



**ORDINARY COUNCIL MEETING**

# **AGENDA**

**WEDNESDAY 18 APRIL 2018**

**AT 4PM**

**COPACC**

**Next Council Meeting: 23 May 2018**

# COLAC OTWAY SHIRE ORDINARY COUNCIL MEETING

18 APRIL 2018

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## COLAC OTWAY SHIRE COUNCIL ORDINARY MEETING

NOTICE is hereby given that the next **ORDINARY COUNCIL MEETING OF THE COLAC OTWAY SHIRE COUNCIL** will be held at COPACC on 18 April 2018 at 4pm.

### AGENDA

#### **1. THE MEETING IS DECLARED OPEN**

##### **OPENING PRAYER**

*Almighty God, we seek your  
blessing and guidance in our  
deliberations on behalf of the  
people of the Colac Otway Shire.  
Enable this Council's decisions to be  
those that contribute to the true  
welfare and betterment of our community.*

*AMEN*

#### **2. PRESENT**

#### **3. APOLOGIES**

#### **4. WELCOME & ACKNOWLEDGEMENT OF COUNTRY**

Colac Otway Shire acknowledges the original custodians and law makers of this land, their elders past and present and welcomes any descendants here today.

I ask that we all show respect to each other and respect for the office of an elected representative.

All Council and Committee meetings are audio recorded, with the exception of matters identified as confidential items in the Agenda. This includes the public participation sections of the meetings.

Audio recordings of meetings are taken to facilitate the preparation of the minutes of open Council and Committee meetings and to ensure their accuracy.

In some circumstances a recording will be disclosed to a third party. Those circumstances include, but are not limited to, circumstances, such as where Council is compelled to disclose an audio recording because it is required by law, such as the Freedom of Information Act 1982, or by court order, warrant, or subpoena or to assist in an investigation undertaken by the Ombudsman or the Independent Broad-based Anti-corruption Commission.

Council will not use or disclose the recordings for any other purpose. It is an offence to make an unauthorised recording of the meeting.

## **5. QUESTION TIME**

A maximum of 30 minutes is allowed for question time. To ensure that each member of the gallery has the opportunity to ask questions, it may be necessary to allow a maximum of two questions from each person in the first instance. Once everyone has had an opportunity to ask their initial questions, and if time permits, the Mayor will invite further questions.

Please remember, you must ask a question. If you do not ask a question you will be asked to sit down and the next person will be invited to ask a question. Question time is not a forum for public debate or statements.

1. Questions received in writing prior to the meeting (subject to attendance and time).
2. Questions from the floor.

## **6. TABLING OF RESPONSES TO QUESTIONS TAKEN ON NOTICE AT PREVIOUS MEETINGS**

These responses will not be read out but will be included in the minutes of this meeting.

## **7. PETITIONS/JOINT LETTERS**

## **8. DECLARATIONS OF INTEREST**

A Councillor who has declared a conflict of interest, must leave the meeting and remain outside the room while the matter is being considered, or any vote is taken.

Councillors are also encouraged to declare circumstances where there may be a perceived conflict of interest.

## **9. CONFIRMATION OF MINUTES**

- **Ordinary Council Meeting held on 28 March 2018.**

### **Recommendation**

***That Council confirm the above minutes.***



# ORDINARY COUNCIL MEETING

# GREAT OCEAN ROAD TASKFORCE ISSUES

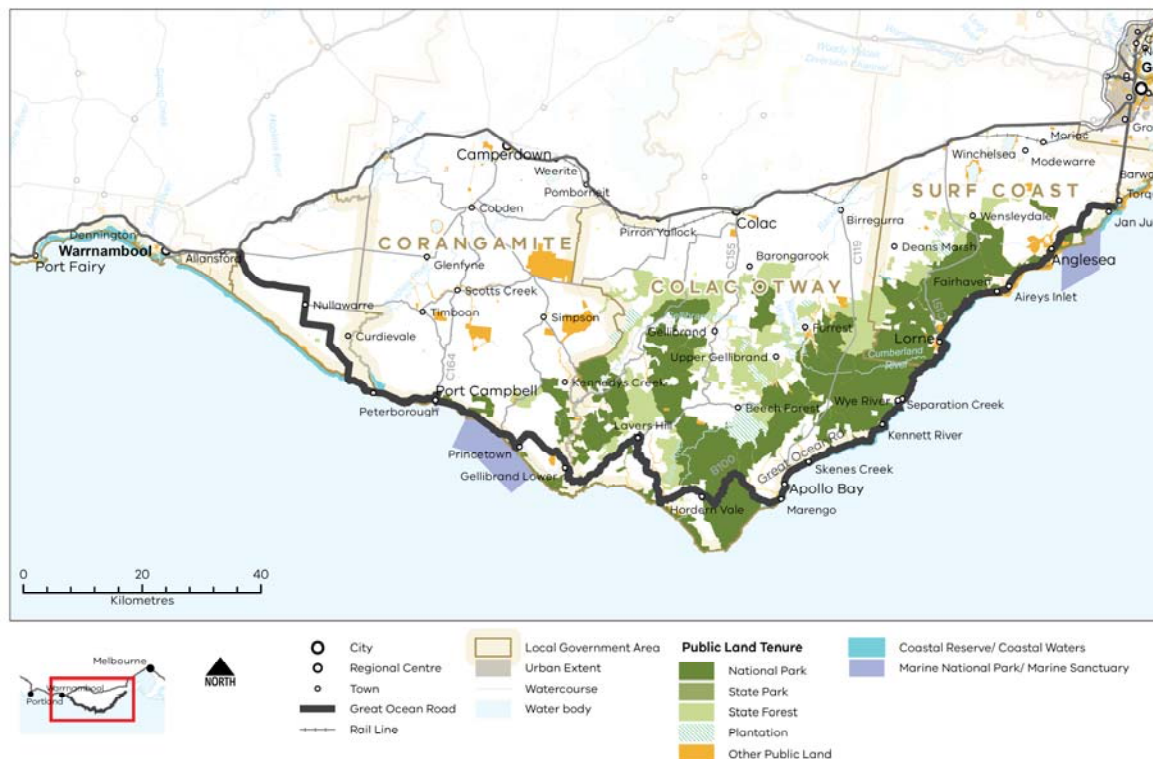
# PAPER RESPONSE

OM181804-1

<b>LOCATION / ADDRESS</b>	Great Ocean Road	<b>ACTING CHIEF EXECUTIVE OFFICER</b>	Robert Dobrzynski
<b>GENERAL MANAGER</b>	Tony McGann	<b>DIVISION</b>	Infrastructure & Leisure Services
<b>TRIM FILE</b>	F17/6554	<b>CONFIDENTIAL</b>	No
<b>ATTACHMENTS</b>	1. Great Ocean Road Taskforce Issues Paper		
<b>PURPOSE</b>	To consider a response to the newly released Great Ocean Road Taskforce Issues Paper.		

## 1. LOCATION PLAN / AERIAL PHOTO

Study Area



## 2. EXECUTIVE SUMMARY

The Victorian Government established the Great Ocean Road Taskforce (the Taskforce) to review the effectiveness of current governance arrangements and recommend any necessary reforms.

The Taskforce has released an Issues Paper which it seeks feedback upon by 30 April 2018. The Issues Paper is attached.

The Taskforce has concluded that a new management model is needed for the Great Ocean Road system. It has also concluded that the Great Ocean Road system requires a “unifying, overarching, strategic framework plan”. It would consider the following pillars:

1. Town structure
2. Landscape characteristics
3. Infrastructure
4. Economic development

The Taskforce concluded that the best way to manage the Great Ocean Road System in the future is to create a new lead agency. The taskforce has suggested that there are four options for a lead agency:

1. A coordinating committee
2. An existing agency
3. A new body established within an existing agency
4. A new body

The Taskforce considered the issue of funding and investment for the Great Ocean Road system. It concluded that a Great Ocean Road Strategic Framework Plan is likely to require significant funding and investment in order to “develop a world-class visitor experience and touring road, protect the landscapes and maintain the liveability of local communities”.

The Taskforce concluded that a “dedicated and ongoing secure funding source is required that is not dependent on the annual budget cycle and allocation.”

In summary the Taskforce has considered the Great Ocean Road system between Torquay and Warrnambool and concluded that:

1. The current governance arrangement is not sustainable.
2. A Great Ocean Road Strategic Framework Plan is required.
3. Secure and ongoing funding is required to deliver a world class visitor experience whilst protecting the landscapes and liveability of the communities and
4. A new lead agency model is required.

The Council Plan, under the Our Prosperity theme, establishes a goal to “improve strategic planning and coordination of the Great Ocean Road.”

It then prescribes an action to “advocate for the establishment of a Great Ocean Road Authority.”

It can be seen that there is a very close alignment between the Council Plan and the work and conclusions of the Taskforce as communicated in the Issues Paper.

### 3. RECOMMENDATION

*That Council:*

- 1) *Provides the responses below to the questions posed by the issues paper prepared by the Great Ocean Road Taskforce:*

1. *What do you love most about the Great Ocean Road and its landscapes?*

*Response: Council values the cultural significance of the Great Ocean Road, the natural environment on and off shore, the vibrant communities that live on the road, the economic significance of the visitor economy and the significance of the area to the Traditional Owners.*

2. *What aspect of the Great Ocean Road and its landscapes would you like most like to see protected?*

*Response: Council requires all of the above to be protected and enhanced.*

3. *What aspect of the Great Ocean Road and its landscapes would you most like to see changed?*

*Response: Council requires that strategic planning and implementation works are carried out to ensure that the visitor economy is supported and its impacts on local communities and the environment are managed. A sustainable funding model is critical, incorporating a user pay principle which sees visitors contribute to the protection, maintenance and enhancement of the landscape that attracts them to the region.*

4. *Do you work for, or own or operate a business, or are you a member of a community organisation, that benefits from visitors to the Great Ocean Road region? What are the key issues for the organisation/business?*

*Response: Council represents the communities that live and holiday on the Great Ocean Road as well as the wider Colac Otway Shire community.*

*The key issues for Council have been captured and expressed in the Taskforce Issues Paper.*

5. *Is there any critical issue or opportunity that we have missed?*

*Response: In Council's view there are no critical issues or opportunities that have been missed.*

6. *Do you have any suggested changes to the overarching policy, goals and principles?*

*Response: Council does not have any suggested changes to the overarching policy, goals and principles*

7. *What elements would you like to see covered in a Strategic Framework Plan for the Great Ocean Road region?*

***Response:*** Council is of the opinion that the key elements of a Strategic Framework Plan for the Great Ocean Road Region have been captured in the Issues Paper. It will be critical to ensure that a sustainable funding model is identified which has an element of a user pay principle which sees visitors contribute to the protection, maintenance and enhancement of the landscape that attracts them to the region.

8. *What are your thoughts about establishing a new organisation to oversee the development, and coordinate implementation, of a Strategic Framework Plan for the Great Ocean Road region?*

***Response:*** Council is of the view that a new Authority, created under statute, should be established to develop and coordinate the implementation of a Strategic Framework Plan for the Great Ocean Road region. The Authority should be the lead agency in the implementation of the Strategic Framework Plan. A lead Minister should also be confirmed that the Authority is accountable to. Council is of the view this could be a Tourism or Economic development related Minister and agency.

*Based on the above, Council is of the view that Option 4 contained in the Issues Paper establishing a funded new authority by legislation is the preferred option.*

*Council is of the view that a dedicated and ongoing secure funding source is required that is not dependent on the annual budget cycle and allocation. This funding source would provide for the administration and activities of the new Authority, including existing operational funding gaps to maintain, renew and develop public infrastructure.*

9. *What current constraints need to be addressed in the future governance arrangements?*

***Response:*** Council is of the view that the current constraints have been captured in the Issues Paper with an additional constraint being a commitment with government agencies to accept change in accountabilities. This will be important as clearly the existing approach has failed.

*Council wishes to reiterate a sustainable funding model is critical which would include a user pay principle which sees visitors contribute to the protection, maintenance and enhancement of the landscape that attracts them to the region. The existing funding model is equally as much of a constraint as that of the current poor governance model. Changing the governance model without an agreed funding model will not succeed.*

10. *Are there any other management models/options we should consider?*

***Response:*** Council is of the view that the feasible options have been highlighted and that Option 4, a legislatively established, funded separate authority with lead agency functions, is the most appropriate option.

*Council's participation on the Taskforce has allowed access to the Taskforce work of reviewing other models national and internationally. Council is supportive of this work and the examples considered.*

**11. What criteria should the Taskforce use to evaluate the management model options?**

*Response: Council is of the view that the Taskforce should evaluate the management model options considering the organisational sustainability and the ability of the various options to address the problems which have been exposed by the Taskforce.*

*To assist the taskforce with this work Council offers the following criteria for consideration. It would be critical that the new authority:*

- Has clear statutory powers and responsibilities with a lead Minister.*
- Has a defined partnership role with the traditional owners.*
- Ability to engage local communities.*
- Has a sustainable funding model not subject to annual allocation.*
- Improves the coordination and integration of relevant organisations in the region.*
- Reduces the total number of agencies/organisations with responsibilities in the region.*
- Maximises the strengths of existing organisations and ensures that there are not duplicated functions.*
- Responsibility for the development, co-ordination and implementation of a Strategic Framework Plan.*

**2) Indicates within its submission the following matters which it specifically draws to the attention of the Great Ocean Road Taskforce as important considerations:**

- i. The Authority established must place a high priority on advocating for significant improvements to major road routes connecting the Great Ocean Road to the Princes Highway to address major safety issues and cater for the high traffic volumes experienced.*
- ii. The Council anticipates the Authority will interface with major tourism infrastructure developers and have an on-going engagement with Councils to provide strategic framework plan recommendations and all advice and support to Councils. Council is open to considering improved approaches to statutory land use planning for the Great Ocean Road region which may include a role for a new Authority. It will be critical any changes maintain the existing opportunity for community input and Councils to represent their communities and influence decisions.*
- iii. A clear definition is required on "tourism development" that will fall within the jurisdiction of the Authority.*
- iv. The context of jurisdiction of the Authority should, in addition to the defined "tourism development" be spatially described defining the geographic area within which the Authority will operate.*

- v. *Whilst the Council supports the Authority having revenue raising powers through user charges, the Council considers it premature to specify in its submission how the revenue should be raised at this time.*
- vi. *The Council supports VicRoads continuing to be legislatively responsible for management and maintenance of the Great Ocean Road and other major roads within the Great Ocean Road tourist route. The Council supports strong advocacy to the State Government in order to secure specific, dedicated provisions within the State Budget for improvements and maintenance of the Great Ocean Road and its feeder roads.*
- vii. *The Council urges the Taskforce to consider alternative models for membership of any separate Authority established. Membership representative of a skill based criteria, community membership and Council membership should be explored. In this regard the Council notes membership of Waste Boards with four (4) skills based members and four (4) members drawn from local government.*
- viii. *The establishment of the separate Authority needs to encapsulate legislation providing referral authority powers to the Authority. This will mandate engagement with the Authority on matters relating to the Great Ocean Road region by the various organisations, government departments and agencies who have jurisdiction in specific matters which exist for the Great Ocean Road region.*
- ix. *The Council provides advice to the Taskforce that it is undertaking an investigation on the viability of Colac Otway Shire assuming responsibility for functions currently undertaken by the Otway Coastal Committee.*  
*In this regard, the Council seeks to specifically engage with the Taskforce to discuss the following:*
  - *the Otway Coastal Committee is under resourced to undertake its functions to the standard the community expects, notwithstanding the commitment of the Committee*
  - *many of the areas currently under the authority of the Otway Coastal Committee are crucial to the proper planning and delivery of high standard facilities and services to communities within Colac Otway Shire. This planning and delivery is currently suboptimal due to the limited resources available.*
  - *the Colac Otway Shire seeks funding from the Taskforce to undertake business case modelling to determine areas of responsibility of the Otway Coastal Committee that should be transferred to Colac Otway Shire with an associated funding commitment to enable capital expenditure to upgrade facilities and recurrent expenditure to enable appropriate maintenance activities.*
- x. *The Council supports a program of transition arrangements to give effect to the establishment of a separate Authority and the transfer of arrangements from the current plethora of authorities engaged within the Great Ocean Road.*

- 3) *Hold a half day Council workshop, as appropriate, to consider the functions of a new Great Ocean Road Authority and sustainable models to fund it.*

## 4. BACKGROUND / KEY INFORMATION

### BACKGROUND

The National Heritage listed Great Ocean Road is the critical underpinning infrastructure that supports the Great Ocean Road region's \$1.3 billion tourism industry. The Great Ocean Road is a First World War Memorial.

Stretching for 243 kilometres, the Great Ocean Road is regarded as one of the world's greatest coastal drives and provides an iconic driving experience, while also linking the numerous tourism villages and destinations along the coast.

The Great Ocean Road is a significant economic driver not just to the G21 region but also to the nation. It attracts more than five million tourists each year.

By 2028, it is expected that visitor growth along the Great Ocean Road will climb to eight million tourists per annum.

As part of considering the Marine and Coastal Act Consultation paper, at its 23 November 2016 meeting Council formed a policy position for the establishment of a Great Ocean Road Authority. This position was advocated to all relevant regional organisations such as G21, Barwon Regional Partnerships, Great Ocean Road Regional Tourism, etc obtaining broader support. As a result the Victorian Government took action by a budget allocation of \$1.3Million in its 2017-18 budget to establish a Taskforce.

The Victorian Government established the Great Ocean Road Taskforce (the Taskforce) to review the effectiveness of current governance arrangements and recommend any necessary reforms. The Taskforce consists of:

1. Co-chairs; Hon Peter Batchelor and Hon Terry Mulder
2. Nominees of the Traditional Owners of Country for the Great Ocean Road, Eastern Marr Aboriginal Corporation and Wadawurrung Corporation.
3. Members with expertise in tourism and coastal management
4. CEOs of Surf Coast, Colac Otway, Corangamite, Moyne and Warrnambool municipalities.

The Taskforce has released an Issues Paper which it seeks feedback upon by 30 April 2018. The Issues Paper is attached.

The consultation and study undertaken by the Taskforce has caused it to make the following conclusions:

1. There is a multitude of responsible public entities. There are 14 or more organisations that have responsibilities for part of the Great Ocean Road system. These responsibilities include strategy development, infrastructure provision and maintenance, visitor infrastructure, marketing, emergency management and environmental management. There is a lack of shared vision, coordination and there is duplication of effort.
2. There are shortcomings with the partnerships with Traditional Owners. There is a lack of a defined partnership role for the Eastern Marr Aboriginal Corporation and Wadawurrung Corporation.
3. There is poor planning for the visitor experience. Amenities along the route are inadequate and there is a lack of complementary visitor experiences and diverse accommodation. These

factors combined lead to low financial yields from visitors because they are not supported to make the decision to stay longer.

4. There is no forum for local communities to voice their concerns about the impacts of increasing visitor numbers.
5. Tourism industry development is being held back by a lack of planning.
6. Councils are finding it increasingly difficult to resource the work required to be able to make decisions about complex tourism development proposals.
7. Councils are experiencing challenges when evaluating major land development proposals due to the sometimes mutually exclusive local and state issues.
8. There are significant funding restraints and no mechanisms to target potential sources of funds for regional scale investments.
9. Councils are bearing the cost of the visitor economy (toilets, waste collection and parking infrastructure) whereas the profits from these activities is largely enjoyed by businesses outside the region (tourism operators and hotels).
10. Public land management and administration is fragmented and inefficient.
11. The digital data base for Crown land is inaccurate.

The Taskforce has concluded that a new management model is needed and it has set out five principles that should guide the governance changes. These are:

1. Distinctive areas and landscape protection
2. Traditional Owner inclusion
3. Coastal public estate vitality
4. Thriving local, state, national and international significant visitor economy
5. Modern governance

The Taskforce has also concluded that the Great Ocean Road system requires a “unifying, overarching, strategic framework plan”. It would consider the following pillars:

1. Town structure
2. Landscape characteristics
3. Infrastructure
4. Economic development

The Taskforce concluded that the best way to manage the Great Ocean Road System in the future is to create a new lead agency. The lead agency would “need the depth of skills and resources necessary to navigate the complexity of issues that the Great Ocean Road faces – influencing responsible agencies, advocating for and sponsoring new budget bids, maintaining an ongoing dialogue with local communities and (through the Great Ocean Road Strategic Framework Plan) create a new partnership with the Traditional Owners.”

The taskforce has suggested that there are four options for a lead agency:

1. A coordinating committee
2. An existing agency
3. A new body established within an existing agency
4. A new body



The Taskforce considered the issue of funding and investment for the Great Ocean Road system. It concluded that a Great Ocean Road Strategic Framework Plan is likely to require significant funding and investment in order to “develop a world-class visitor experience and touring road, protect the landscapes and maintain the liveability of local communities”.

The Taskforce concluded that a “dedicated and ongoing secure funding source is required that is not dependent on the annual budget cycle and allocation.”

In summary the Taskforce has considered the Great Ocean Road system between Torquay and Warrnambool and concluded that:

1. The current governance arrangement is not sustainable.
2. A Great Ocean Road Strategic Framework Plan is required.
3. Secure and ongoing funding is required to deliver a world class visitor experience whilst protecting the landscapes and liveability of the communities and
4. A new lead agency model is required.

## **KEY INFORMATION**

The task for Council at this time is to provide a response to the Taskforce in relation to the Issues Paper.

Consistent with Council’s policy position formed in November 2016, the Council Plan, under the Our Prosperity theme, establishes a goal to “improve strategic planning and coordination of the Great Ocean Road.”

It then prescribes an action to “advocate for the establishment of a Great Ocean Road Authority.”

Council also endorsed its priority projects at its 24 January meeting which included advocacy for establishing a Great Ocean Road Authority.

It can be seen that there is a very close alignment between the Council’s policy position to establish a Great Road Authority and the work and conclusions of the Taskforce as communicated in the Issues Paper.

At the time of writing this report Council officers are aware that G21 has prepared a draft response to the Taskforce in support of the direction of the Issues Paper.

The work of the Taskforce which has resulted in the Issues Paper would be welcomed by Council, given that it essentially mirrors Council’s policy position. It would be reasonable for Council to take a position that it supports the creation of a new lead agency as set out in Option 4 of the Issues paper.

If a lead agency is to be established there is significant work still required to determine:

1. What the functions of that agency would be;
2. What geographic area it would cover; and
3. How the work of the agency would be funded

Officers are of the opinion that these and other questions will need to be addressed by the Taskforce at a future time. This work would follow the establishment of a clear direction by the Taskforce once it considers the responses it receives to the Issues Paper.

The Issues Paper asks individuals and organisations to respond to 11 questions. The questions and some possible responses are set out in the table below:

Question	Possible response
1. What do you love most about the Great Ocean Road and its landscapes?	Council values the cultural significance of the Great Ocean Road, the natural environment on and off shore, the vibrant communities that live on the road, the economic significance of the visitor economy and the significance of the area to the Traditional Owners.
2. What aspect of the Great Ocean Road and its landscapes would you like most like to see protected?	Council requires all of the above to be protected and enhanced.
3. What aspect of the Great Ocean Road and its landscapes would you most like to see changed?	Council requires that strategic planning and implementation works are carried out to ensure that the visitor economy is supported and its impacts on local communities and the environment are managed. A sustainable funding model is critical, incorporating a user pay principle which sees visitors contribute to the protection, maintenance and enhancement of the landscape that attracts them to the region.
4. Do you work for, or own or operate a business, or are you a member of a community organisation, that benefits from visitors to the Great Ocean Road region? What are the key issues for the organisation/business?	Council represents the communities that live and holiday on the Great Ocean Road as well as the wider Colac Otway Shire community. The key issues for Council have been captured and expressed in the Taskforce Issues Paper.
5. Is there any critical issue or opportunity that we have missed?	In Council's view there are no critical issues or opportunities that have been missed.
6. Do you have any suggested changes to the overarching policy, goals and principles?	Council does not have any suggested changes to the overarching policy, goals and principles.
7. What elements would you like to see covered in a Strategic Framework Plan for the Great Ocean Road region?	Council is of the opinion that the key elements of a Strategic Framework Plan for the Great Ocean Road Region have been captured in the Issues Paper. It will be critical to ensure that a sustainable funding model is identified which has an element of a user pay principle which sees visitors contribute to the protection, maintenance and enhancement of the landscape that attracts them to the region.

Question	Possible response
<p>8. What are your thoughts about establishing a new organisation to oversee the development, and coordinate implementation, of a Strategic Framework Plan for the Great Ocean Road region?</p>	<p>Council is of the view that a new Authority, created under statute, should be established to develop and coordinate the implementation of a Strategic Framework Plan for the Great Ocean Road region. The Authority should be the lead agency in the implementation of the Strategic Framework Plan. A lead Minister should also be confirmed that the Authority is accountable to. Council is of the view this could be a Tourism related Minister and agency.</p> <p>Based on the above, Council is of the view that Option 4 contained in the Issues Paper establishing a funded new authority by legislation is the preferred option.</p> <p>Council is of the view that a dedicated and ongoing secure funding source is required that is not dependent on the annual budget cycle and allocation. This funding source would provide for the administration and activities of the new lead agency as well as for funding of public infrastructure.</p>
<p>9. What current constraints need to be addressed in the future governance arrangements?</p>	<p>Council is of the view that the current constraints have been captured in the Issues Paper with an additional constraint being a commitment with government agencies to accept change in accountabilities. This will be important as clearly the existing approach has failed.</p> <p>Council wishes to reiterate a sustainable funding model is critical which would be based on a user pay principle which sees visitors contribute to the protection, maintenance and enhancement of the landscape that attracts them to the region. The existing funding model is equally as much of a constraint as that of the current poor governance model. Changing the governance model without an agreed funding model is unlikely to succeed.</p>
<p>10. Are there any other management models/options we should consider?</p>	<p>Council is of the view that the feasible options have been highlighted and that Option 4, a legislatively established, funded separate authority with lead agency functions, is the most appropriate option.</p> <p>Council's participation on the Taskforce has allowed access to the Taskforce work of reviewing other models national and internationally. Council is supportive of this work and the examples considered.</p>
<p>11. What criteria should the Taskforce use to evaluate the management model options?</p>	<p><i>Council is of the view that the Taskforce should evaluate the management model options considering the organisational sustainability and the ability of the various options to address the problems which have been exposed by the Taskforce.</i></p>

Question	Possible response
	<p><i>To assist the taskforce with this work Council offers the following criteria for consideration. It would be critical that the lead agency:</i></p> <ul style="list-style-type: none"> <li><i>• Has clear statutory powers and responsibilities with a lead Minister and supporting agency.</i></li> <li><i>• Has a defined partnership role for the traditional owners.</i></li> <li><i>• Ability to engage the local communities.</i></li> <li><i>• Has a sustainable funding model not subject to annual allocation.</i></li> <li><i>• Improves the coordination and integration of relevant organisations in the region.</i></li> <li><i>• Reduces the total number of agencies/organisations with responsibilities in the region.</i></li> <li><i>• Maximises the strengths of existing organisations and ensures that there are not duplicated functions</i></li> <li><i>• Responsibility for the development, co-ordination and implementation of a Strategic Framework Plan.</i></li> </ul>

Whilst consultation on the Issues Paper progresses it is important Council commences forming a view on the potential functions of a new Authority. To stimulate initial discussions with Council, attached is correspondence to G21 dated April 2017 providing a preliminary officer position on potential functions. This was provided at the request of G21 which, at the time, was establishing a position on an Authority. Further discussion on potential functions was deferred in May 2017 when the Government announced the establishment of the Taskforce as part of releasing its budget papers.

In considering functions, Council should also consider the financial benefits this could provide council and rate payers. For example if Council was to relinquish the Visitor Information Centres to a new Authority allowing better coordination of centres across the region, this would also provide an improved bottom line of \$400,000 p/a. The folding up of Great Ocean Road Regional Tourism (GORRT) into a new lead agency would provide a saving of \$80,000 p/a to Council.

Similarly Council should also consider preferred funding models. GORRT have undertaken significant research of international destinations similar to the Great Ocean Road region and considered how they are funded. It is understood approximately five models have been supported by GORRT for further investigation and these have been presented to the Taskforce for consideration.

Council could consider holding a half day workshop to consider the functions of an Authority and sustainable funding models. This workshop would also consider what functions Council would be willing to relinquish and any new responsibilities it would accept i.e land management responsibilities.

## ***FURTHER SUPPORTING INFORMATION***

### **5. COMMUNITY CONSULTATION & ENGAGEMENT**

The Taskforce has consulted with 38 agencies and community based groups in the work it has done in preparing the Issues Paper.

Council officers are planning to advise the community that they can make individual or group submissions to the Taskforce regarding the Issues Paper.

Given that the recommended response to the Taskforce is in close alignment with the Council policy position, which was the subject of extensive community consultation, it is not proposed to undertake further consultation.

### **6. ANALYSIS**

#### **ALIGNMENT TO COUNCIL PLAN OR COUNCIL POLICY**

The recommended response to the Taskforce aligns closely with the Council Plan:

Theme	Our Prosperity
Goal 4	Improve strategic planning and coordination of the Great Ocean Road
Action 21	Advocate for the establishment of a Great Ocean Road Authority.

#### **ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications as a direct result of Council's response to the Issues Paper.

#### **SOCIAL & CULTURAL IMPLICATIONS**

There are no social or cultural implications as a direct result of Council's response to the Issues Paper.

#### **ECONOMIC IMPLICATIONS**

There are no economic implications as a direct result of Council's response to the Issues Paper.

#### **LEGAL & RISK IMPLICATIONS**

There are no legal or risk implications as a direct result of Council's response to the Issues Paper.

#### **RESOURCE IMPLICATIONS (FINANCIAL ETC)**

There are no resource implications as a direct result of Council's response to the Issues Paper.

There are resource implications, positive and negative, resulting from a new Authority and / or funding models.

## **7. IMPLEMENTATION STRATEGY**

### **DETAILS**

The implementation strategy is dependent upon Council's decisions on this matter.

### **COMMUNICATION**

Council officers will advise the Taskforce of Council's response to the Issues paper following the April Ordinary meeting.

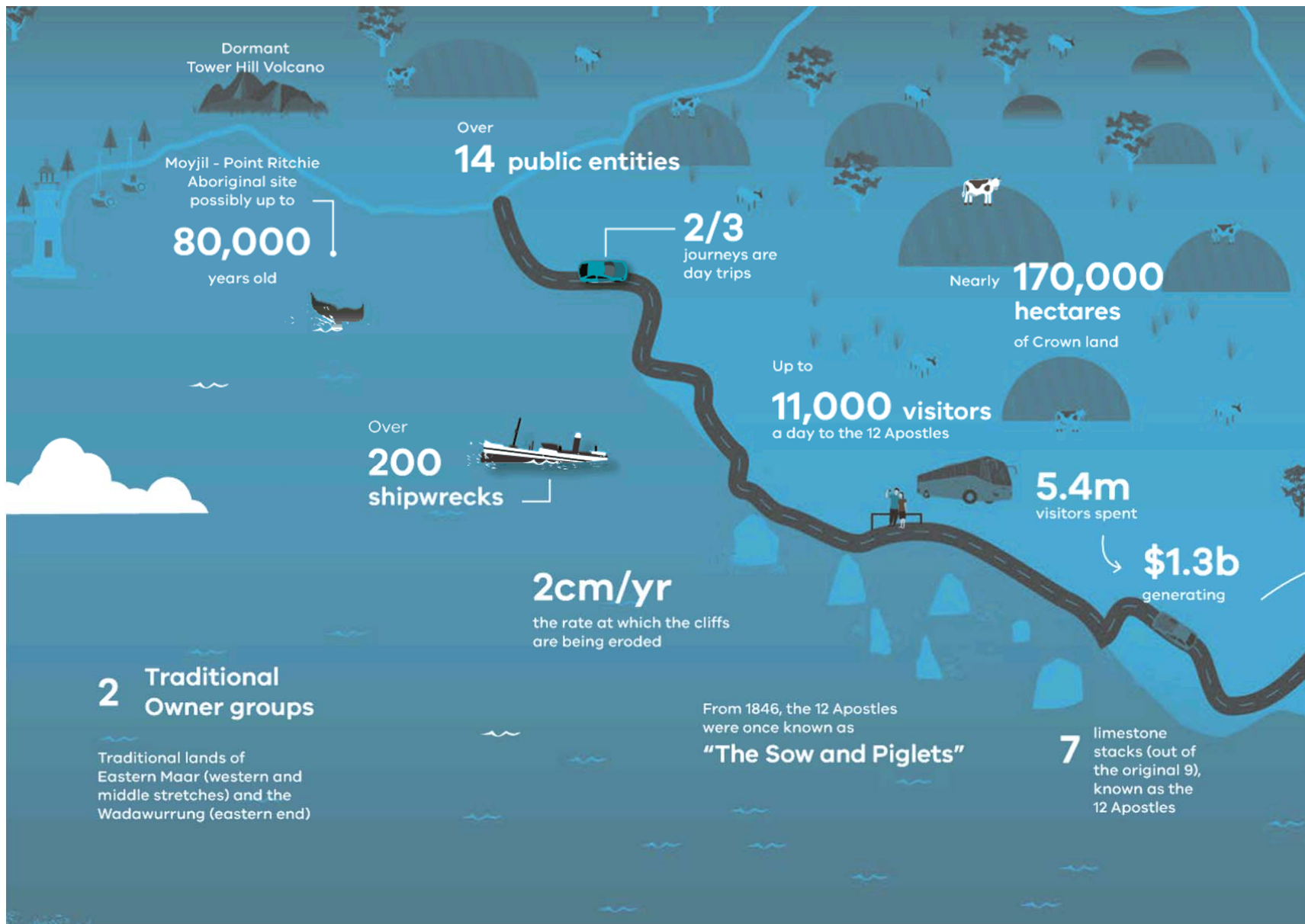
### **TIMELINE**

The Taskforce requires a response to the Issues Paper by 30 April 2018.

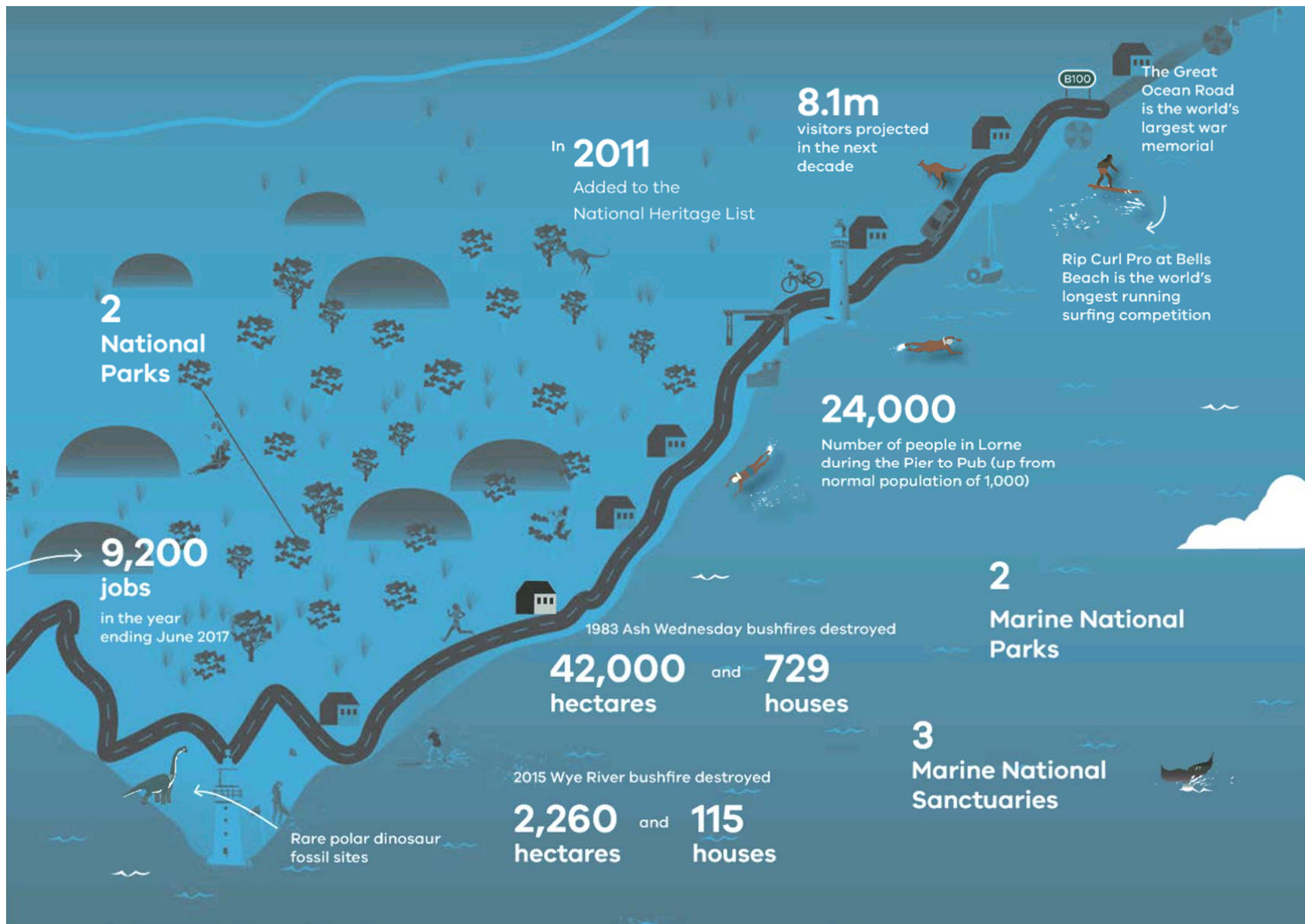
## **8. OFFICER DIRECT OR INDIRECT INTEREST**

No officer declared an interest under the *Local Government Act 1989* in the preparation of this report.









## Acknowledgement

The Great Ocean Road Taskforce proudly acknowledges the Eastern Maar and Wadawurrung people as the traditional custodians of the Great Ocean Road Region<sup>1</sup>.

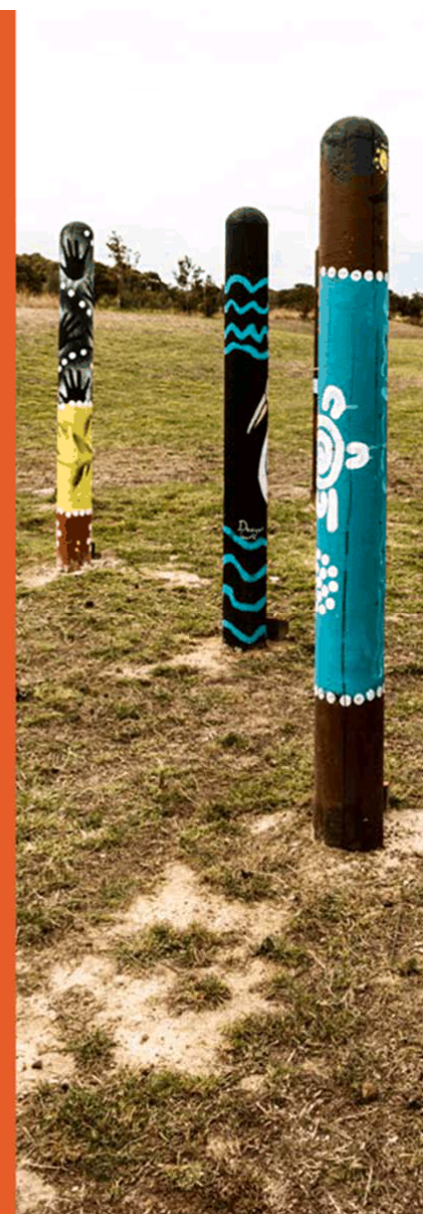
We pay our respects to their ancestors and Elders, past and present. We recognise and respect their unique cultural heritage, beliefs and relationship to their traditional lands, which continue to be important to them today.

We recognise the intrinsic connection of Eastern Maar and Wadawurrung people to their traditional lands and value the contribution their Caring for Country makes to the management of the Great Ocean Road Region, its land, its coastlines, its seas and its waterways.

We support the need for genuine and lasting partnerships with the Eastern Maar and Wadawurrung people to understand their culture and connections to country in the way we plan for, and manage, the Great Ocean Road Region. By integrating traditional ecological knowledge with contemporary western ecological knowledge, we can deliver better environmental outcomes and make communities more liveable, sustainable and inclusive.

We embrace the spirit of reconciliation, working towards equity of outcomes and ensuring an equal voice for Australia's first people.

<sup>1</sup> The Traditional Owners of Country (and certain rights in Crown land) are formally recognised for specified geographical areas through agreements established under either the *Victorian Traditional Owner Settlement Act 2010* or the *Commonwealth Native Title Act 1993*, or by appointment as a Registered Aboriginal Party under the *Aboriginal Heritage Act 2006*.







*Left to Right  
Corroboree Garden,  
Great Ocean Road  
Chocolaterie & Ice  
Creamery.*

Adnate mural,  
Warrnambool  
Source: City of  
Warrnambool

#### **Purpose**

This document has been developed to promote discussion and seek feedback about opportunities to improve the oversight and management of the Great Ocean Road Region. It has been produced in consultation with the Great Ocean Road Taskforce, a project reference group, and key stakeholders.

## Co-chairs message

'By the end of 1921 the Road extended from Airey's Inlet to Lorne, but was just a narrow unsealed track scaling the heights. Motorists had to pay a fee at the toll gate, and they often had to wait for an hour or two until the slow procession of cars coming from the other direction was safely through, after which it was their turn: in most places the road was too narrow to allow cars to pass one another.' – Geoffrey Blainey, *A History of Victoria*



Hon Peter Batchelor  
and Hon Terry Mulder

It is almost 100 years since construction started on the Great Ocean Road.

The first survey work started in August 1918, while Australian soldiers were still fighting on the Western Front. In the end, the backbreaking construction work was carried out by returned servicemen.

Those ANZACs created something special – a permanent memorial to those who served in World War One as well as one of the most famous scenic drives in the world.

Victorians fell in love with the Road as soon as they saw what had been carved out of rock using little more than picks and shovels – and, almost immediately, the Road experienced its first traffic jams.

A century on, Victorians still love the Great Ocean Road.

But we need to be careful we don't love it too much.

Past generations of Victorians worked together to ensure the Road and the people who rely on it remained healthy

and sustainable. Now it's the turn of this generation of Victorians to work together and secure the viability of the Road.

We need to get the balance right between accessibility and sustainability, amenity and liveability, the economy and the community.

To strike the right balance, the Road's stakeholders – from governments to businesses to communities – need to come to terms with the fact that the Great Ocean Road belongs to all Victorians. After all, this is a road built by young men from around the state to commemorate the sacrifices of our soldiers.

The millions of visitors who come to this region will continue to grow in number. The challenge we face is to welcome these visitors and provide a memorable and much-loved experience, while protecting the social, economic and environmental sustainability of the region.

The challenge facing the multitude of agencies who play a role in the

management of the Great Ocean Road Region is to balance competing demands and deliver the best outcome for residents, visitors and investors.

This issues paper is the first step towards balancing those competing demands.

The Taskforce now needs to listen to the views of the diverse communities that live along the Great Ocean Road. Given that each community within the region has its own culture and identity, it's important that we receive feedback from a wide range of people and places.

The community feedback the Taskforce receives will inform the final report we deliver to the Government later this year.

The Great Ocean Road belongs to all Victorians.

Let's work together to ensure it stays great.

**Hon Peter Batchelor and Hon Terry Mulder**  
Co-chairs Great Ocean Road Taskforce

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Source: Visit Victoria





# Introduction

## 1.



# Introduction

'The new Great Ocean Road was the spectacular adventure. Planned as a war memorial, it was largely built by returned soldiers, and initially financed by the people rather than the government.' – Geoffrey Blainey

## 1. INTRODUCTION

The Great Ocean Road<sup>2</sup> is renowned as one of the world's most scenic and iconic coastal touring routes and one of Australia's most recognised tourism destinations.

By any measure, the Great Ocean Road is a huge success. It attracts twice as many visitors as the Great Barrier Reef and Uluru combined – generating \$1.3 billion in visitor expenditure and supporting around 9,200 jobs.

But there's more to the Great Ocean Road than tourism. It is also essential transport infrastructure for the towns along its length: connecting communities to the regional transport network and nearby cities; providing a critical route for commercial traffic servicing local towns; and providing access for essential emergency services.

The Road has always been – and will always remain – the people's road. It was paid for by everyday people, built by everyday people and honours the everyday people who sacrificed their lives in World War One.

In a way, the Great Ocean Road is a forerunner to the Sydney Harbour Bridge. Like the Bridge, the Road is not named after generals or prime ministers, kings or queens. Instead, it was given a name that simply describes what it is (a road built along the dramatic shores of Bass Strait and the Southern Ocean), as well as the experience of travelling the length of its 243 kilometres (great).

Ever since it opened, the Great Ocean Road has lived up to its name. The Great Ocean Road is renowned for its spectacular natural beauty as travellers

experience rugged sheer limestone sea-cliffs and natural rock formations, isolated beaches and coastal landscapes, world-class surfing breaks, coastal heathlands, ancient rainforests and lush farm lands.

Starting just a 90-minute drive from Melbourne, the Road passes through places of priceless cultural, scientific, historic and economic value – places that hold deep spiritual significance to the Eastern Maar and Wadawurrung people, and ancient rock formations that are rich sources of fossils and major drawcards for local, regional, national and international visitors. In addition, the Road stands as a permanent memorial to the first ANZACs.

2018 marks the centenary of the beginning of the surveying work on the Road.

<sup>2</sup> The 243-kilometre, National Heritage listed, Great Ocean Road starts at the roundabout near Spring Creek in Torquay and finishes at Allansford near Warrnambool. This study is considering a slightly further distance encompassing the Great Ocean Road and its landscapes (and hinterland) from Torquay to Port Fairy as shown in Map 1 on page 48.



Looking back, what has made the Road truly great is the fact that this war memorial celebrates life by giving generations of Victorians the opportunity to make a pilgrimage to one of the most beautiful parts of the world.

The challenge ahead is to ensure that the Great Ocean Road remains a great success.

The region faces a range of future challenges that must be addressed. For example, it is generally accepted that the current approach to visitation management, land administration and community engagement is not sustainable. The increased number of visitors – especially day trippers – is placing an increasing demand on the local environment, infrastructure and services along the Great Ocean Road

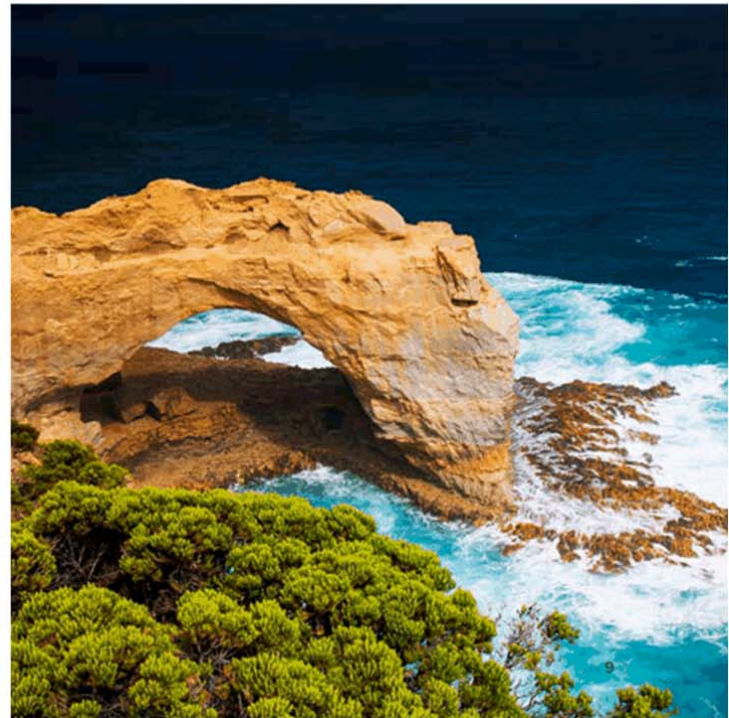
and its hinterland areas. With the significant growth in visitors projected to continue, the Great Ocean Road needs to be treated as a region of national significance – and receive the support it needs to remain liveable and sustainable.

Another challenge will be the increasing number of severe weather events with the impacts of climate change. The Road has been closed on several occasions in recent years due to bushfires and land slippages.

The challenge now is to put in place the governance arrangements, plans and investments that will secure the success, sustainability and operability of the Great Ocean Road for the century to come.

Let's ensure the Great Ocean Road remains *great*.

Source: The Arch, Port Campbell  
DELWP (Sal Ahmed)



## The Great Ocean Road Taskforce

The Victorian Government allocated \$1.3 million in the 2017-2018 State budget to establish the Great Ocean Road Taskforce (the Taskforce) to review the effectiveness of current governance arrangements and recommend governance reforms. The purpose of the reforms is to strengthen protections of the landscape setting, improve the visitor experience, provide greater certainty in land-use planning and attract investment proposals that will benefit visitors and local communities.

In September 2017 the Victorian Government announced the membership of the independently-chaired Great Ocean Road Taskforce to be overseen by three coordinating ministers (Minister for Planning, Minister for Regional Development, Minister for Tourism and Major Events):



- Co-chairs:
  - Hon Peter Batchelor, Victorian Minister for Transport from 1999 to 2006
  - Hon Terry Mulder, Victorian Minister for Public Transport and Minister for Roads from 2010 to 2014
- Nominees of the Traditional Owners of Country for the Great Ocean Road:
  - Eastern Maar Aboriginal Corporation: Mr Jamie Lowe (CEO) supported by Mr Jason Mifsud (Chair)
  - Wadawurrung: Ms Corrina Eccles (Manager Geelong Office) supported by Mr Paul Davis (General Manager)
- Members with expertise and experience in tourism and coastal management, and understand the key issues relating to the governance of the Great Ocean Road:
  - Ms Diane James, AM, former Chair of the Victorian Coastal Council for over a decade
  - Ms Elaine Carbines, Chief Executive Officer of G21 – The Geelong Region Alliance
  - Mr Wayne Kayler-Thomson, Chair of the Great Ocean Road Regional Tourism Board
- The Chief Executive Officers of the five Local Government Authorities along the Great Ocean Road:
  - Surf Coast Shire (Mr Keith Baillie)
  - Colac Otway Shire (Mr Robert Dobrzynski/ Mr Tony McGann)
  - Corangamite Shire (Mr Andrew Mason)
  - Warrnambool City Council (Mr Bruce Anson)
  - Moyne Shire Council (Mr David Madden)

An issue-and-opportunities-led approach has been adopted to examine elements of the governance arrangements for the Great Ocean Road and its landscapes – such as policy, legislation and regulation, institutional arrangements, funding, infrastructure and project delivery.

The original budget has been supplemented by an additional \$500,000 from Regional Development Victoria who in partnership with the Department of Environment, Land, Water and Planning are supporting the project delivery.

The full terms of reference are outlined in Appendix A.



Bruce Anson, Peter Batchelor, Keith Baillie, Jamie Lowe, Wayne Kayler-Thomson, Diane James, Paul Davis, Elaine Carbines, Tony McGann, Jason Mifsud, Corrina Eccles, Terry Mulder. Absent: Andrew Mason, David Madden.

Figure 1. Project Timeline





## Have your say

The critical issues and opportunities outlined in this document have been developed in consultation with the organisations that have responsibilities for decision-making and management of the Great Ocean Road and its Region, along with regional tourism and environmental advocacy groups.

We would like to hear your views on the ideas in this issues paper and any other ideas you may have about improving the management and oversight of the Great Ocean Road and its landscapes.

In particular, your feedback would be appreciated on the following questions.

1. What do you love most about the Great Ocean Road and its landscapes?
2. What aspect of the Great Ocean Road and its landscapes would you most like to see protected?
3. What aspect of the Great Ocean Road and its landscapes would you most like to see changed?
4. Do you work for, own or operate a business, or are you a member of a community organisation, that benefits from visitors to the Great Ocean Road Region? If so, what are the key issues for the organisation/business?
5. Is there any critical issue or opportunity that we have missed (in chapter 3 of this Issues Paper)?
6. Do you have any suggested changes to the overarching policy, goals and principles (on pages 40 to 41)?
7. What elements would you like to see covered in a strategic framework plan for the Great Ocean Road Region?
8. What are your thoughts about establishing a new organisation to oversee the development, and coordinate implementation, of a Strategic Framework Plan for the Great Ocean Road Region?
9. What current constraints need to be addressed in the future governance arrangements?
10. Are there any other management models/options we should consider?
11. What criteria should the Taskforce use to evaluate the management model options?





Rest break, Cape Otway Lighthouse

## Governance of the Great Ocean Road Region Issues Paper

There are many ways to have your say: online, in person and by making a written submission.

### Online

At <https://engage.vic.gov.au/great-ocean-road> you can view and download this issues paper, case studies report and other information, and provide feedback through a survey and an online ideas-sharing tool.

### In person

You can attend one of the community forums or listening posts being held at places along the Great Ocean Road and complete a feedback form. Details and timings of events will be available at <https://engage.vic.gov.au/great-ocean-road>

### Written submission

You can make a written submission on the issues paper by:

- Uploading a written submission on the website <https://engage.vic.gov.au/great-ocean-road>
- Emailing a written submission answering the questions to [greatoceanroad.taskforce@delwp.vic.gov.au](mailto:greatoceanroad.taskforce@delwp.vic.gov.au)
- Posting a written submission addressing the questions to:

Great Ocean Road Taskforce Project Manager,  
Department of Environment, Land, Water and  
Planning, Barwon South West,  
Level 4, State Government Offices,  
30-38 Lt Malop Street, Geelong, Victoria, 3220

**Please note that submissions will be made public unless you ask for yours to be confidential.**

Please make your submission by Monday 30 April 2018.









## The Great Ocean Road

# 2.



## The Great Ocean Road

### Natural environment

'Throughout the 135-million year history, the rocks of the Victorian coastline have been formed, buried, distorted, and pushed upwards. Tectonic pressures and climatic changes have shaped the coast.' – Philomena Manifold, *Written in Stone: Reading the rocks of the Great Ocean Road*

The spectacular limestone sea-cliffs which are an iconic feature of the journey along the Great Ocean Road have been formed through the geological processes dating back to the time of Gondwanaland.

It is a dynamic, ever-changing shoreline. The limestone sea-cliffs continue to be worn down by the elements and the power of the Southern Ocean. The most dramatic recent collapses include one of the Twelve Apostle pillars and the collapse of one of the London Bridge arches. The cliffs will continue to change in years to come, with ocean erosion expected to eventually create new limestone stacks.

The landscapes through which the Great Ocean Road winds are nationally

significant. Polar dinosaur fossils have been found in the rocks near Cape Otway, with the best-known finds located at Dinosaur Cove and the Jan Juc Marl at the western end of Jan Juc beach. The parks along the route – including the Port Campbell National Park, Twelve Apostles Marine National Park, the Great Otway National Park, and many parklands and coastal reserves of state significance – are rich with Australian native wildlife. Walkers of almost any ability can trek the Otways, discovering the Great Ocean Walk, waterfalls, lush forests, cliff top walks, heritage and coastal trails. The Road also boasts nearly 170,000 hectares of Crown land, all of which are managed and administered under a variety of Victorian Acts and reservations.

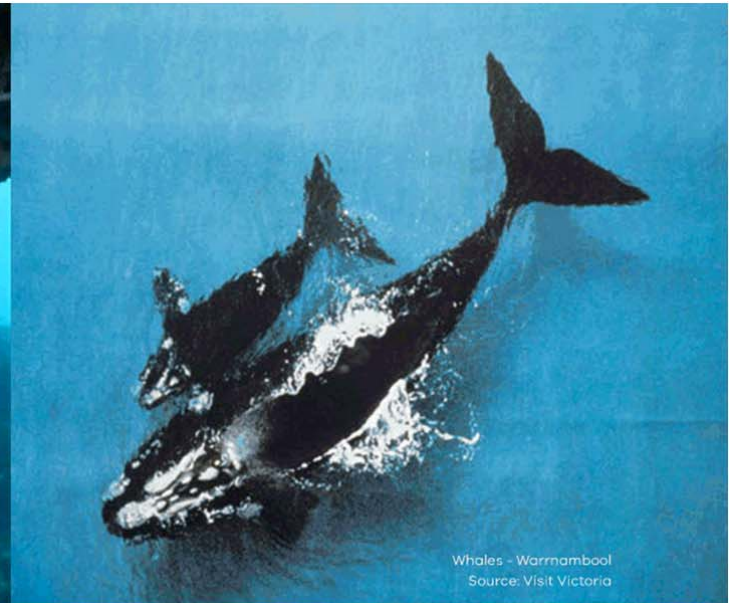


Great Ocean Walk Source: Parks Victoria





The Prison, The Arches  
Source: Parks Victoria



Whales - Warrnambool  
Source: Visit Victoria

## Marine environment

There are 12,000 hectares of marine national park along the Great Ocean Road, including Point Addis Marine National Park, the Twelve Apostles Marine National Park and the Arches Marine Sanctuary.

Remarkable underwater structures along the coastline provide a complex foundation for magnificent habitats, such as kelp forests and colourful sponge gardens.

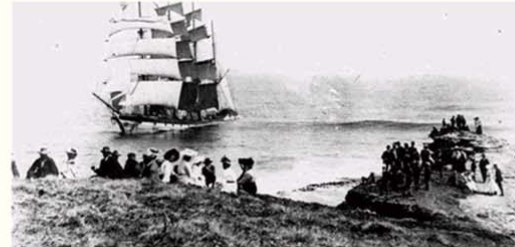
The marine environment supports seabirds, seals, lobsters, reef fish and sea spiders. The intertidal and shallow subtidal reefs along the Great Ocean Road have the greatest diversity of invertebrates on limestone reefs in Victoria.

Marine mammals also visit the area. Visitors can see Little Penguins which nest in caves below the Twelve Apostles (after dark or in the early morning). And, almost every year between June and September, Southern Right whales return to the waters off Warrnambool's Logans Beach – swimming as close as 100 metres from the shore.

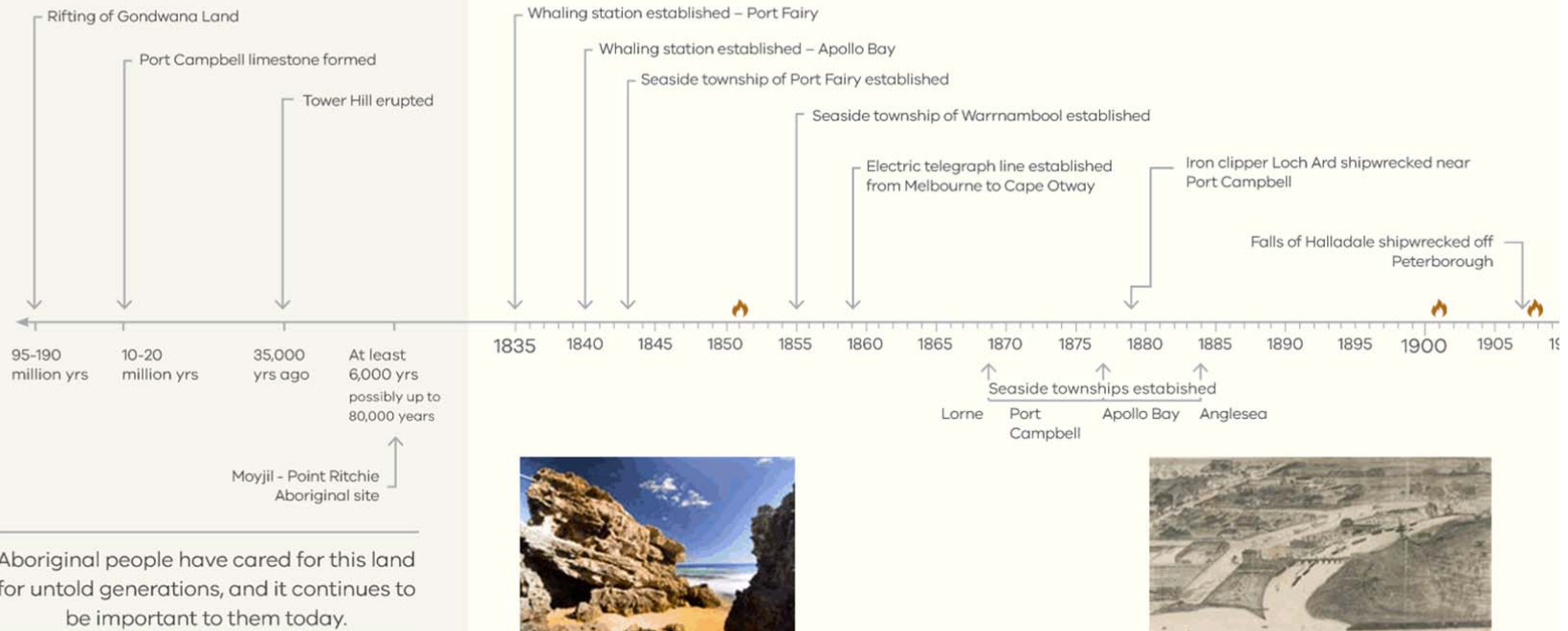
Figure 2. Great Ocean Road Historic timeline



Port Campbell limestone cliffs (Source: Parks Victoria)



Shipwreck of Falls of Halladale (Source: Heritage Victoria)



Moyjil - Point Ritchie (Source: City of Warrnambool)



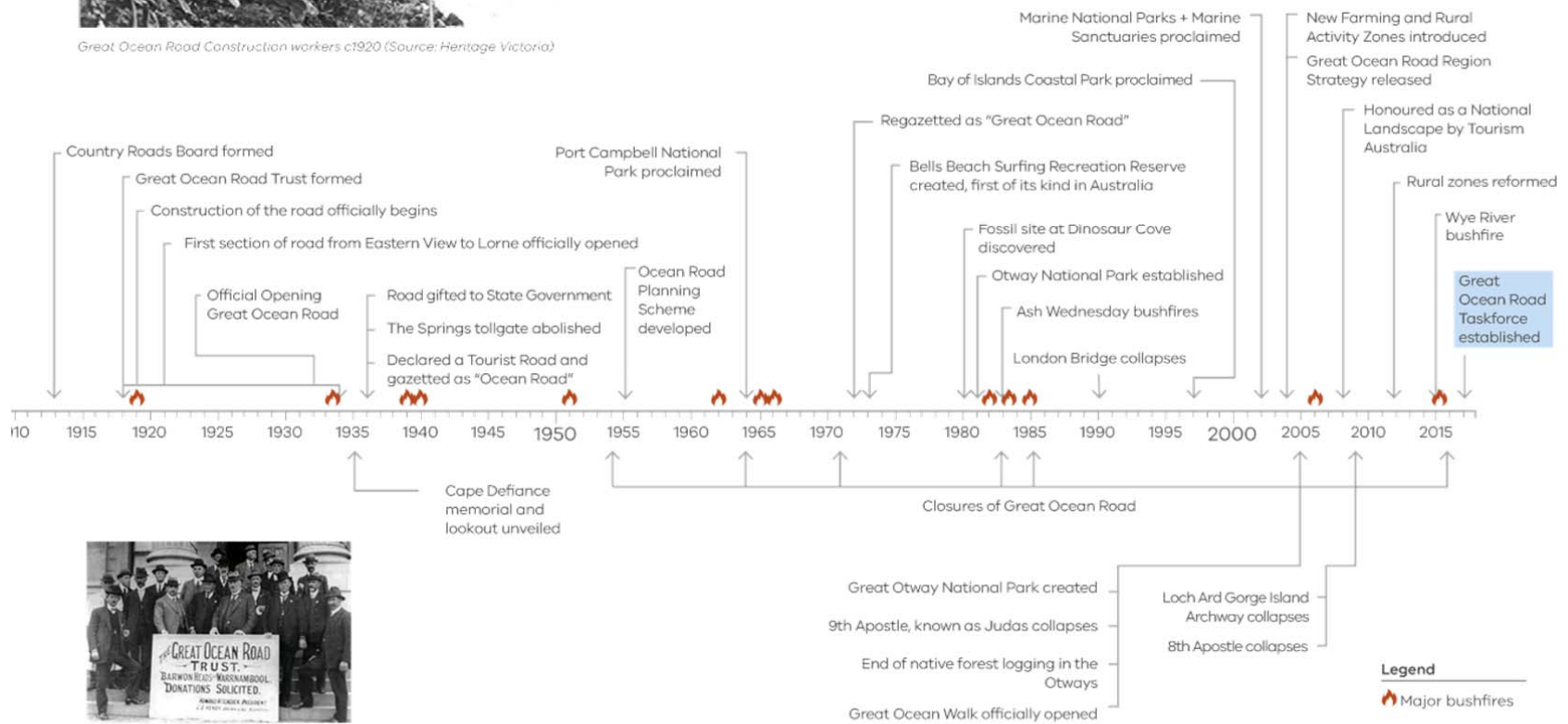
Port Fairy sketch 1873 (Source: State Library of Victoria)



Great Ocean Road Construction workers c1920 (Source: Heritage Victoria)

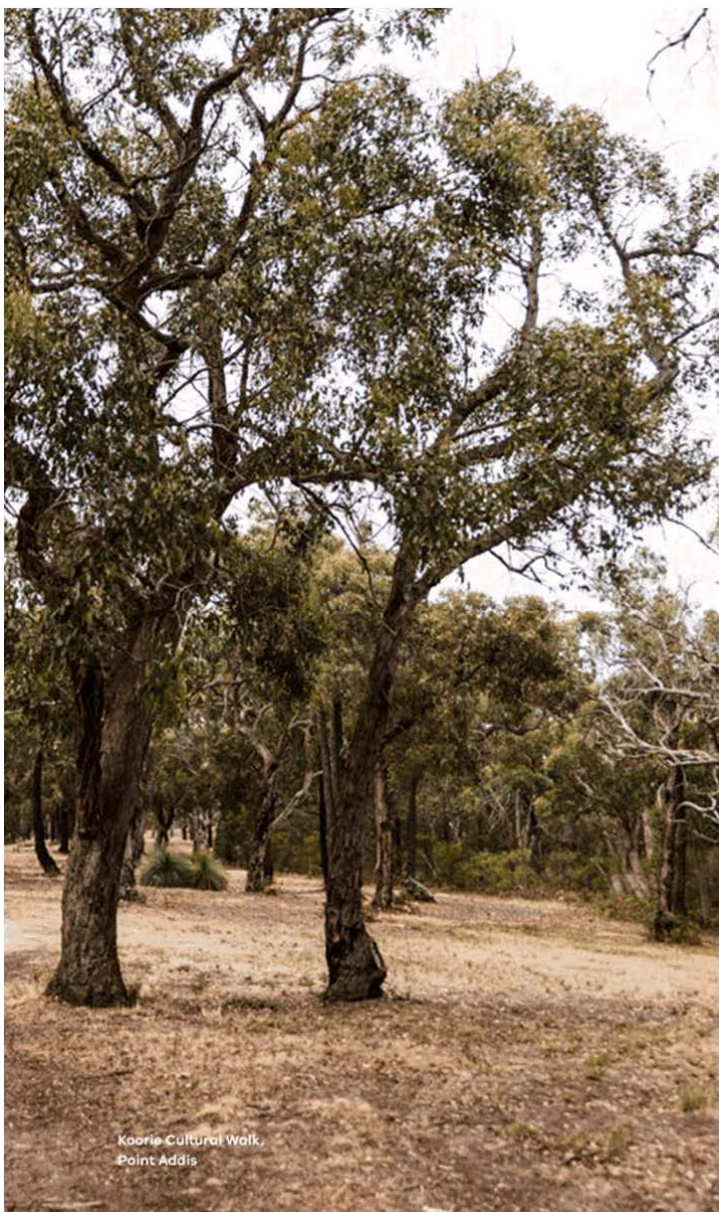


Bells Beach (Source: Surf Coast Shire)



Great Ocean Road Trust (Source: Heritage Victoria)





## Traditional Custodianship of Country

'An intimate knowledge of the ecology of their own territory guided ... [First Nations peoples]. They were likely to visit the same place – trapping fish or collecting eggs or gathering plant foods – at the same time each year ... The way of life varied from region to region, depending on the terrain, the climate, the foods available, the traditions which Aboriginal people long ago had acquired, and their own ingenuity.' – Geoffrey Blainey

The coastal and forested landscapes along the Great Ocean Road are of immense importance to the Traditional Owners<sup>3</sup> – the Eastern Maar (covering the western and middle stretches of the Road) and the Wadawurrung (covering the eastern end of the route, closer to Geelong). The sacred sites and resources, values and stories associated with places along the Road – as well as language and ceremonial practices – have been handed down by their ancestors and Elders. The Eastern Maar and the Wadawurrung are the custodians of the region's creation stories and spiritual connections.

The region has a high concentration of Aboriginal archaeological sites because the coastal environment was an important resource for the Eastern Maar and Wadawurrung.

Natural resources such as the spear wood from the forests and brightly coloured ochres from the coastlines along the Great Ocean Road were also highly valued and traded with neighbouring Aboriginal groups.

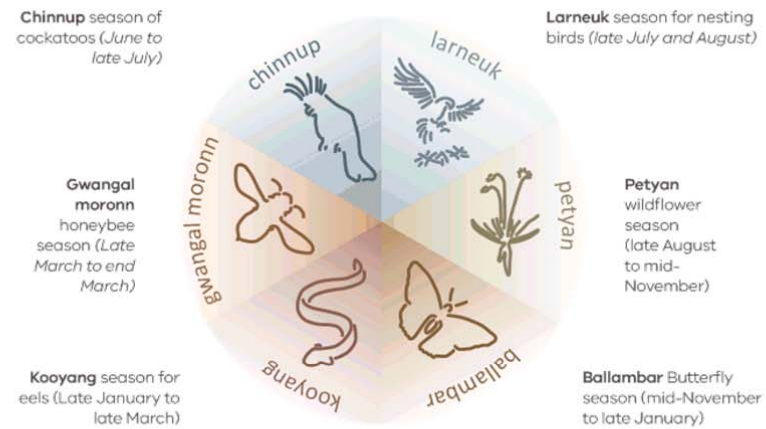
Traditional ecological knowledge was used by the Aboriginal people to identify, harvest and utilise natural resources sustainably. The Eastern Maar and Wadawurrung also used land management techniques, such as fire and seasonal farming. Low-intensity burning was regularly used by the Traditional Owners to revitalise an area for agricultural production, and reduce the risk of bushfires.

Along the Great Ocean Road, the Traditional Owners recognised six distinct seasons.

<sup>3</sup> The Traditional Owners of Country are formally recognised through Traditional Owner Settlement agreements, Native Title agreements or by appointment as a Registered Aboriginal Party for areas of land.

Today the Australian legal system recognises the rights and interests of the Traditional Owners of Country and for its co-existence with the Crown land management system. The Victorian Government and the Eastern Maar have agreed to commence negotiations to enter into a Recognition and Settlement Agreement (RSA) under the *Traditional Owner Settlement Act 2010* for a land area (Country) that includes a major portion of the Great Ocean Road (western end and middle). That agreement will recognise the traditional owner rights of the Eastern Maar and may include associated agreements about the use and management of nominated public land.

Figure 3. The six seasons



Abundant middens along the coastline tell a rich story of the past practices and gathering places.





Tower Hill Lake  
Source: Visit Victoria

## Dispossession

'In *Scars on the Landscape*, Ian Clark listed 107 violent incidents in Western Victoria [between 1803-1859], most well substantiated. Of the estimated 400 Aboriginal deaths, about three-quarters occurred in incidents involving the deaths of five or more people – some of which were clearly massacres.'

– Richard Broome, *Aboriginal Australians: A history since 1788*

European settlement had a devastating impact on the Eastern Maar and Wadawurrung ancestors – with far more people losing their lives than are recorded in official documents. It's easy to see why countless Eastern Maar and Wadawurrung ancestors lost their lives. Vast areas of land were cleared and introduced species – including horses, sheep, rabbits and foxes – significantly altered the landscapes, reducing the availability of traditional food and the

ability to manage the land in traditional ways. The Aboriginal population was devastated by disease and massacres, with the fraction that remained forced onto Aboriginal missions such as Framingham Aboriginal Mission near Warrnambool.

The rights of Aboriginal people are now protected by law within the *Victorian Charter of Human Rights and Responsibilities Act 2006*, as well as Australia's adoption of the United Nations

Declaration on the Rights of Indigenous Peoples in 2007. These laws and international agreements recognise that human rights have a special importance for the descendants of Australia's first peoples, protecting their distinct cultural rights to enjoy their diverse spiritual, social, cultural and economic relationship with their traditional lands and waters.

## European Settlement

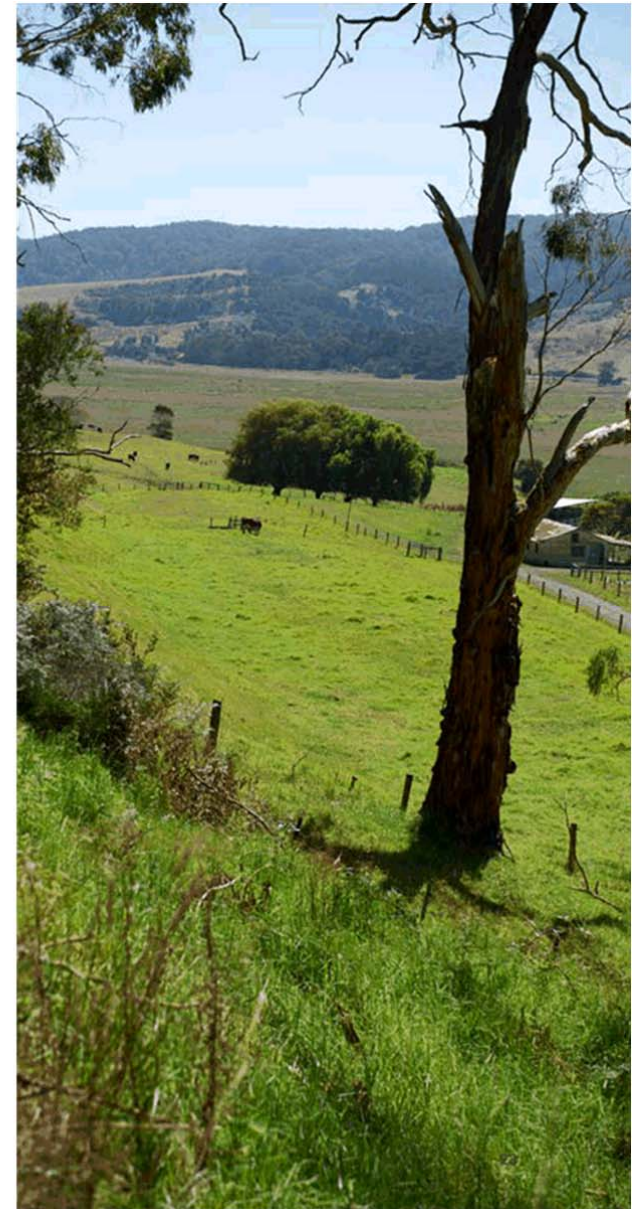
‘The explorer Major Thomas Mitchell, after crossing western Victoria from Swan Hill to the Grampians and almost to the sea, was surprised to see some grey rocks, which, on examination through the telescope, proved to be whalers’ sheds.’ – Geoffrey Blainey

In the early 19th century, whalers and seal hunters operated along the south west coast and established whaling stations, first at Port Fairy, then Apollo Bay. By the 1840s the first European settlers had taken up farming along the Great Ocean Road coastline. By the 1850s the region had become a source of timber for the Europeans. A string of seaside towns were established, starting with Port Fairy then Warrnambool, Port Campbell, Apollo Bay, Lorne, Anglesea and Torquay. These towns were primarily accessed by ship or inland tracks. They were not directly connected to each other until the construction of the Great Ocean Road.

The Great Ocean Road’s climate – mild to warm summers, cold winters and regular rainfall<sup>4</sup> – is conducive to agricultural production. The lush green pastures of the farming lands contribute to the Road’s attractive natural landscapes.

Since the completion of the Road, the natural beauty of the region has seen it become one of Victoria’s favourite destinations for day trips and weekends away, holidays and holiday homes.

<sup>4</sup> The area Warrnambool receives between 600-700mm of rain per annum, with Cape Otway receiving around 1000mm annually.





## The Road

'[Geelong Mayor Howard] Hitchcock ... espoused [Country Roads Board chairman] *William Calder's* proposal for the establishment of the Great Ocean Road as a memorial ... He became president of the Great Ocean Road Trust in 1918; he gave nearly £3000 to its appeal and it was his enthusiasm and energy as much as anything that kept the project afloat. He died before he was able to open the completed road in 1932; in tribute, his car was driven behind the governor's in the procession along the road on opening day.' – Ian Wynd, *Australian Dictionary of Biography, Volume 9*

Great Ocean Road  
Source: Visit Victoria





The construction of the Great Ocean Road was funded by the Great Ocean Road Trust and the road was built under the supervision of the Country Roads Board (CRB). The project commenced in 1918, with the Trust raising funds from private donations and the sale of land along the route that had been purchased from the State Government.

The first section of the road was from Eastern View to Lorne. No mechanical equipment was available, so the work was done with hand tools, explosives, wheelbarrows and horse-drawn scoops. It was back-breaking work for the returned servicemen wielding the picks and shovels. It opened in 1922 and the second section from Anglesea to Aireys Inlet opened in 1924, with most of the section from Eastern View to Cape Pattern finished by 1936. The road was partially funded by tolls.

In 1936, management of the Road transferred from the Trust to the CRB. The remaining 200 kilometre stretch from Apollo Bay to Allansford consisted of sections that were either existing main

roads or built as a development road (and later tourist road) by the CRB.

The Ocean Road Planning Scheme was developed in 1955 by the Victorian Town and Country Planning Board. The purpose of the Scheme was to protect and preserve the scenic beauty of the Great Ocean Road and its landscapes by integrating the planning processes across the four local shires. It went beyond the bounds of the coastal lands by including the regional rural environment. It went beyond the parks and reserves system by regulating development on private, as well as public, land. This pioneering reform paved the way for the protection of land for its scenic environmental value in other locations.

On 7 April 2011, the Great Ocean Road and Scenic Environs was added to the National Heritage List for its extraordinary historic and cultural significance.

Today the Road, officially designated as the B100, is generally covered by an 80km-per-hour speed limit.

There are a number of coastal and hinterland towns along its length such as Torquay, Anglesea, Lorne, Wye River, Apollo Bay, Lavers Hill, Port Campbell, Peterborough and Allansford. Except for two changes in the route in, and immediately west of, the Otway Ranges, the Road has remained largely unaltered for the past 80 years.

The viability of the Great Ocean Road is supported by inland routes, which provide alternative and more direct access to the region's communities. These inland routes – which include the Princes Highway, Cape Otway Road and the Cobden to Port Campbell Road – are essential for the servicing and support of coastal communities and often used by touring route travellers when returning to Melbourne.

Visitors access the Great Ocean Road from many locations – including Melbourne and Avalon Airports, Princes and Hamilton highways and Queenscliff – via road, ferry and rail. A significant number of visitors also drive from Adelaide to access the Great Ocean Road.



On patrol Source: Surf Lifesaving Victoria

## Communities

The Great Ocean Road Region is a popular place for people to live, work and relax.

Over the last 20 years the permanent populations of all towns along the Road and its hinterland have grown, each with its own unique character and identity. There has also been a significant growth in part-time residents of the coastal towns.

The 2004 Great Ocean Road Regional Strategy (a land-use and transport strategy) recognised the importance of protecting the liveability of these towns by focusing on balanced and managed growth of selected coastal and inland towns:

- establishing clear township boundaries that signal the edge of a town and limit urban expansion and ribbon development along the coast
- respecting the character of each coastal town and promoting best practice development design
- spreading settlement growth across the region, with coastal growth

directed to townships where it can be best accommodated, Torquay, Warrnambool, and to a lesser extent Apollo Bay

- inland growth encouraged at Colac, Camperdown, Timboon, Winchelsea, Cobden and Terang
- limiting growth elsewhere.

The region's population swells significantly during peak holiday periods, with regular visitors and tourists holidaying along the Great Ocean Road. These seasonal peaks (up to ten times the permanent population) makes the provision of infrastructure in coastal settlements a specific challenge.

The Road also has significant numbers of day visitors from the west of Melbourne, Geelong and the Bellarine Peninsula. Events held along the Great Ocean Road attract competitors, supporters and spectators. On significant event days – such as the Lorne Pier to Pub race, the Cadel Evans Great Ocean Road Race and the Rip Curl Pro – the number of people in towns can be more than twenty times greater than the permanent population.

## Visitor economy<sup>5</sup>

The Great Ocean Road is much more than a road. If managed well, its attractions and landscapes are also drivers for sustainable economic prosperity.

Each year, more than five million visitors spend everything from a day to weeks enjoying the region's unique combination of cultural, ecological and heritage-listed attractions. This is significantly higher than other premier Australia ecotourism attractions such as the Great Barrier Reef (approximately 2 million), Phillip Island (2.2 million) and central Australia (500,000).

Visitors travelling along the Great Ocean Road are essential to Victoria's economy in general, and local economies in particular. The 5.1 million visitors to the Great Ocean Road Region in 2016-17 spent \$1.3 billion and generated employment for around 9,200 people.<sup>6</sup>

Visitor expenditure also helps fund community and emergency services

organisations. Many surf lifesaving clubs along the Great Ocean Road rely on swimming and running competitions to raise operational funds and these events also provide financial assistance for other local organisations. For example, the Lorne Pier to Pub – the world's largest open water swim – attracts up to 4,000 competitors and 20,000 visitors. The Pier to Pub is run by the Lorne Surf Lifesaving Club, with local community organisations assisting with services such as event parking.

What events such as the Pier to Pub demonstrate is that the need to manage the Great Ocean Road and its landscapes is not just social and environmental – it is also economic.

More work needs to be done to manage the impacts (such as congestion in bottleneck areas) and ensure local communities capture their fair share of the economic benefits – including job creation – generated by the Road.



Pier to Pub 2018



## Questions for discussion

1. What do you love most about the Great Ocean Road and its landscapes?
2. What aspect of the Great Ocean Road and its landscapes would you most like to see protected?
3. What aspect of the Great Ocean Road and its landscapes would you most like to see changed?

<sup>5</sup> The term 'Visitor Economy' refers to the production of goods and services for consumption by visitors, which includes the industries that directly serve visitors such as hotels, transport providers, tour companies and attractions as well as intermediaries and those involved indirectly, such as retail and food production.

<sup>6</sup> Victorian Regional Tourism Account 2015-2016, model developed by Deloitte Access Economics for DEDJTR. The profiles are based on data from the International and National Visitor Surveys conducted by Tourism Research Australia (TRA) on behalf of the tourism industry in Australia. The fact sheet can be found here: [http://www.business.vic.gov.au/\\_data/assets/pdf\\_file/0006/1611942/Great-Ocean-Road-Regional-Summary-...YEJune17\\_FINAL.pdf](http://www.business.vic.gov.au/_data/assets/pdf_file/0006/1611942/Great-Ocean-Road-Regional-Summary-...YEJune17_FINAL.pdf)









Case for change

3.





## Case for change

### A multitude of responsible public entities

The governance of the Great Ocean Road and its landscapes is not simple. It involves many different organisations operating in different geographical locations with different responsibilities, stakeholders, priorities and timeframes.

Across the region, there are more than 14 responsible public entities with accountabilities covering strategy development and implementation, land-use planning and development, infrastructure delivery, asset maintenance, emergency management, investment facilitation, destination promotion, and the management of the environment and local ecology (refer Figure 4 on pages 36 and 37).

Despite the best efforts of the organisations responsible for planning and oversight of the Great Ocean Road and its landscapes, there is too much duplication of effort and inefficiency in the allocation of resources. Currently, the Road is managed as though it were a local residential and tourist road.

The Great Ocean Road has grown to become a national and international attraction that is more than twice as popular as the Great Barrier Reef.

The time has come for the management and resourcing of the Road to reflect its national significance. Unless this reform occurs, the Great Ocean Road will become increasingly unmanageable for visitors and local communities. Without action there is a risk that increased tourism will reduce the enjoyment of the visitor experience, causing reputational damage, and limiting the ability for local communities to benefit from the growth in visitors.

In short, it is not in the long-term interests of the Great Ocean Road, the local communities or the people of Victoria as a whole, for the current confusion of responsibilities to continue.

Reform is urgently needed.

It should be remembered that reform such as this is not new to the region. In 1936, the management of the Road transferred from a local board of trustees to the State Government. In 1955, the introduction of the Ocean Road Planning Scheme preserved the scenic beauty

of the region. And now the time has come to take the next step and preserve the social, cultural, environmental and economic future of the region.

#### **Critical Gap – no overarching alignment mechanisms that are binding**

The 2004 Great Ocean Road Region Strategy took an integrated view of the Great Ocean Road and its landscapes.

The Strategy included an implementation plan that assigned actions to the various responsible entities. However, the Strategy did not come with an integrated infrastructure plan for the region. In addition, no funding was attached to the Strategy. Finally, the implementation of the Strategy stopped after a few years.

The Great Ocean Road already has a number of stand-alone plans. Those plans include the Shipwreck Coast Masterplan, the Belfast Coastal Masterplan, the 2013 VicRoads Great Ocean Road Management Strategy, the Strategic Masterplan for the Great Ocean Region Visitor Economy: 2015-2025, and individual plans by each local government authority and responsible public agency. There is, however, no integrated plan for the region.

The Great Ocean Road has grown to become a national and international attraction that is more than twice as popular as the Great Barrier Reef.



Congestion at the 12 Apostles  
Source: Great Ocean Road  
Regional Tourism

### The nature of the partnerships with Traditional Owners is not clearly defined

Another unresolved issue is the lack of a defined partnership role for the Eastern Maar Aboriginal Corporation and the Wathaurung Aboriginal Corporation (trading as Wadawurrung) in governance arrangements.

The Eastern Maar and Wadawurrung are typically involved in land-use planning processes when regulatory compliance is required (for cultural heritage management plans) and increasingly are engaged by organisations to provide ceremonial services (such as Welcome to Country). The Eastern Maar have also been consulted in recent times during coastal planning exercises, such as for the Shipwreck Coast and the Belfast Coastal Masterplan.

The Eastern Maar and Wadawurrung have, however, had very limited input into the development of policies or the local management of the Crown land despite there being nearly 170,000 hectares of national and state parklands and marine sanctuaries.

Australian and Victorian laws recognise Traditional Owner rights for their Country (under the Commonwealth *Native Title Act 1993* and the Victorian *Traditional Owner Settlement Act 2010*) and provide for

associated agreements about the use and management of public land.

Given the Traditional Custodians of the land have been formally, and legally, recognised there is an urgent need to update the Great Ocean Road Region's governance framework and structure to include Traditional Custodians.

### Little or no holistic planning for the visitor experience

Visitor amenities and the touring route experience are inadequate, falling well short of expectations. There is a lack of complementary visitor experiences and diverse supporting accommodation that would encourage tourists to do more than just visit the Twelve Apostles, and assist in managing congestion bottleneck areas.

Many visitors are satisfied with experiencing the Great Ocean Road from the comfort of a car or bus seat – travelling to and from the Twelve Apostles but with few opportunities to engage more deeply with the region, and local communities. Approximately two thirds of trips are day trips with the benefits of tourism flowing to tour operators and accommodation in Melbourne, and limited expenditure in local communities along the Great Ocean Road.

The challenge of increasing visitors' length of stay and level of expenditure

(yield) along the Great Ocean Road has been considered on many occasions, and acknowledged in several strategies, including in the 2004 Great Ocean Road Regional Strategy, Shipwreck Coast Master Plan and the Great Ocean Road Region Visitor Economy: 2015-2025.

Ultimately low visitor yield in the region is limiting the ability for communities to benefit from the growth in the tourism sector. It is also constraining the ability of the region to attract investment in new tourism experiences.

Part of the problem is the lack of coordinative accountability. Currently, no single agency has responsibility for managing the visitor experience for the full length of the touring route, let alone the provision of basic facilities and amenities (such as parking and toilets) at regular intervals.



Road signage to assist international tourists safely navigate the Great Ocean Road





## Other governance challenges

A number of other challenges have also been identified.

1. There is no shared, overarching, community vision for the future direction of land uses in places and destinations along the Great Ocean Road, and as part of a state significant tourism asset.
2. There is no forum for the local community to voice their concerns about the cumulative impacts of increased numbers of visitors travelling the length of the Great Ocean Road.
3. Tourism industry development proposals are being held back by the lack of regional land constraints assessment, guidelines for land development proponents and plans for the provision and sequencing of infrastructure.
4. Councils report a lack of capacity to undertake the work required for decision-making on complex tourism land development proposals in sensitive landscape settings.
5. There are many interests to be weighed up when evaluating major land development proposals. Councils report difficulty balancing the local and state priorities on major development proposals.
6. There are significant funding constraints and no mechanisms to target potential sources of funds for regional priority investments.
7. Local councils are paying a high proportion of the costs associated with increased numbers of visitors (such as toilets, parking and rubbish collection), but a high proportion of the income generated by increased visitation to the Road benefits businesses located outside the region (such as Melbourne-based accommodation providers and tour operators).
8. The legacy of public land management and administration for the region (particularly coastal and environmental) is fragmented and inefficient, with many land administration anomalies.
9. The digital database for Crown land is inaccurate, creating uncertainty and time delays for permits for projects and facilities.

Source: Visit Victoria



## Future Challenges

### Increasing numbers of visitors

If anything, the Great Ocean Road is expected to become an even more popular tourism attraction.

The number of visitors to the region will keep increasing because there is a rapidly expanding population in the west of Melbourne, Geelong and the Bellarine Peninsula. Visitors from other parts of Australia will also increase with population growth.

Numbers of international tourists are projected to keep increasing because some of Australia's close neighbours – China, Indonesia and India – have rapidly expanding middle classes. By 2030, Asia's middle class is expected to have a population of 3.2 billion – and a significant proportion of that growing middle class will become international tourists.

Victoria needs to plan and invest now to ensure the economic benefits of tourism are maximised and the social and environmental impacts are minimised.

### Impacts of a changing climate

Climate change also poses a threat to the sustainable management of the Great Ocean Road and its landscapes.

Coastal environments are very harsh on assets and infrastructure and the Great Ocean Road coast line is subject to intense pressures from wave action and erosion. The impacts of coastal inundation and erosion – as well as land slippage – are a serious risk to the day-to-day operations and long-term viability of the Road.

Climate change is driving more frequent and more intense storm events, so this challenge will continue to grow in magnitude.

A coherent, coordinated, and cooperative approach to climate change planning, research and investment in maintaining coastal assets and infrastructure needs to be adopted by all responsible public entities.

## Broad support for change

To-date the Taskforce has consulted with more than 50 people from 38 organisations and found that there is widespread agreement on the need for reform of the governance arrangements.

Currently, they agree that:

- There is no single body with the necessary powers and responsibility to deliver the planning, financing and

implementation arrangements that the Great Ocean Road needs and

- There is a need for a more holistic Great Ocean Road decision-making framework with overarching, coordinating mechanisms for planning and action.

The responsible public entities and key stakeholders (such as the G21 Geelong Regional Alliance, Great Ocean Road Regional Tourism Board and local councils) also agree that State Government intervention is required. This is not a new belief: in 2016, the issue was nominated as a priority by the Barwon Regional Partnership at their Regional Assembly.



## Questions for discussion

4. Do you work for, or own or operate a business, or are you a member of a community organisation, that benefits from visitors to the Great Ocean Road Region? What are the key issues for the organisation/business?
5. Is there any critical issue or opportunity that we have missed?







Figure 4. Governance arrangements for the Great Ocean Road Region

Current governance of the Great Ocean Road Region		
<b>Policies (and regional plans)</b>	<p>Australian's Biodiversity Strategy 2010-2030</p> <p>G21 Regional Growth Plan 2013</p> <p>Great South Regional Growth Plan</p> <p>Great Ocean Road Regional Strategy 2004</p> <p>National Landscapes Program (Commonwealth)</p> <p>National Strategy for Ecologically Sustainable Development</p> <p>Protecting Victoria's Environment – Biodiversity 2037</p> <p>State Environmental Protection Policy</p>	<p>Strategic Masterplan for the Great Ocean Region visitor economy 2015-2025</p> <p>Strategy for Australia's National Reserve System 2009-2030</p> <p>Victoria Coastal Strategy 2014</p> <p>Victoria's Climate Change Framework</p> <p>Western Regional Plan Coastal 2015-2020</p> <p>Wetlands Policy of the Commonwealth Government of Australia 1997</p>
<b>Legislation (Victorian unless otherwise specified)</b>	<p><i>Aboriginal and Torres Strait Islander Heritage Protection Act 1994 (Commonwealth)</i></p> <p><i>Aboriginal Heritage Act 2006</i></p> <p><i>Catchment and Land Protection Act 1994</i></p> <p><i>Climate Change Act 2017</i></p> <p><i>Coastal Management Act 1995</i></p> <p><i>Conservation, Forests and Lands Act 1987</i></p> <p><i>Crown Land (Reserves) Act 1978</i></p> <p><i>Emergency Management Act 1986 (Vic)</i></p> <p><i>Environment Effects Act 1987</i></p> <p><i>Environment Protection and Biodiversity Conservation Act 1999 (Commonwealth)</i></p> <p><i>Environmental Protection Act 1970</i></p> <p><i>Fisheries Act 1995 (Vic)</i></p> <p><i>Flora and Fauna Guarantee Act 1988</i></p> <p><i>Forests Act 1958</i></p> <p><i>Heritage Act 1995</i></p> <p><i>Heritage Rivers Act 1992</i></p>	<p><i>Land Act 1957</i></p> <p><i>Local Government Act 1989</i></p> <p><i>Major Transport Projects Facilitation Act 2009</i></p> <p><i>Marine Safety Act 2010</i></p> <p><i>National Parks Act 1975</i></p> <p><i>Native Title Act 1993 (Commonwealth)</i></p> <p><i>Parks Victoria Act 1998</i></p> <p><i>Planning and Environment Act 1987</i></p> <p><i>Port Management Act 1995</i></p> <p><i>Road Management Act 2004</i></p> <p><i>Road Safety Act 1986</i></p> <p><i>Safety on Public Land Act 2004</i></p> <p><i>Subdivision Act 1988</i></p> <p><i>Sustainable Forest (timber) Act 2004</i></p> <p><i>Traditional Owner Settlement Act 2010</i></p> <p><i>Transport Integration Act 2010</i></p> <p><i>Water Act 1989, Water Industry Act 1994</i></p> <p><i>Wildlife Act 1975</i></p>



Current governance of the Great Ocean Road Region		
<b>Regulation</b>	<p>Aboriginal Heritage Regulations 2007</p> <p>Catchment and Land Protection regulations 2012</p> <p>Climate Change Regulation 2011</p> <p>Conservation, Forests and Land (various) Regulations</p> <p>Crown Land (Reserves) (Tour Operator Licence Fee) Regulations 2011</p> <p>Environment Protection (various) Regulations</p> <p>Flora and Fauna Guarantee (various) Regulations 2011</p> <p>Forests (Fire Protection) Regulations 2014</p> <p>Forests (various) Regulations</p>	<p>Heritage (various) Regulations</p> <p>National Parks (Tour Operator Licence Fee) Regulations 2011</p> <p>National Parks Regulation 2013</p> <p>Native vegetation clearing regulations</p> <p>Port Services (local Ports) Regulations 2004 (Vic)</p> <p>Subdivision (various) Regulations</p> <p>Victorian Planning Provisions</p> <p>Water Industry (various) Regulations</p> <p>Wildlife (various) Regulations</p>
<b>Institutions</b>	<p><b>Strategic and policy responsibilities</b></p> <p>Australian Dpt. of Environment and Energy</p> <p>Regional Development Victoria</p> <p>Tourism Australia</p> <p>Transport for Victoria</p> <p>Victorian Dpt. of Economic Development, Jobs, Transport and Resources</p> <p>Victorian Dpt. of Environment, Land, Water &amp; Planning</p> <p>Visit Victoria</p> <p><b>Regulatory responsibilities</b></p> <p>Australian Department of Environment and Energy</p> <p>Environment Protection Authority Victoria</p> <p>Heritage Victoria</p> <p>Southern Rural Water</p> <p>Victorian Aboriginal Heritage Council</p> <p><b>Registered Aboriginal Parties</b></p> <p>Eastern Maar and Wadawurrung</p>	<p><b>Operational responsibilities</b></p> <p>Barwon Water</p> <p>Colac Otway Shire</p> <p>Corangamite Catchment Management Authority</p> <p>Corangamite Shire</p> <p>Dpt. of Environment, Land, Water &amp; Planning</p> <p>Glenelg-Hopkins Catchment Management Authority</p> <p>Great Ocean Road Coast Committee</p> <p>Moyne Shire</p> <p>Otway Coastal Committee</p> <p>Parks Victoria</p> <p>Surf Coast Shire</p> <p>VicRoads</p> <p>Wannon Water</p> <p>Warrnambool City Council</p>
<b>Changes underway</b>	<p><i>Distinctive Areas and Landscapes Bill 2017</i></p> <p><i>Marine and Coastal Environment Bill 2017</i></p> <p><i>Parks Victoria Bill 2018</i></p>	<p>Eastern Maar Settlement Agreement and associated Land Use Activity Agreements</p>









## 4.

A new management model





## A new management model

After examining the current oversight and management arrangements for the Great Ocean Road and its landscapes the Great Ocean Road Taskforce concluded that a new management model was needed.

To create a new management model further work is required in four key areas:

1. Develop a formal policy position to provide the impetus and direction to changes to the governance arrangements.
2. Develop an overarching Strategic Framework Plan that provides direction to portfolio and local government agencies for coordinated and coherent decisions along the touring route.
3. Establish and assign a lead agency function to develop the Strategic Framework Plan, coordinate its implementation and audit and report on its delivery.
4. Secure funding sources and/or commitment to fund the delivery of the Great Ocean Road Strategic Framework Plan over a 20 to 25 year period.

### Policy

A formal policy position is required to provide direction to the changes to the governance arrangements.

This policy position should recognise the state, national and international significance of the Great Ocean Road and its landscapes, as well as the need for an integrated, holistic approach to decision-making.

**The Great Ocean Road and its landscapes is an iconic touring route with cultural landscapes of state, national and international significance and is to be treated as the one integrated and living entity for the purposes of protection and investment.**



Maintenance work - Wye River Source: VicRoads

Figure 5. Principles to guide the governance changes

Goal/Objective	Guiding Principles
<b>Distinctive areas and landscapes protection</b>	<ul style="list-style-type: none"> <li>• protect and conserve the unique features and special characteristics of the Great Ocean Road and its landscapes for future generations</li> <li>• touch the land, coastlines and waterways lightly and ensure there is a net gain for the environment<sup>7</sup> out of any individual action, development or policy</li> <li>• recognise, protect and promote the heritage, cultural and identity values of the Great Ocean Road, its landscapes and towns</li> </ul>
<b>Traditional Owner inclusion</b>	<ul style="list-style-type: none"> <li>• acknowledge Eastern Maar and Wadawurrung people as the traditional custodians of the land, coastlines, waterways and seas along the Great Ocean Road</li> <li>• recognise, protect and promote the values, rights and interests of the Eastern Maar and Wadawurrung people</li> <li>• partner with the Eastern Maar and Wadawurrung people in the development of policies, planning and management of the Great Ocean Road, its coastlines, landscapes and seas</li> <li>• support, and equip the Eastern Maar and Wadawurrung groups to play an active role in shaping the future for their traditional lands, waters and seas</li> </ul>
<b>Coastal public estate vitality</b>	<ul style="list-style-type: none"> <li>• enhance conservation of coastal environments along the Great Ocean Road, the unique habitats, ecosystems and biodiversity</li> <li>• prepare for, and manage, the impacts of climate change on coastal public land and assets</li> <li>• maintain the coastal public land footprint and access for the enjoyment and appreciation of future generations</li> </ul>
<b>Thriving local, state, national and international significant visitor economy</b>	<ul style="list-style-type: none"> <li>• recognise the importance of the Great Ocean Road, its coastlines and landscapes to the economic vitality and liveability of coastal communities, the south-west region, Victoria and Australia</li> <li>• enhance the experience of the touring route and its destinations for all visitors, including international tourists</li> <li>• recognise the importance of liveable communities along the Great Ocean Road and</li> <li>• ensure sustainable development of the Great Ocean Road visitor economy is a responsibility shared by all levels of government, industry, business, communities and the people of Victoria</li> </ul>
<b>Modern governance</b>	<ul style="list-style-type: none"> <li>• provide visionary leadership and overarching direction to the management of the Great Ocean Road and its landscapes – aligning the activities and decisions of responsible agencies and councils</li> <li>• integrate policy development, strategic planning, implementation and decision-making for the entirety of the Great Ocean Road and its landscapes across all levels of government</li> <li>• develop a secure, long-term commitment to fund the delivery of strategic goals</li> <li>• prioritise the involvement of the Eastern Maar and Wadawurrung people in the design of policies and planning for future of the Great Ocean Road and its landscapes</li> <li>• prioritise community engagement in the design of policies and planning for the future of the Great Ocean Road and its landscapes</li> <li>• maintain an ongoing dialogue with local communities along the Great Ocean Road</li> </ul>

<sup>7</sup> The definition of Environment here is the whole of the environment". This definition has been adopted from the *Environmental Protection Act 1970* "the physical factors of the surroundings including the land, waters, atmosphere, climate, sound, odours, tastes, the biological factors of animals and plants and the social factor of aesthetics".

## An overarching Strategic Framework Plan

The experts and officials canvassed by the Taskforce (refer Appendix B) emphatically believe that a unifying, overarching, strategic framework plan is required. That Strategic Framework Plan should consider, and purposefully shape, the future of the Great Ocean Road and its landscapes.

The Strategic Framework Plan would connect and integrate functional and municipal planning processes along the length of the Great Ocean Road – creating a longer-term, spatial view of future directions for land-uses, landscape management and visitor facilities/amenities.

Once approved, the Strategic Framework Plan would align the decision-making and subsidiary planning processes and activities of all the relevant agencies and local government authorities. It would shape the future management of the landscapes in a way that integrates multiple policy priorities and a range of land uses – establishing interconnected and well-managed urban and rural areas along the full length of the Great Ocean Road. In addition, it would refresh and integrate existing stand-alone regional plans, portfolio or place-based plans, and other statutory planning.

The contents of a Strategic Framework Plan would include a spatial land-use management plan that gives effect to a 30 year vision and Great Ocean Road (touring route) visitor experience strategy with:

- protection and conservation of the unique features and special characteristics of the Great Ocean Road and its landscapes
- direction on future land-uses
- settlement boundaries for towns
- integrated public realm and open space strategies for coastal streetscapes
- economic development priorities at a regional, full length-of-the-road scale (ensuring that touring route issues such as visitor accommodation, parking and toilets are properly integrated)
- strategies to address climate change challenges, particularly for urbanised coastal towns and to maintain the functionality of the Great Ocean Road
- forward-planning for regional transport and other infrastructure networks.

Figure 6. The Great Ocean Road Strategic Framework Plan would provide the “bigger picture” to future local municipal and agency planning, and the means by which local planning gives effect to wider State planning priorities.







Maintenance work - Port Campbell National Park Source: Parks Victoria

The Plan would need to be supported by comprehensive, detailed technical studies that identify and provide direction on key complexities such as land-use constraints and design guidelines for building in sensitive landscapes.

The development of a Strategic Framework Plan would require a collaborative effort between all the responsible public entities, as well as extensive public participation to develop a shared community vision of the future land-uses and visitor management along the full touring route.

In addition, the Strategic Framework Plan would need to be accompanied by a regional infrastructure plan and have statutory backing – ensuring that it has

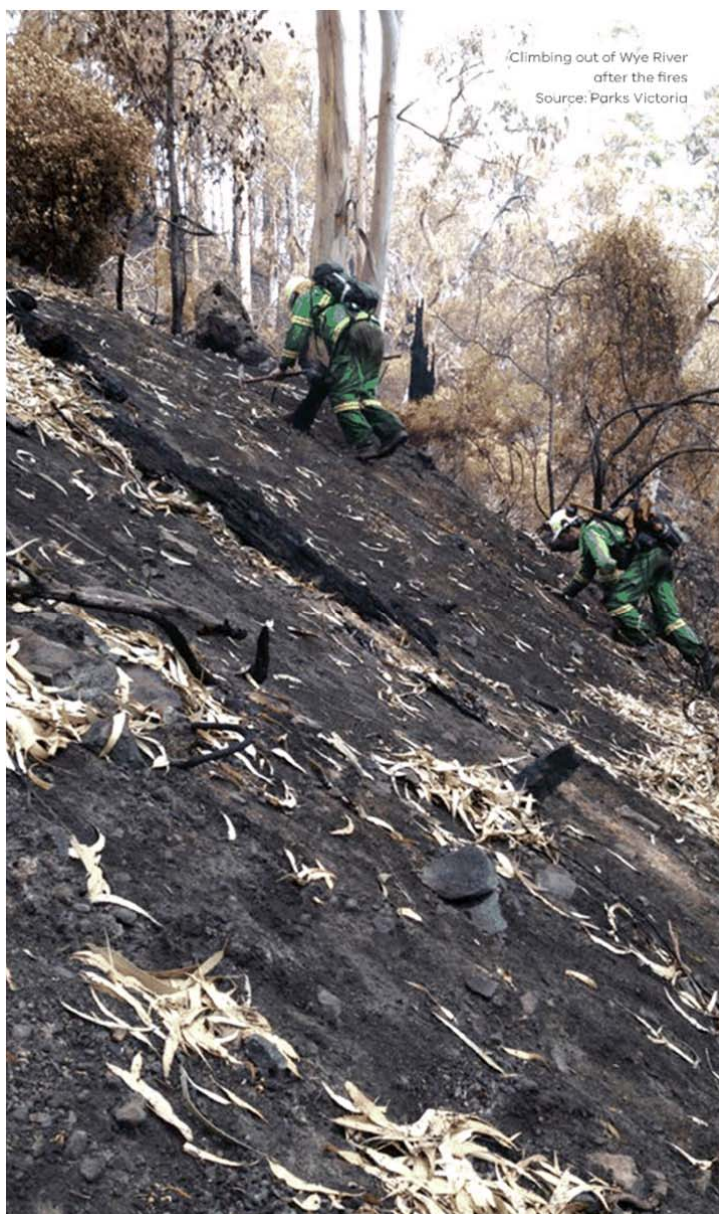
the technical basis and power to provide direction and guidance to various public agencies for planning, infrastructure, services delivery, and economic development. It would also need to be incorporated into planning schemes so that any future local amendments to planning schemes would give effect to its spatial land-use directions.

### Improved institutional arrangements

The statutory Strategic Framework Plan needs to be accompanied by changes to the management arrangements to provide clear accountability for:

- developing and coordinating implementation of the Great Ocean Road Strategic Framework Plan, including regional infrastructure, visitor experience, amenities/facilities and services delivery
- redefining the partnership with, and inclusion of, Traditional Owners in managing natural resources
- maintaining an ongoing dialogue with local communities
- regular monitoring, auditing and reporting on the implementation of the Great Ocean Road Strategic Framework Plan.





Climbing out of Wye River  
after the fires  
Source: Parks Victoria

### A lead agency

The Great Ocean Road faces complex management and development issues. Currently, though, it is managed by a confusing array of public entities, creating duplication and inefficiencies with overlapping responsibilities and some gaps.

Consequently, the Taskforce concluded that the best way to secure the future of the Road is to create a new lead agency function. That lead agency would be required to develop and report on the implementation of the overarching Strategic Framework Plan. The lead agency would need the depth of skills and resources necessary to navigate the complexity of issues that the Great Ocean Road faces – influencing responsible agencies, advocating for and sponsoring new budget bids, maintain an ongoing dialogue with local communities and (through the Great Ocean Road Strategic Framework Plan) create a new partnership with the Traditional Owners.

Existing agencies could continue to be responsible for service delivery within their functional portfolio or jurisdiction. Any gaps or overlaps in service delivery functions that are identified by the Taskforce will also be addressed in the reform recommendations. Future activities of the responsible public entities would need to support the objectives of the overarching Strategic Framework Plan and decisions made within the new integrated

decision-making framework it provides. The lead agency would work with existing agencies to coordinate implementation of the strategic framework plan.

Regular independent auditing by the lead agency will be required to assure the government and the community that the Great Ocean Road Strategic Framework Plan is being implemented, and that all responsible public entities are discharging their responsibilities in a proactive and integrated way.

### Figure 7. Options for a lead agency

A lead agency to develop, coordinate delivery of, audit and report on the implementation of, a Strategic Framework Plan for the Great Ocean Road Region could be in the form of one of four options:

**Option 1:** A coordinating committee

**Options 2:** An existing agency

**Options 3:** A new body established within an existing agency

**Options 4:** A new body

Regardless of the options recommended, the Taskforce will make sure to address the key gaps that are identified in the oversight and management arrangements.

### Planning processes

The land-use planning processes for delivery of both private and public investments are also being examined by the Great Ocean Road Taskforce to see if there are improvements that could be made that would improve the effectiveness of the recommended changes to the governance arrangements.

### Funding arrangements

A Great Ocean Road Strategic Framework Plan is likely to identify that significant and sustained investment is required to develop a world-class visitor experience and touring road, protect the landscapes and maintain the liveability of local communities. Up until now, investment has been ad-hoc. There are noticeable gaps in infrastructure and services delivery along the touring route (shortcomings include visitor accommodation, food services, toilet facilities, parking, interpretative signage, mobile phone coverage, internet access, visitor attractions and GPS tour guide apps).

The Strategic Framework Plan could also identify opportunities for complementary investments that deliver more effective outcomes when combined, or more efficient services provisions across portfolio areas. Effective responses to gaps and potential synergies would be resourced through the Government's established business case process led by the lead agency.

Given the current importance, and future potential, of the Great Ocean Road to the state economy, a dedicated and ongoing secure funding source is required that is not dependent on the annual budget cycle and allocation.



Source: John Barter/Colac Otway Shire



### Questions for discussion

6. Do you have any suggested changes to the overarching policy, goals and principles?
7. What elements would you like to see covered in a strategic framework plan for the Great Ocean Road Region?
8. What are your thoughts about establishing a new organisation to oversee the development, and coordinate implementation, of a Strategic Framework Plan for the Great Ocean Road Region?
9. What current constraints need to be addressed in the future governance arrangements.
10. Are there any other management models /options we should consider?
11. What criteria should the Taskforce use to evaluate the management model options?



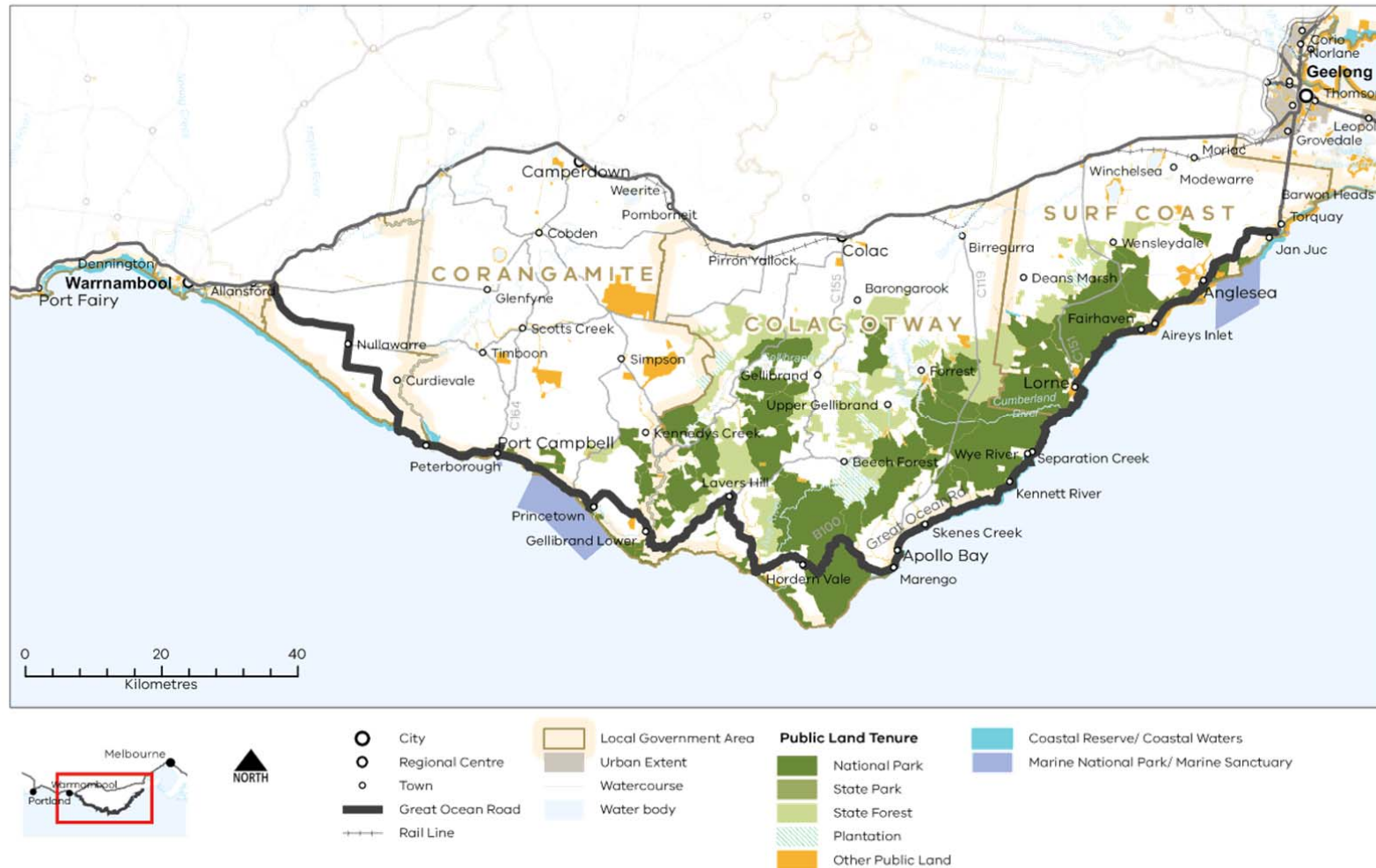






## Maps

## Map 1: Study Area







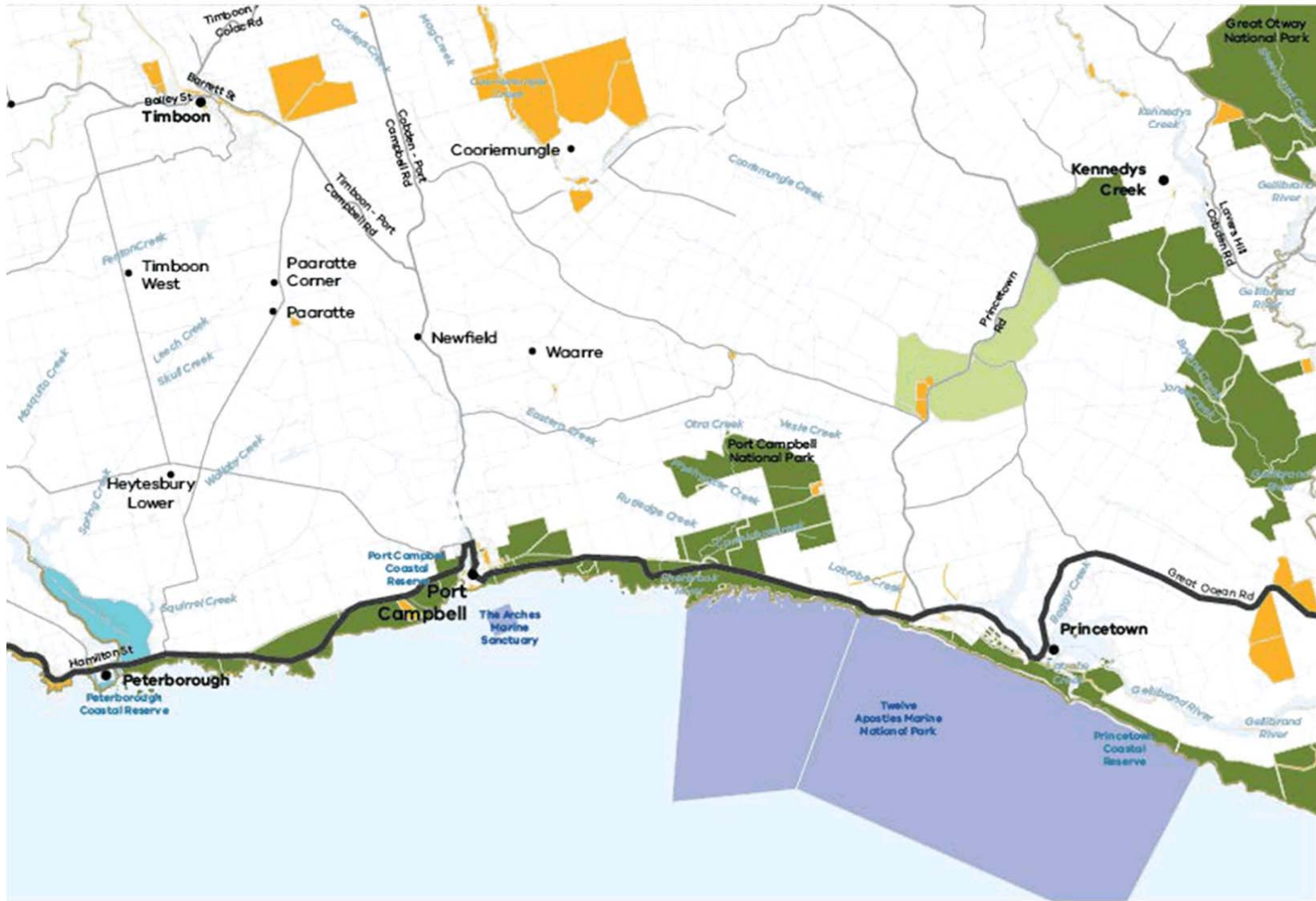
Map 2: Port Fairy to Allansford

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Map 3: Allansford to Princetown

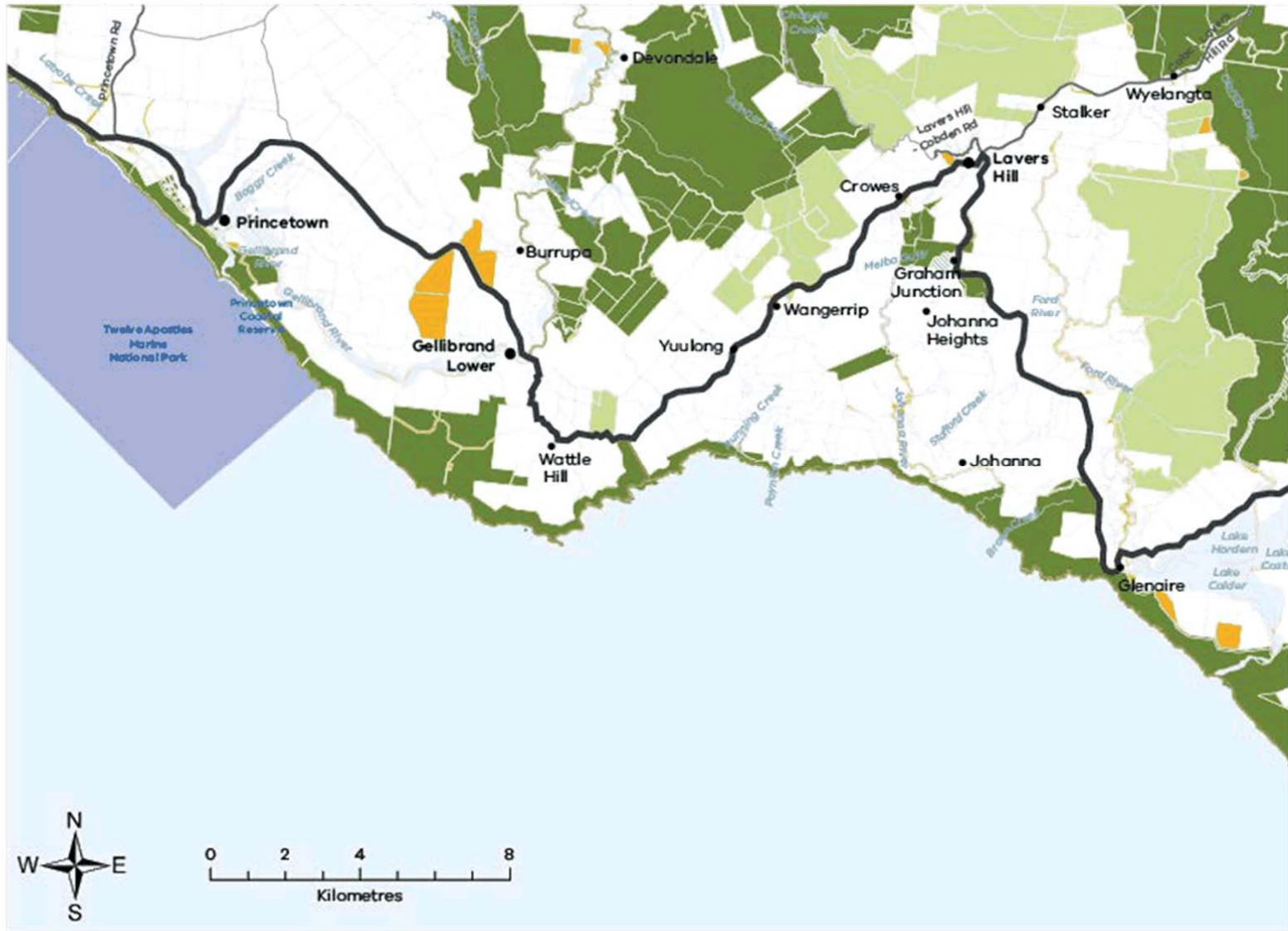


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Map 4: Princetown to Kennett River



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Map 5: Kennett River to Torquay

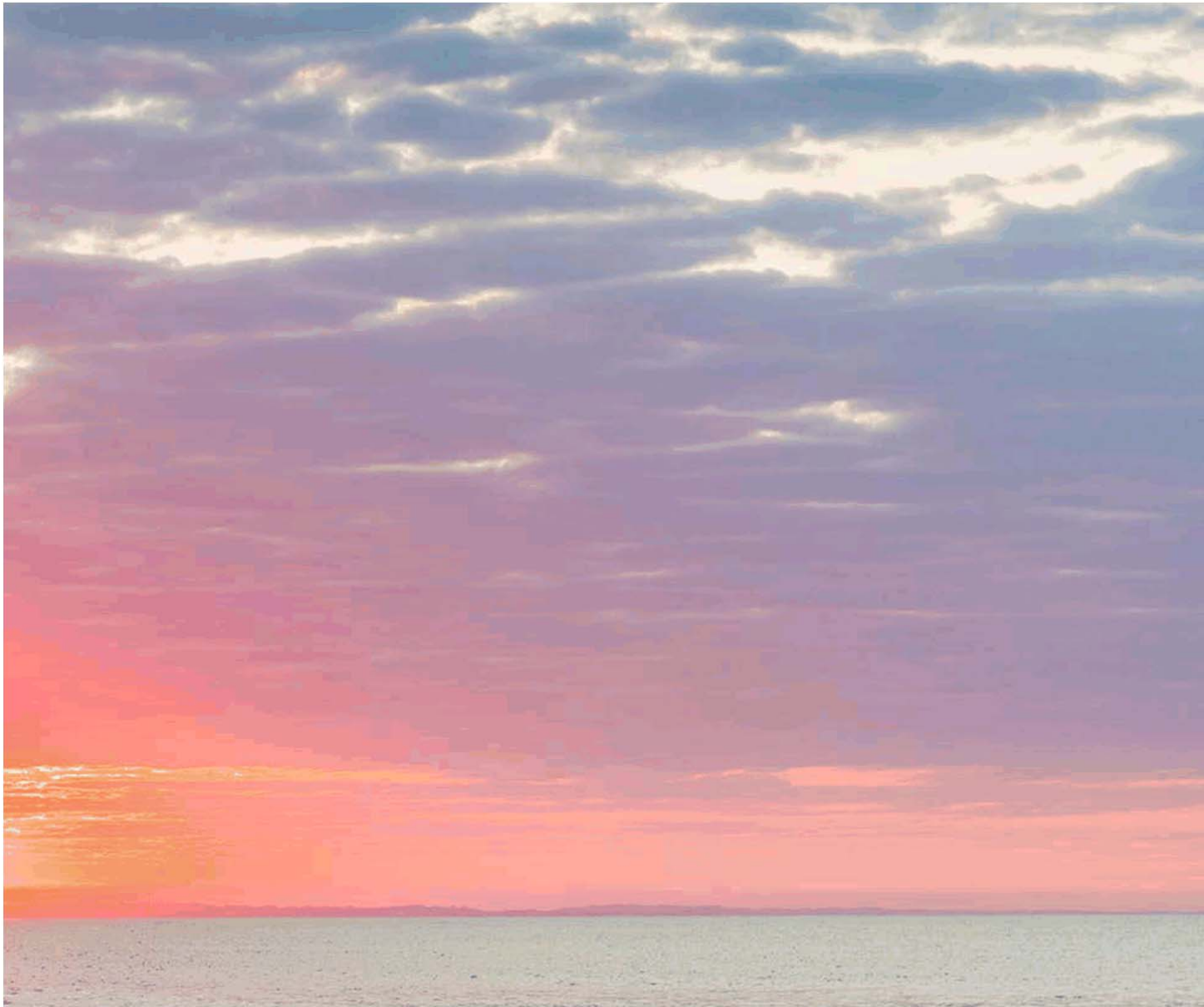


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## Appendices



## Appendix 1: Terms of Reference

### The Issue

The 243km Great Ocean Road is one of the world's most scenic and iconic coastal touring routes. Its sheer limestone cliffs, pockets of rainforest, shipwreck history, and world class surfing breaks makes the Great Ocean Road one of Australia's most popular destinations for visitors and Victoria's most significant tourism asset.

The coastal and forested landscapes along the Great Ocean Road are of high cultural, ecological and economic importance to the Wadawurrung and Eastern Maar people who have known this country, and cared for it, since the beginning. The coastline also includes rare polar dinosaur fossil sites, the best-known one being Dinosaur Cove and fossils collected from numerous sites along the coast continue to yield important scientific information.

Constructed by returned servicemen as a memorial to Victoria's First World War servicemen and women, the Great Ocean Road is a constant reminder of their war service and sacrifice. It was a huge engineering feat at that time and connected isolated coastal communities.

The Ocean Road Planning Scheme was developed in 1955 by the Victorian Town and Country Planning Board to establish an integrated approach across four local shires to protect and preserve the exceptional scenery

of the tourist road. It was a pioneering planning mechanism that led the way in the protection of land for its scenic environmental value. On 7 April 2011, the Great Ocean Road and Scenic Environs was added to the National Heritage List for its extraordinary historic and cultural significance.

Today the Great Ocean Road governance arrangements involves many different organisations that operate across a range of geographical scales, timeframes and jurisdictional boundaries. There are over 20 responsible public entities with accountabilities from strategy development and implementation; land-use planning, management and administration, infrastructure delivery, asset maintenance, emergency management, investment facilitation, destination promotion and brand stewardship. Responsibility for managing the contiguous coastal foreshore, public open spaces and parklands along the Great Ocean Road is also fragmented.

The Victorian Government has established the independently chaired Great Ocean Road Taskforce to review the effectiveness of current governance arrangements and to make recommendations to strengthen protection of the landscape setting, improve the visitor experience, provide greater certainty in land-use planning and attract investment proposals that will benefit tourists and local communities.

### The Project

On 14 September 2017, the Victorian Government announced an independently chaired Taskforce to investigate the management arrangements for the Great Ocean Road. The Taskforce functions are to:

1. Review the effectiveness of the current governance arrangements.
2. Consult extensively with Traditional Owners of Country, responsible public entities and local communities.
3. Make recommendations on governance reforms to protect the distinctive landscapes, improve the visitor experience and attract investments that benefit both tourists and local communities.

The Taskforce investigations are to include examination of options for reducing barriers to appropriate development in the area, consideration of an over-sighting body or independent authority covering the length of the road, and examination of other appropriate governance arrangements.

The work of the Taskforce will build on, and review the implementation of, the 2015-2025 Strategic Master Plan for the Great Ocean Road Region Visitor Economy, the Shipwreck Coast Masterplan 2015, the 2004 Great Ocean Road Regional Strategy and the VicRoads Great Ocean Road Management Strategy 2013. It will

also draw on the experience of cooperative efforts during the Wye River Bushfire Reconstruction process.

The Taskforce will report to three coordinating Ministers: Minister for Planning (lead), the Minister for Regional Development and the Minister for Tourism and Major Events.

#### Study Area

The primary study area is the Great Ocean Road and its landscape from Torquay to Port Fairy (including settlements). The secondary study area includes more of the hinterland for consideration of infrastructure and projects that contribute to the Great Ocean Road visitor experience. The project study area includes parts of the municipalities of Surf Coast, Colac-Otway, Corangamite, Moyne and Warrnambool.

#### Purpose of the Taskforce

The Taskforce is to

1. Review the effectiveness of current Great Ocean Road governance arrangements.
2. Undertake extensive consultation with the Traditional Owners of Country, responsible public entities, key stakeholders and the community.
3. Report to the Victorian Government within twelve months with recommended reforms to governance arrangements for the Great Ocean Road and its landscapes.
4. Make recommendations on governance reforms to:
  - a. boost tourism expenditure and investment along the Great Ocean Road

- b. better support local communities to benefit from the visitation economy
- c. maintain appropriate environmental and landscape protections.

#### Roles and Tasks

The role of the Taskforce is to identify gaps, points of duplication and recommendations for better coordination across government agencies in project delivery and communications to achieve better tourism, access and environmental outcomes.

The Taskforce will undertake extensive consultation to consider the strengths and weaknesses of current management arrangements and an assessment of project delivery processes across government departments and agencies.

The outputs to be delivered comprise:

- Initial report to the coordinating Ministers at the end of 2017 on early insights and key issues.
- An Issues and Options Discussion Paper for public release and comment.
- Community views report.
- Final report with recommended governance reforms.

The final report is to canvas options for reducing barriers to appropriate development in the area, evaluate the merits of an over-sighting body or independent authority covering the length of the road, and examine other appropriate governance arrangements. It is to make recommendations on reforms to

governance arrangements for the Great Ocean Road to improve economic, community and environmental outcomes, improve project delivery processes and improve communications with visitors and local communities.

The Taskforce will undertake the following administrative tasks:

1. Receive and note monthly reports on progress against program milestones, sign off status and scope change.
2. Provide input into all Taskforce discussion papers and reports.
3. Review relevant materials prior to all taskforce meetings.
4. Endorse relevant papers and reports for Ministerial consideration.
5. Provide input into communications applicable to the project.
6. Confirm completion and handover of the project.

#### Constraints

The Taskforce can only make recommendations in relation to the scope and content of this Project.

The role of the Co-chairs of the Taskforce is to provide independent advice to the coordinating Ministers (Minister for Planning, Minister for Regional Development and the Minister for Tourism and Major Events).

The Chairs will seek (and record) the views of Taskforce members on their recommendations to Government.

The advice and recommendations will inform decision-making by the Victorian Government.

#### Media enquiries

Taskforce members will be equipped and supported to deal with media enquiries in relation to the work of the Taskforce.

#### Membership

The Taskforce membership comprises:

- Co-chairs:
  - Hon Peter Batchelor, Victorian Minister for Transport from 1999 to 2006
  - Hon Terry Mulder, Victorian Minister for Public Transport and Minister for Roads from 2010 to 2014
- Nominees of the Traditional Owners of Country for the Great Ocean Road:
  - Mr Jamie Lowe, CEO, Eastern Maar Aboriginal Corporation
  - Ms Corrina Eccles, Manager Geelong Office, Wadawurrung
- Members with expertise and experience in tourism and coastal management, and understand the key issues relating to the governance of the Great Ocean Road:
  - Ms Diane James, AM, former Chair of the Victorian Coastal Council for over a decade
  - Ms Elaine Carbines, Chief Executive Officer of G21 – The Geelong Region Alliance
  - Mr Wayne Kayler-Thomson, Chair of the Great Ocean Road Regional Tourism Board

- The CEOs of the five Local Government Authorities along the Great Ocean Road:
  - Mr Andrew Mason – CEO Corangamite Shire
  - Mr Bruce Anson – CEO Warrnambool City Council
  - Mr David Madden – CEO Moyne Shire Council
  - Mr Keith Baillie – CEO Surf Coast Shire
  - Mr Robert Dobrzynski/Mr Tony McGann – Acting CEO Colac Otway Shire

#### Project Reference Group

The Taskforce will also be supported by a Project Reference Group. The Project Reference Group will be convened by the Secretariat and will consist of the Traditional Owners of Country for the length of the Great Ocean Road (Wadawurrung and Eastern Maar), responsible public entities and key stakeholders.

Permanent members of the Reference Group include:

- Barwon Regional Partnership
- Barwon Water and Wannon Water
- Corangamite Catchment Management Authority and Glenelg-Hopkins Catchment Management Authority
- Country Fire Authority
- DELWP Barwon South West and RDV Barwon South West (Project co-sponsors)
- Emergency Management Victoria
- Great Ocean Road Committee of Management and Otway Coast Committee of Management

- Great South Coast Regional Partnership
- Heritage Victoria
- Major Economic Projects and Transport for Victoria (DEDJTR)
- Parks Victoria
- VicRoads, South West
- Visit Victoria

Other bodies to be consulted and invited onto the reference group on an as needs basis.

#### Support

The Taskforce will be supported by a Secretariat to be convened by DELWP, and comprise a Project Manager and Project Officers in the initial one-year period (equivalent to at least 2 full people). The role of the secretariat is to:

- Develop a Project Plan, Budget, Communications and Engagement plan, risk register and other project management tools as required
- Support the Taskforce in the review of the delivery of the 2004 Great Ocean Road Strategy and project delivery processes across government departments and agencies relevant to the delivery of the strategy
- Manage stakeholder and consultation activities.
- Support the Taskforce in developing options for the management of the Great Ocean Road.
- Oversee any consultancy work undertaken for the Taskforce.



- Prepare a report with proposed recommendations regarding management arrangements, project delivery processes and communications.
- Following the response from government, prepare a business case for the establishment/ongoing management of the Great Ocean Road.
- The Secretariat will also provide the following support to the Taskforce:
  - Prepare and distribute agendas
  - Prepare and distribute meeting minutes
  - Undertake project work between meetings.

Information for the Taskforce will be distributed at least five working days prior to any meeting to ensure members have adequate time to read any documentation.

#### Meetings

The first meeting will be convened in October 2017. The Taskforce will meet regularly with the agenda prepared by the Project Manager and distributed at least five days before the meeting. Meeting dates will be determined as required but are envisaged to be approximately bi-monthly.

#### Timeframe

The Taskforce is to review the effectiveness of current governance arrangements and recommend governance reforms by the end of 2018.

The Taskforce will operate until the project is completed or until the project is placed on hold for a period more than six (6) months.



## Appendix B: Organisations who have participated in the issues identification

The Great Ocean Road Taskforce have consulted with more than thirty-five organisations to better understand the key issues, opportunities and governance reform options. They were assisted by a Project Reference Group comprising representatives of organisations with direct oversight and management responsibilities for the Great Ocean Road and its landscapes. Activities undertaken included round table issues identification discussions and one-on-one discussions focused on ten case studies in late 2017, then a bus trip along the Great Ocean Road with on-country briefings, and two stakeholder workshops in February 2018.

Representatives of the following organisations have participated in identifying the issues and opportunities that make the case for a new management model.

- Aboriginal Affairs Victoria
- Anglesea, Aireys Inlet Society for the Protection of Flora and Fauna (ANGAIR)
- Barwon Water
- Borough of Queenscliffe
- Colac Otway Shire
- Corangamite Catchment Management Authority
- Corangamite Shire
- Country Fire Authority
- Department of Economic Development, Jobs, Transport and Resources
- Department of Environment, Land, Water and Planning
- Eastern Maar
- Emergency Management Victoria
- EPA Victoria
- G21 Geelong Region Alliance
- Geelong Environment Council
- Geelong Field Naturalists Club
- Glenelg-Hopkins Catchment Management Authority
- Great Ocean Road Coast Committee
- Great Ocean Road Regional Tourism
- Heritage Victoria
- Moyne Shire
- Otway Coastal Committee
- ParksVictoria
- Powercor
- Regional Development Victoria
- Southern Rural Water
- Surf Coast Shire
- Transport for Victoria
- Twelve Apostles Tourism and Business Association
- VicRoads
- Victorian Coastal Council
- Victorian National Parks Association
- Victorian Tourism Industry Council
- Visit Victoria
- Wannon Water
- Warrnambool City Council
- Wathaurung Aboriginal Corporation (trading as Wadawurrung)
- Western Coastal Board



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Printed by Impact Digital - Brunswick  
ISBN 978-1-76077-006-8 (Print)  
ISBN 978-1-76077-007-5 (pdf/online)

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ORDINARY COUNCIL MEETING

# LAKE COLAC COORDINATING COMMITTEE MEMBERSHIP

OM181804-2

<b>LOCATION / ADDRESS</b>	Lake Colac	<b>GENERAL MANAGER</b>	Gareth Smith
<b>OFFICER</b>	Stewart Anderson	<b>DIVISION</b>	Development & Community Services
<b>TRIM FILE</b>	F17/7904	<b>CONFIDENTIAL</b>	No
<b>ATTACHMENTS</b>	Nil		
<b>PURPOSE</b>	To seek Council's endorsement of the community representatives on the Lake Colac Coordinating Committee for a period of three years as per the Terms of Reference.		

## 1. LOCATION PLAN / AERIAL PHOTO



## 2. EXECUTIVE SUMMARY

The Lake Colac Coordinating Committee (LCCC) is an advisory committee to Council. The membership of the Committee currently numbers 21, which includes 5 local community representatives, 8 local community group representatives, along with 4 agency representatives, 2 Councillors and 2 Council officers.

The Terms of Reference for the LCCC allows for up to 6 community representatives. The appointment of community representatives to the LCCC aims to ensure that a range of stakeholder interests in the lake are considered. The community representatives will be on the Committee for a period of 3 years, providing important input into future management of the lake.

Expressions of interest were sought for local community representatives on the LCCC through an advertisement in the Colac Herald on 2 March 2018. The 5 existing community representatives were all sent the Expression of Interest form. The application period closed on 16 March 2018 and applications were received from 3 community members.

Although there were only 3 applications, the skill and experience of the 3 individuals that did apply is varied and substantial. It is therefore recommended that Council endorse the appointment of the 3 applicants to the LCCC for a period of 3 years.

The LCCC's Terms of Reference also note that if there are less than 4 members that new applications made throughout the 3 year term could be considered. Therefore, it is also recommended that Council delegate authority to the Chief Executive Officer to appoint any other community representatives that apply to be on the LCCC at their discretion as long as the total number of local community representative does not exceed 6.

## 3. RECOMMENDATION

***That Council:***

- 1. Endorse the appointment of 3 applicants, Mr Edward John Martin, Mr Rodney Amos and Ms Jan Grieg, as the community representatives on the Lake Colac Coordinating Committee for a period of 3 years.***
- 2. Delegate authority to the Chief Executive Officer to appoint any other community representatives that apply to be on the Lake Colac Co-ordinating Committee throughout the 3 year term, at their discretion, as long as the total number of local community representative does not exceed 6 and Council is informed of such appointments.***
- 3. Acknowledges and thanks Ms Julie Holbery, Mr Harry Reed and Mr David McKenzie for their contributions to the Lake Colac Coordinating Committee over the past 3 years.***

## 4. BACKGROUND / KEY INFORMATION

### BACKGROUND

The aim of the LCCC is to:

- Provide strategic input and advice on the implementation of the Lake Colac Management Plan and the Lake Colac Foreshore Master Plan.
- Provide strategic logistical advice and support on operational matters related to the implementation of the Lake Colac Management Plan and the Lake Colac Master Plan.
- Support planning and implementation of special projects.
- Raise issues of community or agency concern in relation to Lake Colac.



The membership of the Committee currently numbers 21, which includes 5 local community representatives, 8 community group representatives (Colac Yacht Club, Rowing Club, Angling Club, Friends of the Botanic Gardens, Field and Game Australia, Wathaurong Aboriginal Cooperative, Greening Australia and Barongarook Landcare) and a number of agency representatives (Parks Victoria, Department of Environment Land Water and Planning, Corangamite Catchment Management Authority and Barwon Water), along with 2 Councillors (Councillors Jason Schram and Chris Smith - LCC Chair) and 2 Council officers.

The Terms of Reference for the Committee allows for up to 6 local community representatives, who will be selected every 3 years through an expression of interest process managed by Colac Otway Shire staff. The Committee currently has 5 community representatives listed below whose term has expired:

- Mr David McKenzie
- Mr Edward John Martin
- Mr Rodney Amos
- Ms Julie Holbery
- Mr Harry Reed

## **KEY INFORMATION**

Expressions of interest were sought for community representatives on the LCCC through an advertisement in the Colac Herald on 2 March 2018 and via the Council website. The 5 existing Community members were all sent the Expression of Interest form directly. The application period closed on 16 March 2018 and applications have been received from the following 3 community members:

- Mr Edward John Martin (existing member)
- Mr Rodney Amos (existing member)
- Ms Jan Grieg

All 3 of these applicants have highly relevant experience and will be able to contribute effectively to the work being undertaken by the LCCC over the next three years. It is the officers' view that they will be able to represent the community effectively and make valuable contributions to the committee.

The Terms of Reference make note that if there are less than 4 community representatives that new applications could be considered. Therefore it is also recommended that Council delegate authority to the Chief Executive Officer to approve at their discretion, new community representatives as long as the total number of local community representative does not exceed 6. Council would need to be informed of any new appointments.

It is worth noting that the LCCC also has local community representatives from 8 community groups, so the total membership for the LCCC remains robust and has sufficient number of local representation to achieve its aim.

## **FURTHER SUPPORTING INFORMATION**

### **5. COMMUNITY CONSULTATION & ENGAGEMENT**

Expressions of interest were sought for local community representatives on the LCCC through an advertisement in the Colac Herald on 2 March 2018 and on Council's website. The 5 existing Community members were all sent the Expression of Interest form. The application period closed on 16 March 2018 and applications have been received from three community members. For privacy reasons details of the applications have been provided to Councillors in a confidential memo, separate to the meeting agenda. All three of the applicants have highly relevant experience and will be able to contribute effectively to the work being undertaken by the LCCC.

### **6. ANALYSIS**

#### **ALIGNMENT TO COUNCIL PLAN OR COUNCIL POLICY**

The LCCC function aligns to the Council Plan 2017-2021: Theme 2 – Our Places. In particular it helps to address goal number three: *"Towns and places are welcoming and attractive"* and Action 7: *"Enhance the attractiveness of towns in the Shire for both residents and tourists/visitors."*

#### **ENVIRONMENTAL IMPLICATIONS**

The proposed representatives on the LCCC will help it function effectively by contributing a wealth of local and academic knowledge of environmental issues.

#### **SOCIAL & CULTURAL IMPLICATIONS**

The proposed representatives on the LCCC will help it function effectively by providing a variety of different social and cultural perspectives.

#### **ECONOMIC IMPLICATIONS**

There are no economic implications related to the recommendation in this report.

#### **LEGAL & RISK IMPLICATIONS**

There are no risk issues related to the recommendation in this report.

#### **RESOURCE IMPLICATIONS (FINANCIAL ETC)**

There are no financial implications related to the recommendation in this report.

### **7. IMPLEMENTATION STRATEGY**

#### **DETAILS**

It is proposed that the 3 local community representatives who have applied be appointed to the LCCC for the next three years.

## COMMUNICATION

Subject to Council endorsing the local community representatives, written correspondence will be sent advising the applicants of the outcome. The decision will be itemised on the next LCCC meeting Agenda in May 2018. Any non-continuing members will be advised in writing and thanked for their participation on the Committee.

## TIMELINE

April 2018: Written correspondence will be sent advising the 3 community representative applicants of the outcome.

April 2018: Written correspondence will also be sent to 8 community groups to confirm their nominated representative.

April 2018: Written correspondence will be sent to non-continuing members to thank them formally for their contribution to the LCCC.

May 2018: Reappointed and new community representatives acknowledged at the LCCC.

## 8. OFFICER DIRECT OR INDIRECT INTEREST

No officer declared an interest under the *Local Government Act 1989* in the preparation of this report.



ORDINARY COUNCIL MEETING

# AUSTRALIA DAY ADVISORY COMMITTEE - TERMS OF REFERENCE

OM181804-3

<b>LOCATION / ADDRESS</b>	Across the Shire	<b>GENERAL MANAGER</b>	Gareth Smith
<b>OFFICER</b>	Hege Eier	<b>DIVISION</b>	Development & Community Services
<b>TRIM FILE</b>	F18/3340	<b>CONFIDENTIAL</b>	No
<b>ATTACHMENTS</b>	1. Terms of Reference Australia Day Advisory Committee 20180405		
<b>PURPOSE</b>	This report is for Council to consider the Terms of Reference for the Australia Day Advisory Committee consisting of seven Councillors		

## 1. LOCATION PLAN / AERIAL PHOTO



## 2. EXECUTIVE SUMMARY

On Australia Day 26 January, the National Australia Day Council (NADC) together with the State and Territory Australia Day, Councils and Committees oversee and co-ordinate Australia Day events and Australia Day Awards on a state and national level.

Towns and regional Councils with the support of State and Territory Australia Day Councils administer Australia Day Awards and deliver local Australia Day events. The Colac Otway Shire supports Australia Day celebrations at a local level by committing funds and resources to conduct an official Australia Day event and deliver COS Australia Day Awards on 26 January annually.

At Council's 24 January 2018 Ordinary Council meeting Council considered and supported a resolution that Council provide stronger community ownership of the awards and the event by inviting community members to participate on an Australia Day Advisory Committee (ADAC). The report suggested that the primary role of the ADAC be to provide Council with recommendations in regards to the awards and the event and to provide an avenue for feedback from the working group as established by the successful host community.

At its 28 February Ordinary Council meeting Council was to consider the draft terms of reference for a Committee structure consistent with the January resolution. Council however resolved to establish an Australia Day Advisory Committee consisting of all seven Councillors.

Officers have now amended the draft terms of reference to reflect Council's 28 February resolution and seek Council's consideration of the attached terms of reference.

## 3. RECOMMENDATION

***That Council endorse the attached draft Terms of Reference for the Australia Day Advisory Committee consisting of seven Councillors.***

## 4. BACKGROUND / KEY INFORMATION

### BACKGROUND

On 26 January, Australia Day celebrations are held throughout Australia. The National Australia Day Council (NADC) together with the state and territory Australia Day Councils and Committees oversee and co-ordinate Australia Day Awards and events on a state and national level.

Towns and local Councils with the support of State and Territory Australia Day Councils administer Australia Day Awards and events on a local level. Council supports Australia Day celebrations on a local level by committing funds to deliver an Australia Day event and Australia Day Awards.

Prior to 2015 recommendations relating to the successful host town and the successful Australia Day Awards recipients were presented to Council by the Australia Day Advisory Committee (ADAC) consisting of four or more councillors.

Following the dissolution of a number of council's advisory committees in 2015, an Australia Day Award Internal Assessment Panel consisting of five (5) council officers (from across four (4) Council departments) have provided a recommendation to Council as to the successful host town and Australia Day Award recipients.

At Council's 24 January 2018 Ordinary Council meeting Council considered and supported a report which recommended that Council provide stronger community ownership of the awards and the event by inviting community members (through an EOI process) to participate on an ADAC. The report suggested that the primary role of the ADAC be to

provide Council with recommendations in regards to the awards and the event and to provide an avenue for feedback from the working group as established by the successful host community.

The January final resolution included the following point:

*Establish an Australia Day Advisory Committee consisting of Councillors and community representatives to oversee the Colac Otway Shire's Australia Day Awards and the Australia Day event.*

At its 28 February Ordinary Council meeting Council was to consider the draft terms of reference for a Committee structure consistent with the January resolution however instead through an alternate resolution Council resolved to:

*Create an Australia Day Advisory Committee consisting of all seven Councillors.*

Officers have now amended the draft terms of reference to reflect Councillors February decision which are attached for Council to consider.

## **KEY INFORMATION**

The key change to the draft terms of reference presented to the February meeting is the membership section, which now reflects Council's changed position resolved at the February meeting so that ADAC consists of the seven Councillors.



## **FURTHER SUPPORTING INFORMATION**

### **5. COMMUNITY CONSULTATION & ENGAGEMENT**

Further community consultation is not required.

### **6. ANALYSIS**

#### **ALIGNMENT TO COUNCIL PLAN OR COUNCIL POLICY**

Working in partnership with the community to deliver awards and events align to the Council Plan 2017-2021 through the following Goals and Actions:

##### ***Theme 3: Our Community***

Goal: Connect people through events and activities

- Supports community activities through information dissemination and planning information.

Goal: Foster an inclusive community.

- Increase advocacy in partnership with our community to enhance cultural awareness, inclusiveness, safety and health, community, family and education.

##### ***Theme 4: Our Leadership and Management***

- Goal: Communicate regularly with our community and involve them in decision making.

#### **ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications relating to this report.

#### **SOCIAL & CULTURAL IMPLICATIONS**

There was an opportunity to increase community involvement in the decision making process for the Australia Day awards and event. The community will still actively participating in the design and delivery of the Australia Day event.

#### **ECONOMIC IMPLICATIONS**

For business and community groups in the successful host town there are economic benefits and opportunities associated with the extra influx of people to the town on the day of the event.

#### **LEGAL & RISK IMPLICATIONS**

Confidentiality and conflict of interest has been addressed in the terms of reference.

#### **RESOURCE IMPLICATIONS (FINANCIAL ETC)**

A budget allocation of \$11,600 is proposed for the 2019 Australia Day Event which is consistent with recent years, subject to endorsement by Council of the 2018-19 budget.

The new ADAC structure will require an additional meeting of the full Council. The level of support would not change if the ADAC included community representation.

Having a Council Advisory Committee consisting of all seven Councillors making recommendations to Council creates minor additional workload for staff as the ADAC will require greater administration support than the standard briefing process.

## **7. IMPLEMENTATION STRATEGY**

### **DETAILS**

Subject to council endorsing the draft terms of reference officers will commence planning for the ADAC meeting.

### **COMMUNICATION**

Council will be consulted to identify a date for the ADAC to meet to consider award nominees and event locations.

### **TIMELINE**

Nominations to host of the Australia Day Festival for 2019 opened on 8th February and closed 30<sup>th</sup> March with no nominations received. In the past this has meant that the event is held in Colac.

The nominations for the 2019 Australia Day Awards close in August 2018. The ADAC will need to meet in September to assess the nominations and make a recommendation to Council regarding successful award recipients in October.

## **8. OFFICER DIRECT OR INDIRECT INTEREST**

No officer declared an interest under the *Local Government Act 1989* in the preparation of this report.

## TERMS OF REFERENCE

Committee Name: **Australia Day Advisory Committee (ADAC)**

Department	Development & Community Services
Responsible Officer	Manager Economic Development and Tourism
Committee Type	Advisory Committee

### 1. BACKGROUND

On Australia Day 26 January, the National Australia Day Council (NADC) together with the state and territory Australia Day Councils and Committees oversee and co-ordinate Australia Day events and Australia Day Awards on a state and national level. The Colac Otway Shire Council supports Australia Day celebrations at a local level by committing funds and resources to conduct an official Australia Day event incorporating Australia Day Awards, a Citizenship Ceremony and community celebrations on 26 January.

Since the introduction of the Expression of Interest (EOI) to Host Australia Day process in 2010, Council has worked in partnership with the community to deliver Australia Day celebrations in towns and communities across the municipality. Working in partnership and communicating regularly with the community in regards to the Australia Day event and the Australia Day Awards aligns with the goals and strategies in the Council plan. It connects people through events and activities and fosters a diverse and inclusive community where residents have the opportunity to participate in decision-making.

Following a review of Council's Australia Day operations in January 2018, Council resolved to establish an Australia Day Advisory Committee (ADAC).

The main purpose of the ADAC is to advise Council in regards to matters relating to the awards and the event and to communicate regularly with the Australia Day Working Group as established by the successful host community to deliver the event.

### 2. PURPOSE

The Committee will:

- Consider Australia Day Award Nominations and make a recommendation to Council in line with the Australia Day Award Guidelines as to the successful award recipients.
- Consider EOIs to host the Australia Day event and make a recommendation to Council in line with the EOI to host Australia Day Guidelines as to the successful host town.
- Review the Australia Day Award Guidelines and EOI to Host Australia Day Guidelines and make recommendations to Council as to the appropriateness to the guidelines.
- Actively seek feedback from the Australia Day Working Committee and the wider community in regards to the Australia Day Awards and the Australia Day event operations.

### 3. OBJECTIVES

- To advise Council in regards to the Australia Day Awards and the Australia Day event with the aim to ensure that the awards and the event remain relevant and meaningful to the community into the future.



#### **4. MEMBERSHIP**

- All 7 Councillors

The following Council staff will attend Committee Meetings to provide advice and support to the committee, but will have no voting rights:

- General Manager Development and Community Services Colac Otway Shire
- Manager Economic Development and Tourism - Colac Otway Shire
- Council Officer - Events Project Officer Colac Otway Shire

Secretariat support will be provided by Council staff.

#### **5. DELEGATED AUTHORITY AND DECISION MAKING**

The ADAC will act in an advisory capacity only and have no delegated authority to make decisions. The ADAC will provide advice and recommendations to Council and staff to assist them in their decision making.

Voting will be used to accept minutes and other resolutions where necessary. The group should aim to achieve consensus on any recommendation (where required). Where this cannot be attained, the Chair has the casting vote.

Decisions will primarily be in the form of recommendations to Council.

Council staff will attend Committee Meetings to provide advice and support to the committee, but will have no voting rights.

#### **6. MEETING PROCEDURES**

The Committee shall meet at least two times per year, but may meet more regularly if required. Any member of the Committee, through the Chair of the Committee, can call for a meeting to discuss a particular issue.

#### **7. CHAIRPERSON**

The Mayor will chair the ADAC. Meetings of the group shall at all times be under the control of the Chair and shall be conducted in accordance with good meeting procedures.

#### **8. AGENDAS AND MINUTES**

The minutes of each meeting will be prepared by the secretariat. Full copies of the minutes, including attachments, will be provided to all members no later than ten working days following each meeting. Minutes including attendance, apologies, issues discussed, resolutions made and action items will all be recorded for each meeting by the secretariat.

---

Date Adopted: TBC  
TRIM Reference No. TBC

## **9. CONFIDENTIALITY, CONDUCT AND INTEREST PROVISIONS**

Members of the ADAC are required to maintain the confidentiality of documents where they contain sensitive or private information or where requested by the Chair.

Members of the group shall notify the Chair where potential conflicts of interest may arise at the earliest possible convenience, in accordance with good meeting practice. Such conflicts shall be recorded in meeting minutes.

## **10. QUORUM REQUIREMENTS**

A minimum of four members is required for the meeting to be recognised as an authorised meeting for the recommendations or resolutions to be valid.

## **11. TERMS OF REFERENCE**

The Terms of Reference and objectives of the ADAC are to be reviewed by the committee biennially and by Council within twelve (12) months after a general election. Any proposed changes to the Terms of Reference resulting from a review must be agreed on by the committee and be presented to Council for formal approval.

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Date Adopted: TBC  
TRIM Reference No. TBC

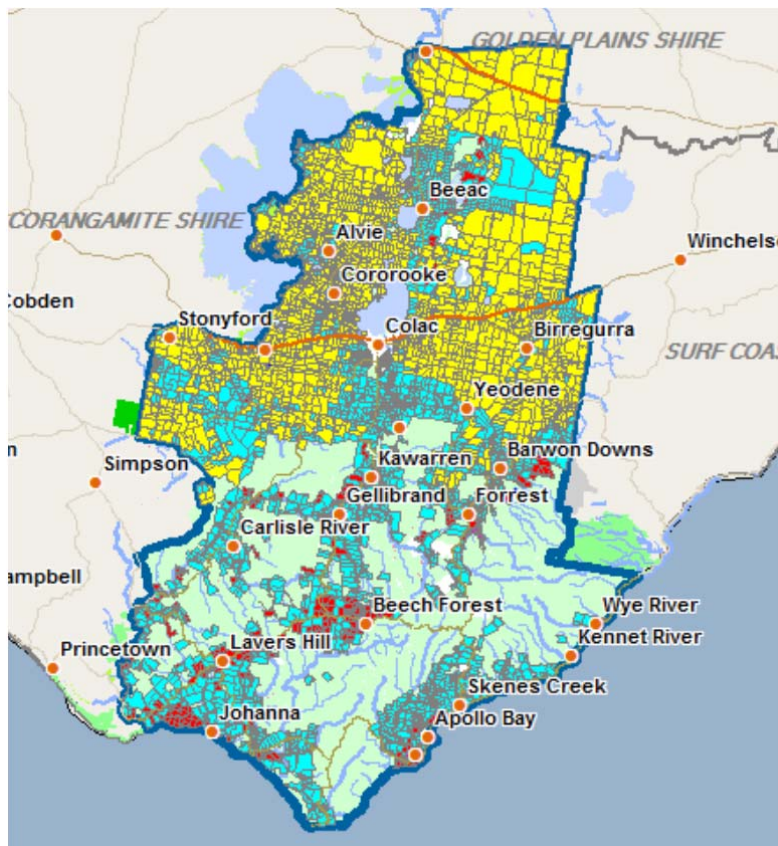
ORDINARY COUNCIL MEETING

# SMALL TOWN IMPROVEMENT PROGRAM REALLOCATION OF FUNDS

OM181804-4

<b>LOCATION / ADDRESS</b>	Whole of municipality	<b>GENERAL MANAGER</b>	Gareth Smith
<b>OFFICER</b>	Michael Swanson	<b>DIVISION</b>	Development & Community Services
<b>TRIM FILE</b>	F17/7903	<b>CONFIDENTIAL</b>	No
<b>ATTACHMENTS</b>	Nil		
<b>PURPOSE</b>	To recommend changes to funding allocated to existing Small Town Improvement Program projects.		

## 1. LOCATION PLAN / AERIAL PHOTO





## 2. EXECUTIVE SUMMARY

The Small Town Improvement Program (STIP) aims to assist with improving infrastructure on public land in small towns in Colac Otway Shire. Small towns are defined as any town other than Colac.

At the 26 July Ordinary Council meeting Council approved a number of projects be funded under the 2017/18 STIP. Since this meeting Council staff have been in regular contact with the successful groups.

Two projects that were funded from the 2017/18 STIP have requested changes to the approved projects which are to be considered by Council. The projects are the Kennett River Tourism and Traffic Management Plan and the Apollo Bay Memorial Options Plan.

The Kennett River Association project has an identified \$10,000 saving due to a Vic Roads grant to the project and has requested a new project, titled Kennett River Wildlife Walk, is allocated \$8,000 of the \$10,000 saving. The new project has received \$20,000 funding under the Federal Government's Stronger Communities Programme and requires a matching contribution. The Association has secured \$12,000 matching funding to date and now seek Council to provide the remaining \$8,000 required.

The request for \$8,000 from the \$10,000 unspent funds from the project leaves a further \$2,000 remaining which is recommended to be carried over to the 2018/19 grants program.

The Apollo Bay Memorial Options Plan received \$7,000 however, a change of scope and carry over of funds is required due to the Federal and State Government's funding for major upgrades to the Great Ocean Road. These works will include the intersection, which accommodates the memorial, and Vic Roads will be developing 2 to 3 concepts for this intersection. The RSL have therefore requested their \$7,000 be reallocated for upgrades to the memorial site once intersection works have been completed by Vic Roads.

The 2017/18 STIP Council resolution included an unallocated amount of \$3,900. A review of the existing grants programs has been completed and the remaining funds were to be included in a revised STIP or similar grant program following the review. Officers therefore also seek Council approval to carry over these funds into the 2018-19 budget.

## 3. RECOMMENDATION

***That Council:***

- 1. Notes the Kennett River Tourism and Traffic Management Plan project has a saving of \$10,000 and the Kennett River Association's request to reallocate a portion of these savings to their Wild Life Walk project.***
- 2. Approves \$8,000 to the Kennett River Association for the Kennett River Wildlife Walk project subject to formal approval of the project from the Otway Coast Committee and the Department of Environment, Land, Water and Planning.***
- 3. Notes the Apollo Bay Memorial Options Plan project is no longer required and the Apollo Bay RSL request for this to be reallocated to Memorial upgrades following intersection works by Vic Roads.***
- 4. Approves \$7,000 to the Apollo Bay RSL for the Apollo Bay Memorial upgrades project and to carry-over these funds to 2018/19 financial year.***
- 5. Approves the carry-over of the remaining \$3,900 from the Small Town Improvement Program in the 2017/18 financial year and the remaining \$2,000 from the Kennett River Tourism and Traffic Management Plan project and increase the total amount of the funding for the new Community Grants Program category from \$160,000 to \$165,900 in the 2018/19 financial year.***

## 4. BACKGROUND / KEY INFORMATION

### BACKGROUND

Since 1999, Council has allocated funds annually towards the Small Town Improvement Program (STIP). Small town progress associations/community groups across the Shire have been invited to submit proposals for projects, to allow Council to decide on how best to allocate the funds. The 2017/18 budget allocation is \$100,000.

Funding is typically allocated to community infrastructure projects that would not be funded as a priority through Council's capital works program. The Economic Development and Tourism unit, in consultation with other Council departments, oversees the implementation of the selected projects.

Council resolved at its 26 July Ordinary Council meeting the following in relation to the 2017/18 STIP:

#### ***That Council:***

#### ***1. Council approves the recommendations for grants through the Small Town Improvement Program:***

Proposal	Amount
Kennett River Tourism & Traffic Management Plan In response to increased tourism numbers, a planned approach is required to address issues of parking, pedestrian safety and lack of tourism infrastructure	\$25,000
Birregurra Park Outdoor Gym equipment Supply and install an outdoor exercise station to include three types of equipment on a soft-fall base	\$20,700
Gellibrand Garden Walk Upgrade Upgrade the material on the existing path, purchase of plants and minor equipment for the garden	\$ 3,400
Forrest Common Master Plan Develop a Master Plan for the open space area in Station Street which also includes the skate park, playground and BBQ area	\$15,000
Warrior Hall Kitchen Upgrade* Upgrade the Public Hall kitchen to ensure compliance with current food safety standards: <i>This to be funded through the Building Renewal Budget.</i>	\$0
Apollo Bay Memorial Options Plan Develop options for the War Memorial which is located within the intersection of the Great Ocean Road and Nelson Street. Options to allow for safer access for the public to visit the memorial.	\$ 7,000
Apollo Bay to Skenes Creek Discovery Trail Feasibility Study (Stage 2 Wild Dog Creek to Skenes Creek) This will provide sufficient funds to allow the Feasibility Study to be undertaken.	\$ 25,000
Total	\$96,100

#### ***2. Requests that the remaining \$3,900 of unallocated funds be retained until the review of the Small Town Improvement Program guidelines is completed with a view to making the funds available as part of a revised Small Town Improvement Program or similar grant program.***

## **KEY INFORMATION**

Two of the six community groups approved for funding of projects in the 2017/18 STIP have requested changes to the above Council resolution. The projects are the Kennett River Tourism & Traffic Management Plan and the Apollo Bay Memorial Options Plan. This report also addresses point of the recommendation regarding the unallocated \$3,900.

### **Kennett River Tourism and Traffic Management Plan**

In late 2016, Colac Otway Shire established a working group which comprises community and landowner/manager stakeholders, including VicRoads, which is examining short and long term options to address the traffic, parking and tourism issues in Kennett River. This group identified the need for the development of a Tourism and Traffic Management Plan and successfully applied to STIP to complete this activity. The plan will recommend priorities for traffic infrastructure works and other related actions.

Following Council's decision to funding the project, VicRoads informed Council that it would contribute \$15,000 towards the plan taking the total funds to \$40,000. After receiving quotes to develop the Kennett River Tourism and Traffic Management Plan it was confirmed \$30,000 was needed for the plan, leaving a remaining \$10,000 of STIP funds unspent for this project. It should also be noted Council received a Federal Government's Building Better Regions Fund for a Shire wide Tourism Traffic and Parking Strategy which includes Kennett River. Council therefore needs to consider how it would like to utilise the \$10,000 saving.

The Kennett River Association, who received the STIP funding, has also been successful in receiving \$20,000 under the Federal Government's Stronger Communities Programme and requires matching dollar for dollar contribution. The grant is for a project known as the Wildlife Walk, which will include a series of interpretive signs on Crown Land alongside the river. The Wildlife Walk is aimed at, among other things, providing an educational experience to visitors, as opposed to the current situation of unmanaged bird feeding which generally takes place in the middle of public roads. This project includes the construction and installation of interpretive signage and park furniture along the walk for visitors to the area. The project is located on Crown Land with the Otway Coast Committee (OCC) as the committee of management. The Kennett River Association has provisional consent from the OCC and will apply in coming weeks for formal consent from the OCC and Department of Environment, Land, Water and Planning (DEWLP) once the project is further progressed and they have decided on exact materials for the signs.

Community consultation has been conducted by the Kennett River Association and concluded on 11 April 2018. Three community consultation sessions were conducted, with generally positive feedback as reported by the Kennett River Association. An online survey has also been completed. Provisionally, 80% of respondents have said that the Wildlife Walk is a place they would visit with friends, family and/or visitors with 64% have said they feel the Wildlife Walk will have a positive impact on the town and 74% have said that they generally support the idea of a Wildlife Walk being created in Kennett River.

Kennett River Association has sourced \$12,000 for the project however has a shortfall of \$8,000 that is required to match the \$20,000 from the Federal Government's Stronger Communities Programme. A formal request for funding has been received by Council from the Kennett River Association outlining this request.

If the \$8,000 was approved, this would leave \$2,000 unallocated from the Kennett River Tourism and Traffic Management Plan. It is therefore recommended that the remaining \$2,000 of unallocated funds be carried over to the 2018/19 financial year and included in the new Community Grants Program category which has replaced the STIP in the 2018/19 Colac Otway Shire Grants Program.

### **Apollo Bay Memorial Options Plan**

Following the approval of \$7,000 STIP funding for the Memorial Options Plan a meeting was held with the Apollo Bay RSL, VicRoads and Council staff to discuss the project which is located in the intersection of the Great Ocean Road and Nelson Street in Apollo Bay. VicRoads confirmed the upgrade of this intersection will be



funded by the State and Federal Government's program to upgrade the Great Ocean Road and they will develop multiple concept designs for the intersection. These concepts will also address the opportunities to enhance the Memorial in consultation with Council and the RSL. The funding for the Options Plans is therefore no longer required.

The Apollo Bay RSL has therefore requested approval to reallocate the \$7,000 to upgrade the Memorial and for the funds to be carried over to the 2018/19 budget. Officers support the request and will also engage with VicRoads to seek consideration that any works to upgrade the intersection and Memorial are considered in the scope of works and at VicRoads cost. If this was to eventuate the \$7,000 allocation would be reconsidered by Council.

#### **Remaining funds of \$3,900 unallocated from the 2017/18 Small Town Improvement Program**

The resolution from the 26 July Ordinary Council meeting for the STIP 2017/2018 – Allocation of Funds, in point 2, highlighted an amount of \$3,900 of unallocated funds. Council has recently approved the new structure and categories for the Colac Otway Shire Grants Program. The unallocated funds were proposed to form part of a revised STIP or similar grant program. Under the new grant structure and categories the most appropriate grant category is the Community Grants Program which has a total funding pool of \$160,000 for the category.

It is recommended, in line with the previous resolution, that the remaining \$3,900 of unallocated funds be added to the total funding pool for the new Community Grants Program. An alternate consideration Council is the funds are recognised as savings in the 2017-18 year end result.

## ***FURTHER SUPPORTING INFORMATION***

### **5. COMMUNITY CONSULTATION & ENGAGEMENT**

The community groups and individuals that are involved in the projects and items listed in the report have been consulted with throughout the 2017/18 year. Previous community consultation and engagement has been completed for the STIP 2017/18.

### **6. ANALYSIS**

#### **ALIGNMENT TO COUNCIL PLAN OR COUNCIL POLICY**

The STIP aims to improve our communities to promote our small towns as an attractive place to live and work. The STIP will improve town features and facilities which attract and assist visitors to our small towns. The improvements to the small towns infrastructure evokes a sense of community pride.

#### **ENVIRONMENTAL IMPLICATIONS**

All works to be undertaken will be completed following discussions with Council's Environment and Community Safety, Infrastructure, Environmental Health, Planning and Building departments to ensure all issues are assessed.

#### **SOCIAL & CULTURAL IMPLICATIONS**

The STIP has created buildings and spaces which facilitate creativity, social activity and enrichment of life. Previous projects have improved access to buildings, spaces and services to support and enable quality of life.

#### **ECONOMIC IMPLICATIONS**

STIP projects can provide improvements to smaller towns which facilitate the growth, liveability and development of the shire. STIP projects have improved economic development in these small communities and engendered significant community enthusiasm and civic pride.

#### **LEGAL & RISK IMPLICATIONS**

All projects undertaken as part of the STIP follow Council's Risk Management processes, including preparation of a Risk Assessment Form and a completed and signed Job Safety Analysis from suitable qualified contractors engaged to complete the work on Council's behalf.

Planning and building requirements, as well as cultural heritage and environmental issues, are considered and where required, appropriate permits are sought prior to implementation.

Land owner's consent is obtained and a funding agreement signed prior to any projects commencing on land which is not managed by Council.

#### **RESOURCE IMPLICATIONS (FINANCIAL ETC)**

All funding mentioned in this report is currently allocated within the 2017/18 Council Budget. No additional funds have been requested as part of this report. If approved, the total of \$12,900 (\$7,000 for the Apollo Bay Memorial Options Plan, \$3,900 of unallocated funds from the 2017/18 STIP and \$2,000 remaining from the Kennett River Tourism and Traffic Management Plan) will need to be carried over into the 2018/19 financial

year as part of the 2018/19 Council Budget. Of the \$12,900 carryover, \$7,000 will be allocated to the Memorial upgrade whilst the remaining \$5,900 will be included into the Community Grants category.

## **7. IMPLEMENTATION STRATEGY**

### **DETAILS**

The Economic Development and Tourism unit will continue to coordinate the projects in consultation with the progress associations/community groups, other applicable Council departments and State and Federal Government agencies.

### **COMMUNICATION**

The Economic Development and Tourism unit will continue liaise with the relevant progress association/community groups to provide project status updates. Council staff will continue to attend meetings, and will communicate in person, email and by phone with the community's key contact person(s) for the project.

### **TIMELINE**

The implementation of the proposed recommendations within this report will be completed prior to the end of the 2017/18 financial year and ensure that the 2018/19 Council budget reflects the proposed changes.

## **8. OFFICER DIRECT OR INDIRECT INTEREST**

No officer declared an interest under the *Local Government Act 1989* in the preparation of this report.



ORDINARY COUNCIL MEETING

**CONSIDERATION OF CONTRACT - CONTRACT 1805 - CONSTRUCTION  
OF LANDSLIP STABILISATION WORKS, DRAINAGE AND ASSOCIATED  
ROADWORKS, STANWAY DRIVE, SEPARATION CREEK  
OM181804-5**

<b>LOCATION / ADDRESS</b>	Stanway Drive, Separation Creek	<b>GENERAL MANAGER</b>	Errol Lawrence
<b>OFFICER</b>	Andrew Kavanagh	<b>DIVISION</b>	Corporate Services
<b>TRIM FILE</b>	F18/1233	<b>CONFIDENTIAL</b>	No
<b>ATTACHMENTS</b>	1. Con 1805 - CCMA confirmation of Permit issue - 20180410		
<b>PURPOSE</b>	Council approval is required to award Contract 1805 - Construction of Landslip Stabilisation Works, Drainage and Associated Roadworks, Stanway Drive, Separation Creek.		

**1. LOCATION PLAN / AERIAL PHOTO**



## 2. EXECUTIVE SUMMARY

Tenders have been received for construction of landslip stabilisation works, drainage and associated roadworks along Stanway Drive, Separation Creek. It is recommended that Council award the contract to Geotech Pty Ltd.

This matter was considered by Council at the March 2018 Ordinary Council meeting. At that time, Council determined that:

1. It needed to be answered that relevant approval or consent had been obtained from Department Environment, Water, Land & Planning (DELWP) & Corangamite Catchment Management Authority (CCMA) and;
2. Local residents had been consulted about the works.

## 3. RECOMMENDATION

***That Council:***

1. ***Subject to receipt of a written agreement from DELWP regarding the proposed works, awards Contract 1805 for Construction of Landslip Stabilisation Works, Drainage and Associated Roadworks, Stanway Drive, Separation Creek to Geotech Pty Ltd at the lump sum price of \$1,452,086 (excluding GST).***
2. ***Authorises the Acting Chief Executive Officer to sign the contract documents following award of Contract 1805.***

## 4. BACKGROUND / KEY INFORMATION

### BACKGROUND

Council initially considered this contract award report at its meeting on 28 March 2018 and resolved:

1. *That Council defers this item to allow a full discussion with affected community members in Stanway Drive and to understand the alternatives that are being proposed. Also that we seek from CCMA and DELWP written confirmation that no report or permits are required.*
2. *This is done so that we can have a report back to Council at the April 2018 Ordinary Council meeting.*

The townships of Wye River and Separation Creek were severely impacted by bushfire on Christmas Day 2015 and a severe rain event in September 2016. The severe rain event resulted in flooding and land slips along Stanway Drive in Separation Creek.

Stanway Drive, with Iluka Extension, forms the alternate emergency access link between Separation Creek and Wye River.

Geotechnical investigation and design has resulted in a design to re-establish the embankments and prevent further land slips. Council's geotechnical consultant has provided the following advice:

*Vegetation is yet to fully establish along Stanway Drive after the bushfires which increases susceptibility to landslide for possibly another few years and further prolonged rainfall through autumn and winter in combination with another triggering event like the September 2016 intense rainfall event could be expected to result in similar landslide activity both in the cuttings above the road and the fill embankment below the road.*

*It has been a relatively dry summer and soils are probably dry and desiccated plus the regional groundwater system is relatively low hence there may be a feeling that not much has been happening (which is correct) nor will happen. However it is worth pointing out that the two most prevalent times for landslide activity in the Otways historically are in April after a drying summer when heavy rain can quickly infiltrate the desiccated landscape and in September/October when we have had groundwater fully recover thru prolonged winter rainfall and we get heavy and/or intense spring rainfall which serves as the trigger for movement (exactly as happened in 2016).*

The work to be performed under the contract is landslip stabilisation utilising rock beaching, soil nailing, netting and erosion control matting and planting, underground drainage pipes and pits, roadworks including kerb and channel and road pavement construction.

The works will be undertaken from the Stanway Drive road and construction equipment will not be within the creek bed. The CCMA supports the project, the work adjacent to the creek and has provided a written works permit for the work and provided a number of conditions to be met. This is attached

The contractor is required to undertake the works in accordance with the Wye River Separation Creek Traffic and Environmental Plan and also provide a specific Construction Environmental Management Plan for approval prior to commencing works.

The Request for Tender (RFT) for the proposed contract was advertised in the Colac Herald on Friday 2 February 2018, in the Geelong Advertiser on 3 February 2018, and in the Herald Sun on 7 February 2018. The RFT was also advertised on Council's website and via eProcure. Tenders closed on Wednesday 7 March 2018.

Tenders were received from the following two (2) contractors:

Geotech Pty Ltd  
Woodward Industries Pty Ltd

Tenders were assessed, taking into account the following selection criteria:

Price	45%
Experience and Track Record	25%
Resources and Capacity	25%
Economic Contribution to Colac Otway Region	5%

The tender evaluation panel nominated Geotech Pty Ltd as the preferred tenderer.

If successful in being awarded the contract Geotech Pty Ltd proposes to commence works early May 2018, with a proposed completion date of 31 July 2018.



## **FURTHER SUPPORTING INFORMATION**

### **5. COMMUNITY CONSULTATION & ENGAGEMENT**

During the design phase the community was given opportunity to comment on the proposed treatment of the Stanway Drive land slips. Communication included a mail out to owners of properties in the immediate vicinity of the works and advice on both the WyeSep Connect web page and the Bushfire Recovery Facebook page.

One property owner expressed concern about the design solution and individual meetings have been held with the owner to understand and consider his concerns.

Following the Council meeting on 28 March 2018 owners of 11 properties along and near Stanway Drive have again been contacted by direct telephone call and if requested a follow up email explaining the works proposed.

All property owners contacted, except one, supported the works. The major concern was the need for improved drainage from above and along Stanway Drive. This is addressed through the drainage works to be undertaken as part of this contract and also in Iluka Extension. Residents were also concerned about Iluka Extension becoming a through road and some requested sealing of Stanway Drive to overcome the dust issue. Not all supported sealing of the remainder of Stanway Drive.

One property owner has raised concerns regarding the works and has proposed an alternative design that involves benching slopes, loose rock beaching and planting. The resident considers that this option would be better aesthetically and less cost to construct.

This alternative has been reviewed by two geotechnical consultants. Their advice is that the alternate treatment would not be effective in preventing further land slips. It will not address the issue of soil moving down the slope.

### **6. ANALYSIS**

#### **ALIGNMENT TO COUNCIL PLAN OR COUNCIL POLICY**

Procuring services through a tender process aligns with Council's goal of providing value for money services for our community.

#### **ENVIRONMENTAL IMPLICATIONS**

The Contractor is required under the contract to provide a suitable, approved environmental plan which will actively manage environmental risks.

As stated previously the CCMA has provided a written works permit for the work near the creek.

The Flora and Fauna Assessment undertaken for Council during the design phase stated that some protected flora may exist within the work area. A specific number for each species was not able to be provided. Given the small area of the works site (estimated to be less than 800m<sup>2</sup>) and the fact the area has been disturbed by fire, the number of individual plants to be removed would be very small.

Written support from DELWP for how these environmental risks are to be managed, specifically the approach outlined for managing impacts to fauna species in the waterway has been requested.

At the time of writing the report the reply had not been received. The response is expected prior to the Council meeting and will be circulated to Councillors.

## **SOCIAL & CULTURAL IMPLICATIONS**

Council's Cultural Heritage consultant has assessed the proposed works and concluded the works as described do not require a mandatory cultural heritage management plan (CHMP). The works are in an area of Aboriginal heritage sensitivity but do not constitute a 'high impact' activity.

## **ECONOMIC IMPLICATIONS**

Not applicable.

## **LEGAL & RISK IMPLICATIONS**

A Planning Permit is not required for the works.

The preferred tenderer, Geotech Pty Ltd has demonstrated a record of management of risks and completion of contracts to specification and on time. Council can be confident that contracting with Geotech Pty Ltd will manage exposure to any occupational health and safety issues and any non-compliance issues with the contract.

Geotech Pty Ltd has provided details to confirm that it has an effective, suitable occupational health and safety and management systems.

Geotech Pty Ltd has third party accreditation under ISO14001 Environmental Management Systems, OHSAS 18001 OHS Management Systems, AS/NZS 4801 OHS Management Systems and ISO9001 Quality Management Systems.

Given the advice received by our Geotechnical Engineers that future landslips could be expected if these works are not carried out there is a risk to life and property which must be addressed.

## **RESOURCE IMPLICATIONS (FINANCIAL ETC)**

This project is funded under the Commonwealth Government NDRRA Program. The budget allocation for the construction portion of the project is \$1.6 million. At this stage the drainage component of the project has not been approved by the Commonwealth. The price for this work is \$84,160.

Based on independent geotechnical advice the drainage component of the land slip remediation is considered an essential element of the overall solution. As such if NDRRA funding is not approved the drainage works will be funded under Council's Urban Drainage Renewal Programme.

## **7. IMPLEMENTATION STRATEGY**

### **DETAILS**

Upon Council's approval and once suitable advice has been received from DEWLP, the Contract will be awarded and works will be programmed to commence. Geotech Pty Ltd proposes to commence works early May 2018, with a proposed completion date of 31 July 2018.

### **COMMUNICATION**

Letters of acceptance and contracts will be issued to Geotech Pty Ltd. The contracts shall be signed by both the contractor and Council (Acting CEO) prior to the commencement of works.

## **TIMELINE**

Works are expected to be completed by July 2018.

## **8. OFFICER DIRECT OR INDIRECT INTEREST**

No officer declared an interest under the *Local Government Act 1989* in the preparation of this report.





**CMA Reference No:** CCMA-W-2018-00198  
**Document No:** 1  
**File No:** WKS/02-0279  
**Date:** 10 April 2018

Mr Neill Hocking  
Colac Otway Shire  
PO Box 283,  
COLAC VIC 3250

Neill.Hocking@colacotway.vic.gov.au

Dear Mr Hocking,

**CMA Reference Number:** CCMA-W-2018-00198  
**Works:** River Health Works  
Bank Stabilisation  
Road landslip stabilisation  
**Location:** **Street:** STANWAY DR, SEPARATION CREEK VIC 3234  
**Cadastral:** Road Reserve  
**Waterway Name:** SEPARATION CREEK

I refer to your application, received at the Corangamite Catchment Management Authority on 09 April 2018, to carry out Works on a Waterway.

Pursuant to By-law No. 4 Waterways Protection 2014 (*Water Act 1989*), the Corangamite Catchment Management Authority hereby grants a permit (enclosed) for the proposed works, with specific conditions. The conditions, which are shown on the permit, must be adhered to and any variation to the conditions must first be approved by the CMA.

Limited evaluation of the works has been carried out to ensure the works do not affect the integrity of the waterway or its surrounds. In particular the evaluation does not include the structural soundness of the works to meet your particular service requirement. This remains the responsibility of the applicant.

As a condition of the permit, you are required to maintain the works and its surrounds in good order at all times. Inspections may be carried out by the CMA to ensure that the works remain as permitted and that the approved works are not having a detrimental effect on the waterway.

The permit holder must carry out the works in accordance with all applicable laws, including obtaining all necessary approvals and complying with the conditions of those approvals.

Should you have any queries, please do not hesitate to contact Darren Wilkie on 5232 9100. To assist the Authority in handling any enquiries please quote CCMA-W-2018-00198 in your correspondence with us.

Yours sincerely,

Dr Geoff Taylor

**Floodplain Statutory Manager**



WATER ACT - 1989  
(Section 160,219 and 287ZC)  
(Issued under By-law No. 4)

**PERMIT No: CCMA-W-2018-00198**

Subject to the conditions listed overleaf, the **Corangamite Catchment Management Authority** authorises:

Colac Otway Shire

to construct and operate the following works:

WORKS CATEGORY: River Health Works  
WORKS TYPE: Bank Stabilisation  
WORKS DESCRIPTION: Road landslip stabilisation

on the following waterway:

Waterway: SEPARATION CREEK

at a site in, or adjacent to, the land described below.

Road Reserve

STANWAY DR, SEPARATION CREEK VIC 3234

**Authorising Officer:**

**Date of Issue:** 10th April 2018



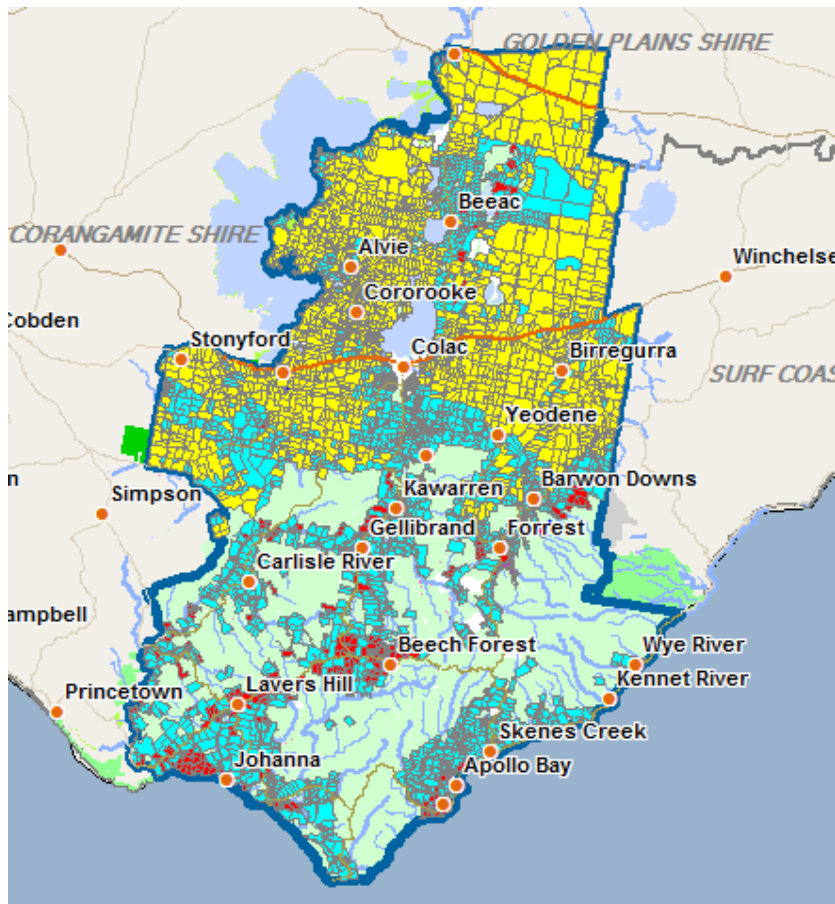
Geoff Taylor  
**Floodplain Statutory Manager**

## ORDINARY COUNCIL MEETING SECTION 86 COMMITTEES

OM181804-6

<b>LOCATION / ADDRESS</b>	Whole of municipality	<b>GENERAL MANAGER</b>	Errol Lawrence
<b>OFFICER</b>	Sarah McKew	<b>DIVISION</b>	Corporate Services
<b>TRIM FILE</b>	F17/6554	<b>CONFIDENTIAL</b>	No
<b>ATTACHMENTS</b>	Nil		
<b>PURPOSE</b>	To propose a revised governance structure for Colac Otway Shire Section 86 Committees		

### 1. LOCATION PLAN / AERIAL PHOTO





## 2. EXECUTIVE SUMMARY

Council may establish Special Committees under Section 86 of the *Local Government Act 1989* (the Act). Colac Otway Shire Council has 26 Section 86 Committees with delegations enabling each Committee to manage a Council-owned hall, reserve or facility.

An Internal Audit of Section 86 Committees was undertaken in 2017 which identified deficiencies in the management of Section 86 Committees by Colac Otway Shire and many of the Section 86 Committees themselves.

Accordingly, a Project Officer was engaged to implement the recommendations from the audit and further review the Section 86 Committees to better understand Committee needs and operations. This identified a number of areas requiring action and decisions, particularly in light of the proposed changes to the Act as forecast in the Local Government Bill, the governance of the Committees, and Council's oversight of the Committees.

Further investigation uncovered that many Victorian Councils were moving to a different governance structure for Section 86 Committees, which involves the Councils assisting these Committees to become incorporated associations. After weighing up the pros and cons of this model and discussing this proposed structure with Section 86 Committees of Management, it is generally supported by the Committees of Management and seen by Council officers as the best model going forward, particularly in light of the proposed changes to the Act.

## 3. RECOMMENDATION

***That Council:***

- 1. endorses the replacement of the current Section 86 Committee structure with Community Asset Committees, in line with the proposed changes to the Local Government Bill;***
- 2. assists, financially and practically, the Community Asset Committees to become incorporated associations;***
- 3. enters into Management Agreements with the Community Asset Committees; and***
- 4. commences the transition of Section 86 Committees to Community Asset Committees in May 2018, to be completed by June 2020.***

## 4. BACKGROUND / KEY INFORMATION

### BACKGROUND

The committee review was prompted by:

- a long gap since Section 86 Committee operations were last examined and no recent history of a strategic review of committees;
- continuing governance issues with committees, particularly relating to conflict of interest procedures;
- inconsistencies in compliance between Committees;
- questions about the number of Committees of Council.

## KEY INFORMATION

### SCOPE

All 26 of Council's Section 86 Committees were initially considered; however the following were ruled out of scope for various reasons:

- Tirrengower Drainage Scheme
- Old Beechy Rail Trail
- Pennyroyal Hall
- Swan Marsh Hall & Tennis Reserve
- Waarncoort Tennis Reserve
- Kennett River Tennis Reserve.

### PROCESS

The work done to arrive at the recommendations in this report includes a number of steps:

- Document review.
- Legislative review.
- Consultation with individual Committee members for clarification.
- Review of internal processes and identification of weaknesses.
- Comparison to other similar Councils.
- Review of policy and process documentation.

### **PROPOSED CHANGES TO THE LOCAL GOVERNMENT ACT 1989**

The Local Government Bill Exposure Draft released on 12 December 2017 forecasts some major implications for Council's Section 86 Committees.

The draft Bill does not include Section 86 Committees; these are to be replaced by Community Asset Committees. This change does not take away Council's responsibility for ensuring that the new Committees operate in an appropriate manner and have reporting processes to Council.

Under the draft legislation, the delegations for these Committees still come from Council but will be via the Chief Executive Officer. A Council may establish a Community Asset Committee and appoint as many members to the Community Asset Committee as the Council considers necessary to enable the Community Asset Committee to achieve the purpose specified in subsection (2). A Council may only establish a Community Asset Committee for the purpose of managing a community asset in the municipal district.

#### ***46 Delegations by Chief Executive Officer***

(1) *The Chief Executive Officer may by instrument of delegation delegate any power, duty or function of the Council that has been delegated to the Chief Executive Officer by the Council to—*

*(a) a member of Council staff; or*

*(b) the members of a Community Asset Committee.*

- (2) *The Chief Executive Officer may by instrument of delegation delegate any power, duty or function conferred by this Act on the Chief Executive Officer, other than this power of delegation and the power of delegation under subsection (1), to a member of Council staff.*
- (3) *A delegation under this section to a member of Council staff may be made to—*
  - (a) a person named in the delegation; or*
  - (b) the holder of an office or position specified in the delegation.*
- (4) *A delegation under this section to the members of a Community Asset Committee is to be exercised subject to the terms and conditions specified by the Chief Executive Officer, which must include the following—*
  - (a) the specified limit on any financial delegation and the specified purpose for which the financial delegation may be used;*
  - (b) compliance with specified governance requirements to ensure appropriate standards of probity are met;*
  - (c) specified monitoring and reporting of the activities and performance of the Community Asset Committee.*
- (5) *A Chief Executive Officer must submit an annual report to the Council in relation to the activities and performance of a Community Asset Committee in respect of which the members have been given a delegation under this section.*
- (6) *A Chief Executive Officer must keep a register of delegations made under this section.*

## **INSURANCE**

To ensure the proposed Committee change to an incorporated body was still covered by Council's insurance, a query was sent to Council's insurance provider Jardine Lloyd Thompson, Service provider to MAV Insurance, Liability Mutual Insurance. This was the response:

## **DEFINITIONS**

**In this Policy the following definitions shall apply:**

**"THE INSURED"** means (in part):

1. The Participant named in the Schedule; (ie. the Council)
2. All former and/or present Mayors, Presidents, Chairmen, Commissioners, Councillors, Board Members, Executives, Officers and Employees of the Participant, Authorised Officers and Members of any Committee established by the Participant under the Local Government Act or any other enabling legislation, and Welfare Organisations, Fire, Medical and Emergency Services and Voluntary Workers **(including incorporated non-remunerated volunteer management committees carrying out delegated functions, powers and duties of the Participant)** all whilst acting in that capacity within the scope of their duties for and on behalf of the Participant.



Therefore such incorporated management committees are automatically covered under the LMI liability policy, subject to the full policy terms and conditions. It is also necessary that a Memorandum of Understanding is set up between Council and the Committee to outline the functions and duties these Committees are performing on behalf of the Council, however if they perform activities etcetera which fall outside of those duties and functions, they are not covered for those duties.

## ***FURTHER SUPPORTING INFORMATION***

### **5. COMMUNITY CONSULTATION & ENGAGEMENT**

All current Section 86 Committees within the scope of this project were contacted and met with to discuss the findings from the Internal Audit report and Council's options going forward.

A suite of resources have been developed to assist the Committees in their structure and operations. To accompany these resources, information and training sessions will be delivered to the Committees.

### **6. ANALYSIS**

#### **ALIGNMENT TO COUNCIL PLAN OR COUNCIL POLICY**

The project aligns with two key priorities in the Council Plan – Our Places and Our Community.

#### **ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications as a result of this review.

#### **SOCIAL & CULTURAL IMPLICATIONS**

The proposed changes to Section 86 Committees will entail ongoing consultation with Committee and community members. They have been proposed to reduce reporting requirements to Council and to allow Committees more autonomy of decision-making and asset management.

The proposed changes have been successfully implemented in some Victorian councils and the reported feedback is overwhelmingly positive and has been considered to have enhanced council relationships with community groups and Committee members.

#### **ECONOMIC IMPLICATIONS**

The significance of the proposed changes may result in some of the existing Committees ceasing operation, as in some cases it is agreed that the facilities they are managing are not well-utilised by the community. This may lead to the consolidation of community assets whereby fewer halls and reserves remain but are of a significantly higher quality as a result of more concentrated resources.

#### **LEGAL & RISK IMPLICATIONS**

Council is currently at risk in a range of areas, particularly in relation to the current Committees' compliance with Section 86 requirements, the Act and good governance.

The proposed changes would address these identified risks and provide a more manageable and cost-effective framework for Community Asset Committees.

## RESOURCE IMPLICATIONS (FINANCIAL ETC)

There will initially be a requirement for the allocation of a person/s to:

- undertake consultation with the Committees to implement these changes;
- assist the Committees to transition to becoming an incorporated association;
- develop the Management Agreements and asset management plans.

The initial incorporation fee is \$35.60 (21 Committees x \$35.60 = \$747.60) with an ongoing lodgement fee of \$56.90 (21 Committees x \$56.90 = \$1,194.90). These fees would be offset by the need, under current Section 86 requirements, for Council to advertise each Committee's annual meeting, at a cost of approximately \$4,500.00.

## 7. IMPLEMENTATION STRATEGY

### DETAILS

Following Council endorsement of the recommendation to establish incorporated Community Asset Committees, with Management Agreements with Council, all administrative processes to facilitate this will be undertaken by the Project Officer and beyond the tenure of the Project Officer, a responsible officer will be appointed.

### COMMUNICATION

After endorsement of the recommendation, Council officer/s will make direct contact with the current Committees to inform Committee members of the implications and timelines. This relationship has already been established through the review process.

Council Officer/s will work with each Committee to ensure the transition is seamless and that adequate support is provided, ensuring compliance and strong working relationships between Committees and Council for improved community outcomes.

### TIMELINE

April 2018	Communication directly with Committees on transition process
April 2018 – May 2018	Draft management agreement developed
May 2018	Consultation with committees on draft management agreement incorporating Council reporting processes
May 2018	Commence Incorporation of Community Asset Committees
June 2020	All Section 86 Committees have become Community Asset Committees and have been incorporated

## 8. OFFICER DIRECT OR INDIRECT INTEREST

No officer declared an interest under the *Local Government Act 1989* in the preparation of this report.

ORDINARY COUNCIL MEETING  
**AUDIT COMMITTEE MINUTES - 6  
DECEMBER 2017**  
OM181804-7

<b>LOCATION / ADDRESS</b>	Whole of municipality	<b>GENERAL MANAGER</b>	Errol Lawrence
<b>OFFICER</b>	Sarah McKew	<b>DIVISION</b>	Corporate Services
<b>TRIM FILE</b>	F17/6554	<b>CONFIDENTIAL</b>	No
<b>ATTACHMENTS</b>	1. Audit Committee Meeting - Minutes - Signed - 6 December 2017		
<b>PURPOSE</b>	To receive for information the Colac Otway Shire Audit Committee minutes dated 6 December 2017		

### 3. RECOMMENDATION

*That Council receives for information the Colac Otway Shire Audit Committee minutes dated 6 December 2017.*





AUDIT COMMITTEE MEETING

## **MINUTES**

WEDNESDAY 6 DECEMBER 2017

AT 8AM

COPACC



## COLAC OTWAY SHIRE AUDIT COMMITTEE MEETING

6 DECEMBER 2017

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## COLAC OTWAY SHIRE AUDIT COMMITTEE MEETING

MINUTES of the **AUDIT COMMITTEE MEETING OF THE COLAC OTWAY SHIRE** held at COPACC on  
6 December 2017 at 8am.

### 1. PRESENT

Mike Said (Chair)  
Linda MacRae  
Cr Jason Schram  
Cr Stephen Hart

Robert Dobrzynski, Acting Chief Executive Officer  
Errol Lawrence, General Manager, Corporate Services  
Tony McGann, General Manager, Infrastructure & Leisure Services  
Gareth Smith, General Manager, Development & Community Services  
David Testa, Coordinator Management Accounting  
Shane Whitten, Manager Financial Accounting  
Trevor Olsson, Manager, People Performance & Culture  
Sarah McKew, Manager, Governance & Customer Service  
Lyndal McLean, Acting Governance Officer  
Andrew Zavitsanos, Crowe Horwath  
Margaret Giudice, Corporate Development Officer  
Marni Young, Risk & OHS Coordinator  
Fiona Dodge, Landfill Management Coordinator  
Simone Robertson, Waste Management Officer  
Andrew Kavanagh, Contract Governance Coordinator  
Richard Bianco, Manager, Information Services

### 2. APOLOGIES

Nil

### 3. DECLARATION OF INTEREST

Cr Jason Schram:	<b>AC170612-14</b>
Nature of Disclosure:	Indirect Interest
Type of Indirect Interest:	78B
Nature of Interest:	Mentioned in the report is an audit of a tender that my company was awarded.

### 4. CONFIRMATION OF MINUTES

- Audit Committee Meeting held on 6 September 2017.

#### RESOLUTION

**MOVED** Cr Linda MacRae seconded Cr Stephen Hart

*That the Audit Committee confirm the above minutes.*

**CARRIED 4 : 0**



AUDIT COMMITTEE MEETING  
**ACTING CEO STATEMENT OF COMPLIANCE**  
AC170612-1

LOCATION / ADDRESS	Not Applicable	GENERAL MANAGER	Robert Dobrzynski
OFFICER	Robert Dobrzynski	DEPARTMENT	Executive
TRIM FILE	F17/6554	CONFIDENTIAL	Yes
ATTACHMENTS	Nil		
PURPOSE	To inform the Audit Committee of issues of significance or non-compliance		

#### RESOLUTION

*MOVED Cr Stephen Hart seconded Cr Jason Schram*

*That the Audit Committee notes the CEO Statement of Compliance.*

*CARRIED 4 : 0*

Simone Robertson attended the meeting at 8.27am.

Fiona Dodge attended the meeting at 8.27am.

AUDIT COMMITTEE MEETING  
**8.1 (B) FINANCIAL REPORTING - REVIEW ANNUAL  
FINANCIAL AND PERFORMANCE STATEMENT (LGPRF)**  
AC170612-2

LOCATION / ADDRESS	Not applicable	GENERAL MANAGER	Errol Lawrence
OFFICER	Margaret Giudice	DEPARTMENT	Corporate Services
TRIM FILE	F11/4154	CONFIDENTIAL	Yes
ATTACHMENTS	1. 2016-2017 Service Performance Indicators 20171102 2. 2016-2017 Performance Statement 20171102		
PURPOSE	To report on the collection of the Local Government Performance Reporting Framework (LGPRF) data as required by Local Government Victoria (LGV) for the 2016/17 reporting period.		

## RESOLUTION

*MOVED Cr Jason Schram seconded Ms Linda MacRae*

*That the Audit Committee:*

*Notes the report on the Local Government Performance Reporting Framework for the 2016/17 financial year.*

*CARRIED 4 : 0*

Margaret Giudice attended the meeting at 8.05am; left at 8.20am.  
Robert Dobrzynski attended the meeting at 8.07am.  
Gareth Smith attended the meeting at 8.15am.

AUDIT COMMITTEE MEETING

## 8.1 (E) REVIEW FORM AND CONTENT OF QUARTERLY REPORTS - 30 SEPTEMBER 2017

AC170612-3

LOCATION / ADDRESS	2-6 Rae Street Colac VIC 3250	GENERAL MANAGER	Errol Lawrence
OFFICER	Daniel Fogarty	DEPARTMENT	Corporate Services
TRIM FILE	F17/6554	CONFIDENTIAL	Yes
ATTACHMENTS	1. Quarterly Performance Report 2017-2018 - 20171019		
PURPOSE	To provide the Audit Committee an overview of the first quarter financial report presented to Council in October 2017		

### RESOLUTION

*MOVED Ms Linda MacRae seconded Cr Stephen Hart*

*That the Audit Committee:*

*Receives the report on the First Quarter Financial Performance Report for 2017/2018 for information.*

*CARRIED 4 : 0*

Cr Stephen Hart left the meeting at 9.54am; returned at 9.57am.

AUDIT COMMITTEE MEETING

## 8.1 (F) REVIEW INVESTMENT AND DEBT MANAGEMENT POLICIES

AC170612-4

LOCATION / ADDRESS	2-6 Rae Street, Colac Victoria 3250	GENERAL MANAGER	Errol Lawrence
OFFICER	David Testa	DEPARTMENT	Corporate Services
TRIM FILE	F17/7039	CONFIDENTIAL	Yes
ATTACHMENTS	1. 16.3 Investment Policy		
PURPOSE	The purpose of this report is to provide the Audit Committee with the results of the review of the Investment Policy & Council's debt management position and approach (given no separate policy currently exists).		

### ORIGINAL RECOMMENDATION

*That the Audit Committee:*

*Receives the information on Investment and Debt Management Policies.*

#### ALTERNATIVE MOTION

*MOVED Ms Linda MacRae seconded Cr Stephen Hart*

*That the Audit Committee:*

- 1. Receives the information on Investment and Debt Management*
- 2. Receives and notes the Investment Policy*
- 3. Recommends that Council develop a Debt Management Policy by the end of the financial year (30 June 2018).*

**CARRIED 4 : 0**

Richard Bianco attended the meeting at 10.13am.

Robert Dobrzynski left the meeting at 10.14am.



AUDIT COMMITTEE MEETING

## 8.2 (A) CONSIDER THE EFFECTIVENESS OF COUNCIL'S INTERNAL CONTROL SYSTEM INCLUDING IT SECURITY AND CONTROL

AC170612-5

LOCATION / ADDRESS	Not applicable	GENERAL MANAGER	Errol Lawrence
OFFICER	Richard Bianco	DEPARTMENT	Corporate Services
TRIM FILE	F17/7039	CONFIDENTIAL	Yes
ATTACHMENTS	Nil		
PURPOSE	The purpose of this report is to provide and update to the Audit Committee on IT Security and Control issues as part of the Annual Audit Plan		

### ORIGINAL RECOMMENDATION

*That the Audit Committee notes the report on ICT Security and Control Environment Review and the continuous improvements addressing the recommendations in both prior security and process Audits in addition to ongoing gap analyses with associated mitigation initiatives.*

#### ALTERNATIVE MOTION

*MOVED Ms Linda MacRae seconded Cr Jason Schram*

- 1. That the Audit Committee notes the report on ICT Security and Control Environment Review and the continuous improvements addressing the recommendations in both prior security and process Audits in addition to ongoing gap analyses with associated mitigation initiatives.*
- 2. That the ICT strategy document be provided to Audit Committee when finalised.*

**CARRIED 4 : 0**

David Testa left the meeting at 10.16am; returned at 10.18am.  
Andrew Kavanagh attended the meeting at 10.21am.  
Richard Bianco left the meeting at 10.27am.

AUDIT COMMITTEE MEETING  
**8.2 (B) AND 8.8 (G) INTERNAL CONTROL  
 AND COMPLIANCE**

AC170612-6

LOCATION / ADDRESS	Not applicable	GENERAL MANAGER	Errol Lawrence
OFFICER	Andrew Kavanagh	DEPARTMENT	Corporate Services
TRIM FILE	F17/6554	CONFIDENTIAL	Yes
ATTACHMENTS	1. Colac Otway Shire Council Procurement Policy 2017-18 2. 20170807_Creditor expenditure during 2017 over 150000		
PURPOSE	To review procurement, purchasing, tenders and contract practices. To review the update of relevant policies, procedures and delegations.		

**ORIGINAL RECOMMENDATION**

*That the Audit Committee:*

1. *notes the report on the Review of Procurement/Purchasing Practices and notes the recommendation and actions that are to be implemented to further improve the Procurement/Purchasing Practices of Council.*
2. *endorses the reviewed Procurement Policy as adopted by Council at the 27 September 2017 Ordinary Council Meeting.*

**ALTERNATIVE MOTION**

**MOVED** Cr Stephen Hart seconded Cr Jason Schram

*That the Audit Committee:*

1. *notes the report on the Review of Procurement/Purchasing Practices and notes the recommendation and actions that are to be implemented to further improve the Procurement/Purchasing Practices of Council.*
2. *notes the reviewed Procurement Policy as adopted by Council at the 27 September 2017 Ordinary Council Meeting.*
3. *notes the matters raised in relation to probity advisors, purchase orders and levels of delegation.*

**CARRIED 4 : 0**

Gareth Smith left the meeting at 10.28am.

Andrew Kavanagh left the meeting at 10.41am.

AUDIT COMMITTEE MEETING  
**8.2 (C) INTERNAL CONTROL - WASTE  
MANAGEMENT 2016-2017**

AC170612-7

LOCATION / ADDRESS	Whole of municipality	GENERAL MANAGER	Errol Lawrence
OFFICER	Simone Robertson	DEPARTMENT	Corporate Services
TRIM FILE	F17/6554	CONFIDENTIAL	Yes
ATTACHMENTS	1. Audit Report Waste Management 2016-17		
PURPOSE	To inform the Audit Committee of waste management services 2016-2017		

**ORIGINAL RECOMMENDATION**

*That the Audit Committee receives the waste management report reconciliation for the period July 2016 to 30 June 2017.*

**ALTERNATIVE MOTION**

*MOVED Ms Linda MacRae seconded Cr Stephen Hart*

*That the Audit Committee receives:*

- 1. the waste management report reconciliation for the period July 2016 to 30 June 2017.*
- 2. a further report at the June 2018 Audit Committee meeting regarding improvements to controls at waste facilities.*

**CARRIED 4 : 0**

Marni Young attended the meeting at 8.29am.  
Trevor Olsson attended the meeting at 8.29am.  
Simone Robertson left the meeting at 8.45am.

AUDIT COMMITTEE MEETING

## 8.2 INTERNAL CONTROL - COLAC REGIONAL SALEYARDS - TRUCK WASH FACILITY

AC170612-8

LOCATION / ADDRESS	55 Colac - Ballarat Road, Irrewarra	GENERAL MANAGER	Gareth Smith
OFFICER	Gary Warrener	DEPARTMENT	Development & Community Services
TRIM FILE	F17/6554	CONFIDENTIAL	Yes
ATTACHMENTS	Nil		
PURPOSE	Provide Audit Committee details regarding the financial performance of the Truck Wash facility		

### RESOLUTION

*MOVED Cr Jason Schram seconded Cr Stephen Hart*

*That the Audit Committee notes the update provided on the current performance of the Colac Regional Saleyards truck wash facility.*

*CARRIED 4 : 0*

Ms Linda MacRae left the meeting at 9.50am; returned 9.52am.



AUDIT COMMITTEE MEETING  
**8.2 (C) SECTION 53V AUDIT LANDFILL  
OPERATIONS - ALVIE LANDFILL**

AC170612-9

LOCATION / ADDRESS	977 Corangamite Lake Road, Coragulac 3249	GENERAL MANAGER	Errol Lawrence
OFFICER	Fiona Dodge	DEPARTMENT	Corporate Services
TRIM FILE	F17/6414	CONFIDENTIAL	Yes
ATTACHMENTS	1. Attachment 1: s35V Operational Audit Alvie Landfill Report - Auditor Recommendations		
PURPOSE	To register the Auditor recommendations of the s53V Audit Landfill Operations Alvie Landfill on the Corporate Risk Register		

**ORIGINAL RECOMMENDATION**

*That the:*

- 1. Audit Committee is made aware of the Section 53V Audit Landfill Operations for Alvie Landfill; and*
- 2. Auditor recommendations are registered on the Corporate Risk Register.*

**ALTERNATIVE MOTION**

*MOVED Ms Linda MacRae seconded Cr Stephen Hart*

*That the:*

- 1. Audit Committee is made aware of the Section 53V Audit Landfill Operations for Alvie Landfill; and*
- 2. Auditor recommendations are registered on the Corporate Risk Register.*
- 3. Matter be referred to the Risk Management Committee and a further report be included in the risk management section of the next Audit Committee meeting.*

**CARRIED 4:0**

Fiona Dodge left the meeting at 9.45am.

AUDIT COMMITTEE MEETING

## 8.3 (C) & (E) - RISK MANAGEMENT - RISK MANAGEMENT ADHERENCE REPORT

AC170612-10

LOCATION / ADDRESS	Whole of Municipality	GENERAL MANAGER	Errol Lawrence
OFFICER	Marni Young	DEPARTMENT	Corporate Services
TRIM FILE	F15/4519	CONFIDENTIAL	Yes
ATTACHMENTS	<ol style="list-style-type: none"><li>1. 8.3 (E) &amp; 8.5 (A) - Risk Management - Risk Management Adherence Report</li><li>2. Risk Register Corporate - Strategic Risks - Audit Committee - 20171206</li><li>3. Risk Register Corporate - Risk Matrix - Audit Committee - 20171206</li><li>4. Risk Management Committee - Meeting Minutes - 20170927</li></ol>		
PURPOSE	This report provides summary information on the key and pending risk activities for the organisation as at November 2017.		

### ORIGINAL RECOMMENDATION

*That the Audit Committee:*

1. receives the Risk Management Adherence Report as at November 2017.

### ALTERNATIVE MOTION

*MOVED Cr Jason Schram seconded Ms Linda MacRae*

*That the Audit Committee:*

1. receives the Risk Management Adherence Report as at November 2017.
2. receives an update regarding Business Continuity Planning report testing at the June Audit Committee Meeting.

**CARRIED 4 : 0**

David Testa left the meeting at 8.59am; returned 9.01am.  
Robert Dobrzynski left the meeting at 9.21am; returned at 9.23am.

AUDIT COMMITTEE MEETING

## 8.4 (A), (B) & (C) REVIEW FRAUD POLICY, REVIEW INSTANCES OF FRAUD OR CORRUPTION & ASSESS INTERNAL CONTROLS

AC170612-11

LOCATION / ADDRESS	2-6 Rae Street Colac VIC 3250	GENERAL MANAGER	Errol Lawrence
OFFICER	Daniel Fogarty	DEPARTMENT	Corporate Services
TRIM FILE	F17/6554	CONFIDENTIAL	Yes
ATTACHMENTS	1. Fraud Control Program 16 August 2017 - 31 October 2017 2. 16.2 Fraud Prevention & Control Policy		
PURPOSE	To monitor our financial controls and processes in order to prevent fraud from occurring		

### RECOMMENDATION

*That the Audit Committee:*

1. *Receives the review of the Fraud Policy.*
2. *Receives the Fraud Control Program Report for the period 16 August to 31 October 2017.*

This item has been deferred for consideration at the March 2018 Audit Committee Meeting.

AUDIT COMMITTEE MEETING

## 8.6 (A) INTERNAL AUDIT - REVIEW IA CHARTER, RESOURCING AND POLICY

AC170612-12

LOCATION / ADDRESS	Not applicable	GENERAL MANAGER	Errol Lawrence
OFFICER	Sarah McKew	DEPARTMENT	Corporate Services
TRIM FILE	F17/6554	CONFIDENTIAL	Yes
ATTACHMENTS	Nil		
PURPOSE	To review the Internal Audit IA Charter, Resourcing and Policy		

### RECOMMENDATION

Not applicable



AUDIT COMMITTEE MEETING

## 8.6 (C) INTERNAL AUDIT - REVIEW AND APPROVE INTERNAL AUDIT SCOPES AND PROGRESS

AC170612-13

LOCATION / ADDRESS	Not applicable	GENERAL MANAGER	Errol Lawrence
OFFICER	Sarah McKew	DEPARTMENT	Corporate Services
TRIM FILE	F17/6554	CONFIDENTIAL	Yes
ATTACHMENTS	<ol style="list-style-type: none"><li>1. COSC_Waste Handling and Recycling MAP v2.1(AC Issue)(2)</li><li>2. Colac Otway Shire-Procurement (under tender threshold)_MAP (DRAFT AC)(2)</li><li>3. Colac Otway Shire progress report as at 28 November 2017</li></ol>		
PURPOSE	To review and approve internal audit scopes and progress		

### RESOLUTION

*MOVED Ms Linda MacRae seconded Cr Stephen Hart*

*That the Audit Committee:*

- 1. notes the Internal Audit Progress Report as at 28 November 2017.*
- 2. approves the memorandum of audit planning for Waste Handling and Recycling.*
- 3. approves the memorandum of audit planning for Procurement (below tender threshold).*

*CARRIED 4 : 0*

Shane Whitten left the meeting at 10.42am; returned at 10.47am.  
Gareth Smith returned to the meeting at 10.43am.

AUDIT COMMITTEE MEETING

## 8.6 (D) INTERNAL AUDIT - REVIEW ANY SPECIAL INTERNAL AUDIT ASSIGNMENTS

AC170612-14

LOCATION / ADDRESS	Not applicable	GENERAL MANAGER	Errol Lawrence
OFFICER	Sarah McKew	DEPARTMENT	Corporate Services
TRIM FILE	F17/6554	CONFIDENTIAL	Yes
ATTACHMENTS	1. Signed Crowe Horwath - Internal Audit - Tendering Processes - Memorandum of Engagement Planning MEP		
PURPOSE	To review any special Internal Audit assignments		

Cr Jason Schram declared a conflict of interest for this item, but did not leave the meeting.

Cr Jason Schram:	AC170612-14
Nature of Disclosure:	Indirect Interest
Type of Indirect Interest:	78B
Nature of Interest:	Mentioned in the report is an audit of a tender that my company was awarded.

### RESOLUTION

*MOVED Cr Stephen Hart seconded Ms Linda MacRae*

*That the Audit Committee:*

1. *endorses the Tender Processes Internal Audit project.*

**CARRIED 4 : 0**

AUDIT COMMITTEE MEETING

**8.6 (E) INTERNAL AUDIT - REVIEW COMPLETED  
INTERNAL AUDIT REPORTS, RECOMMENDATIONS  
AND MANAGEMENT RESPONSES**

AC170612-15

LOCATION / ADDRESS	Not applicable	GENERAL MANAGER	Errol Lawrence
OFFICER	Sarah McKew	DEPARTMENT	Corporate Services
TRIM FILE	F17/6554	CONFIDENTIAL	Yes
ATTACHMENTS	1. COSC Section 86 Report (Final)(2)		
PURPOSE	To review completed Internal Audit reports, recommendations and management responses		

**RESOLUTION**

*MOVED Cr Jason Schram seconded Ms Linda MacRae*

*That the Audit Committee receives the Internal Audit Report on Section 86 Committees noting management comments.*

*CARRIED 4 : 0*

Tony McGann left the meeting at 10.55am; returned at 10.58am.

AUDIT COMMITTEE MEETING

**8.6 (F) INTERNAL AUDIT & 8.7 (C) EXTERNAL  
AUDIT - REVIEW HIGH AND MEDIUM RISK RATING  
RECOMMENDATIONS**

AC170612-16

LOCATION / ADDRESS	Not applicable	GENERAL MANAGER	Errol Lawrence
OFFICER	Sarah McKew	DEPARTMENT	Corporate Services
TRIM FILE	F17/6554	CONFIDENTIAL	Yes
ATTACHMENTS	1. Audit Actions Matrix - December 2017		
PURPOSE	To review high and medium risk rating recommendations from previous Internal and External Audits		

**RECOMMENDATION**

*That the Audit Committee receives the update on Internal and External Audit reports of high and medium risk rating recommendations as at 25 November 2017.*

This item has been deferred for consideration at the March 2018 Audit Committee Meeting.



AUDIT COMMITTEE MEETING

## 8.7 (E) EXTERNAL AUDIT - REVIEW THE PERFORMANCE OF THE EXTERNAL AUDITOR

AC170612-17

LOCATION / ADDRESS	Not applicable	GENERAL MANAGER	Errol Lawrence
OFFICER	Sarah McKew	DEPARTMENT	Corporate Services
TRIM FILE	F17/6554	CONFIDENTIAL	Yes
ATTACHMENTS	Nil		
PURPOSE	To review the performance of the External Auditor		

### RECOMMENDATION

Not applicable

AUDIT COMMITTEE MEETING

## 8.8 (A) COMPLIANCE - REVIEW FINDINGS OF RELEVANT REGULATORY AGENCIES

AC170612-18

LOCATION / ADDRESS	Not applicable	GENERAL MANAGER	Errol Lawrence
OFFICER	Sarah McKew	DEPARTMENT	Corporate Services
TRIM FILE	F17/6554	CONFIDENTIAL	Yes
ATTACHMENTS	Nil		
PURPOSE	To review findings of relevant regulatory agencies		

### RECOMMENDATION

Not applicable

AUDIT COMMITTEE MEETING  
**8.8 (C) COMPLIANCE - EXCESS ANNUAL  
LEAVE REPORT**

AC170612-19

LOCATION / ADDRESS	Colac Otway Shire	GENERAL MANAGER	Errol Lawrence
OFFICER	Trevor Olsson	DEPARTMENT	Corporate Services
TRIM FILE	F17/6548	CONFIDENTIAL	Yes
ATTACHMENTS	1. Audit Committee Attachment - Annual Leave Report 6+ weeks accrued - 20171110		
PURPOSE	The purpose of this report is to highlight to the audit committee the level of accrued annual leave approaching or exceeding the accepted maximum of eight (8) weeks and action being taken by management.		

**RESOLUTION**

*MOVED Cr Stephen Hart seconded Cr Jason Schram*

*That the Audit Committee receives the report on Excess Annual Leave.*

*CARRIED 4 : 0*

Tony McGann left the meeting at 9.24am; returned at 9.29am.

Trevor Olsson left the meeting at 9.30am.

Marni Young left the meeting at 9.30am.

AUDIT COMMITTEE MEETING

## 8.9 (B) REPORTING RESPONSIBILITIES - OTHER - APPOINTMENT OF AUDIT COMMITTEE CHAIRPERSON

AC170612-20

LOCATION / ADDRESS	Not applicable	GENERAL MANAGER	Errol Lawrence
OFFICER	Sarah McKew	DEPARTMENT	Corporate Services
TRIM FILE	F17/6554	CONFIDENTIAL	Yes
ATTACHMENTS	Nil		
PURPOSE	To appoint the Chairperson of the Audit Committee		

### RESOLUTION

*MOVED Ms Linda MacRae seconded Cr Stephen Hart*

*That the Audit Committee appoints Mr Mike Said as the Chairperson of the Audit Committee until 1 December 2018.*

*CARRIED 4 : 0*



AUDIT COMMITTEE MEETING

**8.9 (C) REPORTING RESPONSIBILITIES - OTHER -  
SIX (6) MONTHLY REPORTS OF AUDIT  
COMMITTEE TO COUNCIL**

AC170612-21

LOCATION / ADDRESS	Not applicable	GENERAL MANAGER	Errol Lawrence
OFFICER	Sarah McKew	DEPARTMENT	Corporate Services
TRIM FILE	F17/6554	CONFIDENTIAL	Yes
ATTACHMENTS	Nil		
PURPOSE	To provide six monthly reports of Audit Committee to Council		

**RECOMMENDATION**

Not applicable

AUDIT COMMITTEE MEETING

## 8.9 (D) REPORTING RESPONSIBILITIES - OTHER - PERFORMANCE AUDITS

AC170612-22

LOCATION / ADDRESS	2-6 Rae Street Colac VIC 3250	GENERAL MANAGER	Errol Lawrence
OFFICER	David Testa	DEPARTMENT	Corporate Services
TRIM FILE	F17/6554	CONFIDENTIAL	Yes
ATTACHMENTS	1. Roads to Recovery Audit Opinion		
PURPOSE	To consider findings and recommendations of relevant Performance Audits undertaken by the Victorian Auditor-General, IBAC, Local Government Inspectorate, etc		

### RESOLUTION

*MOVED Cr Stephen Hart seconded Cr Jason Schram*

*That the Audit Committee:*

*Receives the Audit Opinion as provided by the Victorian Auditor-General's Office (VAGO) for the Roads to Recovery Programme for 2016/17.*

*CARRIED 4 : 0*

AUDIT COMMITTEE MEETING  
**8.10 (A) OTHER - AUDIT COMMITTEE  
PLAN 2018**

AC170612-23

LOCATION / ADDRESS	Not applicable	GENERAL MANAGER	Errol Lawrence
OFFICER	Sarah McKew	DEPARTMENT	Corporate Services
TRIM FILE	F17/6554	CONFIDENTIAL	Yes
ATTACHMENTS	1. Audit Committee Plan - December 2017		
PURPOSE	To note the progress of the Audit Committee Plan for 2018		

**RESOLUTION**

*MOVED Cr Stephen Hart seconded Cr Jason Schram*

*That the Audit Committee:*

1. *notes the updated Audit Committee Plan for 2018.*

*CARRIED 4 : 0*

AUDIT COMMITTEE MEETING

## 8.10 (C) EVALUATE PERFORMANCE OF AUDIT COMMITTEE

AC170612-24

LOCATION / ADDRESS	Not applicable	GENERAL MANAGER	Errol Lawrence
OFFICER	Sarah McKew	DEPARTMENT	Corporate Services
TRIM FILE	F17/6554	CONFIDENTIAL	Yes
ATTACHMENTS	Nil		
PURPOSE	To provide a summary of the review of the Audit Committee that was conducted in August 2017		

### RESOLUTION

*MOVED Cr Stephen Hart seconded Cr Jason Schram*

*That the Audit Committee notes the results of the review of the effectiveness of the Audit Committee.*

*CARRIED 4 : 0*



AUDIT COMMITTEE MEETING

## 8.10 (D) OTHER - OVERSEE ANY INVESTIGATION REQUESTED BY COUNCIL

AC170612-25

LOCATION / ADDRESS	Not applicable	GENERAL MANAGER	Errol Lawrence
OFFICER	Sarah McKew	DEPARTMENT	Corporate Services
TRIM FILE	F17/6554	CONFIDENTIAL	Yes
ATTACHMENTS	Nil		
PURPOSE	To report on any investigation requested by Council		

### RECOMMENDATION

Not applicable



*The meeting was declared closed at 11.16am*

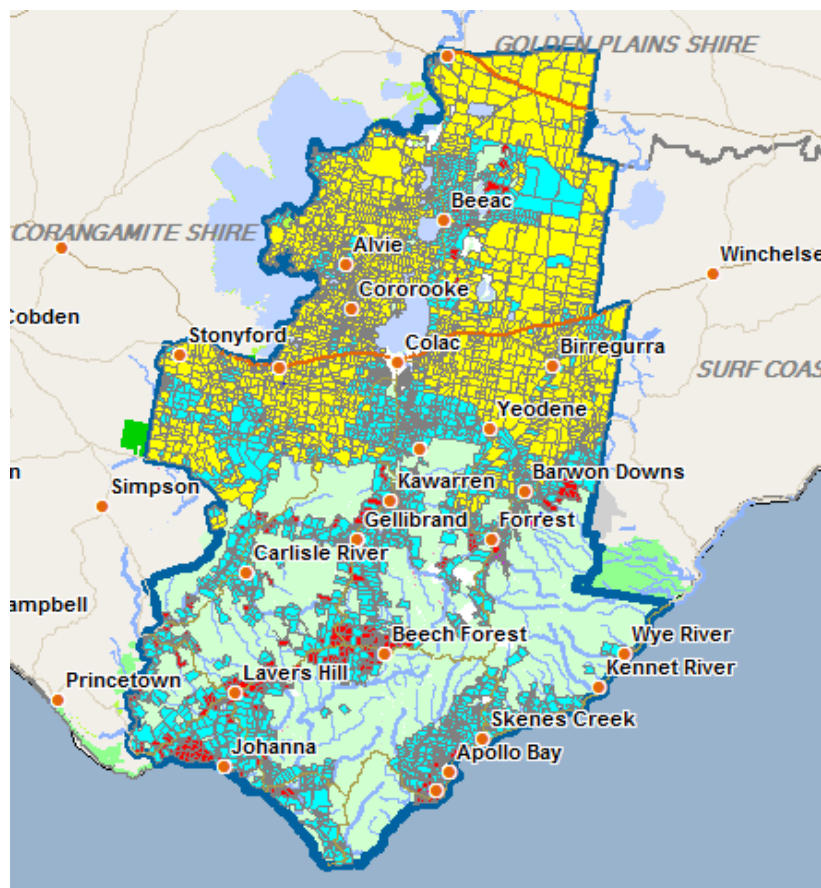
**CONFIRMED AND SIGNED** at the meeting held on 21 MARCH 2018

.....CHAIR

ORDINARY COUNCIL MEETING  
**ASSEMBLY OF COUNCILLORS**  
OM181804-8

<b>LOCATION / ADDRESS</b>	Whole of municipality	<b>GENERAL MANAGER</b>	Errol Lawrence
<b>OFFICER</b>	Sarah McKew	<b>DIVISION</b>	Corporate Services
<b>TRIM FILE</b>	F17/6554	<b>CONFIDENTIAL</b>	No
<b>ATTACHMENTS</b>	<ol style="list-style-type: none"> <li>1. Assembly of Councillors - Council Meeting Preparation - 28 March 2018</li> <li>2. Assembly of Councillors - Councillor Briefing - 4 April 2018</li> </ol>		
<b>PURPOSE</b>	To report the Assemblies of Councillors		

## 1. LOCATION PLAN / AERIAL PHOTO



## 2. EXECUTIVE SUMMARY

The *Local Government Act 1989* requires that records of meetings which constitute an Assembly of Councillors be reported at the next practicable meeting of Council and incorporated in the minutes of the Council meeting. All relevant meetings have been recorded, documented and will be kept by Council for 4 years. The attached documents provide details of those meetings held that are defined as an Assembly of Councillors.

## 3. REPORTING

1. *The Assemblies of Councillors are reported herewith.*

*The Local Government Act 1989 does not require a Council decision.*

### DETAILS

The following assemblies of Councillors have been held and are attached to this report:

Council Meeting Preparation	28 March 2018
Councillor Briefing	4 April 2018

## 4. OFFICER DIRECT OR INDIRECT INTEREST

No officer declared an interest under the *Local Government Act 1989* in the preparation of this report.



## Assembly of Councillors

<b>INVITEES:</b> Cr Smith, Cr Woodcroft, Cr Hanson, Cr Hart, Cr Schram, Cr Potter, Cr McCracken, Tony McGann, Errol Lawrence, Gareth Smith, Ian Seuren		
<b>ATTENDEES:</b> Cr Hart, Cr Schram, Cr Potter, Cr McCracken, Tony McGann, Errol Lawrence, Gareth Smith, Ian Seuren, Sarah McKew, Lyndal McLean		
<b>EXTERNAL ATTENDEES:</b> Nil		
<b>APOLOGIES:</b> Cr Hanson		
<b>ABSENT:</b> Cr Smith, Cr Schram, Cr Woodcroft		
Meeting commenced at 2.05pm		
Declarations of Interest	Item	Reason
Nil		
Council Meeting Preparation		
Time	Item	Attendees
2.05pm – 3.12pm	Council meeting preparation	Sarah McKew Lyndal McLean
3.12pm	Meeting closed	



## Assembly of Councillors

<b>INVITEES:</b> Cr Smith, Cr Woodcroft, Cr Hanson, Cr Hart, Cr Schram, Cr Potter, Cr McCracken, Robert Dobrzynski, Tony McGann, Errol Lawrence, Gareth Smith		
<b>ATTENDEES:</b> Cr Woodcroft, Cr Hanson, Cr Hart, Cr Potter, Cr McCracken, Robert Dobrzynski, Tony McGann, Errol Lawrence, Gareth Smith, Jeremy Rudd, Suzanne Barker, Sean O'Keeffe, Simon Clarke, Sarah McKew, Simone Robertson, Danny Eaton, Ian Seuren		
<b>EXTERNAL ATTENDEES:</b> Scott Dunn (Engeny), Jim Corbett (Sport & Leisure Solutions)		
<b>APOLOGIES:</b> Cr Schram, Cr Smith		
<b>ABSENT:</b> Nil		
Meeting commenced at 1.35pm		
Declarations of Interest	Item	Reason
Nil		
<b>Councillor Briefing</b>		
Time	Item	Attendees
1.35pm – 2.13pm	Colac Stormwater Development Strategy	Jeremy Rudd Suzanne Barker Sean O'Keeffe Simon Clarke Scott Dunn



Councillor Briefing (continued)		
Time	Item	Attendees
2.13pm – 3.09pm	Waste Workshop	Simone Robertson Sarah McKew Danny Eaton
3.09pm – 3.17pm	Break	
3.17pm – 3.51pm	Bluewater Leisure Centre External Business Review	Ian Seuren Jim Corbett
3.51pm – 3.54pm	Break	
3.54pm – 4.10pm	General Business <ul style="list-style-type: none"> <li>• COPACC lease</li> <li>• Proposed Tourist Resort at Barham River Road, Apollo Bay</li> </ul>	
4.10pm	Meeting closed	



ORDINARY COUNCIL MEETING  
**NOTICE OF MOTION –**  
**COUNCILLOR VOTING ON CONFIDENTIAL CONTRACT**  
OM181804-9

<b>COUNCILLOR</b>	Stephen Hart
<b>ATTACHMENTS</b>	<ol style="list-style-type: none"><li>1. NOTICE OF MOTION No. 275 - Cr Stephen Hart - Signed - Councillor Voting on Confidential Contract</li><li>2. Notice of Motion No. 275 - Cr Stephen Hart - Councillor Voting on Confidential Contract -Councillor Comment - Background Information</li></ol>

## 1. COUNCILLOR COMMENT

8/4/2018

**Background for resolutions for the April 2018 ordinary meeting:**

**Purpose**

The purpose of these resolutions is to disclose the full wording, or as much as Council will agree, of the resolution adopted 'In Committee' on 28/3/2018 with the title 'Confidential Contract', to disclose how Councillors voted if a 'division' was called and to permit Councillors to disclose how they voted.

**Which resolution is to be disclosed?**

Attachment 1 is from page 350 of the Agenda of the Ordinary Council meeting on 28/3/2018. It lists all items considered 'In Committee' at that meeting. The item to which these resolutions refer is the last listed item.

**What was the item considered 'In Committee' really about?**

The title of the item in question is 'Confidential Contract'. This doesn't really disclose what the contract is about. If Council is committed to openness and transparency then it would be prepared to disclose what the item is about.

The reason given for considering the matter 'In Committee' was that it was dealing with a 'personnel matter'. The reason is listed in Attachment 1.

A media release dated 3 April 2018 has been published on the Council's web site. It is Attachment 2. The media release refers to appointing Mr Dobrzynski as Acting CEO and that the decision was made at the March Council Ordinary meeting. As the last item in the 'In Committee' agenda is the only item on the agenda that relates to a CEO contractual matter, the media release dated 3 April 2018, provides sufficient information to identify that the resolution relates to the employment of an Acting CEO.



**Does the appointment of an Acting CEO have to be considered 'In Committee'?**

There have been a number of previous occasions where Colac Otway Shire Council has appointed an Acting CEO in open Council.

At the Council meeting on 28 October 2008 an Acting CEO was appointed by Council. The resolution was the second item in the agenda and was considered in open Council. It wasn't considered as a confidential or 'In Committee' item. The relevant page from the Minutes of 28 October 2008 is Attachment 3.

At the Council meeting on 25 June 2014 an Acting CEO was appointed by Council. The resolution was the second item in the agenda and was considered in open Council. It wasn't considered as a confidential or 'In Committee' item. The relevant page from the Minutes of 25 June 2014 is Attachment 4.

These instances demonstrate that such resolutions may be decided in open Council.

**Conclusion**

The resolution on 28 March 2018 has already be considered 'In Committee'. Whilst some information has been disclosed in the media release, (Attachment 2), the full details of it haven't.

The community is rightly interested in the appointments made to fill the Chief Executive Officer position, whether on an acting or permanent basis.

The least Council can do is to fully disclose the resolution adopted on 28 March 2018 regarding the latest appointment of an Acting CEO and the voting on that resolution, if a division was called.

(Cr Stephen Hart)

**Attachments:**

Attachment 1 Extract from open Ordinary Council agenda of 28 March 2018- Closed Session items

Attachment 2 Media release dated 3 April 2018

Attachment 3 Extract from open Ordinary Council Minutes of 28 October 2008

Attachment 4 Extract from open Ordinary Council Minutes of 25 June 2014

**2. OFFICER COMMENT**

No officer comment required. The matter is one for Council's deliberation and decision.

### 3. NOTICE OF MOTION

I, Councillor Stephen Hart, give notice that I intend to move the first motion, below, at the April 2018 Council meeting. If the first motion isn't adopted by Council then I intend to move the second motion, below, at the April 2018 Council meeting.

#### **MOTION 1**

***Councillor voting on 'In Committee' item considered on 28/3/2018 with the title 'Confidential Contract':***

***Council:***

- 1. Notes that at the ordinary meeting on 28 March 2018 Council voted on a resolution 'In Committee' titled 'Confidential Contract' with the reason including 'this matter deals with personnel matters'. This was the last item on the 'In Committee' agenda,***
- 2. Council resolves that the adopted resolution is not confidential ,***
- 3. Council resolves that Councillors may disclose how they voted, and***
- 4. If a 'division' was called then the notation of how each Councillor voted is also not confidential and is to be disclosed.***

If the above, first motion, lapses, is ruled out of order, is lost or otherwise not adopted, I intend to move the second motion:

#### **MOTION 2**

***Councillor voting on 'In Committee' item considered on 28/3/2018 with the title 'Confidential Contract':***

***Council :***

- 1. Notes that at the ordinary meeting on 28 March 2018 Council voted on a resolution 'In Committee' titled 'Confidential Contract' with the reason including 'this matter deals with personnel matters'. This was the last item on the 'In Committee ' agenda,***
- 2. Council resolves that the adopted resolution is not confidential provided that names of the personnel are deleted and remuneration figures are deleted,***
- 3. Council resolves that Councillors may disclose how they voted, and***
- 4. If a 'division' was called then the notation of how each Councillor voted is also not confidential and is to be disclosed.***

NOTICE OF MOTION No. 275 – 17/18  
Notion of Motion – Councillor Voting on Confidential Contract

NOTICE OF MOTION

BY

COUNCILLOR Stephen Hart

**Resolutions for the April 2018 ordinary meeting**

I, Councillor Stephen Hart, give notice that I intend to move the first motion, below, at the April 2018 Council meeting. If the first motion isn't adopted by Council then I intend to move the second motion, below, at the April 2018 Council meeting.

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**Council:**

1. *Notes that at the ordinary meeting on 28 March 2018 Council voted on a resolution 'In Committee' titled 'Confidential Contract' with the reason including 'this matter deals with personnel matters'. This was the last item on the 'In Committee' agenda,*
2. *Council resolves that the adopted resolution is not confidential,*
3. *Council resolves that Councillors may disclose how they voted, and*
4. *If a 'division' was called then the notation of how each Councillor voted is also not confidential and is to be disclosed.*

If the above, first motion, lapses, is ruled out of order, is lost or otherwise not adopted, I intend to move the second motion:

**MOTION 2**

Councillor voting on 'In Committee' item considered on 28/3/2018 with the title 'Confidential Contract':

**Council :**

1. Notes that at the ordinary meeting on 28 March 2018 Council voted on a resolution 'In Committee' titled 'Confidential Contract' with the reason including 'this matter deals with personnel matters'. This was the last item on the 'In Committee' agenda,
2. Council resolves that the adopted resolution is not confidential provided that names of the personnel are deleted and remuneration figures are deleted,
3. Council resolves that Councillors may disclose how they voted, and
4. If a 'division' was called then the notation of how each Councillor voted is also not confidential and is to be disclosed.

Ref: D18/29287

Councillor Comment (optional)

To be provided.

SLATE

Councillor **Stephen Hart**

DATED: 4.4.18

Ref: D18/29287



8/4/2018

**Background for resolutions for the April 2018 ordinary meeting:**

**Purpose**

The purpose of these resolutions is to disclose the full wording, or as much as Council will agree, of the resolution adopted 'In Committee' on 28/3/2018 with the title 'Confidential Contract', to disclose how Councillors voted if a 'division' was called and to permit Councillors to disclose how they voted.

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The least Council can do is to fully disclose the resolution adopted on 28 March 2018 regarding the latest appointment of an Acting CEO and the voting on that resolution, if a division was called.

(Cr Stephen Hart)

**Attachments:**

Attachment 1 Extract from open Ordinary Council agenda of 28 March 2018- Closed Session items

Attachment 2 Media release dated 3 April 2018

Attachment 3 Extract from open Ordinary Council Minutes of 28 October 2008

Attachment 4 Extract from open Ordinary Council Minutes of 25 June 2014

**CLOSED SESSION****Recommendation**

*That pursuant to the provisions of Section 89(2) of the Local Government Act, the meeting be closed to the public and Council move into Closed Session in order to deal with:*

<b>SUBJECT</b>	<b>REASON</b>	<b>SECTION OF ACT</b>
<i>Minutes of the Closed Session Council Meeting held on 28 February 2018</i>	this matter deals with contractual matters; AND this matter may prejudice the Council or any person.	Section 89 (2) (d) & (h)
<i>Contractual issues</i>	this matter deals with legal advice.	Section 89 (2) (f)
<i>Chief Executive Officer Employment Matters Advisory Committee – Terms of Reference</i>	this matter deals with personnel matters; AND this matter deals with contractual matters.	Section 89 (2) (a) & (d)
<i>Confidential Contract</i>	this matter deals with personnel matters; AND this matter deals with contractual matters.	Section 89 (2) (a) & (d)



Home (<http://www.colacotway.vic.gov.au/Home>) / Robert Dobrzynski to return as Acting CEO

## Robert Dobrzynski to return as Acting CEO

Published on 03 April 2018

### Robert Dobrzynski to return as Acting CEO

Colac Otway Shire Council resolved at the March Ordinary Council meeting in Apollo Bay to re-instate Robert Dobrzynski in the role of Acting CEO while recruitment for a permanent CEO continues.

Colac Otway Shire Mayor Joe McCracken said the appointment of an external acting CEO helped to facilitate a thorough and robust process whereby all potential internal candidates were treated equally and fairly.

"Council have a set timeline for the recruitment of a permanent CEO and aim to appoint someone to the position by the end of July," Cr McCracken said.

"We'd like to thank Tony McGann for his excellent leadership as Acting CEO these past months."

Council has engaged recruitment firm McArthur Management Services to facilitate the recruitment process. Applications for the CEO position close 3 April.

Tagged as:

Announcements   Media Releases



**CONSENT CALENDAR****OFFICERS' REPORT**

D = Discussion

W = Withdrawal

ITEM	D	W
<b><u>CHIEF EXECUTIVE OFFICER</u></b>		
<b><u>M082810-1 CEO'S PROGRESS REPORT TO COUNCIL</u></b>  Department: Executive  <u>Recommendation(s)</u>  <i>That Council receive the CEO's Progress Report for information.</i>	Cr Wilmink Cr Mercer Cr Smith	
<b><u>OM082810-2 APPOINTMENT OF ACTING CHIEF EXECUTIVE OFFICER</u></b>  Department: Executive  <u>Recommendation(s)</u>  <i>That Council note that Ms Tracey Slatter has tendered her resignation from the role of CEO, Colac Otway Shire effective 28 November 2008 to take up a leadership role with the TAC.</i>  <i>That Council appoint Mr Jack Green, General Manager, Sustainable Planning &amp; Development to the position of Acting Chief Executive Officer effective Saturday, 29 November 2008 until further notice and be remunerated accordingly.</i>	Cr Smith	

**MOVED** Cr Mercer seconded Cr Wilmink that recommendations to items listed in the Consent Calendar be adopted.

**CARRIED 6 : 0**

**OM142506-2 APPOINTMENT OF ACTING CHIEF EXECUTIVE OFFICER**

AUTHOR:	Lyn Russell	ENDORSED:	Lyn Russell
DEPARTMENT:	Executive	FILE REF:	F11/3291

Phil Corluka:	OM142506-2 Appointment of Acting Chief Executive Officer
Nature of Disclosure:	Direct
Nature of Interest:	It is recommended in the report that he be appointed to the position of Acting Chief Executive Officer

***MOVED Cr Frank Buchanan seconded Cr Stephen Hart***

***That Council endorses the appointment of Mr Phil Corluka as Acting Chief Executive Officer commencing on 1 July 2014 until the newly appointed Chief Executive Officer commences in the role.***

**CARRIED 6 : 0**

ORDINARY COUNCIL MEETING  
**NOTICE OF MOTION –  
ROADS ADVISORY COMMITTEE**  
OM181804-10

**COUNCILLOR** Jason Schram

**ATTACHMENTS** 1. NOTICE OF MOTION No. 276 - Cr Jason Schram - Signed -  
Roads Advisory Committee

## 1. COUNCILLOR COMMENT

The purpose of the committee is to have the community give feedback to council on roads within our shire. The roads may be controlled by the shire or other authorities such as VicRoads. The committee will be able to raise maintenance concerns about such roads and give advice on possible strategies in improving the roads network within the shire. The committee can also give feedback to the community to give residents a better understanding of how council maintains roads and what roads are maintained by other authorities. The committee may also give advice on what council should advocate for in terms of roads that are controlled by other authorities.

## 2. OFFICER COMMENT

**Tony McGann, General Manager, Infrastructure & Leisure Services**

This motion is designed to:

- a) improve engagement between Council, other agencies and the community on an asset class that is essential for the economic and social viability of our Shire
- b) assist in improved advocacy to other levels of government.

In January 2005, Council established a roads committee which consisted of all Councillors, various Council staff and VicRoads.

At the June 2009 Ordinary Council meeting Council voted to disband the Roads Committee.

### 3. NOTICE OF MOTION

TAKE NOTICE that it is my intention to move at the Ordinary Council Meeting of the Colac Otway Shire to be held on **18 April 2018**.

*That Council:*

- 1. Establishes a Community Roads Maintenance and Strategy Advisory Committee.*
- 2. Membership of the Advisory Committee shall comprise:*
  - a) Two Councillors, one of whom shall be Chair.*
  - b) Two representatives of smaller communities within Colac Otway Shire.*
  - c) One Apollo Bay representative.*
  - d) Representation invited from Emergency Services, VicRoads and VicPol.*
  - e) Any council officer as deemed necessary.*
- 3. That the Advisory Committee has power to co-opt additional members as necessary.*



NOTICE OF MOTION No. 276 – 17/18  
Notice of Motion – Roads Advisory Committee

NOTICE OF MOTION

BY

COUNCILLOR Jason Schram

TAKE NOTICE that it is my intention to move at the Ordinary Council Meeting of the Colac Otway Shire to be held on **18 April 2018**.

***That Council:***

- 1. Establishes a Community Roads Maintenance and Strategy Advisory Committee.***
- 2. Membership of the Advisory Committee shall comprise:***
  - a) Two Councillors, one of whom shall be Chair.***
  - b) Two representatives of smaller communities within Colac Otway Shire.***
  - c) One Apollo Bay representative.***
  - d) Representation invited from Emergency Services, VicRoads and VicPol.***
  - e) Any council officer as deemed necessary.***
- 3. That the Advisory Committee has power to co-opt additional members as necessary.***

**Councillor Comment (optional)**

The purpose of the committee is to have the community give feedback to council on roads within our shire. The roads may be controlled by the shire or other authorities such as VicRoads. The committee will be able to raise maintenance concerns about such roads and give advice on possible strategies in improving the roads network within the shire. The committee can also give feedback to the community to give residents a better understanding of how council maintains roads and what roads are maintained by other authorities. The committee may also give advice on what council should advocate for in terms of roads that are controlled by other authorities.

  
\_\_\_\_\_  
Councillor Jason Schram

DATED: 4-4-18

Ref: D18/30139

## CLOSED SESSION

### Recommendation

*That pursuant to the provisions of Section 89(2) of the Local Government Act, the meeting be closed to the public and Council move into Closed Session in order to deal with:*

<b>SUBJECT</b>	<b>REASON</b>	<b>SECTION OF ACT</b>
<b><i>Minutes of the Closed Session Council Meeting held on 28 March 2018</i></b>	this matter deals with contractual matters; AND this matter may prejudice the Council or any person.	Section 89 (2) (d) & (h)
<b><i>Proposed Rates Recovery Sales - Beeac and Beech Forest</i></b>	this matter may cause personal hardship of any resident or ratepayer.	Section 89 (2) (b)