

Borough of Queenscliffe

Ordinary Meeting of Council

Minutes

Wednesday 22 May 2024 at 7:00PM

Queenscliff Town Hall



Borough of Queenscliffe
Queenscliff & Point Lonsdale, Victoria, Australia



Community Vision

The Borough is a special and restorative place, renowned for its distinctive coast, rich living heritage and vibrant culture. Our community is caring, and welcoming to visitors. We have a deep respect for the Wadawurrung People and are taking action to protect Country.

Our Values

1. **Integrity:** We take ownership and responsibility for our decisions and are accountable for all that we do.
2. **Respect:** We treat everyone with dignity, fairness and empathy, look out for the safety and wellbeing of others, and nurture positive and inclusive relationships.
3. **Community Focus:** We always work with our community's experience in mind and take pride in supporting our community.
4. **Sustainability:** We place climate change risks at the core of our decision-making, and take extensive action to protect our natural environment.
5. **Openness:** We actively engage with our community and are transparent in our decision-making.

Acknowledgement of Country

Bellawiyn is the Wadawurrung name for the lands where the Borough of Queenscliffe is located.

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 extend this respect to all Aboriginal and Torres Strait Islander peoples.



1. Opening of Meeting	5
2. Present & Apologies	5
3. Conflict of Interest Disclosures.....	5
4. Leave of Absence of Councillor	5
5. Public Question Time.....	6
5.1. Public Question Status Update.....	6
5.2. Public Questions.....	6
6. Confirmation of Minutes of Previous Meetings.....	10
6.1. Ordinary Council Meeting on 24 April 2024.....	10
6.2. Audit & Risk Committee Meeting on 15 April 2024.....	11
7. Record of Informal Meetings of Councillors	11
8. Notice of Motion	12
8.1. Notice of Motion Status Update	12
8.2. Motion on Notice.....	12
9. Petitions and Joint Letters	12
10. Functions Attended	13
11. Chief Executive Officer	15
11.1. Chief Executive Officer Report for May 2024	15
12. Health & Wellbeing	18
13. Environment	18
14. Local Economy.....	18
15. Heritage, Planning & Infrastructure	19
15.1. Planning Permit Activity Report.....	19
15.2. Point Lonsdale Lighthouse Reserve Project Update #5	25



15.3. Murray Road Shared Use Project	32
15.4. Borough of Queenscliffe draft Coastal and Marine Management Plan.....	40
15.5. Planning Scheme Amendment C40quen - Fisherman's Flat	47
16. Governance & Finance	85
16.1. Review of Council Policies.....	85
17. Signing & Sealing of Documents	91
18. Questions Without Notice	91
18.1. Questions Without Notice Status Update	91
18.2. Questions Without Notice	91
19. List of Council Meetings.....	91
20. Closed Session of Meeting.....	92
20.1. Community Grants and Event Sponsorship Reference Group Appointments	92
21. Ratification of Confidential Items.....	93
22. Close of Meeting.....	93
23. Adjunct List.....	93
23.1. ADJUNCT TO 7 – RECORD OF INFORMAL MEETINGS OF COUNCILLORS	94



1. Opening of Meeting

Cr Ross Ebbels declared the meeting open at 7:00 pm.

2. Present & Apologies

Present:

Cr Ross Ebbels, Mayor

Cr Michael Grout

Cr Robert Minty

Martin Gill, Chief Executive Officer

Tim Crawford, Manager Community & Regulatory Services

Stuart Hansen, Manager Infrastructure & Environment

Abbey Tatterson, Manager Customer Experience

Jackie Fletcher, EA to the CEO, Mayor & Councillors

Dinah O'Brien, Strategic Planner

Apologies:

Cr Donnie Grigau

Gihan Kohobange, Manager Finance & ICT Services

3. 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 Isabelle Tolhurst

5. Public Question Time

5.1. Public Question Status Update

No public questions are outstanding.

5.2. Public Questions

The Chair will accept public questions which comply with Council's Public Question Time [Guidelines](#).

Public questions must be written and received by the Chief Executive Officer no later than 4 hours prior to 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](#).

The Chair advised Council that 5 public questions had been received by Council within the prescribed timelines.

Public Question 1 from the QCA

In light of the current Budget, Council has a 7 page Asset Plan to assist with its Maintenance and Renewal programs for next ten years. This budget Council has reduced building maintenance budget by 83% from previous year.

In 2007 Council adopted an Infrastructure Asset & Service Management Plan prepared by CT Management Group (46 Pages).

CT Management Group also did a review of the Building Asset and Condition Report in 2014 (79 Pages). Both were presented as part of the ESC Rate Capping presentation in 2018.



In light of the reduction in the Building maintenance budget does Council still access or utilise those 2 highly informative and instructive management reports to better manage its building assets given the brevity of the current Asset Plan presented by this Council?

Response from the Manager Infrastructure and Environment

I think is worth responding to the preamble to the question before I respond, to address any misunderstanding about the reduced building maintenance budget. The building maintenance cost forecast for the current financial year 2023–2024 includes a projected cost of \$805,000 for 4 Wharf Street, asbestos removal works. This is a one-off 100% grant-funded operating project. The 2024–2025 proposed building maintenance budget closely aligns with the 2022–23 actual budget and is expected to also closely align with the 2023–2024 actual budget after adjusting for the 4 Wharf Street expenditure. Council will add additional text in the final budget document to explain that material variance.

Council undertakes a condition-based assessment of all buildings on a three yearly cycle. This information has informed Asset Management Planning for buildings. The documents you have noted are examples of documents produced from this process. The most current buildings Asset Management Plan was adopted by Council in 2019.

Public Question 2 from Christine Rees

Light Pollution is an increasing problem worldwide. It causes detrimental effects to wildlife, human health, erases our view of the stars impacting astronomy, astrophysics research and access to cultural astronomy. Exposure to nocturnal light disrupts the circadian physiology of wildlife and humans, causing ecological failure and chronic disease in humans.

Murray Rd is an important dark area of our town adjacent to Lakers Cutting, which is likely to become Ramsar listed shortly. Lighting this road will be detrimental to all wildlife that live and use this area from insects, frogs, birds, marsupials and even fish, yes lights shining into water have been shown to affect fish. Light pollution is particularly detrimental to birds as it causes disorientation and poor navigation particularly in our migratory shorebirds and sea birds that utilise Swan Bay.

Murray road does not receive a huge amount of traffic, and even less at night. It's also unlikely that bike riders or pedestrians will use it at night. The installation of



lights is unnecessary and an appropriate alternative would be to use reflectors and reflective paint around and on the speed cushions which will light up from car headlights or a bike light.

1. Will the council please consider using alternatives to lights, such as reflectors and reflective paint along Murray Road to prevent light pollution and protect the wildlife in and around Lakers Cutting?

Response from the Manager Infrastructure & Environment

This matter will be considered at Item 15.3 in tonight's agenda and as such Council cannot pre-empt any decision Council may make by providing a response at this point. Council will return to this public question following consideration of the Murray Road Shared Path project.

Following consideration of item, response from the Manager Infrastructure & Environment

The installation of a local area traffic management infrastructure is guided by the Austroad guide to road design – part 8 guide to traffic management (local area traffic management). These guidelines stipulate the requirement to light local area traffic management infrastructure like road humps, roundabouts and chicanes.

Public Question 3 from Carmen Bell

State Planning Scheme Amendment VC148 was gazetted on 31 July 2018. It introduced changes to the Victoria Planning Provisions (VPP) for all Victorian planning schemes arising from the Victorian Government's Smart Planning Program. The Borough of Queenscliffe's response to VC148 was planning scheme amendment C38quen which was gazetted on 24 February 2022.

VC148 came with 2 Advisory Notes (no 71 and no 72) which stated among other things that the language in the Heritage Precinct Design Guidelines which are replacing the deleted Heritage Policy must not be prescriptive but discretionary enabling performance-based decisions by planners and VCAT, and that heritage overlays must contain a Statement of Significance.

I understand that C38quen was processed in large part by State planners at DELWP. Unfortunately they did not include the mandatory Statements of Significance in the heritage precincts and places listed in Clause 43.01. This oversight will require a



corrective planning scheme amendment which could make use of existing Statements of Significance from the 2021 Lovell Chen Heritage Study.

When and how will Council initiate this planning scheme amendment (which should be listed on the monthly Council Planning Report), and who will be responsible to fund?

Response from the Strategic Planner

As detailed in Planning Advisory Note 72, which is also referenced in the question, a Statement of Significance is only mandatory for a heritage place included in the Heritage Overlay after the commencement of Amendment VC148.

VC148 commenced on 31 July 2018. As no additional heritage places have been nominated in the Queenscliffe Planning Scheme since 31 July 2018, the Queenscliffe Planning Scheme is compliant, and no corrective planning scheme amendment is required.

However, Council can resolve to initiate a planning scheme to incorporate a Statement of Significance into a Heritage Overlay, as is the case with Planning Scheme Amendment C40quen. Council will need to formally consider this proposed action to determine if this is the direction it will take, as such Council officers cannot provide answer to the question of when, but can advise that Councillors have requested a briefing on the matter.

Council would be required to fund a planning scheme amendment that it resolves to initiate.

Public Question 4 from Kyne Krusic-Golub

Light Pollution is an increasing problem worldwide, however out of all the worlds' pollution problems, light pollution is the easiest to solve as we can simply switch the lights off. We can implement good urban design lighting plans that are "Dark Sky Friendly". Other towns in Australia are now becoming "Dark Sky Accredited", in our region Aireys Inlet is in the process of acquiring this accreditation with local council support, which is opening up opportunities for astronomical tourism with the town holding Dark Sky events.



Will the council please review the current lighting in the borough against “Dark Sky Friendly” guidelines and remove, dim or switch off lights late at night when there is little pedestrian or vehicular traffic that require them?

Will the council consider applying for “Dark Sky Accreditation”?

Response from the CEO

Accreditation under the dark sky project is not currently included in the Council Plan as an objective or action. However, Council officers will research the requirements of program accreditation and prepare a briefing for Councillors.

Public Question 5 from the Point Lonsdale Civic Association (PLCA)

Can Council please provide a timeline on when a new Public toilet - to replace existing - will be operational at PLMDP?

Response from the Manager Infrastructure and Environment

The replacement of the public toilet located at the Point Lonsdale Marine and Defence Precinct is subject to a complex Cultural Heritage Management Plan (CHMP) process. Council’s current advice is the CHMP process will take up to 12 months to complete.

In the interim Council will complete a procurement process for the design and construction of a toilet block and undertake community engagement in preparation for the CHMP completion.



6. Confirmation of Minutes of Previous Meetings

6.1. Ordinary Council Meeting on 24 April 2024

A copy of the minutes from the Ordinary Council Meeting on 24 April 2024 was distributed to Councillors under separate cover.

RESOLUTION

Cr Robert Minty / Cr Ross Ebbels

That the minutes of the Ordinary Council Meeting on 24 April 2024, as distributed, be confirmed as an accurate record.

CARRIED UNANIMOUSLY

6.2. Audit & Risk Committee Meeting on 15 April 2024

A copy of the minutes from the Audit & Risk Committee Meeting on 15 April 2024 was distributed to Councillors under separate cover.

RECOMMENDATION

That the minutes of the Audit & Risk Committee Meeting on 15 April 2024, as distributed, be confirmed as an accurate record.

RESOLUTION

Cr Michael Grout / Cr Ross Ebbels

That the minutes of the Audit & Risk Committee Meeting on 15 April 2024, as distributed, be accepted as an accurate record.

CARRIED UNANIMOUSLY



7. Record of Informal Meetings of Councillors

A Record of Informal Meetings of Councillors is included at adjunct to item 7.

- 18 April 2024 – Victorian Local Government Grants Commission meeting
- 24 April 2024 – Councillor Assembly briefing
- 24 April 2024 – CEO & Councillor meeting
- 15 May 2024 – Councillor Assembly briefing

RESOLUTION

Cr Robert Minty / Cr Ross Ebbels

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

CARRIED UNANIMOUSLY

8. Notice of Motion

8.1. Notice of Motion Status Update

No Notices of Motion are outstanding.

8.2. Motion on Notice

No Notices of Motion were received.

9. Petitions and Joint Letters

None received.



10. Functions Attended

Council was represented at the following meetings and functions between 18 April and 15 May 2024.

Date	Meeting or Function
18 April 2024	Geelong Regional Library Corporation Board Meeting (Cr Ebbels)
19 April 2024	Climate Emergency Australia Conference 2024 (CEO & Cr Tolhurst)
22 April 2024	Meeting with Libby Coker (CEO, Cr Tolhurst & Cr Ebbels)
23 April 2024	Tourism Greater Geelong and The Bellarine Member Forum (Cr Tolhurst)
23 April 2024	CEO Recruitment Advisory Group Committee Meeting (All Councillors)
25 April 2024	Queenscliff/Point Lonsdale RSL Sub-Branch Anzac Day Dawn Service (All Councillors)
25 April 2024	Queenscliff/Point Lonsdale RSL Sub-Branch Anzac Day Point Lonsdale Service (Cr Tolhurst, Ebbels & Grigau)
25 April 2024	Queenscliff/Point Lonsdale RSL Sub-Branch Anzac Day Queenscliff Service (Cr Tolhurst & Cr Ebbels)
27 April 2024	World Healing Day Queenscliff (Cr Tolhurst)
29 April 2024	Point Lonsdale Lighthouse Reserve Stage 2 Project Control Group meeting (Cr Tolhurst & Cr Grout)
29 April 2024	Bellarine Wellbeing Connect Meeting (CEO)
30 April 2024	Queenscliff Maritime Museum 'Out to Sea' Series Launch (CEO, Cr Tolhurst & Cr Ebbels)
30 April 2024	Meeting with resident Rob Hendrey (CEO, Cr Tolhurst)
1 May 2024	Joint State/Local Government Monthly CEO Forum (CEO)
2 May 2024	Meeting with Tiamanno Consultants (CEO)
3 May 2024	Sacrededge Festival Opening Event (CEO)
7 May 2024	Offspring's Local Business Breakfast (Cr Tolhurst)
8 May 2024	Budget Presentation to the Community (CEO & Cr Tolhurst)
10 May 2024	Point Lonsdale Primary School visit with grade 5/6 students (Cr Tolhurst)



10 May 2024	Queenscliffe Maritime Museum official opening of Mavis III all abilities walkway and listening post (Cr Tolhurst & Cr Ebbels)
13 May 2024	Geelong Regional Library Corporation Bruce Pascoe Book Reading (Cr Ebbels)
15 May 2024	Meeting with the Wadawurrung Traditional Owners Aboriginal Corporation (CEO)

RESOLUTION

Cr Robert Minty / Cr Ross Ebbels

That the Functions Attended report be received.

CARRIED UNANIMOUSLY



11. Chief Executive Officer

11.1. Chief Executive Officer Report for May 2024

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.

Executive Summary

Respect 2024

The CEO was recently appointed to the Executive Governance Group of Respect 2040. Respect 2040 is a region wide partnership with the aim to end violence against women.

The group is made up of a number of organisations in the Barwon south-west region that work closely with the community. As a group, they have agreed on the following purpose: 'We wanted our people, especially our women and children to live in a community where they feel safe, valued and able to reach their full potential'.

The Our Watch – Change the Story report produced in 2021 concluded that creating equality would change the underlying social conditions that produce and drive violence, and excuse, justify or even promote it.

Respect 2040 is driven by this evidence-based principle that achieving gendered equality is the fundamental primary preventative action to end violence against women. The Borough's role in the Executive Governance Group will be to lead and support change.

Local Government Elections 2024

All adult Borough residents must vote in the Council Elections this October. All residents who are enrolled to vote on the state roll are automatically enrolled to vote in the municipality of their enrolled permanent residential address.

However, the rules have changed for all non-resident ratepayers. All adult non-resident ratepayers will need to apply to vote, regardless of whether they have



applied previously to vote in council elections. If a non-resident ratepayer chooses to enrol to vote in a municipality, then it becomes compulsory to vote. Note also that only the first two applications received per property from non-resident ratepayers may be enrolled.

People have an entitlement to vote in each municipality in which they own property, but may only vote once in each municipality, no matter how many properties they own.

People who are unsure of their current voting status can contact Council or for further details go to the VEC website below.

[Home | Victorian Electoral Commission \(vec.vic.gov.au\)](https://www.vec.vic.gov.au)

Current Consultation

The Draft Budget 2023–24 is currently out for community feedback. The draft budget outlines the expenditure and resources required to achieve the strategic objectives in the final year of the Council Plan 2021–2025. It sets out proposed priorities for the coming year and how they will be met.

On Wednesday 8 May 2024, Council presented the Draft Budget in detail and answered questions from the community. Officers discussed what the budget included, how the initial community consultation was undertaken and how it impacted the budget process. It also provided the attendees with an opportunity to ask questions. A recording of the presentation is available on the Council website for those that missed the community event.

Council will continue to take community feedback until Friday 24 May 2024. Council will consider all submissions and hear from those requesting to speak in support of their submissions at a public meeting on Monday 3 June 2024.

Please visit the Council website for more information or to make a Draft Budget submission. [Draft Budget open for submissions | Borough of Queenscliffe](#)



RESOLUTION

Cr Ross Ebbels / Cr Robert Minty

That Council receives the Chief Executive Officer Report for May 2024.

CARRIED UNANIMOUSLY



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
Author:	Senior Planner
Portfolio:	Heritage, Planning & Infrastructure Cr Ebbels

Purpose

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

Executive Summary

The following table provides a summary of the planning permit activity from the last report published at the close of business on 13 May 2024.

CATEGORY	TALLY
Current applications	5
Applications finalised since last report	6
New applications received since last report	8
Total number of active permit applications	10
VCAT matters yet to be determined	3
Development Plan & Planning Scheme Amendment Summary Report	3

RESOLUTION

Cr Ross Ebbels / Cr Robert Minty

That the Planning Permit Activity Report be received.

CARRIED UNANIMOUSLY



RESOLUTION

Cr Ross Ebbels / Cr Robert Minty

That Councillors receive an officer briefing on PA2024/017 at 36-38 & 40 Cheshunt Street, Point Lonsdale.

CARRIED UNANIMOUSLY



a. Current Applications

App. No	Date Received	Address	Proposal	No. of objections	Status
PA2021048	27/05/2021 (Amended 21/03/2024)	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 Transport Zone 2	9	Under consideration
PA2023062	12/09/2023	105-107 Point Lonsdale Road & 1 Simpson Street Point Lonsdale	Buildings and works associated with the construction of two townhouses, a commercial building comprising two retail units and two apartments, a six lot subdivision, partial waiving of the car parking required for the retail units, retail and residential development in the Bushfire Management Overlay and subdivision of land adjacent to a road in a Transport Zone 2	9	Under consideration
PA2024009	13/02/2024	81 Hesse Street Queenscliff	Alterations and extensions to an existing building individually listed in a Heritage Overlay	2	Under consideration
PA2024012	28/02/2024	75 Learmonth Street Queenscliff	Part demolition, alterations and extensions (two storey) to an existing dwelling and construction of a front fence in a Heritage Overlay area	4	Under consideration
PA2024015	20/03/2024 (Amended 13/05/2024)	98 Hesse Street Queenscliff	Demolition of a dwelling and construction of a two storey dwelling in a Heritage Overlay area	4	Under consideration



b. Applications Finalised Since Last Report

App. No	Date Received	Address	Proposal	Status
VS2400006	11/04/2024	149 Point Lonsdale Road Point Lonsdale	Demolition and construction of a front fence on a site individually listed in a Heritage Overlay	Permit issued
VS2400007	17/04/2024	32 Gellibrand Street Queenscliff	Construction of a verandah on a site individually listed in a Heritage Overlay	Permit issued
VS2400009	02/05/2024	28 Simpson Street Point Lonsdale	Construction of a garden rotunda	Permit issued
VS2400010	06/05/2024	12 New Court Point Lonsdale	Removal of native vegetation	Application withdrawn (permit not required)
A2023-045-1	12/02/2024	3 Laker Drive Point Lonsdale	Amendment: Alterations and extensions (two storey) to an existing dwelling	Amended permit issued
A2022-121-1	29/04/2024	4 St Andrews Street Queenscliff	Amendment: Construction of a fence	Amended permit issued

c. New Applications Received Since Last Report

App. No	Date Received	Address	Proposal	No. of objections	Status
VS2400007	17/04/2024	32 Gellibrand Street Queenscliff	Construction of a verandah on a site individually listed in a Heritage Overlay	N/A	Permit issued
PA2024017	19/04/2024	36-38 & 40 Cheshunt Street Point Lonsdale	Construction of outbuildings, pool and fences and alterations to a dwelling individually listed in a Heritage Overlay	2	Public notification
PA2024018	01/05/2024	8 Lonsdale Street Point Lonsdale	Alterations to an existing two storey dwelling	0	Public notification
PA2024019	01/05/2024	25 Winterley Road Point Lonsdale	Construction of a dwelling, variation to the site coverage requirements of Design and Development Overlay Schedule 4 and removal of native vegetation	0	Further information received and under review



App. No	Date Received	Address	Proposal	No. of objections	Status
PA2024020	03/05/2024	118 Hesse Street Queenscliff	Use and development of a pétanque terrain	0	Public notification
VS2400009	02/05/2024	28 Simpson Street Point Lonsdale	Construction of a garden rotunda	N/A	Permit issued
VS2400010	06/05/2024	12 New Court Point Lonsdale	Removal of native vegetation	N/A	Application withdrawn (permit not required)
A2021-081-1	08/05/2024	8 Cheshunt Street Point Lonsdale	Amendment: Alterations and extensions (two storey) to an existing dwelling	N/A	Under consideration

d. VCAT Applications

App. No	Date Received	Address	Proposal	Status
PA2022-131	18/10/2023	7 Henry Street Queenscliff	Construction of two dwellings (two storey), variation to the setback requirements of Design and Development Overlay Schedule 1 and subdivision of the land into two (2) lots	VCAT application for review lodged by objector VCAT hearing 17 June 2024
PA2022-044	05/12/2023	6 McDonald Road Queenscliff	Use of the land for a helicopter landing site	VCAT application for review lodged by applicant VCAT practice day hearing 14 June 2024 & preliminary hearing 15 July 2024
PA2023-042	26/06/2023	13 Nicholas Court Point Lonsdale	Construction of a two-storey dwelling and front fence	VCAT application for review lodged by objector VCAT compulsory conference 5 July 2024 VCAT hearing 6 September 2024

e. Development Plan & Planning Scheme Amendment Summary Report

Reference no.	Details	Status
C37quen	Proposed application of additional controls on three (3) Monterey Cypress trees on the Bellarine Highway	C37quen has no formal status. Council officers are awaiting incorporation of the Bellarine Distinctive Area and Landscape



Reference no.	Details	Status
		Statement of Planning Policy into the Queenscliffe Planning Scheme before progressing C37quen
DP2	Queenscliff Ferry Terminal (1 Wharf Street East, Queenscliff): Proposed amendment to incorporate an all abilities public access pathway to the beach	Referral to DEECA
C40quen	Proposed amendment to incorporate the recommendations of the “Heritage Review of Places in Fisherman’s Flat Urban Conservation Precinct (HO1), Fisherman’s Flat, Queenscliff, Victoria” (Ecology and Heritage Partners, August 2023)	Exhibition of amendment C40quen concluded on 12 April 2024. Twelve submissions were received. Submissions have been reviewed by Council officers and a report will be presented to Council at the ordinary meeting on 22nd May 2024.

Legend

Italic text Amendment/extension of time request to application previously determined by Council

Bold text Officer delegation removed

PA Planning permit application

VS VicSmart application

A Application to amend a planning permit (under Section 72)



15.2.	Point Lonsdale Lighthouse Reserve Project Update #5
Author:	Manager Customer Experience
Portfolio:	Heritage, Planning & Infrastructure
Councillor:	Cr Ebbels

Purpose

This report provides an update on the capital work projects Council is currently undertaking at the Point Lonsdale Lighthouse Reserve.

Executive Summary

The projects currently being undertaken at the Point Lonsdale Lighthouse Reserve align to the following portfolio objectives including:

Portfolio 4: Heritage, planning and infrastructure

Strategic Objective: To protect our distinctive coastal, cultural and built environment, and provide sustainable, suitable infrastructure

Priority 4: Maintain and promote military, maritime and historic features on Council-managed land

Priority 5: Maintain and improve community infrastructure within the Borough

Council currently has two projects underway at the Point Lonsdale Lighthouse Reserve. These projects are known as:

- The Point Lonsdale Lighthouse Reserve Development – Stage 1.
Stage 1 is funded by Regional Development Victoria and the Borough of Queenscliffe. Stage 1 of the project is nearing completion.
- The Point Lonsdale Lighthouse Reserve Development – Stage 2.
Stage 2 is funded by the Department of Energy, Environment and Climate Action (DEECA). Works for stage 2 of the project will commence in the first quarter of 2024.

At the Ordinary Meeting of Council on 13 December 2023, Council resolved to bring monthly project updates detailing the progress of these projects.



RESOLUTION

Cr Ross Ebbels / Cr Robert Minty

That Council notes the Point Lonsdale Lighthouse Reserve project update for May 2024.

CARRIED UNANIMOUSLY



REPORT

Background

In 2019, following community consultation and consideration by a representative reference group, Council resolved to adopt a masterplan to guide the development and restoration of the Point Lonsdale Lighthouse Reserve.

In October 2019, Council commenced a development approval process to implement the elements of a landscape Master Plan for the Lighthouse Reserve adopted at the Ordinary Council Meeting in January 2019.

In December 2019, an amendment to the Victorian Heritage Register introduced greater heritage controls across the site, including increased controls to protect cultural heritage values.

In March 2021, Council amended the 2019 resolution to reflect the limitations to works resulting from the new heritage controls and advice from the Wadawurrung Traditional Owners Aboriginal Corporation about the cultural significance of the site.

Following the decision in March 2021, Stage 1 of the Point Lonsdale Lighthouse Reserve Development works became:

- External restoration of P1 Huts;
- Additional works in line with the site Masterplan that includes a sculptural component that observes the aboriginal historical significance of the site; and
- General site clean-up.

As part of this work a Conservation Management Plan was developed for the area included in the updated heritage citation.

In September 2022, Council was advised that the State Government had included \$1million in the 2022–2023 state budget for Stage 2 of the Point Lonsdale Lighthouse Reserve Development.

Council formed a project control group to manage Stage 2 in June 2023.



Discussion

Stage 1

As reported in Project update #3 at the March 2024 Ordinary Meeting, Council is currently in the process of gaining all the required approvals needed for the installation of the Wadawurrung sculptural element. With Wadawurrung guidance this element has also become the interpretive signage component which is needed to complete this project. Installation of the signage recognising Wadawurrung connection to the site is expected to occur in the second quarter of 2024.

Stage 2

Since the last update provided to Council, the Structural Engineer has completed the dilapidation report of the defence structures located within the Point Lonsdale Lighthouse Reserve. Using the information provided in the report, the Project Quantity Surveyor has prepared a preliminary order of cost estimates for the repair works to each of the following structures:

- Eastern Searchlight Emplacement
- Infrared Emplacement
- Directing and Ranging Station
- Eastern Gun Emplacement
- Western Searchlight Emplacement
- Rocket Shed
- Western Artillery Store & Gun Emplacement

The PCG has been provided with both the dilapidation report and cost estimate report and will meet on 27 May 2024 to discuss these findings.

The PCG will work to prioritise the repair works and decide on which of the repairs should be completed with the current funding allocation. Noting that the current funding agreement specifies restoration to the Directing and Ranging Station and the Eastern Searchlight. If the PCG recommends works be completed on any of the other structures, this would need to form part of a variation request required from DEECA.

As reported in Project Update #2, at the February 2024 Ordinary Meeting, a Cultural Heritage Management Plan (CHMP) is required to be completed before works commence at the Point Lonsdale Lighthouse Reserve.



The Project Managers and CHMP consultants have been in discussions with the Traditional Owners regarding the possibility of doing low impact works before the obtainment of the CHMP. Last week Council received the following advice from the Traditional Owners:

'That any works in the activity area should wait until approval of the Cultural Heritage Management Plan, so that the total sum of ground disturbances can be fully considered and accounted for in the meantime.'

The Project Managers are seeking further advice to clarify whether the remedial works to the defence structures would need to wait for the completion of the CHMP.

In the coming month the PCG will work to finalise the project plan, which will enable the Project Managers to begin the process of gaining the required approvals including the Cultural Heritage Management Plan, the Heritage Victoria Permit and the Marine and Coastal Management consent.

Council officers have contacted DEECA to advise that an extension of time for the project will be required, and changes to the project scope may also be needed to allow the project to be delivered within the project budget.

Once the PCG has finalised the project scope and timelines, Council will formally request the variation to the current funding agreement.

Options

1. Note the officer report as presented.
2. Request further information regarding these projects.

Communications and Engagement

Community Engagement

The purpose of this report is to inform the community of the projects occurring at the Point Lonsdale Lighthouse Reserve.

Collaboration

Since being transferred ownership of the Point Lonsdale Lighthouse Reserve from the Victorian Government in 2012, Council has been working with various government



stakeholders in conjunction with the local community to restore and revitalise this area.

A community reference group has driven the key components of the masterplan that was adopted by Council 2019.

Council has worked closely with Regional Development Victoria, the Department of Jobs, Precincts and Regions, and the Wadawurrung Traditional Owners to agree to a way forward on progressing the project, including making variations to the original grant.

The current PCG includes community representatives and officers from the Department of Environment, Energy and Climate Action. Local state member Alison Marchant attends as an observer.

Governance Context

Relevant Law

Marine and Coastal Act 2018

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 the 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; this is an update on a program.

Audit and Risk Committee

Not applicable.

Regional, State and National Plans and Policies

Not applicable.



Legal and Risk Implications

The legal and risk implications associated with these projects will continue to be monitored.

Related Documents

Council Plan 2021–2025

Disclosure of Interest

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

Considerations

Environmental Sustainability

The main aim of the P1 Hut restoration works is to make the area safe by removing asbestos in and around the buildings, enabling Council to remove the fences which restrict access to the site.

Financial and Resource Implications

There are no financial or recourse implications associated with this report.

Innovation and Continuous Improvement

Not applicable.

Implementation

Operational Impacts

There are no operational impacts associated with this report.

Implementation Process

This project will be delivered by an external contractor.

Attachments

Nil



15.3.	Murray Road Shared Use Project
Author:	Manager Infrastructure & Environment
Portfolio:	Heritage, Planning & Infrastructure
Councillor:	Cr Ebbels

Purpose

The purpose of this report is to:

- present options for improving conditions for pedestrians and cyclists on Murray Road.
- Present an overview of the community engagement survey of potential treatment options.
- Seek a resolution to progress to detailed design of the preferred treatment option.

Executive Summary

Portfolio 4: Heritage, planning and infrastructure

Strategic Objective: To protect our distinctive coastal, cultural and built environment, and provide sustainable, suitable infrastructure

Priority 6: Facilitate walking, cycling and active transport

Murray Road is considered a key missing link within the Bellarine Rail Trail between Geelong and Queenscliff Harbour. While a road link exists, it requires pedestrians and cyclists to mix with traffic, on what is currently a 50km/h residential street.

Finishing the missing link in the Bellarine Rail Trail is listed as a key strategy in Council’s Active Transport Strategy 2023–2033.

Five concepts were developed regarding this missing link, and extensive community consultation was undertaken to help determine the community’s preferred option.



RESOLUTION

Cr Ross Ebbels / Cr Robert Minty

That Council:

a) Requests officers to prepare a detailed design (construction stage) for traffic calming, inclusive of:

- Installation of speed cushions
- Installation of street lighting
- Speed limit reduction to 40km/h
- Improved directional signage

b) On completion of the detailed design, undertake direct engagement with primary stakeholders impacted by the proposed traffic calming arrangements including residents and owners of properties that abut Murray Road: and

c) Requests officers brief Council on the outcome of the direct engagement with the stakeholder engagement undertaken pursuant to section b) of this resolution.

CARRIED UNANIMOUSLY



REPORT

Background

Five concept options were presented to the community, including:

Option 1 – Traffic Calming

Implement speed humps along the full length of Murray Road.

Option 2 – Shared Pathway (South Side)

Construct a 2.5m wide pathway along the southern (property) side of Murray Road.

Option 3 – One-Way Road

Implement one-way traffic arrangements between Fellows and Ward Road, and construct a separated 2.5m wide pathway along the northern (Swan Bay) side of Murray Road.

Option 4 – Partial Road Closure

Close the road between Nelson and Ward Roads, implement one-way traffic arrangements for the remainder of Murray Road, and construct a separated 2.5m wide pathway along the northern (Swan Bay) side of Murray Road.

Option 5 – Status Quo

Make no changes to the existing conditions.

Discussion

Council officers received comprehensive feedback throughout the engagement period, including the following:

- 209 responses through an online survey:
 - 189 respondents live within the postcode area of 3225;
 - 14 respondents live outside the postcode area of 3225; and
 - 6 respondents did not share their postcode.
- 38 people attended in-person pop-in engagement sessions over 4 days
- Various additional comments were received via email, over the phone, and in person.

A summary of the online survey responses is provided in the table below:



Option	For	Neutral	Against
1 – Traffic Calming	39%	12%	50%
2 – Shared Path (South Side)	60%	8%	32%
3 – One-Way	24%	7%	69%
4 – Road Closure	20%	7%	73%
5 – Status Quo	40%	13%	47%

Option 1 – Traffic Calming

Traffic calming received mixed feedback throughout the engagement period. There was support for reducing the speed limit to 40km/h, improved directional signage, and installation of smaller speed cushions. It was also identified that street lighting must be improved along Murray Road if speed cushions are to be implemented which may adversely impact amenity and cost.

If this option is to be implemented, further engagement should be undertaken after a detailed design (construction stage) is developed. Detailed design is necessary to present to stakeholders the full extent of infrastructure required including the configuration of required lighting.

Option 2 – Shared Pathway (South Side)

Although the shared pathway was the most popular option from the survey results, it should be noted that it received strong opposition throughout the pop-in sessions from residents who live within The Springs neighbourhood. Although there was support for providing off-road access for pedestrians, the following negative impacts were identified:

- Concern that a pathway on the southern boundary would not be utilised by cyclists due to conflict points with driveways and side streets
- Negative impact on neighbourhood amenity
- Environmental impact due to vegetation removal required for path alignment
- Environmental impact due to quantity of sealed surface required
- Impact on existing swale drain, drainage, and pedestrian footbridges
- High costs associated with construction



Option 3 & 4 – One-Way Road or Partial Road Closure

Any concept designs that impacted traffic movements, including one-way treatments or road closures, received strong opposition through the survey and pop-in sessions. A number of negative external impacts were identified, including the following:

- Increased difficulty accessing the Bellarine Highway
- Increased travel times and resultant carbon emissions
- Impact on emergency services, waste services, and school bus services
- Environmental impact due to road widening at selected sections of Murray Road
- High cost associated with road widening

Option 5 – Status Quo

Retaining the existing conditions received mixed feedback and could be considered a feasible solution when balanced against the alternative options. Selecting this alternative would provide the opportunity to understand future growth in use of this Murray Road as the Point development and Cove development progress toward completion. This would provide the opportunity to make a more informed decision with the knowledge of the volume of pedestrian, cyclist and vehicle movements that will be reached.

Options

1. Council may:

a) Request officers to prepare a detailed design (construction stage) for traffic calming, inclusive of:

- Installation of speed cushions
- Installation of street lighting
- Speed limit reduction to 40km/h
- Improved directional signage

b) on completion of the detailed design, undertake direct engagement with primary stakeholders impacted by the proposed traffic calming arrangements including residents and owners of properties that abut Murray Road.

2. Council may, with consideration to the results of the community engagement and potential negative impacts of implementing the concept designs, resolve to retain existing conditions with the view to reassess needs as the local housing developments progress.



3. Council may:

- a) request officers to prepare a detailed design (construction stage) for construction of a shared pathway on the southern side of Murray Road,
- b) on completion of the detailed design, undertake direct engagement with primary stakeholders impacted by the proposed construction of the shared pathway including residents and owners of properties that abut Murray Road.

Communications and Engagement

Community Engagement

Council has and will continue to consult the community regarding this project.

Collaboration

There are no collaboration requirements associated with this report.

Governance Context

Relevant Law

The following legislation may need to be considered, depending on the final option chosen:

- *Marine and Coastal Act 2018*
- *Flora and Fauna Guarantee Act 1988*

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 the Council develops or reviews any Council policy, program or service that has a direct and significant impact on the public.

A Gender Impact Assessment has not been undertaken in respect of the matters in this Council Report.

Audit and Risk Committee

Not applicable.



Regional, State and National Plans and Policies

Not applicable.

Legal and Risk Implications

Not applicable.

Related Documents

Active Transport Strategy 2023–2033

Disclosure of Interest

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

Considerations

Environmental Sustainability

The options identified within this report have varying environmental impact. Option 1, which is the recommendation of officers, has a relatively minor environmental impact with limited localised widening of the road pavement necessary at the traffic management locations. The more significant impact of this option may be the positioning of lighting over the traffic management locations. Details of how the lighting will be achieved will be resolved in the detailed design phase.

Option 2 does not have an immediate environmental impact as this option maintains the status quo.

Option 3 has the most potential for significant environmental impact. The shared pathway will occupy the road reserve and result in the need to trim and potentially remove trees. The pathway will require the removal of some garden beds planted by residents and will also require the existing table drain at the western end of Murray Road to be reconfigured.

Financial and Resource Implications

Grant funding will likely be required to implement Option 1 and Option 3 of this report. Should Council resolve to retain existing conditions, then there will be no financial or resource implications associated with this project.



Innovation and Continuous Improvement

Not applicable.

Implementation

Operational Impacts

This project will be delivered with existing operational resources.

Implementation Process

It is proposed that further community consultation be undertaken. This will be done utilising existing staff resources.

Attachments

Nil



15.4.	Borough of Queenscliffe draft Coastal and Marine Management Plan
Author:	Strategic Planner
Portfolio:	Heritage, Planning & Infrastructure
Councillor:	Cr Ebbels

Purpose

The purpose of this report is to present the draft Borough of Queenscliffe Coastal and Marine Management Plan (CMMP) for endorsement for the purposes of public exhibition.

Executive Summary

Portfolio 4: Heritage, planning and infrastructure

Strategic Objective: To protect our distinctive coastal, cultural and built environment, and provide sustainable, suitable infrastructure

Priority 3: Identify and protect the Borough’s distinctive coastal characteristics

The draft CMMP has been prepared in accordance with the requirements of the *Marine and Coastal Act 2018* and associated marine and coastal policy and guidance documents.

The draft CMMP describes how marine and coastal Crown land managed by Council will be cared for in partnership with Wadawurrung traditional owners, our community, partner agencies and other stakeholders.

The draft CMMP sets out the following:

- The designated planning area and adjacent land management arrangements;
- A fifteen-year vision and a set of goals and five-year objectives aligned with the *Marine and Coastal Act 2018* objectives and community aspirations;
- An overview of the values of the marine and coastal environment and associated management issues and opportunities, informed by community and stakeholder input;
- Overarching and precinct scale actions; and



- Implementation arrangements and monitoring, evaluation and reporting framework.

The draft CMMP must be publicly exhibited and approved by the Minister before it can be used to inform the management of marine and coastal Crown land. Council endorsement of the CMMP is required before the document can be exhibited.

RESOLUTION

Cr Ross Ebbels / Cr Robert Minty

That Council endorse the draft Borough of Queenscliffe Coastal and Marine Management Plan for the purpose of public exhibition in accordance with Section 60 (1) and (2) of the *Marine and Coastal Act 2018*.

CARRIED UNANIMOUSLY



REPORT

Background

Marine and coastal Crown land is state-owned land, located within 200 metres inland of the high-water mark of the sea, that is declared to be marine and coastal Crown land for the purposes of the *Marine and Coastal Act 2018*.

A land manager may be appointed by the State Government to manage a particular area of Crown land. Land management responsibility can be assigned to Local Government, Parks Victoria, Authorities (such as the Great Ocean Road Coast and Parks Authority) and other Committees of Management.

The Borough of Queenscliffe is the nominated land manager for approximately 107 hectares of marine and coastal Crown land within the municipality. Whilst this represents most of the marine and coastal Crown land within the Borough, there are several other marine and coastal Crown land managers in the municipality including the Victorian Fisheries Authority, Parks Victoria, Department of Energy, Environment and Climate Action (DEECA) and The Bellarine Railway.

The *Marine and Coastal Act 2018* states that a land manager may choose, or be asked by the Minister, to prepare a Coastal and Marine Management Plan for the land they manage. The Minister requested that the Borough of Queenscliffe prepare a CMMP in the third quarter of 2019.

During 2020, Council prepared and released an Issues and Opportunities paper for community and stakeholder engagement.

A first draft CMMP, informed by community and stakeholder responses to the Issues and Opportunities paper, was released for public comment between November 2021 and January 2022. Post the receipt of submissions to the first draft CMMP, a Project Manager was appointed, a Project Working Group (PWG) was initiated, and a Project Steering Committee (PSC) was established with the aim of providing guidance in the preparation of the current draft CMMP.

Membership of the PSC includes representatives of the Wadawurrung Traditional Owners Aboriginal Corporation (WTOAC) and key agency stakeholders including DEECA, Parks Victoria and the Corangamite Catchment Management Authority. Two



Councillors also sit on the PSC, one of whom is the PSC Chair. The first meeting of the PSC was held in December 2022. The most recent PSC meeting was held on 25 March 2024 during which the following resolution was recorded:

The PSC has determined that the revised plan is suitable for public consultation and requests that the PWG seek a resolution from Council to release the draft plan for the purposes of consultation, in accordance with the requirements of the Marine and Coastal Act 2018.

Discussion

The draft Coastal and Marine Management Plan identifies how the marine and coastal Crown land for which the Borough of Queenscliffe is responsible will be managed. The document does this through the establishment of a fifteen-year vision and a set of goals and objectives for the next five years.

The plan has been drafted in consultation with our community, Traditional Owners, and other stakeholders.

The draft CMMP also incorporates suggestions, reflections and learnings gathered during group and individual consultation with our community, adjoining Crown land managers, WTOAC and issue specific interest groups.

This final draft has also been developed with reference to, and reviewed against, the Coastal and Marine Management Plan Guidelines produced by DEECA and released in late 2023. The Guidelines set out what components must be included in a CMMP.

A copy of the draft plan is appended to this report. It is important to note that maps are being finalised, with minor modifications expected prior to the commencement of public consultation.

In accordance with the *Marine and Coastal Act 2018*, the draft CMMP must be approved by the Minister before it can be used to inform management of the area of marine and coastal Crown land for which it has been drafted. Prior to Ministerial approval, consultation on the draft plan must be undertaken.

Section 60(1) of the *Marine and Coastal Act 2018* details the following requirements for public consultation on coastal and marine management plans:



1. A notice must be published in both the Government Gazette and a newspaper circulating throughout Victoria a notice that:
 - a. Summarises the contents of the draft plan;
 - b. Specifies where a copy of the draft plan can be obtained;
 - c. States that submissions may be made to the Crown land manager for a period of at least 28 days after publication in the Government Gazette.

As of the date of this report, the intention is to seek publication of the gazettal notice in the Victoria Government Gazette scheduled for release on 6 June 2024.

Additional public consultation will be undertaken throughout the duration of the exhibition period. It is anticipated that a walk-in session will be held in Queenscliff on the weekend of the 23 June 2024 and targeted consultation meetings with environment and community groups on the 24 June 2024.

The draft CMMP will be made available on Council's website and hardcopies will be printed and available for viewing in the Council Office at 50 Learmonth Street, Queenscliff. A plan-on-a-page or summary document will be available both online and in hardcopy at the walk-in session.

At the conclusion of the exhibition period Council, as the Crown land manager, must consider all submissions received on or before the date specified in the Government Gazette.

After consideration of all submissions received, Council, as the Crown land manager, must submit the draft CMMP to the Minister for approval.

Options

1. That Council endorses the draft Coastal and Marine Management Plan for the purpose of public exhibition.
2. That Council requests changes to the draft CMMP prior to releasing the document for public exhibition.
3. That Council elects to put the project on hold.

Communications and Engagement



Community Engagement

Council will consult the community regarding aspects of this project.

Collaboration

Officers have collaborated with local community groups in relation to this report.

Governance Context

Relevant Law

Marine and Coastal Act 2018

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 the 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.

Audit and Risk Committee

Not applicable.

Regional, State and National Plans and Policies

Queenscliffe Planning Scheme

Legal and Risk Implications

The legal and risk implications have been considered in association with this report.

Related Documents

Annual Plan 2023–2024

Climate Emergency Response Plan 2021–2031

Community Vision 2021–2031

Council Plan 2021–2025

Financial Plan 2023–2033



Queenscliffe Planning Scheme
CP001 Asset Management
CP015 Reconciliation

Disclosure of Interest

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

Considerations

Environmental Sustainability

Officers used various methods of assessing Council's performance and opportunities for improvement across the organisation.

Financial and Resource Implications

This project is subject to additional Council resources and budget considerations.

Innovation and Continuous Improvement

This report has been simplified to enhance the transparency of Council operations.

Implementation

Operational Impacts

This project relies on additional resources to be successfully delivered.

Implementation Process

Officers are yet to determine how this project can be delivered within existing resources.

Attachments

1. Borough of Queenscliffe Coastal and Marine Management Plan (CMMP) [**15.4.1** - 128 pages]



15.5.	Planning Scheme Amendment C40quen - Fisherman's Flat
Author:	Strategic Planner
Portfolio:	Heritage, Planning & Infrastructure
Councillor:	Cr Ebbels

Purpose

The purpose of this report is to present submissions received during the exhibition of planning scheme amendment C40quen – Fisherman’s Flat Heritage Review and to seek a resolution from Council to request that the Minister for Planning appoint a panel to hear submissions and make recommendations.

Executive Summary

Portfolio 4: Heritage, planning and infrastructure

Strategic Objective: To protect our distinctive coastal, cultural and built environment, and provide sustainable, suitable infrastructure

Priority 1: Improve planning controls to protect built form heritage values within the Borough of Queenscliffe

At its Ordinary Meeting on 25 October 2023, Council resolved to seek authorisation from the Minister for Planning to prepare and exhibit amendment C40quen. The amendment proposes changes to the Queenscliffe Planning Scheme specific to the Fisherman’s Flat Precinct in Queenscliff. The Fisherman’s Flat Precinct is defined as the area identified as HO1 in the Queenscliffe Planning Scheme.

Authorisation was received from the Minister for Planning on 22 January 2024. Exhibition of C40quen commenced on 7 March and concluded on 12 April 2024. A total of twelve (12) submissions were received. Individual meetings have been held with ten (10) of the submitters to clarify issues raised in submissions. It is apparent that resolution of some of the issues raised in the submissions is not possible, and would benefit from formal consideration through the planning panel process.



RECOMMENDATION

That Council resolves to write and request that the Minister for Planning appoints a panel to hear public submissions to the Planning Scheme Amendment C40quen.

RESOLUTION

Cr Ross Ebbels / Cr Robert Minty

That Council:

- a. Updates the summary of submissions in the Council report to include reference to matters raised by Submitter 2; and
- a. Resolves to write and request that the Minister for Planning appoints a panel to hear public submissions to the Planning Scheme Amendment C40quen.

CARRIED UNANIMOUSLY



REPORT

Background

At the Ordinary Meeting of Council on 25 October 2023, Council resolved to endorse the draft *Heritage Review of Places in Fisherman's Flat Urban Conservation Precinct (HO1), Fisherman's Flat, Queenscliff, Victoria* (Ecology and Heritage Partners Pty Ltd 4 August 2023). Council also resolved to seek authorisation from the Minister for Planning to prepare and exhibit an amendment to the Queenscliffe Planning Scheme to:

- Introduce a Statement of Significance for Fisherman's Flat;
- Amend the Fisherman's Flat Urban Conservation Precinct Heritage Design Guidelines 2021 to strengthen policy guidance for applicants and Council officers; and,
- Insert the Heritage Review of Places in Fisherman's Flat Urban Conservation Precinct (HO1), Fisherman's Flat, Queenscliff, Victoria (Ecology and Heritage Partners Pty Ltd 4 August 2023) into the Queenscliffe Planning Scheme as a Background Document.

Authorisation to prepare and exhibit the amendment was received from the Department of Transport and Planning (DTP) on 22 January 2024.

Public exhibition commenced on 7 March 2024 and concluded on 12 April 2024.

Notification of exhibition of C40quen was undertaken, in accordance with the requirements of the *Planning and Environment Act 1987*, as follows:

- Advertisement in the Geelong Advertiser on 6 March 2024;
- Direct notification via mail to seventy-four (74) owners of property within the area defined as the Fisherman's Flat precinct HO1;
- Direct notification to an additional twelve (12) properties which may not have been owner occupied;
- Amendment details, including draft planning scheme provisions, was made available in two locations on the Borough of Queenscliffe website and on the Department of Transport and Planning website;
- Hard copy amendment documentation was made available at the Council offices at 50 Learmonth Street, Queenscliff;
- Notice of preparation of a planning scheme amendment was published in the Victoria Government Gazette on 7 March 2024.



A community information session was held at the Queenscliff Town Hall on Saturday 16 March between 10.30am and 12.30pm. The Manager Community and Regulatory Services and the Strategic Planner facilitated a discussion on the planning scheme amendment process with fifteen members of the community in attendance.

Discussion

The Explanatory Report that supported the formal exhibition of the proposed amendment C40quen, is appended to this report (Attachment 1). The Explanatory Report sets out:

- What land is affected by the proposed amendment;
- What the amendment does;
- Why the amendment was required; and
- How the amendment implements the objectives of planning in Victoria.

Twelve (12) submissions were received in response to the exhibition of C40quen. Eleven (11) submissions were received by or on the exhibition close on 12 April. The twelfth submission was received by email on 30 April 2024 and contained a letter dated 11 April 2024. Despite the submission being received twelve (12) days after the conclusion of the exhibition period, it is recommended that the late submission be accepted in accordance with Clause 22(2) the *Planning and Environment Act 1987* which states that *The planning authority may consider a late submission and must consider one if the Minister directs.*

Of the twelve (12) submissions received, nine (9) were from landowners in Fisherman's Flat, with the other three (3) submissions from persons or organisations who are not located within Fisherman's Flat.

Individual meetings between Council's Strategic Planner and ten (10) submitters have been held. The meetings were held to discuss the submissions, ensure that the intent of their submission was clearly understood and documented by officers, and to give an opportunity for the Strategic Planner to explain why some elements of the submissions were out of scope, or in contradiction of the rules for drafting planning provisions.

A summary of each submission and an officer response is provided in the table below:



No.	Submitter comments	Reference in document	Requested change	Officer comments
1		Page 21 & 22 Table 3 references made to VHI H7821-0098 (Chinaman's Point Chinese Fishers Huts)	Remove VHI H7821-0098 from all properties on Beach Street	The submission has been forwarded to Ecology and Heritage Partners for review and comment in preparation for a Panel. Refer to Panel.
1		Page 60 - 1 Beach Street Reference to 'Former site of a single story warehouse'. Photograph provided shows one of the buildings had an upper floor	Delete reference to single story in description	The submission has been forwarded to Ecology and Heritage Partners for review and comment in preparation for a Panel. Refer to Panel.
1		Page 78 - 9 Beach Street Current footprint is not identical to the 1959 Allotment plan	Delete the wording 'footprint identical to 1959 Allotment plan'	The submission has been forwarded to Ecology and Heritage Partners for review and comment in preparation for a Panel. Refer to Panel.



No.	Submitter comments	Reference in document	Requested change	Officer comments
1		Page 87 - Notes under 12 Beach Street	Correct name from W Henry to W Shapter	The submission has been forwarded to Ecology and Heritage Partners for review and comment in preparation for a Panel. Refer to Panel.
1		Page 121 - 27 Beach Street. Lovell Chen noted the building as a 'rare surviving example in the Borough of this form of cottage.....of the 1880s/1890s	The subdivision of the east side of Beach Street was not until 1907. The house was built between 1908 and 1921.	The submission has been forwarded to Ecology and Heritage Partners for review and comment in preparation for a Panel. Refer to Panel.
1		Page 121 - Lacco's the Sail Loft and Slipway - Incorrect location for VHI H7821-0091	Delete VHI H7821-0091 as it only applies to 31 Beach Street	The submission has been forwarded to Ecology and Heritage Partners for review and comment in preparation for a Panel. Refer to Panel.



No.	Submitter comments	Reference in document	Requested change	Officer comments
1		Page 124 - 28 Beach Street - E&HP note the dwelling as 'Non-contributory. Dwelling of recent construction'.	Statement is incorrect. Should be noted as original and Contributory.	The submission has been forwarded to Ecology and Heritage Partners for review and comment in preparation for a Panel. Refer to Panel.
1		Page 131 - Notes correctly reports a quote from Ray Raison 'in place of the former cat rig'	This is incorrect. 'cat rig' should be 'lug' rig.	No change - incorrect reference was correctly quoted and remains an accurate record of the conversation.
1		Page 136 - 34 Beach Street notes 'current building constructed of rendered masonry and built after April 1994. This is incorrect.	Information provided by RN Bell was for 34 Wharf Street, not 34 Beach Street. Number 34 Beach Street is an original Fisherman's Cottage and should remain Contributory (as nominated in the Lovell Chen report of 2009)	The submission has been forwarded to Ecology and Heritage Partners for review and comment in preparation for a Panel. Refer to Panel.



No.	Submitter comments	Reference in document	Requested change	Officer comments
1		Page 139 - Dwelling name is incorrect (nominated as La Bella)	Change dwelling name to 'Kia Ora'	The submission has been forwarded to Ecology and Heritage Partners for review and comment in preparation for a Panel. Refer to Panel.
1		Page 167 - 15 Bridge Street notes 'no remnant features of the original cottage on property'	Incorrect. The dwelling is present and should be nominated as Contributory	The submission has been forwarded to Ecology and Heritage Partners for review and comment in preparation for a Panel. Refer to Panel.
1		Page 149 - 39 Beach Street notes 'no remnant features of original fisherman's cottage on property.'	There was never a cottage on this allotment	The submission has been forwarded to Ecology and Heritage Partners for review and comment in preparation for a Panel. Refer to Panel.



No.	Submitter comments	Reference in document	Requested change	Officer comments
1		Page 152 - 1 Bridge Street notes '1957 and 1970 aerial photographs show 1 Bridge and 2 Bay Street as a single property with one dwelling'	1 Bridge Street and 2 Bay Street are individual properties - text to be corrected and photographic reference provided	The submission has been forwarded to Ecology and Heritage Partners for review and comment in preparation for a Panel. Refer to Panel.
1		Page 173 - 18 Bridge Street	Reference to use as Railway cottages required	The submission has been forwarded to Ecology and Heritage Partners for review and comment in preparation for a Panel. Refer to Panel.
1		Page 179 - 20 Bridge Street	Reference to use as Railway cottages required	The submission has been forwarded to Ecology and Heritage Partners for review and comment in preparation for a Panel. Refer to Panel.



No.	Submitter comments	Reference in document	Requested change	Officer comments
1		Page 182 - 22 Bridge Street	Reference to use as Railway cottages required	The submission has been forwarded to Ecology and Heritage Partners for review and comment in preparation for a Panel. Refer to Panel.
1		Page 188 - 24 Bridge Street	Reference to use as Railway cottages required	The submission has been forwarded to Ecology and Heritage Partners for review and comment in preparation for a Panel. Refer to Panel.
1		Page 198 - 8 Wharf Street	Must be listed as Contributory	The submission has been forwarded to Ecology and Heritage Partners for review and comment in preparation for a Panel. Refer to Panel.
2		Page 5 - The Heritage Policy Map 1 needs updating		Agree. New map to be included



No.	Submitter comments	Reference in document	Requested change	Officer comments
2		Nearmaps in the document exclude 35 Beach Street from HO1 on pages 23, 25, 26 and 273	Include the property outline of 35 Beach Street within the area designated as HO1	Agree. Correction to be made
2		The use of VHI H7821-0098 <i>Chinaman's Point Chinese Fishers Huts</i> listed for 5, 9, 11, 15, 19 and 23 Beach Street is incorrect. This occurs on pages 21, 22, Table 3 and pages 69, 78, 84, 93, 102 and 112		The submission has been forwarded to Ecology and Heritage Partners for review and comment in preparation for a Panel. Refer to Panel.
2		VHI H7821-0091 <i>Lacco the Sail Loft and Slipway</i> which applies to 31 Beach Street is incorrectly attributed to 27 and 35 Beach Street as well. This occurs on pages 121 and 139.		The submission has been forwarded to Ecology and Heritage Partners for review and comment in preparation for a Panel. Refer to Panel.



No.	Submitter comments	Reference in document	Requested change	Officer comments
2		Page 57 - 24 Bay Street	Dwelling name is Denby	The submission has been forwarded to Ecology and Heritage Partners for review and comment in preparation for a Panel. Refer to Panel.
2		Page 64 - 4 Beach Street	Dwelling name is Bluey's	The submission has been forwarded to Ecology and Heritage Partners for review and comment in preparation for a Panel. Refer to Panel.
2		Page 106 - 20 Beach Street	Dwelling name is Rosebud	The submission has been forwarded to Ecology and Heritage Partners for review and comment in preparation for a Panel. Refer to Panel.



No.	Submitter comments	Reference in document	Requested change	Officer comments
2		Page 39 - 35 Beach Street	Change La Belle to Kia Ora	The submission has been forwarded to Ecology and Heritage Partners for review and comment in preparation for a Panel. Refer to Panel.
2		Page 155 - 6 Bridge Street	Dwelling name is Rouen	The submission has been forwarded to Ecology and Heritage Partners for review and comment in preparation for a Panel. Refer to Panel.
2		Page 176 - 19 Bridge Street	Dwelling name is Iona	The submission has been forwarded to Ecology and Heritage Partners for review and comment in preparation for a Panel. Refer to Panel.



No.	Submitter comments	Reference in document	Requested change	Officer comments
2		Clause 22.02 of the Heritage Policy	Should be Clause 15.03-1L	Agree. Document references are incorrect. The submission has been forwarded to Ecology and Heritage Partners for review and comment in preparation for a Panel. Refer to Panel.
2		Clause 22.03 of the Urban Character Study	Should be Clause 15.01-5L	Agree. Document references are incorrect. The submission has been forwarded to Ecology and Heritage Partners for review and comment in preparation for a Panel. Refer to Panel.



No.	Submitter comments	Reference in document	Requested change	Officer comments
2		SUZ Schedule 1 - 1 Bridge Street on page 6, unnumbered table and page 264 table 9	Should be 1 Beach Street	Agree. Document references are incorrect. The submission has been forwarded to Ecology and Heritage Partners for review and comment in preparation for a Panel. Refer to Panel.
2		Page 124 - 28 Beach Street	Should be Contributory	This comment mirrors the comments made in Submission 1. Both submissions have been forwarded to Ecology and Heritage Partners for review and comment in preparation for consideration by a Panel. Refer to Panel.



No.	Submitter comments	Reference in document	Requested change	Officer comments
2		Page 138 - 34 Beach Street	Should be Contributory	<p>This comment mirrors the comments made in Submission 1. Both submissions have been forwarded to Ecology and Heritage Partners for review and comment in preparation for consideration by a Panel.</p> <p>Refer to Panel.</p>
2		Page 167 - 15 Bridge Street	Should remain Contributory	<p>This comment mirrors the comments made in Submission 1. Both submissions have been forwarded to Ecology and Heritage Partners for review and comment in preparation for consideration by a Panel.</p> <p>Refer to Panel.</p>



No.	Submitter comments	Reference in document	Requested change	Officer comments
2		Page 198 - 8 Wharf Street	Should be Contributory	<p>This comment mirrors the comments made in Submission 1. Both submissions have been forwarded to Ecology and Heritage Partners for review and comment in preparation for consideration by a Panel.</p> <p>Refer to Panel.</p>
2		Page 259, Table 6	Add 28 Beach Street, 34 Beach Street, 15 Bridge Street and 8 Wharf Street	<p>This comment mirrors the comments made in Submission 1. Both submissions have been forwarded to Ecology and Heritage Partners for review and comment in preparation for consideration by a Panel.</p> <p>Refer to Panel.</p>



No.	Submitter comments	Reference in document	Requested change	Officer comments
2		Page 261, Table 7	Remove 15 Bridge Street	This comment mirrors the comments made in Submission 1. Both submissions have been forwarded to Ecology and Heritage Partners for review and comment in preparation for consideration by a Panel. Refer to Panel.
2	Fisherman's Flat Urban Conservation Precinct Heritage Design Guidelines: <i>... more detailed information is essential to help in the understanding of this humble precinct ...</i>		Submitter 2 requested changes to the exhibited Fisherman's Flat Design Guidelines.	The proposed changes to draft planning provisions, raised in Submission 2 cannot be resolved at a local level. Refer to Panel.
2	Fisherman's Flat Urban Conservation Precinct Statement of Significance: <i>... four properties have been added to the contributory buildings... I do not agree with the classification on the E&HP study.</i>		Submitter 2 requested changes to the exhibited Statement of Significance.	The proposed changes to draft planning provisions, raised in Submission 2 cannot be resolved at a local level. Refer to Panel.



No.	Submitter comments	Reference in document	Requested change	Officer comments
3	Beach Street has already significant controls and protections to maintain and enhance its character and heritage and I don't believe any further significant planning amendments are needed			The concerns raised in Submission 3 cannot be resolved at a local level and must be referred to a Panel.
3	My property will require major external maintenance and renovations in the future, especially the outbuildings. I want to have the ability to make changes in keeping with the heritage and area			The concerns raised in Submission 3 cannot be resolved at a local level and must be referred to a Panel.
3	The section of the amendment which references 'outbuildings' and the 'discourage' I object to as it is not clear what that means and what the intended or unintended consequences are likely to be			The concerns raised in Submission 3 cannot be resolved at a local level and must be referred to a Panel.
4	Not supportive of the amendment			The concerns, about the proposed changes to provisions, raised in Submission 4 cannot be resolved at a local level. Refer to Panel.



No.	Submitter comments	Reference in document	Requested change	Officer comments
4	Unnecessary over regulation which will have a detrimental impact on the Fisherman's Flat, it's residents and the broader township of Queenscliff.			The concerns, about the proposed changes to provisions, raised in Submission 4 cannot be resolved at a local level. Refer to Panel.
4	The council currently has the ability to manage development and heritage integrity in the Fisherman's Flat. I do not believe the added regulation is warranted.			The concerns, about the proposed changes to provisions, raised in Submission 4 cannot be resolved at a local level. Refer to Panel.



No.	Submitter comments	Reference in document	Requested change	Officer comments
4	<p>Those of us that live in the Fisherman's Flat have chosen to live here for the beauty and the heritage however we need to be able to 'live' here. The proposed amendment would prevent or make it incredibly difficult and expensive for our houses to be adapted to modern living conditions and there are currently many examples of dwellings that are not suited to meet the present requirements of families. This amendment will deter those people from entering our community unless they are able to purchase one of the properties that have already been adapted.</p>			<p>The concerns, about the proposed changes to provisions, raised in Submission 4 cannot be resolved at a local level.</p> <p>Refer to Panel.</p>



No.	Submitter comments	Reference in document	Requested change	Officer comments
4	<p>There are currently many examples of dwellings in the Fisherman's Flat that are in utter disrepair. Completely neglected. These include several in Beach St, good examples are number 15 and 19. These properties should be the focus of the council. The inclusion of the amendment will place an increased and unreasonable burden on Fisherman Flat owners in the effective maintenance of their properties. It will also deter potential buyers who would like to buy and restore homes in the Fisherman's Flat, which is what is needed urgently.</p>			<p>The issues of property maintenance and deterrence of potential purchasers is outside the scope of the amendment.</p> <p>The concerns about the proposed changes to provisions raised in Submission 4 cannot be resolved at a local level.</p> <p>Refer to Panel.</p>



No.	Submitter comments	Reference in document	Requested change	Officer comments
4	<p>Queenscliff is a town that needs more residents. You only have to walk down the main street to see that our economy needs an injection of more people, spending more money, more regularly, not just on the weekend. Many of our shops remain vacant. We need families with children who will need to add a few more rooms to many of the homes in the Fisherman's Flat. This amendment nullifies the opportunity for our community to grow and prosper. It will end up a ramshackle retirement village.</p>			<p>The concerns, about the proposed changes to provisions, raised in Submission 4 cannot be resolved at a local level.</p> <p>Refer to Panel.</p>
4	<p>Whilst it is important for council to protect the Fisherman's Flats heritage and character we also need to ensure that our community is not significantly impacted by these decisions. Not all of us have deep pockets for a heritage advisor or the means to go to VCAT.</p>			<p>The concerns, about the proposed changes to provisions, raised in Submission 4 cannot be resolved at a local level.</p> <p>Refer to Panel.</p>



No.	Submitter comments	Reference in document	Requested change	Officer comments
4	At the end of the day the original dwellings of the Fisherman's Flat would have consisted of a two room house. Does council really believe that is a pleasant, efficient and safe living and recreational environment for a family of five?			
4	It is arbitrary to listen to the loud voices of owners who have already had the opportunity to adapt their homes to meet their family requirements without thinking of those that will come later.			
4	It is unreasonable to treat our homes as museum pieces.			The concerns, about the proposed changes to provisions, raised in Submission 4 cannot be resolved at a local level.
5	Suggest mapping changes should be updated and corrected in support of the submission made by Submitter 2			No specific references to changes to mapping were made in submission 2. Issues raised in Submission can be clarified at Panel.



No.	Submitter comments	Reference in document	Requested change	Officer comments
5	The MSS clauses 21.02 and 21.04 used the words avoiding, reinforcing and requires . The QCA would like these words included where appropriate	Design Guidelines	more specific language to prevent misinterpretation	The language used in the amendment is in accordance with drafting rules and conventions. Modification of the wording in accordance with the submission cannot be undertaken at a local level. Refer to Panel.
5	The QCA are concerned with the introduction of small granny flats/second dwellings being introduced without planning permit and could significant undermine the heritage place without planning controls or adherence to DOO and Heritage Overlay requirements.		recommend an addition to the text added by Submitter 2 to the Design Guidelines	The request to include reference to second dwellings is outside the scope of the amendment. Refer to Panel.



No.	Submitter comments	Reference in document	Requested change	Officer comments
5	The QCA is concerned with other planning exemptions that could undermine the heritage place e.g. Council projects under \$1M. Separate Council Policies should exist.			Not a consideration in C40quen. Clause 62.02 is a state standard provision that can only be altered by the Minister for Planning Section 21(3) of the <i>Planning and Environment Act</i> states the following" <i>A person is not entitled to make a submission which requests a change to the terms of any State standard provision to be included in a planning scheme by the amendment.</i>
5	Site coverage should be reinforced and adhered to promote the humble and small heritage scale of Fisherman's Flat.			Site coverage is a component of the Design and Development Overlay provisions. The DDO provisions are not under consideration as part of C40quen and, therefore, out of scope. Refer to Panel.



No.	Submitter comments	Reference in document	Requested change	Officer comments
5	Does a Signage Policy exist particularly with regard to being an entrance to township and with the Maritime Museum forming part of the precinct.			Outside the scope and intent of C40quen. Refer to Panel.
5	Traffic controls? Parking Controls e.g. impacts of overflow of Boat ramp and other traffic.			Outside the scope and intent of C40quen. Refer to Panel.
5	Sections of Bridge Street have connection to Railway precinct either as part historical leases or function. Should be noted.			Outside the scope and intent of C40quen. Refer to Panel.
5	Serious consideration should be given to undergrounding powerlines to enhance the Flat and protect the noted Norfolk Is. Pine.	Or power bundling?		Outside the scope and intent of C40quen. Refer to Panel.
5	Use and maintenance of the Fisherman's Wharf shed should be referenced. It is understood that it is the responsibility of the leaseholder.			Outside the scope and intent of C40quen. Refer to Panel.
5	Potential planting screening of Swan Island bridge and Defence gates should be considered to enhance heritage characteristics.			Outside the scope and intent of C40quen. Refer to Panel.



No.	Submitter comments	Reference in document	Requested change	Officer comments
6	Reference should be made to site coverage in the design guidelines			Site coverage is a component of the Design and Development Overlay provisions. The DDO provisions are not under consideration as part of C40quen and, therefore, out of scope. Refer to Panel.
6	50 percent site coverage is not often enforced and precedents are often used to side step these provisions.			Outside the scope and intent of C40quen. Refer to Panel.
6	Site coverage may also become a future issue with new rules allowing granny flats without planning permits.			Outside the scope and intent of C40quen. Refer to Panel.
6	Bellarine DAL SPP - All the RPE's must have regard to the Bellarine DAL SPP including the 4 strategies that relate to heritage.			Agree.



No.	Submitter comments	Reference in document	Requested change	Officer comments
6	The Bellarine DAL SPP should be incorporated or at least listed as a Background Document			Outside the scope and intent of C40quen. Refer to Panel.
6	Maps in the Design Guidelines and Statement of Significance are generally poor quality and should be updated.			Agree. Mapping improvements will form a component of a planning scheme review.
6	The laneway in Bridge Street that links to the recently rebuilt boat ramp should be recognised in the amendment and QPS and made into a pleasant alternative walkway to and from the boat ramp.			The laneway is included in HO1 and therefore an element in the amendment. Issues of beautification of the laneway/walkway outside the scope and intent of C40quen. Refer to Panel.
6	The laneway should be given a name and rezoned for Conservation.			Outside the scope and intent of C40quen. Refer to Panel.
6	The same consideration should be given to the walkway from Wharf Street to Victrack/Bellarine railway land.			Outside the scope and intent of C40quen. Refer to Panel.



No.	Submitter comments	Reference in document	Requested change	Officer comments
6	The maps don't capture the differing rear boundary alignments in Bridge Street.			The maps are correct as per the planning scheme. Some of the perceived inaccuracies are generated by different line weights.
6	The maps don't list any locally important landmarks such as the Wreck Bell on the corner of Gellibrand and Wharf Street or the areas connection to the existing walkway and small Dinghy Basin next to Swan Island Bridge which I understand is not part of the QHPL 60 year lease of the harbour.			The Wreck Bell and Dinghy Basin are both located outside the boundary of HO1 and, therefore, outside the scope and intent of C40quen. Refer to Panel.
6	Concerns about any provisions that allow demolition of old fishermen's homes, cottages or outbuildings.			The issue of demolition cannot be resolved at a local level. Refer to Panel.
7	Agree with keeping the visual and historic characteristics, modest facades and setbacks of the frontages.			Noted



No.	Submitter comments	Reference in document	Requested change	Officer comments
7	Agree with the materials, colours and finishes section and that fencing should be kept traditional.			Noted
7	Outbuildings and demolition suggestions are reasonable and in line with keeping the characteristics of the fishing village.			Noted
7	Contributory and non-contributory dwellings do not meet the current and proposed restrictions (second story on contributory dwelling at 20 Beach Street)			Noted. Refer to Panel.
7	Restrictions make dwellings unviable as permanent family residences			The concerns about the proposed changes to provisions raised in Submission 7 cannot be resolved at a local level. Refer to Panel.
7	Restrictions encourage dwellings to be used as holiday homes or short stay accommodation			Outside the scope and intent of C40quen. Refer to Panel.



No.	Submitter comments	Reference in document	Requested change	Officer comments
7	Restrictions may discourage some of the derelict properties in Fisherman's Flat from being improved			Outside the scope and intent of C40quen. Refer to Panel.
7	Restrictions may discourage potential buyers to the area			Outside the scope and intent of C40quen. Refer to Panel.
7	Restrictions may lower property values			Property value is not a consideration of C40quen. Refer to Panel.
7	Discourages young families from coming to the area because dwellings are too small			Outside the scope and intent of C40quen. Refer to Panel.
8	Mapping anomaly at the rear of 24 Bridge Street which shows a section of HO1 extending into VicTrack land.		Mapping change to remove HO1 from VicTrack land	Discussion with the Department of Transport and Planning is required to revise HO1 boundary.
9	Design guidelines need to be strengthened by including what is 'absolutely not acceptable design' within the precinct			The content of the Design Guidelines cannot be agreed upon at a local level. Refer to Panel.



No.	Submitter comments	Reference in document	Requested change	Officer comments
9	The Design Guidelines are meant to be a helpful and educational resource to assist people to understanding the HO1 before embarking on their project			The Design Guidelines are one component of the planning consideration for use and development in Fisherman's Flat - the background document is the primary document for information on the history of Fisherman's Flat
9	Reference to location of Chinaman's Point needs to be corrected			The submission has been forwarded to Ecology and Heritage Partners for review and comment in preparation for a Panel. Refer to Panel.
9	The Lacco sail loft applies to 31 Beach Street (not 27 and 35 Beach Street)			The submission has been forwarded to Ecology and Heritage Partners for review and comment in preparation for a Panel. Refer to Panel.



No.	Submitter comments	Reference in document	Requested change	Officer comments
9	Noticed other errors throughout the document that need correction			Other errors are not identified in the submission
10	The original fabric of 6 Wharf Street has been significantly altered (not the least by fire) and no longer resembles the original building on the site. Differences are identified in detail in the submission.			The submission has been forwarded to Ecology and Heritage Partners for review and comment in preparation for a Panel. Refer to Panel.
11	6 Wharf Street should not have been nominated as Contributory without the heritage advisor accessing existing plans or speaking with land owners. This represents a significant flaw in the development of the heritage study.			Agree that reviewing existing plans would have contributed to a better understanding of the current building. Heritage studies do not often include internal inspections, unless internal alteration provisions are intended. Refer to Panel.



No.	Submitter comments	Reference in document	Requested change	Officer comments
12	Not supportive of the proposed amendment.			The concerns, about the proposed changes to provisions, raised in Submission 12 cannot be resolved at a local level. Refer to Panel.
12	The amendment will deter owners from maintaining or renovating their properties			The concerns, about the proposed changes to provisions, raised in Submission 12 cannot be resolved at a local level. Refer to Panel.



Clause 23(1) of the *Planning and Environment Act* dictates that after the planning authority has considered submissions the planning authority must take one of the following actions:

- change the amendment as requested in submissions;
- refer the submissions to a Panel; or
- abandon the amendment or part of the amendment.

In each case the Council will need to write to the Minister for Planning and provide the Council resolution.

Many of the submissions are seeking changes to the draft planning scheme that cannot be reconciled. There is a clear divide between submissions that do not support the strengthening of the existing planning provisions that apply to Fisherman's Flat, and submissions that seek to strengthen the provisions beyond the draft provisions set out in the planning scheme amendment documentation.

Council officers are recommending that Council resolve to request that the Minister for Planning appoint a panel to hear submissions because of the range of opposing views set out in the submissions. This option will give all the submitters the opportunity to present their views on the proposed amendment to an independent authority, and a panel with heritage and planning expertise. The panel will develop a clear position on the different views, and make recommendations that allow Council and the Minister for Planning to progress the proposed amendment.

Options

1. Council can elect to refer the submissions to a Panel.
2. Council can elect to change the amendment as per the requests made in submissions.
3. Council can elect to change the amendment in part and as per specific requests made in submissions, and refer the remaining submissions to a Panel.
4. Council can elect to abandon the amendment, or part of the amendment*.

*It should be noted that abandoning the proposed amendment means there will be no changes to the heritage provisions in Fisherman's Flat and the Ecology and Heritage Partners report will not be included into the Queenscliffe Planning Scheme as a Background Document. This course of action is not supported by officers because the planning panel



process provides an opportunity to resolve concerns raised in the submissions and protects the investment made by Council to progress improvements to the planning scheme.

Communications and Engagement

Community Engagement

The formal notification of the proposed Planning Scheme represents the most recent phase of consultation. The formal notification was supported by a community drop-in session and individual meetings with submitters.

Collaboration

There are no collaboration requirements associated with this report.

Governance Context

Relevant Law

Planning and Environment Act 1987
Queenscliffe Planning Scheme

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 the 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.

Audit and Risk Committee

Not applicable.

Regional, State and National Plans and Policies

Queenscliff Planning Scheme



Legal and Risk Implications

The legal and risk implications have been considered in association with this report.

Related Documents

Council Plan 2021–2025
Queenscliffe Planning Scheme
CP003 Community Engagement

Disclosure of Interest

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

Considerations

Environmental Sustainability

The Council Plan provides information in relation to Council's commitment to environmental sustainability.

Financial and Resource Implications

This project will be delivered using existing Council resources.

Innovation and Continuous Improvement

Not applicable.

Implementation

Operational Impacts

This project will be delivered with existing operational resources.

Implementation Process

This project will be delivered by existing staff and resources.

Attachments

1. Queenscliffe C40quen Explanatory Report Exhibition Gazetted [15.5.1 - 6 pages]



16. Governance & Finance

16.1.	Review of Council Policies
Authors:	Manager Finance and ICT Services HR & Governance Coordinator
Portfolio:	Governance & Finance
Councillor:	Cr Grigau

Purpose

The purpose of this report is for Council to consider two revised Council policies, as follows:

- CP036 Fixed Assets: Valuation and Revaluation
- CP040 Borrowings

Executive Summary

Portfolio 5: Governance and Finance

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

Priority 3: Accountable and transparent governance

This report outlines proposed amendments to two existing Council policies.

Policy CP036 Fixed Assets: Valuation and Revaluation was first adopted in July 2017 and last reviewed and revised in May 2023. The purpose of this policy is to specify the Borough of Queenscliffe’s approach, in accordance with relevant Australian Accounting Standards, other legislative requirements and State Government guidelines, when undertaking financial valuations and subsequent revaluations of non-current physical assets of Council.

Policy CP040 Borrowings was first adopted in October 2017 and last reviewed and revised in February 2021. The main purpose of this policy is to establish objectives and principles that outline when it is appropriate for Council to undertake borrowings.



RESOLUTION

Cr Ross Ebbels / Cr Robert Minty

That Council adopt the following revised policies as presented:

- a) CP036 Fixed Assets: Valuation and Revaluation; and
- b) CP040 Borrowings.

CARRIED UNANIMOUSLY



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

The proposed changes have been provided in draft form for both policies (see attachments).

CP036 Fixed Assets: Valuation and Revaluation (Revised)

Although this policy is not due for formal review, officers have suggested some changes to ensure that Council's policies in relation to non-current physical assets covers all key stages of an asset's life cycle.

Apart from minor wording changes, the key changes proposed under section 1 in the revised draft policy are summarised below:

- Guidelines to determine types of costs to be included in the initial recognition of an asset in the financial statements;
- Introduction of a materiality level for the initial recognition of value of non-current physical assets in the financial statements;
- Guidelines to manage low value and high risk of theft, portable assets;
- Assets depreciation method and average depreciation period (useful life) for each class of asset.



CP040: Borrowings (Revised)

Apart from minor wording changes, the key changes proposed in the revised draft policy are summarised below:

- Policy principles – Included as a key principal of the requirement for proposed borrowings to be included the budget or a revised budget.
- Section 3.1 – Removed references to the now defunct Local Government Funding Vehicle (LGFV).
- Section 3.1 – As a participating authority with the Treasury Corporation Victoria (TCV), the Council is able to borrow from TCV, within the framework established by Local Government Victoria. The policy has been updated to reflect this arrangement.

Options

1. Adopt the revised policies as presented.
2. Request changes to the policies as presented.

Communications and Engagement

Community Engagement

The purpose of this report is to inform the community regarding this proposal.

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 the 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 matters in this report do have a direct impact on the public, they are not considered sufficiently significant to require a Gender Impact Assessment.

Audit and Risk Committee

This item was presented to Council's Audit & Risk Committee at its meeting on 15 April 2024.

Regional, State and National Plans and Policies

Not applicable.

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

CP036 Fixed Assets: Valuation and Revaluation

CP040 Borrowings

Disclosure of Interest

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

Considerations

Environmental Sustainability

There are no environmental sustainability implications associated with this report.

Financial and Resource Implications

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

Innovation and Continuous Improvement

Continuous improvement is a key consideration when Council policies are reviewed.

Implementation



Operational Impacts

This project will be delivered with existing operational resources.

Implementation Process

This project will be delivered by existing staff and resources.

Attachments

1. Draft CP036 Fixed Assets: Valuation and Revaluation [**16.1.1** - 10 pages]
2. Draft CP036 Fixed Assets: Valuation and Revaluation (track changes) [**16.1.2** - 10 pages]
3. Draft CP040 Borrowings [**16.1.3** - 6 pages]
4. Draft CP040 Borrowings (track changes) [**16.1.4** - 7 pages]



17. Signing & Sealing of Documents

No reports to consider.

18. Questions Without Notice

18.1. Questions Without Notice Status Update

No Questions Without Notice are outstanding.

18.2. Questions Without Notice

Cr Michael Grout thanked the CEO for a well-run and successful Community Service Awards and Volunteers function held on Tuesday evening on 21 May 2024. Cr Grout advised the CEO that some groups have notified Councillors that they did not receive an invitation to the event.

The CEO advised that he is of the understanding that all groups were invited to attend and will follow up with officers to find out why some of the invitations may not have been received.

19. List of Council Meetings

Budget Submissions Hearing

Monday 3 June 2024 at 6:00pm

Queenscliffe Hub

Planning Review Meeting

Wednesday 12 June 2024 at 7:00pm (if required)

Ordinary Meeting of Council

Wednesday 26 June 2024 at 7:00pm

Queenscliff Town Hall



Councillor Listening Post

Friday 28 June 2024 at 11:00am to 12:00pm

Wirrng Wirrng/ Queenscliffe Hub

It has been necessary to change the date of the Draft Budget submission hearing due to the Mayor's availability. The hearing has been moved to Monday 3 June at 6:00pm and will be held at the Wirrng Wirrng Auditorium.

RESOLUTION

Cr Ross Ebbels / Cr Robert Minty

That Council receives budget submissions and, where requested, allow submitters to be heard by Council in support of those written submissions on any proposal contained in the draft budget documents at a public meeting on Monday 3 June 2024 at 6.00pm.

CARRIED UNANIMOUSLY

20. Closed Session of Meeting

The chair will close the meeting to consider confidential items.

RESOLUTION

Cr Ross Ebbels / Cr Robert Minty

Time: 7:47 pm

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. Community Grants and Event Sponsorship Reference Group Appointments

This agenda item is deemed to contain confidential information as per section 3(1)(f) of the *Local Government Act 2020* as it contains personal information, being information which if released would result in the unreasonable disclosure of



information about any person or their personal affairs. This ground applies as this item relates to a confidential committee nomination process.

CARRIED UNANIMOUSLY

21. Ratification of Confidential Items

Having considered confidential items, the Chair will resume the meeting.

RESOLUTION

Cr Ross Ebbels / Cr Robert Minty

Time: 7:53 pm

That Council reopen the meeting and resume standing orders.

CARRIED UNANIMOUSLY

RESOLUTION

Cr Robert Minty / Cr Ross Ebbels

That the decisions made in camera be ratified by Council.

CARRIED UNANIMOUSLY

22. Close of Meeting

Cr Ross Ebbels declared the meeting closed at 7:53 pm.



23.1. 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	Councillors	Officers	Agenda items	Conflict of interest disclosures
Victorian Local Government Grants Commission meeting 18 April 2024 2:00pm – 4:00pm Wirrng Wirrng	Cr Tolhurst, Mayor Cr Ebbels Cr Grout Cr Grigau Cr Minty	Tim Crawford, MCRS Gihan Kohobange, MFS Stuart Hansen, MIE Abbey Tatterson, MCE Steve Quick, RIE	1. Borough of Queenscliffe update 2. Commission role & overview 3. Grants History 4. General Purpose Grants 5. Local Roads Grants 6. Trends in Grant outcomes	Nil.
Councillor Assembly Briefing 24 April 2024 2:35pm – 3:15pm	Cr Tolhurst, Mayor Cr Ebbels Cr Grout Cr Grigau	Martin Gill, CEO Tim Crawford, MCRS Gihan Kohobange, MFS Stuart Hansen, MIE	1. Cliff Stability Study	Nil.



Informal Meeting	Councillors	Officers	Agenda items	Conflict of interest disclosures
Wirrng Wirrng	Cr Minty	Abbey Tatterson, MCE Melissa Gunn, VFO		
CEO & Councillor Meeting 24 April 2024 3:15pm – 4:45pm Wirrng Wirrng	Cr Tolhurst, Mayor Cr Ebbels Cr Grout Cr Grigau Cr Minty	Martin Gill, CEO	<ol style="list-style-type: none"> 1. Public Questions 2. Governance Rules Urgent Business 	Nil.
Councillor Assembly Briefing 15 May 2024 2:03pm – 4:55pm Wirrng Wirrng	Cr Ebbels, Mayor Cr Grout Cr Minty	Martin Gill, CEO Tim Crawford, MCRS Gihan Kohobange, MFS Stuart Hansen, MIE Abbey Tatterson, MCE Brydon King, SP Dinah O'Brien, STP Makenna Bryon, CC Shelley Sutton, CDO Carly Douglas, CSRO	<ol style="list-style-type: none"> 1. Planning Application 2024-048 at 200-204 Point Lonsdale Rd, Point Lonsdale 2. Queenscliff Music Festival major event sponsorship request 3. Murray Road shared use project update 4. Planning Scheme Amendment C40queen – Fisherman's Flatt Heritage Review 5. Community Grants & Events sponsorship reference group applications 6. Review of Council Policies: <ol style="list-style-type: none"> a. CP011 Investment of Available Funds 	Nil.



Informal Meeting	Councillors	Officers	Agenda items	Conflict of interest disclosures
			<ul style="list-style-type: none"> b. CP040 Borrowings c. CP036 Fixed Assets: Valuation & Revaluation 	

BS&ICT – Business Systems & ICT Coordinator	CC – Communications Coordinator	CEO – Chief Executive Officer
CERP – Project Officer, Climate Emergency Response Plan	CDO – Community Development Officer	CSC - Community Services Coordinator
CSRO – Community Stakeholder Relations Officer	EA – Executive Assistant to the CEO, Mayor & Councillors	FSC - Financial Services Coordinator
HR&GC – HR & Governance Coordinator	MCE – Manager Customer Experience	MFS – Manager Finance & ICT Services
MIE – Manager Infrastructure & Environment	MPCS – Manager Community & Regulatory Services	RIE – Roads Infrastructure Engineer
SP – Senior Planner	STP – Strategic Planner	VFO – Vegetation & Foreshore Officer

Confirmed

Cr Ross Ebbels, Mayor

26 June 2024