



Minutes

Ordinary Meeting of Council

Wednesday 24 August 2022 at 7:00pm

Queenscliff Town Hall

Distribution List

Councillors

Cr Ross Ebbels – Mayor
Cr Fleur Hewitt – Deputy Mayor
Cr Donnie Grigau
Cr Michael Grout
Cr Isabelle Tolhurst

Officers

Martin Gill – Chief Executive Officer
Gihan Kohobange – Manager Finance and Corporate Services
Shannon Maloney – Manager Community
Stuart Hansen – Manager Infrastructure and Environment
Connor Parker – Communications Coordinator
Jackie Fletcher – Executive Assistant to the CEO, Mayor & Councillors
Jenni Walker – HR & Governance Coordinator



Council Vision

Inspired by the Borough's Latin motto, 'Statio Tutissima Nautis', that translates as "the safest anchorage for seafarers", our vision for the future is that:

The Borough remains a safe haven defined by its unique heritage, rich culture and significant natural environment. It is a special and restorative place for an involved and caring community and our visitors.

Council acknowledges the Traditional Owners of these lands, waters and skies, the Wadawurrung People. We acknowledge and respect their continuing connections to their Lands, Waters, Skies, Culture and the contribution they make to the life and spirit of our community. We pay respect to their past and present Elders and their emerging leaders, and extend this respect to all Aboriginal and Torres Strait Islander peoples.



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Appendices

Appendix	Title	Agenda Item	Distribution
Appendix 1a	Climate Emergency Australia joint statement on the importance of lifting building standards to tackle climate change	11.1 Chief Executive Officer Report	Under separate cover
Appendix 1b	Coastal and Marine Management Plan Project Management Framework	11.1 Chief Executive Officer Report	Under separate cover
Appendix 2a	CP010 Information Privacy	16.1 Review of Council Policies	Under separate cover
Appendix 2b	CP012 Events	16.1 Review of Council Policies	Under separate cover
Appendix 2c	CP018 Councillor Resources, Support & Facilities	16.1 Review of Council Policies	Under separate cover



Appendix 3	Draft Borough of Queenscliffe Governance Rules	16.2 Draft Revised Governance Rules	Under separate cover
Appendix 4a	CP054 Victoria Park Policy: Incorporating Victoria Park Plan 2022	16.3 Draft Policy - CP054 Victoria Park	Under separate cover
Appendix 4b	Draft CP054 Victoria Park with marked up revisions	16.3 Draft Policy - CP054 Victoria Park	Under separate cover
Appendix 4c	Victoria Park submissions	16.3 Draft Policy – CP054 Victoria Park	Under separate cover
Appendix 4d	Victoria Park QCA submission	16.3 Draft Policy – CP054 Victoria Park	Under separate cover



1. OPENING OF MEETING

Council acknowledges the Traditional Owners of these lands, waters and skies, the Wadawurrung People. We acknowledge and respect their continuing connections to their Lands, Waters, Skies, Culture and the contribution they make to the life and spirit of our community. We pay respect to their past and present Elders and their emerging leaders, and extend this respect to all Aboriginal and Torres Strait Islander peoples.

The Meeting opened at 7:00pm.

2. PRESENT & APOLOGIES

Present:

Cr Ross Ebbels, Mayor

Cr Fleur Hewitt

Cr Donnie Grigau

Cr Isabelle Tolhurst

Martin Gill, Chief Executive Officer

Gihan Kohobange, Manager Finance and Corporate Services

Stuart Hansen, Manager Infrastructure and Environment

Connor Parker, Communications Coordinator

Jackie Fletcher, Executive Assistant to the CEO, Mayor & Councillors

Matt Gibbs, Communications Officer

Apologies:

Shannon Maloney, Manager Community

3. PECUNIARY INTEREST & CONFLICT OF INTEREST DISCLOSURES

Councillors must disclose a conflict of interest in accordance with Section 130 of the Local Government Act 2020.

Councillors: Nil.

Officers: Nil.

4. LEAVE OF ABSENCE OF COUNCILLOR

Cr Michael Grout



5. PUBLIC QUESTION TIME

5.1 Public Questions Status Update

No public questions are outstanding.

5.2 Public Questions

In accordance with Council's Public Question Time Guidelines, questions must be written and received by the Chief Executive Officer prior to 3.00pm on the day of the Ordinary Council meeting. Questions received after this time will be treated as correspondence and a written response provided consistent with Council's Customer Service Charter. Questions can be lodged online via the Borough of Queenscliffe website, via email, via post or in person by completing a Public Question Time Form.

The Mayor advised Council that six public questions had been received by Council within the prescribed timelines.

Public Question 1 from Carmen Bell

Who has been entrusted with the heritage review of Fisherman's Flat and what is the status of that review?

Response by the Mayor

Council has commissioned Ecology & Heritage Partners to undertake the review of Fisherman's Flat. To date, an on-ground assessment of the precinct has been undertaken. Council will now receive a report from Ecology & Heritage Partners setting out the findings of that assessment.

Public Question 2 from Maureen Davin

The Borough does a good job of maintaining open spaces. But, with the devastation of Victoria Park and the resultant community distress, is the Borough now galvanised to go beyond maintenance, to actively plant and expand areas of native flora, to create green corridors and to encourage home owners to expand their gardens to create a thriving biodiversity throughout the township of Queenscliff?

Response by the Mayor

Council is planning to plant 300 trees throughout the Borough this financial year. These plantings will be complemented by the planting planned for Victoria Park. Council has also sponsored the Jubilee Planting project which will be led by the Friends of Victoria Park, and Council has supported the Swan Bay Environment Association pocket park planting initiative currently underway in Point Lonsdale.

With respect to planting in private gardens, Council is aware that a number of our local residents work with the Swan Bay Environment Association and the Gardens for Wildlife program which



supports homeowners establish wildlife friendly gardens. Information about this program can be found on the Swan Bay Environment Association website:

[Gardens for Wildlife | Swan Bay Environment](#)

What I can also say, as Mayor, is the Borough has some beautiful private gardens and Council appreciates and admires the care, creativity and work that many of our residents put into their gardens.

Public Question 3 from Queenscliff Community Association (QCA)

The Agenda notes that the CEO (without Mayor & Councillors) had a meeting with DELWP and WorkSafe on August 16.

Can the contents and Minutes of that meeting (and any associated or related correspondence) be tabled tonight with an explanation of why Council did not consider such a meeting to be of Strategic Policy importance to warrant councillor attendance, particularly given;

- Council's new Victoria Park Policy,
- Council's 23rd March recommendation,
- Plans for the future use directions and plantings of Victoria Park,
- Widespread community concern and outrage over the unprecedented damage and destruction of Victoria Park?

Response by the Mayor

We will take this question on notice.

Public Question 4 from David Kenwood

Council's draft plan delineates a yellow area deemed to be "General Camping" but does not differentiate between camping permitted for 5 months a year and camping permitted on an annualised or permanent basis (i.e. Little Toorak). This is an important point given there are in fact 3 categories of camping and caravanning being put forward in Council's new Policies and the Plan for Victoria Park. Can the definitions in the policy reflect this reality and indeed can the policy indicate whether or not future permanent occupation of public parkland in its present form is permitted under State Government regulations.

Response by the Mayor

The Victoria Park Policy will be considered by Council later in this agenda. As such we will address the question following formal consideration of the agenda item.

Public Question 5 from Vicki Callanan

You have recently been voted up a second term to Climate Emergency Australia Executive along with members from Sydney, Darebin, Bellingen, and Noosa advocating improvements to national building code.

How does this marry with Queenscliff's Heritage classification?

Most small towns appreciate and actively enhance their heritage profile which includes the landscape.



Rarely is this evident in Queenscliff. One hears the term “heritage” used frequently but mostly from a negative perspective.

There has been a proliferation of questionable architecture appearing on the skyline of late; both domestic and commercial; the abstraction of the disjointed and jarring architecture ferry terminal for example.

The preservation of a town’s heritage is reliant on enhancing streetscapes and landscapes and the profile of horizons is an integral aspect to preservation.

The insensitive placement of the rubbish bins front and centre of the new library landscaping doesn’t not enhance the heritage component of Hesse Streets profile.

Thank you, Vicki Callanan

Response by the CEO

Pillar 3 of Council’s Climate Emergency Response Plan requires Council to advocate for improved sustainability in building design and energy use. This includes advocating for changes to the building code that would require new buildings and major renovations to have energy-efficient features, like better insulation, double-glazed windows, or passive heating and cooling.

More sustainable building codes relate to a building’s use of energy – they do not require a building to look a particular way. Architects and designers can incorporate sustainable design features in a range of ways, including in ways that celebrate the heritage features of existing buildings.

The soon-to-be-opened Queenscliffe Hub, which retains the heritage façade of the library, is just one example of a heritage building in our community that has been upgraded in accordance with more sustainable design principles while maintaining the heritage elements of the building.

Public Question 6 from David Connoley

It is some time since the Borough measured Canopy cover was to be undertaken and completed. It is noted the Borough CEO has been renominated and elected again to Climate Emergency Australia.

Has Climate Emergency Australia developed a specific local government policy on enhancing rather than diminishing or destroying canopy cover as a practical local climate emergency response, and if so, what has the Borough done in the past few months to protect and enhance its valued tree canopy?

Response by the CEO

Climate Emergency Australia has not developed a specific local government policy on increasing tree canopies.



6. CONFIRMATION OF COUNCIL MEETING MINUTES

6.1 Ordinary Meeting of Council – 27 July 2022

A copy of the previous Minutes of the Ordinary Meeting of Council held on 27 July 2022 was distributed to Councillors under separate cover.

Councillors Tolhurst / Grigau

That the Minutes of the Ordinary Meeting of Council of the Borough of Queenscliffe held on 27 July 2022, as distributed, be confirmed as an accurate record.

Carried



7. RECORD OF INFORMAL MEETINGS OF COUNCILLORS

A Record of Informal Meetings of Councillors is included at Adjunct to item 7:

- 27 July 2022 – Councillor Assembly Briefing
- 3 August 2022 – Councillor Assembly Briefing
- 17 August 2022 – Planning Review Meeting

Recommendation

That the Record of Informal Meetings of Councillors, as presented in Adjunct to Item 7, be noted.

Councillors Hewitt / Tolhurst

That the Record of Informal Meetings of Councillors, as amended, in Adjunct to Item 7, be noted.

Carried

8. NOTICE OF MOTION

8.1 Notice of Motion Status Update

No Motions on Notice outstanding.

8.2 Motion on Notice

Two Notices of Motion were received.

8.2.1 Motion on Notice – Number 2022/585: Disability Lived Experience Reference Group

File: QG1400204

In accordance with the Borough of Queenscliffe Governance Rules, notice was received by the Chief Executive Officer of the following motion on 18 August 2022.

Background

In July 2022, Council received a presentation from disability lived experience advocates calling for the Borough to increase its engagement with this community to ensure greater access, inclusion and participation of disabled people.

The group identified that the contribution of lived experience is essential to ensuring not just



adequate access, but true inclusion. It is sought, rightly, that the pursuit and promotion of disability rights are embedded into the core business of Council.

This presentation was delivered to Council as a federal Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability is underway, heightening the urgency of getting inclusion and access right in the Borough.

Following discussions with Councillors and officers, to ensure Council are proactive in supporting disabled people, their families and carers, we call for a Disability Lived Experience Reference Group to be created, comprising diverse community members and relevant community and health organisations.

The initiative aligns with the Borough of Queenscliffe Community Vision, in particular the statement that *our community is caring*, and the supporting pillar – Enhancing health and wellbeing – which includes the following aspiration:

- *Our community encourages an active and outdoor lifestyle and nurtures the welfare of all*

The initiative will also further the strategic objectives of the Council Plan 2021 – 2025 in particular the following action identified in the Health and Wellbeing Portfolio:

- *Facilitate and promote activities that reduce social isolation and foster inclusion in the community*

As such, I Cr Isabelle Tolhurst, hereby give notice that I intend to move the following motion at the Borough of Queenscliffe Council Meeting to be held on Wednesday 24 August 2022.

Councillors Tolhurst / Hewitt

That Council:

- 1. Directs Council officers to undertake an Expression of Interest process inviting diverse community members to be part of a new Disability Lived Experience Reference Group.**
- 2. Directs Council officers to Commence the Expression of Interest process in the second quarter of the 2022-23 Financial Year.**
- 3. Establish a Terms of Reference with the Group, with the key objectives of:**
 - a) Undertaking benchmarking to establish the number of people who identify as having a disability in the Borough and key access issues**
 - b) Reviewing all Council disability and access inclusion documentation, notably Council's Disability Access and Inclusion Policy**
 - c) Reviewing major Council projects to ensure they meet the needs and ambitions of disabled people in the Borough**

Carried



8.2.2 Motion on Notice – Number 2022/586: Environmental Reference Group

File: QG0780102

In accordance with the Borough of Queenscliffe Governance Rules, notice was received by the Chief Executive Officer of the following motion on 18 August 2022.

Background

The protection of our natural environment and the need to address climate change issues is one of the five key strategic objectives of our Council Plan 2021 – 2025.

Council is committed to developing the necessary strategic documents in response to this objective, including the Coastal and Marine Management Plan and a Vegetation Management Strategy, and implementing and integrating existing documents like the Climate Emergency Response Plan and the *Paleert Tjarara Dja – Wadawurrung Healthy Country Plan*.

Establishing an Environment Advisory Group builds on the community aspirations set out in the Community Vision, in particular – *Protecting Country and our natural environment*. It also picks up on the vision statement under the Pillar - Encouraging an inclusive and engaged community which says:

- *We have a welcoming, connected and diverse community that is supported by informed and consultative leadership*

The initiative would also further the strategic objectives of the Borough of Queenscliffe Council Plan 2021 – 2025, in particular priority 4 in the Governance and Finance portfolio which includes an action for Council to:

- *Continue to engage and seek input from our community on key strategic matters*

I, Cr Fleur Hewitt, have discussed this proposal with Councillors and Council officers and am of the view that Council would benefit from the environmental expertise of members of our community and our community organisations and so hereby give notice that I intend to move the following motion at the Borough of Queenscliffe Council Meeting to be held on Wednesday 24 August 2022.

Councillors Hewitt / Tolhurst

That Council:

- 1. Establishes an Environmental Advisory Group which compromises members of the community and at least one Councillor and Council Officer with the purpose of:**
 - a) providing strategic advice on the development, implementation and integration of policies, strategies and action plans relating to the environment;**
 - b) assisting Council in identifying, making recommendations to, and taking advocacy action on issues of environment and sustainability affecting the Borough of Queenscliffe; and**
 - c) encouraging and supporting activities and events which further environmental and sustainability outcomes in the Borough of Queenscliffe.**
-



- 2. Considers a framework for the Environmental Advisory Group at the Ordinary Meeting to be held on 28 September 2022; and**
- 3. Directs Council officers to commence an Expression of Interest process by 30 November 2022, inviting community members to join an Environmental Advisory Group.**

Carried

9. PETITIONS AND JOINT LETTERS

9.1 Petitions and Joint Letters

In accordance with the Borough of Queenscliffe Governance Rules, a petition or joint letter presented to the Council must lay on the table until the next ordinary meeting of the Council and no motion, other than to receive the petition or joint letter may be accepted by the Chairperson, unless the Council agrees to deal with it earlier.

None received.



10. FUNCTIONS ATTENDED

Council was represented at the following meetings and functions between 22 July and 16 August 2022:

Date	Function Attended
22 July 2022	Meeting with Maddocks to discuss WorkSafe PIN via videoconference (CEO, Crs Ebbels, Grout, Tolhurst, Hewitt & Grigau)
22 July 2022	Victoria Park Meeting with DELWP on site (CEO)
22 July 2022	Meeting with the Queenscliffe Lighthouse Theatre Group (Cr Ebbels)
24 July 2022	Swan Bay Environmental Association pocket planting (Cr Tolhurst)
25 July 2022	Barwon Water Delivering for the future Regional Forum via videoconference (CEO, Cr Ebbels, Grout & Grigau)
28 July 2022	Geelong Heritage Centre Collections Advisory Committee meeting via videoconference (Cr Ebbels)
28 July 2022	Barwon Regional Partnership Meeting via videoconference (CEO)
28 July 2022	Monash City Council School Crossing Supervisor advocacy meeting via videoconference (Cr Ebbels)
28 July 2022	Geelong Heritage Centre Board Meeting via videoconference (Cr Ebbels)
29 July 2022	G21 Health and Wellbeing and Sport and Recreation Pillar meeting via videoconference (CEO)
29 July 2022	Council CEO's biosecurity briefing with Agriculture Victoria via videoconference (CEO)
31 July 2022	Swan Bay Environmental Association pocket planting (Cr Tolhurst)
1 August 2022	Tourism Greater Geelong and The Bellarine Board Meeting via videoconference (Cr Ebbels)
2 August 2022	Bellarine Catchment Network online volunteer calendar launch (Cr Tolhurst)
2 August 2022	Queenscliffe Hub Project Control Group meeting via videoconference (CEO)
2 August 2022	Association of Bayside Municipalities: Living Shorelines via videoconference (Cr Grout)



Date	Function Attended
3 August 2022	Southeast Bellarine Coastal Project – Session Three via videoconference (CEO)
5 August 2022	G21 Board Meeting (CEO & Cr Ebbels)
5 August 2022	G21 Mayors meeting (Cr Ebbels)
6 August 2022	Geelong Presidents Dinner (Cr Grigau)
8 August 2022	Barwon Regional Partnership Meeting 2022/23 Priorities via videoconference (CEO)
9 August 2022	Barwon South-West Regional Stakeholder Briefing of Renewable Energy Zones via videoconference (CEO)
10 August 2022	G21 Sustainability Pillar meeting on behalf of Cr Hewitt (Cr Tolhurst)
11 August 2022	Queenscliff Boat Ramp Upgrade – Project Control Group via videoconference (CEO)
11 August 2022	Meeting with DELWP regional matters via videoconference (CEO)
12 August 2022	Barwon Regional Partnership Meeting (CEO)
12 August 2022	Managing Growth Advisory Group via videoconference (Cr Grout)
14 August 2022	Geelong & District Vietnam Veterans Association memorial service (Cr Ebbels)
15 August 2022	G21 CEO's Meeting (CEO)
16 August 2022	Meeting with DELWP & WorkSafe regarding the Tree Management & WorkSafe PIN (CEO)
16 August 2022	Geelong City Deal Three Year Review via videoconference (CEO)

Recommendation

That the Functions Attended report be received.

Councillors Grigau / Hewitt

That the Functions Attended report, as amended, be received.

Carried



The CEO took a moment to recognise that one of our esteemed colleagues, Gihan Kohobange, Manager Finance & Corporate Services, became an Australian citizen yesterday. The CEO shared how very proud he was to say that Gihan passed his citizenship test with flying colours, and he also sent us some beautiful photos of his family holding their citizenship certificates. Congratulations Gihan; it is a great honour to work with you and to have you as a fellow Australian.

11. CHIEF EXECUTIVE OFFICER

11.1 Chief Executive Officer Report

PURPOSE

The purpose of this report is to provide Council an update on current projects and operational activities not reported through the quarterly reporting process.

REPORT

Council wins gold for Annual Report

The Borough of Queenscliffe has recently been awarded its eighth consecutive Gold Award for its 2020–21 Annual Report. This award, granted by the Australasian Reporting Awards, is the highest general award achievable, and a reflection of the thorough and transparent approach Council takes to its reporting obligations.

I want to acknowledge the Council officers who worked together to produce yet another award-winning report, and to the local small business owners who offered their smiles and stories for us to feature in the opening pages of each chapter.

Council's Communications team is currently pulling together our next annual report for the recently concluded financial year. Council should expect to receive this report at the October Ordinary Meeting of Council.

Borough of Queenscliff motion to the 2022 National General Assembly

At the Ordinary Meeting of Council on 23 March 2022, Council approved the submission of the following motion for consideration at the 2022 Australian Local Government Association National General Assembly:

The Borough of Queenscliffe request the Australian Local Government Association, on behalf the Local Government sector, advocate to the Federal Government and political parties to adopt a unified approach to transitioning refugees on Temporary Protection Visas or Safe Haven Enterprise Visas to Permanent Protection Visas as quickly as possible.

Council recently received notice that the Australian Local Government Association has passed the Borough of Queenscliffe's motion calling for a fairer, more secure future for refugees and asylum seekers.



The success of this motion reflects the ongoing work of the Queenscliff Rural Australians for Refugees whose dedicated advocacy has seen this critical issue continue to be discussed and acted upon.

As a Refugee Welcome Zone, we are proud of the small role the Borough has played in this campaign. Working together with our community, we'll continue to advocate for a better future for refugees and asylum seekers.

Climate Emergency Australia Executive Nomination

The Borough of Queenscliffe CEO was nominated and elected to the Climate Emergency Australia Executive for a second term. He joins the following Council representatives on the executive:

- Cr HY William Chan, City of Sydney
- Cr Trent McCarthy, Darebin City Council
- Cr Dominic King, Bellingen Shire Council
- Cr Brian Stockwell, Noosa Council
- Martin Gill, CEO, Borough of Queenscliffe

The first action for this term was the continued advocacy work on the National Construction Code. Climate Emergency Australia (CEA) has joined with 105 organisations to prepare a joint statement on the importance of lifting building standards to tackle climate change (**Attachment 1a**).

Dogs and the end of financial year

Throughout July and August each year, Council staff start working on projects adopted in the Council budget and reviewing the previous year. The two review projects of significance are the annual Victorian Auditor General Office audit and preparation of the Annual Report.

During this review process, Council officers examine lots of operational data. This data can sometimes lead to moments of mild surprise. For example, during the last financial year Council expended just over \$10,000 on dog poo bags. That might not seem like a significant sum on the surface, but:

*In the twelve months between 1 July 2021 and 30 June 2022 a total of **318,000** dog poo bags were dispensed from the dog poo bag dispensers across the Borough of Queenscliffe.*

That's an average of 871 bags a day.

There are probably several ways to interpret that figure, but let's say, for the purposes of this update, that the figure represents a healthy and active community minimising the environmental impact of their dogs. Lots of dog walking and lots of responsible owners.

Coastal and Marine Management Plan



At the Ordinary Council meeting on 27 July, Cr Hewitt asked a question without notice about the Coastal and Marine Management Plan. In response the CEO referred to a project management framework that the Councillors had developed to structure the next stages of the project. A copy of the project management framework has been attached to this report to complete the CEO response. **(Attachment 1b)**.

A Request for Quotation process has now commenced to procure and engage a Project Manager to work with Council and complete the Coastal and Marine Management Plan. Council is planning to have a project manager on board by the middle of September.

September 2022

Looking forward to next month, there are several activities to note:

- Opening of Queenscliffe Hub
- Completion of the Boat Ramp upgrade

Council will also finalise the 2022–23 Annual Plan for formal consideration at the Ordinary Council meeting in September.

Councillors Hewitt / Tolhurst

That Council receives the Chief Executive Officer Report for August 2022.

Carried



12. HEALTH & WELLBEING

No reports to consider.

13. ENVIRONMENT

No reports to consider.

14. LOCAL ECONOMY

No reports to consider.



15. HERITAGE, PLANNING & INFRASTRUCTURE

15.1 Planning Permit Activity Report

File: QG290.01.02
Author: Senior Planner
Portfolio: Heritage, Planning & Infrastructure
Portfolio Holder: Cr Grout

PURPOSE

The purpose of this report is to present a record of planning permit activity in the Borough of Queenscliffe.

EXECUTIVE SUMMARY

The following table provides a summary of the planning permit activity during the last month.

CATEGORY	TALLY
Current applications	19
Applications finalised since last report	14
New applications received since last report	10
Total number of active permit applications	26
VCAT matters yet to be determined	1
Development Plan & Planning Scheme Amendment Summary Report	0

Councillors Grigau / Hewitt

That the Planning Permit Activity Report be received.

Carried

Cr Hewitt

Are we able to get an update on the installation of the Telstra [telecommunication tower]?

Manager Planning & Community Safety

We don't have any extra information on hand. I am happy to take the question on notice and look into it.



(a) Current applications

App. No	Date Received	Address	Proposal	No. of objections	Status
2021/018	25/02/2021	134 Hesse Street Queenscliff	Installation of Telstra telecommunication tower in a Heritage Overlay (Queenscliff Recreation Reserve)	19	Under consideration
2021/048	27/05/2021	200-204 Point Lonsdale Road Point Lonsdale	Buildings and works associated with the construction of a two storey building comprising four (4) shops and twelve (12) dwellings, use of the site for commercial premises, reduction of the standard car parking requirement of Clause 52.06, alteration to and creation of access to a road in a road zone category 1	9	Application on hold (at the request of the applicant)
2021/096	20/09/2021	33-35 Flinders Street Queenscliff	Subdivision of the land into ten (10) lots (re-subdivision), removal of native vegetation and alterations to access to a Road Zone Category 1 (RDZ1)	6	Application on hold (at the request of the applicant)
2021/129	17/12/2021 (Amended 11/07/2022)	6 Alexander Crescent Point Lonsdale	Alterations and extensions (two storey) to an existing dwelling, variation to the site coverage requirements of Design and Development Overlay Schedule 4 and construction of an outbuilding	1	Public notification
2021/130	17/12/2021 (Amended 10/06/2022)	2 Nicholas Court Point Lonsdale	Alterations and extensions to an existing three storey dwelling	3	Under consideration
2022/014	18/02/2022	66 King Street Queenscliff	Construction of two dwellings on a lot and variation to the site coverage requirements of Design and Development Overlay – Schedule 1	16	Under consideration



App. No	Date Received	Address	Proposal	No. of objections	Status
2022/031	07/04/2022 (Amended 22/04/2022)	14 Douglas Court Point Lonsdale	Construction of a two storey dwelling, removal of native vegetation and variation to the site coverage requirements of Design and Development Overlay – Schedule 4	8	Under consideration
2022/040	29/04/2022 (Amended 3/05/2022)	23 Williams Road Point Lonsdale	Construction of a second dwelling, alterations to an existing dwelling, subdivision of the land into two (2) lots and removal of native vegetation	13	Refer agenda
2022/044	02/05/2022 Amended 03/06/2022)	6 McDonald Road Queenscliff	Use of the land for a helicopter landing site	9	Public notification
2022/052	23/05/2022	56-58 Glaneuse Road Point Lonsdale	Construction of a two storey dwelling	0	Under consideration
2022/054	23/05/2022	19 Hobson Street Queenscliff	Part demolition, alterations and extensions to an existing dwelling, demolition and construction of a front fence in a Heritage Overlay area	0	Under consideration
2022/059	09/06/2022	20-26 Hesse Street Queenscliff	Use and development of the site for ten (10) dwellings in a Heritage Overlay area, subdivision of the land into ten (10) lots with common property, access to a Transport Zone 2 and variation to easements	0	Public notification
2022/060	09/06/2022	49 Stevens Street Queenscliff	Part demolition, alterations and extensions to a dwelling in a Heritage Overlay area and removal of trees	1	Under consideration



App. No	Date Received	Address	Proposal	No. of objections	Status
2022/066	23/06/2022	7 Lockwood Street Point Lonsdale	Construction of a dwelling	1	Under consideration
2022/067	24/06/2022	5 Bellarine Highway Point Lonsdale	Alterations and extensions to an existing dwelling	0	Under consideration
2022/068	27/06/2022	6 Beach Street Queenscliff	Demolition of an existing dwelling and outbuildings, construction of a dwelling in a Heritage Overlay area and variation to the site coverage requirements of Design and Development Overlay – Schedule 6	3	Public notification Referral to CCMA
2022/069	01/07/2022	64 Learmonth Street Queenscliff	Construction of an outbuilding (studio) and variation to the site coverage requirements of Design and Development Overlay Schedule 1	0	Under consideration
2022/071	01/07/2022	6 Roddick Grove Queenscliff	Construction of a two storey dwelling	3	Under consideration
2022/072	06/07/2022	26 Buckleys Road Point Lonsdale	Construction of a two storey dwelling	0	Public notification



(b) Applications Finalised Since Last Report

App. No	Date Received	Address	Proposal	Status
2018/062.2	25/06/2021	1/3 Edgewater Close Queenscliff	Amendment: Alterations and extensions (two storey) to an existing dwelling and variation to the site coverage requirements of Design and Development Overlay – Schedule 3	Amended permit issued at the direction of VCAT
S 2021/004	04/07/2022	38 Ward Road Queenscliff	Amendment: Construction of a two storey dwelling and removal of native vegetation	Amended permit issued
2021/081	23/08/2021 (Amended 08/06/2022)	8 Cheshunt Street Point Lonsdale	Alterations and extensions (two storey) to an existing dwelling	Notice of decision to grant a permit issued
S 2021/111	05/07/2022	19 Cheshunt Street Point Lonsdale	Amendment: Construction of a two storey dwelling and removal of native vegetation	Amended permit issued
2021/116	08/11/2021	13 Baillieu Street Point Lonsdale	Alterations and extensions to an existing dwelling and alterations to an outbuilding	Permit issued
2022/020	11/03/2022	16 Ocean Road Point Lonsdale	Construction of a two storey dwelling, variation to the site coverage requirements of Design Development Overlay – Schedule 4 and removal of native vegetation	Permit issued
2022/026	01/04/2022	9 McDonald Road Queenscliff	Construction of a two storey dwelling and outbuilding (studio)	Permit issued
2022/049	10/05/2022	2 Pentland Road Point Lonsdale	Alterations and extensions to an existing dwelling, construction of a carport and outbuilding and variation to the setback requirements of Design and Development overlay – Schedule 4	Permit issued



App. No	Date Received	Address	Proposal	Status
2022/057	02/06/2022	59 Flinders Street Queenscliff	Alterations and extensions to an existing dwelling	Permit issued
2022/070	01/07/2022	10 Fellows Road Point Lonsdale	Alterations and extensions to an existing dwelling	Permit issued
V 2022/073	13/07/2022	19 Bedggood Avenue Point Lonsdale	Construction of an outbuilding	Permit issued
2022/074	18/07/2022	13 Kirk Road Point Lonsdale	Construction of a verandah	Application withdrawn – permit not required
2022/075	19/07/2022	46 Hesse Street Queenscliff	Alterations (re-roofing) a building individually listed in a Heritage Overlay	Permit issued
V 2022/078	26/07/2022	31 Hesse Street Queenscliff	Installation of solar panels in a Heritage area	Permit issued



(b) New Applications Received Since Last Report

App. No	Date Received	Address	Proposal	No. of objections	Status
2022/074	18/07/2022	13 Kirk Road Point Lonsdale	Construction of a verandah	N/A	Application withdrawn – permit not required
2022/075	19/07/2022	46 Hesse Street Queenscliff	Alterations (re-roofing) a building individually listed in a Heritage Overlay	0	Permit issued
2022/076	20/07/2022	77 Point Lonsdale Road Point Lonsdale	Permission under Clause 52.27 of the Queenscliffe Planning Scheme to use the land to sell and consume alcohol (Restaurant and Café Licence)	0	Public notification
2022/077	25/07/2022	101 Glaneuse Road Point Lonsdale	Construction of a building and variation to the front setback requirements of Design and Development Overlay – Schedule 4	0	Public notification
V 2022/078	26/07/2022	31 Hesse Street Queenscliff	Installation of solar panels in a Heritage area	N/A	Permit issued
2022/079	29/07/2022	3 Swan Island Queenscliff	Display signage (yacht club)	0	Further information requested 1 August 2022
2022/080	01/08/2022	36 Mercer Street Queenscliff	Part demolition, alterations and extensions to a dwelling individually listed in a Heritage Overlay, demolition of outbuildings, variation to the side setback requirements of Design and Development Overlay – Schedule 1	0	Public notification
2022/081	02/08/2022	16 Bedggood Avenue Point Lonsdale	Alterations and extensions to an existing dwelling and variation to the site coverage requirements of Design and Development Overlay – Schedule 4	0	Public notification



App. No	Date Received	Address	Proposal	No. of objections	Status
2022/082	04/08/2022	16 Stokes Street Queenscliff	Part demolition, alterations and extensions (two storey) to a dwelling in a Heritage Overlay, demolition and construction of a carport, variation to the side setback requirements of Design and Development Overlay – Schedule 1	0	Further information requested 15 August 2022
2022/083	04/08/2022	5 Beach Street Queenscliff	Part demolition, alterations and extensions to an existing dwelling in a Heritage Overlay area, construction of fences and variation to the site coverage requirements of Design and Development Overlay – Schedule 6	0	Further information requested 16 August 2022



15.2 Planning Application 2022/040: 23 Williams Road, Point Lonsdale

File:	QP570-2300
Author:	Senior Planner
Portfolio:	Planning, Heritage & Infrastructure
Portfolio Holder:	Cr Grout

PURPOSE

The purpose of this report is to provide an assessment and recommendation for a planning permit application for construction of a second dwelling, alterations to an existing dwelling, subdivision of the land into two lots and removal of native vegetation at 23 Williams Road, Point Lonsdale.

EXECUTIVE SUMMARY

The application seeks permission for construction of a second dwelling, alterations to an existing dwelling, subdivision of the land into two lots and removal of native vegetation on the site.

The subject land has the following zones and overlays:

- General Residential Zone – Schedule 1 (GRZ1)
- Vegetation Protection Overlay Schedule 1 (VPO1)
- Design and Development Overlay – Schedule 4 (DDO4)

A planning permit is triggered for the proposal under the following controls:

- Construction of a second dwelling under the GRZ1. Clause 55 is relevant to the assessment.
- Subdivision of the land under the GRZ1.
- Removal of native vegetation under the VPO1.
- Building and works and subdivision under the DDO4.

The subject site is located on the south west corner of Williams Road and Killearn Avenue, Point Lonsdale. The subject land has an area of 878 square metres and is developed with an existing double storey dwelling that is to be retained. The site has existing vehicle access from Williams Road and Killearn Avenue.

Land immediately to the south of the site contains an existing single storey dwelling fronting Killearn Avenue. Land to the west features a double storey dwelling fronting Williams Road. Properties opposite the site on the east side of Killearn Avenue are mainly double storey on larger lots. Land to the north, on the opposite side of Williams Road, have single and double storey dwellings.

The application has been advertised in accordance with the requirements of the *Planning and Environment Act 1987*. Council has received 12 objections to the proposal. The main issues raised in the objections are as follows:



- The bulk, scale, siting and excavated driveway and garage are not consistent with the neighbourhood character and contrary to DDO4.
- The proposed subdivision with a lot of 220 square metres is inconsistent with surrounding lot sizes and the character of the location.
- Traffic movements to intersection with Williams Road are problematic and this will add to those issues.
- Removal of vegetation and lack of screening from the road.

The key issue related to the proposal is the impact of the second dwelling on the character of the location and its prominence within the streetscape. The assessment of the proposal has highlighted that the second dwelling and subdivision results in a building form and lot pattern that is contrary to the character of the area and the objectives of policy at Clause 15.01-5L-03 and the DDO4. Accordingly the application is recommended to be refused.

Councillors Grigau / Tolhurst

That Council:

Having caused notice of Planning Application No. 2022-40 to be given under Section 52 of the *Planning and Environment Act 1987* and the Queenscliffe Planning Scheme and having considered all the matters required under Section 60 of the *Planning and Environment Act 1987*, resolves to issue of Notice of Decision to Refuse a Permit under the provisions of Clause 32.08, 42.02 and 43.02 of the Queenscliffe Planning Scheme in respect of the land known and described as 23 Williams Road Point Lonsdale for the construction of a second dwelling, alterations to an existing dwelling, subdivision of the land into two (2) lots and removal of native vegetation on the following grounds:

- 1) The building and subdivision are contrary to the neighbourhood character policy and controls at Clause 15.01-5L-03, Clause 42.02 of the Vegetation Protection Overlay Schedule 1, Clause 42.02 of the Design and Development Overlay Schedule 4 and Clause 55 based on the following:**
 - a) The building location is in close proximity to the existing building on the site and adjacent buildings and creates an intensity of building form that is not responsive to the character of the location with little space around the entirety of the building available for substantial planting.**
 - b) The building relies on earthworks to manipulate the building into the site including the provision of the driveway and garage and requires retaining walls into the road reserve.**
 - c) The building results in removal of native vegetation on the land and in the road reserve and will result in less opportunity to screen the building using vegetation.**
 - d) The building will be prominent in the streetscape in both setback and height being higher than adjacent buildings forms accentuating the vertical building elements rather than a building that will integrate into the vegetated streetscape.**
 - e) The proposal results in a subdivision pattern that is inconsistent with the neighbourhood character and that accentuates the building form impacts in the streetscape.**

Carried

REPORT

BACKGROUND

The subject land has an area of 878 square metres and is developed with an existing double storey dwelling that is to be retained. The site has existing vehicle access from Williams Road and Killlearn Avenue.

Land immediately to the south of the site contains an existing double storey dwelling fronting Killlearn Avenue. Land to the west features a double storey dwelling fronting Williams Road. Properties opposite the site on the east side of Killlearn Avenue are mainly double storey on bigger lots with large front setbacks. Land to the north, on the opposite side of Williams Road, contain single and double storey dwellings and an area of vegetated open space associated with the Point Lonsdale cemetery.

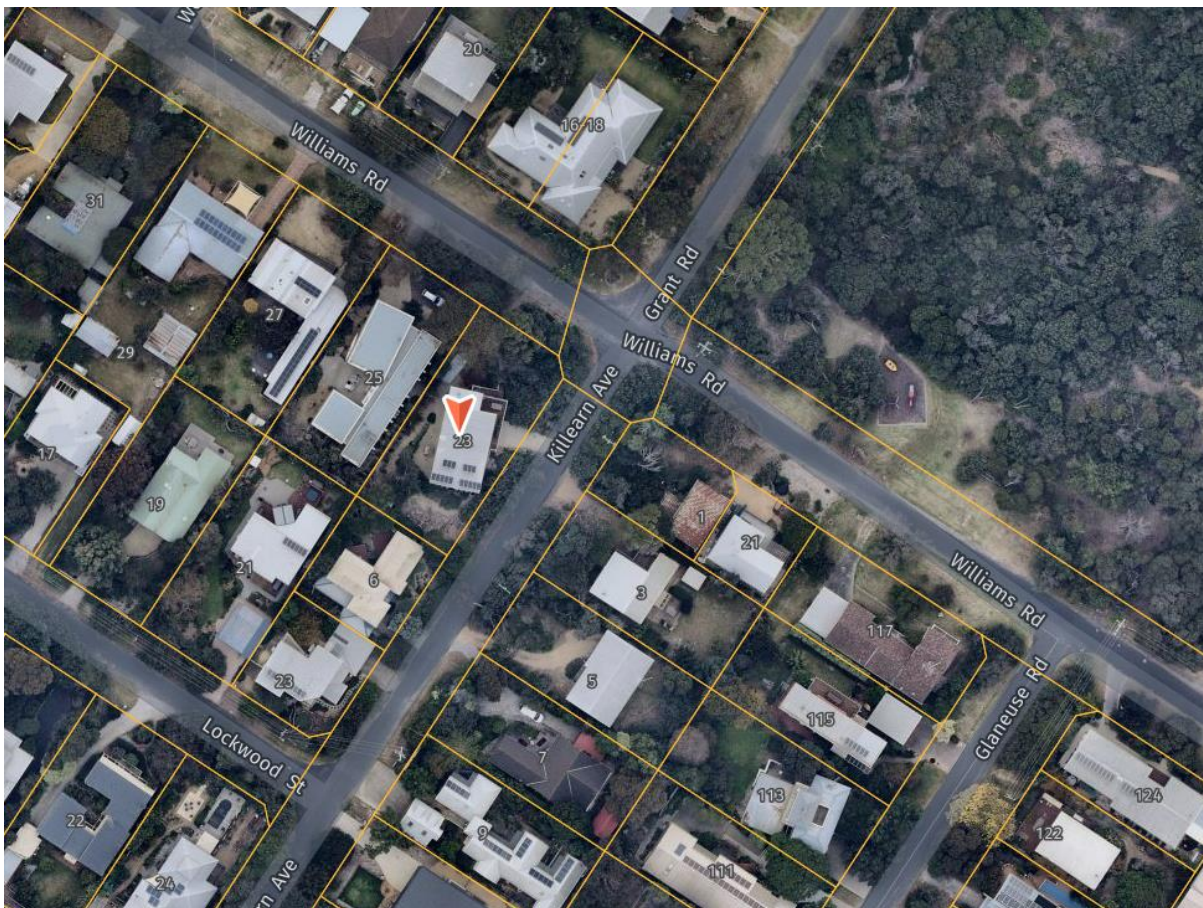


Figure 1: Aerial photo 23 Williams Road Point Lonsdale

The application was advertised and has generated 12 objections. The applicant has responded to the issues raised in the objections and no changes to the plans have been undertaken post the notification process.

DISCUSSION



Proposal

The application seeks to undertake the following:

- Develop a second two storey dwelling on the southern side of the existing site and with retention of the existing dwelling on the land.
- The second dwelling is proposed to have a setback of 3.8 metres to Williams Road to the front wall with open decks forward of the front wall. The dwelling will feature a double garage, which is partially excavated into the ground level. The driveway will be excavated into the front setback by up to a metre to access the garage.
- The second dwelling proposes setbacks at the closest point of between 1.2 metres to 1.5 metres from the northern, southern and western boundaries.
- The second dwelling proposes a height of 6.9 metres and the site coverage across the whole site, including both dwellings, will be 27%. The site coverage of the proposed dwelling on its new proposed lot will be 45%.
- The dwelling is to be constructed in fabricated panelling, metal ribbed roofing to a pitched roofed. Some walls will have the metal ribbed material and timber boards as features.
- The proposal seeks subdivision of the and with a 220 square metre lot for the second dwelling and a 660 square metre lot for the existing dwelling.
- The proposal relies on the removal of four trees in the nature strip and six trees on site including coastal tea tree and Bracelet honey myrtle. An existing tree on the neighbouring property to the south will be retained. An arborist report has been provided detailing the vegetation for removal has a low overall value.

Plans of the proposed building are detailed below:

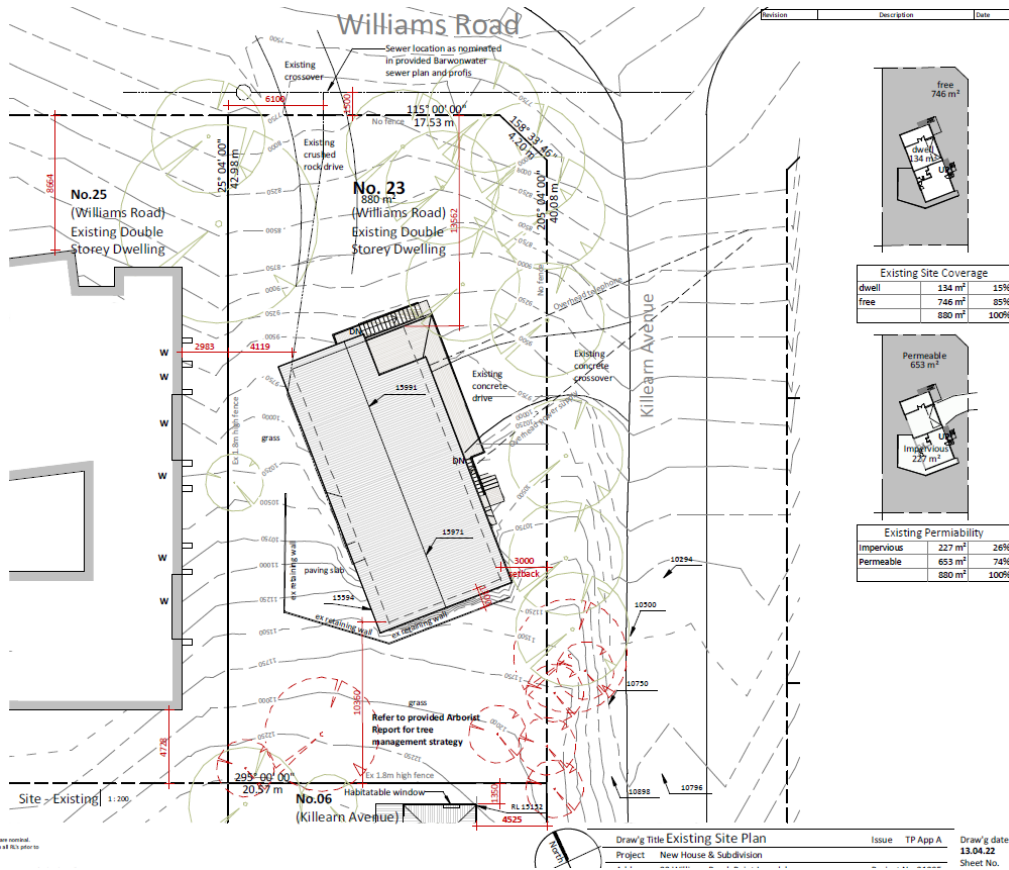


Figure 2: Existing site plan

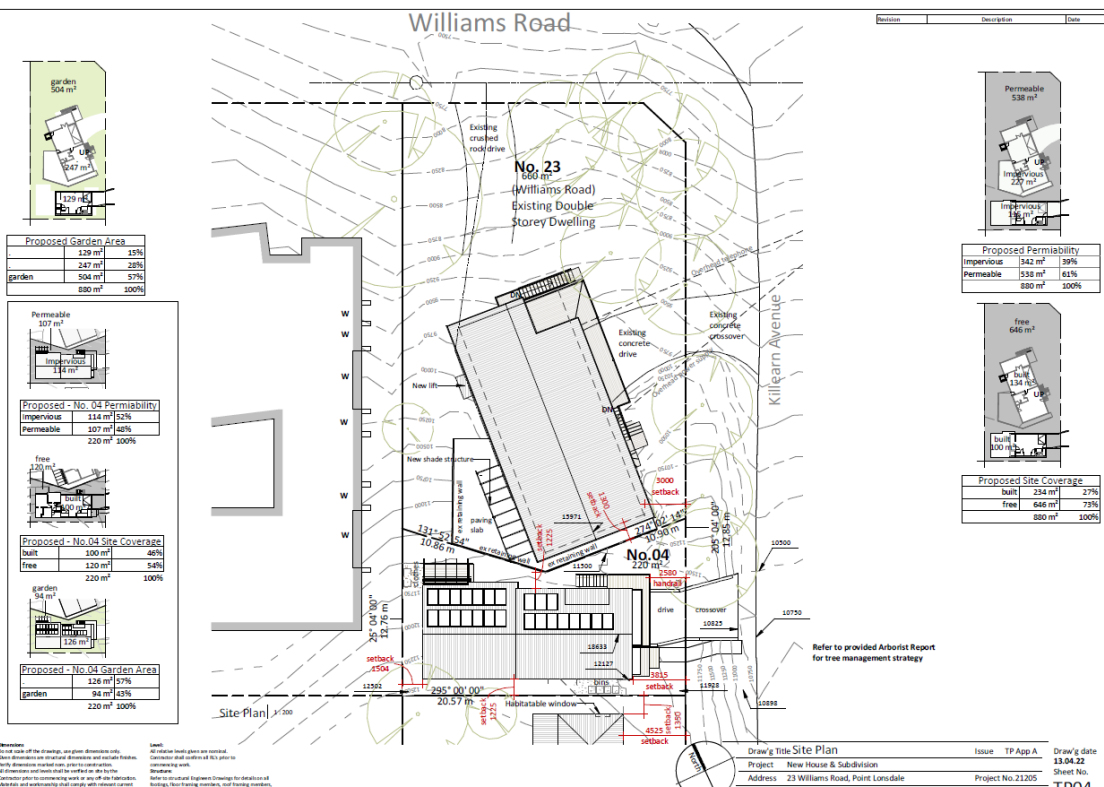


Figure 3: Proposed site plan

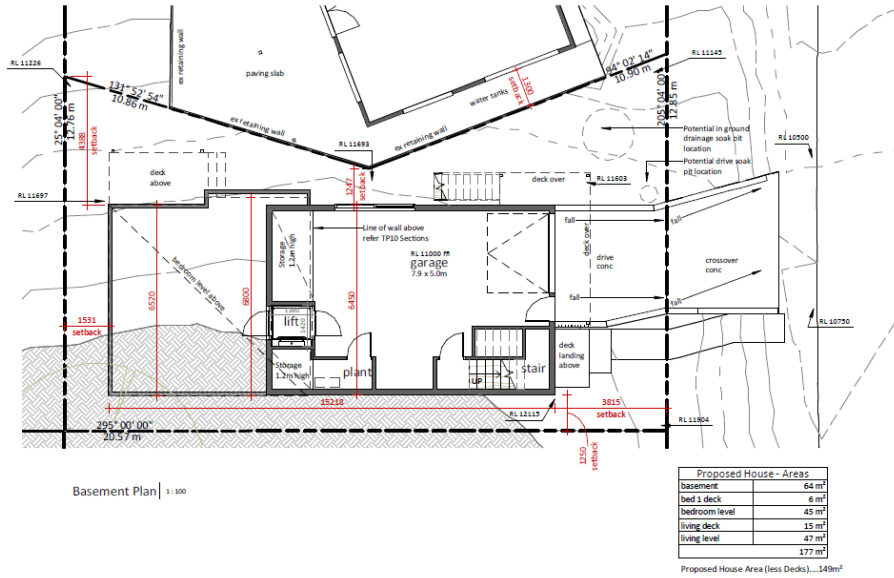


Figure 4: Proposed basement plan

Draw/g Title	Proposed Basement Floor Plan	Issue	TP App A	Draw/g date	13.04.22
Project	New House & Subdivision	Sheet No.		Project No.	21205
Address	23 Williams Road, Point Lonsdale	Client	Chris Allen	Scale	1:100 @ A1
					TP05

Revision	Description	Date

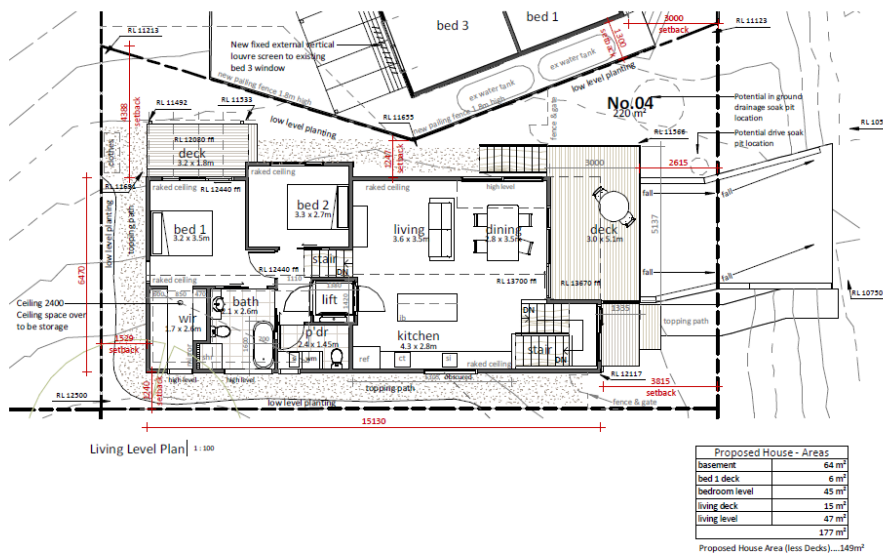


Figure 5: Proposed ground level plan

Draw/g Title	Proposed Living Level Plan	Issue	TP App A	Draw/g date	13.04.22
Project	New House & Subdivision	Sheet No.		Project No.	21205
Address	23 Williams Road, Point Lonsdale	Client	Chris Allen	Scale	1:100 @ A1
					TP06

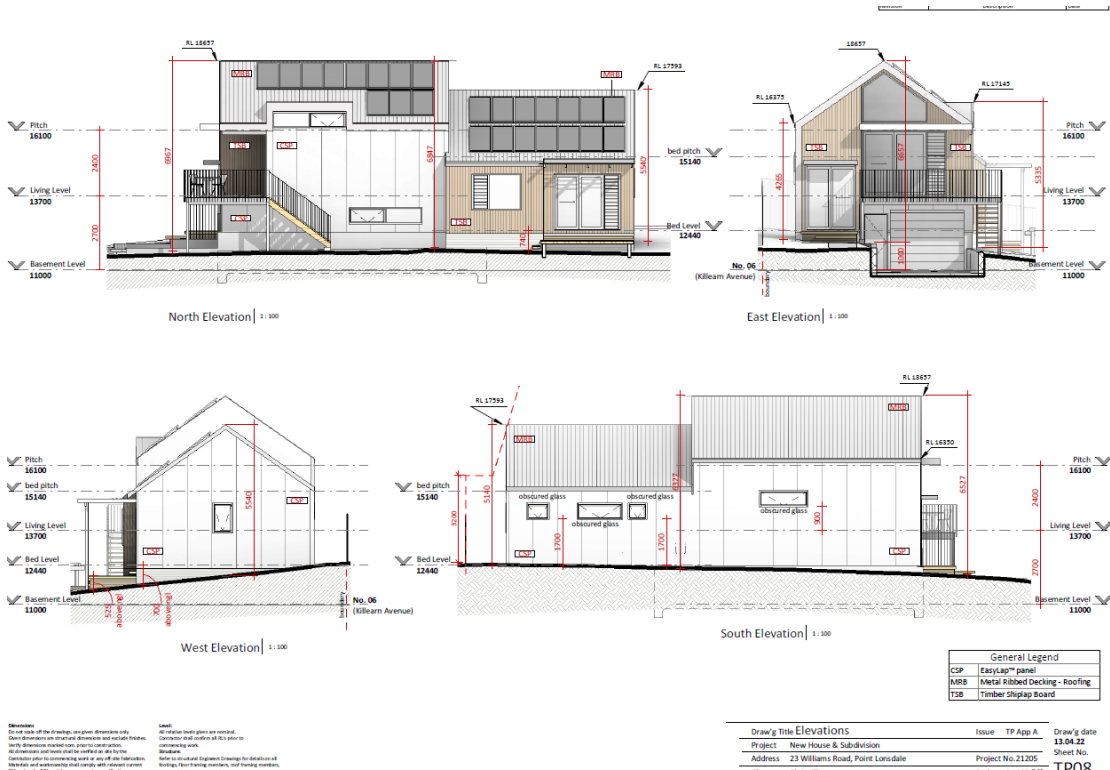


Figure 6: Proposed elevations



Figure 7: Proposed perspectives

Revision	Description	Date

Draw'n Title Perspectives
 Project: New House & Subdivision
 Address: 23 Williams Road, Point Lonsdale
 Client: Chels Allen

Issue TP App A
Draw'n date 13.04.22
Sheet No. TP07
Project No. 21205
Scale 1/4"

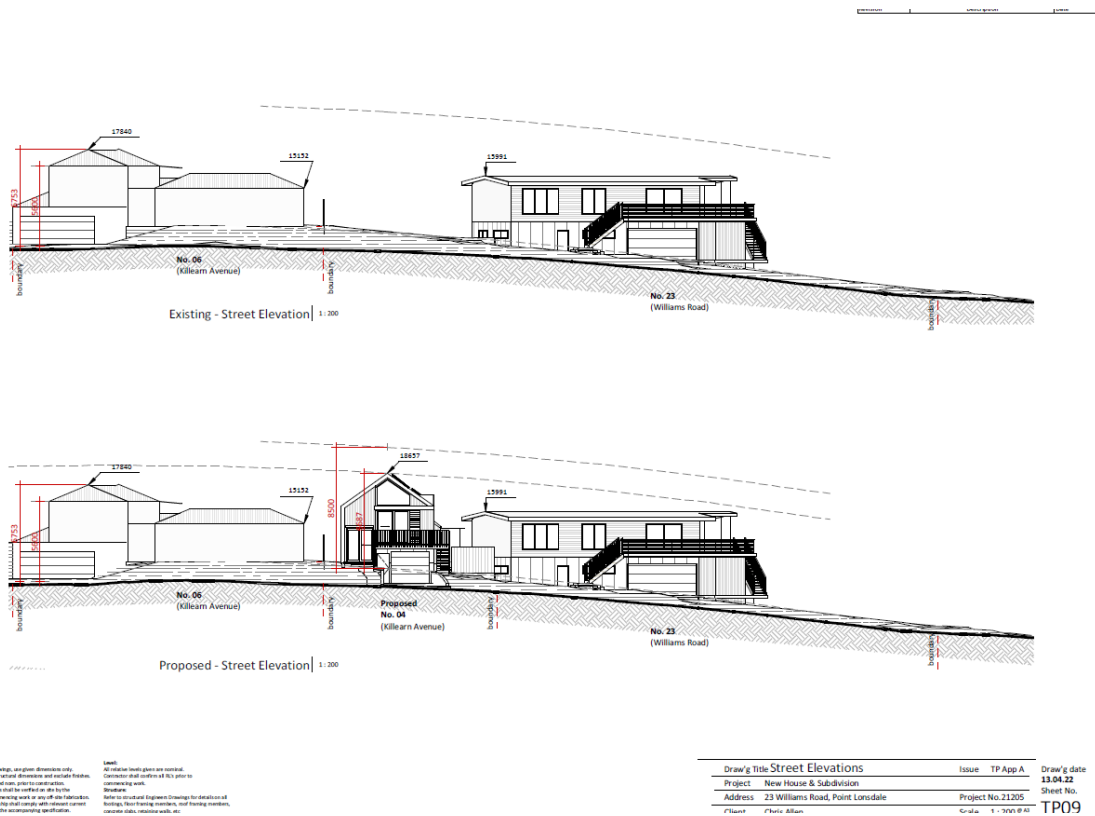


Figure 8: Proposed street elevations

Assessment

It is noted the proposed second dwelling provides for housing diversity and choice in the location however the siting of the additional dwelling on the land combined with the retention of the existing dwelling results in a built form outcome that conflicts with the policy and controls that aim to manage impacts to neighbourhood character.

The position and scale of the additional dwelling results in a building that is close to adjoining building forms with limited spacing between the buildings. This accentuates the building scale and creates an intensity that detracts from the rhythm and spacing of the buildings in the streetscape.

The new building form relies on excavation of the driveway and garage resulting in retaining walls being a dominant feature to the front of the site and into the road reserve. Driveways to Killearn Avenue and adjoining streets are a feature in the area however these forms are less dominant, being at grade, and having more opportunity for screening vegetation to be effective.

The excavated driveway extends the dominant building forms into the road reserve and detracts from the limited opportunity for screening. Clause 15.01-5L-03 has a stagey related to siting as follows:

- *Minimise the visibility of buildings from the street and other private and public areas and any visual intrusion into the natural coastal appearance of the area.*

The proposed second dwelling does not achieve the strategy above and creates a dominant built form and accessway in the streetscape.



The DDO4 has the following objectives in relation to key character attributes of the location and how buildings might respond to these:

- *To ensure new development maintains, protects and enhances the distinguishing elements of the urban character of the Point Lonsdale Natural Coastal Area, such as:*
 - *The undulating dune topography and dense coastal tea tree and moonah vegetation within private gardens, road verges and foreshore areas, which creates a prevailing natural coastal and informal village atmosphere for the area.*
 - *Predominantly low density development and informal roadways.*
 - *Prevailing low scale, detached early 20th Century residential buildings that recede within the vegetated coastal environment.*
 - *Unique mix and diversity of intact historic holiday town building types varying from Californian, Art Deco, Post War, 1960s and contemporary design.*
 - *Substantial estate properties with large dwellings set within significant areas of remnant vegetation which significantly contribute to the native coastal sense of place.*
 - *The informal road network with limited use of kerb and channel and predominantly grassed road shoulders.*
 - *The predominantly broad and densely vegetated road reserves and relatively indistinguishable front boundaries of private properties.*
 - *Significant viewlines towards Port Phillip Bay and shorter corridor views to well vegetated dunes.*
- *To ensure buildings, fences and driveways do not visually dominate the prevailing natural coastal appearance of the area.*
- *To protect the substantial vegetation cover which is a dominant visual and environmental feature in the area by ensuring new development retains natural or established vegetation and provides substantial areas for new landscaping and open space.*
- *To respect the existing built form through compatible building heights and set backs for new development.*

Whilst the second building is able to meet some of the standards in the DDO4 related to height and site coverage these outcomes of themselves do not justify the proposal in the context of the streetscape and location. The DDO4 objectives and decision guidelines emphasise that a building should respond to the key characteristics of the location as detailed above. The building form and its siting will result in a taller building in the streetscape compared to the existing building on the subject site and adjacent buildings to the south. The proposed building form articulates the vertical form of the building rather than a horizontal form primarily due to the constrained site. The application seeks to remove vegetation within the road reserve for development of the building, and whilst replanting is proposed as part of the application, the excavated driveway and elevated form of the building limit any opportunity for vegetated screening to be effective. The outcome is a building that will be prominent and obvious within the immediate streetscape.

It is acknowledged that the buildings to the south at 6 Killlearn Avenue and 23 Lockwood Street have two storey elements setback to Killlearn Avenue, however these buildings still have larger setbacks than that proposed for the second dwelling on the subject land and have space around the building forms. The building forms to the south of the subject site are also of a scale that sit lower in the streetscape than the proposed dwelling and benefit from screening vegetation in the



road reserve accordingly. The proposed second dwelling on the subject land does not result in a building that is subdued and integrated into the streetscape but rather is a building that is “squeezed” into a site concentrating the impacts of the building in the landscape.

The proposed 220 square metre lot creates a lot pattern that is unusual in the location and emphasises the building form on the site. The lot pattern forces an outcome for the excavated driveway and garage and limits opportunity for spacing around the building. The lot size constrains a more horizontal building form outcome and results in a building form that is in close proximity to the buildings on the subject land and the building at 6 Killearn Avenue which is not a common characteristic in the location.

Pursuant to the GRZ1 the proposal is required to be assessed against Clause 55 - Two of more dwellings on a lot. An assessment against Clause 55 is included in Attachment 1.

The proposal is able to respond to a number of the objectives and standards however the proposal is considered to fail when assessed against Clause 55.02-1 - Neighbourhood Character and the objectives of some elements that contribute to that. The character of the location generally features buildings that are screened by vegetation and whilst larger buildings are present these are setback with space and vegetation between the building forms. Due to the constraints provided by the area for the proposed building and its elevated form to the front of the site the building will read as prominent in the streetscape accentuating the building form and proximity to adjacent buildings rather than being subservient to the vegetated context.

On the basis of the above assessment it is considered the proposal as submitted is not worthy of support.

Options

- Option 1 – That Council adopt the officer recommendation as presented.
- Option 2 – That Council modify the officer recommendation.
- Option 3 – That Council reject the officer recommendation.

COMMUNICATIONS AND ENGAGEMENT

Community Engagement



The application has been advertised, in accordance with the requirements of the *Planning & Environment Act 1987*. Specifically, the applicant:

- Directly notified, via Registered Post, surrounding landowners.
- Displayed two signs on the property – for a period of not less than 14 days.



Council received 12 objections to the proposal. The key issues raised in the objections are summarised below:

- The bulk, scale, siting and excavated driveway and garage are not consistent with the neighbourhood character and contrary to DDO4.
- The proposed subdivision with a lot of 220 square metres is inconsistent with surrounding lot sizes and the character of the location.
- Traffic movements to intersection with Williams Road are problematic and this will add to those issues.
- Removal of vegetation and lack of screening from the road.
- Potential overshadowing of land to the south.

Broadly the issues raised in the objections align with the officer's assessment related to the inability of the proposed building and new lot to reflect the preferred character of the locality.

Assessment of the proposal against some elements of the objections related to overshadowing and traffic suggests the issue of overshadowing impact is generally aligned with standards in Clause 55 and potential traffic increases will not be to a level to impact adjoining roads and/or intersections.

Collaboration

There has been no collaboration with other Council's in assessing the application.

GOVERNANCE CONTEXT

Relevant Law

Development and land use within the Borough of Queenscliffe is regulated by the provisions of the Queenscliffe Planning Scheme. An assessment against the relevant elements of the Queenscliffe Planning Scheme has been provided earlier in this report and in Attachment 1.

Charter of Human Rights

This report has had consideration to, and complies with, the *Charter of Human Rights and Responsibilities Act 2006*.

Gender Equality Act 2020

The *Gender Equality Act 2020* requires a Gender Impact Assessment to be undertaken when Council develops or reviews any Council policy, program or service that has a direct and significant impact on the public.

The assessment of the planning application does not require a Gender Impact Assessment.

Regional, State and National Plans and Policies

There are no additional Regional, State and National Plans and Policies applicable to the assessment of the application.



Council Plan Alignment

The assessment of the proposal aligns with *Portfolio 4: Heritage, planning and infrastructure* in the *Council Plan 2021 – 2025*. The Strategic Objective for Portfolio 4 is *to protect our distinctive coastal, cultural and built environment, and provide sustainable, suitable infrastructure*.

Legal and Risk Implications

There are no legal or risk implications for Council associated with the proposal. The final position of Council is subject to review at VCAT by parties. In the event the matter progresses to VCAT, Council is able to explain its decision-making process in that forum.

Related Documents

There are no related documents associated with the application.

Disclosure of Interest

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

CONSIDERATIONS

Environmental Sustainability

Specific issues of environmental sustainability have not been required for the assessment of the proposal, however in the event a dwelling was supported there are minimum standards for dwellings to achieve in relation to energy efficiency.

Financial and resource implications

There are no budget or resource implications specific to the processing of the application. Consideration can be given to representation at future VCAT hearings on the matter if the matter proceeds to VCAT subject to the current budget.

Innovation and Continuous Improvement

There are no areas for innovation and continuous improvement identified as a result of the application.

IMPLEMENTATION

Operational Impacts

There are no operational impacts associated with the application.

Implementation Process

The decision of Council will be conveyed to all parties related to the application and in the event the application is refused the permit applicant will have rights of appeal to VCAT. In the event a permit is supported objectors will have right of appeal to VCAT. If the matter proceeds to VCAT Council will be a party to the proceeding and be required to present its position to VCAT as part of any future hearing.



ATTACHMENTS

Assessment against Clause 55 Two or more dwellings on a lot

ATTACHMENT 1 – ASSESSMENT AGAINST CLAUSE 55

55.02 NEIGHBOURHOOD CHARACTER AND INFRASTRUCTURE				
55.02-1 Neighbourhood Character	Met ?	Standard B1	Met ?	Comments
<p><i>To ensure that the design respects the existing neighbourhood character or contributes to neighbourhood character.</i></p> <p><i>To ensure that development responds to the features of the site and the surrounding area</i></p>	No	<i>The design response must be appropriate to the neighbourhood and the site.</i>	No	The proposal is considered to result in a building form that is inconsistent with the surrounding neighbourhood character. The setbacks, scale and siting of the proposed second dwelling results in a dominant building form in the streetscape that is contrary to the low scale, buildings screened by vegetation that contribute to the overall character of the location.
		<i>The proposed design must respect the existing or preferred neighbourhood character and respond to the features of the site</i>	No	As above.
55.02-2 Residential Policy	Met ?	Standard B3	Met ?	Comments
<p><i>To ensure that residential development is provided in accordance with any policy for housing in the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.</i></p>	Yes	<i>An application must be accompanied by a written statement to the satisfaction of the responsible authority that describes how the development is consistent with any relevant policy for housing in the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.</i>	Yes	The proposal is supported by a response to the relevant policies. The compliance with relevant policies related to neighbourhood character is disputed.



<p><i>To support medium densities in areas where development can take advantage of public transport and community infrastructure and services</i></p>				
<p>55.02-3 Dwelling Diversity</p>	<p>Met ?</p>	<p>Standard B3</p>	<p>Met ?</p>	<p>Comments</p>
<p><i>To encourage a range of dwelling sizes and types in developments of ten or more dwellings</i></p>	<p>N/A</p>	<p><i>Developments of ten or more dwellings should provide a range of dwelling sizes and types, including: Dwellings with a different number of bedrooms. At least one dwelling that contains a kitchen, bath or shower, and a toilet and wash basin at ground floor level.</i></p>	<p>N/A</p>	
<p>55.02-4 Infrastructure</p>	<p>Met ?</p>	<p>Standard B4</p>	<p>Met ?</p>	<p>Comments</p>
<p><i>To ensure development is provided with appropriate utility services and infrastructure.</i></p> <p><i>To ensure development does not unreasonably overload the capacity of utility services and infrastructure.</i></p>	<p>Yes</p>	<p><i>Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if available.</i></p>	<p>Yes</p>	
		<p><i>Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.</i></p>	<p>Yes</p>	
		<p><i>In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure.</i></p>	<p>Yes</p>	



55.02-5 Integration With The Street	Met ?	Standard B5	Met ?	Comments
<i>To integrate the layout of development with the street</i>	No	<i>Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility.</i>	No	The proposed dwelling relies on significant excavation for the driveway and use of retaining walls in the road reserve.
		<i>Development should be oriented to front existing and proposed streets</i>	Yes	
		<i>High fencing in front of dwellings should be avoided if practicable</i>	Yes	
		<i>Development next to existing public open space should be laid out to complement the open space.</i>	N/A	

55.03 SITE LAYOUT AND BUILDING MASSING				
55.03-1 Street Setback	Met ?	Standard B6	Met ?	Comments
<i>To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site</i>	Yes	<p><i>Walls of buildings should be set back from streets the distance specified below:</i></p> <p><i>There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner.</i></p> <p><i>average distance of the setbacks of the front walls of the existing buildings on the abutting allotments facing the front street or 9 metres, whichever is the lesser.</i></p> <p><i>There is an existing building on one abutting allotment facing the same street and no existing building on the other abutting allotment facing the same street, and the site is not on a corner:</i></p> <p><i>The same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser.</i></p> <p><i>There is no existing building on either of the abutting allotments facing the same street, and the site is not on a corner.</i></p> <p><i>metres for streets in a Road Zone,</i></p>	Yes	No change to existing dwelling and the new dwelling has setback at 3.8 metres to side street.



		<p><i>Category 1, and 4 metres for other streets.</i></p> <p><i>The site is on a corner.</i></p> <p><i>front setback if there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser.</i></p> <p><i>front setback if there is no building on the abutting allotment facing the front street, 6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.</i></p> <p><i>nt walls of new development fronting the side street of a corner site should be setback at least the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 3 metres, whichever is the lesser.</i></p> <p><i>Side walls of new development on a corner site should be setback the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 2 metres, whichever is the lesser.</i></p>		
		<i>Porches, pergolas and verandahs that are < 3.6m high and eaves may encroach ≤2.5m into the setbacks of this standard</i>	Yes	
55.03-2 Building Height	Met ?	Standard B7	Met ?	Comments
<i>To ensure that the height of buildings respects the existing or preferred neighbourhood character</i>	No	<i>The maximum building height should not exceed 9 metres, unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the maximum building height should not exceed 10 metres.</i>	Yes	The building is able to comply with the standard, however, the height of the building in the streetscape contributes to issues of how the building responds to the streetscape character.
		<i>Changes of building height between existing buildings and new buildings should be graduated.</i>	Yes	
55.03-3 Site Coverage	Met?	Standard B8	Met?	Comments



<i>To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site</i>	Yes	<i>The site area covered by buildings should not exceed 60 per cent</i>	Yes	
55.03-4 Permeability	Met?	Standard B9	Met?	Comments
<i>To reduce the impact of increased stormwater run-off on the drainage system.</i>	Yes	<i>The site area covered by the pervious surfaces should be at least 20% of the site</i>	Yes	
<i>To facilitate on-site stormwater infiltration</i>		<i>The stormwater management system should be designed to: Meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater - Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999). Contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.</i>	Yes	The proposal will rely on a soakage pit to the front of the site.
55.03-5 Energy Efficiency	Met?	Standard B10	Met?	Comments
<i>To achieve and protect energy efficient dwellings and residential buildings</i>	Yes	<i>Buildings should be: Orientated to make appropriate use of solar energy Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced</i>	Yes	The building is orientated to take advantage of solar orientation to the north.
<i>To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy</i>		<i>Living areas and private open space should be located on the north side of the development if practicable</i>	Yes	
		<i>Developments should be designed so that solar access to north-facing windows is maximised</i>	Yes	



55.03-6 Open Space	Met?	Standard B11	Met?	Comments
<i>To integrate the layout of the development with any public and communal open space provided in or adjacent to the development</i>	N/A	<i>If any public or communal open space is provided on site, it should: Be substantially fronted by dwellings, where appropriate Provide outlook for as many dwellings as practicable Be designed to protect any natural features on the site Be accessible and useable</i>	N/A	
55.03-7 Safety	Met?	Standard B12	Met?	Comments
<i>To ensure the layout of development provides for the safety and security of residents and property</i>	Yes	<i>Entrances to dwellings should not be obscured or isolated from the street and internal accessways</i>	Yes	
		<i>Planting which creates unsafe spaces along streets and accessways should be avoided</i>	Yes	
		<i>Developments should be designed to provided good lighting, visibility and surveillance of car parks and internal accessways</i>	Yes	
		<i>Private spaces within developments should be protected from inappropriate use as public thoroughfares</i>	Yes	
55.03-8 Landscaping	Met?	Standard B13	Met?	Comments
<i>To encourage development that respects the landscape character of the neighbourhood</i> <i>To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance</i>	No	<i>The landscape layout and design should: Protect any predominant landscape features of the neighbourhood Take into account the soil type and drainage patterns of the site Allow for intended vegetation growth and structural protection of buildings In locations of habitat importance, maintain existing habitat and provide for new habitat for plants and animals Provide a safe, attractive and functional environment for residents</i>	No	The building relies on vegetation removal in the road reserve and whilst replanting is proposed, the constraints of the new lot and proposed dwelling limit the effectiveness of planting in contributing to the vegetated landscape.
		<i>Development should provide for the retention or planting of trees,</i>	Yes	An existing tree to the north west of the site is retained.



<p>To provide appropriate landscaping</p> <p>To encourage the retention of mature vegetation on the site</p>		<p>where these are part of the character of the neighbourhood</p>		
		<p>Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made</p>	No	<p>Aerial photos suggest some vegetation removal has occurred, however, the extent and need for replacement is not clear in the application.</p>
		<p>The landscape design should specify landscape themes, vegetation (location and species), paving and lighting</p>	Yes	
55.03-9 Access	Met ?	Standard B14	Met ?	Comments
<p>To ensure the number and design of vehicle crossovers respects the neighbourhood character</p>	Yes	<p>The width of accessways or car spaces should not exceed: 33% of the street frontage, or if the width of the street frontage is less than 20m, 40% of the street frontage</p>	Yes	<p>Whilst the accessway meets the standard, the proposal relies on the use of retaining walls on the accessway, contrary to the character of the area.</p>
		<p>No more than one single-width crossover should be provided for each dwelling fronting a street</p>	Yes	
		<p>The location of crossovers should maximize the retention of on-street car parking spaces</p>	No	
		<p>The number of access point to a road in a Road Zone should be minimised</p>	N/A	
		<p>Developments must provide access for service, emergency and delivery vehicles</p>	Yes	
55.03-10 Parking Location	Met ?	Standard B15	Met ?	Comments
<p>To provide convenient parking for resident and visitor vehicles</p> <p>To protect residents from vehicular noise within developments</p>	Yes	<p>Car parking facilities should: Be reasonably close and convenient to dwellings and residential buildings Be secure Be well ventilated if enclosed</p>	Yes	
		<p>Shared accessways or car parks of other dwellings and residential buildings should be located at least 1.5m from the windows of habitable rooms. This setback may be reduced to 1m where there is a fence at least 1.5m high or where window sills are at least 1.4m above the accessway</p>	Yes	



55.04 AMENITY IMPACTS				
55.04-1 Side And Rear Setback	Met ?	Standard B17	Met ?	Comments
To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings	Yes	A new building not on or within 200mm of a boundary should be set back from side or rear boundaries 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.	Yes	
		A new building not on or within 200mm of a boundary should be setback from side or rear boundaries 1m, plus 0.3m for every metre of height over 3.6m up to 6.9m, plus 1m for every metre of height over 6.9m	Yes	
		Sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5m into the setbacks of this standard	N/A	
		Landings having an area of not more than 2sqm and less than 1m high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard	N/A	
55.04-2 Wall On Boundaries	Met ?	Standard B18	Met ?	Comments
To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings	N/A	A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of a lot should not abut the boundary for a length of more than: 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of	N/A	



		<i>the existing or simultaneously constructed walls or carports, whichever is the greater.</i>		
		<i>A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1m of a side or rear boundary of a lot should not abut the boundary for a length of more than: 10m plus 25% of the remaining length of the boundary of an adjoining lot, or Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports, whichever is the greater.</i>	N/A	
		<i>A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.</i>	N/A	
		<i>The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.</i>	N/A	
55.04-3 Daylight To Existing Windows	Met ?	Standard B19	Met ?	Comments
<i>To allow adequate daylight into existing habitable room windows</i>	Yes	<i>Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3sqm and minimum dimensions of 1m clear to the sky. The calculation of the area may include land on the abutting lot</i>	Yes	Habitable rooms' windows have appropriate light.



		<p><i>Walls or carports more than 3m in height opposite an existing habitable room window should be set back from the window at least 50% of the height of the new wall if the wall is within a 55° arc from the centre of the existing window. The arc may be swung to within 35° of the plane of the wall containing the existing window. Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.</i></p> <p><i>Refer to Diagram B2</i></p>	N/A	
55.04-4 North Facing Windows	Met ?	Standard B20	Met ?	Comments
<i>To allow adequate solar access to existing north-facing habitable room windows</i>	N/A	<p><i>If a north-facing habitable window of an existing dwelling is within 3m of a boundary on an abutting lot, a building should be setback from the boundary 1m, plus 0.6m for every metre of height over 3.6m up to 6.9m, plus 1m for every metre of height over 6.9m, for a distance of 3m from the edge of each side of the window.</i></p> <p><i>A north-facing window is a window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east.</i></p> <p><i>Refer to Diagram B3</i></p>	N/A	
55.04-5 Overshadow Open Space	Met ?	Standard B21	Met ?	Comments
<i>To ensure buildings do not significantly overshadow existing secluded private open space</i>	Yes	<p><i>Where sunlight to secluded private open space of an existing dwelling is reduced, at least 75%, or 40sqm with minimum dimension of 3m, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9am and 3pm on 22 September</i></p>	Yes	<p>Based on the shadow diagrams presented, the proposal will not result in shadowing outcomes contrary to the standard, although some increased shadow at 9am at the Equinox will occur to the open space to the south of the site.</p>



		<i>If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced</i>	N/A	
55.04-6 Overlooking	Met ?	Standard B22	Met ?	Comments
<i>To limit views into existing secluded private open space and habitable room windows</i>	Yes	<i>A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9m (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45° angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7m above the floor level</i>	Yes	Overlooking from the dwelling will be managed by proposed fencing and obscure windows to the south elevation.
		<i>A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of an existing dwelling within a horizontal distance of 9m (measured at ground level) of the window, balcony, terrace, deck or patio should be either:</i> <ul style="list-style-type: none"> • <i>offset a minimum of 1.5m from the edge of one window to the edge of the other</i> • <i>have sill heights of at least 1.7m above floor level</i> • <i>have fixed, obscure glazing in any part of the window below 1.7m above floor level</i> • <i>have permanently fixed external screens to at least 1.7m above floor level and be no more than 25% transparent</i> 	Yes	
		<i>Obscure glazing in any part of the window below 1.7m above floor level may be openable provided that there are no direct views as specified in this standard</i>	Yes	



		<p>Screens used to obscure a view should be:</p> <ul style="list-style-type: none"> • perforated panels or trellis with a maximum of 25% openings or solid translucent panels • permanent, fixed and durable • designed and coloured to blend with the development 	Yes	
55.04-7 Internal Views	Met ?	Standard B23	Met ?	Comments
To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development	Yes	Windows and balconies should be designed to prevent overlooking of more than 50% of the secluded private open space of a lower-level dwelling or residential building directly below and within the same development	Yes	
55.04-8 Noise Impacts Objective	Met ?	Standard B24	Met ?	Comments
To contain noise sources in developments that may affect existing dwellings	Yes	Noise sources, such as mechanical plant, should not be located near boundaries of immediately adjacent existing dwellings	Yes	
To protect residents from external noise		Noise sensitive rooms and secluded private open spaces of new dwellings and residential buildings should take account of noise sources on immediately adjacent properties	Yes	
		Dwellings and residential buildings close to busy roads, railway lines or industry should be designed to limit noise levels in habitable rooms	Yes	

55.05 ON-SITE AMENITY AND FACILITIES

55.05-1 Accessibility	Met ?	Standard B25	Met ?	Comments
To encourage the consideration of the needs of people with limited mobility in the design of developments	Yes No N/A	The dwelling entries of the ground floor of dwellings and residential buildings should be accessible or able to be easily made accessible to people with limited mobility.	Yes No NA	



55.05-2 Dwelling Entry	Met ?	Standard B26	Met ?	Comments
<i>To provide each dwelling or residential building with its own sense of identity</i>	Yes No N/A	<i>Entries to dwellings and residential buildings should: be visible and easily identifiable from streets and other public areas provide shelter, a sense of personal address and a transitional space around the entry</i>	Yes No NA	
55.05-3 Daylight To New Windows	Met ?	Standard B27	Met ?	Comments
<i>To allow adequate daylight into new habitable room windows</i>	Yes	<i>A window in a habitable room should be located to face: an outdoor space or a light court with a minimum area of 3sqm and minimum dimension of 1m clear to the sky, not including land on an abutting lot, or a verandah provided it is open for at least one third its perimeter, or a carport provided it has two or more open sides and is open for at least one third of its perimeter</i>	Yes	
55.05-4 Private Open Space	Met ?	Standard B28	Met ?	Comments
<i>To provide adequate private open space for the reasonable recreation and service needs of residents</i>	Yes	<i>A dwelling or residential building should have private open space: an area of 40sqm, with one part secluded at the side or rear with a min area of 25sqm, a min dimension of 3m and convenient access from a living room, or a balcony of 8sqm with a min width of 1.6m and convenient access from a living room, or a roof-top area of 10sqm with a min width of 2m and convenient access from a living room</i>	Yes	Whilst such spaces can be provided, the dwelling has limited recreation areas due to the size of the proposed lot and setbacks to boundaries.
55.05-5 Solar Access To Open Space	Met ?	Standard B29	Met ?	Comments
	Yes	<i>The private open space should be located on the north side of the dwelling or residential buildings</i>	Yes	



<i>To allow solar access into the secluded private open space of new dwellings and residential buildings</i>		<i>The southern boundary of secluded private open space should be set back from any wall on the north of the space at least $(2 + 0.9h)$ metres, where 'h' is the height of the wall</i> Refer to Diagram B29	Yes	
55.05-6 Storage	Met ?	Standard B30	Met ?	Comments
<i>To provide adequate storage facilities for each dwelling</i>	Yes	<i>Each dwelling should have convenient access to at least 6m³ of externally accessible, secure storage space</i>	Yes	

55.06 DETAILED DESIGN				
55.06-1 Design Detail	Met ?	Standard B31	Met ?	Comments
<i>To encourage design detail that respects the existing or preferred neighbourhood character</i>	Yes	<i>The design of buildings, including: Facade articulation and detailing, Window and door proportions, Roof form, and Verandahs, eaves and parapets, should respect the existing or preferred neighbourhood character.</i>	Yes	The detail of the building provides forms that are compatible with other buildings in the area, noting the elevated pitched roof adds to the context of the taller building in the immediate streetscape.
		<i>Garages and carports should be visually compatible with the development and the existing or preferred neighbourhood character</i>	Yes No NA	
55.06-2 Front Fences	Met ?	Standard B32	Met ?	Comments
<i>To encourage front fence design that respects the existing or preferred neighbourhood character</i>	N/A	<i>The design of front fences should complement the design of the dwelling and any front fences on adjoining properties</i>	N/A	
		<i>A front fence within 3m of a street should not exceed: Streets in a Road Zone – 2m Other Streets – 1.5m</i>	N/A	
55.06-3 Common Property	Met ?	Standard B33	Met ?	Comments
	N/A	<i>Developments should clearly delineate public, communal and private areas</i>	N/A	



<p><i>To ensure that communal open space, car parking, access lanes and site facilities are practical, attractive and easily maintained</i></p> <p><i>To avoid future management difficulties in areas of common ownership</i></p>		<p><i>Common property, should be functional and capable of efficient management</i></p>	<p>N/A</p>	
<p>55.06-4 Site Service</p>	<p>Met ?</p>	<p>Standard B34</p>	<p>Met ?</p>	<p>Comments</p>
<p><i>To ensure that site services can be installed and easily maintained</i></p> <p><i>To ensure that site facilities are accessible, adequate and attractive</i></p>	<p>Yes</p>	<p><i>The design and layout of dwellings and residential buildings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically</i></p>	<p>Yes</p>	
		<p><i>Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development</i></p>	<p>Yes</p>	
		<p><i>Bin and recycling enclosures should be located for convenient access</i></p>	<p>Yes</p>	
		<p><i>Mailboxes should be provided and located for convenient access</i></p>	<p>Yes</p>	



16. GOVERNANCE & FINANCE

16.1 Review of Council Policies

File: Q055.01.12

Co-Authors: Executive Project Officer
HR & Governance Coordinator
Manager Community

Portfolio: Governance & Finance

Portfolio Holder: Cr Tolhurst

PURPOSE

The purpose of this report is to consider three revised Council policies:

1. CP010 Information Privacy
2. CP012 Events
3. CP018 Councillor Resources, Support & Facilities

EXECUTIVE SUMMARY

This report responds to a number of objectives and strategies contained in the Council Plan 2021–2025, namely:

- Strategic Objective 1: Health and Wellbeing: To support community wellbeing and encourage an active lifestyle.
- Strategic Objective 2: Environment: To protect our environment and address climate change issues.
- Strategic Objective 3: To support a prosperous and diverse local economy
- Strategic Objective 5 Governance and Finance: To provide a financially viable Council that is accountable, transparent and practices good governance.

CP010 Information Privacy – Revised

The purpose of this policy is to outline Council's approach to the management of its information collection, data bases and other records containing personal details so as to protect the privacy of individual details contained in such records. Council has developed this policy to comply with the *Privacy and Data Protection Act 2014*, the *Health Records Act 2001* and the *Freedom of Information Act 1982*.

CP012 Events – Revised

The purpose of this policy is to outline Council's position on events and set out Council's approach to support the development of events within the municipality.



CP018 Councillor Resources, Support & Facilities – Revised

The purpose of this policy is to outline the resources, support and facilities that will be provided to Councillors to effectively exercise their duties as an elected Councillor.

Recommendation

That Council adopt:

- 1. CP010 Information Privacy**
- 2. CP012 Events**
- 3. CP018 Councillor Resources, Support & Facilities**

Councillors Hewitt / Tolhurst

That Council adopt:

- 1. CP010 Information Privacy**

Defer consideration of the following two policies:

- 2. CP012 Events**
- 3. CP018 Councillor Resources, Support & Facilities**

Carried



REPORT

BACKGROUND

Good governance is a core role of Council and the timely and regular review of Council policies is essential to ensuring that current and relevant direction and guidance is available to Council and its officers in relation to the core corporate governance functions of Council.

The establishment of Council policies, typically reviewed on a cyclical basis, is influenced by a range of considerations, such as:

- Ensuring compliance with legislative requirements;
- Alignment with best practice guidelines applicable to the local government sector and/or business;
- Implementing internal and external audit recommendations; and
- Conveying Council's strategic intent to the organisation and/or the community in relation to a Council function or responsibility.

DISCUSSION

CP010 Information Privacy – Revised

CP010 Information Privacy was first adopted in October 2011 and last reviewed in March 2019. The purpose of this policy is to outline Council's approach to the management of its information collection, data bases and other records containing personal details so as to protect the privacy of individual details contained in such records. Council has developed this policy to comply with the *Privacy and Data Protection Act 2014*, the *Health Records Act 2001* and the *Freedom of Information Act 1982*.

Council officers have reviewed this policy and recommend the following amendments:

- Update to Officer positions/titles
- Reposition the 'Purpose' to read before 'Context'
- Clarify 'health information' in the definition of 'sensitive information'
- Insert relevant Act dates throughout policy

CP012 Events – Revised

CP013 Events was first adopted in October 2011 and last revised in March 2019. The purpose of this policy is to outline Council's position on events and set out Council's approach to support the development of events within the municipality.

Council officers have reviewed this policy and recommend the following amendments:

- Update to Officer positions/titles
 - Expand on the 'Event Organiser' definition
 - Update Council Plan objectives to align with current 2021–2025 plan
 - Rename application form from 'approval form' to 'permit form', to better reflect the application process
-



- Amend the period for submitting an application to 8 weeks from 3 months, as this timeframe is considered acceptable
- Amend reference specifically to the Events officer for being responsible for assessing applications, to more broadly, 'an officer from the Community Development team', to enable better workflows amongst the team.

CP018 Councillor Resources, Support & Facilities – Revised

CP018 Councillor Resources, Support & Facilities was first adopted in October 2011 and last revised in April 2019. The purpose of this policy is to outline the resources, support and facilities that will be provided to Councillors to effectively exercise their duties as an elected Councillor.

Council officers have reviewed this policy and recommend the following amendments:

- Update to relevant section of the current Local Government Act (ie. Section 42 LG Act 2020)
- Update to Officer positions/titles
- Delete reference to an 'exclusive' Councillor office as this is no longer practicable (refer clause 3.0)
- Update to ICT requirements to reflect current practice (refer clause 5.0)
- Delete reference to *Local Government Act 1989* and its associated 'Recognition and Support: The Victorian Governments Policy Statement on Local Government Mayoral and Councillor Allowances and Resources (November 2008)
- Insert reference to other relevant Council policies, CP005 & CP016

Options

Option 1 – adopt the revised policies as presented.

Option 2 – request officers to make further amendments to the policies.

COMMUNICATIONS AND ENGAGEMENT

Community Engagement



All Council policies are published on Council's website under the 'Council – publications, strategies and reports' tab and are communicated internally to all staff. Targeted communication will be undertaken with those staff who hold responsibilities in each policy presented.

Collaboration

Not Applicable.

GOVERNANCE CONTEXT



Relevant Law

Local Government Act 2020

Charter of Human Rights

This report has had consideration to, and complies with, the *Charter of Human Rights and Responsibilities Act 2006*.

Gender Equality Act 2020

The *Gender Equality Act 2020* requires a Gender Impact Assessment to be undertaken when Council develops or reviews any Council policy, program or service that has a direct and significant impact on the public.

Has a Gender Impact Assessment been undertaken in respect of the matters in this Council Report? No; while the policies presented in this report may have an impact on the public, it is not considered sufficiently direct and significant to require a Gender Impact Assessment.

Regional, State and National Plans and Policies

Not applicable.

Council Plan Alignment

This report responds to a number of objectives and strategies contained in the Council Plan 2021–2025, namely:

Strategic Objective 1: Health and Wellbeing: To support community wellbeing and encourage an active lifestyle.

- The strategic directions set out in this portfolio link to the following pillars in the Community Vision:
- Enhancing health and wellbeing. Our community encourages an active and outdoor lifestyle and nurtures the welfare of all.
- Encouraging an inclusive and engaged community. We have a welcoming, connected and diverse community that is supported by informed and consultative leadership

Strategic Objective 2: Environment: To protect our environment and address climate change issues.

- Strategic Objective 3: To support a prosperous and diverse local economy
- The strategic directions set out in this portfolio link to the following pillars in the Community Vision:
- Supporting business and community prosperity. We have a thriving local economy and community that is underpinned by high quality infrastructure and services.

Strategic Objective 5 Governance and Finance: To provide a financially viable Council that is accountable, transparent and practices good governance.

- The strategic directions set out in this portfolio link to the following pillar in the Community Vision:
 - Encouraging an inclusive and engaged community. We have a welcoming, connected and diverse community that is supported by informed and consultative leadership.
-



Legal and Risk Implications

The absence of clear policies, relating to good governance practices, increases the risk that relevant legislative provisions may not be complied with, and current practices may not be transparent.

Related Documents

As referenced in each individual policy.

Disclosure of Interest

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

CONSIDERATIONS

Environmental Sustainability

Key policy reviews also provide the opportunity for constant assessment of environmental risks to the organisation, which assist in limiting unnecessary exposure to risk.

Financial and Resource Implications

Key policy reviews provide the opportunity for constant assessment of the financial and non-financial risks to the organisation, which assist in limiting unnecessary exposure to risk. Tasks associated with both policies presented in this report fall within current responsibilities of existing officers.

Innovation and Continuous Improvement

Not applicable.

IMPLEMENTATION

Operational Impacts

The tasks associated with the policies are within the normal program area responsibilities and it is not envisioned to impose any additional operational impact.

Implementation Process

All policies will be communicated with relevant staff and management and implemented as defined.

ATTACHMENTS

1. CP010 Information Privacy (Attachment 2a)
 2. CP012 Events (Attachment 2b)
 3. CP018 Councillor Resources, Support & Facilities (Attachment 2c)
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16.2 Draft Revised Governance Rules

File: QG055.01.12

Author: Executive Project Officer

Portfolio: Governance & Performance

Portfolio Holder: Cr Tolhurst

PURPOSE

The purpose of this report is for Council to consider revised draft Governance Rules following a review in accordance with legislative changes that come into effect from 2 September 2022, and to place the draft Governance Rules on exhibition, for community feedback, prior to adoption.

EXECUTIVE SUMMARY

The Council Plan includes Strategic Objective 5: Governance and Performance, that is to provide a financially viable Council that is accountable, transparent and practices good governance. The Governance Rules presented in this report have been developed in accordance with that strategy and with the legislative requirements contained in the *Local Government Act 2020*.

Amendments to the *Local Government Act 2020* concerning 'attendance' and 'remote' meetings will take effect on 2 September 2022. The Borough of Queenscliffe Governance Rules have been updated to reflect these changes and it is now appropriate for Council to consider its revised Governance Rules.

Councillors Tolhurst / Grigau

That Council place the draft Governance Rules on exhibition inviting public feedback for a period from 25 August to 8 September 2022, as presented.

Carried



REPORT

BACKGROUND

Council adopted its new Governance Rules at its Ordinary Meeting of Council on 27 August 2020, and last amended them on 21 October 2021. Amendments are required to take into account the *Local Government Act 2020* (the Act) concerning 'attendance' and 'remote' meetings which will take effect on 2 September 2022.

Consequently, Council's Governance Rules need to make express provision for requesting and approval of attendance at Council and Delegated Committee meetings by electronic means of communication.

DISCUSSION

The Governance Rules address:

- The conduct of Council meetings;
- The conduct of meetings of delegated Committees;
- The form and availability of meeting records;
- The election of Mayor and the Deputy Mayor;
- The appointment of an Acting Mayor;
- An election period policy, in accordance with section 69 of the Act;
- The procedures for the disclosure of a conflict of interest by a Councillor or a member of a delegated committee, under section 130 of the Act;
- The procedure for the disclosure of a conflict of interest by a Councillor under section 131 of the Act;
- The disclosure of a conflict of interest by a member of council staff when providing information in respect of a matter within the meaning of section 126(1) of the Act;
- Any other matters prescribed by the regulations.

After reviewing the requirements of the *Local Government Act 2020*, the following amendments were focused on:

- whether meetings are to be wholly attendance meetings, wholly virtual meetings or partially attendance and partially virtual meetings (refer new Clause 103);
- how, if a meeting is intended to a wholly attendance meeting, a Councillor can request that they attend by electronic means (refer new Clause 103);
- a decision by Council as to whether it agrees to such a request (refer new Clause 103);
- removing the requirement for people asking questions to be physically in attendance at the meeting, to allow for attendance by electronic means (refer amended Clause 99); and
- amend to more gender-neutral language (amended throughout document).

Options

Option 1 – Make further changes to the Governance Rules and then ask for public feedback.

Option 2 – Place the Governance Rules as presented in this report on exhibition, seeking feedback for a period from 25 August to 8 September 2022.



COMMUNICATIONS AND ENGAGEMENT

Community Engagement



Once adopted, the Governance Rules will be distributed to all councillors and staff involved in Council meetings and published on Council's website.

Collaboration

Not applicable.

GOVERNANCE CONTEXT

Relevant Law

Local Government Act 2020

Charter of Human Rights

This report has had consideration to, and complies with, the *Charter of Human Rights and Responsibilities Act 2006*.

Gender Equality Act 2020

The *Gender Equality Act 2020* requires a Gender Impact Assessment to be undertaken when Council develops or reviews any Council policy, program or service that has a direct and significant impact on the public.

Has a Gender Impact Assessment been undertaken in respect of the matters in this Council Report? No; while the Governance Rules may have an impact on the public, it is not considered sufficiently significant to require a Gender Impact Assessment.

Regional, State and National Plans and Policies

Not Applicable.

Council Plan Alignment

The Governance Rules presented aligns with the following Council Plan 2021–2025 strategic objective and strategies:

Strategic Objective 5: provide a financially viable Council that is accountable, transparent and practices good governance.

- Priority 3 Accountable and transparent governance



Legal and Risk Implications

To ensure legislative compliance, Governance Rules need to be in alignment with the *Local Government Act 2020*.

Related Documents

Not applicable.

Disclosure of Interest

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

CONSIDERATIONS

Environmental Sustainability

There are no environmental implications to the report.

Financial and resource implications

Not applicable.

Innovation and Continuous Improvement

Both the Governance Rules can be reviewed and updated via a resolution of Council at any time, allowing for continuous improvement. Noting that any non-legislative change must go through a community engagement process.

IMPLEMENTATION

Operational Impacts

Nil.

Implementation Process

Once adopted, the Governance Rules must be published on Council's website.

ATTACHMENT

1. Draft Borough of Queenscliffe Governance Rules (Attachment 3)
-



16.3 Draft Policy – CP054 Victoria Park

File: QG0300307
Author: Chief Executive Officer
Portfolio: Governance & Finance
Portfolio Holder: Cr Tolhurst

PURPOSE

The purpose of this report is for Council to consider the updated Council Policy CP054 Victoria Park for adoption following the community consultation process.

EXECUTIVE SUMMARY

The proposed policy CP054 Victoria Park presented in this report furthers the strategic objectives of the Borough of Queenscliffe 2021 – 2025 Council Plan, in particular:

- Priority 5 in the Environment Portfolio – *Regenerate and revegetate open spaces with indigenous plants and increase tree canopy coverage.*
- Priority 2 in the Local Economy Portfolio – *Improve the management of Council operated tourist parks for the benefit of the whole community*
- Priority 5 within the Heritage, planning and infrastructure Portfolio – *Maintain and improve community infrastructure with the Borough*

At the Ordinary Council meeting in July 2022, Council resolved:

That Council approves the draft policy CP054 – Victoria Park and places it on public notice, inviting feedback, for a period of 14 days.

The draft policy was placed on public notice and at the end of the 14-day period Council had received 52 submissions. Councillors have reviewed all the submissions. Three key themes emerged from the submissions:

- Opposition to site closures
- Qualified support for policy and accompanying plan
- A call for no further camping in Victoria Park

Councillors met on 17 August 2022 to review the draft policy and decided to make a series of amendments in response to the submissions.

Recommendation

That Council adopt CP054 Victoria Park

Councillors Tolhurst / Hewitt



That Council adopt CP054 Victoria Park with the following changes:

a) To include an additional item to the park management section of the policy, to add item (j). That Council's management of the park will comply with relevant state legislation, policies and guidelines, including but not limited to improving equity of access to Crown Land, Caravan and Camping parks 2011, and Crown Land Caravan Park Policy update 2019; and

b) Change the Victoria Park plan 2022, changing the two northern sites restricted sites which are currently marked in green, and to become the central vegetation reserve which is marked in red in the centre.

Carried

Cr Grigau requested a division:

For: Crs Tolhurst, Hewitt, Ebbels

Against: Cr Grigau

Mayor

Given the Victoria Park resolution, I would like to go back to David Kenwood's public question. We have just changed the Victoria Park Plan 2022, so we will take David's question on notice and respond to it in writing.



REPORT

BACKGROUND

Council prepared a draft policy to articulate the intent of previous Council decisions and to set out the principles that will structure Council's ongoing management of Victoria Park. The key purpose of the draft policy was to:

- Place an emphasis on restoring and enhancing the environmental attributes of Victoria Park through revegetation, and planned, sensitive vegetation management practices
- Describe the initiatives that would result in a reduction in the overall intensity of camping in Victoria Park

A draft of CP054 Victoria Park was placed on public exhibition for a period of 14 days.

Council received 52 submissions. Submissions were received from people who camp in Victoria Park, local residents and ratepayers, and community representative groups.

DISCUSSION

Submissions

In broad terms, there were three types of submissions:

- Parties who oppose the closure of camping sites
- People who broadly support the intent of the policy and the proposed plan
- People and groups who do not support any further use of Victoria Park for camping

There were many detailed submissions, some of these submissions provided recommendations for changes, others discussed matters related to Victoria Park and broader environmental matters.

The key themes in the different submissions described above can be summarised as:

Opposition to closure of sites

- Closure of sites will have a detrimental impact on the local economy
- Long term visitation and emotional connection to camping at Victoria Park
- Vegetation management and camping can co-exist
- Lack of availability of alternate accommodation in the area

Broad support for the policy and the proposed plan

- The restricted (green areas) camping areas should be converted into no-camping areas
- Any new planting should be exclusively indigenous

No further camping in Victoria Park

The community representative groups and individual members from these groups, and other local residents have called for Council to stop camping in Victoria Park and for Council to restore the park as a Botanic Gardens.

Other matters



Some submissions raised other matters, including but not limited to:

- The need for a vegetation management strategy for Victoria Park
- Equity of access to camping spots (the need for Council to adhere to State Policy)
- Council should be protecting the heritage values of Victoria Park
- The aerial image underneath the plan needs to be updated (current version 14 April 2022)

A spreadsheet with a copy of the content of each submission is included at **(Appendix 4c)**. Due to the length of the submission, a copy of the QCA submission has been attached separately at **(Appendix 4d)**.

Updated Policy

Councillors reviewed the submissions and worked together to update the draft policy which is included at **(Appendix 4a)**.

The changes made by Council can be summarised as:

- Updates to the wording of the policy and additional clauses that provide further support for the policy objectives and provide further clarity for people reading the policy
- Updates that set out further actions that will be undertaken to further the policy objectives
- A new clause that sets the policy review period and the matters for review

The aerial image that sits under the Victoria Park Plan will be updated when new aerial imagery is provided to Council by the supplier.

In making the updates Council has maintained the principle that underpins the policy, that being, Victoria Park will remain as a dual use asset.

A copy of the policy with the revisions highlighted is included at **(Appendix 4b)**.

Options

Option 1 – Council elects to revise the policy.

Option 2 – Council elects not to approve the policy.

COMMUNICATIONS AND ENGAGEMENT

Community Engagement



Council provided an opportunity for the community and Park users to provide feedback on the draft policy through a public notification process.

Collaboration



Not applicable.

GOVERNANCE CONTEXT

Relevant Law

Not applicable.

Charter of Human Rights

This report has had consideration to, and complies with, the *Charter of Human Rights and Responsibilities Act 2006*.

Gender Equality Act 2020

The *Gender Equality Act 2020* requires a Gender Impact Assessment to be undertaken when Council develops or reviews any Council policy, program or service that has a direct and significant impact on the public.

Has a Gender Impact Assessment been undertaken in respect of the matters in this Council Report? No, the proposed policy does not have a direct or significant impact on issues of equality and does not require a Gender Impact Assessment.

Regional, State and National Plans and Policies

Not applicable.

Council Plan Alignment

This subject of this report, being the ongoing management of Victoria Park aligns with the Council Plan 2021 – 2025, in particular:

- Priority 5 in the Environment Portfolio - *Regenerate and revegetate open spaces with indigenous plants and increase tree canopy coverage.*
- Priority 2 in the Local Economy Portfolio – *Improve the management of Council operated tourist parks for the benefit of the whole community*
- Priority 5 within the Heritage, planning and infrastructure Portfolio – *Maintain and improve community infrastructure with the Borough*

Legal and Risk Implications

There are no relevant legal or risk implications associated this report.

Related Documents

Nil.

Disclosure of Interest

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

CONSIDERATIONS

Environmental Sustainability



The commitment to tree planting and restoration of tree canopy in Victoria Park in the policy will have a positive impact on local amenity and the local environment.

Financial and resource implications

Should Council resolve to adopt the policy, there are number of financial implications:

1. There will be reduction in annual income from Victoria Park of \$168,000. This will have a detrimental impact on the underlying operational result because it is a loss of revenue.
2. There are several new capital initiatives identified in the policy, for example, seating, fencing, signage, conversion of current access roads to pathways. It is estimated that that this work will cost in the vicinity of \$50,000. This would be a one-off capital project, but will create new assets that will need to be included into the asset register and maintenance budget.

Innovation and Continuous Improvement

Council has included a requirement for a regular review in the policy.

IMPLEMENTATION

Operational Impacts

The proposed works in the policy are not included in the work program for the 2022-23 financial year. Council officers will need to review and, where necessary, adjust the program to incorporate this work.

Implementation Process

If Council resolves to adopt the policy, Council officers will need to:

- Communicate with campers to advise them of the impacts of the policy on current bookings
- Update the Tourist Park website page and other collateral to reflect the Council decision
- Prepare a work plan and procure contractors to undertake fencing, signage, conversion of access roads
- Prepare a Revegetation Plan
- Schedule revegetation works into annual work plans
- Prepare annual review process paper for Council to endorse

ATTACHMENTS

1. CP054 Victoria Park Policy: Incorporating Victoria Park Plan 2022 (Appendix 4a)
 2. Draft CP054 Victoria Park with marked up revisions (Appendix 4b)
 3. Vitoria Park Submissions (Appendix 4c)
 4. Victoria Park QCA submission (Appendix 4d)
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17. AUTHORISATION OF SIGNING & SEALING OF DOCUMENTS

No reports to consider.

18. QUESTIONS WITHOUT NOTICE

18.1 Questions Without Notice Status Update

No Questions Without Notice outstanding.

18.2 Questions Without Notice

Cr Hewitt

We have had some recent environment vandalism, and a review of the Local Laws, so I would like to ask what activities the Borough will be undertaking to address enforcement issues in the short term.

CEO

Requested to take the question on notice to give it further consideration.

19. LIST OF COUNCIL MEETINGS

All Council Meetings are held at the Council Offices, 50 Learmonth Street, Queenscliff unless otherwise indicated.

PLANNING REVIEW MEETING

Wednesday 14 September 2022 at 7:00pm (if required)

COUNCIL MEETING

Wednesday 28 September 2022 at 7:00pm

The Mayor thanked Conner Parker, Communications Coordinator, for his three years of service with the Borough and achievements during that time, and wished him every success in his new role.



20. CLOSED SESSION OF MEETING

Time: 7:39pm

Councillors Hewitt / Tolhurst

That, in accordance with sections 66(1) and 66(2)(a) of the *Local Government Act 2020*, the meeting be closed to members of the public for the consideration of the following confidential items:

20.1 Confirmation of 27 July 2022 Confidential Council Meeting Minutes

This agenda item is deemed to contain confidential information as per section 3(1)(h) of the *Local Government Act 2020* as it contains confidential meeting information, being the records of meetings closed to the public under section 66(2)(a). This ground applies as the Council minutes being confirmed are for matters that have previously been deemed confidential.

Carried

Time: 7:41pm

Councillors Tolhurst / Hewitt

That Council reopen the meeting and resume standing orders.

Carried

21. RATIFICATION OF CONFIDENTIAL ITEMS

Councillors Hewitt / Grigau

That the decisions made in camera be ratified by Council.

Carried

22. CLOSE OF MEETING

The meeting closed at 7:42pm.



ADJUNCT TO 7 – RECORD OF INFORMAL MEETINGS OF COUNCILLORS

The Borough of Queenscliffe Governance rules (rule 11) require tabling of records of informal meetings of Councillors at the next convenient Council meeting and that their record be included in the minutes of that Council Meeting. If there is a meeting of Councillors that:

- 11.1 is scheduled or planned outside of an Ordinary Meeting of Council for the purpose of discussing the business of Council or briefing Councillors; and
- 11.2 is attended by at least one senior member of Council staff; and
- 11.3 all Councillors have been invited by the Chief Executive Officer; and
- 11.4 a majority of Councillors are present; and
- 11.5 is not a Delegated Committee meeting or Community Asset Committee meeting.

Informal Meeting Details	Councillors	Officers	Agenda items	Conflict of interest disclosures
Assembly Briefing 27 July 2022 3:00pm – 5:30pm Queenscliff Town Hall	Cr Ross Ebbels, Mayor Cr Fleur Hewitt Cr Michael Grout Cr Isabelle Tolhurst	Martin Gill, CEO	1. Electric Vehicle Charge Stations 2. Hobson Street Toilet: Project Scoping 3. Victoria Park next steps	Nil.



Informal Meeting Details	Councillors	Officers	Agenda items	Conflict of interest disclosures
Assembly Briefing 3 August 2022 2:30pm – 4:30pm Queenscliff Town Hall	Cr Ross Ebbels, Mayor Cr Fleur Hewitt Cr Donnie Grigau Cr Michael Grout Cr Isabelle Tolhurst	Martin Gill, CEO Shannon Maloney, MC Stuart Hansen, MIE Tim Crawford, MPCs	1. Community Service Awards debrief 2. Revised Draft Governance Rules 3. Annual Plan 2022/23	Nil.
Planning Review Meeting 17 August 2022 7:02pm – 7:59pm	Cr Ross Ebbels, Mayor Cr Fleur Hewitt Cr Michael Grout Cr Isabelle Tolhurst	Tim Crawford, MPCs Brydon King, Senior Planner	1. Planning Application 2022/040: 23 Williams Rd, Point Lonsdale 2. Submissions	Nil.



AO – Arts officer	BSA – Business Services Accountant	BOC – Business Operations Coordinator
CC – Communications Coordinator	CEO – Chief Executive Officer	CERP – Project Officer, Climate Emergency Response Plan
COVID BSO – COVID Business Support Officer	CSC – Community Services Coordinator	CSP – Contract Senior Planner
CSRO – Community Stakeholder Relations Officer	DP – Director Place	EA – Executive Assistant to the CEO, Mayor and Councillors
EPO – Executive Project Officer	HR&GC – HR & Governance Coordinator	MC – Manager Community
MFS – Manager Finance and Corporate Services	MIE – Manager Infrastructure & Environment	RC – Rates Coordinator
SLEO – Senior Law Enforcement Officer	SP – Strategic Planner	



ADJUNCT TO 5.1 – PUBLIC QUESTIONS STATUS UPDATE

No public questions outstanding.

ADJUNCT TO 8.1 – NOTICE OF MOTION STATUS UPDATE

No Motions on Notice outstanding.

ADJUNCT TO 18.1 – QUESTIONS WITHOUT NOTICE STATUS UPDATE

No questions without notice outstanding.
