritage experts.

Conclusion

The *Planning and Environment Act 1987* and the Bass Coast Planning Scheme both place a great emphasis on Council's responsibility in conserving and enhancing heritage places within the Shire.

The adoption of the Heritage Review and the TEH will ensure Council to are in a good position to make positive changes and progress on heritage planning projects and continue the rolling program of work outlined in the Action Plan.

Recommendation

That Council adopt the *Bass Coast Heritage Gaps Review and Prioritisation Framework 2020* and the *Bass Coast Thematic Environmental History 2021*

Attachments

AT-1	Bass Coast Heritage Gaps Review and Prioritisation Framework - Final Report	46 Pages
AT-2	Bass Coast Thematic Environmental History (TEH) - Final Report dated 20.01.22	137 Pages
AT-3	2022 01 21 Bass Coast Shire - Heritage Overlay (Clause 43.01)	13 Pages

Cr Les Larke left the meeting at 1.41pm

Cr Les Larke retruned to the meeting at 1.42pm

Cr Les Larke left the meeting at 1.45pm and did not return.

Council Decision

Moved: Cr. Clare Le Serve / Seconded: Cr. David Rooks

That the recommendation be adopted.

CARRIED

H.3 Bass Coast Industrial Land Study - Economic Analysis, Demand and Supply Assessment.

File No:	**CM22/81**
Division:	**Place Making**
Council Plan Strategic Objective:	**Sustainable Development** Prepare for growth while ensuring the intrinsic values and character of Bass Coast are retained.

Declaration

The author has no direct or indirect interests in relation to this report.

Summary

The purpose of this report is for Council to consider the adoption of the *Bass Coast Industrial Land Study - Economic Analysis and Industrial Land Use and Demand Assessment* (the Study). If adopted, the Study will provide the evidence base to inform the development of the Bass Coast Industrial Land Use Strategy (BILUS).

Background

The BILUS' objective is to plan for management of industrial land supply across the Shire to support local economic activity and provide for local employment opportunities. It is one of a suite of strategic projects Council is currently undertaking to prepare for projected growth and encourage alignment between the Council's strategic objectives for land use planning, economic development and the natural environment. The BILUS is being prepared concurrently with:

- Economic Development (ED) Framework (through Council's Economic Development team);
- Bass Coast Unlocking Rural Tourism Strategy (BURT);
- Housing Strategy; and
- Neighbourhood Character Study.

These strategies build on, and complement existing strategic work including the Rural Land Use Strategy, the Phillip Island and San Remo Visitor Economy Strategy and the State Government's Statement of Planning Policy. The combined outputs of this work will ensure Council is well equipped to sustainably manage growth.

The Study is the first milestone in the BILUS project. *Figure 1*, provides a high level overview of the project milestones and the current project status.



Figure 1: High level project overview.

Strategic Basis

Council Plan Strategic Objective:

Sustainable Development - *Prepare for growth while ensuring the intrinsic values and character of Bass Coast are retained*

Governing Documents

Bass Coast Planning Scheme

The Bass Coast Planning Scheme within the Municipal Planning Strategy at Clause 02.03-7, calls for a diversified economy that recognises industrial activity as a significant local economic driver. The strategic directions for industry are to facilitate the establishment and further development of industry in the Shire, to encourage industrial development to locate in Wonthaggi to build on the existing infrastructure and industrial base; and to encourage industrial activities to be responsive to the environment and surrounding land uses.

Importantly, Clause 17.01-1S and 17.03-1S imposes the statutory obligation that requires Council to have a strong and diverse economy with sufficient land available for industry.

Economic Development (ED) Strategy 2016 – 2021

The Economic Development Strategy 2016-2021, seeks to ensure Council makes a strong contribution to the creation of an economic environment that at a strategic level, attracts, encourages and retains the kind of business activities that will drive the local economy.

Discussion

The Study applies to industrial areas located across the Shire (refer Figure 2) in Cowes, Wonthaggi, Inverloch, Newhaven and Grantville and has been carried out in two parts:

- Part A: Economic Analysis examines the existing and future economic context and how this will influence demand for industrial land into the future; and
- Part B: Industrial Land Supply and Demand Assessment considers the existing and future supply and compares this against the projected demand to 2036.

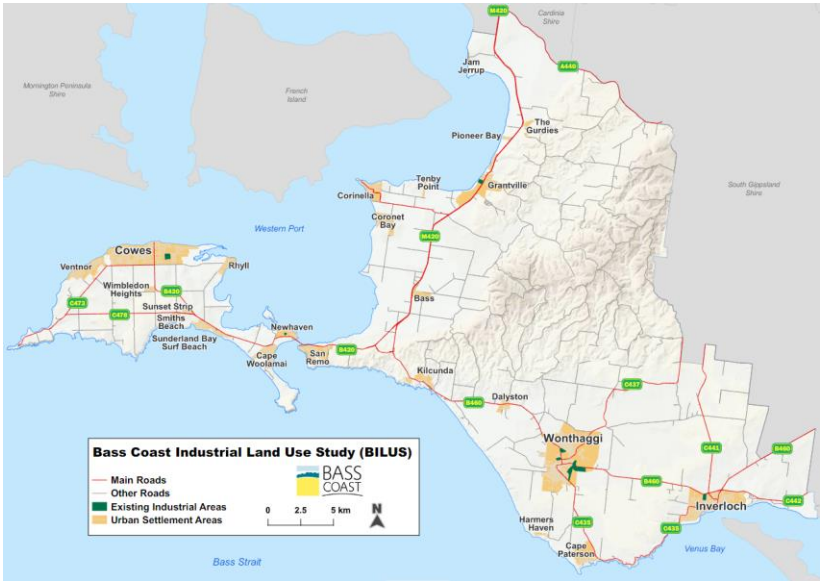


Figure 2. Map of the existing industrial precincts (the study area) in the Shire.

The Study outlines a set of Shire-wide and industrial precinct-specific recommendations for consideration within the future BILUS.

Key findings:

- There is approximately 90ha of zoned industrial land within Bass Coast.
- Wonthaggi is the largest industrial precinct by land area, however, Cowes comprises the largest number of business and floor space.
- Half of industrial lots are less than 0.5ha, with only 8 lots larger than 1ha.
- Approximately 8.4ha of industrial land supply remains.
- Demand for industrial land to 2036 is forecast to be between 26ha to 36ha.

Shire-wide recommendations:

- Implement the findings of the Study into the BILUS.
- Prioritise the release of future industrial land supply that is identified in Wonthaggi and Grantville.
- Balance land use flexibility with the existing user needs to accommodate the anticipated growth in population serving industries and also protect the integrity of existing industrial land uses.
- Continually monitor industrial land use and development activity through the Land Use and Register Tracker (the LURT) to establish local trends over time.
- Continue to advocate for major and local road upgrades.
- Ensure that BILUS is aligned with Council's future ED Framework.

The Study concludes with guiding principles that should be considered for the BILUS:

- Prioritise the release of additional industrial land.
- Retain all existing industrial precincts in the short to medium term.

- Support businesses located in fragmented industrial precincts and in the long term investigate their relocation and alternate land uses.

Sustainability Implications

The BILUS work will contribute to the improvement of economic, social and environmental sustainability of the Shire, specifically related to land use planning and economic development.

Finances

This initiative has funding in the current budget for 2021/22 from Council and the Department of Environment, Land, Water and Planning (DELWP).

Stakeholders

The Study engagement carried out between November and December 2021 with targeted stakeholders including:

- Bass Coast Shire Council teams (Growth Areas Planning, Statutory Planning, Asset Management and Economic Development).
- Business Associations (Phillip Island, Wonthaggi, Grantville and San Remo).
- Real Estate Agencies (PBE Real Estate, Alex Scott and Staff, Southcoast First National and O'Brien Real Estate Judith Wright).
- Local Businesses (Wonthaggi Recyclers, Raneye Systems, AWM Wonthaggi, MediPharm Labs Australia, Rotaret Hydraulic Engineering, A&D Cuman Engineering, Voyage Fitness Wonthaggi, Dirty Three Wines, Inverloch Gas and Hire, Island Equipment Hire, South Coast Bus, Weinz Excavations & Landscaping, Bass Strait Direct, South Coast Kitchens, Bass Coast Stock Feeds, Dandy Premix Quarries Pty Ltd, Ecoliv Buildings and Coldon Homes)
- Location Developers/Consultants (Wallis Watson, DB Building Design and Beaumont Building Design).

Conclusion

To conclude, the Study provides robust evidence that outlines the current state of industrial land in Bass Coast. It is recommended that the Study be adopted so it can be used to prepare the Bass Coast Industrial Land Use Strategy which will ensure Council can effectively manage industrial land supply and support economic activity and provide for local employment opportunities.

Recommendation

That Council adopt the Economic Analysis and Industrial Land Supply & Demand Assessment.

Attachments

AT-1 FINAL Bass Coast Industrial Lands Study Final 82 Pages

Council Decision

Moved: Cr. Brett Tessari / Seconded: Cr. Rochelle Halstead

That Council:

1. **Adopt the Economic Analysis and Industrial Land Supply & Demand Assessment.**
2. **Request the preparation of the Bass Coast Industrial Land Strategy have regard to the Bass Coast Distinctive Areas and Landscapes project, in particular ensuring the location of future industrial land appropriately considers environmental impacts and significant landscapes.**

CARRIED

H.4 Bass Coast Aquatic Project

File No:	**CM22/87**
Division:	**Place Making**
Council Plan Strategic Objective:	**Healthy Community**
	An inclusive community that embraces its lifestyle and supports health and wellbeing

Declaration

The author has no direct or indirect interests in relation to this report.

Summary

The purpose of this report is to seek council adoption in principle of the *Bass Coast Aquatic Leisure Centre Feasibility Study – Final Draft Report* and the *Phillip Island Aquatic Leisure Centre Feasibility Study – Final Draft Report* (the feasibility studies) and the *Economic and Funding Strategy*.

The feasibility studies have been prepared in order to guide the future design and ongoing operations of the aquatic and leisure centres proposed to be constructed in Wonthaggi and Cowes.

Community consultation has been completed on the feasibility studies and feedback has been collated into the final draft reports.

An Economic and Funding Strategy has also been prepared to support funding applications and advocacy work.

Adoption in principle of the feasibility studies and the Economic and Funding Strategy will progress the project to the next phase of planning.

Background

In 2015 Council adopted the *Bass Coast Aquatics Strategy (2015-2024)* that recommended the redevelopment of the regional Bass Coast Aquatic and Leisure Centre and the construction of a new district aquatic leisure centre at Phillip Island.

In 2020 Otium Planning Group were appointed by Council to further this recommendation by developing feasibility studies and concept plans for both facilities.

Recommendations of the feasibility studies have been based on evidence, population data, growth projections, environmentally sustainable design options, best-practice and current aquatic and leisure facility operational cost data.

As such, the recommendations of the feasibility studies are supported by:

- Servicing the requirements of current and future populations of the shire
- Providing an economically sustainable facility operational model
- Providing for the latest industry aquatic and leisure trends
- Ensuring the facilities are environmentally sustainable

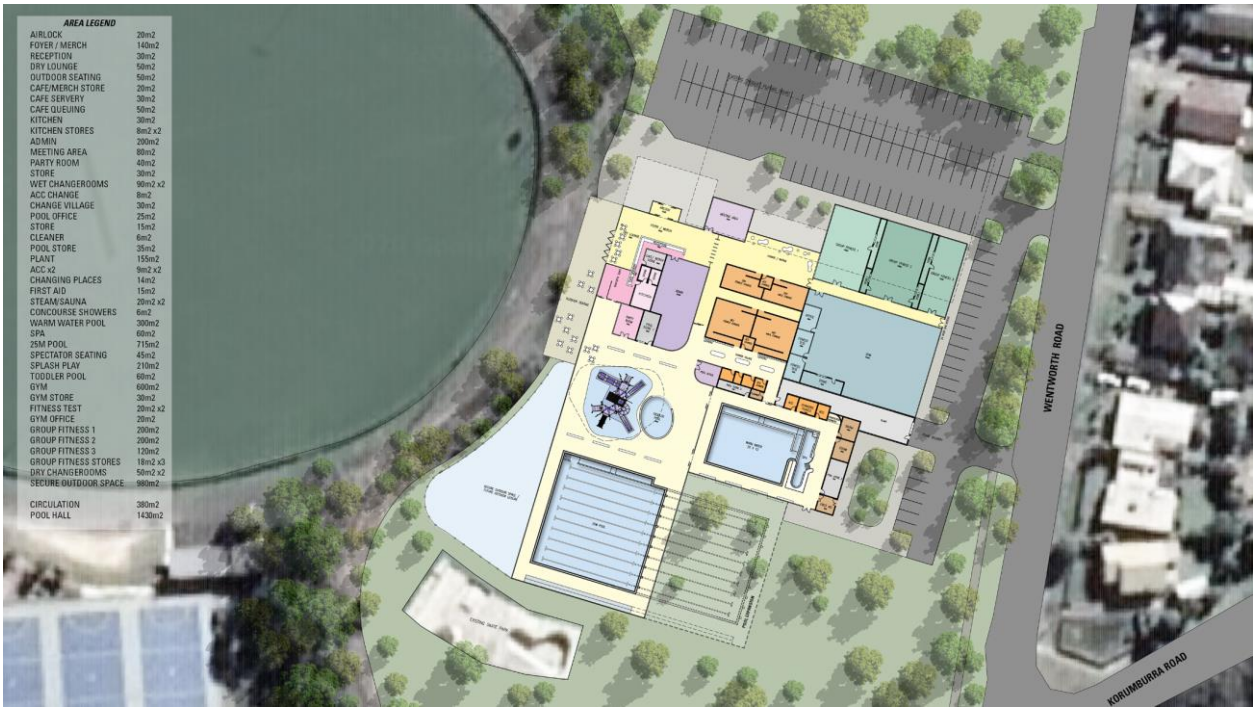
- Enabling a robust Funding Strategy to attract significant external funding towards the delivery of both facilities.

In 2021 Otium Planning Group completed an Economic and Funding Strategy that identified the economic benefit of the construction and operation of the two aquatic centers to the Shire and funding opportunities available to Council. The Strategy will guide Councils advocacy work and support funding applications.

Aquatic and leisure facilities play an important role in contributing to the health and wellbeing of our communities. They provide opportunities to engage in a physically active lifestyle and contribute to positive mental and social health outcomes. They are essential to the social fabric of communities, particularly in growth and regional areas such as Bass Coast, and this is evidenced by the strong community interest in aquatic facilities.

The purpose of the feasibility studies and the economic and funding strategy is to guide future decision-making relating to the regional Bass Coast Aquatic and Leisure Centre in Wonthaggi and a new district aquatic and leisure Centre in Cowes, Phillip Island. Each feasibility study recommends leisure and aquatic components that are based on population data, growth modelling and best-practice industry trends.

In May 2021 Council Meeting Council resolved to release the Draft Bass Coast Aquatic Leisure Centre Feasibility Study and the Draft Phillip Island Aquatic Leisure Centre Feasibility Study to community consultation.

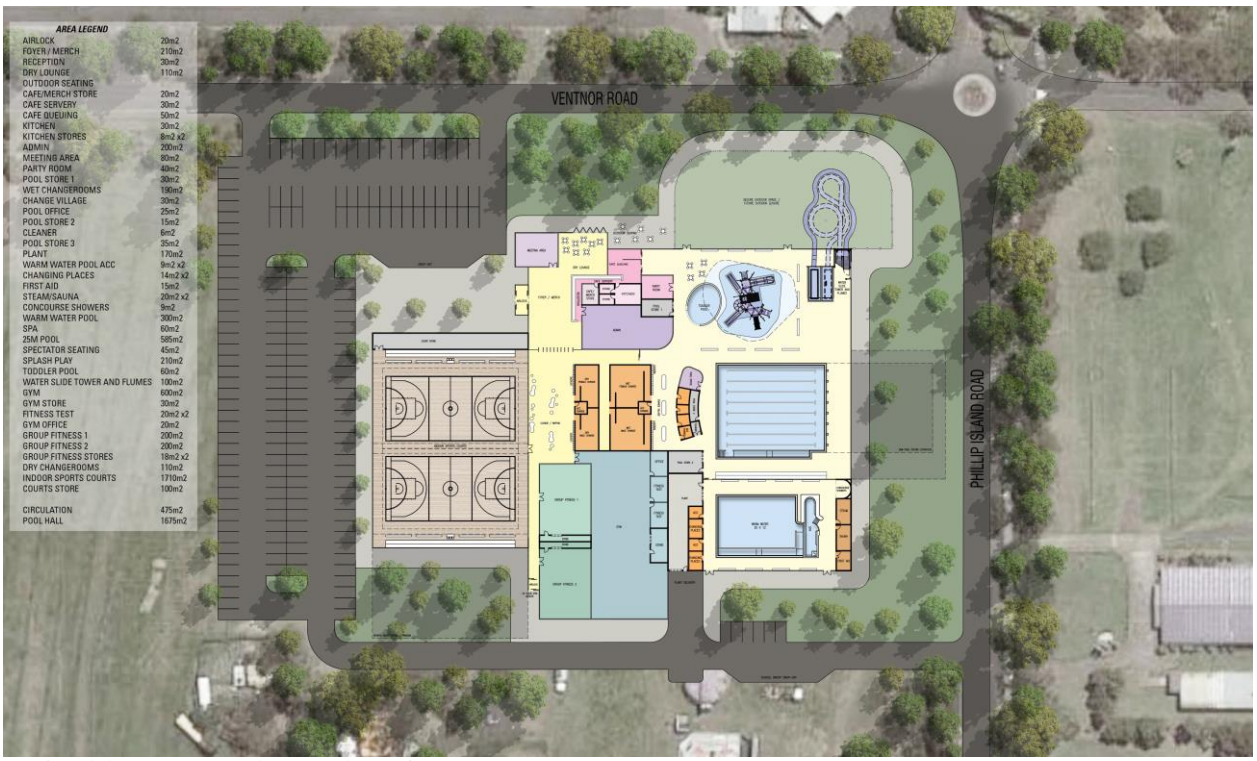


Draft BCALC concept

Area	Component	Current	Proposed
Aquatics	Competition pool	25m x 6 lanes	25m x 10 lanes
	Warm water, learn to swim pool	Small toddlers pool 5m x 4m	20m x 12m with moveable floor
	Water play	Small toddlers pool 5m x 4m	23m x 23m splash pad, Toddlers pool 60m2

	Spa and sauna	Not provided	Spa, and dry and steam sauna
	25m pool spectator area	Not provided	200 seats
	Storage	Small storage space	Large storage space
Health and Fitness	Gym/weights area	Small gym (18m x 11m = 198m2)	Large 24h gym (690m2)
	Program Rooms	3 x program rooms (1 x 198m2, 1 x 116m2 and 1 x 113m2)	3 x group fitness rooms (2 x 200m2, 1 x 120m2)
Front of House	Foyer/Reception and Administration	Shared space located to service both wet and dry areas	Foyer, merchandise, reception, lounge, café, kitchen, storage (370m2 total)
	Offices/Administration/Staff Rooms	Shared space	Offices, work area, storage, staff amenities (200m2)
Indoor Sports	Indoor Sport Courts	Single court stadium	No future indoor sports courts proposed now that Wonthaggi Secondary Courts constructed
Amenities	Wet and dry change rooms	Shared wet and dry change	Separate wet and dry change, 2 x changing places (374m2)

BCALC Component Table



Draft Phillip Island Aquatic and Leisure Centre

Area	Component	Current	Proposed
Aquatics	Competition pool	Not provided	25m x 8 lanes
	Warm water, learn to swim pool	Not provided	20m x 12m with moveable floor
	Water play	Not provided	23m x 23m splash pad, Toddlers pool 60m2
	Covered in Water Slides and Tower	Not provided	2 slides 120m to 130m long off 12m tower
	25m pool spectator area	Not provided	100 seats
	Storage	Not provided	Large storage space
	Spa and sauna	Sauna	Spa, and dry and steam sauna
Health and fitness	Gym/weights area	Small gym	Large 24h gym (600m2)
	Program Rooms	2 x program rooms (1 x squash court, 1 x group fitness)	2 x group fitness rooms (2 x 200m2)
Front of house	Foyer/Reception and Administration	Shared space located to service both wet and dry areas	Foyer, merchandise, reception, lounge, café, kitchen, storage (370m2)
	Offices/Administration/Staff Rooms	Shared space	Offices, work area, storage, staff amenities (175m2)

Indoor sports	Indoor Sport Courts	Single court, 2 x squash courts	2 x sports courts, no squash courts
Amenities	Wet and dry change rooms	Shared wet and dry change	Separate wet and dry change, 2 x changing places (374m2)

PIALC Component Table

Strategic Basis

Council Plan Strategic Objective:

Healthy Community - *An inclusive community that embraces its lifestyle and supports health and wellbeing*

Governing Documents

The feasibility studies and the Economic and Funding Strategy reference the following strategies and policies:

- Bass Coast Aquatic Strategy 2015 to 2024
- Active Bass Coast 2018
- Community Engagement Policy 2021

Statutory Requirements/Codes/Standards/Policies

The Community Engagement Policy 2021 outlines Council's commitment regarding community engagement and aims to increase Council's performance in relation to community engagement. It includes the requirements of the *Local Government Act 2020*.

Discussion

Community consultation was conducted between 26 May 2021 to 4 July 2021. A number of communication methods were used to inform the community and stakeholders that the consultation period had begun and to provide information about changes to the engagement activities. These included phone calls, emails/letters to stakeholders, media releases (x 3), Council's social media (5 Facebook posts), Mayor's Message (mentioned 3 times), on site signage at the leisure centres and a dedicated website containing frequently asked questions (FAQ), videos, the draft feasibility studies, concept plans and the community consultation presentation.

During the consultation period feedback was collected through an online survey questionnaire, written and verbal submissions, dedicated stakeholder and community group consultation sessions and community drop-in sessions. Broad community feedback was sought, with Council officers also targeting user groups of the facilities, schools, stakeholders and key industry stakeholders. Council officers also completed benchmarking of 11 other aquatic centres and conducted site visits to 3 facilities to gather insights.

At the conclusion of the consultation period the community reach included:

- 7 local newspaper articles
- 19 written submissions
- 20 different key stakeholders and user groups met with

- 81 attendees to the drop-in sessions (including one online session)
- 453 survey responses
- 2,553 website visits
- 13,648 social media views

Community feedback indicated overwhelming support of the concepts and is summarised below.

BCALC – Most Popular Components

1. Lap Pool 51.48%
2. Warm Water Pool 38.92%
3. Café 36.45%

PIALC – Most Popular Components

1. Lap Pool 64.59%
2. Warm Water Pool 54.78%
3. Café 46.41%

BCALC – Missing Components

1. Nothing 70%
2. 50m pool 11.4%
3. Underwater hockey 2.2%
4. Separate Warm Water 2%

PIALC – Missing Components

1. Nothing 71%
2. 50m pool 8.6%
3. Separate Warm Water 6.6%

Summary of Concept Components

Feedback received was collated, analysed and considered to allow council opportunity to respond to the key feedback as seen below.

Summary of Key Feedback	Design Response
For Bass Coast Aquatic and Leisure Centre	
Wonthaggi Croquet Club relocation	Plan relocation pending final location and design of BCALC.
FINA accreditation for competition pool	Great for swim club. Would provide point of difference. Incorporate into detailed design.
Larger spectator area for competition pool	Would increase capex and opex. Consider further at detailed design.
Storage & clubrooms for SGB swim club	Storage provided. Current specified 'meeting area' or 'pool office' or 'party room' to be considered as a shared space.
Allied health suites	Would need to meet standards/code, cannot be a shared space. Not a high demand. To be considered further at detailed design.
Separate warm water & learn to swim pools	Would increase capex (~$4M) and opex. Specified warm water pool is very large (nearly same as current BCALC pool). Not recommended, good programming will cater for all users.

Hydrotherapy pool	Educate the community what hydrotherapy is – very specialised. Specified warm water pool provides for therapy. Not recommended, but could provide future space allocation for separate learn to swim pool.
50m pool	Increase capex (~$8M) and opex (~$250K). Catchment population of 70,000-100,000 required for it to be financially viable. Not recommended but future space allocation provided.
Flexible space for group fitness classes	Acoustics issue with operable walls for flexible spaces. Consider further at detailed design.
Re-purpose existing centre	Separate project to be completed at a later stage.
Underwater hockey specs for competition pool	Would increase capex and opex to meet specifications, may prohibit other uses, i.e. FINA accreditation. Consider further at detailed design.
Hooks in competition pool for ~lane width/length	Would increase flexibility of use, no impacts to other uses, incorporate at detailed design.
Café and Reception as connected space	Currently specified. Provides flexibility in staffing.
For Phillip Island Aquatic and Leisure Centre	
Separate/independent stadium for basketball	Decrease capex but increase opex. Would provide basketball club flexible long term use.
Siting on corner; site needs a master plan	To be completes as part of the Phillip Island Recreation Hub project.
Flexible space for group fitness classes and gymnastics	Acoustics issue with operable walls for flexible spaces. If no stadium may need dedicated space for gymnastics. Consider further at detailed design.
Storage & clubrooms for PI swim club	Same as for BCALC.
Separate warm water & learn to swim pools	
Hydrotherapy pool	
50m pool	
Underwater hockey specs for competition pool	
Hooks in competition pool for ~lane width/length	
Café and Reception as connected space	

Summary Key Feedback Responses

The Economic and Funding Strategy was completed in December 2021 and provides Council an economists report detailing the economic, social, and health benefits of both BCALC and PIALC that will support advocacy bids. The strategy also identifies and recommends grant funding opportunities available to assist with construction of the facilities.

Two aquatic centres are needed to service the increasing population (including older adults), improve health and wellbeing outcomes and provide essential life skills such as learning to swim. Combined project benefits include 222 direct jobs generated during construction, 56 FTE jobs during operation and a health benefit to the community of $17.8 million. The aquatic industry is a key driver of social benefit for Australians providing a return on investment of $2.18 for every $1 spend on aquatic facility operations in regional Australia.

An advocacy document has been prepared to summarise the Strategy into a concise report that will be presented to Ministers to gain election funding promises. The Aquatic facilities are dependent on significant government support to enable delivery of the project. Council continue to advocate to the State and Federal Government to deliver this two-pool strategy.

Sustainability Implications

The Feasibility Studies have investigated sustainable opportunities options during design, operations, and construction stages for both centres. As the project progresses, council officers will continue to investigate additional options during design and construction.

The Economic and Funding Strategy provides council an economists analysis of the social, health and economic benefits of the project.

Finances

The costs designated to the feasibility studies and economic and funding strategy were included in the 2020/2021 Council budget.

Stakeholders

- Key stakeholders – Wonthaggi Croquet Club, Phillip Island Aquatic Centre Fund (PIACF), YMCA, federal and state government Ministers and their departments, including sporting bodies (e.g. Sport and Recreation Victoria)
- Primary user groups – swim clubs, swim schools, associations that primarily use aquatic and leisure facilities
- Schools – schools of Bass Coast that use or may use the facilities
- Sporting clubs – for example football, netball, cricket and soccer cubs that may use the facilities
- Other user groups or interested groups – various other community groups and the community at large
- Internal stakeholders – Councillors and Council officers

Conclusion

Following the adoption of the Bass Coast Aquatics Strategy in 2015, that recommended the redevelopment of the Bass Coast Aquatic and Leisure Centre and the construction of a new district aquatic leisure centre at Phillip Island, feasibility studies have now been prepared for both centres.

Community and stakeholder feedback has been completed on the first draft feasibility studies and is now incorporated into the final draft of the feasibility studies.

The completion of an Economic and Funding Strategy provides Council strategic direction for advocacy and funding opportunities, demonstrating the economic benefits of Aquatic and Leisure Centres to the Shire.

It is recommended that Council adopts in principle the Bass Coast Aquatic Leisure Centre Feasibility Study and Phillip Island Aquatic Leisure Centre Feasibility Study – Final Draft Reports and adopts the Bass Coast Aquatics Economic and Funding Strategy.

Recommendation

That Council:

1. **Adopt in principle the Bass Coast Aquatic Leisure Centre Feasibility Study – Final**
2. **Adopt in principle the Phillip Island Aquatic Leisure Centre Feasibility Study – Final**
3. **Adopt the Bass Coast Aquatics Economic and Funding Strategy – Final.**

Attachments

AT-1	PIALC Feasibility Study Final Report	158 Pages
AT-2	Economic and Funding Strategy Final Report	70 Pages
AT-3	Bass Coast ALC Feasibility Study Final Report	105 Pages

Cr Leticia Laing left the meeting at 1.51pm

Cr Leticia Laing retruned to the meeting at 1.52pm

Council Decision

Moved: Cr. David Rooks / Seconded: Cr. Brett Tessari

That the recommendation be adopted.

CARRIED

H.5 Surf Beach Sunderland Bay Potential Special Charge Scheme Community Information Gathering

File No: **CM22/14**
Division: **Place Making**
Council Plan Strategic Objective: **Our Places**

Strengthening the connection between people and the public places they share

Declaration

The author has no direct or indirect interests in relation to this report.

Summary

The purpose of this report is to provide the results of the initial community engagement for the potential special charge scheme for road and drainage upgrade works at Surf Beach and Sunderland Bay estates. The initial engagement consisted of information gathering and community questionnaire. The report is provided so that a decision can be made in regards to whether Council should move to the Project Planning Stage of a road and drainage improvement project.

Initial engagement on potential road and drainage upgrade

The Surf Beach and Sunderland Bay estates are the next highest priority within Council's Urban Road and Drainage Improvement Policy Priority List. This area follows the Pioneer Bay Estate area and the infrastructure upgrades that have been undertaken there.

At this stage, no commitment has been made to undertake road and drainage improvements in the Surf Beach and Sunderland Bay area. The potential project has been initiated by completing the first step in the engagement process.

A letter inviting comments for the purpose of information gathering to better understand the road and drainage problems in Surf Beach and Sunderland Bay estates was sent to 1033 property owners on 21-25 October 2021. An interactive online engagement platform was utilised to collate all community feedback. The platform received 1164 comments from 205 property owners.

A questionnaire and accompanying letter was sent to property owners in the Surf Beach and Sunderland Bay estates on 23-26 November 2021, asking property owners if they agreed that road and drainage improvement works in the area were needed and if they would be prepared to contribute towards the costs. From 1033 property owners invited to respond there were 293 questionnaires received. 221 of 293 property owners responded that road and drainage improvements works in some form were needed. Of those that responded, 139 of property owners indicated that they would like the road and drainage upgrade to occur and would be willing to contribute towards the project. 154 of property owners responded indicating that they would not be willing to contribute towards the project.

Project Planning Phase

The potential next stage of the Special Charge Scheme project is the Project Planning Phase, which includes:

- Development of concept plans.
- Cost estimates, including the potential cost distribution between Council and property owners.
- Community engagement including community workshops, presentations and further questionnaires.
- Recommended concept designs and funding presented to Council for consideration on whether to proceed to legislative phase.

Before commencing work on the Project Planning Phase, this report has been provided to confirm Council is supportive of investing further into this project now that the level of community support is better understood.

Developing concept designs would also provide Council with functional layout options for projects that could be undertaken outside of the designated special charge scheme area.

This would enable Council to lobby for external funding from State Government agencies such as the Department of Transport (formally VicRoads) or Melbourne Water, towards these types of projects. This is irrespective of the outcomes of a future road and drainage project partly funded by a contribution from property owners in the area.

This report recommends that Council:

1. Proceed to the Project Planning phase which will include the preparation of concept plans, cost estimates and a distribution of costs, for a potential road and drainage upgrade project for the Surf Beach and Sunderland Bay estates.
2. Have the concept plans presented back to Council at a later date for consideration.

Background

Prior to the implementation of the Town Planning Act (circa 1970), Councils had no way of requiring developers to consider the social, environmental and cultural wellbeing of a community as part of proposed development. This meant there were a large number of residential areas throughout Victoria which do not meet the most basic of requirements under the planning schemes of today.

Upgrade of the extensive length of unmade roads and insufficient drainage within urban areas across Bass Coast would cost in the order of $144 to 192 million in today's dollars. This is based on 96.6 kilometres of roads on the unsealed urban road and drainage improvement program priority list at $1.5 to 2 million per kilometre.

Council has developed a priority list which prioritises all of the areas across Bass Coast that have unconstructed streets and inadequate drainage, with a view to upgrading these areas. The policy which guides these projects is Council's Urban Roads and Drainage Improvement Policy. The funding mechanism for these types of upgrades shall be adopted through Council resolution. Funding sources may include:

- direct Council contribution;

- external grants, funding or contributions;
- a special rate or charge in accordance with Section 163 of the Local Government Act 1989; and / or
- a combination of the above.

The special charge provisions allow for costs to be equitably attributed to those that receive a benefit.

The Surf Beach and Sunderland Bay estates are now the next highest priority in the priority list following the recent upgrades that have been undertaken at the Pioneer Bay Estate.

Online Engagement Platform

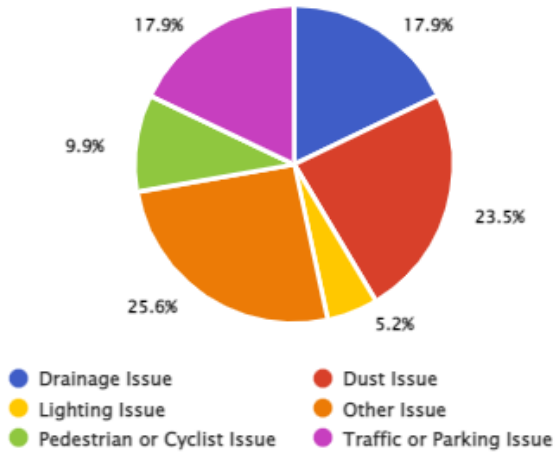
A letter inviting comments (information gathering) from the community about the road and drainage problems in Surf Beach and Sunderland Bay estates was sent to property owners on 21 October 2021 and an online engagement platform setup to collate all the comments. The letter and associated information provided are attached to this report (AT-1).

The online engagement platform was setup to collect and share community perceived problems in the estate such as dust, flooding, traffic dangers, pedestrian safety and lighting concerns. Phone calls, letters and emails were also welcomed from property owners who didn't have access to the online platform. All comments were recorded and shared online by Council staff with access to the platform. The information gathering stage purposefully preceded the questionnaire regarding the special charge scheme so that the property owners could review the problems in the estate collectively, thus being more informed prior to filling out the questionnaire.

The problems raised by the community on the online platform could be categorised in a map based view showing the comments and conversation added by the property owners. Many property owners also added comments and questions in regards to the potential scheme as well, such as concerns about cost, being in favour, or not and what the upgrade may eventually look like. The online portal ran from 21 October to 22 December 2021. The platform received 1164 comments from 205 property owners. There were 4465 visits to the page over the engagement period from 964 unique users. The average time each unique use spent reviewing the comments made by others was 4min 13sec.

Other feedback collected during this engagement included emails from 75 property owners, letters from 41 property owners and phone calls from 49 property owners.

The percentage split of problems identified in the estate are shown below:



The 'other' category comprised of a variety of topics such as retaining the estates unique characteristics, wildlife impacts, underground power, rubbish dumping, the scheme proceeding or not, concerns about cost of the scheme and some incorrectly categorised concerns.

The issue raised most consistently by the community was dust with nearly a quarter of comments relating to this. The next highest level of issues raised in order were related to drainage, traffic and parking issues and pedestrian or cyclist issues. Lighting issues were the least made and some comments requested not to increase lighting due to a negative impact on the shearwater bird migration and light pollution to night sky views.

Issues raised spread across both estates are shown in map view and attached (AT-2). There were more concerns raised on the north west side of the estates as compared to the south east for most issues.

The online platform provided officers with detailed and specific local information on issues that can be addressed through the design of the project. In turn, it gives property owners the unique opportunity to have input in relation to their specific needs and share those concerns with the overall community.

Questionnaire

A questionnaire and accompanying letter was also sent to property owners in the Surf Beach and Sunderland Bay estates on 23-26 November 2021, asking property owners if they agreed that road and drainage improvement works in the area were needed and if they would be prepared to contribute towards the costs. Questionnaires were to be returned by 22 December 2021. Questionnaires returned later than the closing date have still been included in the results.

The results of the questionnaire give insight as to whether objections from property owners are due to a belief that the works aren't required or because they are unwilling to contribute financially to the project. The questionnaire and association information sent to property owners is attached to this report (AT-3).

The results were as follows:

- 293 responses received (28% of 1033 property owners)
- 152 (52% of response) agreed that there is a need for road improvements such as sealing roads.
- 175 (60% of responses) agreed that there is a need for drainage improvements such as installing an underground drainage network to reduce the likelihood of flooding.
- 109 (37% of responses) agreed that there is a need for pedestrian safety improvements such as installing concrete footpaths in various locations.
- 128 (44% of response) agreed that there is a need for traffic safety improvements such as installing speed humps and local area traffic management treatments.
- 93 (32% of responses) agreed that there is a need for street lighting improvements such as more, or less, street lights or lower carbon emission or less bright lights
- Combining questions 1-5, there were 221 (75% of the responding property owners) see there is one of the above infrastructures needing to be upgraded.
- 139 (47% of responses and 13% of the 1033 property owners) expressed that they would like the road and drainage upgrade to occur and would be willing to contribute towards the project.
- 154 (53% of responses and 15% of the 1033 property owners) expressed that they would not be willing to contribute towards the project.
- 140 (48% of responses) expressed they would likely require additional financial assistance due to financial hardship.

A confidential map based summary of all responses is attached (AT-4).

In total, counting phone calls, emails, letters, online feedback and questionnaires, there was feedback provided from 474 of the 1033 property owners in some form. Although this only accounts for 46% of property owners, each property owner within the Surf Beach and Sunderland Bay estates have had the opportunity to express their position.

Further to the questionnaire results, it should be noted that there were also 49 (5%) property owners that wrote or phone called to express an objection to the scheme at Surf Beach and Sunderland Bay estates, that did not specifically fill in the questionnaire provided. The total number of potential objections to the scheme is 203.

Strategic Basis

Council Plan Strategic Objective:

Our Places - *Strengthening the connection between people and the public places they share*

Governing Documents

The Local Government Act 1989 and the Road Management Act 2004 set out the statutory obligations that Council has in respect of local roads within the municipality.

There is no statutory obligation for Council to upgrade infrastructure within the Surf Beach and Sunderland Bay areas.

Bass Coast Planning Scheme (VC205)

Under the current Bass Coast Council's Planning Scheme, there are a number of key objectives that each new development needs to achieve prior to it being approved. These objectives are around landscape character, settlement and neighbourhood character.

In Clause 11.01-1L-15 of the Bass Coast Planning Scheme there is an action which this project specifically addresses. With regards to settlement in the Surf Beach and Sunderland Bay local area, the following is stated:

- Increase the level of infrastructure provided in each estate

In Clause 2.0 of the Bass Coast Planning Scheme there is an action which this project specifically needs to address. With regards to landscape character in the Surf Beach local area, the following is stated:

- To improve the clarity of edges to settlements and ensure the retention of the undeveloped, rugged coastal landscape between them, particularly west of Smiths Beach, and between Smiths Beach and Surf Beach.

In Clause 15.01-5L of the Bass Coast Planning Scheme there is an action which this project specifically needs to address. With regards to neighbourhood character in the Surf Beach and Sunderland Bay local area, the following is stated:

- Protect the scale and character of Sunderland Bay and Surf Beach.

Asset Management Policy 2017-2021

The intended outcomes of the policy, and the processes that support it, will facilitate:

- Achievement of the management objectives for community, infrastructure and operational assets to meet the present and future needs of the community;
- Custodianship of nature and heritage assets in perpetuity;
- The rationalisation of existing assets and the development of appropriate new assets to meet the needs of the Bass Coast community for services at an appropriate level now and in the future;
- The development or enhancement of the community capital of the Shire;
- Delivery of assets at the right cost, at the right time with the right standard;
- A service planning approach becoming a way of life at Bass Coast Shire; and
- Development of appropriate system, procedures and controls to enable the above.

Urban Roads and Drainage Improvement Policy 2019

The main policy which guides the implementation of projects such as this is the Urban Roads and Drainage Improvement Policy. The objectives of this policy are;

- Establish Council's commitment to:
    - improve the liveability of the built and natural environment by endeavouring to provide effective upgrades in urban infrastructure that meet the needs of an increasing population;

- enhance economic, social, environmental and cultural wellbeing of the community and ensure increasing community expectations are considered in decision making;

- Ensure that infrastructure upgrades aid the achievement of the Council Plan, Planning Scheme and related Asset Management Plan objectives;
- Enable and ensure the effective planning and implementation of urban road and drainage infrastructure upgrade projects by defining the principles to be applied.

The intended outcomes of the policy are:

- Enable a robust and impartial priority based system for allocating finite Council resources for investment in urban road and drainage improvement projects;
- Ensure that investment is undertaken in a financially sustainable manner and with the wellbeing of the Bass Coast community in mind; and
- Enhance transparency and public confidence in Council's decision making process surrounding urban road and drainage improvement projects.

Capital Investment Policy 2019

This policy provides a means of appraising proposed investment into infrastructure and assets, as well as setting priorities within the context of the long-term Capital Works Program (CWP) to address strategic service delivery needs. The objectives of this Policy are to:

- Ensure capital investment aids the achievement of the Council Plan, informs the development of a long-term financial plan (LTFP) and a CWP aligned to service needs;
- Ensure capital investment delivers the greatest possible improved service outcomes while minimising the quantum of capital required, in accordance with the best value principles;
- Ensure capital investment is undertaken in a financially sustainable manner and in accordance with Council's Asset Management Policy 2017-2021 and a lifecycle cost evaluation that identifies the asset's design, construction and maintenance costs and operating cash flow requirements and depreciation, over the course of the LTFP; and
- Enable and ensure the effective planning and implementation of capital investment and capital works projects.

The intended outcomes of the policy are:

- Enable a robust and impartial priority based system for allocating finite Council resources for investment in infrastructure and assets;
- Ensure that investment is undertaken in a financially sustainable manner and in accordance with best practice asset management principles; and
- Enhance transparency and public confidence in Council's decision making process surrounding investment of capital.

Discussion

A comparison between questionnaires and the level of support from property owners for other special charge schemes at Pioneer Bay, Sunset and Cape Paterson has been shown in Table 1. There is a common theme that there will be a high proportion of the community that do not comment or respond to the questionnaires. There also appears to be a consistency that the amount of objectors in the initial questionnaire does not significantly increase from the questionnaire stage through to the declaration stage. The Pioneer Bay special charge scheme is a good example of this.

Note that the third questionnaire at Sunset Strip estate was asking for a preferred scheme size and options, not specifically whether the community objected, but there were still objections submitted at this time, so were recorded. This would account for why the third questionnaire resulted in a much lower number of objectors than the first and second questionnaires.

From research of the potential Cape Paterson special charge scheme, it appears that the questionnaire was not sent to all property owners but only handed out to those that attended the information sessions. 41% of property owners attended. This would account for the much lower number of initial objections.

- **Table 1: Special Charge Scheme questionnaire comparisons**

Estate	Properties	Responses	Is there a need to upgrade?	Willing to contribute?	Objectors
Sunderland Bay / Surf Beach (Nov 2021)	1033	293 (28%)	221 (21%)	139 (13%)	203 (20%) 154 (through questionnaire and 49 (other means)
Pioneer Bay - Questionnaire (Aug 2015)	228	104 (46%)	70 (31%)	54 (24%)	50 (22%)
Pioneer Bay - Declaration (Feb 2018)	227	100 (44%)			52 (23%)
Sunset Strip - Questionnaire 1 (July 2014)	346	195 (56%)		56 (15%)	139 (40%)
Sunset Strip - Questionnaire 2 (Oct & Nov 2014)	346	220 (63%)	114 (33%)	51 (15%)	163 (47%)
Sunset Strip - Questionnaire 3 (April 2016) – this was only an option selection, not a specific question of supporting the scheme or not.	344	192 (56%)			84 (24%) Objections noted, but wasn't a specific question

Cape Paterson – questionnaire only handed out at Information Sessions to 192 property owners (Apr – May 2013)	**469 properties, but only questioned 192 (41% property owners)**	**219 (47%)**	**78 (17%)**	**66 (15%)**	**153 (33% of property owners) (80% of 219 responses)**
Cape Paterson – declaration (Mar 2014)	470				301 (64%)

The amount of properties owners in Surf Beach and Sunderland Bay that may respond and object to the potential special charge scheme if it was declared in the future may be approximately 15-20% of the overall estates, which is well below the critical 50% of objections which would then have the scheme abandoned.

Continuing with this project would show further Council commitment to the design of drainage works associated with this project and help to encourage additional financial commitment from stakeholders such as Melbourne Water.

Continuing with this project would also show further Council commitment to the design of traffic access improvements associated with Phillip Island Road and encourage additional financial commitment from stakeholders such as the Department of Transport (formally VicRoads).

The manner in which the community engagement has been undertaken for this project has avoided drop in sessions and community gatherings in person. This was due to Covid19 restrictions and lockdowns in Melbourne preventing meeting in person. An added benefit of the online engagement was the accessibility for property owners who did not live in the area. There are 708 (69%) of properties that had a mailing address outside of postcode 3922 (see map below).



Most participants spoken to regarding the online engagement platform expressed that the method of engagement worked very well for them. It was simple to use, they could log on during a time that suited them and they didn't need to travel or mix with other community members during the Covid19 restrictions. It also provided a transparent platform for them to view and comment on the other community members opinions on issues raised. This particularly suited a large proportion of property owners that do not permanently reside in the properties and use these properties as either holiday homes or rentals.

The style of this community engagement limited the amount of negative interactions between community members. The engagement method provided a new innovative improvement to the style of community engagement undertaken for special charge schemes for Bass Coast Shire Council and can be considered in future large scale projects such as this.

Sustainability Implications

Economics

There was 140 (14%) of property owners responded expressing they would likely require additional financial assistance due to financial hardship. This will need to managed through Council's financial hardship program.

Social

There was evidence in the questionnaire that the community is of the opinion that upgrades in some form are needed in the area, with 75 percent of the responding property owners agreeing that one of the infrastructure options, such as roads, underground drainage, traffic calming, pedestrian paths or lighting need to be upgraded. Although there were community responses concerned that by upgrading the estates that some unique character such as unsealed roads, no footpaths, no kerb and channel are lost, there is much more support in the community to undertake an improvement project. Enhancing landscaping and using strategies to promote a more natural look to the streetscapes through the design process will minimise the impact socially to those concerns about the loss of unique characteristic.

Environment

The majority of the stormwater flow from Surf Beach and Sunderland Bay estates flows under Phillip Island Road to the north into Western Port Bay, which is a protected Ramsar wetland site. Although the potential improvement works will be outside of the Western Port Ramsar site, the downstream stormwater outfall will flow into the Western Port Ramsar site. Installation of underground drainage and associated wetlands will align with the Western Port Ramsar Site Management Plan developed by DELWP and agency partners. Installing gross pollution traps and wetlands will assist to remove rubbish, and reduce sediments, nutrients and toxicants that come from urban areas. The installation of additional wetlands will also promote the potential increase in some threatened vegetation and animal species. The installation of an underground stormwater network will also assist by reducing the number of illegal connections of stormwater pipes into the underground sewerage system, thus reducing the risk of downstream overflows of the sewerage pumping station that would flow into the Westernport Bay.

Climate change

The influence of climate change can be modelled and analysed through the design stages of the project. This can be modelled by using a higher intensity storm event and higher sea levels through drainage calculations and may result in slightly larger pipe sizes and wetlands, thus potentially increasing cost. Options of developing infrastructure design for climate change can be assessed utilising methods such as Asset Vulnerability Assessment tools.

Finances

Council allocated a budget of $191,754 as part of the 2021/22 Capital Works Program to undertake Project Initiation and commence the Project Planning stage of this project. There is remaining unspent funds that can be utilised to progress the Planning Stage for the remainder of 2021-22 financial year. Additional funding of $315,408 to continue the Planning Stage into 2022-23 is included for consideration in Council's Draft Capital Works Program and is subject to Council decision.

Should the project proceed, 14 percent of respondents to the survey indicated that they are likely to require financial assistance.

Stakeholders

Key stakeholders within this project include Surf Beach and Sunderland Bay estate residents and property owners, other ratepayers of Bass Coast Shire, properties owners downstream of the urban area where the storm water will discharge to, visitors and tourists, utility companies, emergency services, Melbourne Water and the Department of Transport (formally VicRoads).

A community engagement process has been undertaken to collate and share the road and drainage concerns of property owners and a follow up questionnaire distributed to understand whether the community is supportive and willing to financially contribute to a potential improvement project or not.

Other key stakeholders, such as the property owners north of Phillip Island Road where a potential wetland site may be situated, Melbourne Water, utility services and the Department of Transport have had been consulted with to inform them of the potential project and understand any concerns they may have.

Other Options

Do not proceed to project planning stage

This option is not recommended given community feedback and anecdotal evidence by Council's maintenance staff indicating that there are a broad range of drainage, dust and road safety concerns in the Surf Beach and Sunderland Bay estates that need to be resolved.

Council's current policy is these issues are resolved through works that are undertaken as part of an Urban Road and Drainage Improvement project.

Not continuing with the project may leave a large number of property owners experiencing inundation, road safety concerns and ongoing dust issues into the future. It is also likely with the residential development increasing in this estate, these drainage issues may get worse in the long term.

Conclusion

The Surf Beach and Sunderland Bay estates are the next highest priority in Council's Urban Road and Drainage Improvement Policy priority list for infrastructure upgrades to be undertaken.

A large number of property owners are currently experiencing drainage, dust and traffic safety issues. It is likely with the residential development increasing in the estate, that drainage, dust and traffic safety issues may worsen in the long term.

Questionnaires were sent to all potentially affected property owners to gauge the community's view towards contributing to a potential road and drainage improvement project.

The results of this survey show that 75% of responding landowners have indicated that they see a need for some form of infrastructure upgrades. There is a low amount (15-20 percent) of property owners that may object to this project if and when it is declared in the future.

The development of concept designs, including the consultation process that will be used through this process will provide all property owners with more detailed information in order to indicate their support for the project. The development of cost estimates and distribution of costs, which would also be included in this process, will provide Council with a more definite understanding of the financial assistance some property owners may require should the project proceed.

Continuing with the project would enable Council to lobby for external funding from State Government agencies such as the Department of Transport (formally VicRoads) or Melbourne Water, towards these types of projects. This is irrespective of the outcomes of a future road and drainage project partly funded by a contribution from property owners in the area.

Based on an analysis of the information received, it is recommended that Council move to the next phase (Project Planning Stage) of a potential road and drainage improvement project based on:

- This project aligns with the objectives of the Urban and Drainage Improvement Policy
- 75% of the surveys received highlighted a need for some form of infrastructure upgrades.
- 47% of property owners that returned the survey are willing to financially support the project.
- Based on previous SCS projects history, the amount of objections at a future scheme declaration is likely to be in the order of 15-20%, which is less than 51% (legislative amount required to quash the project).
- Maximising the opportunity to permanently resolve infrastructure issues by engaging Surf Beach and Sunderland Bay property owners to develop infrastructure design solution options.

The Project Planning Stage flowchart is attached to this report (AT-5).

Once concept plans and costings have been developed with the community, a further report would be presented to Council outlining design options together with the cost implications for both Council and the community.

Recommendation

That Council:

1. **Proceeds to the Project Planning phase which shall include the preparation of concept plans, cost estimates and distribution of costs, for a potential urban roads and drainage improvement project in Surf Beach and Sunderland Bay estates.**
2. **Have the concept plans presented back to Council at a later date for consideration.**

Attachments

AT-1	Information gathering letter to residents	6 Pages
AT-2	Social Pinpoint maps	7 Pages
AT-3	Questionnaire	10 Pages
AT-4	***CONFIDENTIAL*** - Questionnaire results map	7 Pages
AT-5	Timelines flowchart	1 Page

Council Decision

Moved: Cr. Bruce Kent / Seconded: Cr. Clare Le Serve

That the recommendation be adopted.

CARRIED

H.6 Response to Petition - Road Surfaces

File No:	**CM22/90**
Division:	**Place Making**
Council Plan Strategic Objective:	**Our Places**
	Strengthening the connection between people and the public places they share

Declaration

The author has no direct or indirect interests in relation to this report.

Summary

The purpose of this report is to provide a response to a petition received by Council in relation to Road Surfaces at Surf Beach.

A petition was received by Council at the 21 July 2021 Council Meeting regarding *Petition – Road Surfaces*

Council resolved at the 21 July 2021 Council Meeting:

1. *That the petition be received and lie on the table until a future meeting of Council.*
2. *That the head petitioner be advised of Council's decision.*

This report recommends thanking the head petitioner and advising them of the following.

That Council:

- Continue the temporary traffic calming signage as a trial until April 2022 and the measuring of its effectiveness.
- Conduct a study to determine future management and treatment options for the interim treatment of Bass Coast Shire's unsealed urban road network.
- Continue to upgrade its road network in accordance with the Urban Roads and Drainage Improvement Policy 2019.

Background

At the 21 July 2021 Council Meeting a petition containing 87 signatures was presented to Council (refer AT-1). The petition reads:

We, the undersigned, are property owners at Surf Beach and Sunderland Bay on Phillip Island.

We are calling upon the Council to take immediate action to install traffic calming measures such as temporary speed bumps on Batman Ave. and The Esplanade where sealants have been removed, resulting in increased levels of dust. These levels will rise further during the dry, busy warmer months.

Batman Ave. is the main access road from Phillip Island Rd. to the beach. Sealant has now been removed from Zephyr St. through to Glen St. on the Esplanade. These roads carry vehicles which often travel at speed. Speed signs have no impact.

There is ample and conclusive medical research that proves that dust can have a detrimental effect on human health.

We understand that he Council intends to commence community consultation re the making of roads on the estate, but that process will take years. Traffic calming is need in the interim.

Council resolved at the 21 July 2021 Council Meeting:

1. That the petition be received and lie on the table until a future meeting of Council.
2. That the head petitioner be advised of Council's decision.

This report responds to the first part of that resolution.

Strategic Basis

Council Plan Strategic Objective:

Our Places - *Strengthening the connection between people and the public places they share*

Governing Documents

Council's Asset Management Policy and Strategy 2017

Council's Road Management Plan 2017

Council's Road Asset Management Plan 2019-2023

Council's Urban Roads and Drainage Improvement Policy 2019

Local Government Act 1989, 2020

Road Management Act 2004

The *Road Management Act 2004* requires Council to prepare a Road Management Plan. This was adopted by Council in 2017.

Discussion

Road Management Approach

Council's position in maintaining and upgrading road infrastructure in urban areas is confirmed via the *Urban Roads and Drainage Improvement Policy 2019*. This Policy has been developed to work towards improved conditions for all residential areas across the shire.

The Policy confirms Council's strategic and operational approach to upgrading unsealed roads and drainage in urban areas. It sets out to permanently resolve unsealed road and drainage issues for approximately 5300 affected properties in Bass Coast.

The Urban Roads and Drainage Upgrade Program is the mechanism that stipulates the order road conversion is to occur within the shire. The Policy aims to ensure that all communities receive benefits that come with good quality infrastructure.

Existing Conditions

Traffic analysis is underway that will determine vehicle number and speeds within Surf Beach and Sunderland Bay. Traffic survey records from 2015 and 2017 indicate that most vehicles travel within default speed limits for urban areas (50kph) and the majority travel under 40kph on The Esplanade at Surf Beach.

Dust is a regular concern for residents across Bass Coast who reside in urban areas with unsealed roads. In response to health concerns, in 2020 the Assessments and Advice Environmental Public Health team at Environment Protection Authority (EPA) Victoria reviewed the product sourced for road making at Bass Coast. The assessment concluded the health risk to residents from occasional exposure to road dust would be considered low.

Current Status of Road and Drainage Upgrade Project

Surf Beach and Sunderland Bay is the current Urban Road and Drainage Upgrade Program project area. The initial engagement for a potential future road and drainage upgrade via a special charge scheme is in a process of information gathering. The engagement period started on 25 October 2021 and concluded on 22 December 2021.

All property owners were written to and encouraged to provide their feedback on concerns related to roads, drainage, footpaths, traffic and environmental issues. Based on the initial engagement results, Council will consider whether to proceed with further planning and engagement for a potential special charge scheme to upgrade the infrastructure.

Following the legislative process prescribed in the Local Government Act 1989 and 2020, the project timeframe to deliver the works as a special charge scheme can be up to four years before construction begins.

Traffic calming investigation

Since the petition was received in July 2021, Council has carried out an investigation to determine any additional traffic calming treatments that could be implemented at The Esplanade and Batman Street in Surf Beach. The investigation considered:

- Onsite inspection of existing conditions
- Existing speed and traffic data
- Traffic engineering guidelines
- Existing signage intended to slow vehicles and reduce dust
- Unsealed road and drainage maintenance practices
- Environmental factors
- Costs of traffic calming treatments
- Effectiveness of treatments on slowing vehicles and creating a safer road environment
- Broader community use of treatments and consistency

The treatments considered were speed humps and spoon drains. It was determined that the treatments would need to be installed at 50 to 150 metre intervals on Batman Street and The Esplanade in order to be effective and reduce vehicle speeds. Supporting signage would also be required.

The treatments were estimated to cost approximately $7000 per treatment. The Esplanade and Batman Street are 3km in length and would require approximately 20 treatments, placing the overall cost at $140,000.

As the area was in the initial community engagement phase for a potential urban road and drainage upgrade, implementing this option could be considered to pre-empt what the community preferred treatment for traffic calming devices would be.

The option to implement speed humps or spoon drains are considered a short term interim treatment as any works undertaken prior to the future special charge scheme may require to be removed in the future. Additionally, this investigation highlighted significant expense for this treatment and it would not be recommended to implement this treatment more widely on the unsealed road network.

Consistency of Treatments

The community engagement phase highlighted that the same issues with dust were reported widely across the estates and not just confined to The Esplanade and Batman Street so installing infrastructure solutions such as speed humps are not considered an equitable approach to addressing the issue.

Dust and Pedestrian Warning Signage Trial

In response to the petition received and ongoing community concerns related to dust over the summer period and an increase to traffic in the area from holiday makers, a signage trial has been initiated. 32 dust and pedestrian temporary warning signs were designed in consultation with community members and installed in streets across Surf Beach and Sunderland Bay. The signage also advises motorists of a 20kph advisory speed and shared pedestrian zone.

The signage was installed on 20 January 2022 and it is intended to remain in place until after the Easter holiday period. Traffic counters have been installed across both estates to monitor vehicle speeds before, during and after the trial.

Council will receive a future report on the effectiveness of this trial and the treatments may be used again in the future or expanded to other areas if successful.

Sustainability Implications

There are no sustainability implications associated with this report.

Finances

There are no financial implications associated with this report.

Stakeholders

- Surf Beach residents and ratepayers in consideration of response to the petition
- Surf Beach ratepayers participating in initial engagement to determine need for a permanent infrastructure upgrade
- Bass Coast Shire Council
- Visitors to the area

Other Options

- Do not take any action regarding additional traffic calming. Maintain the shire wide approach and refer any upgrade works to be undertaken in accordance with the *Urban Roads and Drainage Improvement Policy 2019*. This would then focus on delivering permanent infrastructure through the urban road and drainage upgrade project. If the special charge scheme was successfully supported by the community, then the project timeframe for a permanent treatment will be at least four years away. Although this option was considered a temporary signage trial designed for traffic calming has been implemented.
- Install speed humps and spoon drains along The Esplanade and Batman Street at a cost of $140,000. This option is not recommended as it would pre-empt what the community preferred treatment for traffic calming devices are and also if installed, may be eventually removed if the special charge scheme was implemented in the future. Additionally, this investigation highlighted significant expense for this treatment and it would not be recommended to implement this treatment more widely on the unsealed road network.

Conclusion

Council's current policy is to bring all unsealed roads in urban areas up to modern standards and this is set out in the Urban Road and Drainage Improvement Policy 2019. Surf Beach and Sunderland Bay is the current upgrade program priority area. The initial engagement for a potential future road and drainage upgrade via a special charge scheme was conducted from 25 October 2021 until 22 December 2021. If initial engagement and planning progresses to a special charge scheme then the project timeframe from now to the delivery of works is minimum 4 years.

Council has investigated options for interim traffic calming treatments to be installed on Batman Street and The Esplanade. Installing speed humps and spoon drains was determined expensive to install as a temporary measure. Additionally the community engagement phase highlighted that the same issues with dust were reported widely across the estates and not just confined to The Esplanade and Batman Street so this was not considered an equitable approach either.

A dust and pedestrian warning signage trial has been implemented in response to this petition and ongoing community concerns. The effectiveness of the signage trial that involves 32 temporary signs is being measured before, during and afterwards. A report on the effectiveness of the trial will be prepared and depending on its success, similar treatments may be used in the future.

The concerns of dust and speed along urban unsealed roads across the shire is commonly raised by the public. The current approach is to refer to the Urban Road and Drainage Improvement Policy 2019, however for many communities, this is a long wait until their estate is reviewed in accordance with the priority list and no guarantee that their community will still receive the upgrade. An interim strategy to prioritise and recommend treatments to address the highest risk areas would provide a more understandable answer to the community and also create a consistent approach to how Council may undertake interim solutions requested in this petition.

Recommendation

That Council:

1. **Continue the temporary traffic calming signage as a trial until April 2022 and the measuring of its effectiveness.**
2. **Conduct a study to determine future management and treatment options for the interim treatment of Bass Coast Shire's unsealed urban road network.**
3. **Continue to upgrade its road network in accordance with the Urban Roads and Drainage Improvement Policy 2019.**

Attachments

AT-1	***CONFIDENTIAL*** - Petition request for traffic calming devices on roads from Sunderland Bay and Surf Beach Community Kay Nair	11 Pages

Council Decision

Moved: Cr. Rochelle Halstead / Seconded: Cr. David Rooks

That the recommendation be adopted.

CARRIED

H.7 Instrument of Appointment and Authorisation

File No:	**CM22/94**
Division:	**Business Transformation**
Council Plan Strategic Objective:	**Leading for our Community** Demonstrating leadership through good governance, transparency and accountability

Declaration

The author has no direct or indirect interests in relation to this report.

Summary

The purpose of this report is to recommend that Council resolve to appoint the named officers as an Authorised Officer under:

- *Planning and Environment Act 1987*

and approve the execution of the attached Instrument of Appointment and Authorisations. Council is also recommended to revoke authorisation to officers that no longer require it.

Instruments of Appointment and Authorisation are appointed to people, not positions.

Background

Council currently exercises its powers to appoint Authorised Officers.

Strategic Basis

Council Plan Strategic Objective:

Leading for our Community - *Demonstrating leadership through good governance, transparency and accountability*

Governing Documents

Section 313 Proceedings of the *Local Government Act 2020*.

Section 188 Planning authorities and responsible authorities may delegate powers of the *Planning and Environment Act 1987*.

Section 242 Authorised Officers of the *Environment Protection Act 2017*.

Discussion

Authorisation facilitates the achievement of good governance for the community by empowering appropriate members of staff to make decisions on behalf of Council and the Chief Executive Officer.

Sustainability Implications

There are no sustainability implications associated with this report.

Finances

There are no financial implications associated with this report.

Stakeholders

Council – ensuring they can focus on high level strategic and Council planning.

Staff – ensuring the ability to undertake their roles.

Community – knowledge that appropriate delegations and authorisations are in place to allow for the effective and efficient running of Council.

Other Options

Council could choose not to authorise officers, however if this were to occur Council would be responsible for making all decisions and acting on all powers, duties and functions as outlined in each relevant section of each piece of legislation. This would not allow for timely decision making, nor effective governance.

Conclusion

It is recommended that Council adopt the attached Instrument of Appointment and Authorisation to the named officers as an Authorised Officer under:

- *Planning and Environment Act 1987*

and approve the execution of the attached Instrument of Appointment and Authorisations. Council is also recommended to revoke authorisation to officers that no longer require it.

Recommendation

That Council:

1. **In the exercise of the powers conferred by s 147(4) of the *Planning and Environment Act 1987*, resolves that:**
   a. **The member of Council staff referred to in the attached instrument be appointed and authorised as set out in the instrument.**
   b. **The instrument comes into force immediately it is signed by Council's Chief Executive Officer and remains in force until Council determines to vary or revoke it.**
   c. **Revokes the instrument of Appointment and Authorisation under the Planning and Environment Act 1987 to:**
      - **Susan Gheller**

Attachments

AT-1	Hannah Pastrana S11A Instrument of Appointment and Authorisation Planning and Environment Act 1987	1 Page

Council Decision

Moved: Cr. Bruce Kent / Seconded: Cr. Clare Le Serve

That the recommendation be adopted.

CARRIED

H.8 Bass Coast Shire Council Procurement Policy

File No:	**CM22/91**
Division:	**Business Transformation**
Council Plan Strategic Objective:	**Leading for our Community** Demonstrating leadership through good governance, transparency and accountability

Declaration

The author has no direct or indirect interests in relation to this report.

Summary

Council adopted an updated Procurement Policy in December 2021 in line with the requirements of the *Local Government Act 2020 (the Act)*. In adopting the Policy, Council resolved as follows:

That Council:

1. *Adopt the Procurement Policy*
2. *Receives a report back to Council with a review of the updated Policy in the first quarter of 2022.*

The Procurement Policy has been benchmarked against peer councils and reviewed in accordance with the Local Government Best Practice Procurement Guidelines and Council objectives.

Background

The annual budget is adopted by Council in the month of June and is applicable to the following Financial Year. The activities included in the annual budget are derived from the objectives adopted by Council in the Council Plan and Long Term Financial Plan.

Councils Procurement Policy provides a framework which ensures that value for money is achieved when procuring goods, services and works for the delivery of the activities that are included within the Council approved budget.

The requirements of Council's Procurement Policy are covered in Sections 108 and 109 of the *Local Government Act 2020*. These sections require the Procurement Policy to:

1. Specify the principles, processes and procedures that apply for the purchase of goods and services.
2. Promote open and fair competition and provide value for money.
3. Define the contract value above which Council must invite a tender.
4. Describe the criteria used by Council to evaluate if a contract provides value for money.
5. Describe how Council will seek collaboration with other councils and public bodies when procuring goods and services.

Development of Council's Procurement Policy has taken the legislative framework into account as well as benchmarking information from the Regional Procurement Network and a number of metropolitan Councils. This benchmarking informed tendering and quotation thresholds, delegations, collaborative procurement requirements and local, social and environmental procurement considerations.

Developing effective procurement processes that balance value for money and efficient delivery of goods, works and services for the Bass Coast Community have been considered through consultation with Council, the Executive Leadership Team and Council officers.

Benchmarking of Bass Coast Shire Council Procurement Policy was completed, considering delegations and procurement thresholds of peer Councils.

Consultation with Council's Audit and Risk committee was completed in November 2021.

Council adopted the Procurement Policy in December 2021 and it was resolved that a further review was to be completed by March 2022.

Strategic Basis

Council Plan Strategic Objective:

Leading for our Community - *Demonstrating leadership through good governance, transparency and accountability*

Governing Documents

Local Government Act 2020, sections 108 and 109.

Discussion

The Procurement Policy supports the delivery of services and projects in the Council Plan, providing a framework for officers to undertake duties in a financially responsible and efficient manner.

The Procurement Policy sets out the principles, processes and procedures that apply for the purchase of goods, services and works carried out by the Council and applies to all Councillors, Council officers, and other persons undertaking procurement on Council's behalf. The Policy is consistent with *Section 108 (2)* of the Local Government *Act 2020*. It promotes open and fair competition, value for money, collaborative procurement and guidance on ethical behaviour and an effective control environment for procurement activities. This should enable Council to demonstrate accountability and the application of best practice procurement to ratepayers and residents.

The Procurement Policy includes detail on the following aspects of procurement:

- Treatment of GST
- The Procurement Governance Structure
- Probity, Accountability and Transparency including Risk Management, Conflict of Interest and Disclosure of Information
- Procurement Methods
- Collaborative Procurement

- Procurement Processes, Thresholds and Competition
- Tender Evaluation and Negotiation
- Value for Money including the Quadruple Bottom Line which ensures consideration of local, social and environmental impacts of procurement in addition to cost.
- Exemptions

During the first quarter of 2022, Councillors reviewed the Procurement Policy in line with the motion adopted in December 2021.

A detailed review of the delegations provided within the Procurement Policy was completed, including benchmarking thresholds with peer Councils. It was found that Bass Coast Shire Council delegation levels are in line with the sector and support the effective delivery of the activities included within the adopted budget.

Delegations to the CEO and other Council officers apply to expenditure that is within Council approved budget allocations. The only exception being the 20 per cent budget variation, capped at $100,000 which is provided to the CEO to facilitate the execution and delivery of Council approved projects that have minor cost overruns. The policy propose that these are reported to Council on a quarterly basis.

As a result of this, the review found that no changes to delegation levels were required.

Further review of other aspects within the policy has resulted in the following changes being applied to the Procurement Policy:

- Clarification on the requirements for conflict of interest declarations
- Update to the circumstances which a procurement methodology exemption may apply
- Clarification on the delegated authority for approving procurement methodology exemptions
- Update to the presentation of contract extension and variation delegations to help with readability
- Minor formatting changes.

Sustainability Implications

The Procurement Policy seeks to ensure that all procurement practices provide value for money. Assessing value for money includes consideration of four elements in a purchase; economic, local, social and environmental impacts. This approach is called The Quadruple Bottom Line and is embedded into Bass Coast Shire Council Procurement Policy and practice.

Finances

The development of Council's Procurement Policy is funded within the Financial Services operational budget (employee costs).

Stakeholders

Feedback has been provided by Councillors, the Audit Committee, the Executive Leadership Team and Council Officers who were consulted in the development of Council's Procurement Policy.

Other Options

Council could choose not to adopt the updated Procurement Policy and continue to be governed by the Procurement Policy which Council adopted in December 2021.

Conclusion

The Procurement Policy provides the framework which Council officers will adhere to, in order to ensure the continuation of responsible and efficient operational procurement decisions made on behalf of Council.

Recommendation

That Council adopt the Procurement Policy.

Attachments

AT-1 Bass Coast Shire Council Procurement Policy 15 Pages

Council Decision

Moved: Cr. Brett Tessari / Seconded: Cr. David Rooks

That the recommendation be adopted.

CARRIED

Statutory Reports

Council Decision

Moved: Cr. Brett Tessari / Seconded: Cr. Ron Bauer

That agenda items I.1, I.2 I.3 I.4 and I.5 be considered as a block.

CARRIED

I Statutory Reports

I.1 Informal Meeting of Councillors Records

File No:	**CM22/111**
Division:	**Business Transformation**
Council Plan Strategic Objective:	**Leading for our Community**
	Demonstrating leadership through good governance, transparency and accountability

Summary

The *Bass Coast Shire Council Governance Rules 2020,* requires all Informal Meetings of Councillors records to be reported at the next practicable Council Meeting and to be recorded in the minutes of that meeting. The purpose of this report is to meet this requirement.

Introduction

Chapter 6 of the *Bass Coast Shire Council Governance Rules 2020* defines an Informal Meeting of Councillors as a meeting of Councillors that:

1.1 is scheduled or planned for the purpose of discussing the business of *Council* or briefing Councillors and contains three or more Councillors;

1.2 is a meeting of a *Council* Committee that a Councillor is appointed to;

1.3 is attended by at least one member of Council staff; and

1.4 is not a *Council meeting*, *Delegated Committee* meeting or *Community Asset Committee* meeting

the Chief Executive Officer must ensure that a summary of the matters discussed at the meeting are:

(a) tabled at the next convenient Council meeting; and

(b) recorded in the minutes of that Council meeting.

Council Plan Objective:

Leading for our Community - *Demonstrating leadership through good governance, transparency and accountability*

Attached is a summary of the Informal Meeting of Councillors Records completed since the last Council Meeting.

Recommendation

That Council receive the attached Informal Meeting of Councillors records

Attachments

AT-1	Councillor Briefings 2 February 2022 Informal Meeting of Councillors record	2 Pages
AT-2	Councillor Briefings 9 February 2022 Informal Meeting of Councillors record	3 Pages
AT-3	Councillor Briefings 16 February 2022 Informal Meeting of Councillors record	2 Pages
AT-4	Councillor Briefings 23 February 2022 Informal Meeting of Councillors record	3 Pages

I.2 Planning and Building Statistics - January 2022

File No:	**CM22/63**
Division:	**Place Making**
Council Plan Strategic Objective:	**Sustainable Development**
	Prepare for growth while ensuring the intrinsic values and character of Bass Coast are retained.

Summary

PERMITS REFUSED:

Nil.

PERMITS ISSUED:

Island Ward

200313: Use of land for industry (food processing) and Manufacturing Sales incidental to food processing located at 35 Coghlan Road, Cowes.

210057: Development of land for second dwelling on a lot located at 19 Manna Gum Drive, Cowes.

210260: Use of land to sell and consume liquor associated with a food and drink premises at Shop 11, 119-135 Thompson Avenue, Cowes.

210407: Creation of access (new crossover) to a road in a Road Zone, Category 1, located at 502 Ventnor Road, Ventnor.

Western Port Ward

190390: Development of land for one single storey dwelling at the rear of the existing dwelling in GRZ1 located at 7 Dover Street, Sunderland Bay.

210119: Buildings and works to create a supermarket in the CZ1 and access to Road Zone Category 1 located at 1528-1536 Bass Highway, Grantville.

210182: Development of land for a dwelling in SLO1 located at 132-134 Shetland Heights road, San Remo.

210365: Construction and display of signage in a MUZ located at 87 Phillip Island Road, San Remo.

210401: Construction of an outbuilding (shed) in the ESO2 located at 30 Foreshore Road, Jam Jerrup.

210408: Construction of a dwelling in a DDO and BMO located at 11 Bunya Drive, Cape Woolamai.

210465: 2 lot subdivision located at 14 Elevation Crescent, San Remo.

210507: Removal of one tree in the Vegetation Protection Overlay, Schedule 2 (VPO2) located at 62 Vista Drive, Cape Woolamai.

Bunurong Ward

210355: Construction of a double storey dwelling within schedules 1 and 9 of the Design and Development Overlay located at 18 Abbott Street, Inverloch.

210361: Buildings and works in an ESO located at 36 Epsom Street, South Dudley.

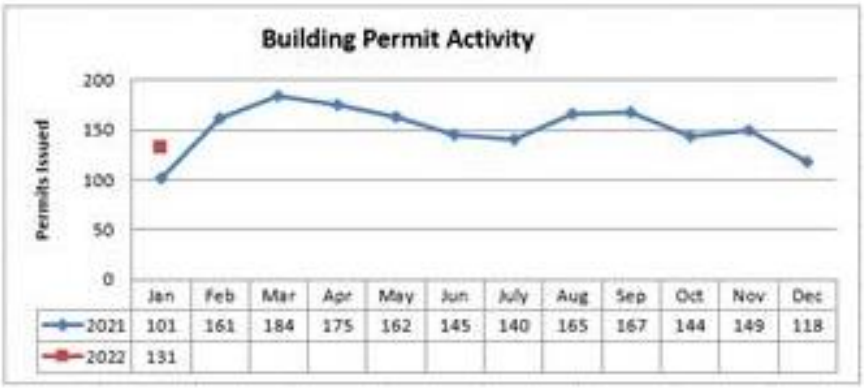
210386: Use and development of land for a dwelling in the RAZ, ESO1 & SLO4 located at Lot 1 PS344894 Cape Paterson-Inverloch Road, Inverloch.

210445: Subdivision of land into 2 lots located at 20 Graham Street, Wonthaggi.

210482: Buildings and works associated with existing motel accommodation and alteration of access to a road in a RDZ1 located at 39 Powlett Street, Inverloch.

PLANNING AND BUILDING ACTIVITY REPORT FOR JANUARY 2022

Statutory Planning	**This month (January)**	**Last month**	**Year to date (financial year)**
% of applications determined within statutory timeframe	48.1	63.3	62.9
Average Gross Days (Responsible Authority determination)	205	145	180
(new) Average Gross Days to final outcome	255	161	193
Average Statutory Days (Responsible Authority)	70	44	
Number of live applications	244	249	-
Number of applications received for the month	19	48	354
Number of Responsible Authority outcomes	29	62	362
Municipal Building Services & Enforcement	**This month (January)**	**Last month**	**Year to date (financial year)**
Essential Safety Measure inspections	0	0	0
Report and Consent applications	11	22	161
POPE and Siting consents issued for temporary structures	1	2	3
Complaints received requiring investigation	19	10	72
New building enforcement cases	3	4	28
Number of open building enforcement cases	33	13	n/a
Building permits issued by Council	0	0	0



Planning Enforcement	This month (January)	Last month	Year to date (financial year)
New Reports received for assessment	13	11	366
Reports assessed and closed – no PE	4	9	-
New complaint/case files opened	0	8	54
Complaints/case files closed	11	10	353
Current open complaints/case files	50	50	-

STATUTORY PLANNING DEFINITION:

Statutory days: In accordance with the *Planning and Environment Act 1987*, a Council is permitted 60 statutory days to determine a planning application. The 60 statutory days includes weekends, public holidays and commences when the application is lodged. The legislation allows for the 60-day statutory clock to be stopped (e.g. when further information is requested) and re-started in certain circumstances (when further information or amended plans are received).

Gross days: The total number of days to determine a planning application inclusive of weekends and public holidays.

Recommendation

That Council:

1. **Receives and notes the Planning Permits issued under delegation report for January 2022; and**
2. **Receives and notes the Planning and Building Activity Report for January 2022.**

Attachments

There are no attachments for this report.

I.3 Contracts Awarded

File No:	**CM22/112**
Division:	**Business Transformation**
Council Plan Strategic Objective:	**Leading for our Community** Demonstrating leadership through good governance, transparency and accountability

Declaration

The author has no direct or indirect interests in relation to this report.

Summary

Contracts Awarded

For the period from 1 January 2022 to 31 January 2022, no contracts were awarded under the Chief Executive Officer's delegation of procurement authority.

Contracts Extended

For the period from 1 January 2022 to 31 January 2022, no contracts were extended under the Chief Executive Officer's delegation of procurement authority.

Recommendation

That Council notes no contracts were awarded or extended in accordance with the Delegated Procurement Authority during January 2022.

Attachments

There are no attachments for this report.

I.4 Receipt of Audit and Risk Committee Minutes - 24 November 2021

File No:	**CM22/41**
Division:	**Business Transformation**
Council Plan Strategic Objective:	**Leading for our Community** Demonstrating leadership through good governance, transparency and accountability

Declaration

The author has no direct or indirect interests in relation to this Report.

Summary

Attached are the minutes of the Audit and Risk Committee Meeting held on Wednesday 24 November 2021. Items discussed at this Meeting were:

Confirmation of Minutes

- Confirmation of Audit and Risk Committee Meeting Minutes from 7 September 2021

Matters Arising from Previous Minutes

- Actions arising from previous meeting

Internal Audits

- Status report on action items identified through the audit program
- Internal Audit Scope Document

External Audits

- VAGO 2020/21 Management Letter and Closing Report

Financial Reports

- 2020/21 Major Initiatives, Finance and Capital Works Fourth Quarter Report
- 2021/22 First Quarter Performance Report
- Councillor Expenses for the Council Term - 9 November 2020 to 30 September 2021
- Procurement Policy Update

Risk Management

- Risk Management Report
- Evidence Based Controls Effectiveness Testing

Compliance

- Non-compliance and legal counsel engagement report for the period 1 July 2021 to 30 September 2021
- Legislative Compliance Registers
- Research report from other agencies

Governance Matters

- 2022 Annual Meeting Schedule
- Excessive Leave as at 31 October 2021
- Audit and Risk Committee Charter annual assessment 2020/2021 by the Chair
- Audit and Risk Committee 2021/2022 biannual report by the Chair

General Business

- Continuity Plan and Crisis Management Plan

Recommendation

That the minutes of the Audit and Risk Committee meeting held on 24 November 2021 be received and the recommendations therein adopted.

Attachments

AT-1	***CONFIDENTIAL*** - Audit and Risk Committee Minutes 24 November 2021	33 Pages

I.5 Quarterly Treasury Report - December 2021

File No:	**CM22/113**
Division:	**Business Transformation**
Council Plan Strategic Objective:	**Leading for our Community** Demonstrating leadership through good governance, transparency and accountability

Summary

Attached is the report detailing Councils investments as at 31 December 2021.

This is presented in line with Councils Investment Policy.

Recommendation

That Council receive this report.

Attachments

AT-1 Quarterly Treasury Report - December 2021 1 Page

Council Decision

Moved: Cr. Brett Tessari / Seconded: Cr. Ron Bauer

That the recommendations attached to agenda items I.1, 1.2 I.3, I.4 and I.5 be adopted.

CARRIED

J Urgent Business

There was no Urgent Business.

Mayoral Announcement of Next Meeting of Council

The next **Council Meeting** will be held on 20 April 2022 in the Bass Coast Civic Centre Council Chamber, Baillieu Street East, Wonthaggi commencing at 1.00pm. Members of the gallery will be required to register their attendance.

Meeting closed

The meeting closed at 2.14pm