



CORANGAMITE
SHIRE

Minutes

Council Meeting

Tuesday 23 May 2023

Held in the Killara Centre
At the Camperdown Community
Centre
Commenced at 7:00 pm

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Order of Business

Minutes of the meeting of the Corangamite Shire Council
held in the Killara Centre at the Camperdown Community Centre,
210-212 Manifold Street, Camperdown Victoria 3260
At 7:00 pm on Tuesday 23 May 2023

The Mayor, Cr Ruth Gstrein declared the Council Meeting open at 7:00 pm

Present

Councillors

R. Gstrein (Chairperson), J. Beard, N. Cole, G. Conheady, L. Hickey, K Makin, J Vogels

Officers

Michael Tudball, Acting Chief Executive Officer
Justine Linley, Director Sustainable Development
Brooke Love, Director Works and Services
David Harrington, Director Corporate and Community Services
Aaron Moyne, Manager Planning and Building

1 Prayer

The Prayer was read by the Mayor, Cr Ruth Gstrein

"We ask for guidance and blessing on this Council. May the true needs and wellbeing of our communities be our concern. Help us, who serve as leaders, to remember that all our decisions are made in the best interests of the people, culture and the environment of the Corangamite Shire."

Amen."

2 Acknowledgment of Country

An Acknowledgement of Country was made by Mayor, Cr Ruth Gstrein

"We acknowledge the Traditional Owners of the land around Corangamite Shire, the Eastern Maar and Wadawurrung people.

We pay our respects to all Aboriginal Elders and peoples past and present."

3 Apologies

Nil

4 Declarations of Conflict of Interest

Cr Nick Cole declared a general conflict of interest in Agenda item 8.1, Planning Permit Application PP2022/090 – 2-8 Lord Street Port Campbell – Use and development of land associated with the extension to existing Motel (16 additional accommodation units and function room), and left the meeting before any discussion or vote on the matter.

Cr Jamie Vogels declared a general conflict of interest in Agenda item 8.2, Planning Permit Application PP2022/149 - Use of Land for Materials Recycling Facility - Lilleys Lane Ecklin South, and left the meeting before any discussion or vote on the matter.

No further conflicts of interest were declared

5 Confirmation of Minutes

RECOMMENDATION

That the minutes of the Corangamite Shire Council meeting held on 18 April 2023 be confirmed as correct.

COUNCIL RESOLUTION

Moved: Cr Nick Cole
Seconded: Cr Kate Makin

That the recommendation be adopted.

CARRIED UNANIMOUSLY 7 / 0

6 Deputations and Presentations

The Mayor, Cr Ruth Gstrein, invited members of the public who had requested to address Council to make their presentations.

The following items were submitted:

Cr Nick Cole declared a general conflict of interest in agenda item 8.1 and left the meeting before any discussion or vote on the matter at 7:06 pm.

- 8.1 - Planning Permit Application PP2022/090 – 2-8 Lord Street Port Campbell – Use and development of land associated with the extension to existing Motel (16 additional accommodation units and function room):
 - Ms Laura Fazzalari, President, Port Campbell Community Group Inc. (written deputation)
 - Marion Manifold

Cr Nick Cole returned to the meeting at 7:12 pm.

Cr Jamie Vogels declared a general conflict of interest in agenda item 8.2 and left the meeting before any discussion or vote on the matter at 7:12 pm.

- 8.2 - Planning Permit Application PP2022/149 - Use of Land for Materials Recycling Facility - Lilleys Lane Ecklin South:
 - Mr Glenn Bartlett

Cr Jamie Vogels returned to the meeting at 7:15 pm.

COUNCIL RESOLUTION

Moved: Cr Laurie Hickey
Seconded: Cr Jo Beard

That standing orders be suspended for Brett Clarke and his family to conduct a Welcome to Country and ngootyoong kaaween (Smoking Ceremony).

CARRIED UNANIMOUSLY 7 / 0

Standing orders were suspended at 7:16 pm.

COUNCIL RESOLUTION

Moved: Cr Jo Beard
Seconded: Cr Kate Makin

That standing orders be resumed.

CARRIED UNANIMOUSLY 7 / 0

Standing orders were resumed at 7:37 pm.

The Mayor, Cr Ruth Gstrein, invited members of the public who had requested to address Council to continue to make their presentations.

The following item was submitted:

Cr Jamie Vogels declared a general conflict of interest in agenda item 8.2 and left the meeting before any discussion or vote on the matter at 7.38 pm.

- 8.2 - Planning Permit Application PP2022/149 - Use of Land for Materials Recycling Facility - Lilleys Lane Ecklin South:
 - Mr Neil Martin

Cr Jamie Vogels returned to the meeting at 7.46 pm.

7 Committee Reports

7.2 Appointment of New Committee Members - Cobden Aerodrome Community Asset Committee

Directorate: Works and Services
Author: Peter Rogers, Manager Works
Previous Council Reference: Nil
Attachments:
Nil

Declaration

Chief Executive Officer – Michael Tudball

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

Author – Peter Rogers

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

Summary

This report seeks Council endorsement of nominated members to the Community Asset Committee for the Cobden Aerodrome for 2022-2023.

Introduction

The Cobden Aerodrome Community Asset Committee manages the Cobden Aerodrome on behalf of Council with delegated responsibilities under the *Local Government Act 2020*.

The Committee consists of a broad representation of community members to ensure that the Aerodrome is managed in a manner that will provide most benefit to the community.

Council also appoints a Councillor Representative to the Committee with voting rights and a Council officer to act as Executive Officer to the Committee without voting rights.

Issues

Representation on the Committee is as follows:

- Council Representative – one position (as appointed by Council at the November Council meeting).
- Community Representatives – six positions.
- Cobden Health Representative – one position.
- Cobden Aero Club Representative – one position.
- Progressing Cobden Representative – one position.
- Industry Representative – one position.

Committee members have a three-year term. Retiring committee members may renominate. The Committee discussed seeking nominations for the shortfall of member vacancies throughout the course of the year. The positions vacant following the Annual General Meeting in October 2022 and open for nomination are as follows:

- Community Representative – Vacant
- Community Representative – Vacant
- Community Representative - Vacant
- Industry Representative - Vacant

Two nominations were received for the vacant Community Representative positions from Mr David Roberts and Ms Sarah Roberts. The nominations were considered by the Committee at the Bi-Monthly meeting held on 5 April 2023. The Committee resolved to recommend to Council to appoint Mr and Ms Roberts to the two community positions.

The Committee also discussed the continuation of seeking nominations for the remaining vacancies through the course of the year.

The structure of the Committee will be as follows, if the nominated members are appointed by Council.

Organisation	Representative	Elected
Community	Sarah Roberts	2022-2025
Community	David Roberts	2022-2025
Aero Club representative	Bill Woodmason	2022-2025
Progressing Cobden	Eunice Dawe	2022-2025
Industry	Vacant	2022-2025
Community	Philip Robertson	2021-2024
Community	Peter Rohan	2021-2024
Community	Les Mulholland	2020-2023
Community	Vacant	2020-2023
Cobden Health	Duncan Morris	2020-2023
Councillor	Council appointment	Council appointed
Council (Non-voting Executive Officer)	Manager Works	Council appointed

Peter Rohan and Duncan Morris will continue to hold the positions of Chairperson and Vice Chairperson, respectively. Bill Woodmason will continue the role of Airport Reporting Officer. Warren Ponting will continue to complete inspections as ARO as required.

Policy and Legislative Context

The Cobden Aerodrome Community Asset Committee has delegated decision making responsibilities under Section 47(1)(b) of the *Local Government Act 2020*.

The Cobden Aerodrome Community Asset Committee is considered an extension of Council and can exercise powers only in accordance with its Instrument of Delegation and guidelines or policies which Council from time to time adopts.

This report is also in keeping with the commitments in the Council Plan 2021-2025:

Theme One - A Connected Community

Infrastructure and services that deliver population growth and new housing

Theme Two - A Thriving Community

Corangamite townships are attractive, accessible and appealing to visitors and are presented in a way in which our residents can be proud

Theme Four - Improving Our Environment

Capitalising on opportunities created by new energy, and minimising impacts on key industry sectors, landscape values and natural assets

Internal / External Consultation

The AGM and committee vacancies were advertised in the Camperdown Chronicle, and the Terang Express in the last week of September and the Cobden Timboon Coastal Times on 21 and 28 September 2022.

The Committee was appointed, with vacancies at Council's October meeting.

Financial and Resource Implications

There are no financial or resource implications associated with this decision.

Options

Council may appoint the nominated members for the forthcoming year or reject the recommendation.

Conclusions

The Cobden Aerodrome Community Asset Committee held its Bi-Monthly meeting on 5 April 2023. At the meeting the Committee accepted the nominations and elected unopposed Sarah Roberts and David Roberts in the positions of Community Representatives. The Committee membership will enable the continued active management and operation of the Cobden Aerodrome.

RECOMMENDATION - 7.2

That Council appoints the following members to community representative positions on the Cobden Community Asset Committee for 2022-2023:

Organisation	Representative	Elected
Community	Sarah Roberts	2022-2025
Community	David Roberts	2022-2025

COUNCIL RESOLUTION

Moved: Cr Jo Beard
Seconded: Cr Kate Makin

That the recommendation be adopted.

CARRIED UNANIMOUSLY 7 / 0

Cr Nick Cole declared a general conflict of interest in agenda item 8.1 and left the meeting before any discussion or vote on the matter at 7:51 pm.

8 Planning Reports

8.1 Planning Permit Application PP2022/090 - 2-8 Lord Street Port Campbell - Use and development of land associated with the extension to existing Motel (16 additional accommodation units and function room)

Directorate: Sustainable Development

Author: Melanie Osborne, Planning Officer

Previous Council Reference: Nil

Attachments:

1. Under Separate Cover - Planning Permit Application Documents PP2022/090 [8.1.1 - 151 pages]
2. Under Separate Cover - Drawings and Photo Montages PP2022/090 [8.1.2 - 38 pages]
3. Under Separate Cover - Copy of Objections PP2022/090 [8.1.3 - 26 pages]
4. Under Separate Cover - Copy of Applicant Response to Objections PP2022/090 [8.1.4 - 5 pages]

Declaration

Chief Executive Officer – Michael Tudball

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

Author – Melanie Osborne

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

Summary

Council must consider planning permit application PP2022/090 for the use and development of land associated with the extension to an existing motel (16 additional accommodation units and function room), reduction in car parking (2 spaces) and removal of native vegetation.

Public notice of the application was given and three (3) objections were received.

The application has been assessed against the Corangamite Planning Scheme and the key issues raised in the objections have been considered. It is recommended that Council issue a Notice of Decision to Grant a Permit subject to conditions.

Introduction

Planning Permit Application PP2022/090 was received by Council on the 29 June 2022. The application seeks approval for use and development of land associated with the extension to an existing motel. The extension will incorporate an additional 16 accommodation units, function room and associated works.

Public notice of the application was given and three (3) objections were received. Key issues raised in the objections can be summarised into the following themes:

- Visual impacts.
- Amenity impacts on residential properties.
- Access and car parking.
- Environmental risks.
- Geotechnical issues.
- Clarity of information provided in application.

This report provides an assessment of the planning application.

History

Several planning permits have been issued for the subject site over the years and include:

- P1999/081 issued November 1999 for the use of the existing dwelling for the purposes of providing backpackers accommodation & construction of three (3) units at the rear of the block to be used for accommodation purposes.
- P2004/227 issued November 2004 for alterations and additions to 'Napiers Restaurant'.
- P2005/135 issued August 2005 to reconstruct Napiers Restaurant after fire.
- P2004/144 was issued on 8 March 2006 at the direction of VCAT for the use and development of land for a 97 room motel, food and drink premises, shops, associated works in two stages and a reduction in car parking. This was following a review of Council's decision to refuse to grant a permit for a 100 room motel, restaurant, café and 750m² of retail floor area and associated parking.
- P2008/165 was issued in April 2010 for the subdivision of a building to be erected and a variation of easement E1 LP127338 and E1 TP339130J. Permit was issued at the direction of VCAT (ref no. P1880/2009).

A Council decision to grant a Permit in relation to planning permit application PP2002/146 for a residential hotel of 102 units, ancillary restaurant and retail was overturned by VCAT in September 2003 (ref no. P718/2003 & P906/2003). This application related to the original proposal for the 'Southern Ocean Beach House' development. Council's decision was set aside and no permit was issued.

Subject Land

The subject land has a total area of 5106.8m², consisting of two Titles being Lot 1 LP127338 and land in CP161350. The site currently contains:

- Southern Ocean Motor Inn consisting of 28 units, motel reception building, caretaker's house/managers residence.
- Small outbuilding.
- 24 car parking spaces.
- Lawn area.
- Site has 80m of frontage to Lord Street.
- Vehicle access is off Lord Street via a concrete driveway.
- 3.62m wide secondary access point is available from Hennessy Street.
- 3m wide drainage easement along the north east boundary of Lot 1 LP127338.

Surrounding Area

The main site/locality characteristics are:

- The subject site is located at the southern end of Lord Street and is part of the Port Campbell commercial precinct.
- The site overlooks the Port Campbell Bay and is opposite the entrance to the Port Campbell Jetty.
- The landform slopes from south to north (towards the bay). Along the southern boundary adjacent to the residential properties is the steepest section of the site.
- Adjacent land northeast of the site on Lord Street is currently vacant. Two remaining properties at the southern end of Lord Street consist of a single dwelling development and tourist accommodation (Sea Foam Villas) and take away shop on the Cairns Street corner.
- Properties south of the site and fronting Hennessy Street are in the General Residential Zone and consist of a mix of single dwelling development and vacant blocks. Built form at 1 and 3 Hennessy Street comprises of two storey dwellings.
- West of the site is Fisherman's car park and the Port Campbell Memorial Reserve.

A planning zone map and aerial image are provided at Figures 1 and 2.

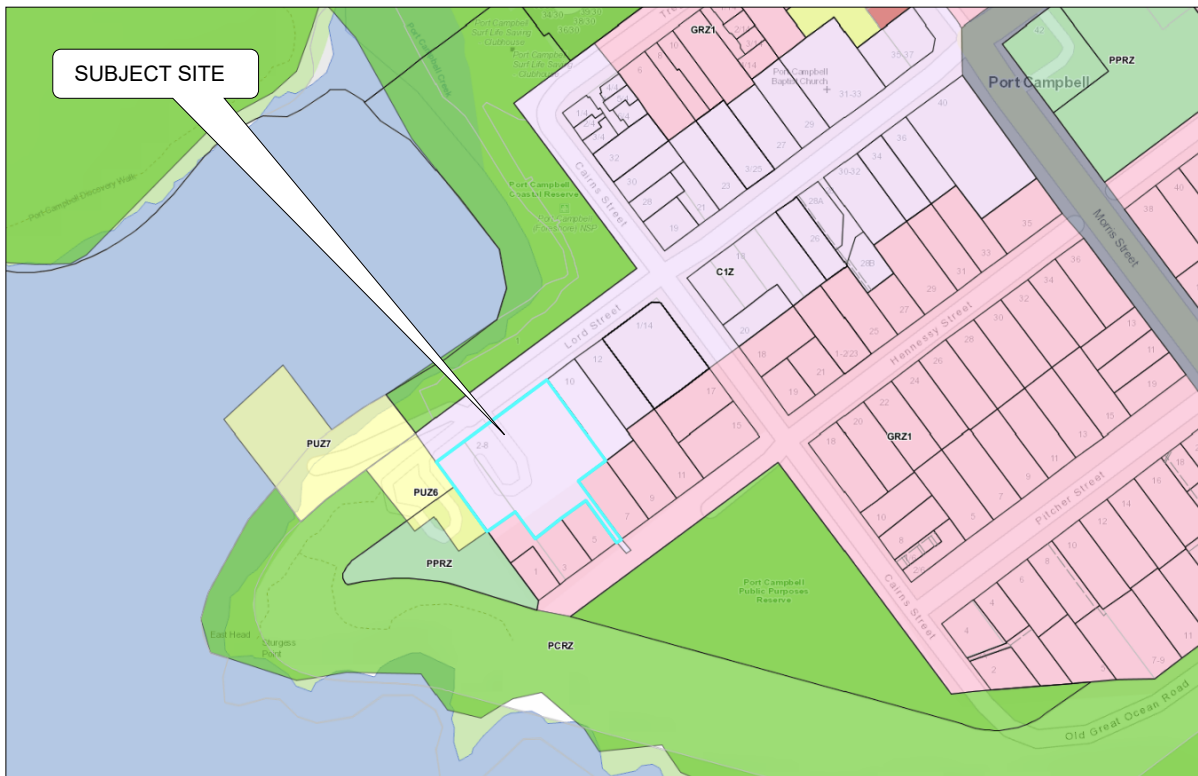


Figure 1: Locality and Planning Zone Map



Figure 2: Aerial showing subject site and surrounds (circa 2019)

Proposal

The application seeks approval for the use and development of land associated with the expansion of the existing Southern Ocean Motor Inn in Port Campbell, including:

- Additional sixteen (16) two-bedroom units.
- New function room.
- Additional car parking (21 spaces).
- Removal of existing reception building and small outbuilding.

Accommodation

The accommodation will be split into two rows of eight (8) units.

The northern row of units will face Lord Street and have a total frontage of approximately 35m. The units will be split into groups of two which will share a central wall. Walkways will be built in between the units to provide guest access. The built form will be setback approximately 3.5m from the Lord Street title boundary.

The southern row of units will be located at the rear of the site and behind the existing motel building. Again, the units will be divided into groups of two sharing a central wall. The units will be setback 1.86m from the southern boundary. Due to the landform along this boundary and the steep descent the units will involve partial stilt construction, with the unit balconies extending past the roof line of the existing motel. While the proposed units are single story, when viewed from Lord Street these units will appear as a second level above the existing motel building.

Each individual unit will be 13m (l) x 3.5m (w), with a deck extending an additional 3m towards the front of the property. Layout will consist of two bedrooms, shared bathroom and a living area opening onto a balcony to the north to capture views of the bay.

The modular units are rectangular in design with a single pitched roof. The height of the walls will be 2.29m and the roof will be 3.73m at the top of the pitch. Timber balcony dividers 1.6m high will be constructed along each decked area.

External finishes will consist of Colorbond Trimdeck in 'Monument Matt' for wall and roof cladding, painted timber balcony dividers, Modood 'Sahara' decking and some wall cladding, glazing with black powder coated framing and glass balustrade with black handrail to enclose the deck areas.

Section plans incorporating level survey prepared by a qualified land surveyor and AHD levels show the height of the southern row of units will be 21.43m above sea level. This group of units at the rear of the site will be tallest part of the development.

Function Room

The proposed function room will be located on the northern boundary with frontage to Lord Street and west of the vehicle entrance. The building will consist of a new reception area, toilet facilities and an open shared space for a games room and conference/function activities.

The proposed function room will only be made available to guests staying at the motel and won't be available to general members of the public to book for functions.

The building footprint for the function room will be approximately 280m². Frontage to Lord Street will be 18.5m long, with the northern wall (facing the bay) consisting of aluminum framed glazing. The design of the building will be similar to the accommodation and consist of four pitched roofs which will be 5.09m high at the top of pitch. The AHD level for the proposed function room building will be approximately 15.4m.

Access and car parking

Vehicle access will be via the existing crossover from Lord Street but upgraded to increase the width, from 3.75m to 6m, to allow for two- way traffic.

A new car park will be located at eastern corner of the site consisting of 21 additional spaces.

Footpaths are proposed throughout the development to provide pedestrian access from the car park to the rear of each set of units proposed to be constructed.

The car parking adjacent to the existing motel rooms will be retained.

Fence

It is proposed to erect a fencing treatment to the adjoining residential land for the purpose of providing privacy to on-site guests and adjoining residents. This includes a 2.1m high timber slat fence with climbing plants. Plant species proposed is 'Hardenbergia comptoniana' (Native Wisteria) and are to be planted at the base of the fence.

Native vegetation removal

A portion of native vegetation along the southern boundary will need to be removed to allow for the construction of the proposed units and footpath. 0.031ha of native vegetation (coastal dune scrub) will be impacted.

A copy of the planning permit application and supporting documents is available to view under separate cover.

Policy and Legislative Context

Zoning

The subject site is in the Commercial 1 Zone (C1Z).

Under Clause 34.01-1 to the C1Z, a permit is required to use land for accommodation where any frontage at ground floor exceeds 2m.

Under Clause 34.01-4 to the C1Z, a permit is required to construct a building or construct or carry out works.

A planning permit is required for the use and development of land for a motel (accommodation). The purpose and decision guidelines of the zone must be considered in the assessment of the application.

Overlays

The subject site is in the Design and Development Overlay – Schedule 2 (DDO2). Under Clause 43.02-2, a planning permit is required to construct a building or carry out works under the overlay.

The DDO2 applies to the Port Campbell Commercial Precinct and sets out design objectives that need to be considered in the assessment of the application.

Municipal Planning Strategy and the Planning Policy Framework

Clause 02 Municipal Planning Strategy

Clause 02.01 Context

Clause 02.02 Vision – to encourage quality tourism development based on the environmental and cultural qualities of the Shire.

Clause 02.03-1 Strategic Directions – Settlement

Clause 02.03-1 Strategic Directions – Settlement (Port Campbell); seeks to develop Port Campbell as a tourism node for this section of the Great Ocean Road, while carefully managing tourism growth so that it does not compromise the environmental values and unique character of the town and ensuring that traffic is managed so the town remains accessible to visitors without adverse amenity impacts.

Clause 02.03-2 Strategic Directions – Environmental and landscape values (Biodiversity)

Clause 02.03-3 Strategic Directions – Environmental risks and amenity (Bushfire, flooding, erosion and land slip)

Clause 02.03-5 Strategic Directions – Built environment and heritage (Urban design); seeks to facilitate high quality urban design within the built environment.

Clause 02.03-7 Strategic Directions – Economic Development (Tourism); identifies tourism development is linked to the quality of natural and cultural attractions and seeks to focus coastal related tourism use and development to township locations and facilitate tourism accommodation that will attract visitors to the Shire and serve the needs of tourists.

Clause 02.03-9 Strategic Directions – Infrastructure

Clause 11 Settlement

Clause 11.01-1S Victoria - Settlement

Clause 11.01-1R Victoria - Settlement – Great South Coast

Clause 11.03-4S Planning for Places – Coastal settlement

Clause 11.03-5S Planning for Places - Distinctive areas and landscapes

Clause 11.03-5R Planning for Places – The Great Ocean Road region; encourages sustainable tourism through developing a network of tourism opportunities throughout the region

Clause 11.03-6S Regional and local places

Clause 11.03-6L-03 Regional and local places – Port Campbell; seeks to:

- support development that maintains Port Campbell's low scale coastal village character and is compatible with the landscape setting of the town.
- Supports development at higher densities in and around the commercial centre.
- Encourage active street frontages in commercial areas and the provision of a variety of commercial building styles and sizes.
- Avoid development that would comprise important viewsheds from the town including along ridgelines around the town, the cliffs and bay, along the estuary and to the rural areas to the north of the town and visual links to the National Park.
- Encourage accommodation as part of commercial development to be sited to the rear of and on the upper floor of the commercial developments along Lord Street and Cairns Street.

Clause 12 Environmental and Landscape Values

Clause 12.01-1S Biodiversity – Protection of biodiversity

Clause 12.01-2S Biodiversity – Native vegetation management

Clause 12.02-2S Marine and Coastal Environment – Protection of the marine and coastal environment

Clause 13 Environmental Risks and Amenity

Clause 13.01-2S Climate Change Impacts – Coastal inundation and erosion

Clause 13.02-1S Bushfire - Bushfire planning

Clause 13.05-1S Noise – Noise abatement

Clause 13.07-1S Amenity, Human Health and Safety – Land use compatibility

Clause 15 Built Environment and Heritage

Clause 15.01-1S Built Environment - Urban Design

Clause 15.01-1L Built Environment - Urban Design; seeks to improve the character, presentation, amenity and visual qualities of towns to attract tourism.

Clause 15.01-2S Built Environment - Building Design

Clause 15.01-5S Built Environment - Neighborhood Character

Clause 15.03-2S Heritage – Aboriginal cultural heritage

Clause 17 Economic Development

Clause 17.01-1S Employment – Diversified economy

Clause 17.01-1R Employment – Diversified economy – Great South Coast

Clause 17.04-1S Tourism – Facilitating tourism

Clause 17.04-1R Tourism – Tourism – Great South Coast; this strategy seeks to provide flexibility and opportunities for a diverse range of tourism including an increase in the supply of appropriate accommodation and tourism infrastructure.

Clause 17.04-1L Tourism – Facilitating tourism in Corangamite Shire; supports development that:

- can be appropriately serviced by infrastructure
- is of high-quality design
- is sensitively designed and located in the landscape to avoid adverse visual impacts
- reflects the character, heritage and uniqueness of the Shire's townships.

Clause 17.04-2L Tourism – Shipwreck Coast; supports the development of tourist accommodation along the Shipwreck Coast and as relevant in the *Shipwreck Coast Master Plan* (Parks Victoria, 2015).

Clause 18 Transport

Clause 18.01-1S Land Use and Transport – Land use and transport integration

Clause 18.02-4S Movement Networks – Roads

Clause 18.02-4L Movement Networks – Road system

Clause 19 Infrastructure

Clause 19.03-2S Development Infrastructure – Infrastructure design and provision

Clause 19.03-2L Development Infrastructure – Infrastructure design and provision

Clause 19.03-3S Development Infrastructure - Integrated water management

Clause 19.03-3L Development Infrastructure - Integrated water management

Particular Provisions

Clause 52.06 Car Parking

A permit is required to reduce the number of car parking spaces required under clause 52.06-3. The application seeks approval to reduce car parking requirements by two (2) spaces.

The purpose and decision guidelines of Clause 52.06 will be considered in the assessment of the application.

Clause 52.17 Native Vegetation

Under Clause 52.17-1, a permit is required for the removal of native vegetation.

An application to remove native vegetation must comply with the requirements specified in the Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017).

A vegetation assessment and native vegetation removal report were provided as part of the application to address the requirements in the above guidelines.

Clause 53.18 Stormwater Management

This clause sets performance standards to ensure that stormwater in urban development is managed to ensure that impacts on the environment, property and public safety are mitigated. It also seeks to encourage stormwater management that contributes to local environmental improvements.

A stormwater management plan was prepared to support the application and has been assessed in conjunction with Council's Assets Planning Unit.

Clause 65 Decision Guidelines

Must be considered in the assessment of the application.

Aboriginal Heritage Act 2006

Under section 46 of the *Aboriginal Heritage Act 2006*, it is a mandatory that a cultural heritage management plan is required for a proposed activity if the regulations require the preparation of the plan for that activity.

If required, an approved cultural heritage management plan (CHMP) must be submitted to Council before deciding on a planning permit application.

The *Aboriginal Heritage Regulations 2018* specify that a cultural heritage management plan is required if

- a) *all or part of the activity area for the activity is an area of cultural heritage sensitivity; and*
- b) *all or part of the activity is a high impact activity.*

The subject site is an area of cultural heritage sensitivity. A waterway and land within 200m of a waterway (Port Campbell Creek) is an area of cultural heritage sensitivity. Additionally, coastal land is also an area of cultural heritage sensitivity.

Use and development of land for a motel would normally be classed as a high impact activity under the Regulations. However, under r. 46(3), a proposed activity is not a high impact activity, if the construction of a building or carrying out of works on the land is associated with a use which was being lawfully used immediately before the 28 May 2007.

The motel was operating prior to the 28 May 2007 and it is not a mandatory requirement that a CHMP is prepared for this proposal.

Internal / External Consultation

Referrals

There are no statutory referral requirements for this planning permit application. Comments were sought from the following agencies in accordance with Section 52 of the Planning and Environment Act 1987.

Section 52 Notice	Response
Department of Energy, Environment and Climate Action (formerly DELWP)	Advised Council, they did not have the resources to provide advice on the application.
Parks Victoria	Did not provide a formal response to notice of the application. However, a Parks Victoria officer contacted Council's Planning unit and asked that consideration be given to potential impacts on the parking availability for boats/trailers at Fishers Car Park.

Wannon Water	No objection to the issue of a permit subject to conditions requiring connection to sewer and water supply and that infrastructure must be clear of easements and existing sewers and water mains.
Powercor	No objection to the issue of a permit subject to standard conditions regarding electrical installations and clearance requirements being applied to any permit issued.

Advice on the application was sought from the following Council Departments.

Internal Department	Response
Assets Planning	<p>The access driveway for the motel should be widened to cater for two-way traffic.</p> <p>Parking bay sizes and aisle widths for parking are to be in accordance with AS2890.1 Off Street Car Parking</p> <p>For the last spaces of the proposed parking (21 spaces) additional road width will be needed to enable vehicles in the last spaces to maneuver out of them.</p> <p>The driveway access and the stormwater runoff outlets from the motel are to match in with the designs for the proposed upgrade of Lord Street as part of the Port Campbell Town Centre Project.</p>
Environment	Vegetation assessment report acceptable and requested the permit be conditioned to ensure native vegetation offsets are obtained.
Economic development	Supportive of increase accommodation options in Port Campbell that is consistent with the character of Port Campbell.
Port Campbell Town Centre Project Manager	If the proposed works progress before works on the street scape, the project manager should be consulted on final design of the driveway upgrade. The driveway should not be wider than 6m

Advertising

Notice of the application was given in accordance with Section 52 of the Planning and Environment Act 1987, including:

- Letters to landowners and occupiers of adjoining properties and extended to all properties within the block border by Lord, Cairns and Hennessy Street.
- Public notice in the Cobden-Timboon Coast Times
- Public notice in the Warrnambool Standard
- A sign erected on site.
- Notice on Council's website.

Three (3) objections were received in relation to this application. The key issues raised can be summarised as:

- Visual impacts/view sharing
- Amenity impacts on residential properties
- Access and car parking
- Environmental risks
- Geotechnical issues
- Clarity of information provided in application

The applicant provided a written response to the issues raised in the objections and has also submitted updated architectural drawings and photo montages, integrating a completed feature and level survey prepared by a qualified land surveyor. The updated drawings were prepared in response to questions and concerns raised at the planning site meeting. The drawings do not include surveyed levels of all buildings, where the applicant was not able to access private properties in Hennessy Street to source this data.

The updated plans have been circulated to objectors. The objections still stand and a copy of the objections and application response is provided under separate cover.

Consultation

Consultation for the application was undertaken and included:

- September 2021: Pre-application advice regarding the planning controls and process was provided to the developer via a phone call.
- 15 December 2021: A previous planning permit application (no. PP2021/197) was lodged for the proposed development. Following an initial review, planning officers requested further information. The information was not supplied within the required timeframe and the application lapsed on the 10 June 2022 under section 54B of the Act.
- Upon lodgment of the current application, the applicant provided a response to the matters raised in the RFI.

- 4 August 2022: the applicant was requested to provide clarification regarding the number of existing car parks on site (confirmed 24 spaces) and waste management. The applicant advised that waste is collected by contractors via a mobile waste receptacle (skip bin). It is proposed that this service will continue and that the skip can be kept within the landscaped and permeable areas of the site.
- 5 October 2022: a planning site inspection was held and attended by Councillors, Council officers, the applicant and the objectors.

Assessment

Assessment of the planning permit application will consider how the proposed use and development responds to the relevant provisions of the Corangamite Planning Scheme, including the Municipal Planning Strategy (MPS) and Planning Policy Framework (PPF), purpose and decision guidelines of zone and overlay, car parking and native vegetation provisions.

The application seeks approval for the expansion of an established motel within Port Campbell. The subject site is located at the southern end of the Port Campbell commercial centre, which consists of a mixture of commercial, retail, accommodation and recreational uses and vacant land. New development of this new nature, which increases accommodation options to cater for visitors and meeting tourism demands is supported.

Key issues in the assessment of the application will focus on the design of the proposed development in response to the coastal village character of Port Campbell, amenity of adjoining properties and environmental factors associated with coastal planning.

Municipal Planning Strategy and the Planning Policy Framework

The Planning Policy Framework (PPF) supports the establishment of vibrant and diverse commercial areas and seeks to facilitate investment in district towns, including Port Campbell which supports and services the needs of local communities. This is further supported through the Municipal Planning Strategy (MPS) and local planning policy which seeks to encourage the development of a range of accommodation types in Port Campbell to cater for the needs of all residents, visitors and meet growth demands.

The tourism economy within the Corangamite Shire and the Great Ocean Road region is closely linked to the natural environment and its landscape assets. It is important that the siting and design of new tourism development is respectful of its surroundings and neighborhood character while ensuring that environmental risks and amenity impacts are managed. Environmental risks and amenity impacts are considered further in this assessment.

On balance, the application is supported within the MPS and PPF, providing additional accommodation options within Port Campbell, to assist in attracting more visitors and supporting longer stays. The proposal provides an appropriate planning policy outcome.

Commercial 1 Zone

The purpose of the Commercial 1 Zone is to create vibrant mixed use commercial centres that provide for retail, office, business, entertainment and community uses while allowing for accommodation and residential uses that are complementary to the role and scale of the commercial centre.

The subject site comprises an existing 28-unit motel and managers residence. The application seeks approval for infill commercial development through the provision of an additional 16 units plus improved guest facilities in the function room space. Port Campbell's location on the coast is closely linked to the tourism industry and the proposed use and development is consistent with the purpose of the zone. Key considerations under the decision guidelines of the zone, relevant to this proposal include:

- Availability of and connection to services
- Traffic management and car parking
- Streetscape treatment and landscaping
- Storage of rubbish
- The interface and relationship with adjoining residential zoned land
- Consideration of potential overshadowing and overlooking from buildings or works affecting adjoining land in the General Residential Zone.
- Solar access and protection of existing solar energy systems.

The application has demonstrated that the development can be serviced, including waste services and stormwater drainage managed. Upgrades and new infrastructure will be required as part of the development. Final detailed designs for the proposed development will be required before any works start and should be conditioned on any permit issued. This will ensure that matters raised during the notice process regarding existing and proposed easements (i.e. sewer and drainage) are not impacted and that final layout of the development will function as it is intended.

The proposed use and development for the motel expansion has been designed to include upgraded and improved vehicle access from Lord Street, allowing for two-way traffic. An additional 21 car parking spaces are to be provided on-site and a system of internal pathways included to support pedestrian movement throughout the site. While there is a secondary access point to the subject land from Hennessy Street, the application does not include any proposal to provide vehicle or guest access from Hennessy Street.

The northern row of units and the function room building will be setback approximately 3m from the front street boundary, allowing for green space and landscaping that will be a transition between the streetscape and built form and will be complimentary to the streetscape at this end of Lord Street, opposite the Port Campbell Bay and public open spaces.

Adjoining the southern boundary of the site there are four lots in the General Residential Zone, consisting of:

- Two vacant lots. There are no permits in place for the development of either of these lots.
- A two-storey dwelling located south of the proposed southern row of units and approximately 6m from the shared title boundary. There is no fence along the lot boundary shared with the proposed development site.
- A single dwelling located south of the proposed carpark and southeast of the proposed units. This dwelling is setback approximately 27.5m from the shared boundary. There is an existing timber paling fence along the shared boundary.

The proposal for new accommodation units along the southern section of the site is acceptable in the commercial zone and an appropriate interface with residential properties at the rear of the site. The application was amended to include the construction of a new 2.1m high boundary fence along the boundary with residential land. The proposed fence is to be timber slat design and include a climbing plant for the purpose of offering privacy for guests and neighboring residents.

The site and buildings have been designed to look north towards Lord Street and the bay area. No windows or open spaces for guests will be overlooking the residential properties south of the site.

Additionally, the proposed unit buildings will not significantly impact the existing dwellings and their secluded private open space (part of private open space primarily intended for outdoor living activities, which enjoys a reasonable amount of privacy) through overshadowing. While there will be a change because of the proposed development, the siting and height of the proposed development, including setbacks from existing dwellings, northern aspects and the higher elevation of the residential land will ensure that existing dwellings maintain a reasonable amount of sunshine during the day.

The proposal provides an acceptable response to the purpose and decision guidelines of the Commercial 1 Zone.

Design and Development Overlay (Schedule 2)

The DDO2 applies to the Port Campbell Commercial Precinct and sets out design objectives which seek to ensure that the design and built form of new development responds to specific requirements for the area. This includes:

- *New development is consistent with the character of Port Campbell as a seaside village and the existing low scale coastal character is protected.*
- *New development should be site specific and site responsive.*
- *Encourages a compact and vibrant commercial area with innovative urban design and efficient use of space and infrastructure.*
- *Ensure new development is designed to achieve view sharing*
- *Ensure new development caters for on-site car parking that meets its need.*
- *Ensure that earthworks are minimised and geotechnical issues are appropriately addressed.*

The 'hut like' design of the proposed new development is suitable for the location and consistent with the character of Port Campbell as a seaside village. The new built form consists of three separate groups of buildings that have been sited specifically to sit within the current landform. The separation of the buildings reduces the bulk and responds to the low scale character objectives.

The proposed development will alter the current views enjoyed by the properties at the rear of the site. However, principles set out in past VCAT decisions provide clear direction that there is no legal right to a view but acknowledges that the views do form part of the existing amenity to a dwelling and the availability of views must be considered in what constitutes a reasonable sharing of the views, specifically when the questions of views are addressed under the Planning Scheme. These matters were considered in the previous VCAT case relating to Planning Permit Application P2002/146 in relation to the residential hotel development.

The design objectives set out in the Schedule 3 seeks to ensure new development is designed to achieve view sharing. The proposed development will alter and obscure views to the Port Campbell Bay from the existing dwellings but not stop all views to the landform around the bay area and to the ridgeline across from the site. The amenity impacts on the existing dwellings will not be unreasonable and design of the development provides an appropriate response to achieve the view sharing objective.

21 additionally car parking spaces will be provided on site. The new buildings are to be constructed off-site and relocated to the subject land with the intention to minimise construction activity and earthworks. However, new infrastructure requirements to service the development will involve excavation and trenching and cannot be avoided.

It is understood that there are issues with climate change and coastal erosion along the Port Campbell headland. However, issues relating to the geology of the site do not prevent Council issuing a planning permit for the proposed use and development. Further engineering and geotechnical investigations can be undertaken prior to development starting to address risks and identify suitable construction techniques for the proposed development. This can be condition on any permit issued.

Overall, the siting and design of the proposed development provides an acceptable response to the objectives of DDO3.

Clause 52.06 Car Parking

The purpose of this clause is to ensure that an appropriate number of car parking spaces are available having regard to the demand likely to be generated from the activities being carried out on the land and to ensure that car parking does not adversely affect the amenity of the locality.

For a motel one space is required for each unit and one for each manager dwelling, plus 50% of the relevant requirement for any ancillary use.

The application seeks approval for the development of 16 units and an ancillary function room with capacity for 50 guests. For this proposal 16 spaces should be provided plus 0.15 spaces for each patron permitted to use the function room (place of assembly) which is 7 spaces. This equates to 23 spaces. The new car park proposed as part of the application only provides for 21 spaces.

Car parking demands in Port Campbell vary based on the time of year. With peak demand occurring during summer, holiday periods and on weekends. Public transport options are very limited, and it is expected that guests of the proposed motel will be reliant on the use of personal vehicles and require parking during their stay. The car parking to be provided on site will be sufficient to service the needs of overnight guests, whilst consideration needs to be given to when the function space (up to 50 guests) is in use and the potential impacts on the locality.

It is expected that occupancy at the motel will fluctuate in accordance with the seasons and that during peak periods demand for parking along Lord Street and the public car park will be high. The applicant has stated that the function room is only being made available to guests but acknowledges that not all patrons will necessarily be guests staying at the motel. While car parking requirements for each use will overlap, additional demand will be generated when there is a function at the site.

The subject site is located within the Port Campbell commercial precinct, where there is on street parking at the front of the site and an adjacent public car park. On street car parking and public car parks shared by multiple uses in commercial areas is not uncommon and presents an efficient use of public parking. While car parking availability is limited and can be problematic during peak periods, the problem is not isolated to this site and in the fairness of equity, the request to reduce the number of car parking spaces required under this clause by two spaces is acceptable given the proximity an availability of alternative parking options.

Clause 52.17 Native Vegetation

The purpose of the clause is to ensure that there is no net loss to biodiversity through the removal of native vegetation.

An application to remove native vegetation must comply with the requirements specified in the *Guidelines for the removal, destruction or lopping of native vegetation* (Department of Environment, Land, Water and Planning, 2017) (the Guidelines). The guidelines seek to:

1. *Avoid the removal, destruction or lopping of native vegetation.*
2. *Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.*
3. *Provide an offset to compensate for the biodiversity impact if a permit is granted to remove, destroy or lop native vegetation.*

The vegetation assessment and native vegetation removal report were provided as part of the planning permit application. A basic assessment pathway was undertaken for this development in accordance with the Guidelines. The native vegetation is not in an area mapped as an endangered Ecological Vegetation Class, sensitive wetland or coastal area.

The proposal to remove 0.031ha is not expected to have a significant long-term impact on any habitat for rare or threatened species. It is acknowledged that the threatened fauna has been sighted in the local area and it will be important that during removal of the vegetation and the construction phase that the site is managed to ensure that any threatened fauna is protected. This can be managed through permit conditions.

The application demonstrates that suitable offsets can be obtained to offset the biodiversity impacts caused by the removal of native vegetation. Additionally, the use of indigenous species as part of landscaping plantings can be a condition of the permit to support new habitat and link to the public reserve south of the site.

Clause 53.18 Stormwater Management

This clause sets performance standards to ensure that stormwater in urban development is managed so that impacts on the environment, property and public safety are mitigated. It also seeks to encourage stormwater management that contributes to local environmental improvements.

The proposed development increases the building coverage across the site and post development stormwater flows need to be restricted to pre-development levels to ensure that there are no adverse impacts on the existing drainage system and the surrounding environment.

A Stormwater Management Plan (SWMP) was prepared for the application to demonstrate how stormwater drainage for the development can be managed in accordance with the objectives of the clause, including Best Practice Water Sensitive Design Principals. Key elements of the proposed drainage strategy include:

- Minor storm management proposed to be achieved by detention tanks placed at the respective catchments with restricted outlet devices.
- It is proposed to utilise water supply tanks for reuse (e.g. toilet flushing) at each of the units 1 & 2. The tanks will need to be minimum 5000L to achieve sufficient supply.
- Carpark is to be drained to a 25m² vegetated infiltration swale located along the northwest extent. This swale will be drained by a 100mm diameter subsoil drain, discharging directly to the legal point of discharge. During larger events the swale will fill and be drained via a grated pit and directed to the underdeck 'Carpark Detention' system.
- Major storm management shall be achieved by maintaining existing site gradings, and if required surface barriers (bund or kerb).

The application and SWMP have been reviewed by Council's Assets Planning Unit. It is accepted that the stormwater for the development can be managed with the construction of new drainage infrastructure. Detailed drainage designs will need to be submitted for Council approval before development starts. This can be conditioned on any permit issued.

Response to Objections

The key issues raised in the objection and an officer response are provided below.

Objection	Officer response
Visual impacts/view sharing	<p><u>Not supported</u></p> <p>The proposed development will alter the views from the existing dwellings. The impacts will not be unreasonable, and the development has been designed to achieve view sharing as an outcome promoted by the planning scheme and design objectives.</p>

Objection	Officer response
<p>Amenity impacts on residential properties</p>	<p><u>Not supported</u></p> <p>The application seeks approval to develop commercially zoned land. The interface between residential and commercial zoned land does differ, than if the neighboring dwellings were located in area surrounded by residentially zoned land. Consideration must still be given to the residential amenity of existing dwellings to ensure that there is not an unreasonable impact.</p> <p>Residential and accommodation uses are supported in the C1Z. The building has been appropriately designed to ensure that there is no overlooking and overshadowing won't have an unreasonable impact.</p> <p>A new fence is proposed where there currently isn't one, to provide screening between the subject land and neighboring dwellings.</p> <p>The operators of the subject site have a duty to manage noise generated from the site so as not to cause an unreasonable impact on adjoining residential properties in accordance with the requirements of Environment Protection Act 2017 and its regulations.</p>
<p>Access and car parking</p>	<p><u>Not supported</u></p> <p>The proposal includes upgraded vehicle access from Lord Street and additional on-site car parking (21 spaces). The proposed use and development provides an acceptable response to access and car parking provisions under the Planning Scheme.</p> <p>There is no proposal to provide vehicle or guest access from Hennessy Street as part of this development. However, it is not reasonable to stop all access to the subject land from Hennessy Street. This section of land is part of the private ownership making up the motel site. Access may be needed to access service infrastructure and in emergency situations, and would be unreasonable to control via a permit condition.</p>

Objection	Officer response
Environmental risks	<p><u>Not supported</u></p> <p>The native vegetation that is proposed to be removed to accommodate the proposed development is not of high biodiversity value and the removal can be offset through the purchase of native vegetation credit extract in accordance with the <i>Guidelines for the removal, destruction or lopping of native vegetation</i> (DELWP, 2017). The removal of the vegetation and construction works should also be managed to ensure that potential risks to native fauna is mitigated.</p> <p>It is understood that threatened fauna that is listed as endangered under the <i>Environment Protection and Biodiversity Act 1999</i> (EPBC Act) has been sighted in the surrounding area.</p> <p>The EPBC Act is the Australian Government's key piece of environmental legislation. It provides the legal framework to protect and manage national and internationally important flora, fauna, ecological communities and heritage places of national environmental significance.</p> <p>The EPBC Act makes it an offence for any person to take an action that is likely to have a significant impact on matters protected by the Act, unless they have the approval of the Australian Environment Minister.</p> <p>The responsibility for referring an action lies with the developer. Local government is not responsible for making a referral to the Environment Minister on behalf of applicants, and the Council's own approval of a project does not need to be referred under the EPBC Act.</p> <p>It is further noted that neither DEECA or Parks Victoria raised matters of biodiversity impact on threatened species or Crown Land in their referral of the application.</p>

Objection	Officer response
Geotechnical issues	<p><u>Not supported</u></p> <p>A number of geotechnical assessments and reports regarding the risks from landslips, erosion and cave collapses along this section of coast were presented during previous VCAT matter relating to the Southern Ocean Beach House development proposal.</p> <p>While these reports are 15 to 20 years old, they assist our understanding with potential risks associated with erosion in this location.</p> <p>The proposed development site is part of a sensitive coastal environment, but previous assessments did not find evidence of significant erosion at the time. Further earthworks on this site have the ability to cause erosion but can this does not preclude any further development on the subject land.</p> <p>The development proposed as part of the current application is of much smaller scale than the previous Southern Ocean Beach House proposal, involves prefabricated buildings and the earthworks associated with the current development will not be as high risk. However, given the time lapse since the last development proposal it is prudent to require a current site investigation to determine geological risks and ensure that appropriate construction methods are implemented to minimise erosion risks associated with the proposed development. This does not change the nature of the application proposed and is a fair and reasonable conditions of any permit, as the project advances to detailed construction design.</p>
Clarity of information provided in application	<p><u>Supported in part</u></p> <p>The application deals with a number of complex and detailed issues, consisting of reports and plans prepared by different professionals.</p> <p>There are some minor inconsistencies in the documentation. However, the information that has been received when reviewed in its entirety is sufficiently detailed for the purpose of making a decision on the current application. Detailed designs and further management plans should be required through conditions on any permit issued.</p> <p>The photomontages are a tool only to provide a visual aid and representation and have not been relied upon in their entirety as part of this assessment.</p>

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 recommendation (**Recommended option**).
2. Issue a Notice of Decision to Grant a Planning Permit, with changes to recommended conditions.
3. Issue a Notice of Refusal to Grant a Planning Permit.

Conclusion

The proposal will provide additional tourism accommodation within the Port Campbell township and will assist in promoting visitor length of stay in the region. During low tourism periods, the accommodation may also cater for key workers and professionals who require locally based accommodation.

The proposed built form has been designed in response to the site and is respectful of the coastal village character that Port Campbell is known for, with specific construction and operational requirements to protect the amenity and environment which can be covered by permit conditions and management plans.

On balance and having considered the objections, the proposal provides an acceptable response to the Corangamite Planning Scheme, including the purpose of the Commercial 1 Zone, Design and Development Overlay (Schedule 2) and the strategic and policy direction of the Municipal Planning Strategy and Planning Policy Framework. The planning application for the motel expansion at 2-8 Lord Street, Port Campbell is supported.

It is recommended that Council issue a Notice of Decision to Grant a Permit subject to conditions.

RECOMMENDATION - 8.1

That Council having caused notice of Planning Permit Application No. PP2022/090 to be given under Section 52 of the Planning and Environment Act 1987, pursuant to Section 64 of the Planning and Environment Act 1987, decides to issue a Notice of Decision to Grant a Permit under the provisions of the Corangamite Planning Scheme in respect of the land known as Lot 1 LP 127338 & CP 161350Y, 2-8 Lord Street, Port Campbell for the *use and development of land associated with the extension to existing Motel (16 additional accommodation units and function room), reduction in car parking (2 spaces) and removal of native vegetation* subject to the following conditions:

Compliance With Approved Documents Under This Permit

1. At all times what the permit allows must be carried out in accordance with the requirements of any document approved under this permit to the satisfaction of the responsible authority.

Amended plans

2. Before the development starts, plans must be approved and endorsed by the responsible authority. The plans must:
 - a) be prepared to the satisfaction of the responsible authority
 - b) be drawn to scale with dimensions
 - c) submitted in electronic form
 - d) be generally in accordance with the plans forming part of the application and identified as the suit of drawings prepared by Box Architecture Interiors, Project No. 21047 as amended on 20 March 2023 but amended to show the following details:
 - i. Functional layout drawings to ensure that the proposed development and associated building works, including (but not limited to) access lanes, footpaths, car parking, loading zone, drainage infrastructure and all services when fully designed will fit within the boundaries of the subject land.
 - ii. All existing and any proposed easements on the land required for drainage and sewer infrastructure.
 - iii. Waste and recyclables storage area.
 - iv. Any erosion control measures identified in the preparation of the Construction Environmental Management Plan.

Layout not altered

3. The layout of the use and development must not be altered from the layout on the approved and endorsed plans without the written consent of the responsible authority.

Function Room

4. At any time no more than 50 guests to the motel associated with use of the function room/shared facility as shown on the endorsed plans may be present on the land.

The responsible authority may consent in writing to vary this requirement.

Noise control

5. At all times noise emanating from the land must comply with the requirements of the *Environment Protection Regulations 2021* (as amended from time to time) as measured in accordance with the Noise Protocol to the satisfaction of the responsible authority.

Noise Protocol means the Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues, published by the Environment Protection Authority on its website, as in force from time to time.

Screening requirement

6. Before the development is occupied, the fence shown on the endorsed plans must be erected on the southern boundary of the site to restrict overlooking into the private open space areas of the adjoining residential property to the satisfaction of the responsible authority.

Plant/equipment or features on roof

7. No plant, equipment, services or architectural features other than those shown on the approved plans are permitted above the roof level of the building(s).

Waste storage and removal

8. All waste and recyclables must be stored in and collected from an area set aside for this purpose. This area must be graded, drained and screened from public view to the satisfaction of the responsible authority.
9. All waste material must be regularly removed from the site to the satisfaction of the responsible authority. All vehicles removing waste must have fully secured and contained loads so that no wastes are spilled or dust or odour is created, to the satisfaction of the responsible authority.

Control of light spill

10. 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.

Stormwater Management Plan

11. Before the development starts, a stormwater management plan must be approved and endorsed by the responsible authority. The stormwater management plan must:
- a) be prepared to the satisfaction of the responsible authority
 - b) be submitted in electronic form
 - c) include details of the proposed stormwater management system, including drainage works and retention, detention and discharges of stormwater to the drainage system
 - d) set out how the stormwater management system will be managed on an ongoing basis
 - e) demonstrate how all relevant standards set out in the planning scheme relating to stormwater management will meet the objectives in the planning scheme, including modelling and calculations
 - f) be generally in accordance with the Stormwater Management Plan prepared by PM Design Group (Ref. W.MPG-15133 SWMP, dated 14 June 2022) forming part of the application, but amended to show the following details:
 - i. detailed designs showing how stormwater runoff outlets from the development are to match in with the designs for the proposed upgrade of Lord Street as part of the Port Campbell Town Centre Project.

Stormwater management system – implementation and management

12. The stormwater management system approved by the responsible authority and included in the endorsed stormwater management plan must be constructed, managed and maintained to the satisfaction of the responsible authority.

The details of the stormwater management system must not be altered from the details in the endorsed stormwater management plan without the written consent of the responsible authority.

Car parking and access

13. Before the development is occupied, the areas set aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
- a) constructed

- b) properly formed to such levels that they can be used in accordance with the plans
 - c) surfaced with an all-weather-seal coat
 - d) drained
 - 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
- to the satisfaction of the responsible authority.

14. All car parking spaces must be designed to allow all vehicles to drive forwards when entering and leaving the property.

15. Before the development is occupied, the upgrade to the existing vehicular crossing as shown on the endorsed plans must be constructed to the satisfaction of the responsible authority.

16. Access lanes, parking areas, loading zones and pedestrian paths must be kept available for these purposes at all times.

Loading/unloading

17. The loading and unloading of goods from vehicles must only be carried out on the land within the designated loading zone as shown on the endorsed plans and must not disrupt the circulation and parking of vehicles on the land, to the satisfaction of the responsible authority.

Landscape Plan

18. Before the development starts, a landscape plan must be approved and endorsed by the responsible authority. The landscape plan must:

- a) be prepared to the satisfaction of the responsible authority
- b) be prepared by a suitably qualified person
- c) have plans drawn to scale with dimensions
- d) be submitted to the responsible authority in electronic form
- e) include the following:
 - i. layout of landscaping and planting within all open areas of the subject land
 - ii. details of surface finishes of pathways and driveways
 - iii. the use of only indigenous species to the relevant EVCs as they apply to the site.

- iv. a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant
- v. details of how the project responds to water sensitive urban design principles, including how storm water will be mitigated, captured, cleaned and stored for onsite use and the location and type of irrigation systems to be used including the location of any rainwater tanks to be used for irrigation

The responsible authority may consent in writing to vary any of these requirements.

Completion of landscaping

- 19. Before the development is occupied or within the next applicable planting season, the landscaping shown on the approved landscape plan must be carried out and completed to the satisfaction of the responsible authority.

Landscaping maintenance

- 20. At all times the landscaping shown on the approved landscape plan must be maintained (including the replacement of any dead, diseased or damaged plants) to the satisfaction of the responsible authority.

Construction Environmental management Plan

- 21. Before the development or any site works (including demolition, excavation and removal of native vegetation) start, a construction environmental management plan must be approved and endorsed by the responsible authority. The plan must:
 - a) be prepared to the satisfaction of the responsible authority
 - b) be submitted in electronic form
 - c) be prepared in accordance with the civil construction building and demolition guide, Publication 1834 (EPA, 2020)
 - d) adopt the form of the EMP template included in the EPA guide and must address the following risks:
 - i. noise and vibration
 - ii. erosion, sediment and dust
 - iii. contaminated land and groundwater
 - iv. chemicals
 - v. waste
 - e) be in accordance with the working hours schedule for construction, building and demolition noise in the EPA guide.

- f) include geotechnical assessment prepared by a suitably qualified consultant to:**
 - i. evaluate subsurface conditions of the subject site and whether the land is likely to be subject to erosion**
 - ii. provide recommendations on suitable site management, civil engineering and construction methods to address any erosion risks and landslip associated with the development**

The responsible authority may consent in writing to vary any details in the environmental management plan.

Native vegetation

- 22. Before works start, the permit holder must advise all persons undertaking the vegetation removal or works) on site of all relevant conditions of this permit and associated statutory requirements of approvals.**
- 23. This permit allows the removal of 0.031 hectares of native vegetation detailed in the Native Vegetation Removal Report with Native Vegetation Report ID: 315- 20220524-003 prepared on 24 May 2022.**
- 24. To offset the removal of 0.031 hectares of native vegetation the permit holder must secure a native vegetation offset, in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (DELWP 2017) as specified below:**
 - a) A general offset of 0.012 general habitat units:**
 - i. located within the Corangamite Catchment Management Authority boundary or Corangamite Shire municipal area**
 - ii. with a minimum strategic biodiversity value of at least 0.210.**
- 25. Before any native vegetation is removed, evidence that the required offset for the project has been secured must be provided to the satisfaction of the responsible authority. This evidence must one or both of the following:**
 - a) an established first party offset site including a security agreement signed by both parties, and a management plan detailing the 10-year management actions and ongoing management of the site, and/or**
 - b) credit extract(s) allocated to the permit from the Native Vegetation Credit Register.**

26. A copy of the offset evidence will be endorsed by the responsible authority and form part of this permit. Within 30 days of endorsement of the offset evidence, a copy of the endorsed offset evidence must be provided to Planning Approvals at the Department of Energy, Environment and Climate Action Barwon South West regional office via BSW.planning@delwp.vic.gov.au.

Wannon Water conditions

27. Before the development is first brought into use, the required sewerage works necessary to serve the development must be constructed at the full cost of the developer.
28. Before the development is first brought into use, the required water supply works necessary to serve the proposed development must be constructed at the full cost of the developer.
29. Unless agreed to by Wannon Water, all proposed buildings (or any overhang) and other infrastructure must be clear of existing/ proposed 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. This includes the steps shown on the plan proposed to be constructed over the existing sewer.
30. The developer must enter into an agreement with Wannon Water for payment of the new customer contributions applicable to the proposed development.
31. The developer must obtain 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

Powercor conditions

32. The applicant shall ensure that existing and proposed buildings and electrical installations on the subject land are compliant with the Victorian Service and Installation Rules (VSIR).
33. Notes: Where electrical works are required to achieve VSIR compliance, a registered electrical contractor must be engaged to undertake such works.

- 34. Any buildings must comply with the clearances required by the Electricity Safety (Installations) Regulations.
- 35. Any construction work must comply with the Energy Safe Victoria's "No Go Zone" rules.

Notes: To apply for a permit to work go to our website:
<https://customer.portal.powercor.com.au/mysupply/CIAWQuickCalcutat>
or and apply on line through the No Go Zone Assessment.

Commencement of Permit

- 36. This permit will operate from the issued date of this permit.

Expiry – Development and use

- 37. This permit will expire if one of the following circumstances applies:
 - a) The development is not started within 2 years of the issued date of this permit.
 - b) The development is not completed within 4 years of the issued date of this permit.
 - c) The use does not start within 2 years of completion of the development.

In accordance with Section 69 of the Planning and Environment Act 1987, an application may be submitted to the Responsible Authority for an extension of the periods referred to in this condition.

COUNCIL RESOLUTION

Moved: Cr Jamie Vogels

Seconded: Cr Kate Makin

That Council having caused notice of Planning Permit Application No. PP2022/090 to be given under Section 52 of the Planning and Environment Act 1987, pursuant to Section 64 of the Planning and Environment Act 1987, decides to issue a Notice of Decision to Grant a Permit under the provisions of the Corangamite Planning Scheme in respect of the land known as Lot 1 LP 127338 & CP 161350Y, 2-8 Lord Street, Port Campbell for the use and development of land associated with the extension to existing Motel (16 additional accommodation units and function room), reduction in car parking (2 spaces) and removal of native vegetation subject to the following conditions:

Compliance With Approved Documents Under This Permit

1. At all times what the permit allows must be carried out in accordance with the requirements of any document approved under this permit to the satisfaction of the responsible authority.

Amended plans

2. Before the development starts, plans must be approved and endorsed by the responsible authority. The plans must:
 - a) be prepared to the satisfaction of the responsible authority
 - b) be drawn to scale with dimensions
 - c) submitted in electronic form
 - d) be generally in accordance with the plans forming part of the application and identified as the suit of drawings prepared by Box Architecture Interiors, Project No. 21047 as amended on 20 March 2023 but amended to show the following details:
 - i. Functional layout drawings to ensure that the proposed development and associated building works, including (but not limited to) access lanes, footpaths, car parking, loading zone, drainage infrastructure and all services when fully designed will fit within the boundaries of the subject land.
 - ii. All existing and any proposed easements on the land required for drainage and sewer infrastructure.

- iii. Reduced total building height of the rear buildings located along the south eastern boundary to have a total overall height not exceeding a Reduce Level (RL) of 21.00m.
- iv. Construction materials of the internal stairwell which provide access to the rear buildings located along the south eastern boundary, which must not be a steel or metal finish.
- v. Waste and recyclables storage area.
- vi. Any erosion control measures identified in the preparation of the Construction Environmental Management Plan.

Layout not altered

- 3. The layout of the use and development must not be altered from the layout on the approved and endorsed plans without the written consent of the responsible authority.

Function Room

- 4. At any time no more than 50 guests to the motel associated with use of the function room/shared facility as shown on the endorsed plans may be present on the land.
The responsible authority may consent in writing to vary this requirement.

Noise control

- 5. At all times noise emanating from the land must comply with the requirements of the *Environment Protection Regulations 2021* (as amended from time to time) as measured in accordance with the Noise Protocol to the satisfaction of the responsible authority.
Noise Protocol means the Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues, published by the Environment Protection Authority on its website, as in force from time to time.

Screening requirement

- 6. Before the development is occupied, the fence shown on the endorsed plans must be erected on the southern boundary of the site to restrict overlooking into the private open space areas of the adjoining residential property to the satisfaction of the responsible authority.

Plant/equipment or features on roof

- 7. No plant, equipment, services or architectural features other than those shown on the approved plans are permitted above the roof level of the building(s).

Waste storage and removal

8. All waste and recyclables must be stored in and collected from an area set aside for this purpose. This area must be graded, drained and screened from public view to the satisfaction of the responsible authority.
9. All waste material must be regularly removed from the site to the satisfaction of the responsible authority. All vehicles removing waste must have fully secured and contained loads so that no wastes are spilled or dust or odour is created, to the satisfaction of the responsible authority.

Control of light spill

10. 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.

Stormwater Management Plan

11. Before the development starts, a stormwater management plan must be approved and endorsed by the responsible authority. The stormwater management plan must:
 - a) be prepared to the satisfaction of the responsible authority
 - b) be submitted in electronic form
 - c) include details of the proposed stormwater management system, including drainage works and retention, detention and discharges of stormwater to the drainage system
 - d) set out how the stormwater management system will be managed on an ongoing basis
 - e) demonstrate how all relevant standards set out in the planning scheme relating to stormwater management will meet the objectives in the planning scheme, including modelling and calculations
 - f) be generally in accordance with the Stormwater Management Plan prepared by PM Design Group (Ref. W.MPG-15133 SWMP, dated 14 June 2022) forming part of the application, but amended to show the following details:
 - i. detailed designs showing how stormwater runoff outlets from the development are to match in with the designs for the proposed upgrade of Lord Street as part of the Port Campbell Town Centre Project.

Stormwater management system – implementation and management

12. The stormwater management system approved by the responsible authority and included in the endorsed stormwater management plan must be constructed, managed and maintained to the satisfaction of the responsible authority.

The details of the stormwater management system must not be altered from the details in the endorsed stormwater management plan without the written consent of the responsible authority.

Car parking and access

13. Before the development is occupied, the areas set aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:

- a) constructed
- b) properly formed to such levels that they can be used in accordance with the plans
- c) surfaced with an all-weather-seal coat
- d) drained
- 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

to the satisfaction of the responsible authority.

14. All car parking spaces must be designed to allow all vehicles to drive forwards when entering and leaving the property.

15. Before the development is occupied, the upgrade to the existing vehicular crossing as shown on the endorsed plans must be constructed to the satisfaction of the responsible authority.

16. Access lanes, parking areas, loading zones and pedestrian paths must be kept available for these purposes at all times.

Loading/unloading

17. The loading and unloading of goods from vehicles must only be carried out on the land within the designated loading zone as shown on the endorsed plans and must not disrupt the circulation and parking of vehicles on the land, to the satisfaction of the responsible authority.

Landscape Plan

18. Before the development starts, a landscape plan must be approved and endorsed by the responsible authority. The landscape plan must:

- a) be prepared to the satisfaction of the responsible authority**
- b) be prepared by a suitably qualified person**
- c) have plans drawn to scale with dimensions**
- d) be submitted to the responsible authority in electronic form**
- e) include the following:**
 - i. layout of landscaping and planting within all open areas of the subject land**
 - ii. details of surface finishes of pathways and driveways**
 - iii. the use of only indigenous species to the relevant EVCs as they apply to the site.**
 - iv. a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant**
 - v. details of how the project responds to water sensitive urban design principles, including how storm water will be mitigated, captured, cleaned and stored for onsite use and the location and type of irrigation systems to be used including the location of any rainwater tanks to be used for irrigation**

The responsible authority may consent in writing to vary any of these requirements.

Completion of landscaping

19. Before the development is occupied or within the next applicable planting season, the landscaping shown on the approved landscape plan must be carried out and completed to the satisfaction of the responsible authority.

Landscaping maintenance

20. At all times the landscaping shown on the approved landscape plan must be maintained (including the replacement of any dead, diseased or damaged plants) to the satisfaction of the responsible authority.

Construction Environmental management Plan

21. Before the development or any site works (including demolition, excavation and removal of native vegetation) start, a construction environmental management plan must be approved and endorsed by the responsible authority. The plan must:

- a) be prepared to the satisfaction of the responsible authority**
- b) be submitted in electronic form**
- c) be prepared in accordance with the civil construction building and demolition guide, Publication 1834 (EPA, 2020)**
- d) adopt the form of the EMP template included in the EPA guide and must address the following risks:**
 - i. noise and vibration**
 - ii. erosion, sediment and dust**
 - iii. contaminated land and groundwater**
 - iv. chemicals**
 - v. waste**
- e) be in accordance with the working hours schedule for construction, building and demolition noise in the EPA guide.**
- f) include geotechnical assessment prepared by a suitably qualified consultant to:**
 - i. evaluate subsurface conditions of the subject site and whether the land is likely to be subject to erosion**
 - ii. provide recommendations on suitable site management, civil engineering and construction methods to address any erosion risks and landslip associated with the development**

The responsible authority may consent in writing to vary any details in the environmental management plan.

Native vegetation

22. Before works start, the permit holder must advise all persons undertaking the vegetation removal or works) on site of all relevant conditions of this permit and associated statutory requirements of approvals.

23. This permit allows the removal of 0.031 hectares of native vegetation detailed in the Native Vegetation Removal Report with Native Vegetation Report ID: 315- 20220524-003 prepared on 24 May 2022.

24. To offset the removal of 0.031 hectares of native vegetation the permit holder must secure a native vegetation offset, in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (DELWP 2017) as specified below:
- a) A general offset of 0.012 general habitat units:
 - i. located within the Corangamite Catchment Management Authority boundary or Corangamite Shire municipal area
 - ii. with a minimum strategic biodiversity value of at least 0.210.
25. Before any native vegetation is removed, evidence that the required offset for the project has been secured must be provided to the satisfaction of the responsible authority. This evidence must be one or both of the following:
- a) an established first party offset site including a security agreement signed by both parties, and a management plan detailing the 10-year management actions and ongoing management of the site, and/or
 - b) credit extract(s) allocated to the permit from the Native Vegetation Credit Register.
26. A copy of the offset evidence will be endorsed by the responsible authority and form part of this permit. Within 30 days of endorsement of the offset evidence, a copy of the endorsed offset evidence must be provided to Planning Approvals at the Department of Energy, Environment and Climate Action Barwon South West regional office via BSW.planning@delwp.vic.gov.au.

Wannon Water conditions

27. Before the development is first brought into use, the required sewerage works necessary to serve the development must be constructed at the full cost of the developer.
28. Before the development is first brought into use, the required water supply works necessary to serve the proposed development must be constructed at the full cost of the developer.
29. Unless agreed to by Wannon Water, all proposed buildings (or any overhang) and other infrastructure must be clear of existing/ proposed 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. This includes the steps shown on the plan proposed to be constructed over the existing sewer.

30. The developer must enter into an agreement with Wannon Water for payment of the new customer contributions applicable to the proposed development.
31. The developer must obtain 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.

Powercor conditions

32. The applicant shall ensure that existing and proposed buildings and electrical installations on the subject land are compliant with the Victorian Service and Installation Rules (VSIR).
33. Notes: Where electrical works are required to achieve VSIR compliance, a registered electrical contractor must be engaged to undertake such works.
34. Any buildings must comply with the clearances required by the Electricity Safety (Installations) Regulations.
35. Any construction work must comply with the Energy Safe Victoria’s “No Go Zone” rules.

Notes: To apply for a permit to work go to our website:
<https://customer.portal.powercor.com.au/mysupply/CIAWQuickCalculator> and apply on line through the No Go Zone Assessment.

Commencement of Permit

36. This permit will operate from the issued date of this permit.

Expiry – Development and use

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

- a) The development is not started within 2 years of the issued date of this permit.**
- b) The development is not completed within 4 years of the issued date of this permit.**
- c) The use does not start within 2 years of completion of the development.**

In accordance with Section 69 of the Planning and Environment Act 1987, an application may be submitted to the Responsible Authority for an extension of the periods referred to in this condition.

CARRIED UNANIMOUSLY 6 / 0

Cr Jamie Vogels declared a general conflict of interest in agenda item 8.2 and left the meeting before any discussion or vote on the matter at 8:02 pm.

Cr Nick Cole returned to the meeting at 8:03 pm.

8.2 Planning Permit Application PP2022/149 - Use of Land for Materials Recycling Facility - Lilleys Lane Ecklin South

Directorate: Sustainable Development

Author: Aaron Moyne, Manager Planning and Building Services

Previous Council Reference: Nil

Attachments:

1. Under Separate Cover - Combined Amended Application PP2022149 3161P [8.2.1 - 42 pages]
2. Under Separate Cover - Objection Planning [Context Planning] PP2022149 3161P [8.2.2 - 9 pages]
3. Under Separate Cover - Updated Applicant Response to Objection PP2022149 3161P [8.2.3 - 8 pages]
4. Under Separate Cover - Response Planning EPA Referral PP2022149 3161P [8.2.4 - 3 pages]

Declaration

Chief Executive Officer – Michael Tudball

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

Author – Aaron Moyne

In providing this advice to Council as the Manager Planning and Building Services, I have no interests to disclose in this report.

Summary

Council must consider planning permit application PP2022/149 which seeks approval for the use of land for a materials recycling facility. The proposal seeks to establish a hard waste recycling facility to crush and blend concrete and bricks for further civil and construction use.

Public notice of the application has been given and one (1) objection was received for the application.

The application has been assessed against the relevant provisions of the Corangamite Planning Scheme. The proposed use will provide an acceptable outcome in response to strategic and policy direction and planning controls, and it is recommended that Council issue a Notice of Decision to Grant a Permit.

Introduction

Planning Permit Application PP2022/149 was received by Council on 10 October 2022 and most recently amended under Section 57A of the *Planning and Environment Act 1987* on 28 April 2023. The application seeks approval to use land for a materials recycling facility.

Public notice of the application was undertaken and Council has received one (1) objection. Key issues can be summarised as:

- Amenity and health impacts (noise and dust)
- Application information detail
- Planning policy response

This report provides a planning assessment of the application and addresses key issues raised by the objection.

History

The site has long been used for stone extraction as a quarry. Planning Permit Number 874 was issued by the Shire of Heytesbury on 5 February 1990 to extract gravel under licence. The quarry activity has continued since approval in accordance with the planning permit and Extractive Industry Licence Number 1393.

The property directly adjoining the site to the north has also been used for stone extraction as a quarry for an extended period. Council records indicate that Extractive Industry Licence Number 454 was granted by the Department of Minerals and Energy on 5 June 1974 and the licence has been renewed. This quarry remains in operation with quarry operations occurring and heavy vehicle access from Timboon-Terang Road.

Subject Site

The subject site has a total area of 22ha and contains an existing scoria quarry which is nearing the end of its useful life with material availability and is progressively being rehabilitated. The quarry floor sits approximately 15-20m below the natural ground level of land adjoining to the north, separated by the face of the quarry wall. The site itself is not visible from the road due to previous quarry extraction.

The eastern portion of the site remains as cleared farmland used for grazing. The western extent of the site extends into Lake Mumblin, which is wetland depression spread over multiple properties in private ownership.

The property has frontage to Lilleys Lane which provides direct vehicle access from an existing crossover. Lilleys Lane is an unsealed two-way access road managed by Council.

The property also has secondary frontage to Timboon-Terang Road with no existing access.

An existing shelterbelt plantation runs through the property, splitting the land into two portions.

Surrounding Area

The main site/locality characteristics are:

- The subject land and surrounding area are located in the Farming Zone – Schedule 1.
- The western extent of the property and land forming the Lake Mumblin wetland depression is also located in the Environmental Significance Overlay (Schedule 1) and Significant Landscape Overlay (Schedule 1). The extent of these overlays does not affect the area of the proposed use.
- Lilleys Lane is a two-way, unsealed road managed by Council. Timboon-Terang Road is also a two-way, sealed road managed by Council.
- Land uses within the area are mixed, primarily between agriculture and extractive industry. The subject site has previously been used as a scoria quarry, whilst land directly adjoining to the north is also currently used for stone extraction as a quarry.
- The adjoining quarry operates under a separate Work Authority (WA) and is accessed directly by trucks from Timboon-Terang Road. This property also contains an existing dwelling, located approximately 500m from the subject land, whilst the balance of the property is used for agriculture through grazing.
- Dwellings are dispersed within the area and primarily associated with agricultural uses.
- A stockfeed facility is located approximately 800m north-east of the subject land with frontage to Timboon-Terang Road.

The maps provided show the planning controls applicable to the site and identify the proposed area of the materials recycling facility and objector's dwelling (yellow outline).



Figure 1: Planning Zone/Overlay Map



Figure 2: Aerial Map

Proposal

The proposal seeks to use land for materials recycling within the pit of a former quarry which is nearing extraction completion and is progressively being rehabilitated in accordance with the Work Authority (WA) conditions and Earth Resources Regulation (ERR) requirements.

The use will constitute an area of the quarry floor being established for hard waste recycling, being mainly bricks and concrete sourced externally from projects and demolition, to be crushed and blended to be used further in road base.

An area of approximately 1ha will be used on the quarry floor for the proposed use, incorporating the stockpiling area of raw materials, crushing and screening equipment, and space for vehicle loading and movement. No fixed infrastructure or buildings will be established on-site.

Proposed hours of operation are from 7am-6pm Monday to Friday, with no weekend activity scheduled. Operations will be intermittent and only occur based on demand.

Access into and from the site will be provided from Lilleys Lane, which is an existing unsealed road, via an established crossover previously used for quarry operations.

A copy of the planning permit application is provided under separate cover.

Policy and Legislative Context

Zoning

The subject site is located in the Farming Zone (Schedule 1).

A planning permit is required to use for materials recycling as a Section 2 Use.

The purpose and decision guidelines of the Farming Zone must be considered in the assessment of this application.

Overlays

The subject site is also located within the ESO1 and SLO1. No permit is required under these overlays as the proposed use is located outside of their extent on the property and no buildings and works are proposed.

Municipal Planning Strategy and the Planning Policy Framework

The following clauses are considered relevant to this permit application:

Clause 02 Municipal Planning Strategy

Clause 02.01 Context

Clause 02.02 Vision

Clause 2.03-2 Environmental and landscape values

Clause 02.03-3 Environmental risks and amenity (Bushfire, flooding, erosion and land slip)

Clause 02.03-4 Natural resource management (Agriculture)

Clause 2.03-4 Natural Resource Management (Stone and gas resources)

Clause 2.03-7 Economic Development (Industrial) – seeks to support industrial land use and development that increase employment opportunities.

Clause 11 Settlement

Clause 11.01-1S Settlement

Clause 11.01-1R Settlement – Great South Coast

Clause 11.03-6S Planning for Places – Regional and local policies

Clause 12 Environmental and Landscape Values

Clause 12.03-1S Water Bodies and Wetlands – River corridors, waterways, lakes and wetlands

Clause 13 Environmental Risks and Amenity

Clause 13.02-1S Bushfire - Bushfire planning

Clause 13.05-1s Noise Management – seeks to assist in the management of noise on sensitive land uses.

Clause 13.06-1S Air Quality Management

Clause 13.07-1S Amenity, Human Health and Safety – Land use compatibility – seeks to protect amenity and human health by ensuring that land use is compatible with adjoining and nearby uses.

Clause 14 Natural Resource Management

Clause 14.01-1S Agriculture - Protection of agricultural land, seeks to limit the loss of productive agricultural land and consider the continuation of agriculture and compatibility of land uses.

Clause 14.01-1L Agriculture - Protection of agricultural land; seeks to minimise conflict between agricultural and non-agricultural land uses in rural areas.

Clause 17 Economic Development

Clause 17.01-1S Employment - Diversified economy

Clause 17.01-1R Employment - Diversified economy – Great South Coast; seeks to support agriculture as a primary source of economic prosperity in the region.

Particular Provisions

Clause 52.09 Extractive Industry and Extractive Industry Interest Areas

This clause seeks to ensure that extractive industry and stone resources which are required for future community and industry uses are protected from inappropriate use and development of land.

Decision guidelines are provided which are principally focused on new or existing quarries as opposed to the impact or constraints arising from new land uses.

Clause 53.10 Uses with Adverse Amenity Potential

This clause seeks to identify uses and activities which may cause offence or unacceptable risk to the neighbourhood.

Materials recycling and resource recovery is a use with no buffer distance specified.

Clause 53.14 Resource Recovery

This clause applies to all land to be used and developed for materials recycling and seeks to facilitate the establishment and expansion of these uses in appropriate locations with minimal impact on the environment and amenity of the area.

Application requirements and decision guidelines are specified for consideration.

Clause 65 Decision Guidelines

Must be considered in the assessment of this application.

Referrals

Section 55 referral of the application was given to the Environment Protection Authority (EPA) as a determining authority. EPA do not object to a permit being granted and provided comments and potential risks and environmental impacts.

Internal referral comments have been sought from Council's Assets Planning Unit with no specific comment provided on the application.

Advertising

Notice of the application was given in accordance with Section 52 of the *Planning and Environment Act 1987*, including:

- Letters to landowners and occupiers of adjoining land.

One (1) objection was received in relation to the application from an adjoining landowner. The key issues raised in the objection can be summarised as:

- Amenity and health impacts (noise and dust)
- Application information detail
- Planning policy response

The applicant has been provided with a copy of the objection and has provided a response to the matters raised.

Consultation

Consultation for the application was undertaken and included:

- A request for further information from the applicant responding to the issues and concerns raised by the objector. This information was provided and included an updated application report, site layout plan and receptor plan identifying nearby dwellings.
- An on-site planning site inspection was held on Tuesday, 7 February 2023, attended by Councillors, Council officers, the applicant and objector.

Assessment

Planning assessment of the application focuses on the appropriateness of the proposed land use and its response to the relevant provisions of the Municipal Planning Strategy (MPS) and Planning Policy Framework, in conjunction with the purpose and decision guidelines of the Farming Zone and relevant particular provisions.

The application seeks to establish the site and the floor of an almost exhausted quarry into a hard waste materials recycling facility to crush, screen and blend mainly concrete and bricks for further civil and construction use. The basis of the application seeks to ensure that locally sourced redundant or waste construction materials can be processed and redirected into another use, such as road base, value-adding the product and minimising the amount of waste which ends up in landfill.

The Victoria Planning Provisions (VPP) designate specific focus on resource recovery and materials recycling in areas which cause minimal environmental and amenity impact. These outcomes align with the Statewide Waste and Resource Recovery Infrastructure Plan (2018), Barwon South West Circular Economy Plan (2022) and Barwon South West Waste and Resource Recovery Plan (2017-2026).

Consistent and key themes arising from these strategic plans are to establish a circular economy with investment in new materials recycling facilities which can develop and process products for use in end markets, creating value-add and reducing landfill volumes.

Key considerations in the assessment of the application relate to the appropriateness of the land use in its location, and potential amenity and environmental impacts.

Municipal Planning Strategy and Planning Policy Framework

The MPS provides clear strategic direction that seeks to protect product agricultural land, manage natural resources and protect and enhance the environment, whilst facilitating economic development and industries that provide local employment and activity.

These local directions are reinforced by the PPF which provides specific policy to protect and enhance waterways and water courses, manage the amenity impact of noise and dust on sensitive uses and ensure that land use compatibility is addressed, whilst facilitating industrial uses with limited off-site impact. Planning policy also seeks to strengthen and contribute to the local and regional economy by supporting industry diversification.

The proposed materials recycling facility will be located within the floor of a former quarry with access provided from an existing road. The advantages of the site are that the facility will not be visible from surrounding properties, screening and separating the use from adjoining land and sensitive receptors (i.e. dwellings).

Assessment of the application requires an outcome that will not adversely impact surrounding natural resources or the environment, whilst ensuring land use compatibility can be achieved with minimal impact on adjoining land.

The proposal is for a confined materials recycling facility which will be accessed from Lilleys Lane with a site area of approximately 1ha. The scale, operational capacity and outputs from the facility area limited due to the site area and the fluctuating supply and demand of materials for processing. Noise and air emissions generated from the facility will come from the crushing, screening and blending of material, and will not be dissimilar to quarry operations or standard use of farm machinery in a rural environment.

In relation to land use compatibility and conflict, the proposed use will not have any impact on surrounding agricultural land and agriculture can continue unrestricted. The closest dwelling to the site, being that of the objector, is located between 500-550m from the area of the proposed use, whereby an operational quarry exists on that property in much closer proximity to the area proposed for materials recycling. The proposed use is highly unlikely to result in any amenity impact or material detriment on the dwelling by way of noise and dust emissions, considering the nature of the existing land use and separation between the two uses.

Noting the importance of ensuring the use is managed carefully within its surrounding environment, a comprehensive set of operational and amenity conditions can be included on any permit granted, ensuring that the use does not cause detrimental amenity impact to any adjoining land. To manage waste material brought to the land, a further condition can be included that restricts any putrescible or prescribed wastes being delivered and stored on-site.

The primary environmental consideration for the site relates to the management and discharge of stormwater and drainage arising from operations. The applicant has provided preliminary stormwater information and a plan in their application. To further ensure that drainage is designed and managed appropriately, and the natural environment protected, a condition can also be included on any permit requiring a professionally prepared Stormwater Management Plan to be reviewed and endorsed by Council before the use starts. This plan will ensure that discharge from the site does not increase above existing conditions and water quality is managed, with no waste or contaminate water entering the natural environment or waterways.

Overall, the proposal provides an acceptable response to the strategic and policy direction of the MPS and PPF, with particular regard to the need for and importance of supporting resource recovery and materials recycling in appropriate locations. Environmental and amenity impacts can be adequately managed which will ensure the natural environment is protected and land use conflict between uses is minimised.

Farming Zone

The Farming Zone (FZ) seeks to protect and prioritise the use of land for agriculture whilst ensuring that non-agricultural uses do not impact the ongoing use of land for agriculture.

The area of the proposed use is not currently used for agriculture and even once the quarry has been rehabilitated, the productive agricultural use of the land will largely be limited to grazing. The proposed use will occur within the quarry floor in a confined area of the site. Materials recycling operations will not remove productive agricultural land or impact on the continuation of adjoining land for agriculture.

The site has long been used for a quarry without any compatibility issues with adjoining agricultural uses. The proposed use will not change this situation in any way. The site also has the capability to sustain the proposed use, with existing access provided from Lilleys Lane and sufficient area for materials storage and operations.

Clause 53.14 Resource Recovery

Planning policy and the VPP prioritise and give strategic and policy weight to the establishment of resource recovery and materials recycling facilities. Whilst the nature of the proposed facility will be limited in terms of processing capacity and output, the proposed use will still be an important step in achieving Statewide and regional resource recovery goals, but at a local level.

The processed outputs from this facility will be used in road base and civil projects, achieving certified grade and class levels. This will provide local and regional contractors, along with farmers, another option to source materials for construction purposes.

Response to Objections

The key issues raised in the objection and an officer response are provided below.

Objection	Officer response
Amenity and Health Impacts	<p><u>Objection not supported</u></p> <p>Concerns raised around amenity and health impacts on the adjoining dwelling located approximately 500-550m from the site are noted, however, the proposed use is unlikely cause impact to this dwelling.</p> <p>Air (including dust) and noise emissions will be limited given the confined nature of the use, along with the facility location on the quarry floor, whilst the adjoining landowner also operates a quarry between the activity area and their dwelling. Dwellings in rural areas are not afforded the same level of amenity protection as residential areas and the proposed use will be consistent and compatible with the adjoining quarry and surrounding agricultural uses.</p> <p>Conditions can be included on any permit granted to manage site operations and amenity impacts.</p>

Objection	Officer response
Application information detail	<p><u>Objection not supported</u></p> <p>Information provided with the application has been deemed appropriate and sufficient to undertake planning assessment and make a decision. No further information is deemed necessary.</p> <p>Conditions can still be included on any permit requiring the provision of detailed site and management plans.</p>
Planning policy response	<p><u>Objection not supported</u></p> <p>The application has provided a summary planning policy response, whilst the assessment concludes that the proposed use provides an acceptable outcome in relation to strategic and policy direction of the Corangamite Planning Scheme.</p>

Options

Council has the following options:

1. Issue a Notice of Decision to Grant a Permit subject to conditions as set out in this recommendation. **(Recommended option)**
2. Issue a Notice of Decision to Refuse to Grant a Permit.

Conclusion

The application seeks approval to use land for materials recycling to process hard waste products and stone materials, which would normally end up in landfill, into a value-added product which can be used in further construction and civil works. Resource recovery and materials recycling facilities warrant specific planning support where they can be established with limited environmental and amenity impact.

Given the location and nature of the site, the proposed use will result in an acceptable planning outcome that will not adversely impact the amenity of surrounding dwellings or agricultural use of nearby land. Standard conditions can be included to this effect, whilst additional conditions will be included to manage stormwater and road and traffic access into the site from Lilleys Lane.

Approval of the planning permit will provide the landowner/operator with the ability to diversify their business to process hard waste material, which can be reused and redirected to into local projects, extending its useful life.

The application provides an acceptable response to the relevant provisions of the Corangamite Planning Scheme, including the strategic and policy direction of the MPS and PPF, and the purpose and decision guidelines of the Farming Zone.

It is recommended that a planning permit be granted, subject to conditions.

RECOMMENDATION - 8.2

That Council having caused notice of Planning Application No. PP2022/149 to be given under Section 52 of the Planning and Environment Act 1987 and having considered all the matters required under Section 60 of the Planning and Environment Act 1987 decides to Grant a Notice of Decision to Grant a Permit under the provisions of the Corangamite Planning Scheme in respect of the land known and described as Lot 1 PS 400620P Lilleys Lane, Ecklin South, for the Use of Land for Materials Recycling Facility, with the application dated 10 October 2022 and amended under Section 57A of the Planning and Environment Act 1987 on 28 April 2023, subject to the following conditions:

Compliance With Approved Documents Under This Permit

1. At all times what the permit allows must be carried out in accordance with the requirements of any document approved under this permit to the satisfaction of the responsible authority.

Amended Plans Required

2. Before the use starts, plans must be approved and endorsed by the responsible authority. The plans must:
 - a) be prepared to the satisfaction of the responsible authority
 - b) be drawn to scale with dimensions
 - c) submitted in electronic form
 - d) be generally in accordance with the plans forming part of the application and identified as *Lilley's Lane Recycling Site Plan* but amended to show the following details:
 - i. Scale and dimensions/measurements which designate the boundaries of the use and provide delineation of areas used for operations, processing, stockpiling, site access, car and truck parking (including loading) and stormwater and drainage management.

Layout Not Altered

3. The layout of the use must not be altered from the layout on the approved and endorsed plans without the written consent of the responsible authority.

Stormwater Management Plan

4. Before the use starts, a stormwater management plan must be approved and endorsed by the responsible authority. The stormwater management plan must:
 - a) be prepared to the satisfaction of the responsible authority
 - b) be submitted in electronic form

- c) include details of the proposed stormwater management system, including drainage works and retention, detention and discharge of stormwater to the drainage system or legal point of discharge
 - d) set out how the stormwater management system will be managed on an ongoing basis
 - e) demonstrate how all relevant standards, including modelling and calculations, will be met.
5. The stormwater management system approved by the responsible authority and included in the endorsed stormwater management plan must be constructed, managed and maintained to the satisfaction of the responsible authority.

The details of the stormwater management system must not be altered from the details in the endorsed stormwater management plan without the written consent of the responsible authority.

Run-off Control

6. Polluted and/or sediment laden run-off must not be discharged directly or indirectly into drains or watercourses.

General Amenity

7. The use must be managed so that the amenity of the area is not detrimentally affected, through the:
- a) transport of materials, goods or commodities to or from the land
 - b) appearance of any building, works or materials
 - c) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil
 - d) presence of vermin
- to the satisfaction of the responsible authority.

Site Management

8. The permit holder must use appropriate site management practices to prevent the transfer of mud, dust, sand or slurry from the site into drains or onto nearby roads and properties. If a road, drain or adjoining property is affected, the owner must upon direction of the responsible authority take the necessary steps to clean the affected portion of road, drain or property to the satisfaction of the responsible authority.

9.

Hours of Operation

10. The use must only operate between the following times:
- a) 7am and 6pm Monday to Friday.
- The responsible authority may consent in writing to vary these requirements.

Delivery Times

11. Deliveries to and from the site must only take place between the following times:

a) 7am and 6pm Monday to Friday.

The responsible authority may consent in writing to vary these requirements.

Noise

12. At all times noise emanating from the land must comply with the requirements of the Environment Protection Regulations 2021 (as amended from time to time) as measured in accordance with the Noise Protocol to the satisfaction of the responsible authority.

Noise Protocol means the Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues, published by the Environment Protection Authority on its website, as in force from time to time.

Noise Must Not Be Audible

13. Noise generated from within the premises must not be audible within the habitable rooms with windows closed of any nearby dwellings to the satisfaction of the responsible authority.

Soundproofing Plant and Equipment

14. All external plant and equipment must be acoustically treated or placed in soundproof housing to reduce noise to a level to the satisfaction of the responsible authority.

Dust Control

15. Roads, storage areas, external stockpiles and vacant areas must be managed and maintained to avoid dust nuisance to any adjoining dwelling or property to the satisfaction of the responsible authority.

Waste Management

16. No putrescible or prescribed wastes may be brought to, or stored on-site, to the satisfaction of the Responsible Authority.

Access and Car Park Construction

17. Before the use starts, the area(s) set aside for the access lanes and truck park as shown on the endorsed plans must be:

- a) constructed
- b) properly formed to such levels that they can be used
- c) surfaced with an all-weather and dust suppressant material
- d) drained.

18. At all times access lanes, loading and parking areas must be kept available for these purposes.

19. Once constructed, these areas must be maintained to the satisfaction of the responsible authority.
20. Vehicles exiting the site must have material and soil removed from their wheels before entering public roads to the satisfaction of the responsible authority.

Loading and Unloading

21. At all times the loading and unloading of vehicles, the delivery of goods and the collection of materials must be undertaken within the boundaries of the subject land.
22. The loading and unloading of goods from vehicles must only be carried out on the land within the designated loading area on the approved plans and must not disrupt the circulation and parking of vehicles on the land, to the satisfaction of the responsible authority.

Access Road

23. Access to and egress from the land for all vehicles must only be from Lilleys Lane.
The responsible authority may consent in writing to vary this requirement.

Commencement of Permit

24. This permit will operate from the issued date of this permit.

Expiry – Use

25. This permit as it relates to use will expire if the use does not start within 2 years after the issued date of this permit.
In accordance with Section 69 of the Planning and Environment Act 1987, an application may be submitted to the responsible authority for an extension of the period referred to in this condition.

COUNCIL RESOLUTION

Moved: Cr Laurie Hickey
Seconded: Cr Geraldine Conheady

That the recommendation be adopted.

CARRIED UNANIMOUSLY 6 / 0

Cr Jamie Vogels returned to the meeting at 8:10 pm.

9 Officer's Reports

9.1 Draft Budget 2023-2024

Directorate: Corporate and Community Services
Author: Simon Buccheri, Manager Financial Services
Previous Council Reference: Nil
Attachments:
1. Corangamite Public Budget 2023-24 [9.1.1 - 50 pages]

Declaration

Chief Executive Officer – Michael Tudball

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

Author – Simon Buccheri

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

Summary

This report is to consider the draft 2023-2024 budget, incorporating the 2023-2024 Fees and Charges Schedule in accordance with the *Local Government Act 2020* (the Act). The draft 2023-2024 budget is attached to this report. The draft budget maintains Council's strong financial position and includes significant capital works.

Introduction

The budget allocates resources on an annual basis to support the Council Plan delivery, particularly the strategic initiatives and annual action plan. It aims to meet these objectives in the most financially sustainable manner possible whilst continuing to provide quality services to all sections of our community.

The draft 2023-2024 budget for the financial year commencing 1 July 2023, has been developed in consultation with the community, Councillors and officers and with reference to the long term financial plan, asset management plans and community plans. The budget is a short term plan which specifies the resources required to fund the Council's services and initiatives over the next 12 months and subsequent three financial years.

The budget document has been prepared on the basis of the legislative requirements contained in the 'model budget' as developed by the Local Government industry taskforce and issued to all municipalities across Victoria. The draft budget document has been developed under the following sections:

- Introduction
- Link to the Council Plan
- Services and performance indicators
- Financial statements
- Notes to the financial statements
- Summary of planned capital works
- Financial performance indicators
- Appendices, including fees and charges.

In accordance with the *Local Government Act 2020*, the draft budget includes linkages to the Council Plan 2021-2025 and details:

- Activities and initiatives to be funded.
- How the activities and initiatives will contribute to achieving the strategic objectives.
- The service performance indicators.

Issues

An operating surplus of \$3.79 million has been budgeted with a capital works program of \$16.99 million. Key performance indicators include delivery of a year-end unrestricted working capital ratio of 324%. Council has met the requirement of the rate cap with an underlying increase in Rates and Charges by 3.50%.

The Budget is an essential planning and resource tool produced annually and is vital to the ongoing operational and financial viability of Council. It sets out the expected income and expenditure of both operational and capital activities for the coming year and incorporates Council's rating and borrowing strategies. The Budget also ensures the accountability of Council's operations and forms part of the public accountability process.

The Budget has been prepared to ensure that Council continues to maintain its services and meet the objectives of Council's asset management framework and long term financial plan. The principles of sound financial management require Council to deliver recurrent operating surpluses, continue to invest in asset renewal and maintain adequate liquidity; the Budget presented delivers these outcomes.

The Budget document details the processes to be undertaken in accordance with the Act and the *Local Government (Planning and Reporting) Regulations 2020* (the Regulations). As required by the Regulations, the Budget also includes the prescribed performance indicators.

2023-2024 Budget Outcomes

Key financial outcomes for the 2023-2024 Budget are as follows:

	2022-2023 Adopted Budget	2023-2024 Draft Budget	2024-2025 Draft Budget	2025-2026 Draft Budget	2026-2027 Draft Budget
Operating expenditure	40,999,120	37,040,135	35,774,153	36,714,761	37,012,592
Capital expenditure	16,875,824	16,994,240	22,043,362	20,828,366	17,932,794
Loan redemption including interest	0	0	62,261	373,565	466,955
Transfers to reserves	135,500	242,500	279,432	276,998	277,861
Total budget commitments	58,010,444	54,276,875	58,159,208	58,193,690	55,690,202
Rates and charges income	23,946,837	25,051,109	25,801,664	26,508,206	27,232,411
Underlying rate increase	1.75%	3.50%	2.75%	2.50%	2.50%
Net operating result	1,823,871	3,790,542	7,348,764	3,505,985	2,640,062
Underlying net operating result	(5.38%)	0.73%	2.51%	1.19%	3.21%
Projected cash balance	14,356,724	17,819,294	12,995,778	12,690,311	13,041,261
Unrestricted working capital ratio	165.26%	324.08%	263.80%	216.86%	203.30%
New loans	0	0	500,000	2,500,000	750,000
Loan prudential ratio	0.00%	0.00%	1.78%	10.22%	11.52%
Debt servicing ratio	0.00%	0.00%	0.49%	1.90%	2.20%
Capital expenditure	16,875,824	16,994,240	22,043,362	20,828,366	17,932,794
Asset renewal/upgrade ratio	105.31%	103.30%	109.16%	89.02%	98.29%

Rate Income

Rates and Charges will account for 47% of total Council revenue in 2023-2024. An increase in rate income is required to meet Council's aspirations and community expectations for new and existing infrastructure. The budget includes rate increases equal to an estimate of CPI over the next four years.

The proposed underlying increase in rates and charges subject to the rate cap for 2023-2024 is 3.50% year-on-year, with the impact of supplementary rates this becomes a 3.58% increase on the 2022-2023 forecast (see table below). The waste management charge per eligible household will increase by 4.85% from \$392.00 in 2022-2023 to a proposed \$411.00 in 2023-2024. The increase reflects the impact of inflation on the costs associated with the service and includes the introduction of a new kerbside glass collection service.

The overall increase in rates and charges including the waste management charge will be 4.27% on the 2022-2023 forecast. This is detailed below:

Type of Charge	2022-2023 Forecast	2023-2024 Budget	Increase	Comments
General Rates	19,802,165	20,511,436	3.58%	Includes supplementary rates
Municipal Charge	1,808,842	1,872,942	3.54%	Includes supplementary rates
	21,611,007	22,384,378	3.58%	Increase in rates and charges including supplementary rates
Waste Management Charge	2,193,791	2,309,655	5.28%	Includes the additional kerbside glass collection service
Rating Agreements	219,944	357,000	62.31%	Additional income from second stage of an existing windfarm
TOTAL	24,024,742	25,051,033	4.27%	Total increase in rates and charges

Council is responsible for collecting the Victorian State Government Fire Services Property Levy. The levy appears on rate notices as a separate charge. Council does not derive any benefit and is required to remit amounts collected to the State Revenue Office quarterly. Council is also responsible for the collection of the Landfill Levy on behalf of the State Government.

Differential Rates

Section 4.1 of the Budget includes details on the differential rates contained within the draft Revenue and Rating Plan. The differential rates include a reduction in the Farm Rate from 88.0% to 87.5% and increase in vacant industrial land from 135.0% to 142.5% in accordance with the adopted Revenue and Rating Plan.

User Fees and Charges

User fees and charges are projected to increase by 12.64% or \$0.87 million to \$7.71 million. This is mainly due to an increase in volumes at the Landfill (\$1.24 million), service increases in early years (\$0.48 million) which are partly offset by the exit from aged care services (\$0.83 million).

All user fees have been set with a view to minimise Council subsidy where possible and to provide equity across user groups.

Operating Expenditure

Council's budgeted operating expenditure for 2023-2024 will be \$37.04 million (on a "cash" basis). This represents a decrease of \$3.96 million, or 9.67% over the 2022-2023 adopted budget as per the following table:

	2022-2023 Adopted Budget	2023-2024 Draft Budget	2022-2023 v 2023-2024 Favourable/(Unfavourable)	
Operating Expenditure (Cash)	40,999,120	37,040,135	3,958,985	9.66%

The 2022-2023 adopted budget contained a higher number of one-off operating initiatives which is contributing to the decrease in operating expenditure. Excluding these one-off operating initiatives, there is a proposed 1.3% increase in the cost of delivering the services to the community and the administration of Council.

Salary and Wages

Salary and wage expenses are projected to decrease by 0.41% in 2023-2024 and this includes the average Enterprise Agreement (EA) increase of 2.30% and the compulsory increase to superannuation guarantee to 11.0%.

Council made a decision in January 2023 to exit from the home care service provision with an effective date of the 30th June 2023. The exit from this service will reduce the salary and wage expenses by \$1.32 million.

Major variations to employee expenses relative to 2022-2023 adopted budget are detailed below:

2022-2023 Adopted Budget	19,437,389	
Major Variations		
EB Increase	447,060	2.30%
¹ Decrease in workcover expenditure	(93,000)	(0.48%)
Superannuation Guarantee Increase	97,187	0.50%
Landfill Project Engineer	126,000	0.65%
Community Services Coordinator	126,000	0.65%
Cadet Building Surveyor	126,000	0.65%
Exit from Aged Care Services	(1,323,000)	(6.81%)
² Full year impact of Strategic Engineer & Assets Coordinator	90,000	0.46%
Growth in Mobile Childcare and Kindergartens (offset by income)	280,000	1.44%
Other	43,138	0.22%
Total Increase / (Decrease)	(80,615)	(0.41%)
2023-2024 Draft Budget	19,356,774	
¹ Decrease against adopted budget however workcover costs are expected to increase from an actual of \$172k in 2022-2023 to a projected \$330k in 2023-2024 ² Positions were in the 2022-2023 budget to begin during the financial year		

Capital Expenditure

The total capital works program will be \$16.99 million, of which \$10.39 million will come from Council operations, \$5.71 million from external grants and the balance from contributions and trade-ins. Details are provided in Section 4.2.2 of the attached Budget document. Council will continue to heavily invest in its road network through capital renewal, which is also supplemented by programmed maintenance.

The 2023-2024 Capital works program includes:

- Roads (\$9.445 million) – including rehabilitation, strategic local road upgrades, resheeting and resealing.
- Waste Management (\$3.046 million) – including investment in the Naroghid landfill site to accommodate for the increased volumes, implementation of an upgraded layout at the Timboon transfer station and the upfront costs of bins for the new kerbside glass collection service.
- Bridges (\$1.070 million) including culvert replacement and upgrades at Smythe Street and Maddens Bridge Road.
- Plant and Equipment (\$1.860 million) including ongoing cyclical replacement of the plant vehicle fleet.

A substantial proportion of the capital works program is based on existing asset management plans. Other projects have been included to take advantage of external funding opportunities and to deliver community planning outcomes. The Council's asset renewal ratio for 2023-2024 is projected to be 103% against a long-term target of 100%. The Council's four-year budget forecasts an average annual renewal ratio of 100%.

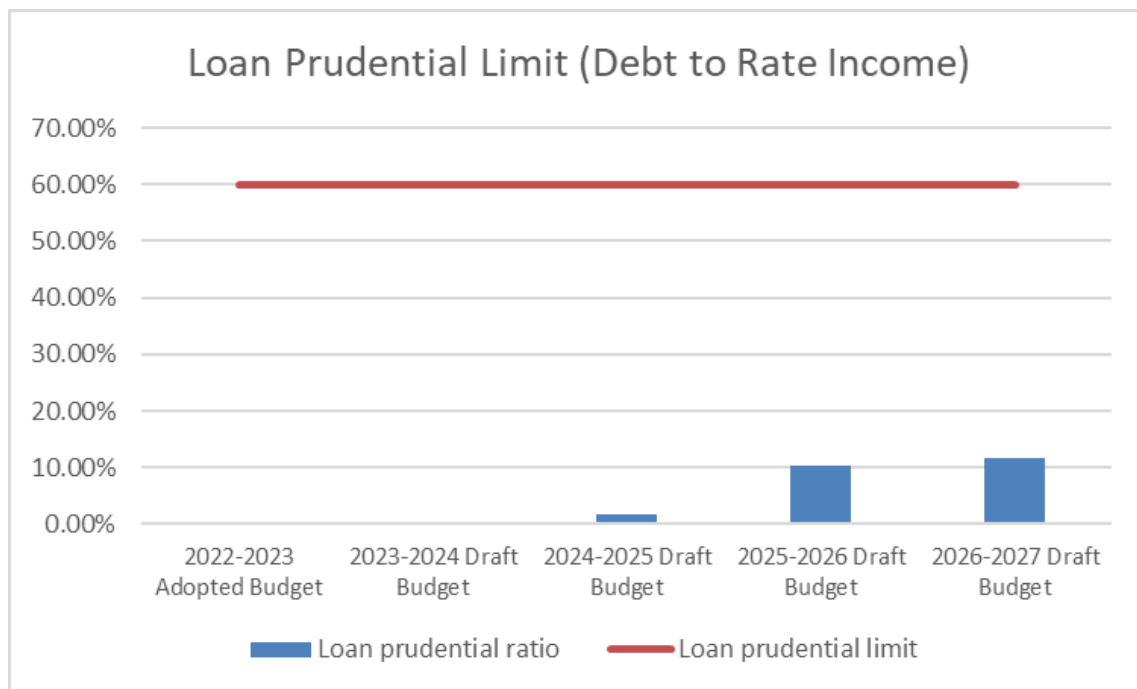
The 2023-2024 budget will also have a significant amount of carry forward expenditure associated with a number of high value multiyear projects such as the Port Campbell streetscape, Twelve Apostles Trail and the Saleyards roof along with long lead times in procuring heavy fleet.

Borrowings

The Budget provides for no new borrowings in the 2023-2024 financial year.

The four-year budget does include borrowings for a proposed investment to produce commercial grade compost from the green waste collected at the landfill. Council has been funded by the State Government to complete a feasibility study and if viable, will progress to a business case with grant funding opportunities being sought to help fund the investment. This is in-line with Council's development of its environmental strategy and will potentially provide a new source of income to Council.

	2022-2023 Adopted Budget	2023-2024 Draft Budget	2024-2025 Draft Budget	2025-2026 Draft Budget	2026-2027 Draft Budget
Opening loan balance	0	0	0	458,739	2,709,441
Proposed borrowings	0	0	500,000	2,500,000	750,000
Loan principal repayments	0	0	(41,261)	(249,298)	(321,659)
Loan interest expense	0	0	(21,000)	(124,267)	(145,296)
Closing loan balance	0	0	458,739	2,709,441	3,137,782



Reserve Transfers

Defined Benefit Fund

It is anticipated there will be future calls on Council for the Defined Benefit Fund. The Council made a decision in the 2014-2015 Budget to allocate \$400,000 to a “cash backed” reserve each year until sufficient provision has been made for a future call. The projected reserve balance as at 30 June 2024 will be \$1.34 million. No additional reserve transfers are proposed in the budget, the reserve will be increased by a nominal interest amount to preserve the balance.

Landfill Restoration

The Naroghid landfill previously had an estimated remaining life of greater than 50 years, however, due to an increase in the annual volumes the estimated remaining life is expected to be reduced to less than 30 years. The current net present value estimate for restoration and monitoring is approximately \$3 million. The draft budget includes an increased amount of \$240,000 (previously \$120,000) transfer to the landfill restoration reserve to take account of the reduced remaining life. This additional allocation will create a reserve of \$1.132 million as at 30 June 2024.

Future Large-Scale Projects

A new reserve was created in 2018-2019 to hold funds required for future large-scale projects which have been identified by the Council. There is an allocation in the 2023-2024 financial year for the Port Campbell streetscape project following the successful tender of the first major stage of the project. The project reserve balance is expected to be \$0.943 million as at 30 June 2024 and will fund projects in future years.

Statutory Disclosures

The 2023-2024 Budget includes the disclosure requirements of the *Local Government Act 2020* and the *Local Government (Finance and Reporting) Regulations 2020*. The required statutory information pertaining to Rates and Charges is detailed within Section 4.1.1.

Integrated Strategic Planning

The budget has been prepared in accordance with the:

- Council Plan
- Revenue and Rating Plan
- Asset Plan
- Financial Plan

Changes to these documents may require amendments to the draft budget.

Policy and Legislative Context

Council is required under the *Act* to adopt the Budget by 30 June 2023. Council is required to undertake community engagement as part of the process. The Budget is Council's annual financial strategic document and is in keeping with the commitments in the Council Plan 2021-2025:

Theme Five - Community Leadership
Having strong governance practices
Ensuring that we maintain our strong financial position
We listen to and engage with our community
Council promotes best value and value for money for its ratepayers

Internal / External Consultation

The 2023-2024 Budget has sought and proposes additional community input as follows:

- Pre budget submission were requested via the website in December 2022.
- The submissions were collated into themes and presented to Council during a briefing session to help inform the 2023-2024 budget process.
- Where contact details were provided, a response was sent to each of the submitters.
- Councillors participated in budget workshops with officers to review budget documentation including submissions and provide direction.
- Draft Budget was prepared by officers.
- Draft Budget will be made available on Council's website following the May Council meeting for a period of 14 days calling for public feedback.
- Community engagement through local news outlets and social media.
- Following community engagement, Council's Budget will be updated with any changes in consultation with Council.
- Draft Budget (with any revisions) presented to June Council meeting for adoption.

Below is a summary of the submissions received pre budget that were reviewed by Councillors and officers. These submissions were considered in the preparation of the draft 2023-2024 budget. In total there were 13 responses and some of these responses addressed multiple themes.

Theme	Number of submissions mentioning this theme
Advocacy	4
Footpaths / Walking trails	4
Roads	4
Building upgrades	3
Park and Gardens	3
Climate Action	2
Libraries	2
Caravan park	1
Kinder upgrades	1
Lake Bullen Merri	1
Skate parks	1
Sustainability and waste management	1
Tree vegetation management	1

Financial and Resource Implications

The Budget has been prepared in accordance with the direction provided by Council and in accordance with Council's Long-Term Financial Plan. The Budget has been prepared within the following parameters:

- A 4.34% increase in rates and charges which results from a 3.50% increase to capped rates (including municipal charge) and 5.60% increase in the waste management charge.
- An operating surplus of \$3.79 million.
- A capital works program of \$16.99 million.
- An unrestricted working capital ratio of 324% to maintain a solid liquidity buffer for Council to meet short-term obligations.
- Capital budgets have been prepared in accordance with good asset management principles.

Contained within the 2023-2024 Budget document is:

- Detailed information on project initiatives, staffing and resources.
- Detailed capital works program including proposed future capital expenditure (Section 4.2.1 and 4.2.2).
- 2023-2024 Fees and Charge Schedule (Appendix A).

Options

Council may release the 2023-2024 draft Budget for public feedback with or without amendment.

Conclusions

The 2023-2024 draft budget maintains Council's sound financial position with a strong commitment to a high standard of services, complemented by a significant capital works program.

The 2023-2024 draft budget presented to Council is balanced and has regard to the key indicators that reflect Council's financial sustainability. The attached Budget has been prepared in accordance with the best practice "model budget" and constitutes the public document that will be subject to public review.

RECOMMENDATION - 9.1

That Council:

1. **Endorse the 2023-2024 Draft Budget to proceed to public exhibition and invite public submissions in accordance with the *Local Government Act 2020* and Council's Community Engagement Policy with submissions closing on 7 June 2023.**
2. **Notify the public of its intention to adopt, at a Council meeting to be held at 7:00pm on Tuesday 27 June 2023, the proposed 2023-2024 Budget prepared in accordance with section 94 of the *Local Government Act 2020*.**
3. **In accordance with Council's Community Engagement Policy, consider, and if requested in writing, hear any submissions received in relation to the 2023-2024 Draft Budget at a Council meeting on Tuesday 20 June 2023.**

COUNCIL RESOLUTION

Moved: Cr Geraldine Conheady
Seconded: Cr Jo Beard

That the recommendation be adopted.

CARRIED UNANIMOUSLY 7 / 0

9.2 Finance Report March 2023

Directorate: Corporate and Community Services
Author: Simon Buccheri, Manager Financial Services
Previous Council Reference: Nil
Attachments:
1. Finance Report for March 2023 [9.2.1 - 12 pages]

Declaration

Chief Executive Officer – Michael Tudball

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

Author – Simon Buccheri

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

Summary

This report is to note Council's current financial position as at 31 March 2023 and to approve changes to the 2022-2023 reviewed budget.

Introduction

Council adopted the 2022-2023 budget at the ordinary Council meeting in June 2022. At the August 2022 ordinary Council meeting, a number of 2021-2022 projects and grants paid in advance were identified as being required to be carried forward to the 2022-2023 year.

During the March quarter, managers conducted a review of budgets and the required funds to deliver programs and initiatives. This report is seeking approval of one change which will have no effect on the cash position at the end of the year. Council's year to date financial performance for 2022-2023 is currently favourable to budget.

Issues

Budget Variations

Council's target cash position is \$5 million or greater on an annual basis. The cash position as at 30 June 2022 was \$48.38 million which was primarily due to incomplete projects, grant funding received in advance and a favourable result to the adjusted forecast. The higher than forecast cash position as at 30 June 2022 will fund the carry forward budget adjustments approved in August 2022 and improve the starting position for the 2023-2024 Budget.

A summary of Council's forecast cash position is detailed below:

Cash position as at 30 June 2022	\$48,382,441
2022-2023 adopted surplus / (deficit)	(\$651,702)
2021-2022 carry forwards (net)	(\$32,264,178)
2022-2023 September quarter adjustments	\$460,909
2022-2023 December quarter adjustments	(\$10,000)
2022-2023 Mid-Year quarter adjustments	(\$998,701)
2022-2023 March quarter adjustments	\$0
Forecast cash position at 30 June 2023	\$14,918,769

The March quarter forecast budget adjustment related to grant funding received for workforce support for the Maternal & Child Health department.

Financial Performance

Council's financial performance for 2022-2023 is on target with a year to date favourable cash variance of \$6,163,750 compared to budget. Main contributors to the better than forecast cash result at 31 March are:

- Additional user fee income generated from Landfill Operations (\$186,000) and Early Years subsidies paid earlier than expected (\$164,000).
- Additional funds received through the Victorian Local Government Grants Commission (\$201,000).
- Savings in employee costs with vacant positions (\$659,000).
- Other revenue includes investment returns, which are greater than expected due to an increase in interest rates and a higher cash holding due to capital expenditure (\$160,000). Insurance claim reimbursements were also received that weren't budgeted for (\$93,000).
- Capital expenditure is \$3,885,680 favourable mainly due to contractor and material availability. Several capital project schedules have also been affected by weather. Council is constantly monitoring its capital works program however, due to these resource availability issues, it is likely that there will be a number of high value capital works projects carried forward into the 2023-2024 financial year.
- Other timing and forecasting differences including the timing of the State Government landfill levy (\$634,000).

Policy and Legislative Context

This report is in keeping with the commitments in the Council Plan 2021-2025:

- Theme Five - Community Leadership
- Having strong governance practices
- Ensuring that we maintain our strong financial position
- Council promotes best value and value for money for its ratepayers

Internal / External Consultation

The report has been prepared in consultation with relevant department managers and has been reviewed by the Senior Officer Group. As there are no changes to rates or charges and no proposed borrowings, a revised budget is not required to be publicly advertised.

Financial and Resource Implications

The financial performance of the organisation is favourable and a “cash” surplus is projected for 30 June 2023.

Conclusions

Council’s financial performance for 2022-2023 remains on target. The year to date cash variance of \$6,163,750 is favourable compared to budget, primarily due to timing issues and some projects being behind schedule. It is expected that there will be a significant carry forward of projects into the 2023-2024 financial year relating to multi-year projects, contractor availability and internal resources. As the proposed quarterly adjustment will have no effect on the cash position at the end of the year, Council’s cash position will remain within the target of \$5 million or greater.

RECOMMENDATION - 9.2

That Council:

1. Receives the finance report for the period ended 31 March 2023.
2. Approves the adjustments to the 2022-2023 forecast budget.

COUNCIL RESOLUTION

Moved: Cr Laurie Hickey
Seconded: Cr Geraldine Conheady

That the recommendation be adopted.

CARRIED UNANIMOUSLY 7 / 0

9.3 Chief Executive Officer Employment and Remuneration Policy

Directorate: Executive Services

Author: Imogen Black, Administration Officer Governance

Previous Council Reference: Nil

Attachments:

1. Chief Executive Officer Employment and Remuneration Policy 2023 [9.3.1 - 6 pages]
2. Under Separate Cover - Chief Executive Officer Employment and Remuneration Policy 2023 Tracked Changes [9.3.2 - 6 pages]

Declaration

Chief Executive Officer – Michael Tudball

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

Author – Imogen Black

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

Summary

Following the appointment of a new Chief Executive Officer, several changes are required to be made to Council's Chief Executive Officer Employment and Remuneration Policy.

Introduction

On 4 April 2023 at a meeting of Council the Corangamite Shire Council appointed David Rae to the position of Chief Executive Officer. In the time since, Council and Mr Rae have negotiated a contract of employment with legal advice from Maddocks. Maddocks have recommended a number of changes to Council's Chief Executive Officer Employment and Remuneration Policy to ensure that aligns with Mr Rae's contract of employment and the latest relevant law.

Issues

The changes contained in the attached policy document are as follows:

- Providing for Council to obtain independent professional advice in relation to the matters dealt with in the Chief Executive Officer Employment and Remuneration Policy, in line with Section 45(2)(a) of the *Local Government Act 2020*.

- Provides that Council must have regard to both the statement of policy and the VIRT determinations in developing the Policy, in line with Section 45(3)(a) of the *Local Government Act 2020*.
- Removed some unnecessary points in clause 7.6 to avoid any ambiguity about whether the CEO is guaranteed reappointment.
- Inserting new clause 7.8 Reappoint of the CEO, which outlines the process for reappointment and provides that the CEO is eligible for but not guaranteed reappointment under a new contract of employment in accordance with this Policy.
- Other minor changes for increased clarity.

Policy and Legislative Context

This report is in keeping with the commitments in the Council Plan 2021-2025:

Theme Five - Community Leadership

Having strong governance practices

We provide a great work environment

Council promotes best value and value for money for its ratepayers

Internal / External Consultation

This policy was reviewed with input from the Manager Human Resources and Risk and advice from Maddocks Lawyers.

Financial and Resource Implications

The legal fees to provide and tailor a CEO contract template and to consider and review the CEO Employment and Remuneration Policy amounted to \$3,250 exclusive of GST.

Options

It is a requirement of the *Local Government Act 2020* to have a Chief Executive Officer Employment and Remuneration Policy.

Conclusions

The suggested changes to the policy ensure that it aligns with both the most recent relevant law and the CEO's contract of employment.

RECOMMENDATION - 9.3

That Council adopts the attached Chief Executive Officer Employment and Renumeration Policy 2023.

COUNCIL RESOLUTION

**Moved: Cr Jo Beard
Seconded: Cr Kate Makin**

That the recommendation be adopted.

CARRIED UNANIMOUSLY 7 / 0

9.4 Fair Access Policy

Directorate: Works and Services

Author: Jane Hinds, Sports and Recreation Coordinator

Previous Council Reference: Nil

Attachments:

1. Draft Fair Access Policy [9.4.1 - 6 pages]

Declaration

Chief Executive Officer – Michael Tudball

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

Author – Jane Hinds

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

Summary

This reports recommends Council adopt the Fair Access Policy, which seeks to address known barriers experienced by women and girls in accessing and using community sports infrastructure.

Introduction

Sport is a highly visible and valued feature of Corangamite Shire's culture and identity. The sport and active recreation sector provide opportunities for enriching our communities through the promotion of respect and fair mindedness for all people, while also supporting the physical and mental wellbeing of the community.

Corangamite Shire is well positioned to design and implement place-based, integrated actions plans that progress gender equality in community sport.

Issues

In December 2015, the Victorian Government released a report from the independent Inquiry into Women and Girls in Sport and Active Recreation. The report shed light on gender inequality in Victorian sports and recreation. The report outlined a way forward, helping change and improve sport and recreation for all involved.

The report involved consultations and workshops throughout the state with representatives from all levels of sport and recreation, from coaches to administrators, to assess the current state of female representation in the sport sector, especially in leadership roles.

The overwhelming finding is that women are under-represented in leadership roles in a sports sector that is still predominantly male-centric and dominated. The report also highlights a growing movement of women and girls keen to showcase their talent and desire to contribute to the sport and active recreation sector, but the opportunities to participate and lead are either elusive or not readily evident.

The Inquiry into Women and Girls in Sport and Active Recreation outlined nine recommendations to increase leadership and participation by women and girls.

Recommendations included:

1. Drive commitment through an Ambassadors of Change program
2. Engage and empower by connecting Ambassadors to women and girls
3. Mandate gender balance and good governance principles
4. Reform recruitment practices and processes for leadership positions
5. Enhance participation choice and improve how opportunities are marketed
6. Deliver female-friendly built environments and equitable facility usage policies
7. Build an enabling environment through education and training
8. Showcase the pathways and opportunities through role models
9. Increase the profile of women in sports media.

Fair Access Policy Roadmap

The Fair Access Policy Roadmap has been developed to address recommendation six from the inquiry into Women and Girls in Sport and Active Recreation.

The Fair Access Policy Roadmap aims to develop a state-wide foundation to improve the access to, and use of, community sports infrastructure for women and girls. From July 2024, all Victorian councils will need to ensure fair access to sporting facilities for people of all genders to be considered eligible to receive infrastructure funding.

In partnership with Sport and Recreation Victoria and VicHealth, the Roadmap is being delivered through the Office for Women in Sport and Recreation and aligns with Victoria's *Gender Equality Act 2020*. It follows sector-wide consultation and will ensure that women and young girls can fully participate in and enjoy the benefits of community sport, with fair opportunity and access to their local facilities.

The roadmap features three key phases: education, readiness and progress. It is designed for local governments, sport and recreation organisations and other groups which manage publicly owned community sports infrastructure.

The Fair Access Policy Roadmap links the requirements of the *Gender Equality Act 2020* with steps shaped by extensive consultation to support local governments, other public land management groups and sport and recreation bodies to work together to progress gender equitable access and use of community sports infrastructure across Victoria through both procedural and cultural levers for change.

The following milestones and targets will apply to Council, as local government and land managers work towards creating a foundation of gender equitable access and use of community sports and infrastructure across Victoria. To achieve state-wide progress to dismantle the barriers around gender equitable access and use of community sports infrastructure, a change process is required.




	 Phase 1. Education August 2022 – 2023	 Phase 2. Readiness 2023 – 30 June 2024	 Phase 3. Progress 1 July 2024 onwards
Local governments and other public land management groups	<ul style="list-style-type: none"> Participate in education and community of practice initiatives Commence review of current sport and recreation strategies and policies in place Undertake Gender Impact Assessment (GIA) on community sports infrastructure access and use policies and/or processes 	<ul style="list-style-type: none"> As required by the Gender Equality Act 2020, submit first Progress Report by 31 October 2023 that includes any GIAs undertaken on community sports infrastructure access and use policies and/or processes If not already in place, develop and adopt a locally relevant gender equitable access and use policy and action plan 	<ul style="list-style-type: none"> Progress locally relevant gender equitable access and use policies and action plans Support a review of the Fair Access Policy Roadmap Accessing Victorian Government community sport infrastructure funding programs will require evidence of gender equitable access and use policies and action plans being in place and advancing from 1 July 2024 As required by the Gender Equality Act 2020, submit second Progress Report that includes GIAs undertaken
Sport and recreation organisations	<ul style="list-style-type: none"> Participate in education and community of practice initiatives Raise awareness of the Fair Access Policy Roadmap and its targets with clubs, leagues and associations 	<ul style="list-style-type: none"> Review processes and/or policies of clubs, associations and leagues that may impact gender equitable access and usage of community sports infrastructure in your sport Commence education of clubs, associations and leagues to advance gender equitable access and usage of community sports infrastructure 	<ul style="list-style-type: none"> Support a review of the Fair Access Policy Roadmap Clubs, leagues and associations seeking to access Victorian Government community sport infrastructure funding programs will be asked to demonstrate how it is supporting the gender equitable access and use policy of the relevant local government authority from 1 October 2024
Office for Women in Sport and Recreation	<ul style="list-style-type: none"> Provide education seminars, including how to undertake Gender Impact Assessments Facilitate community of practice initiatives 	<ul style="list-style-type: none"> Support the development and implementation of locally relevant gender equitable access and use policies and action plans Continue education seminars and community of practice initiatives Monitor and report on gender equitable access and use status across Victoria 	<ul style="list-style-type: none"> Embed into the eligibility criteria of Victorian Government community sports infrastructure funding programs the requirement of gender equitable access and use policies Lead the review of the Fair Access Policy Roadmap Lead the ongoing monitoring and reporting of gender equitable access and use outcomes across Victoria

Figure 1: Fair Access Targets

Fair Access Principles

The Fair Access Principles have been developed by the Office for Women in Sport and Recreation, Sport and Recreation Victoria and VicHealth, in consultation with representatives from local government and the state sport and recreation sector.

This policy and any resultant action plan are based on six principles of inclusivity, full participation, equal representation, encouraging and supporting user groups, and prioritising user groups committed to equality.

Corangamite Shire Council considers that these principles provide clear direction, while also enabling adaptation specifically to Corangamite Shire.



Figure 2: Fair Access Six Principles

Implementation

The scope of the Fair Access Policy is to support Corangamite Shire Council to take positive action towards achieving gender equity in the access and usage of community sports infrastructure. The policy is designed:

- To build capacity and capabilities of Corangamite Shire Council in the identification and elimination of systemic causes of gender inequality in policy, programs, communications, and delivery of services in relation to community sport and recreation.
- To ensure an effective place-based response for the gender equitable use and access of community sports infrastructure.
- To promote gender equality in policies, programs, communications, and services as they relate to community sports infrastructure.

For Corangamite Shire Council, the policy applies to the following community sports facilities where Council is owner, land manager and / or operator of the facility:

	Facility	Location
1.	Camperdown Stadium	Camperdown
2.	Mockridge Park	Camperdown
3.	Camperdown Outdoor Swimming Pool	Camperdown
4.	Lakes Recreation Reserve	Camperdown
5.	Cobden Outdoor Swimming Pool	Cobden
6.	Lismore Outdoor Swimming Pool	Lismore
7.	Skipton Outdoor Swimming Pool	Skipton
8.	Terang Outdoor Swimming Pool	Terang
9.	Timboon Outdoor Swimming Pool	Timboon
10.	Timboon Sporting Centre	Timboon
11.	Timboon Hockey Ground	Timboon

Table 1: Community Sport Infrastructure Managed by Corangamite Shire Council

Council can refer to the Fair Access Policy within lease agreements and contract management arrangements given they are not directly managing the facilities, for example YMCA Victoria and Camperdown Golf Club. In the instance where Council manages the Camperdown and Timboon Stadiums, hire agreements are in place with each of the associations for use of the facilities. Council can refer to the Fair Access Policy within the hire agreements for use by Associations and Council will also need to consider in relation to day-to-day stadium operations. This will include a review of policy, programs, communications, and delivery of services directly related to the stadiums.

Existing Council policies will only be impacted where facilities are owned or managed by Council such as the Recreation Facility Development Policy. In this instance a Gender Impact Assessment (GIA) can be undertaken upon review of the policy.

The Office for Women in Sport and Recreation have provided education and support resources to assist with the Fair Access Roadmap transition, this includes policy and action plan templates.

For sport infrastructure which is not owned or managed by Council, such as the township recreation reserves and clubs, the Office for Women in Sport and Recreation have confirmed that consultation was undertaken with DELWP in the initial phases and further consultation will be had with DEECA in the coming weeks to determine the level of engagement that has taken place with committees. Education and facilitation of training and support is expected to be facilitated and coordinated by DEECA, and the Office for Women in Sport and Recreation. The Office for Women in Sport and Recreation have advised that grant applications made on behalf of Council for township recreation reserves and clubs, it will be satisfactory for only Council as the applicant to comply with the Fair Access Roadmap requirements.

As part of implementation, Council will undertake a GIA on all current community sports infrastructure access and use policies and processes, and to consider opportunities to strengthen gender equitable access and use of community sports facilities in alignment with the Fair Access Principles for relevant land managed and owned by Council.

Council acknowledges that the requirement to have a gender equitable access and use policy and action plan (or equivalent) in place, and the ability to demonstrate progress against that policy and action plan (or equivalent), will form part of the eligibility criteria for Victorian Government funding programs relating to community sports infrastructure from 1 July 2024. At this point in time it only includes Victorian Government funding programs, it does not include grant programs through other sporting bodies such as Cricket Australia and VicHealth.

Policy and Legislative Context

The Fair Access Policy is a new Council Policy which seeks to address known barriers experienced by women and girls in accessing and using community sports infrastructure.

This report is in keeping with the commitments in the Council Plan 2021-2025:

Theme One - A Connected Community

Access to infrastructure that supports a healthy and active lifestyle for our community

Theme Three - A Healthy, Active and Resilient Community

Improving the health and wellbeing of our residents

Access and inclusion is improved

Corangamite residents have access to a range of sport and recreation opportunities

Our community groups and clubs are engaged and supported and facilities are fit for purpose

Internal / External Consultation

The Fair Access Policy has been introduced as a mandatory requirement by State Government. The policy has been reviewed internally by Council's Facilities and Recreation department and the Senior Officer Group.

Financial and Resource Implications

Council will consider the Fair Access Policy when reviewing policies, planning, maintenance and capital works on community sports infrastructure which is managed by Council.

It is expected that there will be administration resources needed to comply with the Fair Access Policy Roadmap, along with educating and providing assistance to reserve managers and Committees of Management.

Options

Council may opt to endorse the Fair Access Policy as proposed, or choose to make amendments to the policy.

Conclusions

The Victorian State Government is taking steps to ensure a future where there is a level playing field for women and girls in sport and active recreation, so they can fully participate in and enjoy the benefits of community sport right through to senior leadership roles.

Home of Australia's first Office for Women in Sport and Recreation, the Fair Access Policy Roadmap will support a foundation of gender equitable access and use policies and action plans for publicly owned community sports infrastructure.

The Fair Access Policy Roadmap will be relevant to local governments in Victoria, as well as other public land management groups and Committees of Management.

Commencing in August 2022, the Fair Access Policy Roadmap is a three-year phased approach to support local governments and public land managers in Victoria to have gender equitable access and use policies in place for community sports infrastructure by October 2024. Importantly, from 1 July 2024, the eligibility criteria of Victorian Government programs supporting the funding of community sports infrastructure will require gender equitable access and use policies to be in place.

RECOMMENDATION - 9.4

That Council adopts the Fair Access Policy dated May 2023.

COUNCIL RESOLUTION

Moved: Cr Jo Beard
Seconded: Cr Laurie Hickey

That the recommendation be adopted.

CARRIED UNANIMOUSLY 7 / 0

9.5 Delegated Committee of Management - Terang Senior Citizens Building

Directorate: Works and Services

Author: Wendy Williamson, Property Officer

Previous Council Reference: Nil

Attachments:

Nil

Declaration

Chief Executive Officer – Michael Tudball

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

Author – Wendy Williamson

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

Summary

This report is for Council to consider assuming the position of Committee of Management for Terang Senior Citizens at 12 The Promenade, Terang as delegated by the Department of Energy, Environment and Climate Action (DEECA).



Image 1. Terang Senior Citizens Building – 12 The Promenade, Terang

Introduction

Council holds an agreement with DEECA to use the land at 12 The Promenade, Terang, where the Terang Senior Citizens Club rooms are located. DEECA has charged a peppercorn rental for the life of the existing agreement even though under the terms of the agreement a market rental could be charged.

DEECA have recently advised intention to charge a market rental for the property rather than a peppercorn rental. The current lease agreement for the use of the land expires on 30 June 2023 and should Council wish to continue to use the land DEECA has provided Council with two options.

The first option is for Council to renew the lease agreement which will then attract a market rent review and be applicable as of 1 July 2023.

The second option is for Council to become the Committee of Management (COM) for the land. With this option no rental or other fees will be payable to DEECA by Council. Council is the COM for other crown land parcels and the management of this property would be the same as those parcels. Council would be responsible for the property and could issue lease or license agreements to other parties.

Issues

Council owns the Terang Senior Citizens building which is located on crown land at 12 The Promenade, Terang and has held a lease for the land for over 21 years. The lease agreement is set to expire on 30 June 2023.

The land is described as CA Allot 11B Sec. 7 Township of Terang comprising 481.79 m2 and is zoned as Public Park and Recreation.



Image 2. CA Allot 11B Sec – 12 The Promenade, Terang

DEECA has advised that if Council wants to continue to lease the land there would be associated lease preparation expenses exceeding \$2,500 for the production and preparation of the lease documentation as well as the additional cost of an annual market rental. DEECA will only obtain a rental valuation if Council agrees to renew the lease. However, looking at comparable rental income Council receive from a lease agreement for premises near 12 The Promenade, Terang an annual rental of nearly \$17,000 (exc GST.) may be applicable.

However, if Council became the COM, no annual rental fee would be payable although Council would still be responsible for building and property maintenance. DEECA would reserve the land and appoint Council as COM with no work or cost borne by Council.

If Council chooses this option it would be required to enter into a monthly overholding tenancy agreement given that the lease agreement expires on 30 June 2023 and the proposed reservation of land and COM process will require some time. Written confirmation of both parties accepting this arrangement would be required rather than a new lease agreement.

Under the existing lease agreement the principal terms which Council are responsible for are:

- **Clause 3.4 - Maintenance**
Council is responsible for all maintenance to the land and building. This does not change if Council became the COM.
- **Clause 3.9 - Condition of Termination**
As Council is the owner of the building at the expiry or termination of the lease agreement Council is responsible for removing any improvements from the land, including any buildings and leave the land in a clean and tidy manner. This does not change if Council became the COM.
- **Clause 6.1 - Ownership of improvements**
All Structures, fittings, plant machinery, equipment, chattels and other materials which are erected or brought onto the land shall remain the property of Council and is Council's responsibility to remove. This does not change if Council became the COM.
- **Item 6 - Schedule A and B – Method of determination of rental**
In determining a new rent for the premises, the valuer shall as soon as possible determine the open market rent value.

- **Clause 6.18 - Lease holding over**

At the end of the lease term the Lessee may remain in occupation of the land on a monthly basis with the Lessors consent and pay the same rental as the existing rental, equal to a monthly rental. The monthly tenancy may be terminated by either party giving one month's notice to vacate on any day.

The property holding costs for the 2021-2022 financial year equate to approximately \$8,000 per annum with the majority of the costs being for cleaning the building. Other annual costs included are for property maintenance, essential safety measures, electricity charges, water charges, rental and the annual garbage charge.

Council carries out a review of the condition of its buildings on a biannual basis with the last review undertaken in 2021. That review found that the condition of the Terang Senior Citizens building is fair with 15-22 years of estimated useful remaining life.

Building Condition Data		
Rating	Condition	Estimated Useful Remaining Life
3	Fair	15-22 years

A facility review is also carried out every 2 years with the last review being completed in 2021. The review found that the Terang Senior Citizens building is utilised by numerous community groups for meetings and activities such as the walking group, bridge club, probus, indoor bowls, cards and the family history group.

If Council were to not renew the lease or assume Committee of Management, Council would be required to remove the building at its own expense (estimated \$25,000 for demolition) and assist to facilitate relocation of existing users.

Policy and Legislative Context

This report is in keeping with the commitments in the Council Plan 2021-2025:

Theme Three - A Healthy, Active and Resilient Community

Improving the health and wellbeing of our residents

Our community groups and clubs are engaged and supported
and facilities are fit for purpose

Theme Five - Community Leadership

Ensuring that we maintain our strong financial position

Council promotes best value and value for money for its
ratepayers

Internal / External Consultation

Council's Facilities and Recreation team and DEECA representatives have consulted on this matter.

Should Council agree to assume COM, the reservation of land will need to be advertised in the Government Gazette which normally takes around 3-4 months. A confirmation letter from Council accepting the COM role for Allotment 11B Township of Terang, would be required prior to DEECA progressing the reservation and COM appointment. Council would also need to enter into a monthly overholding lease agreement until the COM process has been completed. DECCA has provided its consent to the overholding tenancy, should Council opt for this option.

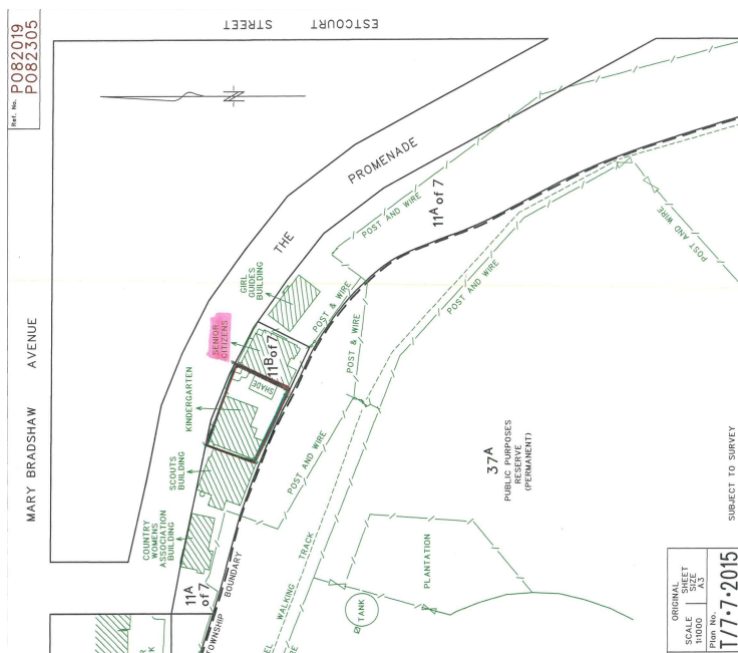


Image 3. Crown Land Plan - Senior Citizens Premises 11B of 7 – Township of Terang – highlighted in pink

Financial and Resource Implications

Council pays all associated costs for the maintenance of the Terang Seniors building and all associated holding costs. Council is also responsible for the garden maintenance of the property. The Terang Senior Citizens Club occupy the building at no cost to their Club.

There will be financial costs associated with both options including legal fees, holding costs, maintenance charges, other administration fees. The below comparison of estimated expenditure for each of the management models over four years is based on a 5% CPI increase.

Estimated Projected Expenditure (5% cpi)		
Year	Lease Option	COM
Year 1	\$27,000	\$8,000
Year 2	\$24,500	\$8,400
Year 3	\$25,725	\$8,820
Year 4	\$27,011	\$9,261

When assessing the financial implications for the two options:

Option 1 would see Council paying an annual holding cost of over \$27,000;

Option 2, with Council being the COM and maintaining the status quo occupancy would mean annual property holding costs of over \$8,000.

Options

Option 1. Renew the Lease Agreement

Council could continue to lease the premises and pay in excess of \$2,500 for establishing the lease agreement plus the market rental which is unknown at this stage as DEECA will only seek a valuation if Council takes up this option. A market rental provides for a rental being established based on the rental of a property of a similar nature and usage in the same or similar location. A Council managed property located in close proximity receives a return of nearly \$17,000 (exc GST) per annum. The ongoing annual property holding costs and maintenance would also continue to be borne by Council.

This option will provide the Seniors and any tenants with continued accommodation at 12 The Promenade, Terang.

Option 2. Council become the COM (Officer preferred)

DEECA could reserve the land and appoint Council as COM with no work or cost borne by Council. The ongoing annual property holding costs would continue to be borne by Council with the exception of rental as this would not be payable.

If Council became the COM it can hand the land back to DECCA at any stage although it would still be required to demolish the building.

As with option one, this option would provide the Seniors and any tenants with the continued accommodation as well as achieving a saving to Council with no requirement of paying a market rental and the lease preparation fees.

Conclusions

Council lease crown land at 12 The Promenade, Terang and own the Senior Citizens building which is situated on that land. The lease agreement is set to expire on 30 June 2023. DEECA have advised that a market rental and associated lease preparation costs will be charged to Council if it wishes to renew the lease agreement. Council must consider whether to renew the lease and pay the associated leasing costs or become the COM with no work, fees or rental payable.

RECOMMENDATION - 9.5

That Council:

1. Delegate authority to the Chief Executive Officer to sign and forward a confirmation letter to Department of Energy, Environment and Climate Action accepting delegated Committee of Management for Allotment 11B Township of Terang, being the Terang Senior Citizens Building at 12 The Promenade, Terang.
2. Authorise the Chief Executive Officer to enter into a monthly overholding lease arrangement as per the terms of the existing lease with Department of Energy, Environment and Climate Action for 12 The Promenade, while the reservation and appointment for the Committee of Management of Allotment 11B of 7, Township of Terang is being finalised.

COUNCIL RESOLUTION

Moved: Cr Geraldine Conheady
Seconded: Cr Laurie Hickey

That the recommendation be adopted.

CARRIED UNANIMOUSLY 7 / 0

9.6 Grow and Prosper Corangamite Framework

Directorate: Sustainable Development

Author: Justine Linley, Director Sustainable Development

Previous Council Reference: Nil

Attachments:

1. Framework Platforms Catapults Elevators [9.6.1 - 8 pages]
2. Draft Discussion Paper - Grow and Prosper 16 May [9.6.2 - 64 pages]

Declaration

Chief Executive Officer – Michael Tudball

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

Author – Justine Linley

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

Summary

The purpose of this report is to present Grow and Prosper Corangamite, the Corangamite Economic Growth and Prosperity Framework 2022 – 2032, and to provide an overview of the next stages in the release of the Framework and development of the Action Plans. A copy of the Framework and accompanying Discussion Paper are attached.

Introduction

In June 2021, Council reviewed three related strategies that impact the growth and prosperity of business and community across the Shire. The three strategies were:

- A. Economic Development Strategy 2017 – 2021.
- B. Arts and Culture Strategy 2015-2020
- C. Events and Festivals Strategy 2017-2021

Following the review, it was agreed that a new integrated Economic Growth and Prosperity Framework would be developed to align the economic and industry development plans, the visitor economy, and creative industries sectors (arts and culture) and events and festivals strategies together.

At its September 2022 meeting, Council endorsed the project plan and approved the terms of reference and formation of a Project Reference Group to help guide and provide advice as the Framework develops. The Project Reference Group chaired the Mayor/Deputy Mayor, met in October 2022 to examine the scope of the project and provide feedback on the planned engagement activities and again in March 2023 to review the results of the co-design workshops and community feedback.

The Framework was developed using co-design principles with Council officers leading the strategy and Councillors, business and community stakeholders providing direct input. The aim of this approach ensures Council has a strategy tailored to this Shire's unique needs, opportunities, and aspirations.

Issues

In 2018 the Victorian Auditor General delivered a report on Local Government and Economic Development. Corangamite Shire Council was one of the local government entities to participate in the audit.

The report found that a wide range of variables influence economic development in municipalities and many of these are beyond the direct control or influence of local government, for example Commonwealth and State support, international market trends and global economic conditions. It found that councils, including Corangamite, had taken effective steps to develop well-aligned economic strategies to complement state government's regional priorities and had identified and pursued their comparative advantages. However, the report found that councils fell short on realizing intended outcomes due to systemic issues such as competing or conflicting priorities regarding land-use planning from other agencies (e.g. roads, utilities, infrastructure); lack of resources and skills to access grants to fund development activities; poorly aligned plans and changing priorities; lack of targets or benchmarks against which to gauge progress and poor links between project reporting and outcome monitoring.

It was recommended that councils regularly review the alignment between economic development strategies and council plans to improve the continuity of longer term initiatives; develop comprehensive performance measures with clearly articulated targets and benchmarks; monitor and report on economic development outcomes and clearly link actions to intended outcomes.

The report stated that the role for local government could be to facilitate better conditions for economic development within the municipality; devise long-term economic development strategies; and develop partnership networks that enable economic development.

Consequently, the Grow and Prosper Framework is predominantly a community and business engagement project leading to the development of long term local economic and community development policy.

The first engagement event for Grow and Prosper Corangamite occurred in November 2022 with the project launch at a dinner event with Anna Meares OAM, held in Camperdown and followed by a co-design workshop session held in Terang.

A further breakfast event was held on Wednesday 7 December 2022 in Port Campbell, with The Demographics Group Director and Co-founder Simon Kuestenmacher, presenting on critical trends and what the data is telling us in terms of future jobs, housing and population. This event was attended by 60 people and was immediately followed by a second co-design workshop also held in Port Campbell.

Feedback and ideas were obtained at various community events held throughout the Shire, from small group consultations including workshops with Council staff from across the organisation, and from online engagement surveys.

The Discussion Paper was developed and released for further community and stakeholder input on 9 May 2023. It proposes a series of economic development indicators, measures and benchmarks with which Council can assess the broader economic health and wellbeing of the community. These indicators will be used as Council measures its performance as part of implementation of the 2021-2025 Council Plan and Corangamite Community Vision 2040. It poses the overarching question – what does it mean to be prosperous and to grow in Corangamite?

It examines what the potential stimulators of economic activity are, why we ‘do’ economic development in local government, who benefits, what makes a successful economic development policy or strategy, the role of innovation in economic development, and measuring success with appropriate contemporary indicators.

The Discussion Paper starts with a high-level explanation of the different economic development methodologies to be tested to arrive at the most suitable and appropriate Framework for this Shire and this community. It then describes current trends and the state of our local economy following several years of significant disruption and consequential challenges. The Paper then outlines what individuals, stakeholders, businesses and community have told us so far. What are the big ideas, the innovation generators, the nuanced projects that build upon our economic, social, environmental and cultural strengths?

Feedback to the Discussion Paper will also inform the Grow and Prosper Framework and separate implementation or Action Plans for:

- The Visitor Economy;
- Creative Industries;
- Events and Festivals;
- The Circular Economy;
- Population Attraction and Retention; and
- Priority Industry Sectors.

The intention is for the Framework to have every prospect of successfully converting the community's vision from a theoretical construct into something tangible and measurable.

A review of contemporary community economic development strategies from both Australia and overseas highlights the importance of five key factors in successful economic development. These are:

Belief and Expectations – potential depends not on location, climate, natural resources but on positive mindset, optimism, enterprising attitude, organisational skills, a “can do” approach.

Collaboration – a strong sense of identity as an area, participatory approach to community decision-making, a shared vision, leadership and facilitation roles assumed by different members of the community depending on the purpose, ability to positively harness and manage community conflict, integration of economic, social, cultural and environmental objectives.

Local Leadership – presence of core of local leaders committed in terms of time, priority and belief, to the notion of local economic development and possessing the appropriate skills, knowledge and attitudes to manage change; awareness of the need for an ongoing process of identifying, recruiting and skilling local leadership.

Strategic Planning and Action - encouragement of a culture of community problem-solving, establishment of a proactive system for managing and facilitating the development process, research and prioritisation of development options, realistic appraisal of the feasibility of potential opportunities, ongoing identification of the people, the technical advice and financial resources necessary for projects, continuous promotion of the development strategy to residents, ratepayers and business, evaluation and adjustment of the action plan on an ongoing basis.

Opportunism and Innovation– ability to grasp and run with the ‘crazy ideas’ and ‘out of the blue’ opportunities, or newly emerging opportunities, keeping networks open and well informed of the community's potential, ability to interpret a problem as a challenge, ability to respond quickly and positively to opportunities, to market the Shire and communities as vibrant 'can do' entities.

The United Nations Sustainable Development Goals (SDGs) also provide guidance and insights into factors that are applicable globally. Council has already mapped the 17 SDGs to the Council Plan 2021 – 2025 and specifically to the Grow and Prosper Corangamite Framework.

While many of the SDGs apply in various forms to Grow and Prosper Corangamite, those specifically aligned are:

	<p>SDG 8 Decent work and economic growth Promote inclusive and sustainable economic growth, full and productive employment and decent work for all.</p>
	<p>SDG 9 Industry innovation and infrastructure Build resilient infrastructure, promote sustainable industrialisation and foster innovation.</p>
	<p>SDG 11 Sustainable cities and communities Inclusive, safe, resilient, sustainable urban and human settlements by providing inexpensive transit solutions, decreasing urban sprawl, enhancing urban governance involvement, improving the protection of cultural assets and addressing urban resilience and climate change issues.</p>
	<p>SDG 12 Responsible consumption and production Good use of resources, improving energy efficiency, sustainable infrastructure, and providing access to basic services, green and decent jobs and ensuring a better quality of life for all.</p>

Policy and Legislative Context

The Council Plan 2021-2025 and the 2040 Corangamite Community Vision both reference the development of a thriving and prosperous local economy and community.

The Victorian Government has developed a statewide *Creative Industries Strategy*, *Visitor Economy Strategy*, the *Recycling Victoria: a New Economy* plan, the *Stronger, innovative, sustainable: A new strategy for agriculture in Victoria* plan, and the *Victorian Renewable Hydrogen Industry Development Plan*.

Commonwealth Government policies and strategies that apply include *The Geelong City Deal*, the *Barwon South West Strategic Regional Plan (RDA)*, the *National Cultural Policy* (in development), and *Australia's Trade Policy*.

The project will align the new Framework with Federal, State and regional strategies to assist in attracting funding and other support and investment.

The new framework will also ensure Council is compliant with recommendations made by VAGO in 2018 as part of the review into Local Government and Economic Development. These include:

- Regularly review alignment between economic development strategies and council plans to improve the continuity of longer term initiatives.
- Develop comprehensive performance measures for economic development with clearly articulated targets and benchmarks.
- Monitor and report on economic development outcomes and clearly link actions to intended outcomes.
-

This report is in keeping with the commitments in the Council Plan 2021-2025:

Theme One - A Connected Community

Digital connectivity that meets the needs of our community

Infrastructure and services that deliver population growth and new housing

Theme Two - A Thriving Community

Facilitating and supporting economic development

Arts and culture that is supported and accessible

Engaging with young people and encouraging opportunities that retain young people in our Shire

Our young people are encouraged and supported to engage in learning

Recognising the vital role agriculture plays within the Shire

A local tourism industry that is valued and recognised for its significant role to the Shire

We retain and we grow our population

Theme Three - A Healthy, Active and Resilient Community
Access and inclusion is improved

Theme Four - Improving Our Environment
Protecting and improving our built and natural environment
Capitalising on opportunities created by new energy, and minimising impacts on
key industry sectors, landscape values and natural assets
Helping our community plan and respond to climate change
Piloting the implementation of the United Nations Sustainable Development
Goals (SDGs) at the local level

Theme Five - Community Leadership
We listen to and engage with our community
Working with First Nations people

Internal / External Consultation

Council was briefed in 2021 and again in September 2022 regarding the review of the existing Economic Development, Arts and Events and Festivals strategies and need for a new integrated Framework.

The implementation of the Project Plan to develop the Framework has already involved extensive internal and external consultation, communication, and engagement in line with the Corangamite Community Engagement Policy.

Events, co-design workshops and staff and stakeholder engagement sessions were held as part of the engagement plan. The project is overseen by a Project Steering Committee and a Project Reference Group chaired by the Mayor/Deputy Mayor with business and community representatives from across the Shire as well as industry and government stakeholders.

Financial and Resource Implications

Council has allocated a total of \$80,000 for the development of new Economic Development, Arts and Culture and Festivals and Events Strategies. Staff resources will be used as part of the completion of the project.

Options

Option A.

Council may wish to consider pausing the project to enable more time for additional community feedback from the Discussion Paper. This would delay the delivery of the Framework until later in 2023.

Option B.

Council continues implementing the Project Plan as approved in September 2022 and proceeds to the next phase, namely the adoption of the Framework and the development of the first six Action Plans and associated Programs (Officer recommended).

Conclusions

Grow and Prosper Corangamite provides the opportunity for Council to understand the current economic situation, including the impacts of the COVID-19 pandemic, and provide input into the dedicated direction for investment and population attraction, housing, employment, arts, culture and tourism. It also applies new thinking with the inclusion of creative industries and events and festivals as part of the overarching economic development direction for the Shire.

Feedback and the results of the co-design workshops highlighted several distinct and important themes which have informed the development of the Framework and subsequent action plans.

The project is meeting the delivery timeframes set out at inception and is meeting community expectations with a program of active participation providing Councillors and Council staff the opportunity to directly engage with business, creatives, community and stakeholders across the Shire.

RECOMMENDATION - 9.6

That Council:

- 1. Endorses Grow and Prosper Corangamite, the Corangamite Economic Growth and Prosperity Framework 2022 – 2032; and**
- 2. thanks community members and stakeholders for their ideas and input and proceeds to the next stage of Grow and Prosper Corangamite for the development of six Action Plans and associated Programs.**

COUNCIL RESOLUTION

Moved: Cr Geraldine Conheady
Seconded: Cr Nick Cole

That the recommendation be adopted.

CARRIED UNANIMOUSLY 7 / 0

9.7 Quick Response Grants Allocation May 2023

Directorate: Sustainable Development

Author: Jacinta Read, Community Projects Officer

Previous Council Reference: Nil

Attachments:

1. Quick Response Grants May 2023 Applications and Assessment [9.7.1 - 2 pages]
2. Under Separate Cover - Quick Response Grant Application Camperdown Uniting Church [9.7.2 - 8 pages]
3. Under Separate Cover - Quick Response Grant Application Camperdown Unit State Emergency Service [9.7.3 - 8 pages]
4. Under Separate Cover - Quick Response Grant Application Carpendeit Public Hall & Rec Committee [9.7.4 - 9 pages]
5. Under Separate Cover - Quick Response Grant Application Camperdown Probus Club [9.7.5 - 5 pages]
6. Under Separate Cover - Quick Response Grant Application Purvis Eureka Car Club of Australia [9.7.6 - 7 pages]
7. Under Separate Cover - Quick Response Grant Application Terang Golf Club [9.7.7 - 5 pages]
8. Under Separate Cover - Quick Response Application Grant Rotary Club of Cobden Inc [9.7.8 - 3 pages]
9. Under Separate Cover - Quick Response Grant Application Cobden Visitor Information Centre [9.7.9 - 5 pages]

Declaration

Chief Executive Officer – Michael Tudball

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

Author – Jacinta Read

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

Summary

The purpose of this report is to approve the May 2023 allocation of funds under the Quick Response Grants Program.

Introduction

The Quick Response Grants Program is beneficial in supporting instances of community need that are not readily able to be considered under the Community, Enabling, Events and Festivals, Facilities or Environmental Grants Programs. Applications for Quick Response Grants are considered by Council as they are received.

Issues

The Quick Response Grants Program has a fixed budget that Council provides annually for the distribution of funds to Shire community groups. The Quick Response Grants Program has a rolling intake, and this flexible approach allows Council to allocate small amounts to various community groups which result in positive outcomes.

The applications received for this allocation are attached under separate cover. The applications have been assessed against the following criteria, as detailed in the Quick Response Grants Policy:

1. Eligible recipient;
2. Council Plan alignment;
3. Community benefit; and
4. Eligible expenditure.

The assessment is provided as a separate attachment to this report.

Applications have been received from:

1. Camperdown Uniting Church for \$500 towards the installation of a turbo oven (Central Ward).
2. Camperdown Unit State Emergency Service for \$500 towards the purchase of a barbecue (Central Ward).
3. Carpendeit Public Hall and Recreation Committee for \$500 towards the replacement of an oven (South Central Ward).
4. Camperdown Probus Club for \$500 towards the purchase of a portable PA system (Central Ward).
5. Purvis Eureka Car Club of Australia for \$500 towards running costs of event hosted within Corangamite Shire (Central Ward).
6. Terang Golf Club for \$359 to purchase a brushless 4 in 1 multi tool garden tool to help maintain gardens (Central Ward).
7. Rotary Club of Cobden Inc for \$400 to produce a brochure to promote the Cobden Rotary Mini Golf Course (South West Ward)
8. Cobden Information Centre auspiced by Progressing Cobden Inc for \$500 towards the installation of a permanent sign at the Cobden Information Centre (South Central Ward).

Policy and Legislative Context

Consideration of applications for the Quick Response Grants Program is in accordance with the Quick Response Grants Policy.

This report is also in keeping with the commitments in the Council Plan 2021-2025:

Theme One - A Connected Community

Access to infrastructure that supports a healthy and active lifestyle for our community

Theme Two - A Thriving Community

Corangamite townships are attractive, accessible and appealing to visitors and are presented in a way in which our residents can be proud

Theme Three - A Healthy, Active and Resilient Community

Improving the health and wellbeing of our residents

Our community groups and clubs are engaged and supported and facilities are fit for purpose

Theme Four - Improving Our Environment

Protecting and improving our built and natural environment

Theme Five - Community Leadership

We listen to and engage with our community

Internal / External Consultation

Applications for the Quick Response Grants Program are available from Council's website or by contacting Council's Community Relations team. Applicants are encouraged to discuss their application with the respective Ward Councillor prior to submission.

Applicants can also contact Council's Community Projects Officer for further information. Applicants will be advised of the outcome of their application following the Council meeting. Successful applicants are requested to provide a grant acquittal following completion of the event or project, including the return of any unexpended amounts.

Financial and Resource Implications

The 2022-2023 Quick Response Grants Program budget allocation is \$17,500.

Annual allocations for each Ward shall not exceed 1/7th of the fund's annual budget in the case of North, South West, Coastal and South Central Wards, and 3/7th of the fund's annual budget in the case of Central Ward.

Quick Response Grant applications are funded in order of receipt until the relevant Ward allocation for the financial year is expended. Because applications for the Central and South Central Wards are currently oversubscribed and the annual allocations to the South West and Coastal Wards are close to being fully expended, it is recommended that only three current applications be funded and that the remaining five be held over for consideration at the June meeting of Council, where some may be able to be funded from any unspent allocation to the North Ward. The remaining unfunded applications may then be able to receive consideration at the July Council meeting where the Quick Response Grant Fund may be replenished through the approved 2023- 2024 Budget.

Should the allocations be approved as recommended the remaining allocation is outlined in the table below.

Ward	Annual allocation (\$)	Previous allocation (\$)	This allocation (\$)	Remaining allocation (\$)
Coastal	2,500	2,400	0	100
North	2,500	1,350	0	1,150
South Central	2,500	2,400	0	100
South West	2,500	2,445	0	55
Central	7,500	5,920.50	1,500	79.50
Total	17,500	14,515.50	1,500	1,484.50

Conclusions

The Quick Response Grants Program provides financial assistance to community groups to undertake beneficial projects and activities. The applications recommended for funding in this allocation are in accordance with the Quick Response Grants Policy and will result in positive outcomes for the community,

RECOMMENDATION - 9.7

That Council:

- 1. Funds the applications from**
 - a. Camperdown Uniting Church for \$500 towards the installation of a turbo oven; and**
 - b. Camperdown Unit State Emergency Service for \$500 towards the purchase of a barbecue; and**
 - c. Camperdown Probus Club for \$500 towards the purchase of a portable PA system;**
- 2. Holds over to the June meeting consideration of the applications from**
 - a. Carpendeit Public Hall and Recreation Committee for \$500 to replace an oven;**
 - b. Purvis Eureka Car Club of Australia for \$500 towards the running costs of an event hosted within Corangamite Shire;**
 - c. Terang Golf Club for \$359 to purchase a 4 in 1 multi tool garden tool kit;**
 - d. Rotary Club of Cobden Inc for \$400 to produce a brochure to promote the Cobden Rotary Mini Golf Course;**
 - e. Cobden Information Centre auspiced by Progressing Cobden Inc for \$500 for installation of a permanent sign at the Cobden Information Centre.**

COUNCIL RESOLUTION

Moved: Cr Nick Cole
Seconded: Cr Laurie Hickey

That Council:

- 1. Funds the applications from**
 - a. Camperdown Unit State Emergency Service for \$500 towards the purchase of a barbecue; and**
 - b. Camperdown Probus Club for \$500 towards the purchase of a portable PA system; and**
 - c. Purvis Eureka Car Club of Australia for \$500 towards the running costs of an event hosted within Corangamite Shire.**
- 2. Holds over to the June meeting consideration of the applications from**
 - a. Carpendeit Public Hall and Recreation Committee for \$500 to replace an oven;**
 - b. Terang Golf Club for \$359 to purchase a 4 in 1 multi tool garden tool kit;**
 - c. Rotary Club of Cobden Inc for \$400 to produce a brochure to promote the Cobden Rotary Mini Golf Course;**
 - d. Cobden Information Centre auspiced by Progressing Cobden Inc for \$500 for installation of a permanent sign at the Cobden Information Centre.**

CARRIED UNANIMOUSLY 7 / 0

10 Other Business

Mayor, Cr Ruth Gstrein invited Councillors to raise any further items.

Cr Laurie Hickey submitted a notice of motion relating to the Swansons Lane Windfarm.

Cr Geraldine Conheady and Ms Justine Linley declared a general conflict of interest and left the meeting before any discussion or vote on the matter at 9:04 pm.

COUNCIL RESOLUTION

Moved: Cr Laurie Hickey
Seconded: Cr Jo Beard

That Council:

- 1. Express disappointment in relation to the lack of communication and engagement of ratepayers, community and Corangamite Shire Council by the windfarm proponent RE Futures for the Garvoc Windfarm for the planning application recently lodged with the Department of Transport and Planning; and**
- 2. That the Mayor express such disappointment in writing to Ministers D'Ambrosio, Kilkenny and RE Futures on behalf of Corangamite Shire Council and its ratepayers and communities.**

CARRIED UNANIMOUSLY 6 / 0

Cr Geraldine Conheady and Ms Justine Linley returned to the meeting at 9:10 pm.

11 Open Forum

The Mayor, Cr Ruth Gstrein, invited members of the public to ask a question or make a statement.

The following item was submitted:

- Mr Les Mulholland spoke to Council about how it can be difficult to hear during meetings and asked Council to explore options to improve this to allow more people to attend the Council meetings.
- The Mayor thanked Acting CEO, Mr Michael Tudball for his service to Council during the recruitment process for a new CEO and wished him all the best for the future.

12 Confidential Items

Nil

13 Close Meeting

The Mayor, Cr Ruth Gstrein declared the Council Meeting closed at 9:14 pm.

I hereby certify that these minutes have been confirmed and are a true and correct record.

CONFIRMED:

Chairperson

DATE:
