

# **Corangamite Shire**

## **AGENDA**

# **Ordinary Council Meeting**

*7.00 pm • Tuesday 27 September 2016*

*Lismore Community Centre  
Seymour Street, Lismore*

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# Order of Business

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1. PRAYER
2. APOLOGIES
3. DECLARATIONS OF CONFLICT OF INTEREST
4. CONFIRMATION OF MINUTES  
RECOMMENDATION  
That the Minutes of the Corangamite Shire Ordinary Council meeting held on Tuesday 23 August 2016 be confirmed.
5. DEPUTATIONS & PRESENTATIONS
6. MAYOR'S REPORT
7. COMMITTEE REPORTS
8. INFORMATION BULLETIN
9. PLANNING REPORTS
10. OFFICERS' REPORTS
11. OTHER BUSINESS
12. OPEN FORUM
13. CONFIDENTIAL ITEMS

**ANDREW MASON**  
**CHIEF EXECUTIVE OFFICER**

## **DISCLAIMER**

The advice and information contained herein is given by the Council without liability or responsibility for its accuracy. Before placing any reliance on this advice or information, a written enquiry should be made to the Council giving the entire reason or reasons for seeking the advice or information and how it is proposed to be used.

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## 5. DEPUTATIONS & PRESENTATIONS

1. Members of the public may address Council under this section of the Agenda of an Ordinary Meeting of the Council if:
  - a) The person is addressing the Council in respect to a submission on an issue under Section 223 of the *Local Government Act*, or
  - b) The person has requested that they address Council on an issue and the Mayor has agreed that they be heard.
2. Requests to address Council must be received by 5.00 pm on the day prior to the scheduled Ordinary Meeting of the Council.
3. Presentations made to Council in this section of the Agenda may not exceed five minutes in length, although Councillors may ask questions proceeding each presentation. If a presentation exceeds five minutes in length, the Mayor may request that the presenter ceases to address Council immediately.

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## **6. MAYOR'S REPORT**

A written report has not been provided due to caretaker provisions.

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## 7. COMMITTEE REPORTS

### 7.1 Corangamite Shire Swimming Pool Committees of Management 2016

**Author:** Jarrod Woff, Manager Facilities and Recreation

**File No:** D16/565

**Previous Council Reference:** Nil

#### **Declaration**

Chief Executive Officer – Andrew Mason

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Author - Jarrod Woff

In providing this advice to Council as the Manager Facilities and Recreation, I have no interests to disclose in this report.

#### **Summary**

This report recommends Council endorse the nominated members for the Committees of Management for each of the Camperdown, Cobden, Lismore, Skipton, Terang and Timboon pools for 2016-2017.

#### **Introduction**

Each of Corangamite Shire's six swimming pools has a committee of management delegated as a special committee under Section 86 of the *Local Government Act 1989*. The committees are responsible for:

- acting as a local contact for feedback about pool operations
- providing local input into programming
- planning capital improvements approved by Council.

The committees comprise representation from various areas of the community including:

- the swimming club (where in operation)
- the local school(s)
- at least two but a maximum of five community representatives
- the facility manager or a representative of the management contractor.

The Instruments of Delegation specifies that the committees shall hold an Annual General Meeting to elect from amongst its members persons to act as Chairperson, Secretary and Treasurer to the committee. Membership of the committees, including any additions, deletions or replacements shall be subject to approval by Council.

#### **Issues**

Swimming pool committees play an important role in ensuring the service Council delivers is consistent with community needs.

Each swimming pool committee has recently conducted its Annual General Meeting.

The following members have been nominated to their respective swimming pool committees for Council endorsement.

<b>Pool</b>	<b>Camperdown Swimming Pool</b>
<b>Meeting Date</b>	18 August 2016
<b>Committee Members</b>	
School	Paul Kingston
Community	Hannah Fleming
Community	Louise Barfoot
Community	Kassi Bernaldo
Community	Kirsty Breedin
Community	Kelly Hollingsworth
<b>Office Bearers</b>	
President	Kassi Bernaldo
Secretary	Kelly Hollingsworth
Treasurer	Paul Kingston

**Table 1: Camperdown Swimming Pool Committee**

Jayne Brumby stepped down from the committee following eight years as a member and President of the committee. Jayne has provided a significant amount of volunteer time to the Camperdown Swimming Pool. Sarah Atkins also stepped down following five years on the committee following appointment to the committee in 2011. Jodie McKenzie has relocated and as a result has stood down. The Camperdown Swimming Pool Committee welcomed Hannah Fleming and Louise Barfoot to the committee. Kassi Bernaldo accepted the nomination to be President.

<b>Pool</b>	<b>Cobden Swimming Pool</b>
<b>Meeting Date</b>	24 August 2016
<b>Committee Members</b>	
School	Phyllis Finlayson
Community	Raylene Hallyburton
Community	Kathryn Nelson
Community	Jenny Wason
Swimming Club	Matthew Coverdale
<b>Office Bearers</b>	
President	Kathryn Nelson
Secretary	Phyllis Finlayson
Treasurer	Raylene Hallyburton

**Table 2: Cobden Swimming Pool Committee**

The Cobden Swimming Pool committee welcomes Matthew Coverdale as a representative from the swimming club and Jenny Wason as an interested community member. Helen Scott has stepped down from her role as President and as a community member.

<b>Pool</b>	<b>Lismore Swimming Pool</b>
<b>Meeting Date</b>	1 September 2016
<b>Committee Members</b>	
Community	Sandy Gibson
Community	Bonita Hood
Community	Gaynor Marquand
Community	Kaye Ormsby
Community	Heather Smith
Community	Sally Sutterby
Swimming Club	Helena Walsh
Contractor Rep.	Nigel Hooker
School (Derrinallum)	Russell Moyle
<b>Office Bearers</b>	
President	Helena Walsh
Secretary/Treasurer	Bonita Hood

**Table 3: Lismore Swimming Pool Committee**

Lismore Swimming Pool welcomed Sandy Gibson and Gaynor Marquand to the committee whilst Monica Dennis and Laura Mitchell stepped down from the committee. Trish Ringe stepped down as President of the committee and Sally Sutterby stepped down from the position of Secretary/Treasurer, whilst remaining on the committee. Sally has served on the committee since 2001 and the committee thanked both Sally and Trish for their service to the pool committee.

<b>Pool</b>	<b>Skipton Swimming Pool</b>
<b>Meeting Date</b>	16 August 2016
<b>Committee Members</b>	
Community	Nat Clarke
Community	Fiona Collins
Community	Kate Dunne
Community	Erin Fletcher
Community	Victoria Kennedy
Community	Fiona Meek
Community	Rebecca Scott
<b>Office Bearers</b>	
President	Fiona Collins
Vice President	Kate Dunne
Secretary	Erin Fletcher
Treasurer	Fiona Meek

**Table 4: Skipton Swimming Pool Committee**

Angela Hipwell stepped down from the committee, following six years of service, as did Sharee Court following four years as a member of the committee.



<b>Pool</b>	<b>Terang Swimming Pool</b>
<b>Meeting Date</b>	30 August 2016
<b>Committee Members</b>	
Swimming Club	Lisa Chesshire
Community	Narelle Cavarsan
Community	Kirsten Pekin
Community	Caroline Carlin
Community	Joanne Roberts
Community	Lyn Wickenton
Community	Jo Crawley
Contractor	Kate Gay
<b>Office Bearers</b>	
President	Narelle Cavarsan
Secretary	Jo Roberts
Treasurer	Kirsten Pekin

**Table 5: Terang Swimming Pool Committee**

Terang Pool welcomed Lyn Wickenton, Jo Crawley and Kate Gay to the committee.

<b>Pool</b>	<b>Timboon Swimming Pool</b>
<b>Meeting Date</b>	17 August 2016
<b>Committee Members</b>	
Swimming Club	Stuart Howland
School	Matt Haugh
Community	Todd Baxter
Community	Angelique Cangelis
Community	Chris Hibburt
Community	Kate Makin
Contractor Rep.	Lee Edge
<b>Office Bearers</b>	
President / Secretary	Chris Hibburt
Treasurer	Kate Makin

**Table 6: Timboon Swimming Pool Committee**

The Timboon Swimming Pool Committee remains unchanged.

The role of the committee member is completely voluntary. Many committee members remain relatively unchanged for 2016-2017; each should be acknowledged for their continued effort and commitment to the swimming pools.

### **Policy and Legislative Context**

Each of Corangamite Shire's six swimming pools has a committee of management delegated as a special committee under Section 86 of the *Local Government Act 1989*.

The establishment of the committees aligns with Council's Plan 2013-2017 in creating and supporting a vibrant and exciting community which has a range of services and lifestyle choices. The following key commitments are in the areas of community wellbeing and lifestyle:

Corangamite Shire's communities are welcoming and provide support and a sense of belonging. Council will work to improve and enhance community health, wellbeing and

connectedness. Council has an important role in planning to ensure townships grow in a sustainable manner.

Provide opportunities to improve and enhance the health and wellbeing of our community.

Provide and advocate for a range of services, facilities and support to our people to enable them to fully engage and participate in the community.

### **Internal / External Consultation**

Each Annual General Meeting was advertised with a minimum of one week's notice. Committees were also encouraged to actively seek members from the local community.

### **Financial and Resource Implications**

The swimming pool committees do not impact on Council's financial position. Council provides assistance with facilitation of meetings.

### **Options**

Council can accept the recommendation to endorse the nominated members for the forthcoming year or reject the recommendation and request an alternate committee membership.

### **Conclusion**

The proposed membership of the swimming pool committees reflects a cross section of the local community and users of Council's aquatic facilities. The committee memberships should see the continued effective supervision of the operations of each of the Corangamite swimming pools.

## **RECOMMENDATION**

**That Council endorses the proposed Committees of Management for the Camperdown, Cobden, Lismore, Skipton, Terang and Timboon swimming pools as follows:**

<b>Pool</b>	<b>Camperdown Swimming Pool</b>
<b>Committee Members</b>	
<b>School</b>	<b>Paul Kingston</b>
<b>Community</b>	<b>Hannah Fleming</b>
<b>Community</b>	<b>Louise Barfoot</b>
<b>Community</b>	<b>Kassi Bernaldo</b>
<b>Community</b>	<b>Kirsty Breedin</b>
<b>Community</b>	<b>Kelly Hollingsworth</b>
<b>Office Bearers</b>	
<b>President</b>	<b>Kassi Bernaldo</b>
<b>Secretary</b>	<b>Kelly Hollingsworth</b>
<b>Treasurer</b>	<b>Paul Kingston</b>

<b>Pool</b>	<b>Cobden Swimming Pool</b>
<b>Committee Members</b>	
<b>School</b>	<b>Phyllis Finlayson</b>
<b>Community</b>	<b>Raylene Hallyburton</b>
<b>Community</b>	<b>Kathryn Nelson</b>
<b>Community</b>	<b>Jenny Wason</b>
<b>Swimming Club</b>	<b>Matthew Coverdale</b>
<b>Office Bearers</b>	
<b>President</b>	<b>Kathryn Nelson</b>
<b>Secretary</b>	<b>Phyllis Finlayson</b>
<b>Treasurer</b>	<b>Raylene Hallyburton</b>

<b>Pool</b>	<b>Lismore Swimming Pool</b>
<b>Committee Members</b>	
<b>Community</b>	<b>Sandy Gibson</b>
<b>Community</b>	<b>Bonita Hood</b>
<b>Community</b>	<b>Gaynor Marquand</b>
<b>Community</b>	<b>Kaye Ormsby</b>
<b>Community</b>	<b>Heather Smith</b>
<b>Community</b>	<b>Sally Sutterby</b>
<b>Swimming Club</b>	<b>Helena Walsh</b>
<b>Contractor Rep.</b>	<b>Nigel Hooker</b>
<b>School (Derrinallum)</b>	<b>Russell Moyle</b>
<b>Office Bearers</b>	
<b>President</b>	<b>Helena Walsh</b>
<b>Secretary/Treasurer</b>	<b>Bonita Hood</b>

<b>Pool</b>	<b>Skipton Swimming Pool</b>
<b>Committee Members</b>	
<b>Community</b>	<b>Nat Clarke</b>
<b>Community</b>	<b>Fiona Collins</b>
<b>Community</b>	<b>Kate Dunne</b>
<b>Community</b>	<b>Erin Fletcher</b>
<b>Community</b>	<b>Victoria Kennedy</b>
<b>Community</b>	<b>Fiona Meek</b>
<b>Community</b>	<b>Rebecca Scott</b>
<b>Office Bearers</b>	
<b>President</b>	<b>Fiona Collins</b>
<b>Vice President</b>	<b>Kate Dunne</b>
<b>Secretary</b>	<b>Erin Fletcher</b>
<b>Treasurer</b>	<b>Fiona Meek</b>

<b>Pool</b>	<b>Terang Swimming Pool</b>
<b>Committee Members</b>	
<b>Swimming Club</b>	<b>Lisa Chesshire</b>
<b>Community</b>	<b>Narelle Cavarsan</b>
<b>Community</b>	<b>Kirsten Pekin</b>
<b>Community</b>	<b>Caroline Carlin</b>
<b>Community</b>	<b>Joanne Roberts</b>
<b>Community</b>	<b>Lyn Wickenton</b>
<b>Community</b>	<b>Jo Crawley</b>
<b>Contractor Rep</b>	<b>Kate Gay</b>
<b>Office Bearers</b>	
<b>President</b>	<b>Narelle Cavarsan</b>
<b>Secretary</b>	<b>Jo Roberts</b>
<b>Treasurer</b>	<b>Kirsten Pekin</b>

<b>Pool</b>	<b>Timboon Swimming Pool</b>
<b>Committee Members</b>	
<b>Swimming Club</b>	<b>Stuart Howland</b>
<b>School</b>	<b>Matt Haugh</b>
<b>Community</b>	<b>Todd Baxter</b>
<b>Community</b>	<b>Angelique Cangelis</b>
<b>Community</b>	<b>Chris Hibburt</b>
<b>Community</b>	<b>Kate Makin</b>
<b>Contractor Rep.</b>	<b>Lee Edge</b>
<b>Office Bearers</b>	
<b>President / Secretary</b>	<b>Chris Hibburt</b>
<b>Treasurer</b>	<b>Kate Makin</b>

## 7.2 Port Campbell Public Purpose Reserve Committee 2016-2017

**Author:** Jarrod Woff, Manager Facilities and Recreation

**File No:** D16/568

**Previous Council Reference:** Nil

### Declaration

Chief Executive Officer – Andrew Mason

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Author - Jarrod Woff

In providing this advice to Council as the Manager Facilities and Recreation, I have no interests to disclose in this report.

### Summary

This report seeks Council endorsement of the nominated membership for the Port Campbell Public Purposes Reserve Committee of Management for 2016-2017.

### Introduction

The Port Campbell Public Purpose Reserve is located on Crown Land with Corangamite Shire Council appointed as the delegated committee of management. The area is managed on behalf of Council by a special committee of management in accordance with Section 86 of the *Local Government Act 1989*.

The committee is appointed to generally oversee the Reserve on behalf of Council in the best interests of the residents of the Corangamite Shire as per the Instrument of Delegation.

### Issues

The Port Campbell Public Purpose Reserve is located on the corner of Lord Street and Morris Street, Port Campbell. The area comprises tennis courts, skate park, barbecue shelters, park furniture, playground and most recently the Port Campbell community arts space.

The Annual General Meeting of the committee was held on Thursday 8 September 2016. The committee sought nominations for the committee for the 2016-2017 period.

The following people were nominated for appointment:

<b>Committee</b>			
Maria Gordon	Jodi Clarke	Tracey Heeps	Annie Schofield
Richard Stone	Jo Latham	Julie Brazier	Stephanie Painter
Amanda Nash			
<b>Office Bearers</b>			
Chairperson	Maria Gordon	Secretary	Tracey Heeps
Treasurer	Annie Schofield		

The committee remains relatively unchanged for 2016-2017, with the committee welcoming nominations from Amanda Nash and Stephanie Painter as new members.

### Policy and Legislative Context

The Port Campbell Public Purpose Reserve Committee of Management is a special committee of Council in accordance with Section 86 of the *Local Government Act 1989*. Election of committee members is conducted in accordance with the Instrument of Delegation.

Committees of management are supported by the Council Plan 2013-2017 commitments:

Provide opportunities to improve and enhance the health and wellbeing of our community.

Provide and advocate for a range of services, facilities and support to our people to enable them to fully engage and participate in the community.

Sustainability and preservation of our assets.

### Internal / External Consultation

A notice of the Annual General Meeting was advertised in the Port Campbell Beacon, Warrnambool Standard and Coastal Times prior to the meeting.

### Financial and Resource Implications

The Reserve operates in accordance with the budget set by Council in each financial year. The budget allocation includes any capital works prescribed in Council's capital works plan and maintenance requirements required throughout the year as a part of the open space furniture and equipment allocation. There are no identified capital works as a part of the 2016-2017 Budget. There are no admission fees or user charges for this venue.

### Options

Council can either appoint the nominated members for the forthcoming year or reject the recommendation and request an alternate committee membership.

### Conclusion

The recommended membership and appointment of the committee should see a continuation of the effective management and maintenance of the Reserve for the benefit of the community and Council.

## RECOMMENDATION

**That Council endorses the following members to the Port Campbell Public Purposes Reserve Committee of Management for 2016-2017:**

<b>Committee</b>			
Maria Gordon	Jodi Clarke	Tracey Heeps	Annie Schofield
Richard Stone	Jo Latham	Julie Brazier	Stephanie Painter
Amanda Nash			
<b>Office Bearers</b>			
Chairperson	Maria Gordon	Secretary	Tracey Heeps
Treasurer	Annie Schofield		

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## 8. INFORMATION BULLETIN

### 8.1 Lismore Community Plan Review

**Author:** Garry Moorfield, Community Development Officer

**File No:** D16/594

**Previous Council Reference:** Nil

#### **Declaration**

Chief Executive Officer – Andrew Mason

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Author - Garry Moorfield

In providing this advice to Council as the Community Development Officer, I have no interests to disclose in this report.

#### **Summary**

This report provides advice to Council on the review and update of Lismore's community plan *A Plan for Lismore: Community Priorities for Township Development 2012 – 2022*. It provides a description of the process of the review and a summary of the updated Plan priorities.

#### **Introduction**

Lismore's 10 year community plan was prepared through November 2011 to March 2012, and was received by Council on 24 April 2012. An estimated 118 people were involved through the township survey and public meeting to set priorities on 21 March 2012, representing more than 40 per cent of the adult population. The Lismore Plan set out 26 community priorities for township development over the period 2012 to 2022.

The Lismore Plan identified 'community' and 'liveability' as outstanding attributes of Lismore, and 'town services' and 'town amenity' as much valued attributes appreciated by residents. The plan differs from other community plans for Corangamite towns in it expresses concerns about broad scale impacts of State and Commonwealth policy on services – local health, medical, and pharmacy services provision, public transport, library service extension and environmental weed control. At an even broader scale, employment and job creation as well as retirement and aged care facilities are important priorities for Lismore residents. Taken together, these nine priorities (making up a third of the Plan) represent local concern about the effects of policies of service consolidation on the viability of small rural townships. As many small rural communities find, they are not easily amenable to local influence and require broad-based and aggregated representation and advocacy.

There were seven small-scale projects identified which the local community (or particular community groups) could undertake. These placed an emphasis on community investment and social inclusion, which was a principle objective of the original *Building Stronger Corangamite Communities* initiative. Three project tasks called upon the Council Works

budget – toilets upgrade and enclosed playground area and improved street lighting. Two others proposed community/ Council partnerships – the number one priority to develop a heated swimming pool and the development of local walking and cycling tracks.

### **Issues**

The major issue in any community planning exercise is to secure meaningful participation from a sufficient number of people representing the broad demography of the community. The review of the Lismore Plan has had to deal with some setbacks to overcome the participation challenge.

An initial survey was conducted to review existing Community Plan priorities and to add new project ideas. This survey drew 42 responses, adding 26 new ideas to the original 26 priorities. The results of the initial survey were sorted and aggregated and presented to a public meeting which drew only 8 people. A second survey was therefore prepared seeking advice on the total 52 expanded priorities, with the option of adding further project ideas. It was applied by the local community through a distributed method. There were some departures from the specified ranking methodology, which diluted the power of the prioritisation system, however this second survey attracted 107 responses, and identified another 19 project ideas. The 2016 response rate (107) is comparable to the 2012 response, estimated at 118 people, representing around 40 per cent of the adult township population.

The review of the Lismore Plan has resulted in its extension from 26 to 39 priorities, each supported by 10 or more survey responses. In 2012 only the top 10 priorities attracted 10 or more supporters. This is clearly a product of the different survey methodology employed, with the 2016 second survey replacing the 2012 deliberative public meeting. On average, survey respondents in 2016 selected eight priorities from the list of 52.

A summary of the survey responses across themes shows a shift of interest towards town promotion and improving the presentation of the township. The top priorities identified in 2012 were generally confirmed through the 2016 survey, but five others have slipped off the scale. The overall ranking list for 2016 is fairly self-explanatory, but some comment is offered on the higher-level priorities.

#### ***1 Develop heated swimming pool***

This priority remains the number one for Lismore for its year-round benefits to the community. Costs are acknowledged, and there is some thought that this would be offset through sustainable use of biofuel.

#### ***2 Develop walking/cycling trails***

Ranking equal 'number one' in 2016, this was the fourth priority in 2012. Further work is required to realise the Lismore Discovery Trail, but the ambition to establish a trail to Lake Tooliorook and on to Derrinallum is well and truly alive.

#### ***3 Improve town entrances***

This number three priority emerged in 2016, and picks up the theme of improving the appearance of the township and promoting it to visitors and potential new residents.

#### ***4 Upgrade the School/Community bus***

This ranked as the second priority in 2012. Fundraising continues, and it remains a high priority for Lismore, both for the Primary School's purposes and community transport to access local services.



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**5 *Improved health services***

This priority was elevated from 18 in 2012 to 5 in 2016. It was singled out among medical and retirement services as a major concern to do with the nature and frequency of available services.

**6 *More community activities/involvement***

This priority ranks at 6 in 2016, and could be elevated further if combined with the 12 mentions at priority 38 'More community get-togethers', which ranked 14 in 2012.

**7 *Upgrade public toilets***

Previously priority 8, upgrading Lismore's public toilets is now priority 7.

**8 – 10 *Town promotion, business development, and improved footpaths***

These three new priorities round out the top 10 list. Two aren't entirely new, with recognisable strands in the 2012 list.

The list of remaining priorities includes 14 project ideas identified in 2012 and 14 new proposals. How these proposals are addressed will depend upon the extent to which local people are prepared to get involved in developing and scoping responsive projects, as well as taking up opportunities presented through various partnerships. For example, the current 'Northern towns' tourism development strategy initiative has the potential to impact upon six of the listed 39 priorities identified in 2016.

**Policy and Legislative Context**

Recognising the many benefits of community planning and supporting its delivery in the Shire is consistent with the following Council Plan 2013-2017 commitments:

Corangamite Shire's communities are welcoming and provide support and a sense of belonging. Council will work to improve and enhance community health, wellbeing and connectedness. Council has an important role in planning to ensure townships grow in a sustainable manner.

Provide opportunities to improve and enhance the health and wellbeing of our community.

Provide and advocate for a range of services, facilities and support to our people to enable them to fully engage and participate in the community.

Importantly, the Lismore Community Plan process gives expression to Council's Values and Behaviour embodied in the overriding principle applying across all themes in the Council Plan, namely the Cultural Change Program within Council and Council's 'commitment to continually improving the way we listen to our communities'.

**Internal / External Consultation**

The review of the Lismore Plan was promoted to the local community through several notices placed in the township newsletter, as well as through local community organisations including the Lismore Progress Association. An initial 'Short Community Survey' was conducted (by the Progress Association) through May and June 2016. It was distributed through the newsletter as well as directly to local businesses and community groups. The survey drew 42 responses from across a range of age-groups, business operators, 'newcomers' and part-time residents. Individual survey responses were then aggregated, the outcome of which was that the 26 original Plan priorities were confirmed and a further 26 new project ideas added.

A community meeting was held on 4 July 2016 to plan out steps to obtain further community input, and invitations were extended for further contributions. A public meeting was advertised for Wednesday 27 July 2016 to prioritise the assembled project ideas. This meeting attracted a limited attendance, so was transformed into a workshop instead, where community members practised completing the new consolidated survey including the 52 ideas to be prioritised. This meeting also designed a simplified survey form to collect and prioritise further ideas, operating in tandem with a broadsheet collection tool. Copies of the revised survey were made and given to community members to administer through a range of community group meetings. For convenience the 52 project ideas were sorted into the key themes aligned to the original 2012 Survey, namely Community Activities and Involvement (9), Sport and Active Recreation (5), Business and Economic Development (5), Tourism and Town Promotion (10), Transport and Roads (3), Town Amenity and Liveability (11), Health Medical and Retirement Services (4), and Other (5).

The second community survey carried out by different community members collected responses from 107 people across a wide cross-section of Lismore's demography, ranging from primary school pupils (11) to senior citizens. This distributed model has resulted in what might be described as a 'looser' version of the original town survey, as different people used different ways of rating project ideas. Some responses offered commentary on a sole issue. Others were more elaborate, using a combination, of stickers, numerical ratings, ticks and commentary. On the upside, this method has involved more people taking an active role in working with fellow community members to review the Lismore Plan and ensure that local issues are thoroughly represented.

### **Financial and Resource Implications**

This report is for information only and does not entail any recommendations relating to increased or reduced financial and other resources. The provision of \$62,500 in seed-funding by Council has provided the impetus and the means for the local community to identify and pursue projects to strengthen the Lismore community, to build public participation in decision-making affecting Lismore's future and to improve the liveability of the township through development projects.

### **Conclusion**

The community of Lismore has made outstanding progress on several of its Community Plan priorities, including a range of small scale social initiatives delivering community strengthening outcomes. The value of these initiatives is well understood and appreciated in Lismore, and would top the town's priority list if some related project ideas were combined. The major larger-scale initiative has been the Lismore Discovery Trail, which is still a work in progress. Bridge construction costs took the lion's share of the project budget, but a further Commonwealth *Stronger Communities Grant* has been secured to enable completion the outstanding tasks listed in the project plan.

The Lismore Discovery Trail project has addressed several township priorities and is an ongoing activity which will draw in further community involvement. Members of the Lismore community has also worked with the nearby Derrinallum community (as well as the Shire and State Government) to assemble the required funding to construct the \$730,500 Mount Elephant Centre; a long-standing aspirational project celebrating the deep culture of 'place'. These achievements are matched by the community building aspects associated with both these projects, where local networks and new partnerships have brought external resources and expertise to support local experience, knowledge and talent. Further examples of this phenomenon include the establishment of a Lismore business group and recent

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participation in the Shire's 'Northern Towns Tourism Strategy' being developed in conjunction with the Great Ocean Road Regional Tourism (GORRT) authority.

As has been noted, about one-third of the Lismore Plan priorities relate to matters of State and Commonwealth government policy. While these are not easily influenced by one single small rural township, they do serve to record the aspirations of Lismore residents and underscore the importance of services to the viability of townships across regional Victoria and Australia.

*A Plan for Lismore* has been recast through a process of review, with a pipeline of practical projects outlined to build on Lismore's track record of community strengthening and development. There is some scope to consolidate the current list of priorities. It will be up to committed, optimistic and energetic locals to activate and push forward these project ideas to completion, in partnership with government and other agencies.

### **Information only**

#### **Attachments**

1. Lismore Plan Review 2016 - Under Separate Cover

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## 8.2 Terang Community Plan Update

**Author:** Garry Moorfield, Community Development Officer

**File No:** D16/593

**Previous Council Reference:** Nil

### Declaration

Chief Executive Officer – Andrew Mason

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Author - Garry Moorfield

In providing this advice to Council as the Community Development Officer, I have no interests to disclose in this report.

### Summary

This report provides advice to Council on the recent review of Terang's community plan *Realising Terang: Community Priorities for Township Development 2013 – 2023*. It follows the update report provided to Council a year ago, providing a summary account of what has been achieved to date, a description of the process of the review and a summary of the updated Plan priorities.

### Introduction

Preparation of Terang's ten-year community plan began in mid-2012 with a township survey. This was followed by a 'Soapbox' event in October and a public forum on 15 November 2012 where initial priorities were set. An additional public consultation was held in March 2013. The completed Plan was received by Council on 25 June 2013. An estimated 146 people took part in the planning process, including 42 Terang Primary School students. A total of around 100 adults (roughly 6.3 per cent of the adult town population) contributed to the identification and ranking of the eventual 22 township priorities. Achieving this participation rate was a difficult and drawn out assignment.

Terang has arguably achieved more than any other Corangamite township in a little over three years into its ten-year plan. Ten of 21 priorities have been completed or are partially complete, and this includes eight of Terang's top 12 project priorities. Corangamite Shire and the State Government have had a hand in realising some of the bigger and more challenging project tasks, but community members have been involved in each of them. It came as somewhat of a surprise that 19 of Terang's most community-minded residents turned out at the public meeting to review the Terang Plan on Monday 22 August 2016. One could not be disappointed to have such a diverse and outstanding group of Terang citizens contributing to the review process, and to have them conclude the meeting with applause for the Shire's community planning initiative. Yet a turnout of a mere 1 per cent of the township population illustrates the ongoing challenge of securing widespread community engagement.

The 'Report Card for Terang' review public meeting presented a report on progress in the achievements of township priorities. Community members present then added another seven project ideas to the original 2013 list, and proceeded to place their votes (in the form

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of five stickers) on the expanded list of priorities. In this way an updated list of priorities was transparently derived, with new priorities placed amongst existing ones on the basis of the comparable vote count.

A key factor in the achievement of priority outcomes for Terang has been the role played by Council in supporting the identified community aspirations, either directly or through the establishment of partnerships which have drawn in financial resources and expertise in project planning, design and delivery.

**Issues**

Ten of Terang's 22 original (2013) priority projects have been completed or are in progress. 'Completed' projects removed from the initial priority list include Connection to Natural Gas (previously ranked priority 5), Construct New Playground (6), Car Parking (7), Children's Centre (11) Speed Limits (17) and More Seating (18). Even though there is work to be done to realise some of these six projects, this work is in hand with relevant agencies to follow through. Potentially, another three or four priorities may be completed and removed over the next few years.

Following the review of the Terang Plan, the updated list of township priorities is provided in the table below.

Revised list of Priority Projects for Terang		Survey 2013	Votes 2013	SCORE* 2013	Votes 2016	'Gold' 2106	SCORE# 2016
1	CLEAN UP SHOPFRONTS	46	15	66	5		5
2	TERANG LAKE DEVELOPMENT	23	15	41	4	1	5
3	RETIREMENT VILLAGE	22	11	37			
4	EMPTY SHOPS FILLED	22	7	32	6	1	7
5	RAILWAY STATION	15	8	23			
6	INDUSTRIAL LAND	12	11	26	1		1
7	FOOTPATH AND DRAINAGE	12	6	18			
8	STREETCAPE UPGRADE	11	5	16	1		1
9	INDOOR HEATED POOLS	11	3	16			
10	BIKE TRAILS	1	11	14			
11	CREATE FACEBOOK PAGE AND WEBSITE FOR TERANG				10		10
12	DEVELOP BEER AND WINE FESTIVAL				9	4	13
13	MARKET TERANG TO TOURISTS				9	3	12
14	IMPROVED PUBLIC TOILETS	9	5	17	2		2
15	KITE FESTIVAL	1	9	10			
16	COMMUNITY BANK				5	8	13
17	COMMUNITY BUS				8	1	9
18	DEVELOPMENT OF RESIDENTIAL LAND				8	-	8
19	AUDIT AND UPDATE DIRECTIONAL SIGNAGE				8	-	8
20	FAMILY HISTORY GROUP HOME	6	7	10			
21	EASTERN TOWN ENTRANCE	7	3	13			
22	NEW BAKERY	7	-	7	3		3
23	WESTERN TOWN ENTRANCE	6	2	8	3		3

\*SCORE 2013 totalling Survey mentions and Votes, #SCORE 2016 totalling Votes and 'Gold' priority

	Continuing active projects (1, 2, 7, 8)
	New priority projects (11, 12, 13, 16, 17, 18, 19)

The advancement of the projects proposed in the revised priority list will require activation through some agency, more than likely through representation by project groups made up of local community members and relevant partners. The following notes elaborate on the brief label attached to each priority.

***Clean up shopfronts (Priority 1)***

Terang businesses were strongly represented in the initial round of matched grant funding under the Corangamite Shire's Retail Area Facades Improvement Scheme in 2015-2016, with additional premises represented in the expressions of interest for the current 2016-2017 round. For the Terang community, work on improving and activating the Johnstone Court building retail spaces is a key action to recovering Terang's heritage-listed 'jewel in the crown' retail hub.

***Terang Lake development (Priority 2)***

Corangamite Shire seed funding was used to secure a \$30k Planning Grant through Regional Development Victoria, which financed the development of a landscape plan for the dry Terang Lake precinct. Work has commenced by a group of community volunteers working in partnership with the Lake trustees and fellow 'tenants' on the site, also involving students from Terang College. Tree planting, fencing and a clean-up of the southern end of the site have been undertaken, with the major excavation work for a series of linked ponds scheduled for March 2017. The project partnership with the Terang Lions Club obtained a \$6k Commonwealth grant towards replacing and upgrading signage around the Terang Lake Walk – work that integrates with the new Park for Terang.

***Retirement village (Priority 3)***

This long-standing priority was identified as a key project in the Terang Community Building Initiative as well as in the Terang Community Plan, as a key means of retaining population, sustaining services and providing employment in Terang. Availability of land was an initial limitation, and subsequent investigations have yet to identify a viable model or partnership to establish a local retirement village. This project remains a high priority for Terang, as it is for other Corangamite communities.

***Empty shops filled (Priority 4)***

A number of business have come and gone from the Terang CBD since the initial community plan was formulated, with this issue again being recognised (in the review) as an important one for Terang. Elsewhere in Australia local authorities/municipalities have developed schemes to encourage new business to establish in retail areas through incentives, concessions or promotional initiatives. Subsidised (generally short-term) use of vacant retail space by creative enterprises or artists has been one of the more common approaches to activating formerly depressed retail areas, and this idea has been suggested for Terang.

***Railway Station (Priority 5)***

Taking some steps to improve the presentation of the unmanned and 'unloved-looking' Terang Railway Station site was identified as an important priority to make more of an important asset for Terang, particularly in connection with recognition of Terang's potential as a commuter town to Warrnambool. While future Station staffing is a State transport policy issue, the value of the rail transport service can be expected to receive increased recognition when more frequent (additional) services are introduced in 2017.

It remains open to the Terang community to work with The Stationeers group to adopt the Station as a community project, as was been done in Camperdown (with landscaping, planting, fencing, painting, new footpaths and seating).

***Industrial and residential land development (Priorities 6 and 18)***

There is strong, local support for the provision of additional industrial and residential land to support employment and population growth in Terang, regardless of third-party assessments that there is already sufficient provision of both.

***Footpaths and drainage (Priority 7)***

The major drainage problem in High Street was overcome through the first stage of the Terang Streetscape project, which also resulted in a marked improvement of footpath condition and the Highway crossovers. Further footpath improvements have been made in Dow and Simpson Streets and through extension to the new Children's Centre. This priority was not selected in the review process, and may be discounted, however the need for

further footpath improvements has been recognised and will no doubt be included in future Council upgrade schemes.

***Streetscape upgrade (Priority 8)***

With the first stage of the Terang Streetscape project successfully completed and Stage 2 budgeted for 2016-2017, this priority has been substantially addressed, in tandem with the transformation being wrought through the Shire's Retail Area Facades Improvement Scheme, where private capital has been contributed towards this end.

***Indoor heated pool (Priority 9)***

This priority remains from the 2012-2013 community planning exercise, but did not receive further mention by participants in the 2016 exercise.

***Bike trails (Priority 10)***

While some have envisaged a substantial bike pathway network connecting to nearby towns, others have spoken of safer places for people to cycle within town. The development of further shared pathways as part of the Terang Lake Park development may go some way to addressing the latter objective.

***Create Facebook page and website for Terang/Market Terang to tourists (Priority 11 and 13)***

These two new related priorities place a renewed emphasis on promoting Terang to develop the tourism economy. Both the objectives may be served by Terang's participation in the Shire/GOORT sponsored 'Northern towns' tourism initiative, which is designed to provide a supporting framework for township initiatives, including a website. There was more interest in the issue of marketing and promotion of Terang in the 2016 review than any other topic.

***Develop beer and wine festival/Kite festival (Priorities 12 and 15)***

One person proposed a 'kite festival for Terang in the 2012 survey, and nine people voted for it as a good idea. The idea of a 'beer and wine festival' attracted a similar level of support. As the community group responsible for putting together the Terang Country Music Festival knows only too well, operating a successful festival can be a significant undertaking, even with the support of the Shire and other partners. These priorities can be expected to remain 'just ideas' without determined individuals and groups to activate them.

***Improved public toilets (Priority 14)***

This priority remains from 2013, with the toilets in Estcourt Street being the primary target of concern at the time.

***Community bank (Priority 16)***

The experience of incremental withdrawal of banking services/reduced banking hours from the Terang community by the large banks prompted the proposal to further explore the possibility of securing a community bank for Terang.

***Community bus (Priority 17)***

Eight of the 19 participants in the 2016 review supported the idea of Terang having a community bus.

***Audit and update directional signage (Priority 19)***

This was the sixth new priority identified. A model has been established with VicRoads for the conduct of this audit work by a community group, however the updating of signs remains a costly exercise. It will be up to those who believe this is important priority to initiate a process to activate this project.



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***Family History Group home (Priority 20)***

The Terang Family History Group is still seeking a more satisfactory home where its records can be kept dry and secure.

***Town entrance treatments (Priorities 21 and 23)***

Tidying up the eastern approach to town and announcing 'arrival' at the western approach were priorities identified in 2013, the latter receiving further mention in the review.

***New bakery (Priority 22)***

This priority is still seen by some as an important asset for Terang, especially in regard to the tourist trade. It may also link specifically to Priority 4 (and the vacant Johnstone Court frontage).

**Policy and Legislative Context**

Recognising the many benefits of community planning and supporting its delivery in the Shire is consistent with the following Council Plan 2013-2017 commitments:

Corangamite Shire's communities are welcoming and provide support and a sense of belonging. Council will work to improve and enhance community health, wellbeing and connectedness. Council has an important role in planning to ensure townships grow in a sustainable manner.

Provide opportunities to improve and enhance the health and wellbeing of our community.

Provide and advocate for a range of services, facilities and support to our people to enable them to fully engage and participate in the community.

Importantly, the Terang Community Plan process gives expression to Council's Values and Behaviour embodied in the overriding principle applying across all themes in the Council Plan, namely the Cultural Change Program within Council and Council's 'commitment to continually improving the way we listen to our communities'.

**Internal / External Consultation**

The review of the Terang Plan was foreshadowed with local community groups and timed to follow the completion of some of the major priorities set out in the Plan. It was felt that the achievement of tangible outcomes would serve to validate the commitment of time and effort community members have contributed to a planning process which not all people may necessarily enjoy or appreciate.

A date was set for the public meeting to review '...what has been achieved, which priorities are still relevant, and whether or not new projects need to be added'. The 22 August 2016 date was chosen on the advice of local people so as not to clash with other community group meetings or activities. Invitations to the 'Report Card for Terang' event were conveyed by word-of-mouth, distributed through email networks, advertised through the Terang Express for three weeks, posted on Facebook (by both Terang Progress and Corangamite Shire), placed in the form of a poster in local shops and as an A5 handout on counters, inserted into supermarket shopping bags by Terang Co-Op staff, and hand-delivered by both locals and Shire staff to a number of community agencies including Terang College, Terang Resources and the Terang and District Health Service.

The review meeting was held in The Rose Room of the Terang Civic Centre. Supper was provided, catered for by the local MacBeth's Café.

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**Financial and Resource Implications**

This report is for information only and does not entail any recommendations relating to increased or reduced financial and other resources. The provision of \$140,000 in seed-funding by Council has provided the impetus and the means for the local community to identify and pursue projects to strengthen the Terang community, to build public participation in decision-making affecting Terang's future and to improve the liveability of the township through development projects.

**Conclusion**

The community of Terang has made remarkable progress over the first three years of its 10 year community plan, with 10 of 22 priorities having been completed or in hand, including eight of Terang's top 12 project priorities.

Community planning in Terang has been challenging, for a number of reasons, yet it has been very rewarding for the township in terms of progress on major projects. Much essential work on planning and financing projects remains invisible to most apart from those involved, yet is to be hoped that due recognition is given to the commitment of not only local citizens, but to Corangamite Shire and the many partners who have come together to support the priorities outlined in Terang's Community Plan 2013-2023.

The completion of significant projects for Terang provides unequivocal evidence of the value to communities of committing time and effort to Council's community planning initiative. This value not only relates to project outcomes for communities and for Council, but to the building of the trust which is essential to productive partnerships to enhance the liveability and prosperity of Terang.

**Information only**

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**RECOMMENDATION**

**That the Information Bulletin be received.**

## 9. PLANNING REPORTS

### 9.1 PP2016/045 Planning Application Use and Development of a Service Station and Development of Five Shops, alterations to Service Station requirements, changes to access to a Road Zone 1 (Manifold Street), reduction of Loading Bay Requirements and display of Advertising Signs 85-89 Manifold Street, Camperdown

**Author:** Scott Matheson, Planning Officer

**File No:** D16/585

**Previous Council Reference:** Nil

#### **Declaration**

Chief Executive Officer – Andrew Mason

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Author - Scott Matheson

In providing this advice to Council as the Planning Officer, I have no interests to disclose in this report.

#### **Summary**

A planning permit application has been received, proposing to construct a new service station and five shops in Camperdown. The proposal seeks to install a new service station facility including varying the service station requirements, the construction of five new shops, alterations to the access to Manifold Street, the display of new advertising signs, a reduction to the loading bay requirements and a 24-hour operation. Six objections have been received to the application based primarily on amenity impacts. It is recommended to issue a Notice of Decision to Grant a Planning Permit subject to the conditions set out in the recommendation.

#### **Introduction**

##### *History*

The subject land previously housed a service station. The service station was closed in the 2000's and a planning permit (PP2011/102) was issued for the demolition of buildings on 21 October 2011. A final inspection for the completion of works and removal of materials occurred on 8 October 2014. The site has been vacant since this time.

##### *Subject Land*

The land is held in four lots in a total area of 3,107sqm in Camperdown. The site is mostly flat and has a rectangular shape with frontage and three crossovers to Manifold Street. It also has side access to Curdie Street although the Curdie Street Oak Avenue prevents servicing from this direction. The land is zoned Commercial 1 Zone and is covered by a Heritage Overlay – Schedule 76, specific to the Manifold Street Conservation Precinct. The subject land is currently vacant.

### *Surrounding Area*

The site is bounded by Manifold Street to the north-east, Curdie Street to the south-east, private residential land to the south-west and commercial land used for residences to the north-west. Single storey dwellings are located to the west and south of the site while significant tree avenues are in the medians of both streets to the east and north. The wider surrounds are residential in nature, typical of the character of Camperdown township, with the main commercial precinct beginning about 100 metres north-west along Manifold Street.



**Figure 1: Subject Land at 85-89 Manifold Street, Camperdown**

### *Proposal*

The application proposes to install a new service station and five shops. Specifically, it is proposed to:

- install a new re-fuelling area with three (3) petrol dispensers
- construct a 5.8 metre high canopy
- develop a 4.15 metre high convenience kiosk, setback 2 metres from the site boundary adjoining commercial zoned land and setback 3.55 metres from the road reserve
- construct five 4.15 metre high shops, four of which are setback 4.77 metres from the residential interface along the south-west boundary
- develop an outdoor common area between Shop 5 and Shop 4
- install a common bin storage area adjoining the kiosk and Shop 5
- restrict access to the rear of the shops through 2 metre high timber fencing
- landscape the periphery of the site to a minimum of 2 metres from the site boundary
- remove one existing crossover and modify the two others to allow for one-way access and egress onto Manifold Street
- construct 20 car parking spaces including 1 disabled space
- retain two (2) spaces for the loading and unloading of commercial and servicing vehicles

- erect nine (9) internally illuminated advertising signs including a panel sign with LED pricing figures, two (2) canopy signs and six (6) on-awning signs
- install 2 metre high acoustic fencing along the residential interface to the south-western site boundary
- allow for 16 bike parking spaces
- develop internal footpath connections along the façade of the kiosk and shops, connecting Manifold and Curdie Streets
- operate 24 hours, 7 days a week

Site plans are included as an attachment to this report. Key images are shown below.

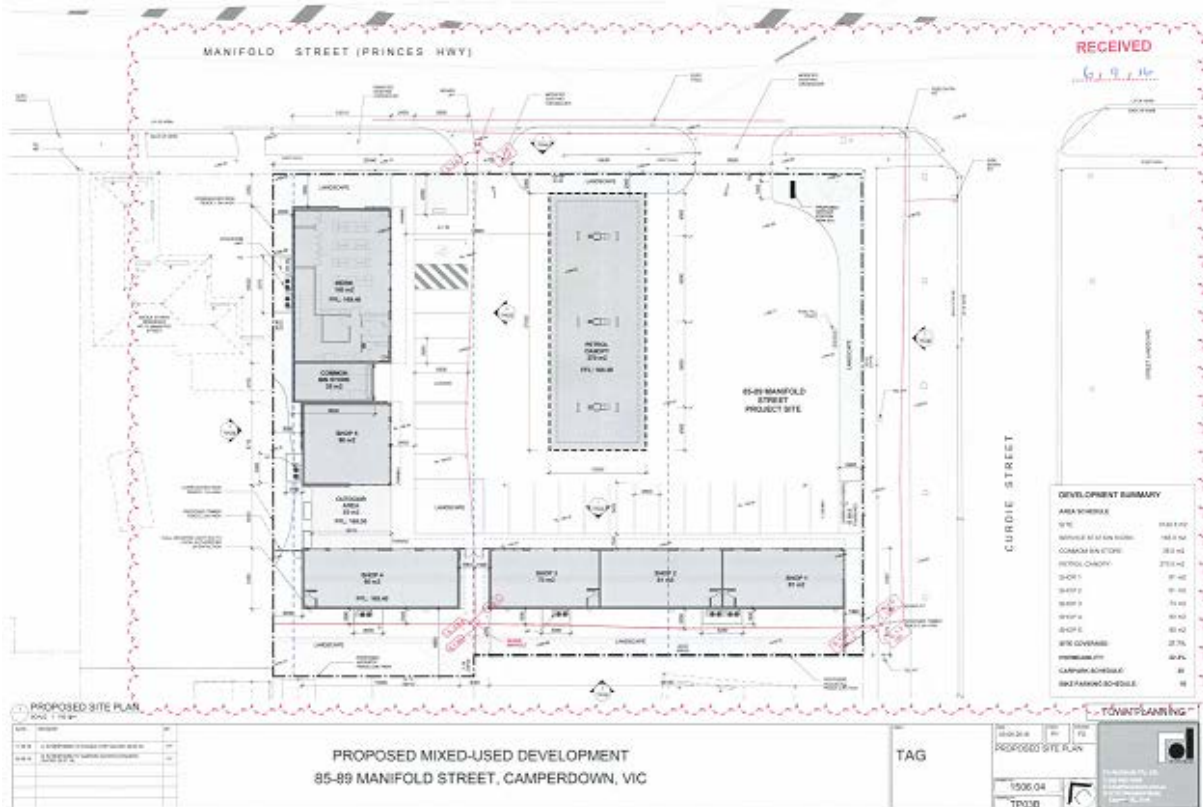


Figure 2: Site Plan for 85-89 Manifold Street, Camperdown

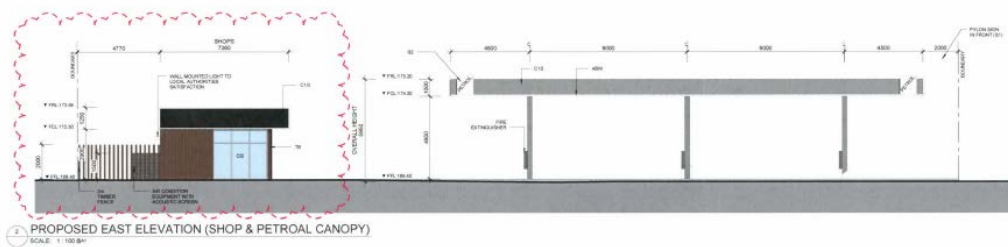


Figure 3: Kiosk/Shop and Canopy at 85-89 Manifold Street, Camperdown



Figure 4: Elevation of Shops 1-4 at 85-89 Manifold Street, Camperdown

## **Policy and Legislative Context**

### ***Zoning and Overlays***

The subject land is located within the Commercial 1 Zone (C1Z) and is subject to a Heritage Overlay. The use of land for a 'Service Station' is a Section 2 (Permit required) use in the C1Z. Further, building and works in the C1Z triggers the need for a planning permit. The relevant decision guidelines and requirements of the zone are addressed in the Assessment section below.

Pursuant to the Heritage Overlay, a planning permit is required for building and works. For this application that includes the construction of the buildings and the advertising signs. The subject site is situated within the Manifold Street Conservation Precinct and the relevant decision guidelines are covered in the Referrals section below.

### ***State Planning Policy Framework (SPPF)***

The following clauses of the State Planning Policies are of relevance to this application.

#### Clause 13.04-1 – Noise Abatement

Ensure that development is not prejudiced and community amenity is not reduced by noise emissions, using a range of building design, urban design and land use separation techniques as appropriate to the land use functions and character of the area.

#### Clause 15.03 – Heritage Conservation

To provide for the conservation and enhancement of places which are of aesthetic or social significance or otherwise special cultural value. To encourage appropriate development that respects places with identified heritage values and creates a worthy legacy for future generations.

#### Clause 17.01-1 – Business

To encourage development which meet the communities' needs for retail, entertainment, office and other commercial services and provides net community benefit in relation to accessibility, efficient infrastructure use and the aggregation and sustainability of commercial facilities.

### ***Local Planning Policy Framework (LPPF)***

The following local planning policies are of relevance to this application.

#### Clause 21.04-1 – Camperdown Structure Plan

Camperdown is acknowledged as the main commercial centre of the Shire. There is a desire to ensure infill commercial development should complement and enhance the character of the town.

#### Clause 21.04-3 – Economic Development

Camperdown is a regional shopping centre with a significant catchment. The need to consolidate existing commercial areas and prevent ribbon development from fragmenting existing business precincts and the promotion of Camperdown as the regional commercial centre of the Shire.

#### Clause 22.04 – Particular Use and Development

The preferred setback for buildings in a commercial zone is 0 metres – this can be varied if a better design outcome can be found. The highways in the Shire are a significant land use and a key area used by both residents and visitors that provides important transport opportunities and creates an impression of the Shire.

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Clause 22.06-7 – New Buildings in Heritage Precincts

It is local policy to ensure the consideration of the context of the heritage precinct when designing new buildings. The existing scale should be maintained including the massing, form and siting of contributory buildings when new buildings are designed. New buildings should also be sympathetic to the significance and character of contributory buildings.

***Particular Provisions***

Clause 52.05 – Advertising Signs

This provision regulates the display of signs and associated structures. Illuminated signage over a certain size triggers the need for a planning permit in a Category 1 – Commercial area. The size of the panel sign (shown as Sign 1 on the plans) triggers the need for assessment against this provision. The applicant was accepting of a permit condition to limit the illuminated signage to the panel sign. Signs 2-9 will be reduced to the classification of business identification signage, which is permitted in a commercial area.

Clause 52.06 – Car Parking

The development of five (5) shops with 395 square metres of floor-space would require 16 car parking spaces. The use of land for a service station requires car parking to be provided to the satisfaction of the Responsible Authority. The provision of 20 car parking spaces is considered to be an acceptable number of on-site spaces. Council's engineering department raised concerns about reversing movements from several of the car parks; as such, an amended plan of several of these spaces will be conditionally required.

Clause 52.07 – Loading and Unloading of Vehicles

Two loading bays are proposed for the subject land both of which are smaller in size than the minimum requirements set out in this provision. A permit may be granted to reduce or waive these requirements if adequate provision is made for loading and unloading vehicles to the satisfaction of the Responsible Authority. In this instance, the two loading areas are centralised and only marginally smaller than the required sizes. As such, this is considered a reasonable reduction of the requirements, although signage should be conditionally required to direct commercial and servicing vehicles to the correct areas.

Clause 52.12 – Service Station

This outlines the requirements to be met to use and develop land for a service station. An assessment against the requirements of this clause is provided later in the report.

Clause 52.29 – Land Adjacent to a Road Zone, Category 1

This provision requires a planning permit to create or alter an access to a main road (Manifold Street / Princes Highway) and requires a referral to VicRoads.

**Internal / External Consultation**

***Referrals***

The application was referred to VicRoads, Environment Protection Authority, Wannon Water, Aboriginal Affairs Victoria and Council's Assets, Environmental Health and Heritage departments.

An objection was received from Wannon Water regarding the original plans which sought buildings to be erected over sewer lines. Following a formal amendment to the application, the Wannon Water objection was withdrawn and standard conditions applied.

All other external referral authorities did not register an objection subject to conditions.

The comments of Council's Heritage department were considered significant regarding the Heritage value of the site. The Manifold Street precinct does not have a statement of



significance and the site was determined to be non-contributory. The Heritage department indicated that the scale of the buildings and the setback from the street frontage would minimise visual intrusion within the broader precinct. It was agreed to limit illuminated signage in order to retain the visual modesty of the development.

**Advertising**

Notice of the application was provided in accordance with the *Planning and Environment Act 1987*, with all adjoining landowners and occupiers of land receiving notification, notice being placed in the Warrnambool Standard and the Camperdown Chronicle, a sign displayed on-site and notice placed on Council’s website. The notice period was for three weeks between 11 July 2016 and 3 August 2016.

**Objections**

Six objections were received to the application. The issues raised in the objections and an officer response to each are provided below.

<b>Objection</b>	<b>Officer Response</b>
Impacts on amenity (smell & noise, particularly from refrigeration and AC units)	<p>The premises would need to ensure that noise emitted from the premises does not exceed the recommended levels as set out within the EPA publication ‘Noise from Industry in Regional Victoria NIRV: EPA Publication 1411’. Reducing operating hours will also limit noise impact during night periods. It should be noted that noise impacts from existing trucks using the highway is outside the scope of what can be considered as part of this planning assessment.</p> <p>Through consultation with submitters, it was considered to bring the AC units for Shop 5 and the Convenience Kiosk inside the Common Bin Storage area. This would further diminish noise impacts on adjoining properties. Further, it was conditionally agreed to erect a 2.4 metre high concrete wall along the interface with 91 Manifold Street. The acoustic wall along the residential interface to the south-west was required to be erected at a height of 2 metres and of concrete material. The designs of this fencing led to several objections being withdrawn.</p>
Light spill into adjoining residential properties	<p>The premises have been designed in a manner that minimises light spill into adjoining residences. The height of the kiosk and shops will visually restrict lighting from the service station. Lighting to the rear of the shops and kiosk will be required to be contained within the site and angled accordingly. Aforementioned fencing will further diminish light spill. The designing of the lighting will be angled to face inwards in order to minimise light spill across Manifold</p>

Objection	Officer Response
	and Curdie Streets. Based on conditions that Council required on the permit, an original objection was withdrawn.
Extra traffic and parking (especially trucks) along Manifold and Curdie Street	The applicant has allowed for 20 car parking spaces within the subject land; this will reduce the impact of car parking along the adjoining streets. The overall provision of truck and car parking, particularly along the Manifold Street commercial area, will be monitored by Council outside of this permit application process.
Excessive trading and delivery hours sought	This is considered a reasonable objection; therefore it is proposed that a planning permit condition should restrict the hours of operation for the service station to between 5.30am and Midnight. This is considered an appropriate compromise between allowing the business to operate whilst ensuring the amenity of the area is not unreasonably affected.
Decrease in adjoining property values	Perceived impacts on property values is not a valid planning consideration under the <i>Planning and Environmental Act 1987</i> and furthermore no evidence has been presented that this is the case.
No demand for additional shops or service station	Commercial demand for a business or service is not a valid planning consideration under the <i>Planning and Environment Act 1987</i> and furthermore no evidence has been presented that this is the case.
Treatment of flammable fuel and potential for explosion, particularly given proximity to fertilizer industries	The application was referred to the Environment Protection Agency who have requested several permit conditions be imposed. Several of those conditions outline the safe handling required of fuels within the subject land. The operation of the service station is further required to comply with EPA Publication 888.4 Underground Petroleum Storage Systems (UPSSs). Given this, it is considered that explosion risk has been satisfactorily minimised.
Eastbound traffic safety turning right into Curdie Street	The application required a statutory referral to VicRoads as the referral authority under the Roads Act. VicRoads did not register a concern with the alignment of the turning lane. While there will be three right hand turn options within a short space of Manifold Street, the street widening required by VicRoads will mitigate these concerns.

<b>Objection</b>	<b>Officer Response</b>
Adverse impacts on the nearby elm and oak avenues	The buildings are sought to be sited away from the oak trees along Curdie Street. Every precaution will be taken to protect these trees, including a permit condition that indicates that the trees should be protected throughout the construction process.

**Consultation**

An onsite consultation meeting was held with objectors, the applicant, observers, Councillors and Planning Officers on 6 September 2016.

**Assessment**

Clause 52.12 (Service Station) is the primary planning scheme tool to assess application for the use and development of a service station. Clause 52.12 offers the requirements below to be met for land to be used and development for a service stations. A permit may be granted to vary any of these requirements, if the Responsible Authority considers a better design solution will result. An assessment against these requirements is provided below:

<b>Requirement</b>	<b>Comment</b>
<p><b>Site area and dimensions</b></p> <ul style="list-style-type: none"> <li>• The site must be at least 1,080 square metres.</li> <li>• The frontage must be at least 36 metres (30 metres if the site is on a corner) and the depth at least 30 metres.</li> </ul>	<p><b>Complies</b></p> <ul style="list-style-type: none"> <li>• The site is 3,106 square metres.</li> <li>• The frontage is about 61 metres and the depth is about 50 metres.</li> </ul>
<p><b>Crossovers</b></p> <ul style="list-style-type: none"> <li>• No more than two vehicle crossovers may service the site from a road and at the road alignment a crossover must be:                             <ul style="list-style-type: none"> <li>• No wider than 7.7 metres.</li> <li>• At least 4.5 metres from another crossover on the site.</li> <li>• At least 4.5 metres from another road or if a splayed corner, at least 7.7 metres from the splay.</li> <li>• At least 1.8 metres from a crossover on another property.</li> </ul> </li> </ul>	<p><b>Partially complies</b></p> <ul style="list-style-type: none"> <li>• There are currently three crossovers on the site – one is proposed to be removed.</li> <li>• The eastern crossover is 8.03 metres – the western one 4.72 metres.</li> <li>• The separation between the crossovers is 18.85 metres.</li> <li>• The closest adjoining crossover is greater than 18 metres away.</li> </ul>
<p><b>Kerb or barrier</b></p> <p>Except at crossovers, a kerb or barrier must be built along the road alignment to prevent the passage of vehicles.</p>	<p><b>Complies</b></p> <ul style="list-style-type: none"> <li>• There is existing kerbing in place along Manifold and Curdie Streets – landscaping will further limit the chances for passage of vehicles.</li> </ul>

Requirement	Comment
<p><b>Road setbacks</b></p> <ul style="list-style-type: none"> <li>• A wall of a building must be at least 9 metres from a road.</li> <li>• A canopy must be at least 2.5 metres from a road.</li> <li>• Petrol pumps, pump islands, water and air supply points and storage tank filling points must be at least 3.6 metres from a road.</li> <li>• Petrol tankers must be wholly on the site when storage tanks are being filled.</li> <li>• Driveway space must be sufficient to enable a vehicle 13.8 metres by 2.5 metres to enter and leave the site without reversing.</li> <li>• No vehicle may be serviced unless it is wholly on the site.</li> </ul>	<p><b>Partially Complies</b></p> <ul style="list-style-type: none"> <li>• The front wall of the kiosk is 3.35 metres from Manifold Street.</li> <li>• The canopy is 2 metres from Manifold Street.</li> <li>• Air/Water is the closest to Manifold Street with a 4 metre setback.</li> <li>• The Fuel Fill points are setback roughly 2.5 metres from Curdie Street along the eastern part of the site.</li> <li>• The swept path descriptions in the traffic assessment illustrate that a long, large vehicle can enter and exit the site comfortably.</li> <li>• There is sufficient space on the site to service vehicles comfortably.</li> </ul>
<p><b>Discharge of waste</b></p> <ul style="list-style-type: none"> <li>• Waste from a vehicle wash area must drain into a public sewer or a settlement and oil separation system. The system must comply with the <i>Environment Protection Act 1970</i> and be installed to the satisfaction of the responsible authority.</li> </ul>	<p><b>N/A</b></p> <ul style="list-style-type: none"> <li>• No car wash is proposed as a part of this application.</li> </ul>
<p><b>Amenity</b></p> <ul style="list-style-type: none"> <li>• The amenity of the locality must not be adversely affected by activity on the site, the appearance of any building, works or materials, emissions from the premises or in any other way.</li> </ul>	<p><b>Complies</b></p> <p>The following measures will be implemented as part of the development proposal to ensure that the amenity of the surrounding areas is not unreasonably affected:</p> <ul style="list-style-type: none"> <li>• Limiting operating hours (including deliveries) to 5:30am-Midnight, 7 days/week.</li> <li>• Landscaping and fencing along site boundaries.</li> <li>• Sealing of the site to prevent dust.</li> <li>• Requirement for the noise emitted from the premises not exceeding the recommended levels as set out in EPA Noise from Industry in Regional Victoria.</li> </ul>
<p><b>Trailers for hire</b></p> <p>If trailers are for hire on the site:</p> <ul style="list-style-type: none"> <li>• The site must be at least 1,080 square metres.</li> <li>• All trailers must be wholly on the site and must not encroach on landscaping or car parking areas or accessways.</li> <li>• On a corner site, a trailer higher than 1 metre must be parked at least 9 metres from the corner.</li> </ul>	<p><b>N/A</b></p> <ul style="list-style-type: none"> <li>• No trailer hire is proposed in association with this application.</li> </ul>

Requirement	Comment
<p><b>Adjoining residential zone</b> If the site adjoins a residential zone:</p> <ul style="list-style-type: none"> <li>• A landscape buffer strip at least 3 metres wide along the common boundary must be planted and maintained to the satisfaction of the responsible authority.</li> <li>• External lights must be directed away from the residential zone to prevent light spill and glare.</li> </ul>	<p><b>Partially Complies</b></p> <ul style="list-style-type: none"> <li>• Areas immediately to the rear and across Curdie Street are residentially zoned.</li> <li>• A landscape buffer of 2.4 metres exists along Curdie Street.</li> <li>• The Curdie Street Oak Avenue provides an additional buffer to the residential areas.</li> <li>• There is a minimum landscape buffer of 4.77 metres to residential areas to the rear of the site.</li> </ul>

The Commercial 1 Zone also has numerous decision guidelines that are considered relevant to the application. Given the need for assessment of both the new land use and the building and works, the relevant guidelines are outlined below with an Officer response given.

Decision Guideline	Comment
<p>The interface with adjoining zones, especially the relationship with residential areas</p>	<p>The interface with the adjoining residential zone to the rear of the site has been treated with a 4.77m setback between the shops and the fencing. The applicant has proposed 2m high acoustic fencing along this interface, to mitigate amenity impacts. The landowner, who was a submitter, agreed to withdraw an objection provided the fence was constructed of concrete and maintained satisfactorily. Officers recommend the quality of the construction material be approved by an acoustic engineer. Lighting along this boundary along the rear of the shops will be angled to be baffled by the fencing too. Officers conditionally consider this level of treatment appropriate to retain a degree of residential amenity for the landowner's property.</p>
<p>The drainage of the land</p>	<p>Council's Engineering department has conditionally required a drainage plan prior to the commencement of development. This will be added as a permit condition of the recommendation below.</p>
<p>The interim use of the parts of the land not required for the proposed use</p>	<p>The applicant has proposed a minimum 2 metre landscaping strip around the perimeter of the site. These will be conditionally required to be planted out prior to the commencement of the use. The Outdoor Area between Shops 4 &amp; 5 will also conditionally be required to be maintained.</p>
<p>The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport</p>	<p>Internal footpaths and bike parking spaces will allow for the natural movement of pedestrians inside the land and when leaving the site. Signage will indicate where common bin storage is located. There is no</p>

Decision Guideline	Comment
	provision of public transport close to the land.
The storage of rubbish and materials for recycling	A common bin storage area is proposed between the Convenience Kiosk and Shop 5. This space is specifically set aside for the storage of garbage and is designed in a way that will retain smells within that area.
The design of buildings to provide for solar access	The buildings proposed as a part of this application have been designed in a way that allows for maximum solar exposure. This decision guidelines is considered to have been met acceptably.

The Heritage Overlay has several decision guidelines considered relevant to this application; they are outlined and assessed below.

Decision Guideline	Comment
The significance of the heritage place and whether the proposal will adversely affect the natural or cultural significance of the place.	The proposed service station and shop development is single storey and maintains appropriate setbacks from Manifold Street. According to Council’s Heritage department, this ensures that the development will not overwhelm the streetscape.
Whether the location, bulk, form and appearance of the proposed building is in keeping with the character and appearance of adjacent buildings and the heritage place.	Flat rooves are appropriate in a commercial streetscape that contains a number of commercial buildings with parapets that conceal the pitched roofs behind. The shops at the rear of the site although, extending across the whole site, will have little impact on streetscape views due to their location at the rear of the site behind the service station. The amount of bulk related to the service station is minimal with a kiosk and canopy structure the only built form at the front of the site. As a result, it is considered that the site will remain relatively open and will not dominate views along Manifold Street.
Whether the proposed sign will adversely affect the significance, character or appearance of the heritage place.	The proposed signage to the service station has been kept to a minimum and will not overwhelm the streetscape. The signage will be attached to the canopy structure and the kiosk on the fascia area – this is appropriate and in keeping with the predominant signage locations in the streetscape. The pylon sign is of a scale and placed so it will not dominate views or obscure views of the historic streetscape. Council does not support the proposed illumination of the signage, which is inappropriate in a Heritage Overlay precinct as it overwhelms the

Decision Guideline	Comment
	streetscape and detracts from significant views of the historic features (including the tree avenues).

### Options

Council has the following options:

1. Issue a Notice of Decision to Grant a Planning Permit, subject to conditions as set out in the Officer's recommendation. This is the preferred option.
2. Issue a Notice of Decision to Grant a Planning Permit, subject to separate conditions.
3. Issue a Notice of Refusal to Grant a Planning Permit.

### Conclusion

The proposed development of the land for a Service Station and Five Shops is consistent with the aims and objectives of the Corangamite Planning Scheme. The land is appropriately located in the Commercial 1 Zone and along the Manifold Street Road Zone 1 frontage. Through extensive consultation with submitters and the applicant, the proposed planning permit conditions have been considered to address potential amenity impacts on adjoining areas.

### RECOMMENDATION

**That Council, pursuant to Section 64 of the *Planning and Environment Act 1987*, resolves to issue a Notice of Decision to Grant a Planning Permit PP2016/045 for the Use and Development of a Service Station and Development of Five Shops, alterations to Service Station requirements, changes to access to a Road Zone 1 (Manifold Street), reduction of Loading Bay Requirements and display of Advertising Signs at 85-89 Manifold Street Camperdown subject to the following conditions:**

#### Amended Plans Required

1. Prior to the commencement of development, amended plans must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and then form part of the permit. The plans must be drawn to scale with dimensions and a minimum of three copies provided. Such plans must be generally in accordance with the most recent plan submitted but modified to show:
  - (a) Swept path diagrams from car parking spaces 10, 11 and 12 to demonstrate the safe entry and exit from these spaces
  - (b) Acoustic fencing along the interface with adjoining properties
    - (i) 2.4 metres minimum height along the 91 Manifold Street boundary
    - (ii) 2 metres minimum height along the south-western site boundary
  - (c) The Coolroom Unit associated with the Kiosk and the AC Units associated with the Kiosk and Shop 5 to be placed inside the Common Bin Store area
2. All buildings and works shown on the amended plans must be completed to the satisfaction of the Responsible Authority prior to commencement of the use.

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**Landscaping**

3. Prior to the commencement of development, three complete sets of landscape plans must be submitted to the Responsible Authority. When endorsed, the plans will form part of the planning permit. The plans must be to the satisfaction of the Responsible Authority and must show:
  - (a) The planting of predominantly native grasses and shrubs indigenous to the area;
  - (b) The landscaping within the immediate vicinity of the exit point crossover must be maintained to a height that ensures pedestrians are readily visible;
4. The works contained in the Landscape Plan must be implemented to the satisfaction of the Responsible Authority prior to the commencement of the use.
5. The landscaping works shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority.

**Fencing**

6. Prior to the commencement of development, an acoustic fence must be erected on the land along the adjoining property boundaries of the site. The fence must be in accordance with Condition 1b.
7. The design of the fence must be prepared to the satisfaction of the Responsible Authority in consultation with an acoustic engineer
8. The acoustic fence must be constructed of concrete, or similar material, to the satisfaction of the Responsible Authority.
9. The fence and its acoustic qualities must be maintained to the satisfaction of the Responsible Authority.

**Drainage Plan**

10. Prior to the commencement of development, a properly prepared drainage discharge plan with computations to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and a minimum of three copies must be provided. The plans must include:
  - (a) Stormwater generated to be discharged to a legal point of discharge.

**Advertising Signs**

11. The location and details of Sign 1 as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
12. Signs 2-9 are not permitted to be illuminated by internal lighting; their location and details as shown on the endorsed plans must not be otherwise altered without the consent of the Responsible Authority.
13. External sign lighting must be designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on adjoining land.



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**General Amenity**

14. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
15. The use and development must be managed so that the amenity of the neighbourhood is not detrimentally affected, through the:
  - (a) processes carried on;
  - (b) the transportation of materials, goods or commodities to or from the land;
  - (c) the appearance of any buildings, works or materials;
  - (d) the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, or oil;
  - (e) the presence of vermin.

**Construction Management Plan**

16. Prior to the commencement of development, a Construction Management Plan must be submitted to the Responsible Authority. The plan must demonstrate:
  - (a) Measures taken to ensure the safety of significant trees, including branches, trunks and root systems, along the Curdie Street road reserve
  - (b) Methods to ensure all excess soil from construction works and other waste material is removed from the land at regular intervals

The Construction Management Plan must be approved by and implemented to the satisfaction of the Responsible Authority.

**Consolidation of Lots**

17. Prior to the commencement of the use, the lots that comprise the land must be consolidated into one lot and a copy of the consolidated title provided to the Responsible Authority.

**Control of Light Spill**

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

**Hours of Operation**

19. The use (including for deliveries) may operate only between the hours of 5.30am-Midnight Monday to Sunday (including public holidays). These times must not be altered without the written consent of the Responsible Authority.

**Noise Control**

20. Noise levels emanating from the premises must not comply with the requirements of the Environment Protection Authority's *Noise from Industry in Region Victoria* guideline (EPA publication 1411).

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**Sealed Pavement**

21. The ingress and egress to the subject land, all internal carriageways and all car parking required by this permit shall be surfaced with an all-weather bitumen pavement (or other approved sealing material) and drained to the satisfaction of the Responsible Authority.

**Vehicle Manoeuvring**

22. Vehicular crossings must be constructed to the road and suit the proposed driveways, with any existing crossing or crossing opening to be removed and replaced with footpath, nature strip, and kerb and channel to the satisfaction of the Responsible Authority.

**Car Parking**

23. All car parking spaces must be designed to allow all vehicles to drive forwards both when entering and leaving the property.
24. Prior to the commencement of the use, the areas set aside for parking of vehicle and access lanes as shown on the endorsed plans must, to the satisfaction of the Responsible Authority, be:
- (a) Constructed
  - (b) Properly formed to such level that they can be used in accordance with the plans
  - (c) Surfaced with concrete, asphalt or paving
  - (d) Drained and maintained
  - (e) Line marked to indicate each car space and all access lanes
  - (f) Clearly marked to show the direction of traffic along access lanes and driveways

**Loading/Unloading**

25. The loading and unloading of goods from vehicles must only be carried out on the land subject to this permit, within the designated loading bay(s) and must not disrupt the circulation and parking of vehicles on the land.

**External Music**

26. No externally amplified music is permitted. Any external public address system must be set at a suitable level that will not cause a nuisance to adjoining and nearby residents to the satisfaction of the Responsible Authority.

**Outdoor Area**

27. The outdoor area must be maintained in an orderly and well-kept fashion to the satisfaction of the Responsible Authority.

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**Cultural Heritage Management Plan**

28. An approved copy of the Cultural Heritage Management Plan must be kept on-site at all times and that all employees and contractor staff are aware of the requirements of the Plan.

**VicRoads**

29. Before the development comes into use, the following road works must be completed at no cost to, and to the satisfaction of the Roads Corporation (VicRoads):
- (a) Princes Highway (Manifold Street)
    - (i) Right turning lane.
    - (ii) Upgrade of existing access
30. Prior to the works on the Princes Highway road reserve commencing, the applicant must enter into a works agreement with VicRoads, confirming design plans and works approvals processes, including the determination of fees and the level of VicRoads' service obligations.

**Environment Protection Agency**

31. Displaced petrol fumes must be collected with a vapour recovery system
32. Stormwater contaminated with waste oil, grease, chemicals, leachate or sediments must not be discharged beyond the boundary of the premises and be collected and disposed of off-site by an EPA approved contractor or sent to sewer under a Trade Waste Agreement
33. A secondary containment system must be provided for liquids which if spilt are likely to cause pollution or pose an environmental hazard, in accordance with the EPA Publication 347 Bunding Guidelines 1992 or as amended
34. Design, installation and management of the service station must comply with requirements as outlined in EPA Publication 888.4 Underground Petroleum Storage Systems (UPSSs) 2015 or as amended and the Australian Standards referenced therein

**Wannon Water**

35. The provision, at the developers cost, of the required sewerage works necessary to serve the proposed development
36. The provision, at the developers cost, of the required water supply works necessary to serve the proposed development
37. The developer is to ensure all proposed buildings (or any overhang) and other infrastructure are clear of existing sewer easements and at least 1 metre horizontally clear of the outside edge of existing sewers and water mains on or adjacent to the property
38. The developer entering into an agreement with Wannon Water for payment of the new customer contributions applicable to the proposed development

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- 39. The developer obtaining the necessary consents and approvals for:**
- (a) Alteration to or connection of on-site plumbing**
  - (b) The discharge of “trade waste” (other than domestic sewage) from the property**
  - (c) Changes to the natural surface levels that result in a portion of the building or allotment not being able to be provided with gravity sewerage services**
  - (d) The placement of fill or cutting (benching) over existing sewers or sewerage easements on the property**

**Expiry of Permit – Use and Development**

- 40. This permit will expire if one of the following circumstances applies:**
- (a) The development is not started within two (2) years of the date of this permit.**
  - (b) The development is not completed within four (4) years of the date of this permit.**
  - (c) The use is not commenced within four (4) years of the date of this permit.**

**The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within six (6) months afterwards.**

**Attachments**

- 1. Attachment 1 - Plans of proposed Service Station - Under Separate Cover**
- 2. Attachment 2 - Copy of Submissions - Under Separate Cover**

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## 10. OFFICERS' REPORTS

### 10.1 Council Policy - Occupational Health and Safety

**Author:** Michele Stephenson, Manager Human Resources/Risk

**File No:** D16/591

**Previous Council Reference:** Nil

#### **Declaration**

Chief Executive Officer – Andrew Mason

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Author - Michele Stephenson

In providing this advice to Council as the Manager Human Resources/Risk, I have no interests to disclose in this report.

#### **Summary**

This report recommends that Council adopt the Occupational Health and Safety (OHS) Policy 2016. This policy is a key element of the Health and Safety Management System at Corangamite Shire. It advises those covered by the policy about their responsibilities for workplace health and safety. The policy has been reviewed in accordance with Council's Policy Development Framework without change.

#### **Introduction**

Council has a legal obligation as far as it is reasonably practicable, to provide and maintain a working environment that is safe and without risks to the health of its staff. The Occupational Health and Safety Policy as part of the Health and Safety Management System aims to proactively manage the health and safety of all workers

#### **Issues**

The existing policy was reviewed and updated during the development of the Health and Safety Management System in 2013. The policy commits Council to the provision of a safe workplace and continuous improvement in workplace health and safety. The Health and Safety Management System provides the framework and tools to achieve this. The 2016 review has not identified any changes to the policy.

#### **Policy and Legislative Context**

The policy aligns with the objectives and strategies in the Council Plan 2013–2017:

We will create a supportive, vibrant and exciting workplace which is diverse in culture, choice and opportunity. Our organisation will provide a high level of customer service and be responsive to community needs.

Support and develop our people.

This policy is consistent with the provisions of the *Occupational Health and Safety Act 2004*, the *Accident Compensation Act 1985*, related legislation and Council policies and procedures.

**Internal / External Consultation**

The Occupational Health and Safety Policy is an existing policy that has been reviewed internally by the Human Resources/Risk team and Senior Officer Group and by the Internal Audit Committee.

**Financial and Resource Implications**

The implementation of this policy will be through existing human and budgeted resources.

Serious legislative breaches impose organisational and personal fines and/or imprisonment.

**Options**

Council may adopt the Occupational Health and Safety Policy as presented, or with amendment.

**Conclusion**

The revised Occupational Health and Safety policy states Council's commitment to providing a safe and healthy workplace, ensures legislative compliance, and is an important component of the overall Health and Safety Management System.

**RECOMMENDATION**

**That Council:**

- 1. Revokes the previous Occupational Health and Safety Policy dated September 2013.**
- 2. Adopts the Occupational Health and Safety Policy 2016.**

**Attachments**

- Occupational Health and Safety Policy 2016



**CORANGAMITE  
SHIRE**

# Occupational Health and Safety Policy

Corangamite Shire Council  
September 2016

# Council Policy



## Occupational Health & Safety

### Introduction

Proactive management of the Health and Safety (H&S) of all workers employed by Corangamite Shire Council is a key objective of the Council management system. This policy provides the guidance for health and safety management across Council.

### Purpose

The purpose of this policy is to ensure:

- that H&S is an integral part of managing the Council and that management plans address health and safety;
- compliance with all H&S legislative requirements;
- 'As far as reasonably practical'<sup>1</sup> eliminate hazards to workers in workplaces under the control of the Council or performing Council work (including sites away from usual workplaces);
- continuous improvement of H&S is actively encouraged and supported through consultation with all workers, information, instruction, training and supervision; and
- the condition of the workplace and the health of workers is monitored and controlled.

### Scope

This policy applies to Council:

- Councillors
- employees;
- volunteers;
- contractors or subcontractors;
- employees of a contractor or subcontractor;
- employees of a labour hire company who has been assigned to work within workplaces;
- outworkers;
- apprentices or trainees; and
- students gaining work experience

when they are in a workplace under Council's control and management and/or using or handling any plant or substances and/or performing work in the conduct of Council's business.

### Definitions

- **Workplace** – "means a place, whether or not in a building or structure, where employees or self-employed persons work".<sup>2</sup>
- **Due diligence** – that is, to take every reasonably practicable precaution to protect the health, safety and welfare of those in the workplace.<sup>3</sup>
- **Health & Safety Management System** - "that part of the overall management system which includes organisational structure, planning activities, responsibilities, practices,

<sup>1</sup> Refer to "How Worksafe applies the law in relation to reasonably practical", a guideline made under section 12 of the OHS Act 2004

<sup>2</sup> Occupational Health and Safety Act 2004

<sup>3</sup> Adapted from Due Diligence at Work, Workcover NSW Health and Safety Guide, 1997

Adopted at Council on:

Agenda Item: 10.9

Responsibility: Manager Human Resources/Risk

File Number: D/13/40265

Directorate: Corporate & Community Services

To be reviewed by: September 2019

Policy Number:

Page Number: 2



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Corangamite Shire Council Policy – Health & Safety

procedures and resources for developing, implementing, achieving, reviewing and maintaining the OHS policy and so managing the risks associated with the business of the organisation."<sup>4</sup>

**References**

- *Occupational Health and Safety Act 2004*

**Policy Detail**

Corangamite Shire Council is committed to providing and continuously improving a safe and healthy workplace through:

- A proactive, embedded culture of safety where all workers have an active, ongoing role;
- Safety leadership - where senior and middle management lead from the front and 'walk the walk';
- Safety planning, including the ability to 'Report, Monitor and Control' the effectiveness of safety management throughout the organisation;
- Ongoing compliance with legislative requirements;
- Communication & Consultation on all H&S matters;
- Everyone having the ability to readily identify and report workplace hazards and effectively and efficiently control them; and
- Effective and efficient return to work following injury.

This will be achieved through the Health and Safety Management System (HSMS) which incorporates:

- Management accountability;
- Strategic planning;
- Consultation;
- Hazard management;
- Reporting and recording;
- Supervision and training; and
- Injury management.

**Policies and Procedures.** This policy should be read in conjunction with Corangamite Shire Council health, safety and risk related policies and procedures.

**Statement of Consistency.** It is considered that this Policy does not impact negatively on any rights identified in the Charter of Human Rights Act (2006).

**Responsibilities**

**Councillors** are responsible for:

- Approval of Health & Safety policy; and
- Complying with Corangamite Shire health and safety policy when performing in their role as Councillor and at all Council workplaces.

**CEO and Directors** are responsible for:

- Leading the organisation to continuously improve safety awareness and culture;
- Exercising due diligence to ensure compliance with Council's duty of care;
- Monitoring the overall effectiveness and implementation of the Health and Safety Management System (HSMS); and

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<sup>4</sup> *Australian Standard AS/NZS 4801:2001*

Corangamite Shire Council Policy – Health & Safety

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- Providing resources to ensure that health and safety requirements are addressed in an efficient and effective manner.

**Managers and Supervisors** are responsible for:

- Maintaining a working environment that is safe and where all hazards are efficiently and effectively controlled through the implementation of health and safety procedures.
- Exercising due diligence to ensure compliance with Council's duty of care.
- Provision of adequate facilities for the welfare of workers.
- Provision of information, instruction, training and supervision to workers as required for the safe conduct of tasks in the workplace.
- Ensuring that persons other than workers are not exposed to health or safety hazards arising from tasks being carried out.
- Reporting, monitoring and controlling workplace conditions.

**All Workers** are responsible for:

- Exercising due diligence to ensure compliance with Council's duty of care.
- Taking reasonable care for their own health and safety and for those who may be affected by their actions.
- Complying with Health and safety policies, procedures and instructions.
- Taking action to identify, assess, control and review hazards.
- Reporting potential and actual hazards.
- Immediately reporting any work related injury or near miss incidents to their Manager/Supervisor and the Human Resources/Risk Management Department.

**The Human Resources/Risk Management Department** is responsible for:

- Developing and maintaining the Health and Safety Management System inclusive of policies and procedures which support continuous improvement of health and safety and compliance with legislation.
- Coordinating the effective operation of the Health and Safety Management System.
- Providing advice and information across Council to ensure Health and Safety requirements are met.
- Providing information and training required for workers to meet their health and safety responsibilities.
- Providing coordination of the Occupational Health and Safety Committee.

**Human Rights**

It is considered that this Policy does not impact negatively on any rights identified in the Charter of Human Rights Act (2006).

**Review Date**

This policy will be reviewed in 2019, or earlier as required by changed circumstances, including changes to legislation and policies.

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Adopted at Council on:  
Agenda Item: 10.9  
Responsibility: Manager Human Resources/Risk  
File Number: D/13/40265

Directorate: Corporate & Community Services  
To be reviewed by: September 2019  
Policy Number:  
Page Number: 4

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## 10.2 Council Policy - Equal Employment Opportunity

**Author:** Michele Stephenson, Manager Human Resources/Risk

**File No:** D16/587

**Previous Council Reference:** Nil

### Declaration

Chief Executive Officer – Andrew Mason

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Author - Michele Stephenson

In providing this advice to Council as the Manager Human Resources/Risk, I have no interests to disclose in this report.

### Summary

This report recommends that Council adopt the Equal Opportunity Policy, which has been reviewed in accordance with Council's Policy Development Framework. No changes to the policy are recommended.

### Introduction

The Equal Employment Opportunity Policy informs people who work for Council about how we will implement the principles of equal opportunity, and how Council will handle complaints or reports of unlawful or unacceptable workplace behaviour, including breaches of the *Occupational Health and Safety Act* which deals with bullying.

### Issues

The *Equal Opportunity Act 2010* is Victoria's anti-discrimination law. It operates to prevent discrimination, harassment, sexual harassment, vilification and victimisation of individuals. The right to live and work free from discrimination and harassment in Victoria is also protected by Federal laws. Equal opportunity in the workplace is to ensure that all individuals are able to realise their full potential in employment, without barriers such as discrimination, harassment or bullying.

The *Equal Opportunity Act* and the *Occupational Health and Safety Act* both impose a positive duty on employers to take all reasonable steps to eliminate unlawful behaviours in the workplace. Councils can be held liable for acts of discrimination, bullying or harassment that occur in the workplace or in connection with a person's employment.

### Policy and Legislative Context

The policy aligns with the objectives and strategies in the Council Plan 2013 – 2017:

Council will demonstrate high levels of ethical behaviour and corporate governance standards.

We will create a supportive, vibrant and exciting workplace which is diverse in culture, choice and opportunity. Our organisation will provide a high level of customer service and be responsive to community needs.

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This policy is consistent with the provisions of the *Equal Opportunity Act 2010*, the *Local Government Act 1989*, related legislation and Council policies and procedures.

**Internal / External Consultation**

The Equal Employment Opportunity Policy is an existing policy which has been reviewed by the Human Resources team and Senior Officer Group.

**Financial and Resource Implications**

The implementation of this policy will be through existing human and budgeted resources. Proven and serious legislative breaches impose organisational and personal fines and/or imprisonment.

**Options**

Council may adopt the Equal Employment Opportunity Policy as presented or with amendment.

**Conclusion**

The Equal Employment Opportunity Policy highlights the responsibilities of Council and people who work for Council to ensure a discrimination and harassment free working environment.

**RECOMMENDATION**

**That Council:**

1. **Revokes the previous Equal Employment Opportunity Policy dated September 2013**
2. **Adopts the Equal Employment Opportunity Policy dated September 2016**

**Attachments**

1. Equal Employment Opportunity Policy September 2016



**CORANGAMITE  
SHIRE**

# Equal Employment Opportunity Policy

Corangamite Shire  
September 2016

# Council Policy

## Equal Employment Opportunity



### Introduction

Equal opportunity in the workplace is about recognising and valuing diversity, and ensuring that individuals do not face unnecessary barriers to participating in or realising their potential in employment.

The *Equal Opportunity Act 2010* (the Act) is Victoria’s anti-discrimination law. The Act operates to prevent discrimination, harassment, sexual harassment, vilification and victimisation of individuals. The right to live and work free from discrimination and harassment in Victoria is also protected by Federal laws, and in cases of bullying, by criminal law.

It is against the law to:

- Discriminate against a person on the basis of a personal characteristic or attribute protected by law.
- Discriminate against people with a disability
- Sexually harass someone.
- Victimise someone for making a complaint or helping another person to make a complaint.
- Vilification of a person or group of people.

The *Occupational Health and Safety Act 2004* requires employers to proactively take all reasonable measures to ensure health and safety in the workplace. Bullying is a serious risk to health and safety, and may also be a criminal offence as well as a breach of the Act.

Councils can be held liable for acts of discrimination, bullying or harassment that occur in the workplace or in connection with a person’s employment.

### Purpose

This policy informs Councillors, Council staff and others who work for Council of the principles of equal opportunity and their application in the workplace.

### POLICY

Consistent with Corangamite Shire’s values and behaviours, and relevant legislation, Council is committed to a policy of equal opportunity in the workplace.

It is unlawful in Victoria to discriminate on the basis of the following personal characteristics:

- |  |  |
|--|--|
| <ul style="list-style-type: none"> <li>• Race/ethnicity</li> <li>• Gender Identity</li> <li>• National origin</li> <li>• Marital or relationship status</li> <li>• Gender identity</li> <li>• Sexual orientation</li> <li>• Age</li> <li>• Industrial/employment activity</li> </ul> | <ul style="list-style-type: none"> <li>• Pregnancy</li> <li>• Family responsibilities</li> <li>• Religious beliefs</li> <li>• Political conviction</li> <li>• Intersex status</li> <li>• Breastfeeding</li> <li>• Physical features</li> <li>• Lawful sexual activity</li> </ul> |
| <ul style="list-style-type: none"> <li>• Disability/impairment, including infectious disease</li> </ul>  |  |

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It is also unlawful to discriminate against a person who is personally associated with someone with any of these characteristics, or on the presumption that a person has a particular personal characteristic.

The following principles require the commitment and active participation of all people bound by this policy:

- We will ensure that only factors relating to a person's ability to perform at work will guide Council decisions in relation to an employee's work.
- Management decisions will be made without bias.
- We will give every employee fair access to all workplace opportunities and benefits which are relevant to their position.
- We will not discriminate against employees or job applicants who have either a temporary or permanent disability or illness. We will provide any such employee with any facilities or services they need to be able to do the essential parts of their job where this is reasonably practicable.
- We will provide training to all Councillors and employees on their rights and responsibilities in relation to equal opportunity, unlawful discrimination harassment and workplace bullying.
- We will recognise and respect the social and cultural backgrounds of all staff, Councillors and customers.
- We will provide effective mechanisms to resolve complaints of discrimination, vilification, bullying or harassment and victimisation for having made or cooperated in a complaint.
- We will treat any reports of unlawful discrimination, harassment, victimisation or workplace bullying seriously and will investigate such complaints promptly, confidentially and impartially.

**SCOPE:**

This policy applies to all people who perform work for Council, including full time, part time and casual Council employees, contractors, work experience students, volunteers and Councillors.

This policy applies to all aspects of employment, on-site, off-site or after hour's work, at work-related social functions, conferences and wherever and whenever staff may be as a result of their Corangamite Shire duties.

**RESPONSIBILITIES:**

**Councillors and Staff**

Councillors and staff have a responsibility to:

- Comply with this policy, related procedures and legislation
- Respect the social and cultural diversity among other Councillors, staff and customers
- Report acts of unlawful discrimination, bullying or harassment
- Say 'no' to harassment and bullying. If you are harassed or bullied, speak to the person involved, your supervisor, manager, human resources manager or use the Complaint and Grievance Procedure.

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- Avoid gossip and respect the confidentiality of the complaint resolution procedures.

**Supervisors/Managers**

Supervisors and managers have the additional responsibilities of:

- Modelling appropriate standards of behaviour
- Knowing the principles supporting this policy to effectively deal with any concerns
- Making sure that staff are aware of and understand their Equal Opportunity responsibilities
- Making it clear to staff that discriminatory, harassing or bullying behaviour will not be tolerated
- Ensuring that the working environment is free of sexist, racist or any other form of stereotyping material such as posters or screen savers
- Acting immediately if witnessing or advised about any unlawful or unfair treatment by following the information in the Complaint and Grievance Procedure.
- Treating staff complaints seriously and confidentially in accordance with the grievance procedures.

**Human Resources/risk Management Department**

The Human Resources/Risk Department is responsible for making sure all employees and Councillors have access to this document.

The department will also provide induction and ongoing training to ensure that employees and Councillors are kept informed.

**DEFINITIONS:**

**Discrimination**

Discrimination is treating, or proposing to treat, someone unfavourably because of a personal characteristic or attribute protected by law such as sex, age, race or disability.

**Direct** discrimination occurs where a person with a protected personal characteristic or attribute is treated differently and less favourably than a person who does not have that attribute, under the same or similar circumstances.

**Indirect** discrimination occurs if a requirement, condition or practice is imposed and someone with a particular attribute does not or cannot comply with that requirement, condition or practice. If the requirement, condition or practice is not 'reasonable in all the circumstances' it will be considered indirect discrimination and against the law and Council policy.

**Equal Opportunity**

Equal Opportunity is the principle that the provision of employment, education, access to services and other social benefits should be allocated based on an individual's strengths and weaknesses and not on stereotypes or other irrelevant characteristics.

**Equal Employment Opportunity (EEO)**

Equal Employment Opportunity is making sure that everyone has equal access in the workplace by:

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- Ensuring that employment opportunities and employment are free from direct or indirect discrimination or harassment, and the workforce is representative of the general community
- Assisting people to overcome disadvantage.

**Harassment**

Harassment means behaviour directed to another person (or group of persons) in the workplace that subjects them to a detriment because of their attributes.

Types of behaviour which constitute harassment include, but are not limited to:

- Any violent or threatening physical abuse
- Comments of a racist nature
- Ridicule of a person's disability
- Downloading or displaying offensive material
- Sarcastic or derogatory comments or actions which undermine, belittle or humiliate an individual or group or their ability or intelligence
- Yelling screaming, swearing or similar behaviour aimed at intimidating, frightening, coercing or offending those at whom it is directed.

This list is not exhaustive. All employees are responsible for their own actions and should not engage in behaviour or make remarks that may be offensive.

**Sexual Harassment**

Sexual harassment is unwelcomed, unsolicited and unreciprocated behaviour of a sexual nature. For the purpose of the *Equal Opportunity Act 2010* a person sexually harasses another person if he or she:

- makes an unwelcome sexual advance, or an unwelcome request for sexual favours, to the other person
- engages in any other unwelcome conduct of a sexual nature in relation to the other person  
in circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated that the other person would be offended, humiliated or intimidated.

Sexual harassment is **not** behaviour based on mutual attraction, friendship and respect.

**Conduct of a sexual nature**

Conduct of a sexual nature includes:

- Subjecting a person to an act of physical intimacy
- Making a remark or statement with sexual connotations to a person, or about a person, in his or her presence, whether verbally or in writing.
- Making any gesture, action or comment of a sexual nature in a person's presence.
- Subjecting a person to sexually explicit pin-ups, poster or sexually explicit jokes.

A single incident is enough to constitute sexual harassment, and just because someone does not object to inappropriate behaviour in the workplace at the time, it does not mean that they are consenting to the behaviour.

Corangamite Shire Council Policy – Equal Opportunity

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**Workplace bullying**

Workplace bullying is repeated, unreasonable behaviour directed toward an employee, or group of employees, that creates a risk to health and safety, including the mental or physical health of an employee.

**Repeated** in this context refers to the persistent nature of the behaviour and can refer to a range of behaviours that occur over time.

**Unreasonable behaviour** refers to behaviour that a reasonable person, having regard for the circumstances, would see as victimising, humiliating, undermining or threatening.

**Behaviours that may constitute bullying**

There are many different ways in which bullying can manifest, and bullying can include actions or acts of omission.

The Victorian WorkCover Authority Guidance Notes for the Prevention of Bullying and Violence at Work provides examples of some of the behaviours that may be considered bullying.

**What is not bullying?**

Reasonable management action is not bullying. Reasonable management action includes:

- Setting performance goals and standards
- Deciding what a worker will do
- Deciding not to promote a worker
- Moving a worker to a new office or location for business reasons
- Giving a worker feedback on performance
- Taking disciplinary action if a worker's behaviour warrants it.

**Victimisation**

Victimisation occurs when a person is retaliated against or treated unfairly or less favourably because of the person:

- Making or intending make a complaint
- Having invoked this policy
- Helping someone make a complaint
- Co-operating in a complaint process (ie: been involved as a witness)
- Refusing to contravene this policy or legislation

**Vilification**

Vilification is a public act that could incite or encourage hatred, serious contempt or severe ridicule towards people on the grounds of their race or religious belief or activity. Conduct can be a single act or a number of acts, and includes use of the internet, social media or email to publish or transmit statements or other material.

Serious vilification means knowing, intentional or reckless vilification that involves threatening or inciting physical harm towards a person or group of people or any property of a person or group of people. This can amount to criminal conduct under State law.

Corangamite Shire Council Policy – Equal Opportunity

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**RELATED LEGISLATION:**

**Federal**

- *Human Rights and Equal Opportunity Act 1987*
- *Commonwealth Sex Discrimination Act 1984*
- *Commonwealth Disability Discrimination Act 1992*
- *Commonwealth Racial Discrimination Act 1975*
- *Equal Opportunity for Women in the Workplace Act 2012*
- *Age Discrimination Act (2004)*
- *Fair Work Act (2009)*
- *Commonwealth Disability Discrimination Act 1992*

**State**

- *The Victorian Equal Opportunity Act 2010*
- *Racial and Religious Tolerance Act 2001*
- *Victorian Charter of Human Rights and Responsibilities Act 2006*
- *Local Government Act 1989* (Sections 95, 96 and Schedule 6)
- *Occupational Health and Safety Act 2004*
- *Crimes Amendment (Bullying) Act 2011*

For the purpose of Section 93 of the *Equal Opportunity Act*, which deals with sexual harassment by employers and employees, 'a municipal councillor is to be taken to be an employer of employees of that council'.

Part 4(73) and Part 6(102) of the *Equal Opportunity Act* deal with harassment by councillors against other councillors or members of council committees.

The *Occupational Health and Safety Act (VIC) 2004* imposes a general duty on employers to provide and maintain for their employees a safe, risk-free working environment as far as is reasonably practicable.

The Victorian *Crimes Amendment (Bullying) Act 2011*, criminalises bullying and imposes penalties for people convicted of bullying.

**RELATED COUNCIL GUIDELINES:**

The following guidelines and complaints handling procedures will assist employees to comply with this policy:

- Recruitment & Selection Policy and Guidelines
- Performance Management Policy and Guidelines
- Employee Complaints & Grievances Procedure
- Misconduct and Discipline Policy and Procedure
- Code of Conduct for Staff
- Councillor Code of Conduct

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**Reporting Procedure**

Corangamite Shire takes reports of unacceptable behaviour seriously and will ensure that they are dealt with confidentially, fairly and in a timely manner.

If you are the victim of workplace discrimination, harassment, victimisation, vilification or bullying, you are encouraged to report this to your manager. If you are uncomfortable raising the matter with your manager, you can raise the matter with another manager, the HR manager or the Human Rights and Equal Opportunity Commission. Complaints of bullying may also be referred to Worksafe Victoria or to the Fair Work Commission.

Complaints and grievances will be handled in accordance with the Corangamite Shire Complaints & Grievances Procedure.

**Human Rights**

It is considered that this Policy does not impact negatively on any rights identified in the Charter of Human Rights Act (2006).

Further advice and information about discrimination, harassment, sexual harassment and bullying may be obtained from:

**Human Resources/Risk Management Department**

Michele Stephenson, Manager. Tel: 55937135 (BH)

**Victorian Human Rights and Equal Opportunity Commission**

Level 3, 380 Lonsdale Street, Melbourne VIC 3000

Tel: (03) 9281 7100 or (03) 9281 7111 (*equal opportunity/discrimination enquiries*)

Free call: 1800 134 142 (*within Victoria only*)

TTY: (03) 9281 7110 (*speech and hearing impaired*)

Fax: (03) 9281 7171

Web site: <http://www.humanrightscommission.vic.gov.au>

Email: [information@veohrc.vic.gov.au](mailto:information@veohrc.vic.gov.au)

**Worksafe Victoria**

Web site: <http://www.worksafe.vic.gov.au/>

Tel: 1800 136 089

**Fair Work Commission**

Level 4, 11 Exhibition Street, Melbourne, 3000

GPO Box 1994, Melbourne, 3001

Telephone: (03) 8661 7777

Facsimile: (03) 9655 0401

Out of hours emergency: 0419 960 157

Email: [melbourne@fwc.gov.au](mailto:melbourne@fwc.gov.au)

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## 10.3 Council Policy - Information Privacy

**Author:** Michele Stephenson, Manager Human Resources/Risk

**File No:** D16/635

**Previous Council Reference:** Nil

### Declaration

Chief Executive Officer – Andrew Mason

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Author - Michele Stephenson

In providing this advice to Council as the Manager Human Resources/Risk, I have no interests to disclose in this report.

### Summary

This report recommends that Council adopt the Information Privacy Policy which provides guidance to councillors and staff about the handling of personal information. The Policy has been reviewed in accordance with Council's Policy Development Framework and changes to legislation. There are minor changes recommended to the policy to recognise new legislation.

### Introduction

The Information Privacy Policy explains how Council will handle, store and use the personal information it collects about individuals, and how individuals can access and correct their personal information or complain about possible privacy legislation breaches.

Personal information includes any information about an identifiable individual. In a small municipality it may not be necessary to name an individual for them to be identified, because the information itself might clearly identify them.

### Issues

The development of an Information Privacy Policy is recommended by the Office of the Privacy Commissioner to assist organisations in meeting their legal obligations.

The Information Privacy Policy complies with legislation which requires Council to:

- develop an Information Privacy Policy
- appoint a privacy contact officer to handle enquiries and complaints
- handle personal information in accordance with the Information Privacy Principles and the Health Privacy Principles.

The Manager Human Resources/Risk is the privacy contact officer.

In September 2014 the *Privacy and Data Protection Act 2014* repealed and merged the *Information Privacy Act 2000* and the *Commissioner for Law Enforcement Data Security Act 2005* to create a single Victorian Commissioner for Privacy and Data Protection. The *Privacy and Data Protection Act 2014* regulates how the Victorian public sector, including local

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councils, handles recorded personal information. It does this through 10 Information Privacy Principles.

The key changes in the Act:

- re-enact the Information Privacy Principles without modification
- provide for Victorian Government departments and agencies to seek a determination about whether a particular use of personal information that it holds is authorised or required by law
- allow public sector organisations to seek, and for the new Commissioner to grant, approval to handle personal information in ways that would not ordinarily be permitted under the IPPs, in circumstances where this would be in the public interest.

The changes in the second and third dot points above permit councils to depart from some Information Privacy Principles where there is a substantial public interest in doing so.

The new legislation also develops a comprehensive data security framework in Victoria. These provisions do not apply to councils, however the data security obligations in Information Privacy Principle 4 still apply.

The 11 Health Privacy Principles contained in the *Health Records Act 2001* apply to the identifying personal health information collected and handled by Council. Council collects health information to provide services such as Home and Community Care, Maternal and Child Health, Immunisation and Disability services to the community. Council must also comply with these Principles.

Training is provided to Council staff to ensure everyone understands and is committed to full compliance with their obligations under the legislation.

### **Policy and Legislative Context**

The policy aligns with the objectives and strategies in the Council Plan 2013–2017:

Model contemporary standards of corporate governance and professional standards.

This policy is consistent with the requirements of the *Privacy and Data Protection Act 2014* and the *Health Records Act 2001*. Where there is an inconsistency with a provision made under any other Act, including the *Local Government Act 1989*, then that other Act will prevail, and the provision contained in the privacy legislation will have no force or effect.

### **Internal / External Consultation**

This is an existing policy which has been reviewed by the Human Resources/Risk Department.

### **Financial and Resource Implications**

The implementation of this policy is not expected to incur any financial costs or other resourcing issues.

### **Options**

Council may adopt the Information Privacy Policy as presented or with amendments. Council can re-appoint the Manager Human Resources/Risk as privacy contact officer or nominate another person as privacy contact person.

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**Conclusion**

All recorded personal information held by Council is subject to legislated privacy provisions.

The policy provides guidance to Council officers and Councillors on how to manage personal information and also how a complaint about a potential privacy breach may be made.

**RECOMMENDATION**

**That Council:**

- 1. Revokes the Information Privacy Policy dated September 2013**
- 2. Adopts the Information Privacy Policy dated September 2016**
- 3. Re-appoints the Manager Human Resources/Risk as Council's Privacy Contact Officer.**

**Attachments**

1. Information Privacy Policy September 2016



**CORANGAMITE  
SHIRE**

# Information Privacy Policy

Corangamite Shire Council  
September 2016



# COUNCIL POLICY

## Information Privacy



### Introduction

Council collects and holds vast amounts of personal information about individuals. This includes information about ratepayers/residents, council staff and contractors.

The *Privacy and Data Protection Act 2014 (Vic)* came into effect on 17 September 2014. It regulates how the Victorian public sector, including councils, collects and handles personal information. The *Privacy and Data Protection Act 2014* replaces and consolidates the *Information Privacy Act 2000* and the *Commissioner for Law Enforcement Data Security Act 2005*.

Council is committed to full compliance with its obligations under the *Privacy and Data Protection Act 2014* and the *Health Records Act 2001*. In particular, Council will comply with the Information Privacy Principles (IPPs) and Health Record Principles (HRPs) contained in these Acts.

### Purpose

Corangamite Shire Council believes that protection of an individual's privacy is a key part of its commitment towards accountability and integrity, and is strongly committed to protecting every individual's right to privacy.

The purpose of the Information Privacy Policy is to explain the Information Privacy Principles and how they apply at Corangamite Shire Council.

The Policy also explains how Council will collect, store, use and disclose the personal information of individuals, how individuals can access their personal information and correct inaccuracies, and how an individual can complain about possible breaches of the *Privacy and Data Protection Act 2014*.

### Scope

This policy applies to all employees, contractors and councillors of the Corangamite Shire Council.

### Relationship to other laws

Section 6 of the *Privacy and Data Protection Act 2014* provides that if a provision of the *Information Privacy Act* is inconsistent with another Act, then the other Act prevails. This means that if something is required or authorised under the *Local Government Act*, then the provisions of the *Privacy and Data Protection Act 2014* do not apply. Nothing in the *Privacy and Data Protection Act 2014* affects the operation of the *Freedom of Information Act 1982*.

### Definitions

**Council** is defined in the *Privacy and Data Protection Act* as having the same meaning as in the *Local Government Act*.

**Personal Information** means information or an opinion, (including information or an opinion forming part of a database), that is recorded in any form, and whether true or not, about an

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individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion. This includes information we have collected in any format including correspondence, in person, photographic, by telephone, or on a telephone and by electronic means. This policy also covers personal information we have sourced from third parties.

**Information Privacy Principles (IPPs)** is a set of principles that regulates the handling of personal information.

**Public Register** means a document held by a council and open to inspection by members of the public by force of a provision made by or under an Act other than the *Freedom of Information Act 1982* or the *Public Records Act 1973*.

**Sensitive Information** is personal information or an opinion about an individual's:

- Racial or ethnic origin
- political opinions
- membership of a political association
- religious beliefs or affiliations
- philosophical beliefs
- membership of a professional or trade association
- membership of a trade union
- sexual preferences or practices
- criminal record

**Health Information** is broadly defined to include information or an opinion about:

- the physical, mental or psychological health of an individual
- the disability of an individual
- an individual's expressed wishes for future provision of health services or any health service provided to an individual
- a health service provided, or to be provided, to an individual that is also personal information
- other information collected to provide or in providing a health service
- does not include information about an individual who has been deceased for more than 30 years.

Some personal information may also be "sensitive information" as defined in the Act.

There are eleven Health Privacy Principles which regulate the collection and handling of health information.

**Health Service** is an activity performed in relation to an individual to provide a disability service, palliative care service or aged care service.

**Privacy Officer/Health Services Officer** is the contact person at Council to receive and handle complaints about possible breaches of privacy.

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**Policy Detail**

Council has implemented practical measures and takes all reasonable steps to ensure that the use and disclosure of personal and health information is consistent with privacy laws and community expectations.

Where personal and health information has been collected and needs to be passed on to others who are engaged to provide services on the Council's behalf, or where non-Council staff are authorised by the Council to collect information, analyse it or deliver services, those involved will be required to treat the information in the same way that the Council does.

Councillors and officers are required to deal with personal information in compliance with the IPPs. Councillors and officers do not have unrestricted access to personal information held by Council, and they do not have an unrestricted right to use and disclose such information. In particular, personal information held by Council must not be used for a Councillor or officer's own personal or business purposes, outside of his or her functions as a Councillor or officer. If Councillors or officers do use personal information in breach of the IPPs, they may be individually liable and their actions may mean that Council is also liable.

**References**

The primary legislative obligations applying to the Council's treatment of personal and health information are contained in the Victorian Government's *Privacy and Data Protection Act* and the *Health Records Act 2001*. Other relevant legislation, guidelines and sources are listed below:

- Victorian Charter of Human Rights and Responsibilities 2006
- *Health Records Act 2001*
- *Health Services Act 1998*
- *Freedom of Information Act, 1982*
- *Public Records Act, 1973*
- Privacy Victoria Website
- Privacy Victoria publications, guidelines and rulings
- Corangamite Shire 'Protecting Your Privacy' brochure

Privacy legislation prescribes a number of Information Privacy Principles that the Council is required to comply with to promote and ensure the fair and responsible collection and handling of personal and health information.

The Information Privacy Principles (IPP'S)

- Information Privacy Principle 1 – Collection
- Information Privacy Principle 2 - Use And Disclosure
- Information Privacy Principle 3 - Data Quality
- Information Privacy Principle 4 - Data Security
- Information Privacy Principle 5 – Openness
- Information Privacy Principle 6 - Access And Correction

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- Information Privacy Principle 7 - Unique Identifiers
- Information Privacy Principle 8 – Anonymity
- Information Privacy Principle 9 - Trans-Border Data Flows
- Information Privacy Principle 10 - Sensitive Information

Council will conform with the privacy principles contained in the Act, in the following ways.

**1. Collection**

Council will only collect personal/health information that is necessary for the performance of its functions. In some instances Council is required by law to collect personal/health information. Council will only collect sensitive information where the individual has consented or as permitted under a relevant Act.

The information provided may be used for purposes including but not limited to the following:

- To make contact where it is necessary in order to provide services requested.
- To make contact where it is necessary to resolve issues relating to our services or functions.
- To make contact prior to a meeting to confirm details.
- To provide material concerning Council initiatives and programs when information is supplied for this purpose.
- To facilitate the collection of Council fees and charges.
- To enable payment for Council provided goods and services.
- To enable Council to undertake its law enforcement functions.
- To aid community safety.

**2. Use and Disclosure**

Council will not use or disclose personal information or health information either externally or internally except for the purpose it was collected, unless it is for a related purpose and a person would reasonably expect this to occur such as, but not limited to:

- To Council's contracted service providers who manage the services provided by Council, including waste collection, meals preparation for aged and disability services and others
- To individuals for the purpose of serving a notice to fence as required by the Fences Act
- To Council's professional advisers, including auditors and lawyers
- To an immediate family member of the individual for emergency reasons
- Where appropriate under another Act, including the *Freedom of Information Act*
- To Police, Fire or State Emergency Departments for emergency or law enforcement purposes
- Where individual's consent has been given
- Where Council is required to do so by law

Access to information will always be on a 'need to know' basis.

**3. Data Quality**

Council will take reasonable steps to make sure that the personal/health information it collects, uses or discloses, is accurate, complete and up-to-date.

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Individuals can amend any personal information you have supplied to Council. Details on how to do this are explained under Information Privacy Principle 6.

**4. Data Security**

Council will endeavor to maintain a secure system for storing personal/health information. Council will also maintain operational policies and procedures to protect personal/health information from misuse and loss and from unauthorized modification or disclosure. Council will dispose of personal/health information where it is no longer necessary to fulfill the purposes for which the information was collected or as required by law.

Council will take all reasonable steps to destroy or permanently de-identify records if they are no longer required. Destruction will be in accordance with disposal schedules of the *Public Records Act 1973*.

**5. Openness**

Council will make its policies relating to the management of personal or health information available and accessible through publishing this policy both in hard copy and on its website.

Council will, on request, take reasonable steps to provide individuals with general information on the types of personal/health information it holds and for what purposes it collects, holds, uses and discloses that information.

**6. Access and Correction of Personal Information**

Individuals have a right to seek access to their personal/health information and make corrections. Access and correction will be handled under the *Victorian Freedom of Information Act*. Some limits may apply where particular circumstances prevent Council from releasing information.

If personal/health information is inaccurate, incomplete, misleading or out of date, the individual may request Council to correct this information. Council will take all reasonable steps to correct this information.

**7. Unique Identifiers**

Council will not assign, adopt, use, disclose or require a unique identifier from a person unless it is necessary to conduct normal business operations or the Council is required to do so by law.

**8. Anonymity**

Where lawful and practicable, Council will give an individual the option of not identifying themselves when supplying information or entering into transactions with it. In circumstance where anonymity would impede the ability of the Council to properly provide a service, Council will ensure that individuals are aware of any limitations to services if the information required is not provided

**9. Trans-Border Data Flows**

While Council staff usually handle personal/health information, Council may outsource some of its functions to third parties. This may require a contractor to collect, use or disclose certain personal/health information. It is Council's intention to require contractors to comply with the Acts in all respects. Personal information will not be transferred outside Victoria unless the recipient of the information is subject to privacy standards that are similar to the

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Adopted at Council on:  
Agenda Item: 10.8  
Responsibility: Manager Human Resources/Risk  
File Number: D/13/40267

Directorate: Corporate & Community Services  
To be reviewed by: September 2019  
Policy Number:  
Page Number: 6

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Corangamite Shire Council Policy – Information Privacy

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*Information Privacy Act*, with consent or in other limited circumstances. The privacy protections must travel with the information.

**10. Sensitive Information**

Council will not collect sensitive information about an individual except for circumstances specified under the Acts.

**Health Record Principles**

1. Collection
2. Use of data
3. Data quality
4. Data security and data retention
5. Openness
6. Access and correction
7. Identifiers
8. Anonymity
9. Transborder data flow
10. Transfer or closure of the practice of a health service provider
11. Making information available to another health service provider

If Council discontinues a health service it will give notice of the closure to past service users.

If the Council is requested to make a person's health information available to another health service provider, the Council will comply with the request, basing its procedures on the requirements of the *Health Records Act 2001*.

**Role of Privacy Officer**

The Privacy Officer/Health Records Officer handles enquiries, complaints or adjustments regarding personal or health information. Written requests for information will be responded to by the Privacy Officer unless the request is covered by the *Freedom of Information Act*. Requests under the *Freedom of Information Act* will be responded to in accordance with legislation and generally within 45 days.

Complaints can be directed to Council's Privacy Officer in the first instance.

**Complaints**

Complaints should be directed to:

Privacy Officer  
Corangamite Shire Council  
PO Box 84  
Camperdown Vic 3260

Telephone: (03) 55 937 135  
Facsimile: (03) 55 932 695  
E-mail: shire@corangamite.vic.gov.au

Complaints will be investigated and a written response will be provided as soon as possible (but no later than 45 days). If an individual is not satisfied with the way in which Council handles information or deals with a complaint, a formal complaint can be made to the

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Adopted at Council on:  
Agenda Item: 10.8  
Responsibility: Manager Human Resources/Risk  
File Number: D/13/40267

Directorate: Corporate & Community Services  
To be reviewed by: September 2019  
Policy Number:  
Page Number: 7

Corangamite Shire Council Policy – Information Privacy

Victorian Privacy Commissioner (or Victorian Health Services Commission in relation to Health Records).

**Public Registers**

Council maintains public registers in accordance with r.11 of the *Local Government (General) Regulations 2004* which may include personal information.

The Public Registers can be accessed at Council's Civic Centre building at 181 Manifold Street Camperdown.

**Human Rights**

It is considered that this Policy does not impact negatively on any rights identified in the Charter of Human Rights Act (2006).

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Adopted at Council on:  
Agenda Item: 10.8  
Responsibility: Manager Human Resources/Risk  
File Number: D/13/40267

Directorate: Corporate & Community Services  
To be reviewed by: September 2019  
Policy Number:  
Page Number: 8

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## 10.4 Retail Area Facade Improvement Program

**Author:** Rory Neeson, Manager Community Relations

**File No:** D16/626

**Previous Council Reference:** Nil

### Declaration

Chief Executive Officer – Andrew Mason

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Author - Rory Neeson

In providing this advice to Council as the Manager Community Relations, I have no interests to disclose in this report.

### Summary

The purpose of this report is to allocate funds for Council's 2016-2017 Retail Area Façade Improvement Program.

### Introduction

The aim of the Retail Area Façade Improvement Program is to encourage businesses located in the retail areas of towns within the Corangamite Shire to complete improvement works to their facades to help improve the overall presentation of streetscapes within the Shire.

The program was open to any business located in the commercial area of a town in our Shire that has street frontage. Home based businesses with no street frontage were not eligible.

### Issues

The Retail Area Façade Improvement Program opened for applications on 1 July 2016 and closed on 31 August 2016.

Businesses from the following towns were eligible to apply to the program:

- Camperdown
- Cobden
- Darlington
- Derrinallum
- Lismore
- Noorat
- Port Campbell
- Princetown
- Skipton
- Simpson
- Terang
- Timboon.



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To apply for funding as part of the program, applicants were required to complete an application form and provide all required documentation, as well as have an understanding of the program guidelines to ensure they are aware of what information is required by Council to be completed as part of the program.

The criteria for works that could be considered for funding as part of the program include:

- painting of the façade
- cleaning the existing façade
- removal of redundant signage, air conditioning units and hoardings
- minor repair, maintenance or reinstatement of missing elements
- minor repairs to existing facade tile or stone accents
- minor repairs to structural facade elements and awnings
- new, repairs or replacements of verandahs.

Following the application period, 27 applications to the program were received requesting \$61,259.06 (excl. GST) of funding through the program.

Following this period, one business decided to withdraw their application as they need to complete further work on planning the actual works that they wanted to complete to the front of their facade.

The applications to the program were evaluated based on the program's assessment criteria. Results of these evaluations were then ranked from highest to lowest to provide the recommendation for businesses to be funded.

As the amount of funding available exceeds the amount of funding requested, it is proposed to transfer \$28,956.71 (excl. GST) of funding from Council's Community Planning program that had been previously allocated to façade improvements to allow a further 14 businesses to participate in the program.

This means that the program would be able to fund 26 businesses \$58,956.71 (excl. GST) from across the Shire, enabling them to complete \$150,000 of works.

### **Policy and Legislative Context**

The Retail Area Façade Improvement Program is compliant with the Retail Area Façade Improvement Program Policy that was adopted by Council in June 2016 as well as meeting all the requirements of Council's Grants Policy.

The program is consistent with the following Council Plan 2013-2017 strategies as part of the Positioning for Economic Growth theme to "create attractive and liveable towns" and "support and nurture existing businesses".

The program is also supported by numerous community plans that have been completed in the Shire which list improvements to business facades as one of their top priorities.

### **Internal / External Consultation**

Following the adoption of the 2016-2017 Budget, extensive external consultation about the program has occurred across the Shire. The program has had three media releases distributed, been advertised in Council's Noticeboard in the Warrnambool Standard and all three Western District Newspapers, been included in the weekly Mayoral radio interview on two occasions, had radio interviews completed on ABC Radio, 3CS and 3YB and has been

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communicated to progress association meetings occurring during the application period in towns throughout the Shire.

The program has also been advertised through Council's social media channels including Facebook and Twitter, with the Facebook posts attracting over 5,000 views.

### **Financial and Resource Implications**

The Retail Area Façade Improvement Program has a \$30,000 budget allocation in the 2016-2017 Budget to create a fund for businesses to apply to as part of the program.

Businesses have applied on a \$1:\$1 basis to complete improvements to their facades with the amount capped at \$3,000 per business.

Planning fees for 13 planning permits have been waived by Council as part of the program to encourage participation at a cost of approximately \$1,828, however any relevant building permit fees have still applied.

Applications for funding from eligible businesses to the program have totalled \$58,956.71 (excl. GST). As Council only has a budget of \$30,000, it is proposed to transfer \$28,956.71 (excl. GST) of funding from Council's Community Planning program that had been previously allocated to façade improvements before this program existed to allow a further 14 businesses to participate in the program.

### **Options**

Council may consider the following options for the allocation of funds under the Retail Area Façade Improvement Program:

1. Allocate funds of \$29,265.65 to Retail Area Façade Improvement Program applicants.
2. Allocate funds of \$58,956.71 to Retail Area Façade Improvement Program applicants using both Council's \$30,000 allocation and \$28,956.71 of previous allocated façade improvement funding from Council's Community Planning program.
3. Re-evaluate grant applications and consider funding alternative applications.

### **Conclusion**

The Retail Area Façade Improvement Program provides businesses from across the Shire with an incentive to complete works to improve the appearance of their façades.

The program aims to improve the appearances of town streetscapes throughout the Shire, providing an incentive for businesses to complete these works while making the process of applying to the program as simple as possible.

The program is innovative and helps address a funding gap that has been identified regarding the funding of improvements to businesses façades.

## RECOMMENDATION

That Council:

1. Allocates funds of \$7,384.32 (excl. GST) to Retail Area Façade Improvement Program applicants as below:

Business Name	Town	Funding
Port Campbell Take Away	Port Campbell	\$3,000.00
TS McQuinn & Son	Cobden	\$2,931.82
Bostock Creek Design and Drafting	Camperdown	\$1,452.50
<b>Total</b>		<b>\$7,384.32</b>

2. Allocates funds of \$51,572.39 (excl. GST) to Retail Area Façade Improvement Program applicants as below:

Business Name	Town	Funding
Finn and Pugh Legal Practice	Terang	\$3,000.00
13 Main Street	Timboon	\$3,000.00
Port Campbell Hostel	Port Campbell	\$3,000.00
Camperdown Veterinary Clinic	Camperdown	\$2,050.00
Terang Newsagent	Terang	\$3,000.00
B & S Discount Tyres	Camperdown	\$1,650.00
Bourkey's Tyres	Terang	\$3,000.00
Milk and Honey	Timboon	\$2,382.00
Timboon Provedore	Timboon	\$1,613.65
Changing Seasons	Timboon	\$600.00
Skipton Post Office	Skipton	\$3,000.00
Camperdown Newsagency	Camperdown	\$1,634.10
Karoa Restaurant and Bar	Port Campbell	\$3,000.00
Penry Routson Optometrists	Camperdown	\$3,000.00
Skipton Pharmacy	Skipton	\$2,199.00
Jokers Fancy Dress	Camperdown	\$3,000.00
238 Manifold Street	Camperdown	\$1,891.36
No Limitz Hair	Camperdown	\$537.50
Bachelors Building and Joinery	Camperdown	\$3,000.00
168 Manifold Street	Camperdown	\$537.50
Men's Hair on Manifold	Camperdown	\$477.28
Timboon Distillery	Timboon	\$3,000.00
Timboon Takeaway	Timboon	\$3,000.00
<b>Total</b>		<b>\$51,572.39</b>

### Attachments

1. Retail Area Façade Improvement Program - Applications Evaluation 2016-2017 - Under Separate Cover

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## 10.5 2015-2016 Financial Statements and Performance Report

**Author:** Adam Taylor, Manager Finance

**File No:** D16/633

**Previous Council Reference:** Nil

### Declaration

Chief Executive Officer – Andrew Mason

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Author - Adam Taylor

In providing this advice to Council as the Manager Finance, I have no interests to disclose in this report.

### Summary

This report proposes Council give in-principle approval to the Financial Statements and Performance Statement for the year ended 30 June 2016 and authorise two Councillors to certify the statements.

The financial result for the year ended 30 June 2016 was a \$12,000 profit which was lower than our adopted budget profit of \$2.94 million. However, after taking into account grants paid in advance in the prior year (\$3.55m) and carry forward projects (\$3.84m) the result was very strong and all key financial indicators remain above target.

### Introduction

Pursuant to Section 132 (2) and (5) of the *Local Government Act 1989*, Council is required to give 'in-principle' approval of the 2015-2016 Financial Statements and Performance Statement and authorise two Councillors to approve the statements in their final form. The statements must be in the form and contain the content specified by the *Local Government (Finance and Reporting) Regulations 2014*.

Council must not submit the statements to its Auditor or the Minister unless it has passed a resolution giving its approval in-principle to the statements. Legislation also recognises that further changes may be made to the statements, and therefore Council must authorise two Councillors to certify the Financial Statements and the Performance Statement in their final form after any changes recommended or agreed to by the auditor have been made.

### Issues

The Victorian Auditor General's Office (VAGO) is responsible under the *Audit Act 1994* for the audit of Council's Financial Statements and Performance Statement. Auditors from Coffey Hunt, agents on behalf of VAGO, were in attendance on 11 and 12 August 2016 and the draft set of statements prepared are attached under separate cover.

For 2015-2016, an operating surplus of \$12,000 was achieved compared to an adopted budgeted deficit of \$2.936 million. This primary difference in comparison to the adopted budget was prepayment of 50% of the 2015-2016 Financial Assistance Grants on 30 June 2015 (\$3.55 million).

Explanatory commentary on major variations against Council's 2015-2016 Adopted Budget is included in the notes to the Financial Statements (note 2a), and provided below.

<b>Revenue</b>	<b>Variance Favourable / (Unfavourable)</b>	<b>Comment</b>
Rates and Charges	\$48,000	Additional income as a result of supplementary rates
Statutory fees and fines	\$125,000	Additional Landfill Levy (\$94,000), Health Registrations (\$11,000) and Town Planning Fees (\$14,000) collected throughout the year.
User fees	(\$484,000)	Landfill user fees (\$466,000) under budget due to loss of major customer. This loss of income will be partially offset by reduced cell construction costs.
Grants - operating	(\$2,731,000)	Primarily due to half of the VGC Grant for 2015-2016 paid in 2014-2015 (\$3.55m). The balance is grants carried forward from previous years.
Grants - capital	\$1,320,000	Primarily capital grants carried forward from previous year offset against grants for Castle Carey Bridge realignment (\$500,000), Port Campbell Streetscape Design (\$100,000) and Timboon Streetscape construction (\$150,000) budgeted but not received.
Contributions - monetary	\$176,000	Special Charge Schemes budgeted but not yet completed (\$130,000).
Reimbursements	(\$253,000)	VicRoads / South West Alliance projects under budget (\$600,000) which are offset by reductions in expenditure. Fuel tax credits above budget (\$260,000).
Net gain/(loss) on disposal of property, infrastructure, plant and equipment	(\$1,039,000)	Profit on Sale of Light Fleet, Heavy Plant and Buildings (\$379,000) offset by write down value of under depreciated infrastructure assets (\$1,418,000).
Share of net profits (or loss) of associates and joint ventures	\$23,000	This item is in relation to the Corangamite Regional Library and is not budgeted for.
Other income	\$355,000	Additional interest revenue received above budget (\$335,000).

Expense	Variance Favourable / (Unfavourable)	Comment
Employee Costs	\$135,000	No material difference to the budgeted amount.
Materials and Services	(\$1,704,000)	Carry Forward Amounts (\$2.02m) offset by savings in Fuel Costs (\$260,000), Family Day Care contractors (\$171,000), Training/ Development (\$140,000) and Electricity (\$43,000)
Bad and doubtful debts	(\$9,000)	Debts written off over budgeted amount.
Depreciation and amortisation	\$755,000	Decrease due to condition assessments performed in 2013-2014 indicating increase in useful lives, reducing depreciation charge.
Borrowing costs	\$5,000	No material difference to the budgeted amount.
Other expenses	\$354,000	Administration costs (\$427,000) budgeted as other expenses but costed to materials & services. Landfill rehabilitation contribution (\$109,000) not in budget.
<b>Total</b>	<b>(\$2,924,000)</b>	

The Performance Statement is attached and includes sustainable capacity indicators, service performance indicators from across the organisation and financial performance indicators as prescribed in the *Local Government (Finance and Reporting) Regulations 2014*. The Performance Statement includes the actual results achieved in 2015-2016 for all of the prescribed indicators, as well as, the forecast estimates for the years 2017-2020 for each of the performance indicators.

Key financial performance indicators for 2015-2016 are summarised below.

Performance Measure	Actual Performance		Forecast Performance			
	2014-2015	2015-2015	2016-2017	2017-2018	2018-2019	2019-2020
Working capital	284%	277%	242%	235%	233%	243%
Indebtedness	32%	29%	27%	25%	24%	21%
Asset renewal	105%	117%	121%	122%	115%	109%

The major factor driving the high working capital ratio is the large amount of cash held at 30 June 2016, primarily due to carried forward capital works and non-recurrent project expenditure. Indebtedness is planned to reduce as loans are paid down and asset renewal is planned to remain above 100%.

The Financial Statements have been prepared in accordance with the requirements of the *Local Government Act 1989, Local Government (Finance and Reporting) Regulations 2014* and Australian Accounting Standards. No major differences in accounting treatment were identified by the auditors in reviewing the draft statements and it is anticipated that certification by the Auditor-General as to the fairness of the final statements will be received.

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### **Policy and Legislative Context**

The report is in accordance with the requirements of the *Local Government Act 1989* and supports the commitments in the Council Plan 2013-2017 that:

Council will demonstrate high levels of ethical behaviour and corporate governance standards. We will make budgetary decisions that are reflective of our financial circumstances. We will advocate for and with the community to achieve outcomes.

Model contemporary standards of corporate governance and professional standards.

Council will recognise and make decisions that reflect our financial circumstances.

### **Internal / External Consultation**

The various statements are subject to audit by the Victorian Auditor General's Office. A draft set of statements was referred to a meeting of Council's Audit Committee on 8 September 2016. Auditors from Coffey Hunt, as agents for VAGO, were in attendance to discuss the statements and their observations from the audit. The Audit Committee has recommended that Council give in-principle approval to the statements.

Once the final statements have been prepared and certified by the nominated Councillors, they will form part of Council's Annual Report which will be forwarded to the Minister by 30 September 2016 and be available on Council's website, at Council offices and libraries.

### **Financial and Resource Implications**

There are no direct financial and resource consequences as a result of this report.

### **Options**

In-principle approval of the statements by Council is required to ensure that Council meets the requirements of the *Local Government Act 1989*. Council may choose which Councillors are authorised to certify them.

### **Conclusion**

In-principle approval of the statements at this meeting, and authorisation of two Councillors to certify the final copy, will ensure that they are lodged with the Minister within the required timeframe. Council practice has been to nominate the members of the Audit Committee to certify the statements.

## **RECOMMENDATION**

### **That:**

- 1. Pursuant to Section 132(2) of the *Local Government Act 1989*, Council gives in-principle approval to the Financial Statements and Performance Statement for the year ended 30 June 2016.**
- 2. Pursuant to Section 132(5) of the *Local Government Act 1989*, Council authorise Councillors Gstrein and Trotter to certify the 2015-2016 Financial Statements and Performance Statement in their final form after any changes recommended, or agreed to, by the auditors have been made.**

### **Attachments**

1. Performance Statement 2015-2016 FINAL 15 September 2016 - Under Separate Cover
2. Annual Finance Report FINAL 16 September 2016 - Under Separate Cover

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## 10.6 Records of Assembly of Councillors

**Author:** Andrew Mason, Chief Executive Officer

**File No:** D16/631

**Previous Council Reference:** Nil

### Declaration

Chief Executive Officer – Andrew Mason

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

### Summary

This report documents the Assembly of Councillors to be reported since the last Ordinary Meeting of Council on 23 August 2016.

### Introduction

The *Local Government Act 1989* (the Act) requires that records of meetings which constitute an Assembly of Councillors be tabled at the next practicable meeting of Council and is incorporated in the minutes of the Council meeting.

### Issues

An 'Assembly of Councillors' is defined in the Act as a meeting at which matters are considered that are intended or likely to be the subject of a Council decision or subject to the exercise of a delegated authority and which is either of the following:

- A meeting of an advisory committee where at least one Councillor is present; or
- A planned or scheduled meeting that includes at least half the Councillors and at least one Council officer.

Typical meetings giving rise to an Assembly of Councillors at Corangamite Shire include Councillor briefings, advisory committees and planning site inspections. However, from time to time additional records may be reported in accordance with the Act.

Section 80A of the Act requires that a record must be kept of an Assembly of Councillors which lists:

- The Councillors and members of Council staff attending.
- The matters discussed.
- Disclosures of conflict of interest (if any are made).
- Whether a Councillor left the meeting after making a disclosure.

Records of an Assembly of Councillors are documented by a Council officer present at a meeting designated as an Assembly of Councillors. Responsibility for the maintenance of records associated with Assembly of Councillors rests with the Chief Executive Officer.



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### **Policy and Legislative Context**

Tabling of the records of Assembly of Councillors ensures Council is compliant with the Act. In addition, this report is consistent with the Council Plan 2013-2017 strategy, "Council will demonstrate high levels of ethical behaviour and corporate governance standards".

### **Conclusion**

The records documenting the below Assembly of Councillors are attached:

- Councillor Briefing 23 August 2016
- Planning Inspections (Cobden) 6 September 2016
- Planning Inspections (Camperdown) 6 September 2016
- Councillor Briefing 13 September.

### **RECOMMENDATION**

**That Council accepts the attached Records of Assembly of Councillors.**

### **Attachments**

1. Record Assembly of Councillors 23 August 2016
2. Record of an Assembly of Councillors Planning Site Inspection 6-09-2016  
PP2016/059 7533P
3. Record of an Assembly of Councillors Planning Site Inspection 6-09-2016  
PP2016/059 7533P
4. Record of an Assembly of Councillors 13 September 2016

# Council

## Record of an Assembly of Councillors



**Date:** 23 August 2016

**Time:** 2.00pm

**Place:** Killara Centre

**Present:**

Cr Beard                       Cr Gstrein                       Cr Harkin                       Cr Oakes  
 Cr O'Connor                       Cr Smith                       Cr Trotter

**Officers:**

Ian Gibb                       Brooke Love                       Andrew Mason                       David Rae

Michael Emerson – Item 4

**Guests:**

Don Musto, MC Van der Westhuizen, Cameron Neil, Debra Butcher, Marc Noyce – Item 3

Fiona Davey (SED Consultant) – Item 4

Meredith Ericson (CEO, Lifeline South West) – Item 5

**Issues Discussed:**

Item	Discussion Topic
1	<b>Hot Topics:</b> <i>Heritage Council, MAV Annual Conference, Regional Partnership, Castle Carey, VEC Office, October Briefing, MAV Rural and Regional Forum, MAV Candidate Session, Code of Conduct, Caretaker Period and Quick Response Grants, Cobden Rotary Applications, Agenda Items, Dairy Support Requests</i>
2	<b>Councillor Items:</b> <i>Mount Noorat, Roberts Road Walking Track, Parking Issues, Noorat Recreation Reserve</i>
3	<b>Booringa Road</b>
4	<b>Events and Festivals Draft Strategy</b>
5	<b>Suicide Prevention in the GSC</b>
6	<b>Procurement Policy</b>

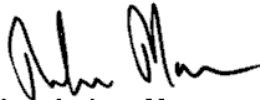
**Conflicts of Interest declared:** Cr C. O'Connor declared a direct conflict of interest at Item 1 (discussion of an agenda item) in writing to the CEO.

**Councillor left the meeting at:** 5.45 pm

**Councillor returned to the meeting at:** 5.50 pm

**Councillor Conflict of Interest Form Completed:** Yes

**Meeting close:** 6.00 pm



**Note taker:** Andrew Mason

# Planning Inspection

## Record of an Assembly of Councillors



**Date:** Tuesday, 6 September 2016

**Time:** 9.30 am

**Location:** 5 Victoria Street Cobden

**Application No:** PP2016/059

**Proposal:**

Use and development of the Land for an Indoor Recreation Facility (Gymnasium) and Waiver of Car Parking

**Present:**

Cr O'Connor

Cr Gstrein

Cr Oakes

Cr Harkin

Cr Beard (Mayor)

Cr Smith

Cr Trotter

**Officers:**

Greg Hayes

Scott Matheson

**Applicant:**

Wayne Gibson (Greencon Pty Ltd)

**Submitters:**

Yvonne Reid

Peter Gstrein

**Issues Discussed:**

Roller doors, air conditioning as a permit condition, car parking on the street, landscaping to the satisfaction of the applicant,

**Conflicts of Interest declared:** Cr Gstrein – prior to the meeting

**Meeting close:** 10:00am

**Note taker:** Scott Matheson

# Planning Inspection

## Record of an Assembly of Councillors



**Date:** Tuesday, 6 September 2016

**Time:** 10.15 am

**Location:** 85-89 Manifold Street Camperdown

**Application No:** PP2016/045

**Proposal:**

Use and Development of a Service Station and Development of Five Shops, alterations to Clause 52.12 Service Station requirements, Alterations to access to a Road Zone 1 (Manifold Street), Reduction of Loading Bay Requirements and Display of Advertising Signs

**Present:**

Cr O'Connor                       Cr Gstrein                       Cr Oakes     Cr Harkin  
 Cr Beard (Mayor)                       Cr Smith                       Cr Trotter

**Officers:**

Greg Hayes                       Scott Matheson

**Applicant:**

Sam D'Amico (Ratio Consultants)

**Submitters:**

Anthony Wall                       Philip Uebergang     Geoffery & Denise Daffy  
 Keith Donnelly                       Gregory Sloane

**Observers:**

Michael Andrieri (Azzure Investment Group)                       Rachael Donovan  
 Ed Johns (?)                       Deborah – Keith's Daughter & her Daughter (?)  
 Peter Gstrein

**Issues Discussed:**

Amenity, setbacks, smells, reduced operating hours, staging of the site, commercial zone and the rights of residents

**Conflicts of Interest declared:** None

**Meeting close:** 11:15am

**Note taker:** Scott Matheson

# Council

## Record of an Assembly of Councillors



**Date:** 13 September 2016

**Time:** 10.00am

**Place:** Old Chambers

**Present:**

Cr Beard                       Cr Gstrein                       Cr Harkin                       Cr Oakes  
 Cr O'Connor                       Cr Smith                       Cr Trotter

*Cr O'Connor left at 11.45am*

**Officers:**

Ian Gibb                       Brooke Love                       Andrew Mason                       David Rae

Greg Hayes (Item 3)

Matthew Dawson (Item 5 and 6)

Jon Sedgley (Item 5)

Rory Neeson (Item 7)

John Kelly (Item 8)

**Guests:**

Fred Brennan – Item 4

**Issues Discussed:**

Item	Discussion Topic
<b>1</b>	<b>Hot Topics:</b> <i>Councillor Expenses for Annual Report (see attachment), Roads Funding, VEC Session, Camperdown Hospital, SurfEx, Regional Partnership Group Update, Aged Friendly Communities Declaration, Caretaker, Camperdown Dairy, Rural Councils Victoria, MAV Conference, Issues in Skipton, CEO Annual Leave, GORRT Release of Economic Modelling, GORRT Meeting with Tourism Victoria and RDV, Meeting with Tim Smith (Heritage Victoria), Saleyards, Flooding, Blue Green Algae</i>
<b>2</b>	<b>Councillor Items:</b> <i>Rate Notices, Medical Student Presentations, Leaking Pipe in Timboon, Campbell and Laura Street Intersection, Raymond Close, Bottle Shop Parking, NBN, Gas Information Session</i>
<b>3</b>	<b>Bushfire Overlay mapping changes</b>
<b>4</b>	<b>Glenormiston Update</b>
<b>5</b>	<b>HACC Reform – Confidential Item</b>
<b>6</b>	<b>Health and Wellbeing Plan Annual Update</b>
<b>7</b>	<b>Facades Grants</b>
<b>8</b>	<b>Annual Footpath Hazard Inspections</b>

**Conflicts of Interest declared:** Cr R. Gstrein declared an indirect conflict of interest by close association at Item 1 (discussion of agenda items) in writing to the CEO. Cr Gstrein did not leave the meeting as the item was not specifically discussed.

Cr J. Beard declared an indirect conflict of interest by close association at Item 7 in writing to the CEO. Cr Beard did not leave the meeting as the matter was not specifically discussed.

**Councillor left the meeting at:** NA

**Councillor returned to the meeting at:** NA

**Councillor Conflict of Interest Form Completed:** Yes

**Meeting close:** 4.00pm

**Note taker:** Andrew Mason



## 11. OTHER BUSINESS

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## 12. OPEN FORUM

Members of the public are very welcome to make statements or ask questions relevant to Corangamite Shire at the Open Forum section of Council meetings.

To assist with the smooth running of the meeting, we ask that you raise a maximum of two items at a meeting and please follow this procedure:

1. Wait until the Mayor asks if there are any items in Open Forum and invites you to speak.
2. Stand if you are able and introduce yourself.
3. Speak for a maximum of five minutes.

We will undertake to answer as many questions as possible at a meeting and if we cannot answer a question at the meeting we will provide a written response no later than five working days after the Council meeting.

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### **13. CONFIDENTIAL ITEMS**

Nil.