

Colac Otway  
SHIRE

**MINUTES**

ORDINARY COUNCIL MEETING  
OF THE  
COLAC-OTWAY SHIRE  
COUNCIL

26 AUGUST 2009

at 3:00 PM

COPACC Meeting Room

An audio recording of this meeting is being made for the purpose of verifying the accuracy of the minutes of the meeting. In some circumstances the recording may be disclosed, such as where Council is compelled to do so by court order, warrant, subpoena or by any other law, such as the Freedom of Information Act 1982.

COLAC-OTWAY SHIRE COUNCIL MEETING

26 August 2009

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MINUTES of the *ORDINARY COUNCIL MEETING OF THE COLAC-OTWAY SHIRE COUNCIL* held at the COPACC Meeting Room on 26 August 2009 at 3:00 pm.

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1. 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

Cr Brian Crook (Mayor)  
Cr Frank Buchanan  
Cr Stephen Hart  
Cr Stuart Hart  
Cr Lyn Russell  
Cr Chris Smith

Rob Small, Chief Executive Officer

Colin Hayman, General Manager, Corporate and Community Services  
Neil Allen, General Manager, Infrastructure and Services  
Jack Green, General Manager, Sustainable Planning and Development  
Rhonda Deigan, Executive Officer

3. APOLOGIES

Cr Geoff Higgins

4. MAYORAL STATEMENT

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

Colac Otway Shire encourages active community input and participation in Council decisions. Council meetings provide one of these opportunities as members of the community may ask questions to Council either verbally at the meeting or in writing.

Questions made in writing will be addressed if received within two days of the Council meeting. Please note that some questions may not be able to be answered at the meeting, these questions will be taken on notice. Council meetings also enable Councillors to debate matters prior to decisions being taken.

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

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Thank you, now question time. 30 minutes is allowed for question time.

1. Questions received in writing prior to the meeting
2. Questions from the floor

## 5. QUESTION TIME

### Questions Received in Writing Prior to the Meeting

#### Damian Dureau - Colac

Would you please provide me with answers in writing to the following questions:

1. **In relation to a Question in Writing from the 22 July 2009 Council Meeting, would you please now confirm that the correct names for each of the 3 Committees that were the subject of that question, are as follows:**
  - a. **Beechy Precinct Project Management Group  
(Not Beechy Project Management Group)**
  - b. **Beechy Precinct Communications Reference Group  
(Not Joint Use Library Communications Reference Group)**
  - c. **Global Connector Operations Reference Group  
(Not Joint Use Library Operations Reference Group)**

*As previously verbally advised the correct names for the various committees are:*

- *Beechy Precinct Project Management Group*
- *Beechy Precinct Communications Reference Group*
- *Global Connector Operations Reference Group*

*The answers provided at the 22 July Council Meeting were direct responses to the questions that were asked.*

2. **COS Council Plan 2009-2013 as adopted (with amendment motion) at page 30 provides a general statement of a "key action" to:**

**"Continue in partnership with the Colac Community and project stakeholders to plan and develop the Beechy Precinct in accordance with Council approvals and review Council's continued involvement in the Beechy Precinct in respect of all elements that still require council approvals."**

**At the 22 July 2009 Council Meeting, in discussion/debate on COS 2009/2010 adopted budget (with amendment motion), it was stated that a \$20,000 allocation for detailed designs of new facilities (in particular basketball/netball courts and hydrotherapy pool) at Bluewater Fitness Centre would only be spent if the Federal and State Governments first committed to "fully fund" the construction of the project.**

**Is this contingent condition on the \$20,000 allocation recorded anywhere in:**

**(a) Annual Budget 2009/2010 (and if so, where exactly)?**

**(b) Council Plan 2009-2013 (and if so, where exactly)?**

**(c) Elsewhere (and if so, where exactly)?**

*The changes to the budget with respect to the allocation for detailed designs are reflected in Council's operating budgets.*

*In line with the Council Plan, Council will be kept informed of any developments with respect to possible funding opportunities to develop the facilities.*

**3. COS 2009/2010 draft budget and proposed budget had allocated \$500,000 to be taken out in new borrowings in 2010/2011, prior to the adopted budget (with amendment motion).**

**Would you please confirm that this total \$500,000 amount was for the establishment of a new library at Apollo Bay?**

*The Draft Budget for 2009/2010 did indicate that the Strategic Resource Plan includes an amount of \$500,000 for loan borrowings in 2010/2011.*

*One of the possible projects to be funded was the Apollo Bay Community Library and Facility Development.*

*This reference has been taken out in the final budget document in line with Council's resolution*

**4. COS 2009/2010 draft budget and proposed budget had the following allocations in Appendix C – Capital Works Program:**

- Refurbishment of Shire Office	\$270,000
- Building Works on old Colac Library	\$450,000

**In the adopted budget (with amendment motion), Appendix C – Capital Works Program has deleted these 2 items, and replaced them with the following item:**

- Building Program	\$720,000
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**(a) What work exactly was proposed in the original Refurbishment of Shire Office for \$270,000?**

*At this stage no final decision has been made as to the proposed expenditure.*

**(b) How much of that original \$270,000 has already been spent in the 2009/2010 financial year to date?**

*None of the original \$270,000 has been spent.*

**(c) How much has been spent in the 2009/2010 financial year on converting the premises adjoining the council offices, that had previously been used by Arts connection, into office space for council staff; and was this expenditure from that original \$270,000 allocation?**

*Funds were provided in 2008/09.*

**(d) What work is exactly proposed in the “Building Program” allocation of \$720,000?**

*At this stage no final decision has been made as to the proposed expenditure.*

**(e) Does the “Building Program” allocation of \$720,000 provide for, or potentially provide for, building works on the current Colac Library, and if so, how much is that allocation or potential allocation?**

*At this stage no final decision has been made as to the proposed expenditure.*

**(f) If the “Building Program” allocation of \$720,000 does not provide for, or potentially provide for, building works on the current Colac Library, what alternative intention does Council have for the extra \$450,000 to provide for, or potentially provide for?**

*At this stage no final decision has been made as to the proposed expenditure.*

*Any use of the allocation will be subject to further discussions and input from Council.*

**5. COS 2009/2010 Budget’s Standard Cash Flow Statement allocates \$1.3 million from Proceeds from Disposal of Assets.**

**(This is up significantly from the 2008/2009 figure of approximately \$550,000.**

**Projected estimates from Proceeds from Disposal of Assets in COS Council Plan 2009-2013, for the next 3 years from 2010/2011 to 2012/2013, are approximately \$700,000 per year.)**

**Would you now please provide the budgeted breakdown of this \$1.3 million from Proceeds from Disposal of Assets according to its various asset categories components? ie. How much for each of:**

**(a) Sale of Property – Land?**

**(b) Sale of Property – Buildings?**

**(c) Sale of Plant and Machinery?**

**(d) Sale of Furniture and Equipment?**

*The \$1.3 million is broken up as follows:*

- Sale/Trade In of Heavy Plant	- \$200,000
- Sale/Trade In of Light Fleet	- \$300,000
- Other Asset Sales	- \$800,000

**6. (a) How much is the current annual rental/lease income that Colac Otway Shire receives from Otway Community College for its rental/lease of 6 Murray Street?**

**(b) When was this agreement last renewed; and when does it next expire?**

*The current lease income that Council receives from the rental of 6 Murray Street is \$80,233.*

*The current lease expires in 30 April 2010 with a further option for a five year term.*

7. What is the size in square metres of the current total floor space for each of the following:

(a) COS Rae St offices building?

*Approx 1,280 sq met*

(b) the premises adjoining the COS Rae St offices building, that had previously been used by Arts Connection, that has recently been converted into office space for Council staff?

*Approx 134 sq met*

(c) History Centre area presently located in COPACC?

*Approx 378 sq met*

(e) Remainder of COPACC, excluding area presently occupied by History Centre and also excluding the area previously referred to as area occupied by Arts Connection?

*Approx 2,328 sq met*

(f) 6 Murray St Building?

*Approx 1,100 sq met*

(g) Maternal and Child Health Centre in Queen St, Colac?

*Approx 150 sq met*

8. What is the current percentage of total floor space at the 6 Murray St building that is presently occupied by COS' Aged & Disability Services?

*Approximately 15% of the floor area.*

9. In COS Annual Report 2007/2008 (the most recent Annual Report), it was reported that at 30 June 2008, COS staff numbers were:

- 289 staff people (full-time, part-time and casual)
- which represented an Effective Permanent Full-Time (EFT) staff of 182.06

(which included 49.21 – Cosworks  
36.48 – Health & Community Services  
20.52 - Recreation, Arts & Culture  
106.21  
75.85 – All Others)

Projected estimates of EFT staff numbers in COS Council Plan 2009-2013, for the 4 years from 2009/2010 to 2012/2013, are 204 up to 208.

(a) (i) How many COS staff people presently work in the COS Rae St offices building (excluding the premises adjoining the council offices, that had previously been used by Arts connection), at any one time, on average?

**(ii) What is the EFT staff number equivalent?**

**(b) (i) How many COS staff people presently work in the premises adjoining the council offices, that had previously been used by Arts Connection, at any one time, on average?**

**(ii) What is the EFT staff number equivalent?**

**(c) (i) How many COS staff people presently work in the 6 Murray St building, at any one time, on average?**

**(ii) What is the EFT staff number equivalent?**

*The following details are available:*

<i>No of staff presently working at Rae Street</i>	-	64
<i>No of staff presently working at building adjoining Council Offices</i>	-	11
<i>No of staff presently working at 6 Murray Street</i>	-	10

*Note: these are not EFTs.*

**10. Would Council please adopt as policy that they will, henceforth, display the “current” copy of each of the following 3 key Council documents:**

**(a) (4 Year) Council Plan?**

**(b) Annual Budget?**

**(both clearly marked “as adopted” to avoid any confusion that they are the final documents as adopted – ie. Not still display “draft” or proposed or “not current” version, once adopted)**

**(c) Annual Report?**

**at the following locations:**

**(a) Colac council offices foyer area, where various Council documents are displayed?**

**(b) Colac Library?**

*Copies of the adopted Council Plan, Budget and the final Annual Report are made available for the community to view at the Colac and Apollo Bay Offices and at the Colac Library.*

*Copies of the documents are also on Council’s web site.*

*The Council Plan indicates Council Plan “2009 – 2013”.*

*The Budget indicates the 22 July 2009 which is when Council adopted the Budget.*

**11. COS Annual Budgets prior to the 2009/2010 and 2008/2009 years provided a summary table of Rates and Charges, in the Statutory Disclosures Appendix, with columns of all the key rates information (ie. no. of assessments, rates in the dollar, CIV, Rate Income, Average Valuation, Average Rates, etc.; for both the current and previous years) and rows of differential rates categories and fixed charges.**



**This summary table was in accordance with council's disclosure requirements under the then Local Government Act 1989 Section 161 (3) (c) and (d), and provided useful, easy-to-read, at a glance, comparative and additional information on rates and charges.**

**Other Councils still provide this summary table in their Annual Budgets' Statutory Disclosures Appendix. ie. City of Greater Geelong.**

**Would Council please adopt as policy that they will return to providing this additional summary table in future COS Annual Budgets commencing from 2010/2011?**

*The information in the budget with respect to Rates and Charges is in accordance with the requirements of the Local Government Act.*

*The information provided is similar to many Local Government Councils. Out of the 16 Large Shire Councils which includes Colac Otway, 11 prepare the Rates and Charges information in a similar format to what has been included in the Budget document.*

*The information is based on the Victorian City Council Model Budget 2009/2010. The Guide is a best practice guide for reporting local government budgets in Victoria. It is aimed at providing local government with definitive guidance on best practice budget reports and is based on real examples relevant to local government in Victoria.*

*This publication is prepared by members of the Institute of Chartered Accountants in Australia and practitioners working in the local government sector.*

**12. COS 2009/2010 Budget's Appendix C – Capital Works Program appears to provide the following figures in error:**

- (a) Furniture & Equipment                      \$176,000**
- (b) Renewal (furniture & Equipment) \$165,000**

**Please confirm that the correct figures should be:**

- (a) \$136,000?**
- (b) \$125,000?**

*The correct figures should be \$136,000 and \$125,000.*

**Questions Received Verbally at the Meeting**

**Dieter Wessner – Colac**

**Has the Colac Otway Shire been encouraged by the Federal Member for Corangamite, Darren Cheeseman MP, to apply for a grant for the redevelopment of the Bluewater Fitness Centre?**

The Mayor advised that the Colac Otway Shire had been encouraged by the Federal Member for Corangamite to submit an application for funding for the redevelopment of the Bluewater Fitness Centre and would be seeking funds under the Government Infrastructure

Funding program.

**Is the Council aware of any additional costs associated with maintaining the redeveloped facility?**

The CEO advised that any increase in maintenance costs arising from the redevelopment would not be of any significance.

**What will be the total cost of building the Joint-Use Library?**

General Manager for Corporate & Community Services, Colin Hayman, advised that the total cost of the Joint-Use Library would be \$2,921,000 as per the Development and Joint Use Agreement for the Beechy Precinct Joint Use Library. Any additional costs will need to be approved by Council.

**Lyn Foster F.O.C.L**

**Has the Mayor or any Council Officer made a request of the Colac Herald not to publish any adverse community comments in respect to the Joint Use Library?**

The Mayor advised that he and Colac Otway Shire officers had met with the Colac Herald in an attempt to highlight positive Council activities.

The CEO advised that he was not aware of any Council Officer having made such a request of the Colac Herald and doubted that Council would be able to exert any influence over the newspaper.

**Paul David Cross F.O.C.L**

**Was there a Council resolution in respect to the employment of Maddocks Lawyers to act on behalf of the Council against the Friends of the Colac Library?**

The Mayor advised that there had been no Council resolution to employ Maddocks Lawyers.

**Who made the decision?**

The CEO advised that the decision was made by the CEO in the interests of Council staff.

**How much money has been paid to Maddocks Lawyers and how much will this cost Council?**

The CEO advised that the cost is not known at this time as the issue is ongoing.

**Did the Mayor know if the slab for the Joint Use Library had been poured at the last Council meeting?**

The Mayor advised that he was of the understanding that at the time of the last Council meeting the pouring of the slab had commenced.

**Does this Council intend to provide an annex at the current Library site?**

The Mayor advised that this would be considered as part of a feasibility study undertaken with funding provided by the State Government of \$30,000.

## Christine Holm F.O.C.L

### **How can Council approve a schedule of payments when the total cost of building the Joint Use Library is unknown?**

The Mayor advised that any amounts over and above the schedule of payments would need to be approved by Council.

The CEO advised that any variation to the schedule of payments within the contract signed by the Council would need to come to Council for approval.

## **6. DECLARATION OF INTEREST**

NIL

## **7. CONFIRMATION OF MINUTES**

- **Ordinary Council Meeting of the Colac Otway Shire Council held on the 22/07/09.**

***MOVED Cr Stephen Hart seconded Cr Stuart Hart that Council confirm the above minutes.***

***CARRIED 6 : 0***

## OFFICERS' REPORTS

### Chief Executive Officer

OM092608-1 CEO'S PROGRESS REPORT TO COUNCIL  
OM092608-2 REGIONAL STRATEGIC PLANNING INITIATIVE PROGRESS REPORT

### Corporate and Community Services

OM092608-3 BEECHY PRECINCT FINANCIAL CONTRIBUTIONS TO  
CONSTRUCTION OF THE JOINT USE LIBRARY  
OM092608-4 CERTIFICATION OF 2008/2009 FINANCIAL STATEMENTS  
OM092608-5 REGIONAL RECREATION RESERVES CONTRIBUTIONS SCHEME  
OM092608-6 FENCING FOR THE 2010 AND FUTURE CUSTOM CAR AND BIKE  
SHOWS  
OM092608-7 COLAC SKATE PARK PROPOSED PROJECT  
OM092608-8 S86 COMMITTEE OF MANAGEMENT ELECTIONS  
OM092608-9 BARWON SOUTH WEST REGIONAL TRAILS MASTER PLAN

### Infrastructure and Services

OM092608-10 ROAD MANAGEMENT PLAN COMPLIANCE REPORT

### **Sustainable Planning and Development**

OM092608-11 COLAC OTWAY SHIRE AND OTWAYS TOURISM INC SERVICE AGREEMENT REVIEW

OM092608-12 HEATHFIELD RESERVE CONSULTATION ON FUTURE INTERIM USE

OM092608-13 FEDERAL GOVERNMENT FUNDING OPPORTUNITY

### **General Business**

OM092608-14 ITEMS FOR SIGNING & SEALING - SECTION 173 AGREEMENT SALE & TRANSFER OF LAND - 470 COLAC-FORREST ROAD, YEO

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

D = Discussion

W = Withdrawal

ITEM	D	W
<p><b><u>CHIEF EXECUTIVE OFFICER</u></b></p> <p><b><u>OM092608-1</u></b>      <b><u>CEO'S PROGRESS REPORT TO COUNCIL</u></b></p> <p>Department: Executive</p> <p><b><u>Recommendation(s)</u></b></p> <p><i>That Council receives the CEO's Progress Report for information.</i></p>	<p>Cr Chris Smith Cr. Stuart Hart</p>	
<p><b><u>OM092608-2</u></b>      <b><u>REGIONAL STRATEGIC PLANNING INITIATIVE PROGRESS REPORT</u></b></p> <p>Department: Executive</p> <p><b><u>Recommendation(s)</u></b></p> <p><i>That Council notes the progress of the Regional strategic plans to date</i></p>		

***MOVED Cr Lyn Russell seconded Cr Stuart Hart that recommendations to items listed in the Consent Calendar be adopted.***

***CARRIED 6 : 0***

**OM092608-1****CEO'S PROGRESS REPORT TO COUNCIL**

AUTHOR:	Rob Small	ENDORSED:	Rob Small
DEPARTMENT:	Executive	FILE REF:	GEN00460

**EXECUTIVE****Great South Coast CEO's Meeting**

The CEO attended this meeting on the 31 July 2009 in Warrnambool. Major items discussed included:

- Aboriginal claim by Gunditjimara being settled and general discussion regarding native title claims
- State strategic planning blueprint
- Industry workforce development strategy – R.D.V.
- Regional Leadership program
- Regional Development Australia Committees
- Victorian Climate Change Green Paper
- Managing Coastal risks
- Regional procurement
- Regional Kitchen (Meals on Wheels)
- Vline services improvement project.

**Regional Management Forum - Barwon South West Meeting**

Items discussed at this meeting of 13 August 2009 included:

- Review of Regional Development Forums
- Fire Season Preparedness
- State Regional Strategic Plan update
- Sustainability theme report:
  - Climate change
  - Coastal Management issues and risks
- Liveability theme report:
  - YES reference group (Youth Employment and Skills group))
  - Disadvantaged Communities Healthy & Liveable Communities
- Regional Trails project.

**GIS Website Launch**

The Colac Otway Shire, together with partner organisations including DSE, DPI, MAV, University of Ballarat, Corangamite CMA and the Corangamite Shire, launched a GIS Website on the 7 August 2009.

The project was made possible through the Federal Government's Natural Disaster Mitigation program and the State Government's Broadband Innovation program and we were pleased to have had representation from both the Australian and State Governments at the launch.

**G21**

Jack Green, General Manager Sustainable Planning & Building, attended this meeting on behalf of the CEO, on the 31 July 2009. Items discussed during the meeting included:

- Finance report
- IRC funding

- Conflict of Interest laws
- New membership – these are business memberships with no voting powers
- Stakeholder survey draft
- Local Adaptation Pathway Program Grant – EOI by G21 and GSC
- Website update
- Individual Pillar reports
- Princes Highway West update
- Regional Marketing Project
- Ministerial Regional Planning Taskforce.

### **Apollo Bay Chamber of Commerce & Tourism Meeting**

Discussion included:

- Apollo Bay – Colac bus
- Employment brokering and employee transport/accommodation
- CSIRO workshop of Apollo Bay futures
- Consideration of a plastic carry bag free Apollo Bay
- News sheet going online
- Bay Bucks
- Possible Comedy Festival
- Trans-Otway Walk

### **Addressing Apollo Bay Business Leaders at Breakfast**

Held on the 10 August 2009, included a general presentation on the Council's future direction, budget and a wider proposition of creating greater variety in terms of employment and resident demography.

### **Otway Forum**

The forum, held on the 9 August 2009, included a general question and answer session regarding Council activities.

## **CORPORATE & COMMUNITY SERVICES**

### **Young Ambassador Award 2009**

Nominations were received from each of the secondary colleges within the Shire. Eleven applicants were interviewed and judges impressed with the high standard of nominees. The successful applicant will be announced at a special function.

### **Freedom of Information**

The Freedom of Information Annual Report has been lodged with the Department of Justice. Twenty two applications were received for the 2008/09 year compared to fifteen in the previous year.

### **Health & Community Services**

#### **Heatwave Strategy**

During the heatwave of January 2009 there were 374 deaths in Victoria attributed to the high temperatures and dryness. An expected increase in the frequency and intensity of heatwaves will impact on vulnerable population groups such as the elderly, infants and those with chronic illnesses. The Department of Human Services provided council with \$25,000 to prepare a heatwave plan by 6 November 2009. This Plan is to be linked to Council's Municipal Public Health Plan. The Plan will need to provide information and support to the community, the vulnerable population groups and their carers during extreme heat events.

**Family Day Care**

Council is currently undergoing a procedure to Licence the Family Day Care Service for this Municipality. It is a legal requirement that all Children's Services in Victoria are Licensed to operate by August 25 2009.

**Early Years Development**

The Department of Education and Early Years Childhood Development (DEECD) released a number of strategies earlier this month to build on COAG's National Reform of early years development and services. The **Victorian Early Years Learning and Development Framework (0-8)** and **Transition: A Positive Start to School** strategies have been developed within the Every Child, Every Opportunity program and were launched by The Hon. Maxine Morand MP, Minister for Children and Early Childhood Development. These documents are highly relevant to Council in the development of its Early Years Planning strategies and the family and children services that it provides.

**Universal Access to Early Childhood Education**

The federal government recently announced that all children will receive at least 15 hours of free pre-school education each week from 2013. At present children are able to receive 10 hours. This 50% increase will have a considerable impact on buildings, infrastructure, equipment, teachers and logistics. To plan for this increased learning DEECD has allocated funding to all municipalities in Victoria. It is proposed that Colac Otway and Corangamite Shire work as a cluster to research, consult with stakeholders, analyse data and prepare a capacity assessment plan outlining how Universal Access can be provided in both shires. Funding totaling \$50,000 has been provided by DEECD for this project, which needs to be completed by April 2010.

**Environment Victoria: Seniors Eco-Wise**

The Seniors Eco-Wise Project will conclude at the end of August with a final presentation and farewell lunch. Over the project some 60 people have participated in workshops and training on reducing energy usage and saving costs. Environment Victoria will ask participants to feed back their overall impressions of the four sessions presented. This information will be available to Colac Otway Shire for future reference and areas to target how to support people to be environmentally aware in the home.

**Personal Care Protocols for the Barwon Region:**

The review for the Personal Care Protocols has undergone significant work, with Draft 5 out for discussion. It is expected to be completed by the end of August 2009. The Medication review will commence in September. This is not expected to conclude until February 2010.

**Current Projects:**

The Aged & Disability Services Unit in Partnership with Colac Area Health (CAH) has four current projects:

- Knock out the Risks for the elderly. Ongoing meeting with a new assessment form in draft.
- Falls Prevention Program. New program to commence October 2009.
- HACC meeting with CAH Allied Professionals, Home Nursing, Rehabilitation and Acute Care. This working committee is continuing to develop a process for admission and discharge.



**New:**

- CAH and COS have applied for funding through G21 to review the Service Coordination Process between both agencies. The focus will be on CAH systems as COS has all electronic systems in place.

**Events****E Team meetings – August**

The E Team meeting was held on the 11th August to debrief the following events: Forrest Artists of Fire (20 June 2009), Forrest 6 Hour Race (5 July 2009) and preliminary discussions for Relay for Life (27 & 28 February 2010) and Custom Car and Bike Show (17 May 2009).

**FReeZA**

FReeZA (Lac & Co Productions) hosted a FReeZA Central Workshop presented by The Push on Tuesday 11 August 2009 for young people interested in the music industry at COPACC. Topics included the performance side of the industry through to the managerial side of working with a band or festival and the skills required for a music industry career.

Preparations are almost completed for The Battle of the Bands on Friday 28 August. Seven local bands from Apollo Bay, Alvie, Colac, Elliminyt and Marengo will be competing for a place in the FReeZA Push Start Regional Final.

On Tuesday 11 August 2009, FReeZA Central Workshop ran a music industry information session at COPACC. 50 young people from all over the Colac Otway Shire attended and listened to experts in their fields relate their experiences and provide accredited learning, mentoring and practical experience working in the music industry. FReeZA Central is a Victorian Government initiative funded by the Department of Planning and Community Development and run by The Push and Mushroom Marketing. Those attending completed the assessment sheets which credit towards a nationally recognised Certificate III and/or Certificate IV music course in Music Industry, Music Performance, Music Business or Technical Production. The workshop covers one (out of six) elements of the Unit 'Plan a Career in Music'.

**Events - Make them your Business Project**

The Colac Otway Shire obtained support under the Rural Economic Development Opportunities Fund, a Small Towns Victoria Program initiative funded by Regional Development Victoria for the "Events – Make them your Business!" project.

Businesses, Service Clubs and Event organisers are invited to learn more about the best way to get the most of out of events through attending a free networking Forum. Two "Events - Make them your business!" Forums will be conducted in Colac and Apollo Bay on 16 September 2009.

Guest Speaker at the forums will be Kathy Simpson, inaugural President of the Deni Ute Muster. The Deni Ute Muster in Deniliquin, regional New South Wales, is estimated to attract around 20,000 people and brings over \$15 million each year to Deniliquin and surrounding areas. The event itself spends close to \$1 million annually within the local business sector.

Kathy will share her experiences about how the local community and event organisers have worked to maximise the impact of the event. Practical ideas will be provided for both event organisers and local businesses. The workshop will provide information and skills to maximise the impact of the events taking place across the municipality. It will identify ways

local businesses and groups can take advantage of the economic, marketing and public relation opportunities created by events.

### **Wildfire Approach**

A workshop was facilitated by the CFA on 11 August to review the Trial Guidelines, "Application of a Wildfire Risk Management Approach to Community Events CFA Barwon Corangamite Area". A trial of the Guidelines was undertaken during the 2008/09 Fire Danger Period.

The objective of the workshop was to finalise the Guidelines, and ultimately present the final product to each Municipal Emergency Management Planning Committee (MEMPC), for formal endorsement and inclusion as a reference in each Municipal Emergency Management Plan.

Municipal representation at the workshop comprised Municipal Fire Prevention Officers, Events Co-ordinators and Municipal Building Surveyors for each Municipality that participated in the trial.

The CFA acknowledged receipt of a letter dated 30 June 2009 from Colac Otway CEO (representing the views of both Colac Otway and Surf coast Shires), following a meeting held 28 April 2009 to capture feedback in relation to the trial from participating municipalities (Colac Otway, Surf coast and CoGG). The content and recommendations identified were considered as part of the workshop.

### **Great Ocean Road Closure – Great Victorian Bike Ride**

A public community meeting was held 6.30pm, Monday 10 August at the Wye River Surf Club to discuss the proposed closure of the Great Ocean Road as a result of the event. Representatives from Bicycle Victoria, Vic Roads, Surf Coast Shire and Colac Otway Shire plus approximately fourteen members of the local community attended the meeting.

Representatives from Bicycle Victoria provided detailed information regarding the Great Victorian Bike Ride, proposed road closure information, a communications plan, waste management details, community opportunities for involvement and emergency/risk management plan information.

Following the meeting, Bicycle Victoria acknowledged that they are aware that there is further work still to do in developing a process for use of a hotline number to obtain updates of the road closure status and how this will be used effectively. The event organisers will continue to work closely with the police to develop a process, which will then be communicated to the community closer to the ride. All points raised by the community were recognised as valid and these will be reviewed to ensure the proposed road closure will minimize the inconvenience on the community.

### **Recreation**

#### **Barwon South West Regional Trails Master Plan**

The Colac Otway Shire on behalf of the Project Partners has received a High Commendation through the Parks Leisure Australia Annual Awards for the Barwon South West Regional Trails Master Plan Project.

#### **Beechy Precinct**

The Joint Use Library Operations Reference Group has held constructive discussions with the Project Architect to determine fittings and floor plans for the Library Office and Administration areas.

The City of Greater Geelong together with the Colac Otway Shire is currently working through a recruitment process for a jointly funded position with the Department of Planning and Community Development. This position will work across both the Beechy Precinct and the Vines Road Project which share joint use similarities and will develop governance models and structures for these precinct projects.

Three distinct areas have been allowed for within the Colac Secondary College Master Plan to acknowledge the heritage and cultural links particularly with the Beechy Rail Line. Specifically it is proposed that a walkway through the College will include interpretive aspects given it will be located on the original alignment of the Rail Line, two open spaces in front of the Joint Use Library have the capacity to include art pieces reflective of these heritage links. Discussions have been held with the Old Beechy Rail Trail Committee who has indicated interest in participating in the development of these public open spaces. Further discussions and development will take place to scope the options for these features and spaces.

### **Public Open Space Strategy**

Officers from across the organisation (in particular representing Recreation, Planning, Economic Development, Environment and Infrastructure) have been working together developing a proposal to undertake a Public Open Space Strategy for the Shire. It has been identified that this is a key strategic gap within the organisation. It is proposed that a funding application will be submitted to Sport and Recreation Victoria in September 2009 seeking funding for the Strategy to be undertaken in 2010/2011. Other project partners have been identified such as Parks Victoria and Barwon Water and these will be approached seeking their commitment to participate in the project.

### **Country Football Netball**

The Forrest Netball Court Redevelopment project working group has been established for this project made up of representatives from the Club and Council. Establishment of a funding agreement between the Club and Council will be developed upon confirmation of project timelines. Site works are proposed to commence in October 2009.

### **Birregurra Skate Park**

The tender evaluation has been completed and appointment of the contractor is to be awarded upon confirmation of the recommendation. A Funding Agreement has been developed between Council, the Birregurra Community Group Inc. and the Lions Club of Birregurra and District Inc. outlining project components, funding contributions, in-kind contributions and project timelines. At the request of the Birregurra Community Group Inc. the project will commence after the Birregurra Festival Weekend on 10 and 11 October 2009.

### **Sale of Land**

Colac Otway Shire Council gave notice under Section 189 of the *Local Government Act 1989* (Act) on 17 July 2009 that it intends to sell the former Warrion Tennis Club site located at 25 Glenn Street Warrion. The proposal is that the land be sold by public sale. No submissions under section 223 of the Act were received by Council (applications closed 14 August 2009). The property is to be advertised for sale by Charles Stewart Real Estate.

### **Multi-purpose sports field project**

The sports field redevelopment and maintenance period is complete but the fields will not be accessible until November to ensure maximum turf coverage. This is being monitored on a weekly basis with Cosworks Parks and Gardens and Recreation. Lighting infrastructure has been installed on field one of the Central Reserve Hockey Fields. Remaining project funds has allowed the supply and installation of a reverse cycle air conditioner to the hockey

clubrooms. The final report and final claim will be forwarded to Sport and Recreation Victoria in August 2009.

### **Eastern Reserve Netball Courts Project**

A Working Group comprising members of the Colac and District Netball Association and Colac Summer Netball Association has continued to meet with the Recreation and Events Co-ordinator to progress issues in relation to this project. The group conducted an onsite visit to the recently redeveloped courts in Winchelsea to obtain further ideas for proposed shelter options for the project. Further investigations are being undertaken regarding the potential reuse of existing light poles as part of the project.

### **Lake Colac Oval Redevelopment**

An onsite meeting has been conducted with identified contractors to provide input into and establish time lines for the Lake Oval project. This project involves drainage, irrigation system installation, drought tolerant turf and installation of a water tank. It is proposed that works will commence mid September 2009.

### **Colac Skate Park**

Council through the 2009/2010 Community Funding Program (Recreation Facilities) supported the Colac Skate Park Group to engage a skate park designer to develop Skate Park plans based on the identified community aspirations. These plans are currently being developed with significant input from the Colac Skate Park Group in collaboration with the designer, Darren White from CONVIC. Likely funding options for this project are the Sport and Recreation Victoria Community Facility Funding Program 2010/2011– Minors Category. Applications for this program close 17 September 2009.

### **Bluewater Fitness Centre**

Bluewater Fitness Centre hosted the Colac Swimming Club Night Meet on Saturday 8 August. The centre came alive with over 80 swimmers attending the meet, from surrounding districts with over 300 event entries for the evening. The meet was the last chance for swimmers to qualify for the country short course meet. The swimmers produced some great times. The partnership between the Centre and the Colac Swimming Club continues to strengthen with discussions being held regarding more swim meets at the Centre and the idea of having a grand prix format next season.

The Federal Government funded works have been affected by the recent inclement weather. Stage 2 of the works will commence this week with the installation of an air handling system in the main reception area and the aerobics room.

Both the Dry and Aquatics areas in the Centre have been developing and promoting a range of new and existing programs:

### **Aquatics**

- The Adult (Swimming) Squad is continuing on Tuesday and Thursday evenings from 6pm-7pm, with an average of 10 participants attending.
- The Learn to Swim Program is into week 5 of Term 3 with currently 241 enrolments.
- Aqua Aerobics is to be re-launched with a new program being offered on Monday, Thursday and Friday mornings starting Monday 17 August.
- Lorne (P-12) College is currently participating in the Bluewater Fitness Centre 'Swim & Survive' Program and Elliminyt Primary School will commence the program on Starting Monday 17 August.
- The *Lap it Up Club* is in full swing, with over 40 members involved in this FREE program.

**Dry Programs/Gym**

- The launch of the new *Thumpfit* starts this week.
- Off Road bike classes to commence the first week of September. Bluewater Fitness will offer 6 classes per week.
- Leisure Networks in conjunction with Colac Basketball Association and Bluewater Fitness Centre will commence an “*All Abilities Basketball*” with come to try days on 29 August and 12 September with a modified season to follow.
- The new aerobics program will provide new programs commencing in September and October. Strength training master classes are being offered for those who want to be challenged in the free weight areas.
- Bluewater is promoting personal training at the Wedding Expo at Otway Estate on the 23 August 2009. This is a great opportunity to showcase the Centre and the programs. In conjunction with this our new look aerobics program will be launched with advertisements in the local papers.
- Bluewater Fitness Centre will be represented at the second of the Victorian Fitness Academy’s Industry night on 16 September in Geelong. This provides an opportunity to promote Bluewater Fitness Centre to prospective employees and to the industry.

**COPACC**

- COPACC is a finalist for a national award. The Drover Award, presented by the Australian Association for Performing Arts Centres, is for best presenter. The Award recognises the achievements of an outstanding presenting organisation/performing arts centre and is awarded to the presenter who works with producers to provide consistently outstanding production, marketing and management services. In addition, the presenter is to have achieved exceptional success in audience development and community engagement. From a field of 150 nominations COPACC is a finalist with The Capital in Bendigo and the Princess Theatre in Launceston. The winner will be announced at Port Macquarie on September 16.
- COPACC hosted the ‘In the Bin Film Festival’ and short film workshop in early August as part of its youth audience development program. The workshop gave 22 students from Trinity College, Apollo Bay P-12 school and Lavers Hill P-12 school the opportunity to make four short films under the tutelage of two university film lecturers. The event was sponsored by Corangamite Catchment Management Authority, and the four films all had a conservation theme in keeping with the work of the CCMA. The students’ short films were screened alongside 14 professional short films, produced around the world. More than 100 people attended the COPACC Civic Hall to hear the students introduce their films. COPACC has received extremely positive feedback from students, parents and teachers about the success of the program.
- COPACC presented its second Outreach Program at Beech Forest on Saturday, August 7, with standup comedian Monica Dullard’s Rural Girl. COPACC presented the show in conjunction with the not-for-profit Otway Hinterland Events and Beech Forest Progress Association. More than 90 people attended the show, and the two local eateries the Beech Forest Pub and The Ridge Café sold out their meal and show package offers.
- COPACC hosted the National Saleyards Conference the week commencing 10 August 2009.

### **Youth Council**

On Saturday 8 August a Skate Park Project Ideas Day was held. This day was well attended by local skater's and BMX riders. The participants provided Youth Council with ideas for designs they would like to see at the Skate Park.

Our artist for the project is Justin; who is from City Aerosol Network, Geelong and was well received by the participants who attended the Ideas Day.

We are currently holding 3 different competitions to help involve the community and also choose more designs to be included in the final project at the Skate Park. The competitions are 'A Logo', 'Skateboard Deck' and 'General Wall Design'.

Youth Councillors will be helping at the SWLLEN Careers Market on Thursday 27 August at COPACC. They will taking care of a range of activities from welcoming the students, talking to MixxFM 106.3 and running their own stand promoting the Skate Park Project and other projects they have completed.

## **INFRASTRUCTURE & SERVICES**

### **GENERAL**

The Infrastructure and Services unit has been busy with the preparation of works programs for this financial year. This has included the establishment of account structures for all works within the department as a result of the introduction of the Civica Financial System.

As part of the new financial system Officers are also in the process of establishing management systems to ensure that the works programmed for the current financial year will be delivered. This involves the linking of the Capital Works and Major Projects work schedules with the financial systems.

Officers have also commenced a review of Councils standard tender and quotation documents to ensure the documents reflect current industry practices. This will require ongoing work over the coming months to review all the documents.

### **Best Value Review**

- Capital Works and Assets

The Best Value Review for Capital Works and Assets has been completed and will be referred to Council in the next reporting period. This work has been extensive and has been the basis of a review of the area to increase efficiency and review operation practice.

- Parks and Gardens

The Best Value Review of Parks and Gardens is nearing completion and is intended to be reported to Council in the next reporting period. The Review has included extensive consultation with internal and external stakeholders.

## **CAPITAL WORKS**

### **Special Charge Schemes Update**

#### Sinclair Street South, Elliminyt

##### *Road Construction*

Officers have been investigating a Special Charge Scheme for the construction of the unsealed pavement of Sinclair Street South between Pound Road and Irrewillipe Road, Elliminyt. Investigations are nearing completion and it is intended to report to Council at its next meeting.

## **Capital Works**

### Apollo Bay Footpath Construction

Works associated with the construction of footpath within the township of Apollo Bay are progressing well, with approximately 50% of works completed. The works have been funded through Federal Grants received within the previous financial year, and include the construction of a 1.5m wide concrete footpath along sections of Pascoe Street, Montrose Street, Costin Street, McLaren Parade, and Moore Street. As per the funding requirements, the works are required to be completed by September 2009, which Council is on track to deliver.

### Project Planning – 2009/10 Capital Works Program

Detailed project planning is well underway with the large scale Capital Works Projects within this year's program. The Unit is currently in the process of confirming whether statutory permits are required, finalising project briefs in order to get detailed design works carried out and preparing tender/quote information.

### Capital Works Reporting

Development of a tool for reporting and monitoring of Capital Works project expenditure, progress and key timelines is almost complete. Via the development of the reporting tool, it will provide information to project managers, and General Managers on the progress of projects keep track of key project indicators including project expenditure vs allocated budget, works completed vs identified timelines, and overall project status.

## **ASSET DEPARTMENT**

### **Accommodation Refurbishment – Rae Street**

Minor renovations to existing office space within the Rae Street Administration building has commenced to address Council's immediate office accommodation needs. This follows on from the relocation of the Infrastructure & Services Department and involves the reconfiguration of existing work areas to utilise available space better and to accommodate the consolidation of various Business Units within the building. All plans have been endorsed by the Executive Team and works are expected to be finalised by late August.

### **Routine Road and Footpath Inspections**

- Rural Link Road inspections have been completed in the first week of July. The main objects identified were missing signs and fallen tree limbs.
- Inspections of roads in the Birregurra rural area were completed in the second week of July with guide posts missing, damaged signs and sign posts identified as requiring maintenance.
- Gellibrand Rural Road inspections were carried out in the third week of July with tree limbs and guide posts requiring maintenance. Minor potholes were rectified within Shire intervention criteria.
- Roads in the Barongarook area were inspected in the last week of July with a number of signs identified as damaged or missing. A number of guide posts were also identified as missing or damaged.
- A second audit of rail crossings, signage and line-marking was completed to identify any maintenance requirements. There were no issues relating to infrastructure for which Council is responsible, identified from these inspections.

### **Annual Supply Contract – Trades**

Tender documents are currently being prepared for miscellaneous trades and services. This includes handyman services, minor electrical, plumbing and other trades.

Council requires a range of service providers to undertake miscellaneous maintenance works on Councils assets.

Tendering of these services will ensure that Council receives the Best Value for money from minor contractors, while maintaining quality services.

It is anticipated that tenders will be advertised in the next month.

### **COSWORKS**

Cosworks has commenced planning for maintenance works required over the next 12 months. A major factor in programming works is the planning of various activities dependant on weather and ground conditions throughout the municipality.

Works carried out to date are as follows:

**Road Regrading:** Maintenance grading has been completed in all areas as weather permits.

**Road Pavement Minor Patching:** Ongoing in all areas.

**Major Patching:** Regulation maintenance was undertaken on the Colac Lorne Road regulation.

**Shoulder maintenance:** Bushes, Division, Ryans, Russells, Lake Corangamite, Tomahawk Creek, Cressy, and Wool Wool Roads.

**Gravel Road Re-sheeting:** Undertaken on Old Irrewillipe, Springs, Upper Gellibrand, Taylors, Cressy Cemetery, Morrells Roads.

**Major Drainage completed on:** Morrells, Kerrs, Morrissys, Rattrays, Quinanes, Cressy Cemetery Roads.

**Routine Drainage completed on:** Ongoing program mainly in the Otway areas.

**Tree Maintenance at:** Street tree clearance under power lines in Colac has commenced.

**Township Mowing:** This has been undertaken in all townships as required.

**Weed Spraying:** This has begun around roadside furniture.

**Bridge Maintenance:** Maintenance inspections and works undertaken in the Otways.

**Gardens:** General maintenance and tree trimming.

**Playground Maintenance:** Inspection and repair of defects has commenced and is ongoing.

**Old Beechy Line Rail Trail:** Remove fallen trees and general maintenance / repairs carried out.

**Storm Damage:** Removal of damaged trees in Gellibrand, Beech Forest, and Lavers Hill areas.

**Township programs:** Barwon Downs & Birregurra playground, vegetation & drainage works.



## **MAJOR CONTRACTS/WASTE DEPARTMENT**

### **Waste Management Services – Tendering Process**

Council's current waste contracts come to an end on 5 September 2010. Accordingly service specifications are being reviewed taking into account the Best Value Review outcomes endorsed earlier by the Council. The first draft of the tender document and specification has been prepared and perused by relevant Council Officers. Comments have been made on the draft that is being incorporated to the documents. It is expected that the tender document will be finalized in August to enable calling of tenders in August/September 2009. The tenders are scheduled to close in November 2009 followed with completion of the tender evaluation and tabling a Council report in January 2010 for selection of preferred contractor/s.

### **Slipway upgrade – Apollo Bay Harbour**

In accordance with Council's tendering policy, quotations were obtained for undertaking the slipway rail replacement job. The work will be funded by the Department of Sustainability and Environment (DSE) under its Grants program which is managed by Council. After careful consideration it has been decided to select the Elstone Diving Services for the job. The work will entail supply of new rails, transport of rails to the site and installation after removal of old rails. A defects liability period of 12 Months will apply during which any defects will be rectified by the contractor, and significant effort will be made to complete this project before summer in readiness for the peak season.

Further discussions have been held with officers of Regional Development Infrastructure Fund (RIDF) regarding future funding opportunities for slipway extension, stage 2 for accommodating bigger boats. It has been indicated that applications will be invited around November this year and if an application is lodged it could be considered favourably due to fulfilling of eligibility criteria. The possible works could involve extension of rails, upgrade of winch room to increase the pulling capacity and provision of cross rails for increasing boat storage capacity. The Council officers will be working on scope of works and cost estimates in preparation for the funding application later this year.

### **Detox your home**

'Detox your Home' was successfully run in Colac on Saturday 1 August 2009, from 1.00pm to 3.00pm at the Colac Saleyards. This program was coordinated by Sustainability Victoria and is run every two years. Residents are able to dispose of harmful chemicals including paints, fuels, weed killer as well as other items such as BBQ gas cylinders and old fire hydrants. Over 140 Colac Otway residents made use of this opportunity diverting over 7 tonnes of potentially harmful chemicals from landfill through 'Detox Your Home'.

Of the material collected, 67% was paint, 10% oil, 9% batteries, 4% general pesticides, with the remainder being other harmful chemicals.

After collection, the materials are immediately sorted according to their chemical properties. If a container was considered to be unsafe, it was repackaged for safe handling. Chemicals were treated according to their type.

This program is run with minimal cost to Council with Council supplying a location and assisting with advertising. Proforma posters and adverts are supplied by Sustainability Victoria with Council inserting relevant information.

**Waste Calendars**

Work has commenced on the 2009/10 waste calendars. Calendars will again be compiled for a 15 month period to expire on 31 December 2010. Due to uncertainty as to the actual commencement date of the new waste system, the extended period to 31 December 2010 will allow additional time in the current system if required to continue.

It is planned to combine some calendars so that Council only produces two different types. Unlike other years calendars will not be posted or hand delivered to every residence but will be posted on request, available on Councils website, from Council officers and through local real estate agents around the coast.

**Tenders**

- Opened

Since the last reporting period no tenders were opened.

- Tender Preparation

Officers have commenced work on an annual supply contract for supply of quarry and road construction material. It is intended that works will be advertised within the next two (2) months. The tenders will be for an annual supply contract and require suppliers to provide material tests for all products, otherwise the tenders will be non-conforming and not accepted. This will ensure that prices are fixed for the contract term.

- Apollo Bay Transfer Station

With the awarding of the Apollo Bay Transfer Station Contract and the finalisation of the land purchase, Officers have been busy finalising documents for the building permit in anticipation of the contract commencing in November 2009.

**Pound Road Reconstruction**

Works reached a stage of practical completion recently following placement of the bituminous spray seal on Pound Road, Elliminyt. The works are part of a special charge scheme to construct the road from Queens Street to Forrest Street and included extension of several existing culverts.

**Subdivision Works**

The following table shows the current status of various subdivisional works which will be handed over to Council after completion is approved:-

Subdivision	Status
Apollo Bay Industrial Estate Stage 1 9 lots	Underground drainage is nearly complete Lean mix concrete sub-base has been placed in Arthur Court and in Montrose Avenue with completion of this work in the coming weeks Work is currently being undertaken on Montrose Avenue
Rossmoyne Road Industrial Estate Stage 2 23 lots	Underground drainage has been installed with work to proceed with excavation and placing road pavement. Kerbing will be constructed in coming months
Wyuna Estate Stage 10 (Banksia Dr. extension) 6 lots	All works have been completed with compliance expected shortly.
Mingawalla Road, Beeac Stages 1 & 2 reserve & 9 lots	Works are complete except for minor drainage to be arranged Kerb and channel and shoulder construction is approved.

## SUSTAINABLE PLANNING & DEVELOPMENT

### Amendment C55 – Community Information Sessions

Planning Scheme Amendment C55 was gazetted by the State Government on 18 June, streamlining the planning scheme, rezoning some land in Colac and Apollo Bay, introducing greater exemptions from permit requirements in a range of overlay controls, and minimising the need for unnecessary planning applications. The policy framework has also been updated to reflect current issues and priorities in the Shire, strengthening Council's capacity to reflect local issues when implementing state planning controls.

A stakeholder workshop was held with builders, architects, surveyors and other professionals on 4 August to explain the amendment. Community information sessions have been scheduled for;

- 22 September 2009 at 3:00 pm – 4:30 pm at Forrest (Forrest Public Hall)
- 22 September 2009 at 7:00 pm – 8:30 pm at Apollo Bay (Apollo Bay Hotel)
- 29 September 2009 at 3:00 pm - 4:30 pm in Beeac (Beeac Public Hall)
- 29 September 2009 at 7:00 pm – 8:30 pm in Colac (COPACC)

for officers to explain the implications of the amendment to interested members of the public.

### Future Coasts Project

The State Government 'Future Coasts' project is producing modelling of projected sea level rise so that impacts on infrastructure and coastal development can be assessed. Officers will be attending workshops at the end of August to provide input into the project. As noted previously, Councillors will be briefed in more detail on the project at a Councillor workshop in the coming months.

### Rural Living Study and Birregurra/Forrest Structure Plans

Consultant firm CPG Australia P/L has been appointed to undertake the Rural Living Study and Birregurra/Forrest Structure Plans following a public tender process that began in May. Both studies were funded in the 2008/09 budget but were delayed starting, and funds will be carried forward to the 2009/10 budget year. The projects will commence in September with an inception meeting with the Steering Committees for the projects.

**SPEAR Project**

The State Government has run a project over recent years called SPEAR which has facilitated electronic lodgement and management of subdivision applications, including web access by applicants and electronic referral of applications to agencies which has significantly reduced processing times. Whilst officers have seen the potential value of this project to Colac Otway Shire, Council was unable to participate due to incompatibility of the Fujitsu 2000+ system and the changeover of Council's data base management software to Authority (CIVICA) on 30 June 2009. There has been a recent announcement of funds from State Government to modify local government systems to be compatible with SPEAR, and there has been a pilot undertaken to broaden its application to all types of planning applications which was highly successful. This wider capability would make it much more useful for Council, and given the availability of funds for the project, an expression of interest has been lodged for Council to take part.

**Colac and Apollo Bay Car Parking Study**

Consultant AECOM is in the process of finalising an Issues and Options Paper for the Colac and Apollo Bay Car Parking Study after undertaking surveys of parking supply and demand earlier this year. A retail study for the two towns has recently been completed as part of the study by Essential Economics, which will enable AECOM to assess future parking needs in the townships. A workshop will be held with Councillors in September/October to brief them on the project.

**Amendment C58 – Implementation of Kennett River, Wye River and Separation Creek Structure Plan**

Council sought authorisation from the Planning Minister earlier this year to exhibit an amendment to implement the outcomes of the Kennett River, Wye River and Separation Creek Structure Plan. There have been delays in receiving this authorisation however, due to on-going discussions between Council and the Minister's Department about the nature of the material to be exhibited. It is expected the authorisation will be received over the coming weeks, and the amendment exhibited prior to Christmas.

**G21 Environment Pillar**

G21 is a formal alliance established in 2003 by five local government authorities. It is a not-for-profit organisation and is a company limited by guarantee. It is funded by the five councils, but has a broad community membership base. G21 provides a forum to discuss regional issues across interest groups and municipalities. G21 discharges its functions in a number of ways, the principal one being through a number of functional 'Pillars'. These are coalitions of people and organisations within the community who share a common interest and come together to advance it. One of these pillars is the G21 Environment Pillar.

The Environment Pillar was one of ten inaugural G21 Pillars. It drafted the Environment component of the first G21 'Geelong Region Strategic Plan' published in 2003. Many of the strategies identified in 2003 have been implemented and/or integrated into the actions of other Pillars. Many have been completed: regional salinity mapping, the G21 secure water study and supply audit, a regional waste to energy strategy, and formation of a climate change alliance are examples. Some of the 2003 strategies have migrated into the subsequent 2007 plan.

A workshop was held on 10 August 2009 with members of the Environment Pillar working group to identify opportunities to develop regional projects that will help protect, enhance and restore the environment. The themes that were examined included water, coasts, pest plants and animals, biodiversity, urban life, carbon capture and renewable energy, climate change and sustainable agriculture. A large number of projects were identified for each theme. The information will be collated by the facilitator and discussed in detail at the next meeting.

### **Forestry Auditing 2009**

The increase in forestry on private land increases the need for industry to work in partnership with local communities. There are several significant issues associated with the management and harvesting of plantation timber. These include impacts on water catchments and streams, biodiversity, forested landscapes and significant archaeological, historic and other cultural heritage sites. The management of road infrastructure in areas where logging trucks operate is also an issue that needs careful attention.

The Code of Practice for Timber Production (2007) applies to all private land in Victoria that is being used for timber production. However, it is important to note that the code does not apply to plantations of less than five hectares. The code allows local governments to monitor plantation management, and where appropriate, enforce compliance works. A random auditing process is being carried out by experienced consultants on behalf of Council. The audits check establishment, maintenance and harvesting techniques and assess compliance levels.

Council's role in administering the code aims to help timber producers and the community work together to enhance the protection of environmental assets and improve an important regional industry. Accordingly Council is developing a web-based tool to help the industry work within the requirements of the code of practice. The web tool is currently being trialled by industry users and is expected to go live within the next few months.

### **Integrated Fire Management Planning**

With the tragic and substantial loss of life and property associated with the February 7 wildfires in Victoria the community is experiencing a heightened level of anxiety over preparedness for the coming fire season. Although the interim recommendations of the Royal Commission were not released until 17 August 2009, preparation work had previously been carried out by Council and other relevant agencies in order to be better prepared for the 2009/2010 fire season. The large number of initiatives being undertaken can be broken up into three groups based on Council's level of involvement and responsibility as follows:

- Council led initiatives:
  - Municipal Emergency Management arrangements;
  - Municipal Fire Prevention Plan – implementation; and
  - Municipal Fire Prevention Committee (MFPC).
  
- Initiatives where Council is partnering with other agencies:
  - Integrated Fire Management Planning (IFMP);
  - Municipal Fire Management Planning Committee (MFMP);
  - Victorian Fire Risk Register (VFRR);
  - Otway Township Integrated Wildfire Management Framework/Plans (TIWMP);
  - Trial Guidelines – Wildfire Risk Management Approach to Community Events; and
  - Wildfire Tourism Engagement Project (WTEP).
  
- Initiatives where Council is providing support upon request:
  - Township Protection Plans (TPP);
  - CFA Community Education; and
  - Community Fire Plans.

It is important to highlight that a significant amount of work has been carried out by Council over the past three years which places Council in a strong position with regard to its fire prevention responsibilities. This has been further progressed and has been given a broader focus with a new internal structure being implemented and a range of projects initiated since the last fire season and although many of the projects are yet to be completed a large amount of progress has been made. The work undertaken by Council has largely been coordinated by Council's Municipal Fire Prevention Officer (MFPO).

Due to the amount of work occurring in relation to fire management this year Council arranged for a six month secondment from CFA to ensure there was no lull in productivity. Council appreciates the support given by CFA to allow this to occur.

The findings from the Royal Commission are likely to have implications for Council but it has not been appropriate for Council to pre-empt the recommendations. Accordingly Council needs to focus on carrying out our responsibilities under the MFPP, continue to contribute to IFMP, support TPP development processes and also work closely with partner agencies to develop clear and consistent messages for the community before the next fire season.

Now that the interim Royal Commission findings have been released, Councils and all other agencies will be reassessing the situation to ensure that the recommendations' oblique directions are addressed.

#### **Visitor Information Centres**

Colac VIC is due to commence an internal refurbishment to provide more tourism information and retail sales space as well as providing upgraded amenities for volunteers and paid staff. Visitor numbers are lower as expected over winter.

#### **CSIRO**

The first stakeholder workshop for the Apollo Bay the Sustainable Communities Initiative has been held with over 25 local people attending.

The project involves CSIRO working with the Apollo Bay community to identify various visions for the future and work towards a common understanding. It will be a community workshop approach backed up by CSIRO research into key issues such as strategic solutions to land use development, tourism development, population change, future resource viability and infrastructure development to accommodate change.

#### **Federal Government Jobs Fund**

Council has not yet been advised on the result of three applications submitted to the Jobs Fund. Council have auspiced an application for Colac Community Hub Inc for the development of a Business and Home Environmental Auditing Team. An application for the Apollo Bay Transfer Station was submitted as well as a project to construct a concrete pathway from CRF to the Bird Reserve along the Lake Colac foreshore.

The Federal Government is encouraging further applications.

#### **Small Towns Improvement Program**

An application to RDV has been submitted for \$60,000 to contribute to the upgrade of the Lavers Hill Hall Kitchen. If successful, this funding will be added to the contribution from Council of \$15,000 and an in kind contribution from the community of \$6,500 to bring the kitchen up to a commercial standard. This will allow for greater use of the hall in the future.

Other projects to be undertaken under the Small Town Improvement Program include a new playground for Birregurra Park, town entrance signage for Cressy, a Township Master Plan for Skenes Creek and signage at various localities across the Shire.

**Attachments**

Nil

***MOVED Cr Lyn Russell seconded Cr Stuart Hart that Council receives the CEO's Progress Report for information.***

***CARRIED 6 : 0***

**OM092608-2 REGIONAL STRATEGIC PLANNING INITIATIVE  
PROGRESS REPORT**

AUTHOR:	Rob Small	ENDORSED:	Rob Small
DEPARTMENT:	Executive	FILE REF:	GEN00477

**Purpose**

The purpose of this report is to keep Councillors informed of the development of the G21 and Great South Coast sub regional groups into the Regional Strategic Plan. It is also to keep Councillors apprised of the progress towards a State-wide regional strategic plan based on this input.

**Declaration of Interests**

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

**Background**

The Premier, John Brumby announced the Regional Strategic Planning Initiative on 3 June 2008. The Regional Strategic Planning Initiative aims to provide for a long term plan to manage growth and change in regional Victoria.

A Ministerial Task Force on Regional Planning Chaired by the Minister for Regional and Rural Development the Hon. Jacinta Allen, has been established to oversee the work and consult widely in Provincial Victoria. The Taskforce also includes Ministers, Madden, Helper, Batchelor, and Neville.

The Regional Strategic Planning Initiative has been in the implementation phase now for most of this calendar year and has two layers.

A. State wide regional strategic planning that includes:

- Development of an evidence base on strategic planning and policy in key elements of regional planning including population settlement, land use development, infrastructure and investment, employment and job skills, water, climate change etc . This work will culminate in the development of an outlook paper.
- A regional engagement program in which members of the task force can conduct round table discussions in regional locations-the first series of this was conducted in December 2008, the second series took place in March.
- The development of a state-wide integrated regional statement/plan tentatively titled "Provincial Victoria-the next decade" to be released November 2009.

B. Regional Strategic Planning (RSP) that includes:

- Development of RSPs in each of the five government administrative regions, some RSPs are being developed in subregions according to the preference of regions.
- The process to develop regional plans is being facilitated by RDV and DPCD and through leadership roles of RMFs.
- Regions will have a template outlines key elements and requirements of a regional strategic plan so that it aligns with the state wide plan for regional



Victoria. Regional priorities and strategies to be developed by mid 2009 to inform the development of a state wide plan.

- Regional Plans will be released as they are completed over the period 2009-2010.

The regional discussions occurred in late May with several Councillors attending the workshop in Geelong with MP Lisa Neville. In the meantime both G21 and Great South Coast have continued to develop the key Sub Regional priorities.

There is a good deal more detail to add to the strategic plan as can be seen from the Great South Coast work plan (attached).

### **Council Plan / Other Strategies / Policy**

The current Council Plan provides under its leadership objective:

Lead the community in responding to current and long term sustainability challenges facing the municipality.

Key action of that strategy is:

Pursue the development of a collaboratively developed sustainable population strategy that takes into account the demographic, social, environment, economic, land use and leadership factors that make a great municipality.

### **Issues / Options**

Council may opt not to be involved or informed or participate fully in the process or to ensure that it is fully involved. Council is involved in both the G21 group and the Great South Coast group. Council may opt to be involved with either group or both

While the process is being conducted at a sub-regional and regional level the Council must ensure that it is in agreement with the outcomes of both the G21 AND Great South Coast Plans as they emerge. Failure to participate could put this community at a disadvantage since its needs would not necessarily be fully represented. Being involved in both groups is a significant advantage since it allows us to influence both outcomes.

### **Proposal**

Council continue with its involvement with both the subgroup Regional strategic plans and the Council notes the progress to date.

### **Financial and Other Resource Implications**

The principle contribution is staff time and the current payments that we make to both subgroups.

### **Risk Management & Compliance Issues**

Involvement is an expectation of the State Government and our peer Councils.

### **Environmental and Climate Change Considerations**

Environmental considerations will be represented through the process.

### **Communication Strategy / Consultation**

As the outcomes become more apparent Council will be briefed regularly and the community will be informed as appropriate.

### **Implementation**

The CEO and senior General Managers and Managers will continue to have input into the process. As the proposals are being elaborated on Council will have an opportunity to workshop the issues.

**Conclusion**

This is a valuable process that will inform future State policy, strategy and funding of key regional, sub-regional and local projects and programs.

**Attachments**

1. G21 Key Issues Submission
2. Great South Coast Key Issue Submission
3. Regional Priorities Summary for Victoria
4. Great South Coast work plan

***MOVED Cr Lyn Russell seconded Cr Stuart Hart that Council notes the progress of the regional strategic plans to date.***

***CARRIED 6 : 0***

DRAFT



**Regional Strategic Planning Initiative – Mid year input to the State-wide process**

In providing input to this initiative, G21 has the benefit of its widely endorsed 2007 Geelong Region Plan based on extensive data collection and analysis plus significant community consultation. This Plan is reviewed annually to assess any developing gaps and this process has been utilised to provide input to this initiative.

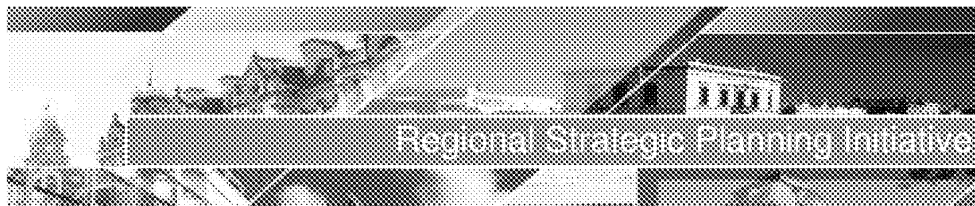
The work has shown that the 2007 Plan is still relevant with no significant gaps. However, subsequent events such as the Global Financial Crisis have changed the priorities of some issues raised in the original Plan.

This raises a dilemma as the State's Regional Planning Initiative laudably seeks to take a 10-15 year view. There is therefore a risk that economic factors arising from recent events may result in over concentration on economic and employment issues. G21 has been mindful of this in preparing the attached input and has taken a longer term view of the priorities for its region.

As the G21 Plan noted, many of the factors that underpin current issues and priorities are multi faceted. For example, public transport is an economic, social, planning and environmental issue. As a result, such issues can appear as challenges under several priority areas.

While acknowledging the need to segment issues under headings such as liveability, productivity and sustainability, it is the amalgam of these issues that is important.

Given that our planning as a region is advanced and detailed, we could list many challenges under each priority heading. Our approach has therefore been to list only key challenges under each of the priority areas and focus on our top level goals under your 'Outcomes' heading.



## Goals and Strategies for Developing the G21 Region

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### Regional Priority 1

**Title:** Refocus our economy

**Theme:** Strong regional economies by supporting businesses in our private and community sectors.

**Objective:** The objective is continuing adjustment of the regional economy in the face of global forces impacting on the region's traditional economic base of manufacturing and agricultural processing and thus on our communities. This involves building on our existing strengths and competitive advantages, particularly working with our largest industries.

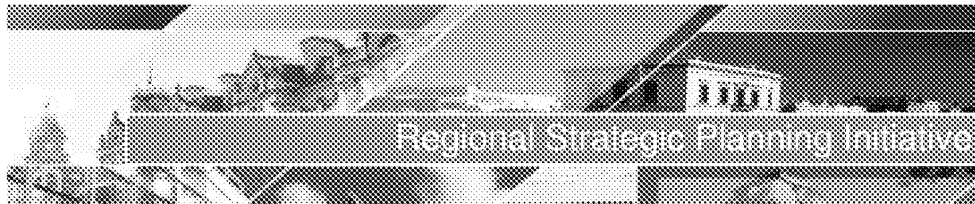
We want to:

- Strengthen the investment in our key existing industries through innovation and enhanced competitiveness.
- Build a workforce that is competent through building the essential skills and education needed to develop a service and knowledge based economy.
- Strengthen the services that help attract and retain a knowledge-based workforce, eg arts facilities, high end shopping, continuing education opportunities.
- Address direct and indirect impacts of social and economic exclusion to increase workforce participation, access to essential services and social equity.
- Increase the supply of appropriately zoned and serviced land that can be readily and rapidly made available.
- Develop strong awareness of the region's strengths among private sector decision makers that clearly differentiates our region from Melbourne.
- Reduce gaps or inadequacies in infrastructure including broadband access and tourism infrastructure as well as transport links that maximise the value of recent major works (Princes Highway, Geelong Ring Road).
- Expand public transport options that connect our people to a range of services including child care, education, training and employment opportunities.
- Ensure access to affordable water in areas where this limits the ability to capture growing opportunities such as intensive animal production.
- Manage the impact of emissions controls in an economy with a very large carbon footprint.

**Context:** Data to support the above is available from sources such as ABS, SEIFA and a range of government agencies (eg DPI, DHS, DPCD, and RDV).

**Outcomes:** The priority is seeking to identify and drive changes that will provide a robust economic base and thus jobs for the region. It must be built upon the region's inherent strengths and developing competitive advantages.

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## Regional Priority 2

**Title:** Create sustainable settlements

**Theme:** Regional settlement and coordinated land use planning for optimal regional lifestyles.

**Objective:** The population of the G21 region has been growing strongly over many years, largely accelerated by Treechange and Seachange immigrants who are primarily from Melbourne, drawn to perceived quality of life and lower living costs. Recent studies confirm that this approach improves value for the State and mitigates the pressures of peri-urban development. This is broadly welcomed by the G21 region; however, effective planning is essential to avoid unintended, and potentially negative, consequences.

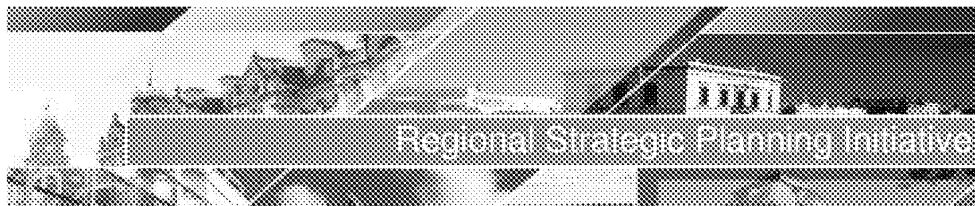
We want to:

- Actively engage the G21 community to play a role in including new arrivals in broader community activities and organisations so regional knowledge, skills and assets are enhanced.
- Strengthen our planning frameworks so that growth is directed to areas that can sustain it and make best use of existing infrastructure, while avoiding areas that will suffer adverse impacts from environmental or socio-cultural consequences.
- Increase the present and future liveability of the region by providing the resources people need for community health and wellbeing, including physical infrastructure (water, power etc) social (services and facilities), and community infrastructure (local clubs, groups, recreational facilities and amenity).
- Ensure public transport options address specific needs such as a growing yet dispersed ageing population that needs to be well connected to services centralised in major population centres.
- Improve transport links to Melbourne that provide real benefit to our residents and also stimulates visitor flows.
- Plan and resource adequate infrastructure that ensure growth in visitor flow does not compromise local amenity and facilities such as public rest rooms, beach access, traffic conditions etc.

**Context:** Demographic data is available from Victorian government statistics and studies commissioned by G21. The Victorian Regional Cities group has released research on relative development costs that support analyses commissioned by G21. Studies by the State and Federal governments have highlighted potential environmental issues facing the region.

**Outcomes:** The changes will benefit the State as an efficient alternative to expanding Melbourne and offer triple bottom line benefits to the region without impacting on the liveability that attracts residents and visitors.

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### Regional Priority 3

**Title:** Strengthen our communities

**Theme:** Creative, innovative, self-reliant, healthy, and inclusive communities

**Objective:** Across the G21 region, everyone should have an opportunity to participate in their community through employment & training, in the workforce and by contributing to local community wellbeing.

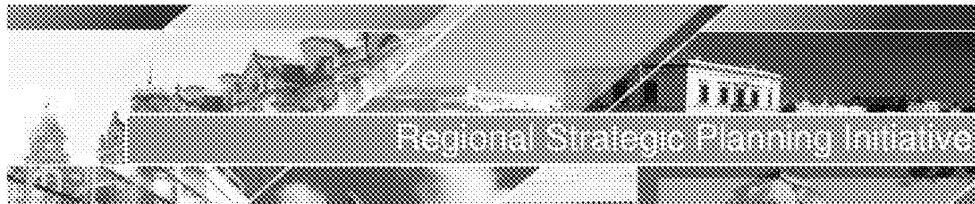
We want to:

- Develop an integrated approach to life long learning that delivers the skills for our regional workforce through ongoing education & training and enhanced quality of life through learning opportunities.
- Build capacity across our communities to empower local participation, shared responsibility and engagement in planning and contribute to community health, safety and wellbeing.
- Address underlying issues that compromise housing affordability, particularly where socio-economic disadvantage is concentrated and gentrification/lifestyle has inflated property values.
- Reduce the severity of localised disadvantage in some communities, and in particular, tackle the unprecedented challenges to the health, wellbeing and development of children in these communities.
- Develop community capacity and infrastructure that reflect our diversity, creativity and cultural identity, to boost engagement of our people in our community.

**Context:** Data on educational levels and social disadvantage are available from SEIFA, ABS and other government data sources. DHS has data on issues in areas of particular disadvantage such as Corio-Norlane. G21 has also commissioned research on problems with access to advice on job and training opportunities and on areas of disadvantage in the G21 region.

**Outcomes:** The changes are seeking to reduce the chances of people being left behind as the economy and society undergo significant change in the face of global economic forces and population growth.

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#### Regional Priority 4

**Title:** Protect and enhance our environment

**Theme:** Integrated management of water resources, catchments, natural resource assets, natural environments

**Objective:** The region has extensive coastline with iconic features such as the Great Ocean Road as well as major primary industries. These are under threat from climate change and the intention is to identify the key issues for the region and implement changes to adapt to these.

We want to:

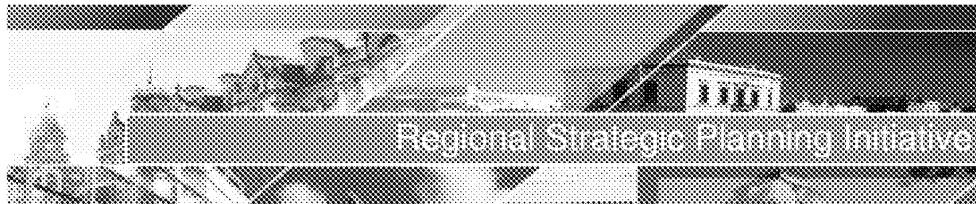
- Clearly understand the key issues for our region, given the plethora of studies, data and plans as well as the complexities of different tiers of government policy
- Mitigate against significant risks to community health and wellbeing from increased temperatures and spread of disease vectors, in particular for community members who are more vulnerable to these risks
- Identify and address major impacts on coastal infrastructure, the pattern of primary industries and on biodiversity; all of which underpin productivity and liveability
- Plan and execute effective emergency management, especially in response to wildfire, acute weather conditions and drought
- Understand and share the risks generated by changes to the pattern of development
- Maximise benefits and manage impacts as we transition to a low carbon economy
- Ensure access to nutritious, affordable food produced with least possible environmental footprint

**Context:** An array of State and Federal Government reports has canvassed a wide range of potential issues. The recent State Government Green Paper has commenced the process of focussing these. Further work is required at the local level.

**Outcomes:** The changes seek to position the region well to mitigate impacts and adapt to climate change. Achievement of our goals will enable us to understand and manage the changes and even benefit from some of them (eg opportunities in the primary industry sector).

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## Regional Priority 5

**Title:** Working together to make it happen.

**Theme:** Balanced, high quality and accountable governance arrangements.

**Objective:** The G21 region has well developed mechanisms for planning and working at a regional level, with strong community engagement and support. Maintaining the resources required to undertake this is a challenge for the local community especially when regional priorities are not always accepted by other levels of government. The intention is to bolster and improve the current coordination arrangements.

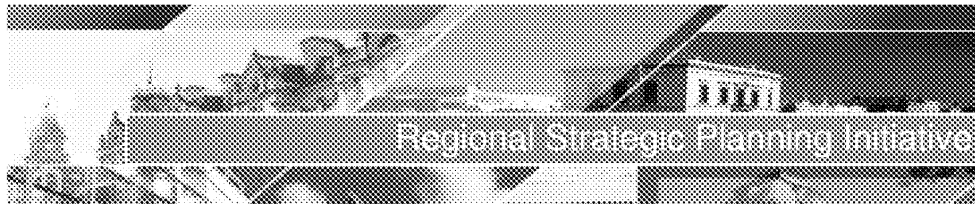
We want to:

- Optimise communication between State, Federal and regional tiers of government and effective coordination of related programs
- Empower communities to participate in priority setting for the region
- Secure resources to enable us to better understand trends in our region, develop initiatives to respond to these and measure our success. This involves access to up-to-date data at a regional level and resources to allow proper analysis of this and the development of projects; something the current project based approach does not readily allow.
- Consolidate commitments from State and Commonwealth government departments to supporting regional priorities and processes.

**Context:** Mismatches between State and Federal initiatives are well documented and underpin recent efforts to better coordinate these. Access to data that can assist in targeting efforts in the region is often problematic. Lack of coordination across government silos is endemic. There is also a reticence about consulting with regional groups by some agencies. Local government notes that some of their plans and initiatives are overturned at State and Federal level, often without explanation.

**Outcomes:** The changes will produce a more robust and dynamic planning and implementation regime that facilitates coordination across levels of government and with the community, to provide better targeting of resources to key goals.





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### **Summary of methodology**

In 2006-7, a wide range of regional data was collected by G21 and specific studies commissioned, with the assistance of a number of State Government agencies as well as local government and private sector partners. The reports and data are available on the G21 website at G21.com.au.

This information was used as the basis for a G21 Region Plan in late 2007. This involved extensive consultation with stakeholders and the local community. The final report was endorsed by all five regional Councils and incorporated into their strategic planning. It is also widely used by other organisations for planning purposes. The very fact that the region is widely known as the 'G21 Region' attests to the success of this approach.

G21 operates through eight Pillars, each with a membership drawn from regional bodies involved in the field, including relevant State and Federal Government agencies. In early 2009, each Pillar reviewed the 2007 Region Plan and its work program in the light of current circumstances. This included consideration of the impact of recent events such as the Global Financial Crisis and climate change data and programs.

Conclusions from the above work were supplemented by strategic plans developed by each of the G21 Councils and data and analysis provided by the State Government for the current regional planning initiative.

This work concluded that there were no gaps in the 2007 G21 Region Plan but that some priorities had altered over time. Subsequent work has focussed on these priorities.

The proposed priorities were further discussed at roundtables of local leaders with representatives of the Regional Planning Ministerial Taskforce, meetings with elected members across the region, regional managers of State Government agencies and circulated to an internal network of some 500 local stakeholders as well as to a larger audience of some 9000 people across the region.

This process has confirmed the above priorities. The work also highlights that many of the priorities are inter-related and based on a number of common, underlying factors.

**Regional Priorities 1/5**

Title: Climate Change / Carbon Pollution Reduction /Renewable Energy

**Theme:** In response to the likely impacts of climate change, the Great South Coast acknowledges the need for adaptation and mitigation action. Industries will be affected by the environment as well as State and Federal government policies, agreements, international trade regimes and monetary policy adjustments. Extreme heat events and the development of new disease vectors will present the health sector with new challenges. More frequent and extreme events such as heatwaves, bushfires, storms and floods will challenge the capacity and responsiveness of emergency services.

The escalation of climate change impacts and development of appropriate adaptation and mitigation responses will stimulate the growth of new climate change related goods and service industries. A range of existing industries are well positioned to exploit climate change opportunities in the areas of water management technologies, biotechnology, specialised engineering (including coastal engineering), construction and design, education, financial and legal services and renewable energy technology.

The region understands the need to keep pace with technology, evolving national and international policy to achieve the best outcomes for the nation, Victoria and local Great South Coast households, communities, ecosystems and businesses. The Great South Coast is poised to deliver carbon pollution reduction for households, emergency management, natural resource management, land use planning and agricultural sectors such as dairy and forestry. Effective carbon pollution reduction policies and programs will be delivered through intergovernmental partnerships, regional business, industry organizations and local leadership.

**Objective: That the GSC Region is recognised as a State and National hub for renewable energy investment and new energy development.**

**Context:** The Renewable Energy Target (RET) is a key mitigation strategy for the renewable energy industry. With the appropriate policy settings the RET will stimulate Australian investment in the order of \$25 billion in clean energy infrastructure and tens of thousands of jobs in both existing and emerging clean energy technologies, stimulating a diverse range of industries, many of which will be located in regional areas (Submission to the RET Exposure Draft Legislation, Pacific Hydro Pty Ltd 2009)

GSC industries most vulnerable to the Carbon Pollution Reduction Scheme include manufacturing milk/food processing and primary production (Macroplan, June 2009) and environmental changes will affect biodiversity, agriculture (Biodiversity Green Paper ( 2008); Future Farms Discussion Paper (2009)) and tourism. The primary production sector is highly dependent on the maintenance of ecosystem services such as insect pest control, pollination, maintenance of soil health, and water filtration. The productivity of the agricultural sector is therefore vulnerable to decline in the health and spatial distribution of ecosystems which provide these services.

The Great South Coast is currently committed to innovation across renewable energy investment; carbon sequestration, timber assets, the development of a Climate Change Adaptation Framework for Local Action and tourism research and development to understand the impact of climate change on tourism.

Renewable energy projects include two gas-fired power stations, nine wind farms and geothermal energy plants. Santos has announced plans for an \$800 million power station at Orford, while Origin Energy is proceeding with a \$1.5 billion facility at Mortlake. Victoria’s first commercial geothermal pilot plant is planned for Koroit and “Hot Rock” is planning a \$7 million geothermal test well followed by a 1MW pilot plant , operational in 2009. When the new power stations and wind farms reach full potential, they will produce electricity for about 4million homes. Spanish wind power company Union Fenosa has announced plans to build five wind farms at a cost of \$1.9billion. AGL Energy is planning the Oaklands Hill wind farm near Glenthompson, north of Warrnambool. AGL is also involved in construction of Australia’s largest wind farm at Macarthur. This \$850 million project will cover 5500ha with 150 turbines. The project is expected to generate enough electricity to power a city the size of Geelong, with first energy to begin feeding into the grid by 2011.

Strategy	Outcomes
Renewable Energy Investment Establish State renewals strategic level planning commitment	Reduced carbon emissions/ Contribution to Australia’s CPRS targets Accelerated activity, Improved integration of investment outcomes
Adoption of the Southern Grampians: Glenelg Climate Change Adaptation Framework for Local Action	Contribution to Australia’s CPRS targets Community participation, resilience and adaptation Increased food security
Development of GSC Climate Change Adaptation and Mitigation Implementation Plan	Tourism / Eco tourism resilience and adaptation Improved transport, Increased capacity of ecosystems to support change
Development and implementation of monitoring framework.	Integrated regional emergency management response

	Sustainable drainage, flood management, coastal management and water efficiency and security Increased evidence based and inter-sectoral land use planning
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## Regional Priorities 2/5

**Title:** Natural Resource Management

**Theme:** The terrestrial and aquatic systems are vital resources which underpin the economic and liveability strengths of the Great South Coast Region. The cornerstone of the region's primary production industries is soil and water resources and the environmental services which natural ecosystems provide free of charge. Likewise tourism, and particularly nature based tourism, relies heavily on the integrity of the natural resource base for the continued attraction of both national and international visitors to the region.

The effective management of these resources will ensure that the region maintains its capacity to provide essential goods and services at regional, national and in some cases international level. These natural systems are also the foundation of many of our recreational and cultural activities, and contribute to the spiritual well being and sense of place experienced by many communities of the GSC region.

**Objective:** Enhancement of the relative advantages underpinning natural systems values and primary productivity security.

**Context:** The combination of increasing population, acceleration of land use change and climate change are placing unprecedented pressures on terrestrial and aquatic systems state and nation wide. Although the GSC Region is relatively well placed to manage the impacts of climate change, the increasing attractiveness of the region for primary producers, new age energy investments, and as a place to live and raise a family, will require a much more targeted and coordinated natural resource management effort than has occurred in the past. There is a strong need to actively protect natural assets and the range of environmental/ecosystem services (ie improved water quality, flood storage, carbon sequestration, and provision of habitat for bases of marine food chains) which support the industries and settlements of the region. Estuaries, coastal waters, forest areas, and terrestrial fresh water aquatic systems provide a wide range of environmental services which are a critical component of the natural, economic and liveability advantages of the region.

Water security will be a key driver for capital investment and land use change in the region. Water security strength is tied to coastal rainfall patterns, and the reliability of supplies sourced from the Otway Ranges, shallow coastal aquifers and the massive Dilwyn aquifer. Better use of rainfall and the sustainable management of the natural supply systems will meet demands forecast for residential industrial development of the region through to 2055 and will provide for some potentially creative options for greater agricultural activity water security..

At the same time the natural systems of the region are stressed.. Apart from the Otway catchment, more than 90% of the rivers are in poor to moderate condition. There are significant areas of dryland salinity and soil acidification. The native vegetation quality of the majority of the region is classified as low. Apart from the Otway ranges, the Grampians and the forests of the far south west corner of the state, only small isolated patches of once extensive ecosystems remain. The Basalt Plains Grassland is particularly vulnerable as a result of incremental clearing associated with road works and other infrastructure works. Agricultural land use changes such as raised bed and broadacre cropping, rock crushing and subsequent pasture improvements, increased use of pivot irrigation systems, and bluegum farming have seen an acceleration of the loss of native vegetation on private land resulting in shrinking habitats for a range of threatened species. Overland effluent flows from agricultural land and residential areas contribute to the nutrient loads of surface waters and aquifers resulting in diminished water quality and algal bloom outbreaks at increasing frequencies. Forecast climate change reductions in stream flows will exacerbate the impact of nutrient loads particularly in the river estuaries of the far south west.

Due to the highly modified and fragmented nature of the landscape, our biodiversity is extremely vulnerable to the impacts of climate change, in particular drought. It is essential that resilient connected ecosystems are identified and targeted for enhancement. The significance of the ecosystems associated with the Otway Ranges must be recognised in economic investment programs.

Long term viability of many species will be augmented by the creation of biolinks throughout the landscape. The re-creation of a network of interconnected ecosystems on both public and private land at a landscape scale must be a priority for regional investment. An economic analysis of ecosystem services associated with the regions forests, heathlands, riparian zones, rivers, estuaries and coastal waters is needed to inform both natural resource and economic investment priorities.

Economic development models have traditionally failed to adequately integrate social and environmental policy into economic investment priorities. Realisation of truly integrated economic / social / environmental investments requires a strengthened commitment to developing new ways of managing information exchanges, community networking and regional governance structures.

<b>Strategy</b>	<b>Outcomes</b>
Wannon Water Water Supply Demand Strategy 2007-2055 Barwon Water Water Supply Demand Strategy 2007-2088	Urban water supply security in the continuation of current dry conditions with provision for new processing and other new industrial demands.
Western Region Sustainable Water Strategy 2009-2055	New resource management structures for groundwater Research commitment to identifying sustainability parameters
Our Environment Our Future: Victoria's Environmental Sustainability Framework 2005 Victoria's Nature Based Tourism Strategy 2008-2012. RSPI Working Paper: Integrated Regional Planning in Victoria Future Farm Strategy RSPI Working Paper: Climate Change & Biodiversity Victorias Climate Change Framework: White Paper 2010	

### **Regional Priorities 3/5**

Title: Regional Capacity Building

**Theme:** Capacity building better enables evidence to drive outcomes within a more knowledgeable region and a region accordingly better able to articulate its vision and its plans and directions on how to achieve its vision. Capacity Building in the GSC RSP context is about achieving and sustaining regional co-operation, supporting and developing regional and local planners, engagement and partnerships with stakeholders including state and federal government departments and authorities, non government agencies; education providers, business, industry and the community.

Objective: To increase local capacity to plan for the future and deliver optimised results in that future.

**Context:** Current and emerging challenges clearly establish a strong case for integrated regional strategic planning. Regions which succeed in extending existing capacities will be the regions which better succeed in establishing robust connections with and systematic responses to globalisation. Capacity building better enables success in synchronised economic development and builds community confidence in dealing with environmental driven physical change as well as social adaptation. Demographic change associated with the greying of Australia will impact on regions in particular ways with solutions for any region creating opportunities for early adoption or early adaption in this region. Capacity building will lead to more effective governance and to more effective structures for service delivery.

The GSC commitment to capacity building will increase opportunities for cooperation and integrated management, achieve planning systems integration and co-ordination; strengthen regional governance and develop effective systems for effective community participation. These strategies aim to prolong and multiply the benefits of regional strategic planning.

<b>Strategy</b>	<b>Stakeholder</b>	<b>Outcome</b>
Building a GSC planning coalition GSC RSP – Governance Regional Management Forum	Mayors and CEO's of LGA's BSW Regional Management Forum participants	Enhanced regional planning Sustained regional co-operation Integrated and co-ordinated regional planning Leadership in integrated and co-ordinated regional planning

		Increased regional focus on state policy development
Shared information, knowledge, tools and resources Research, analysis, data, data monitoring and evaluation Training and skill development Integrated cross sector partnerships Shared planning including scenario planning Discussion and debate Networking and training GSC communication plan implementation	LGA Executives and Councillors Municipal planners Area Health Planners DSE, DPI, NRM planners Industry, business, NGO, government, education Regional Development Australia Committees Catchment Management Authorities Water Authorities	Integrated and co-ordinated regional planning and development Improved evidence base for planning Improved local networks and communication Organisational development Workforce development Partnerships Enhanced regional strategy development, priority setting and problem solving
GSC communication plan implementation Shared information, knowledge and resources Engagement scenario planning	Community	Community participation in GSC RSP planning and evaluation processes Increase social inclusion Improved regional planning

## **Regional Priorities 4/5**

Title: Infrastructure Improvement

**Theme:** Achieving economic, environmental and social dividends by more focussed investment in hard and soft infrastructure. A blue print for advocacy and planning has been developed (Great South Coast Sustainable and Investment and Development Framework 2007).

**Objective: Realisation of comparative advantages sooner by focussed programs addressing infrastructure investment opportunities across transport, communication, water supply and reuse, and service model reform.**

**Contexts:** Planning - Road transport opportunities and knock on effects for the GSC region associated with the Geelong bypass project have been poorly understood and / or anticipated. The GSC region requires early focus on the intended and unintended outcomes to avoid a prolonged period of suboptimal outcomes and delayed response. Water resource planning indicates that urban water supply infrastructure and supply security represents a comparative advantage in that urban supply capacity (residential, business, processing) looks sustainable through to 2055. Opportunities exist for a similar position to be achieved for the rural industries linked to groundwater resources. The opportunities emerging via the new energy sector and the green energy sector require support across transport and systems management (salt waste) with better planning and coordination able to contribute to the accelerated implanting of this new sector.

Economic – There is potential for conflict between economic development, tourism and liveability in the region. There will be a massive increase in the number of heavy vehicles on local roads as a result new projects in the region especially mineral sands and blue gum harvesting. This has the potential to compromise safety for tourists to the area and also local residents.

Social - Older people in the country hang on to their licences as there are very limited alternative transport options available. Lack of and affordability of taxis in rural areas - of some 24 towns in the six LGAs in the south west only 9 have a taxi service – Casterton has recently closed down. Taxis are a costly form of regular transport Community transport services are generally limited to the HACC and disability sector and used mainly for long distance transport to medical specialists. Improve access is needed to extend availability so to other members of community who are transport disadvantaged.



<b>Strategy</b>	<b>Outcomes</b>
Road Hierarchy and Network Development Plans for Colac, Warrnambool and Hamilton (to be developed)	<ol style="list-style-type: none"> <li>1. Identification of bypass needs, future arterial (freight) routes</li> <li>2. Improved linkages to industrial estates</li> <li>3. Urban growth projections to be understood and integrated.</li> </ol>
Improved Highway and Highway Linkage Plan (from VR Region Plot)	<ol style="list-style-type: none"> <li>1. Continued improvement (duplication, passing lanes) for the Princes H'way</li> <li>2. Major rehabilitation of Hamilton Highway (Geelong-Hamilton)</li> <li>3. Interconnection upgrades between Princes and Hamilton Highways (Foxhew Road upgrade, Colac links to the north)</li> <li>4. Great Ocean Road links to Princes Highway to be upgraded.</li> </ol>
Green Triangle Priority Infrastructure Projects 2009/2014	<ol style="list-style-type: none"> <li>1. Enhanced rail feeds from South Australia to the Port of Portland</li> <li>2. Improvement to freight and passenger rail services to Warrnambool</li> <li>3. Review opportunities for scope of Port of Portland capacity improvements for receivable and transfer</li> <li>4. Princess Highway West Upgrade</li> </ol>
Victorian Transport Plan	<ol style="list-style-type: none"> <li>1. Getting There and Back Coverage for Warrnambool, Corangamite and Moyne (Transport Connections Fund-TCF).</li> <li>2. Bringing Communities Together Coverage: Colac Otway and Surf Coast (TCF).</li> <li>3. Two Rivers Coverage: Southern Grampians and Glenelg (TCF).</li> <li>4. \$15 m for Colac/Lavers Hill upgrade.</li> <li>5. \$340m for the Green Triangle Freight Upgrade (see Strategy above)</li> </ol>
Western Region Sustainable Water Strategy 2010-2055 (due late 09)	<ol style="list-style-type: none"> <li>1. Reformed management of groundwater resources.</li> <li>2. Exploration of opportunities for creative use of water, reclaimed water.</li> </ol>
Broadband Access Improvement Strategy (to be developed)	<ol style="list-style-type: none"> <li>1. Evidence based engagement with telecommunication providers</li> </ol>
Power Supply Demand Review (to be developed)	<ol style="list-style-type: none"> <li>1. Understand limits and opportunities for new/green energy accessing of existing infrastructure</li> <li>2. Improved dairy industry supply security</li> </ol>

## **Regional Priorities 5/5**

Title: Growing Skills and Jobs

**Theme:** Continuing economic prosperity requires skilled and trained workers capable of meeting current and foreseeable needs of industry. The challenge is to develop productive communities to provide and develop skilled labour for "green jobs"; primary production including forestry, tourism and renewable energy industry together with the provision of professional social, community & health services. The Great South Coast Regional Strategy must focus on both attraction of skilled workers, training and education infrastructure to meet these challenges

**Objective:** A skilled informed workforce capable of meeting current and foreseeable needs of the region.

**Context:** Labour and skill shortage has been identified as a key issue by municipal planners contributing to the Regional Strategic Plan. In addition, the consultation process for the Great South Coast Sustainable Investment and Development Framework (2007) identified that shortage of unskilled, low-skilled and professional labour was one of the most frequently mentioned investment constraints.

<b>State Policy* Directions and GSC Strategies</b>	<b>Outcomes</b>
<p><b>Working Victoria: Victoria’s Workforce Participation Strategy*</b>                      Develop and implement regional strategy to encourage unemployed people, new arrivals and people working in sectors adapting to change to take up VET and university training opportunities in order to develop competencies valued in the human services sector. Develop an integrated strategic and collaborative approach across all sectors for short, medium and longer term skills and jobs planning for the Great South Coast region.</p> <p>Utilise existing Local Learning Area Networks to strengthen partnerships between RTO’s and employers to obtain regional economic modelling for skills and jobs forecasting</p>	<p>Increased workforce participation                      Reduced skills and labour shortage                      Regional workforce plan                      Improved productivity                      Increase local capacity to supply “home grown” skills and labour for “green jobs” including but not limited to: carbon auditing; ecosystem services; plumbing and solar services; primary production extension and field services; forestry; water infrastructure; renewable energy engineering</p>
<p><b>Global Skills for Victoria and for Provincial Victoria*</b>                      Develop programs to assist with relocating families, improving the public perception of lifestyle benefits and remoteness from Melbourne Advocate for the continued funding of the Global Skills for Provincial Victoria program to attract and retain skilled migrants and their families to the Great South Coast</p>	<p>Reduced skills and labour shortage</p> <p>Skilled migrants with attributes compatible with developing a knowledge-based GSC regional economy.</p>
<p><b>Skills for Victoria / Securing Jobs for Your Future Skills for Victoria*.</b>                      The Great South Coast Regional Strategic Plan will</p> <ul style="list-style-type: none"> <li>• focus on both attraction of skilled works but also training within the region to meet these challenges</li> <li>• understand and collaborate to address industry and sector specific shortages and requirements for workforce innovation</li> <li>• develop a regional workforce plan including supply, demand and forecasting for labour and skills for existing, new and emerging industries and,</li> <li>• develop a regional skills database - match skill shortages with jobs</li> <li>• Identify and promote jobs pathways to lower secondary students to increase awareness of the VET system and opportunities undertaken in ACE and TAFE sectors</li> <li>• Develop a regional approach to career advice and counselling in a form that connects members of the community into regional labour markets and skills training opportunities</li> <li>• Develop a regional marketing strategy to promote the forecasted employment and skills environment into VET career pathways to students parents and adult trainees</li> <li>• Establish substantial regional presence across the GSC of a TAFE or University to provide industry and sector specific access to training and continuing education. Support Deakin University and RMIT as the major regional universities offering courses to address skill shortages, in fields such as medicine, nursing, health, engineering and town planning.</li> </ul>	<p>Improved GSC training infrastructure</p> <p>Understanding of GSC skills and business labour shortage relative to GSC sustainability, productivity and livability</p> <p>GSC partnerships with business, industry, private and public training providers</p> <p>Retention of youth / young people in the GSC region</p> <p>Reduction in early school leavers</p> <p>Increase in pathways from schools to jobs</p>

## Overview of methodology

### How did you go about developing, testing and prioritising regional priorities?

Summary of methodology or process undertaken to review evidence, develop regional priorities and reach regional level agreement.

- Formation of a Great South Coast project team in April
- Conduct of a scan across the six municipalities to gather the broadest picture of opportunities and of priorities fitting within and as well as apart from existing State Government policy alignments.
- Review of RDV working papers, relevant government policy, industry and business strategic plans, individual consultation
- Briefing session with Mayors and CEO’s

- Population demographic presentation with DPCD and Planisphere
- Workshop with 16 front line strategic planning and development officers across the GSC Councils (and interaction with DHS and RDV and VicRoads regional managers).
- Direct engagement (DHS, RDV, DPCD) as well as indirect engagement with State departments and agencies.
- Participation in DHS sub regional ( Southern Grampians: Glenelg and South West ) area based planning forums
- Individual consultation with each LGA
- Ministerial forum
- GSC RSP Land management, environment, water and natural assets forum
- Workshops and briefings with DPCD/RDV Strategic Planning staff and associated consultants.
- Development of a governance framework and exploration of the benefits of a regional communities reference group approach to apply post June to strengthen planning review processes, develop stakeholder awareness and build a regional strategic planning culture
- Attending DPCP Shaping Victoria forum
- Issues scan (DSE coordinated) across landscape, climate change, land use issues
- Draft documentation submitted to LGA CEO critique
- Positions as developed to be assessed by Great South Coast Councils in July with prospect of iteration to follow.

### **Requirement of Regional Strategic Planning Initiative of 11<sup>th</sup> June**

- Regional Priorities.....maximum of five.....up to one page per priority
- Title.....Theme....Objective.....Context (evidence)....Anticipated Outcomes
- One page report on methodology used

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#### **Regional Priorities 1/5**

Title: Climate Change / Carbon Pollution Reduction /Renewable Energy

**Objective: Recognition** as a State and National hub for renewable energy investment and new energy development.

#### **Regional Priorities 2/5**

Title: Natural Resource Management

Objective: Enhancement of the relative advantages underpinning natural systems values and primary productivity security.

#### **Regional Priorities 3/5**

Title: Regional Capacity Building

Objective: To increase local capacity to plan for the future and deliver optimised results in that future.



### **Regional Priorities 4/5**

Title: Infrastructure Improvement

**Objective:** Realisation of comparative advantages sooner by focussed programs addressing infrastructure investment opportunities across transport, communication, water supply and reuse, and service model reform.

### **Regional Priorities 5/5**

Title: Growing Skills and Jobs

**Objective:** A skilled informed workforce capable of meeting current and foreseeable needs of the region.

Region		Priority
HUME	1	Environment: Protecting and managing our natural resources while growing sustainable communities.
HUME	2	Communities: Build healthy, resilient and sustainable communities
HUME	3	Prosperity: Capitalise on existing opportunities and strengths to promote prosperity and vitality.
HUME	4	Transport: Deliver major efficiencies in all forms of transport within & through the Hume Region to optimise utilisation of the Hume and Goulburn Valley transport corridors.
HUME	5	Infrastructure: Addressing the challenges of infrastructure to support future residential, commercial and industrial opportunity
G21	1	Refocus our economy: Strong regional economies by supporting businesses in our private and community sectors.
G21	2	Create sustainable settlements: Regional settlement and coordinated land use planning for optimal regional lifestyles.
G21	3	Strengthen our communities: Creative, innovative, self-reliant, healthy, and inclusive communities
G21	4	Protect and enhance our environment: Integrated management of water resources, catchments, natural resource assets, natural environments
G21	5	Working together to make it happen: Balanced, high quality and accountable governance arrangements.
GSC	1	Renewable Energy / Climate Change - Build the GSC Region as a National hub for renewable energy investment. Protect and enhance liveability.
GSC	2	Natural Resource Management - Manage the natural capital of the region to improve the economic value and performance of the ecosystem services provided.
GSC	3	Capacity Building - Improve regional capacity to govern, plan and manage the future.
GSC	4	Infrastructure Improvement – Realise comparative advantage sooner by focused infrastructure investment in transport, communication, water.
GSC	5	Growing industry, skills and jobs
CH21	1	Lead Victoria in the development of environmentally sustainable industries and the creation of related employment opportunities
CH21	2	Access to Water - Improved reliability and sustainability of a water supply that enables growth and industry development in the Region.
CH21	3	Planning Reform - Establish a “fit for purpose” planning policy framework that supports growth and development across the Region
CH21	4	Regional Connectivity - Develop connectivity that enables the Regional community’s ready access to employment, education, social & recreation opportunities
CH21	5	Service Planning & Delivery - Develop the services and related infrastructure required to address current wellbeing and engagement issues and position the Region for future growth

Region		Priority
WSM	1	Innovative and Sustainable Agricultural Production
WSM	2	Diverse and Competitive Industries - (i.Enabling Infrastructure ii.Industry Development and Diversification)
WSM	3	Water Allocation and Sustainable Use
WSM	4	Liveability of Regional Communities
WSM	5	Regional Access to Education and Training -
Gippsland	1	Transport A - Integrated Intra-regional public transport network Transport B – Integrated Freight Transport Network.
Gippsland	2	An Integrated regional land-use growth strategy based on the economic and social development of the Gippsland region.
Gippsland	3	Improved connectivity through regional high-speed broadband access
Gippsland	4	A Gippsland Centre of Excellence for Sustainable Technologies: Strengthen capacity to understand impact of change including CPRS and provide leadership to position regional economic development.
Gippsland	5	An environmentally secure and sustainably developed Gippsland Lakes: Streamline governance and development processes for the 'lakes'.
L M North	1	Supporting small towns to survive and thrive: Establish a social contract with small towns to maintain or establish access to services and social opportunities.
L M North	2	Developing a robust economic base – responding to climate change, build upon regional strengths and support new industry including solar power generation
L M North	3	Improve infrastructure and transport services – Improve transport and telecommunications links across region, improve infrastructure to attract people and business to region.
L M North	4	Improve regional coordination and funding – Improve regional coordination to achieve better outcomes for the community.
L M South	1	Planning for growth and equity: Coordinate land use planning and infrastructure development in order to direct and manage growth and industry
L M South	2	Supporting small towns to survive and thrive: Establish a social contract with small towns to maintain or establish access to high quality services and social opportunities.
L M South	3	Enhance the diversity of our economic base: Pursue economic areas of interest, create an environment where entrepreneurial activity and renewable energy production can develop
L M South	4	Connecting people services and industry: Improve transport and broadband connections to assist and facilitate economic development throughout the region and ensure communities are well-connected.
L M South	5	Maintain cohesive communities: Support community harmony and resilience

Note: Priorities are not number in order of action or preference

<b>Month</b>	<b>RSP Production</b>	<b>PCG Validation</b>	<b>LGA /Stakeholder Validation</b>	<b>Research Inputs</b>	<b>Communication</b>	<b>Budget</b>
August	Obtain finalised template  Continued populating of template	RMF to input to draft work plan Set meeting dates.	Mayors and CEOs to input to draft work plan	Lock in on additional study projects (scenario development)	Establishment of narrative on LGA web sites. Access to community for Climate Change discussion paper LGA networked media release.	Structure of budget Reviewed
Sept	Draft scenarios reviewed Revised Settlement positions known Review G21 governance directions		Forum of LGA strategic managers	Forum of education stakeholders Lock in of revised settlement positions		
Oct	Scenarios sign off  First draft of implementation and governance mechanisms	Report to PCG	Forum of regional stakeholders to test scenarios roll out	Coastal Risk issues (see Vic Coastal Strategy) Scenario inputs from additional study projects	Coastal Risks discussion paper rolled out	State/RDV forward funding considered 2010/11 budget
Nov	First draft of RSP produced Test against State blueprint for the next 10 years	Report to PCG	Exposure of LGAs to scenarios Assessment of emerging LGA implications	WRSWS issues  Assess emerging outcomes from Workforce Dev Strategy project	Update of web sites data. Access to community for Coastal Risks discussion paper	Budget Status Check
Dec	Scan/identification of emerging high priorities	Report to Barwon / GSC RDA Committee		Finalise inputs from Coastal Risks policy development	LGA networked medial release	
Jan						
Feb	Implementation mechanisms codified and governance options detailed		Roll out of LGA potential implications		Update of web sites data	Budget Status Check
March	Second draft finalised – referrals to LGAs for 2010/11 budget considerations	Report to PCG	LGA referrals to 2010/11 budgets			State/RDV forward funding lock in
April	Fine tune on need for further studies					
May	Tighter work on implementation	Report to Barwon /	Achieve general LGA		Update of web sites data	Budget Status

	chapters Lock in of governance structures	GSC RDA Committee	sign off			Check
June	Final document	Report to PCG				Budget acquittal report

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

D = Discussion

W = Withdrawal

ITEM	D	W
<p><b><u>CORPORATE AND COMMUNITY SERVICES</u></b></p> <p><b><u>OM092608-3 BEECHY PRECINCT FINANCIAL CONTRIBUTIONS TO CONSTRUCTION OF THE JOINT USE LIBRARY</u></b></p> <p>Department: Corporate and Community Services</p> <p><b><u>Recommendation(s)</u></b></p> <p><b><i>That Council:</i></b></p> <p><b><i>1. Authorises officers to make all payments with regard to the development of the Beechy Precinct Joint Use Library in accordance with the Development and Joint Use Agreement which specifies payments as follows;</i></b></p> <p style="padding-left: 40px;"><b>\$400,000 due 1 May 2009 (payment made)</b>  <b>\$500,000 due 1 August 2009</b>  <b>\$500,000 due 1 November 2009</b>  <b>\$600,000 due 1 February 2010</b>  <b>\$500,000 due 1 May 2010</b>  <b>\$421,000 due at completion of the facility development.</b></p>		Cr Stephen Hart
<p><b><u>OM092608-4 CERTIFICATION OF 2008/2009 FINANCIAL STATEMENTS</u></b></p> <p>Department: Corporate and Community Services</p> <p><b><u>Recommendation(s)</u></b></p> <p><b><i>That :</i></b></p> <p><b><i>1. Council adopt the 2008/2009 Financial Statements 'in Principle', subject to further adjustments required by audit, in accordance with Section 131(7) Local Government Act 1989.</i></b></p> <p><b><i>2. Council adopt the 2008/2009 Standard Statements 'In Principle' subject to further adjustments</i></b></p>		Cr Stephen Hart

<p><i>required by audit, in accordance with Section 131(7) Local Government 1989.</i></p> <p><b>3. Council adopt the 2008/2009 Performance Statement 'In Principle', subject to further adjustments required by audit, in accordance with Section 131(7) Local Government Act 1989.</b></p> <p><b>4. Council authorise any two Councillors to sign the 2008/2009 Financial Statements.</b></p> <p><b>5. Council authorise any two Councillors to sign the 2008/2009 Standard Statements.</b></p> <p><b>6. Council authorise any two Councillors to sign the 2008/2009 Performance Statement.</b></p>		
<p><b><u>OM092608-5 REGIONAL RECREATION RESERVES CONTRIBUTIONS SCHEME</u></b></p> <p>Department: Corporate and Community Services</p> <p><b><u>Recommendation(s)</u></b></p> <p><b><i>That Council:</i></b></p> <p><b><i>1. Support the continuation of the Regional Recreation Reserves Contribution Scheme in 2009/2010 on the understanding that the contribution is considered annually through the budget process.</i></b></p>	Cr Chris Smith	
<p><b><u>OM092608-6 FENCING FOR THE 2010 AND FUTURE CUSTOM CAR AND BIKE SHOWS</u></b></p> <p>Department: Corporate and Community Services</p> <p><b><u>Recommendation(s)</u></b></p> <p><b><i>That Council:</i></b></p> <p><b><i>1. Approves the erection of temporary fencing in Memorial Square for a three year period from 2010 - 2012 for the Custom Car and Bike Show event, enabling gate takings to be collected for fund raising purposes.</i></b></p>		Cr Stephen Hart

<p><b><u>OM092608-7 COLAC SKATE PARK PROPOSED PROJECT</u></b></p> <p>Department: Corporate and Community Services</p> <p><b><u>Recommendation(s)</u></b></p> <p><b><i>That Council:</i></b></p> <ol style="list-style-type: none"> <li><b><i>1. Acknowledge the planning undertaken to date and endorse the submission of the funding application to SRV under the 2010/2011 Minors Category Community Facilities Funding Program to reconfigure and construct three new elements to the Colac Skate Park.</i></b></li> <li><b><i>2. Consider the Colac Skate Park project as part of the 2010/2011 budget process.</i></b></li> </ol>		
<p><b><u>OM092608-8 S86 COMMITTEE OF MANAGEMENT ELECTIONS</u></b></p> <p>Department: Corporate and Community Services</p> <p><b><u>Recommendation(s)</u></b></p> <p><b><i>That Council:</i></b></p> <ol style="list-style-type: none"> <li><b><i>1. Pursuant to Section 86 of the Local Government Act 1989, Council resolve to appoint the following elected members –</i></b> <p><b><i>Lavers Hill Hall Management Committee – Tracey Brauer, Bob Atkins, Virginia Atkins, Rosemary Vultz, Kim Robertson, Pam Dodsworth, Geoff Brauer, Steve Lawson</i></b></p> <p><b><i>Barongarook Hall and Tennis Reserve Management Committee – Jan Healey, Barb Alford, Kathy Allan, Doug Shone, Jane Bear, Mike Edwards, Ian Lane</i></b></p> </li> <li><b><i>2. In accordance with Section 81 sub-section(2) sub-section(a) of the Local Government Act 1989, resolves to exempt members of the Committees from being required to submit a primary or ordinary pecuniary interest return in accordance with this section.</i></b></li> <li><b><i>3. Write to the Committees advising them that a copy of minutes of committee meetings held be forwarded to Council for its record after each meeting and that a Treasurer’s Report be provided annually.</i></b></li> </ol>		



<p><b>OM092608-9      <u>BARWON SOUTH WEST REGIONAL TRAILS MASTER PLAN</u></b></p> <p>Department: Corporate and Community Services</p> <p><b><u>Recommendation(s)</u></b></p> <p><b><i>That Council:</i></b></p> <p>1. <b><i>Receives the updated report on the Barwon South West Regional Trails Master Plan as information only.</i></b></p>	<p>Cr Chris Smith</p>	
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***MOVED Cr Stuart Hart seconded Cr Stephen Hart that recommendations to items listed in the Consent Calendar, with the exception of items OM092608-3, OM092608-4 and OM092608-6 be adopted.***

***CARRIED 6 : 0***

**OM092608-3**

***MOTION - MOVED Cr Stephen Hart seconded Cr Stuart Hart that:***

1. ***Council authorises officers to pay the \$500,000 for the Beechy Precinct Joint Use Library that was said to be due on 1 August 2009.***
2. ***Council notes that the project commenced at a later date than was envisaged when the previous Council agreed to the project on the last day before it went into caretaker mode. With that in mind, the Chief Executive Officer is to re-negotiate the payments to the Department with a view to each payment being due at a later time to reflect the actual construction schedule.***

***LOST 2 : 4***

***DIVISION called by Cr Stuart Hart***

***For the Motion: Cr Stephen Hart, Cr Stuart Hart***

***Against the Motion: Cr Brian Crook, Cr Chris Smith, Cr Frank Buchanan, Cr Lyn Russell***

***MOVED Cr Frank Buchanan seconded Cr Lyn Russell that Council :***

1. ***Authorises officers to make all payments with regard to the development of the Beechy Precinct Joint Use Library in accordance with the Development and Joint Use Agreement which specifies payments as follows;***

***\$400,000 due 1 May 2009 (payment made)***

***\$500,000 due 1 August 2009***

***\$500,000 due 1 November 2009***

***\$600,000 due 1 February 2010***

***\$500,000 due 1 May 2010***

***\$421,000 due at completion of the facility development.***

**CARRIED 4 : 2**

**DIVISION called by Cr Stephen Hart**

**For the Motion: Cr Brian Crook, Cr Chris Smith, Cr Frank Buchanan, Cr Lyn Russell  
Against the Motion: Cr Stephen Hart, Cr Stuart Hart**

**OM092608-4**

**MOVED Cr Stephen Hart seconded Cr Lyn Russell that:**

- 1. Council defer approval for the Certification of 2008/2009 Financial Statements to a Special Meeting to be arranged once the financial statements have been made available.**

**CARRIED 5 : 1**

**OM092608-6**

**MOVED Cr Stephen Hart seconded Cr Stuart Hart that:**

- 1. Council approves the erection of temporary fencing in Memorial Square for a three year period from 1/1/2010 to 31/12/2012 for the Custom Car and Bike Show event, enabling gate takings to be collected for fund raising purposes.**
- 2. This approval is based on conditions approved by the Chief Executive Officer and/or his delegate. The following condition, or similar wording, must be included: "At no time are any vehicles, equipment or other thing to be placed or set up on the circular grassed area and the rose garden surrounding the Shrine".**
- 3. This approval is dependent on the Chief Executive Officer and/or his delegate being satisfied that conditions have been met to their satisfaction.**
- 4. This approval for temporary fencing is limited to not more than one day in each calendar year.**
- 5. The Chief Executive Officer is to arrange for a policy to be formulated so that, in future, requests such as these can be assessed against objective criteria rather than being decided on an ad hoc basis.**

**CARRIED 6 : 0**

**OM092608-3                      BEECHY PRECINCT FINANCIAL CONTRIBUTIONS TO  
CONSTRUCTION OF THE JOINT USE LIBRARY**

AUTHOR:	Marg Scanlon	ENDORSED:	Colin Hayman
DEPARTMENT:	Corporate & Community Services	FILE REF:	GEN 00374

**Purpose**

The purpose of this report is to provide Council with an update with regard to the second invoice received for Council's contribution to the construction of the Beechy Precinct Joint Use Library and to seek approval to pay invoices as received consistent with the payment schedule as detailed in the Development and Joint Use Agreement.

**Declaration of Interests**

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

**Background**

The Development and Joint Use Agreement for the Beechy Precinct Joint Use Library clearly defines the payment schedule for the construction of the Joint Use Library. Specifically the payment schedule is as follows;

- \$400,000 due 1 May 2009 (payment made)
- \$500,000 due 1 August 2009
- \$500,000 due 1 November 2009
- \$600,000 due 1 February 2010
- \$500,000 due 1 May 2010
- \$421,000 plus any additional costs payable due at completion of the facility development.

**Total \$2,921,000**

The second invoice of \$500,000 (excluding GST) has been received and was to be paid by 1 August 2009. Council agreed that any elements within the Beechy Precinct project that have financial or strategic implications for Council are to be presented to Council for consideration.

**Council Plan / Other Strategies / Policy**

The Beechy Precinct Joint Use Library and its development is consistent with the Council Plan, 2009/2010 Council budget, 2006-2010 Colac Otway Recreation Strategy and the Colac Structure Plan.

**Issues / Options**

There are no other issues.

As detailed in the Development and Joint Use Agreement (DJUA) the payment schedule has been endorsed. This payment is consistent with this schedule.

**Proposal**

It is proposed that Council acknowledge the payment schedule and approval be granted for payments to be made in accordance acknowledging it is consistent with the DJUA and the Council budget.

**Financial and Other Resource Implications**

As this payment is consistent with the budget and the progression of the construction development of the Joint Use Library is consistent with the allocated resources from Council there are no implications.

**Risk Management & Compliance Issues**

Risk and compliance issues would arise if this payment is not made as it is consistent with the DJUA.

**Environmental and Climate Change Considerations**

There are no environmental or climate change considerations with regard to this item.

**Communication Strategy / Consultation**

Community consultation with regard to the development of the Joint Use Library has occurred over the past two years. Communication and consultation will continue with regard to the development of the facility, its operation and the governance models. This communication and consultation will be in various forms and will also involve various key stakeholders involved in a range of reference groups reporting to the Beechy Precinct Project Management Group.

**Implementation**

It is proposed that the payments would be made upon receipt consistent with the DJUA.

**Conclusion**

Acknowledging the DJUA has been endorsed and is a legally binding agreement it is recommended that Council agree to payments to be made as received in accordance with the payment schedule. Any further budget or strategic implications to the Beechy Precinct Project and specifically the Joint Use Library over the coming ten months during its construction will be presented to Council for consideration.

**Attachments**

Nil

**Recommendation(s)*****That Council:***

- 1. Authorises officers to make all payments with regard to the development of the Beechy Precinct Joint Use Library in accordance with the Development and Joint Use Agreement which specifies payments as follows;***

***\$400,000 due 1 May 2009 (payment made)  
\$500,000 due 1 August 2009  
\$500,000 due 1 November 2009  
\$600,000 due 1 February 2010  
\$500,000 due 1 May 2010  
\$421,000 due at completion of the facility development.***

***MOTION - MOVED Cr Stephen Hart seconded Cr Stuart Hart that:***

- 1. Council authorises officers to pay the \$500,000 for the Beechy Precinct Joint Use Library that was said to be due on 1 August 2009.***
- 2. Council notes that the project commenced at a later date than was envisaged***

*when the previous Council agreed to the project on the last day before it went into caretaker mode. With that in mind, the Chief Executive Officer is to re-negotiate the payments to the Department with a view to each payment being due at a later time to reflect the actual construction schedule.*

**LOST 2 : 4**

***DIVISION called by Cr Stuart Hart***

***For the Motion: Cr Stephen Hart, Cr Stuart Hart***

***Against the Motion: Cr Brian Crook, Cr Chris Smith, Cr Frank Buchanan, Cr Lyn Russell***

***MOVED Cr Frank Buchanan seconded Cr Lyn Russell that:***

***Authorises officers to make all payments with regard to the development of the Beechy Precinct Joint Use Library in accordance with the Development and Joint Use Agreement which specifies payments as follows;***

***\$400,000 due 1 May 2009 (payment made)  
\$500,000 due 1 August 2009  
\$500,000 due 1 November 2009  
\$600,000 due 1 February 2010  
\$500,000 due 1 May 2010  
\$421,000 due at completion of the facility development.***

***CARRIED 4 : 2***

***DIVISION called by Cr Stephen Hart***

***For the Motion: Cr Brian Crook, Cr Chris Smith, Cr Frank Buchanan, Cr Lyn Russell***

***Against the Motion: Cr Stephen Hart, Cr Stuart Hart***

**OM092608-4                      CERTIFICATION OF 2008/2009 FINANCIAL STATEMENTS**

AUTHOR:	Brett Exelby	ENDORSED:	Colin Hayman
DEPARTMENT:	Corporate & Community Services	FILE REF:	GEN0392

**Purpose**

To provide an overview to Council of the current status regarding the Draft 2008/2009 Financial Statements, 2008/2009 Standard Statements and 2008/2009 Performance Statements.

**Declaration of Interests**

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

**Background**Annual Report

Section 131(7) and (8) of the *Local Government Act 1989*:

- (7) The Council must not submit the standard statements or the financial statements to its auditor or the Minister unless it has passed a resolution giving its approval in principle to the standard statements and the financial statements.
- (8) The Council must authorise 2 Councillors to certify the standard statements and the financial statements in their final form after any changes recommended, or agreed to, by the auditor have been made.

Performance Statement

Section 132(6) and (7) of the *Local Government Act 1989*:

- (6) The Council must not submit the statement to its auditor or the Minister unless the Council has passed a resolution giving its approval in principle to the statement.
- (7) The Council must authorise 2 Councillors to approve the statement in its final form after any changes recommended, or agreed to, by the auditor have been made.

Council's Audit committee is to consider the Draft 2008/2009 Financial Statements, 2008/2009 Standard Statements and 2008/2009 Performance Statements for review and feedback at their meeting to be held on 11 September 2009.

It is recommended that Council's adoption of the 2008/2009 Financial Statements, Standard Statements and Performance Statement be on an 'In Principle' basis as required by the audit prior to lodgement with the Auditor-General's office for their final review.

Any feedback from Council and the Audit Committee will be taken into account.

**Council Plan / Other Strategies / Policy**

Part of the Leadership and Governance objective is that Council will fulfil its leadership, statutory and legal obligations. The Annual Statements are an important part of that process.

**Issues / Options**

As the Statements are still subject to review and amendment by the Auditor-General's office, any amendments will have to be incorporated into the final statements.

**Proposal**

The Statements are to be reviewed by Auditors Coffey Hunt during their visit in the week commencing 31 August 2009 and will be reviewed by the Audit Committee on 11 September 2009.

The Final Statements will be provided to Councillors once all amendments (if any) have been made.

Subject to any significant Statement amendments, it is recommended that Council certify the Statements 'In-Principle'.

**Financial and Other Resource Implications**

The Draft Statements need to be certified by Council to ensure the Financial Statements are forwarded to the Minister by the statutory deadline of 30 September 2009.

**Risk Management & Compliance Issues**

Details of the relevant sections of the *Local Government Act* are included under the Background to this report.

**Environmental and Climate Change Considerations**

Not applicable

**Communication Strategy / Consultation**

Not applicable

**Implementation**

Prior to the 30 September 2009 deadline for completion and signing of the Statements.

**Conclusion**

Subject to any significant amendments it is recommended that Council certify the Statements 'In Principle'.

**Attachments**

Nil

**Recommendation(s)*****That :***

- 1. Council adopt the 2008/2009 Financial Statements 'in Principle', subject to further adjustments required by audit, in accordance with Section 131(7) Local Government Act 1989.***
- 2. Council adopt the 2008/2009 Standard Statements 'In Principle' subject to further adjustments required by audit, in accordance with Section 131(7) Local Government 1989.***

3. ***Council adopt the 2008/2009 Performance Statement 'In Principle', subject to further adjustments required by audit, in accordance with Section 131(7) Local Government Act 1989.***
4. ***Council authorise any two Councillors to sign the 2008/2009 Financial Statements.***
5. ***Council authorise any two Councillors to sign the 2008/2009 Standard Statements.***
6. ***Council authorise any two Councillors to sign the 2008/2009 Performance Statement.***

***MOVED Cr Stephen Hart seconded Cr Lyn Russell that:***

1. ***Council defer approval for the Certification of 2008/2009 Financial Statements to a Special Meeting to be arranged once the financial statements have been made available.***

***CARRIED 5 : 1***



**OM092608-5 REGIONAL RECREATION RESERVES CONTRIBUTIONS SCHEME**

AUTHOR:	Marg Scanlon	ENDORSED:	Colin Hayman
DEPARTMENT:	Corporate & Community Services	FILE REF:	GEN 00374

**Purpose**

The purpose of this report is to provide Council with information pertaining to the Regional Recreation Reserves Contribution Scheme. This report is for information only.

**Declaration of Interests**

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

**Background**

In 2005 Council approved the introduction of a pilot program in recognition of the volunteer contributions made to the regional recreation reserves within the Colac Otway Shire. For the purposes of this program the regional recreation reserves include the following; Alvie, Apollo Bay, Beeac, Beech Forest, Birregurra, Cressy, Carlisle River, Forrest, Gellibrand, Irrewarra, Irrewillipe, Pirron Yallock and Warrion. The City Reserves being Central, East, West Oval and South Colac Reserves are not included.

Council do not provide any maintenance support to these regional recreation reserves. Council through Cosworks does provide maintenance support to the grounds and facility maintenance for the Colac City Reserves.

This program was conducted for three years (2006/07, 2007/08 and 2008/09) and comprised of the following three elements;

1. Agreements: Two agreements were introduced one between Council and the Committees of Management for each of the Reserves and one between the Committees of Management and the User Groups.
2. Reserve Master Plans: A Master Plan was developed for each of the Reserves through consultation and on-site meetings with the Committee and User Group representatives. The purpose of these master plans was to identify future reserve needs and to assist with future funding and project support.
3. Financial Contributions: Council made financial contributions to the Committees of Management (not directly to the User Groups) in acknowledgement of the volunteer contributions made to the Reserve without any works support from Council. The formula for these financial contributions was based on the number and type of user groups based at the reserves. Reserves providing open space for events or other community activities were also recognised.

The funding formula was determined recognising the level of wear and tear on grounds and the level of ongoing maintenance required by the volunteers. The funding formula was based on the following allocation acknowledging the sport/activity located on the Reserve on a regular basis:

Australian Rules Football/Netball	\$2,500
Cricket	\$1,500
Open Space	\$1,000
Tennis	\$1,000
Other (eg. Soccer)	\$ 500

Specifically the agreed funding allocation for the Regional Recreation Reserves was as follows;

<b>Reserve</b>	<b>Resident Clubs</b>	<b>Allocation</b>
Alvie	Football, Netball, Cricket	\$4,000
Apollo Bay	Football, Netball, Cricket, Tennis, Other	\$4,500
Beeac	Cricket	\$1,500
Birregurra	Football, Netball, Tennis	\$3,500
Cressy	Cricket	\$1,500
Forrest	Football, Netball, Cricket, other	\$4,500
Gellibrand	Football, Netball, Tennis	\$3,000
Irrewarra	Football, Netball, Tennis	\$3,000
Irrewillipe	Football, Netball, Cricket	\$4,000
Pirron Yallock	Cricket, Soccer	\$2,000
Warrion	Cricket, Super Rules	\$2,000
Beech Forrest	Open Space (share back up - Cricket)	\$1,000
Carisle River	Open Space (share back up - Cricket)	\$1,000

Total Allocation from Council to the Regional Recreation Reserves      \$35,500

It should be noted that Council had no input to the expenditure of the funds as the allocation was contributed on the understanding (as detailed in the agreements) that expenditure was at the discretion of the Committee.

Several of the Reserves have completed the implementation of the Reserve Master Plan and are now considering the next cycle of works to be undertaken. Council's Recreation Unit will continue to work with the Clubs and Committees to ensure there are current Reserve Master Plans steering the works and development on these Reserves.

Formally 2008/2009 completed this pilot program and a survey was undertaken with the Reserve Committees of Management. The purpose of this survey was to determine the impact of the program.

Each of the thirteen Regional Recreation Reserve Committees of Management completed and returned the surveys. The findings from the surveys indicate;

- All thirteen Committees used the funding as contributions to maintenance and facility improvement works completed at the Reserve.
- Two Committees used some of the funds towards operational costs.
- Nine of the thirteen Committees have each of the regular user groups represented on the Committee. It should be noted that since this survey was undertaken there have been some changes to the regular user groups located at specific reserves.
- All thirteen Reserves have completed Master Plans and have agreements in place.
- The majority of the Reserves have used the funding contribution to secure further funding including State and Federal Government funds.

Each of the Reserve Committees support the continuation of this program with the following comments being made in response;

"This money benefits all users of the Reserve".

“The \$2,000 we receive annually is invaluable and with volunteer work it can stretch a long way”.

“Without these funds organisations like ours would have much greater difficulty surviving and improving their facilities”.

### **Council Plan / Other Strategies / Policy**

The Regional Recreation Reserve Contribution Scheme is consistent with the Council Plan as it encourages use of community facilities for a broad range of physical, social and community activities, it provides support to community volunteers and contributes to the improvement of facilities.

### **Issues / Options**

There are two options;

1. Council to support the proposal to continue with the Regional Recreation Reserve Contribution Scheme acknowledging the benefits generated through this contribution made to the Reserve Committees of Management.
2. Council not support this proposal to continue the Scheme acknowledging that this will raise further demands on Council to assist Clubs and Committees of Management of the Regional Recreation Reserves to operate, maintain and improve the facilities.

### **Proposal**

It is proposed that Council support the continuation of the Regional Recreation Reserve Contribution Scheme acknowledging the benefits generated through this contribution made to the Reserve Committees of Management. It should be noted that the financial allocation will be considered by Council each year through the budget process. A Fees and Charges Policy is to be presented to Council over coming months which primarily refers to the City Reserves but does make reference to the Regional Recreation Reserve Contribution Scheme.

### **Financial and Other Resource Implications**

This Contribution Scheme is considered annually by Council through the budget process. The contributions as detailed above have been allocated within the 2009/2010 budget. The Council contribution results in significant maintenance and capital works to the Reserves which otherwise may not be possible. This contribution has also strengthened relationships between some of the regular user groups which were not previously represented on the Committees of Management.

### **Risk Management & Compliance Issues**

All risk and compliance issues relating to the maintenance and capital works undertaken as a result of these contributions are considered as a component of the project management.

### **Environmental and Climate Change Considerations**

All environmental issues relating to the maintenance and capital works undertaken as a result of these contributions are considered as a component of the project management.

### **Communication Strategy / Consultation**

There has been significant consultation undertaken with the Committee's and Regular User Groups involved with this Scheme initially to explain the process and its requirements. All key stakeholders understood it was a pilot program and over the course of the Scheme there was ongoing communication regard the program, its outcomes and possible future continuation.

### **Implementation**

If supported it is proposed that the funding contributions would be allocated immediately to enable Committee's to undertake works.

**Conclusion**

This Scheme is innovative and not a program that is commonly implemented, however it is a positive contribution recognising the volunteer contributions to the Regional Recreation Reserves which provide important community activities and facilities.

**Attachments**

Nil

***MOVED Cr Stephen Hart seconded Cr Stuart Hart***

***That Council:***

- 1. Support the continuation of the Regional Recreation Reserves Contribution Scheme in 2009/2010 on the understanding that the contribution is considered annually through the budget process.***

***CARRIED 6 : 0***

**OM092608-6****FENCING FOR THE 2010 AND FUTURE CUSTOM CAR AND BIKE SHOWS**

AUTHOR:	Vicki Jeffrey	ENDORSED:	Colin Hayman
DEPARTMENT:	Corporate & Community Services	FILE REF:	GEN 00728

**Purpose**

The purpose of this report is to seek Council support for erecting temporary fencing around Memorial Square Colac throughout the duration of the 2010 Custom Car and Bike Show event. In addition the report seeks that approval be also granted for erecting temporary fencing for a three year period from 2010 – 2012. Fencing has been requested to enable event organisers to collect gate takings from the event for fundraising purposes. The presence of the fence has also been identified as directly contributing to improved safety aspects at the event for both entrants and spectators. Temporary fencing has successfully been erected around Memorial Square for the past three years.

**Declaration of Interests**

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

**Background**

The Custom Car and Bike Show has operated in Memorial Square, Colac for the past 9 years. It has a solid reputation both locally and outside the municipality as a quality motor show, featuring custom car and bike displays with a variety of judged categories. The event comprises a one-day show at Memorial Square followed by a drive to a local designated area with a lunch stop, displaying cars featured at the event. Past events have attracted over 500 cars and 150 motorbikes and helped to promote responsible motoring. Each year, proceeds go to "Kid's with Cancer" (Camp Quality) and the Event Committee have also donated funds to Eventide, Colac Area Health and Police charities (Co-Pylit).

Council granted permission for the event organisers to erect temporary fencing for this event in 2007, 2008 and 2009, enabling gate takings to be collected via gold coin donation. The installation of the temporary fencing enabled event organisers to raise \$17,500 in 2007, \$16,000 in 2008 and \$25,000 in 2009, compared to only \$7,000 raised in 2006 when a fence was not used. The car show has grown in size over the years necessitating the introduction of gold coin donations to stage the show as raffles are unable to raise sufficient funds.

The Custom Car and Bike Show has now grown to be one of the premier car shows to attend in Victoria, generating positive exposure for Colac. The event provides valuable fund raising opportunities for local and community groups including St Mary's Primary School, the Country Fire Authority and St John's Ambulance who collectively raised over \$5,500 from the event. Event organisers donated \$9,000 to charities following the 2008 event and \$12,000 in 2009 (Camp Quality \$10,000 and Co-Pylit \$2,000). Information provided to event organisers from retail traders in the block in front of Memorial Square (from Hesse Street to Gellibrand Street) indicate that these businesses made approximately \$35,000 to \$40,000 for the day. This amount does not take into account the additional revenue generated by the event for Hotels, Motels, Fuel Stations, mechanics, spray painters and other retail shops. It is estimated that a further \$10,000 or more in income could indirectly be attributed to the

Custom Car and Bike Show. Various business houses adjacent to the Square all reported having higher takings for the day as a direct result of the event.

Each year, the event organisers actively seek feedback (both positive and negative) from entrants and spectators on the day of the Show. In regards to the erection of temporary fencing, as with previous years, no complaints were received from the public or entrants on the day. Anecdotal feedback from the public once again indicated that the temporary fencing was regarded as a good idea. Families indicated that they feel safer with the fence erected as it prevents children from wandering onto roads. A member of the Police commented that the fence made the event easier to patrol. The event organisers believe that the fencing provided a controlled area which assisted in the improvement of traffic management making it easier to direct and park entrants' vehicles without affecting the general public. The erection of the fence also assisted in preventing children from riding bicycles around valuable cars (some worth approximately \$100,000) on display in the Memorial Square. Bicycles were required to be left just inside the gate. The fence was erected and dismantled in the 12 hour period and by 7.00pm there was no evidence of an event having been conducted at Memorial Square, Colac.

Access to the public toilets located in Memorial Square would be addressed by deliberately excluding the public toilet area from the area to be fenced, enabling complete public access at all times. The Memorial Square Playground area would also not be fenced, enabling access to the public. It is proposed that the Square be fenced off for one day only, from 6.00am to approximately 6.00pm, with an evaluation provided by the Committee to review of the success of fencing off the event. Research undertaken with other municipalities which host events using temporary fencing in public spaces (City of Melbourne "Garden Show", Shire of Campaspe "River Boat Jazz, Food and Wine" event), indicates that there are no legal issues if the event is for charitable or fund raising purposes. Given that the Memorial Square is located on Crown Land which is managed by the Colac Otway Shire Council; it is unlikely that there will be any objections from Committees of Management to the proposal to fence the land. Obviously should the proposal to fence Memorial Square be adopted, event organisers would need to comply with all conditions outlined on the event permit.

The spectacle of 500 cars and 150 motor bikes on show for the day in the centre of Colac attracts increased interest and attention from passing motorists and the general public. The location of the event at Memorial Square is regarded as highly desirable by entrants, traders, spectators and the event organisers. Shade provided by trees at Memorial Square is a huge incentive for entrants and participants to attend the event, even on very hot days. Feedback from other clubs hosting similar car shows from Warrnambool to Ballarat and Geelong recognise that much of the success of the Colac Custom Car and Bike Show is due to the unique venue location, which is highly visible, centrally located and easily accessible to retail traders along Murray Street.

As a result of the erection of the temporary fencing, over 5,000 members of the public made a gold coin donation entitling them to unlimited access to the event.

### **Council Plan / Other Strategies / Policy**

This report directly relates to Council's Corporate Plan objective of providing strategic direction to ensure sustainable economic development and quality lifestyle for our residents and visitors.

### **Issues / Options**

As indicated above, the erection of temporary fencing around Memorial Square throughout the duration of the one-day Custom Car and Bike Show event enables the Event Organisers to collect gate takings from the event for fund raising purposes. It also eliminates the need

for this group to conduct multiple fund raising events throughout the year to support local charities.

There are three options for consideration and it is recommended by officers that option 2 be adopted.

#### Option 1

It is proposed that Council grant permission for the erection of temporary fencing around Memorial Square throughout the duration of the annual one day event held in January 2010. If adopted, the event organisers would utilise the preferred option of professionally installed temporary fencing typically used at worksites.

#### Option 2

It is proposed that Council grant permission to erect temporary fencing for a 3 year period, 2010-12, subject to the event organisers meeting all other event approval requirements. Approval for fencing the 2010 and future Custom Car and Bike Shows would eliminate the need for Event Organisers to seek approval for fencing on an annual basis.

#### Option 3

Council could reject the proposal to erect temporary fencing around Memorial Square for the 2010 and future events. This would result in the Custom Car and Bike Show Committee having to develop a new strategy for fund raising and missing the opportunity of collecting up to \$19,500 for charities.

### **Proposal**

It is proposed that by adopting the preferred option of granting permission to erect temporary fencing around Memorial Square, Council will enable Event Organisers of the Custom Car and Bike Show to collect substantial gate takings. The opportunity to collect gate takings via a voluntary gold coin donation will provide a significant fund raising opportunity for the Committee and eliminate their need to conduct multiple fundraisers throughout the year. In addition, the collection of gate takings is consistent with the operation of most other car related events of this kind. The erection of temporary fencing will also provide protection for the valuable vehicles on display during the event and increased safety for families with young children. Permission for erection of temporary fencing on an ongoing basis (subject to complying with all event approval requirements) would eliminate the need to approach Council for permission on an annual basis.

### **Financial and Other Resource Implications**

There are no financial implications for Council. The event organisers estimate that approximately \$25,000 could be fundraised for charities on the day, through seeking a voluntary gold coin donation.

This event has never received any Council funding support through the Festival and Events Support Scheme as it is deemed ineligible on the basis of being a fundraising event.

### **Risk Management & Compliance Issues**

Risk Management issues relate to the erection of the temporary fencing. The level of risk could be significantly reduced by engaging a professional company to install the fencing. It is the intention of the Event Organisers to once again engage a reputable contractor for installation of the fencing. There were no incidents or accidents associated with the erection of the fences in 2007, 2008 and 2009.

### **Environmental and Climate Change Considerations**

There are no environmental considerations.

**Communication Strategy / Consultation**

Over recent months Council's Events and Economic Development Units have been consulting with Colac business traders and the Event Organisers to improve the management of various event aspects. Specifically this has included security, risk management and acknowledging the that Event Organisers responsibilities is beyond the boundary of Memorial Square. The Event Organisers have made significant efforts to build collaborative relationships with key stakeholders to further improve connections with the event.

**Implementation**

The preferred option to erect a temporary fence around Memorial Square would occur after consultation between the Event Organisers and COS Works, ensuring compliance with all matters relating to the Square. It is proposed that the Event Organisers will source a contractor experienced in the installation of temporary fencing who will oversee the erection of the fence.

**Conclusion**

Granting approval for the erection of temporary fencing around Memorial Square for the 2010-2012 Custom Car and Bike Show events held at this location will enable Event Organisers to collect gate takings from the event for fundraising purposes. This will reduce the need for the Committee to continually ask the local community to participate in fund raising activities, as collections would be generated from the many visitors who attend this annual event. Professionally installed temporary fencing should pose no hindrance to public access to the Square as entrance to the area is by voluntary gold coin donation. Access to the public toilets in the Square would also not be impeded as the proposed area to be fenced excludes the toilets and playground area. It is anticipated that the fence will further contribute to the safe management of the event by protecting both spectators and entrants.

**Attachments**

Nil

**Recommendation(s)*****That Council:***

- 1. Approves the erection of temporary fencing in Memorial Square for a three year period from 2010 -2012 for the Custom Car and Bike Show event, enabling gate takings to be collected for fund raising purposes.***

***MOVED Cr Stephen Hart seconded Cr Stuart Hart that:***

- 1. Council approves the erection of temporary fencing in Memorial Square for a three year period from 1/1/2010 to 31/12/2012 for the Custom Car and Bike show event, enabling gate takings to be collected for fund raising purposes.***
- 2. This approval is based on conditions approved by the Chief Executive Officer and/or his delegate. The following condition, or similar wording, must be included: "At no time are any vehicles, equipment or other thing to be placed or set up on the circular grassed area and the rose garden surrounding the Shrine".***
- 3. This approval is dependent on the Chief Executive Officer and/or his delegate***



*being satisfied that conditions have been met to their satisfaction.*

- 4. This approval for temporary fencing is limited to not more than one day in each calendar year.*
- 5. The Chief Executive Officer is to arrange for a policy to be formulated so that, in future, requests such as these can be assessed against objective criteria rather than being decided on an ad hoc basis.*

**CARRIED 6: 0**

**OM092608-7****COLAC SKATE PARK PROPOSED PROJECT**

AUTHOR:	Jodie Fincham	ENDORSED:	Colin Hayman
DEPARTMENT:	Corporate & Community Services	FILE REF:	GEN 00374

**Purpose**

The purpose of this report is to provide an update on the proposed Colac Skate Park Project and to seek Council endorsement to continue with the project development and funding application process of this project.

**Declaration of Interests**

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

**Background**

The Colac Skate Park was built in 1999 following funding secured from Sport & Recreation Victoria, Council and the Colac community. This facility provides an important community recreation facility particularly for youth to participate in unstructured and social activity. This facility provides an alternative venue for physical activity particularly for those youth not interested in team or contact sports. Over recent years various additions have been made to the skate park including new skate elements and seating. These inclusions resulted from consultation with the skate park users and their identification of needs.

Following an approach to Council Recreation Officers in February 2009 from users of the Colac Skate Park, it was identified that there has been a significant increase in the number of BMX riders using the facility and that the current facility does not accommodate this sport. There are currently more BMX riders in Colac than skateboard riders and the existing Colac Skate Park facility no longer meets the needs of BMX users during peak periods. The introduction of new elements to the Skate Park catering for BMX riders will allow users to challenge themselves and participate at a level that may provide them with the option to enhance their abilities and potentially participate at state and national level competitions. The suggested elements to be added to the Colac Skate Park include a spine ramp, sub box and a quarter pipe which will create a jump box. It is anticipated that the addition of new elements will provide greater versatility for all park users and will further increase the number of users.

Since inception the Group has met several times with Council's Recreation and Events Co-ordinator to progress their ideas regarding what elements could be introduced to the facility to bring it into line with other parks which cater for both skaters and BMX riders. Council through the 2009/2010 Community Funding Program (Recreation Facilities) supported the Group to engage a skate park designer to develop Skate Park plans based on the identified community aspirations. These plans are currently being developed with significant input from the Colac Skate Park Group in collaboration with the designer, Darren White from CONVIC. These designed Skate Park elements are estimated to cost \$100,000. Based on the funding program ratio, this would result in Sport and Recreation Victoria (SRV) contributing a maximum of \$60,000 and Council contributing \$40,000 towards the project.

After attending an onsite meeting with the Colac Skate Park Group, the designer suggested removing two under utilised features of the existing Skate park and replacing them with the

proposed spine ramp and sub box. It was also identified that the area and use of the skate park could be further maximised by removing a fence located within the facility and adding an additional quarter pipe to allow flow through from one area of the facility into the next. This suggestion was well received by the users of the facility and the removal of the under utilised elements was welcomed.

Council's Planning Department have advised that the land is zoned PPRZ. If the works are to be undertaken by Council, or on their behalf, a planning permit is not required. No formal planning process has commenced to ascertain additional infrastructure requirements. Likely funding options for this project are the Sport and Recreation Victoria Community Facility Funding Program 2010/2011– Minors Category. Applications for this program close 17 September 2009.

### **Council Plan / Other Strategies / Policy**

The current Colac Central Reserve Master Plan identifies the location of the existing Skate Park and recommends the improvement of the open space leading into the skate park facility. As this proposal to reconfigure existing elements and include additional elements does not impact on the existing Skate Park footprint, this proposal is consistent with the Colac Central Reserve Master Plan.

The 2006-2010 Colac Otway Recreation Strategy also supports this proposal as this facility provides an important space for youth to participate in physical and social activity which is unstructured. The Colac Skate Park also provides for various events and activities undertaken by the users in partnership with Council and the Colac Otway Youth Council. It is worth noting that there are no proposals to develop a dedicated BMX facility in the near future in Colac. This proposal will make specific provision for BMX riders and further support their participation.

Council's Corporate Plan and the 2006-2010 Colac Otway Recreation Strategy support the further investigation of this proposed project demonstrated through the objectives to plan, develop and maintain a network of sustainable infrastructure and community assets and enhance the quality of residents lives by encouraging positive health, wellbeing and safety.

### **Issues / Options**

There are two options:

1. Council to support this proposal acknowledging further exploration of the implementation of a planning process that enables broader community input and application for funding to be submitted by 17 September 2009 to Sport and Recreation Victoria.
2. Council not support this proposed project.

### **Proposal**

It is proposed that Council acknowledge the efforts and achievements of the Colac Skate Park Group to date and support the further investigation of the proposed project.

### **Financial and Other Resource Implications**

Currently there are no dedicated Council funds allocated towards the development of the Colac Skate Park. The planning undertaken to date with regard to this proposal has been funded through the 2009/2010 Council Community Grants.

The possible funding opportunities available for the actual construction of the proposed Skate Park include Sport and Recreation Victoria through the Community Facilities Funding Program together with Council support. Skate Park projects lodged under the Sport and Recreation Victoria Community Facilities funding program are very competitive and require

as much advancement on the project planning and planning approval as possible to secure funding. Advice from SRV indicates that any skate park project funding application submitted without authorisation under the Planning Scheme will not be funded. As noted earlier in this report, a planning permit will not be required in this instance as this use is already authorised in this location.

It is proposed that a contribution to the construction would be sought from Council through the 2010/2011 budget process. This would be subject to the success of the funding application submitted to SRV and the consideration of the project along with other projects as part of the budget process.

#### **Risk Management & Compliance Issues**

Risk management and compliance issues will be identified and further investigated as a part of the formal planning process.

#### **Environmental and Climate Change Considerations**

Council adopted the old pool site at Central Reserve as the location for the Colac Skate Park facility. Advice received from skate park design experts and recreation professionals indicated that the problems associated with noise and safety can be overcome through careful design. This will apply to the installation of new elements within the existing facility.

#### **Communication Strategy / Consultation**

The Colac Skate Park Group has led local community consultation with youths seeking input to the skate park designs. The Group has obtained letters of support from the Colac Football and Netball Club, a co-tenant of the Central Reserve facility in support of the proposed development. Further consultation will be conducted with members of the Central Reserve Advisory Committee at their September meeting.

#### **Implementation**

Acknowledging the timelines for the funding application it is proposed that the project planning process would continue and an application submitted to SRV by 17<sup>th</sup> September 2009.

It is proposed that a funding submission would be made under the 2010/2011 SRV Community Facilities Funding Program, therefore proposing skate park construction in 2010/2011.

#### **Conclusion**

The Colac Skate Park is a popular recreation facility for local youth and has served the community well over the past ten years. Through consultation and input from the local youth and Skate Park users it has been identified that the facility is in need of some modifications which provide further opportunities for users. The Colac Skate Park Group has undertaken significant planning towards their proposed development.

#### **Attachments**

Nil

***MOVED Cr Stuart Hart seconded Cr Stephen Hart***

***That Council:***

- 1. Acknowledge the planning undertaken to date and endorse the submission of the funding application to SRV under the 2010/2011 Minors Category Community Facilities Funding Program to reconfigure and construct three new elements to the Colac Skate Park.***
- 2. Consider the Colac Skate Park project as part of the 2010/2011 budget process.***

***CARRIED 6 : 0***

**OM092608-8****S86 COMMITTEE OF MANAGEMENT ELECTIONS**

AUTHOR:	Colin Hayman	ENDORSED:	Rob Small
DEPARTMENT:	Corporate & Community Services	FILE REF:	43-47 Great Ocean Road Lavers Hill / 280 Barongarook Road Barongarook

**Purpose**

To consider appointment of new elected Committee members to the Lavers Hill Hall Management Committee and the Barongarook Hall and Tennis Reserve Management Committee.

**Declaration of Interests**

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

**Background**

Council appoints Committees of Management under Section 86 of the *Local Government Act 1989* as Special Committees to Council to act in accordance with rules and conditions of appointment adopted by Council. The purpose of the Committees is to manage the operations of the facility. Council policy is that Committee of Management members are appointed up to a 3 year term.

Meetings to appoint new Committees were conducted and chaired by a Councillor following an advertisement in the Colac Herald:

Lavers Hill Hall Management Committee	13 July 2009
Barongarook Hall & Tennis Reserve Management Committee	6 August 2009

**Strategies / Policy**

The Council Plan 2009-2013 has the following vision and mission:

Our Vision – Council will work together with our community to create a sustainable, vibrant future.

Our Mission – Council will work in partnership with our community and other organisations to provide:

- Effective leadership, governance and financial accountability;
- Affordable and effective services;
- An advocacy and engagement approach to sustainably grow our community.

Committees of Management play an important role in the community, in partnership with Council.

**Issues / Options****Option 1**

Council's policy is that Committee of Management members are appointed for a 3 year term or less where applicable.

The 3 year term for these facilities is up and community persons have been put forward to be on the committee for a period of 3 years.

### **Option 2**

Not to appoint the community persons put forward. It is an important process that each 3 years the members of the particular community/facility consider the membership of the S86 committee.

### **Proposal**

It is proposed to appoint the following community persons to the committee named for a term of 3 years.

Lavers Hill Hall Management Committee	Tracey Brauer, Bob Atkins, Virginia Atkins, Rosemary Vultz, Kim Robertson, Pam Dodsworth, Geoff Brauer, Steve Lawson
Barongarook Hall and Tennis Reserve Management Committee	Jan Healey, Barb Alford, Kathy Allan, Doug Shone, Jane Bear, Mike Edwards, Ian Lane

### **Financial and Other Resource Implications**

The Committees hold their own bank accounts and administer budgets set by the Committee in accordance with funds within these accounts.

### **Risk Management & Compliance Issues**

Each committee has been provided with a Risk Management and Insurance Manual which has been developed for Council Committees of Management. Each of the Committees operates under an Instrument of Delegation which sets out the powers, functions and duties of each committee.

### **Environmental and Climate Change Considerations**

Not applicable

### **Communication Strategy / Consultation**

The Management Committees were advised that a meeting was required to be held to appoint community persons to the committee for a 3 year period. Meetings were chaired by a Councillor.

Advertisements were placed in the Colac Herald advising of the meetings.

### **Implementation**

A letter will be forwarded to the Management Committees advising them of the appointments to the committee.

### **Conclusion**

The decision to appoint these Committees as Special Committee of Council is in keeping with Council's policy of working with its community in the management of halls and reserves throughout the Shire

### **Attachments**

Nil

***MOVED Cr Stuart Hart seconded Cr Stephen Hart that Council:***

- 1. Pursuant to Section 86 of the Local Government Act 1989, Council resolve to appoint the following elected members -***

***Lavers Hill Hall Management Committee – Tracey Brauer, Bob Atkins, Virginia Atkins, Rosemary Vultz, Kim Robertson, Pam Dodsworth, Geoff Brauer, Steve Lawson***

***Barongarook Hall and Tennis Reserve Management Committee – Jan Healey, Barb Alford, Kathy Allan, Doug Shone, Jane Bear, Mike Edwards, Ian Lane***

- 2. In accordance with Section 81 sub-section(2) sub-section(a) of the Local Government Act 1989, resolves to exempt members of the Committees from being required to submit a primary or ordinary pecuniary interest return in accordance with this section.***
- 3. Write to the Committees advising them that a copy of minutes of committee meetings held be forwarded to Council for its record after each meeting and that a Treasurer’s Report be provided annually.***

***CARRIED 6 : 0***



OM092608-9

**BARWON SOUTH WEST REGIONAL TRAILS MASTER PLAN**

AUTHOR:	Marg Scanlon	ENDORSED:	Colin Hayman
DEPARTMENT:	Corporate & Community Services	FILE REF:	GEN 00374

**Purpose**

The purpose of this report is to provide Council with an update on the Barwon South West Regional Trails Master Plan Project. This report is for information only.

**Declaration of Interests**

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

**Background**

The Barwon South West Regional Trails Master Plan project emerged from regional identification of the existing gaps in strategic planning and the opportunity to further enhance trails within the Barwon South West Region of Victoria. Colac Otway Shire hosted a forum with each of the regional local government authorities and other key stakeholders including Sport and Recreation Victoria, Regional Development Victoria, Parks Victoria, Department of Planning and Community Development, Department of Human Services, VicRoads and the Department of Transport. From this forum there was a collective commitment to pursue funding partnerships and to develop a project brief to undertake the project.

Funding was secured from each of the project partners and a project steering group was formed to finalise the project brief. The Colac Otway Shire was the endorsed auspice body for this project. Further to a tender process *Inspiring Place* was the appointed contracted consultancy group to undertake the project.

The development of this Regional Master Plan included a range of consultation including three public forums, site visits, workshops with key stakeholders, interviews with community representatives and trail managers. This consultation led to the development of the draft report which has been made available across the region through websites, Council Customer Service Centres and other community facilities. Numerous submissions to the draft report have been received and are currently being considered by the Project Control Group and the Project Consultants.

Specifically for the Colac Otway Shire a total of three submissions were received and in summary these included the following;

Otways Tourism: Strong support for the Master Plan for Regional Trails and specifically with regard to promotion, marketing, socialisation, economically and funding. Supports the recommendations of data collection, development of infrastructure and website development. Requests inclusion of the Trans Otway Waterfall Walk in the Master Plan.

Otway Ranges Walking Track Association: Recommends the Trans Otway Waterfall Walk be included in the Master Plan.

Lavers Hill and District Progress Association: Request for a safe walking and cycling track to be included in the Master Plan from Lavers Hill to Melba Gully.

One submission each was received from Bushwalking Victoria and the Geelong Bushwalking Club. Both organisations support the Master Plan and have provided input to specific recommendations. Both organisations seek opportunity to provide further input to the detailed planning of trails within the Region. Copies of the *Bushwalking Policy Position* and *Creating Trails that Walkers Will Want to Walk* were also provided. These submissions apply for the total region and not Colac Otway specific. It should be noted that the Geelong Bushwalking Club support the development of the Trans Otway Waterfall Walk.

Each of these submissions together with all submissions received to the project will be acknowledged and addressed in the Final Master Plan.

The Old Beechy Rail Trail is identified as a regional trail and this being the only regional trail within the Colac Otway Shire. It is recommended that investigations be undertaken to further develop the Old Beechy Rail Trail to address further links (with Otway Fly, Lavers Hill and Crowes) and replace existing on-road sections off-road. It is recommended that the existing management arrangements continue but with further promotions of the Trail and its opportunities.

#### **Council Plan / Other Strategies / Policy**

The Barwon South West Regional Trails Master Plan is consistent with the Council Plan objectives, specifically;

Physical Infrastructure and Assets

*Council will provide and maintain Council infrastructure and assets that meet community needs now and in the future.*

Land Use Development

*Council will engage, plan and make decisions about land use and development that takes into account the regulatory role of Council, its diverse geography, social, community, economic and environmental impacts for current and future generations.*

Community Health and Wellbeing

*Council will promote community health and wellbeing in partnership with other health services. Through a partnership approach Council will provide a broad range of customer focused health, recreational, cultural and community amenities, services and facilities.*

It should also be noted that this project is consistent with Council's objectives with regard to Environmental Management and Economic Development.

The Barwon South West Regional Trail Master Plan is consistent with the Colac Otway 2006-2010 Recreation Strategy.

#### **Issues / Options**

Specifically for the Colac Otway Shire one of the submissions received from the Otway Ranges Walking Trails Association Inc. (ORTWA inc.) requires further exploration and consideration. While the submission will be acknowledged within the Master Plan report, representatives from Parks Victoria, ORTWA and Council have agreed to continue to work collaboratively to undertake these necessary further investigations. At this stage the Trans Otway Walks are not listed as regional trails.

#### **Proposal**

It is proposed that this report be acknowledged as an update of the Barwon South West Regional Trails Master Plan project.

**Financial and Other Resource Implications**

There are no financial or resource implications for this project. The costs associated with the development of the proposed regional trails will be considered by the respective land owners and managers. Specifically for the Colac Otway Shire any proposals consistent with the Master Plan will be presented to Council for consideration.

**Risk Management & Compliance Issues**

All risk management and compliance issues relating to the Barwon South West Regional Trails Master Plan have been considered and addressed through the project and the final report.

**Environmental and Climate Change Considerations**

Various environmental considerations have been taken into account throughout the development of the Master Plan and further assessments and consideration will need to be undertaken specific to some of the final report recommendations. Specifically for the Colac Otway Shire specific consideration will need to be undertaken for the future proposed development of the Trans Otway Waterfall Walks.

**Communication Strategy / Consultation**

The development of this Master Plan included a range of consultation with the communities within the region, key stakeholders and project partners. The consultants also contributed information sourced from similar projects both nationally and internationally.

The three public forums held at the commencement of the project were conducted in Colac, Geelong and Warrnambool and were well attended with approximately 60 attendees at each forum. Predominately these forums were attended by representatives of trails or user groups of trails. These forums provided invaluable information with regard to existing trail details and proposed trail development. These forums were held early in the project and subsequently much of the information sourced from these forums led to the site visits and follow up consultation.

A series of workshops were held with the key stakeholders including land and trail managers. These forums were conducted at agreed milestone stages within the project to provide opportunities to discuss findings and proposals. Other industry representatives such as Bicycle Victoria and Bushwalking Victoria also participated in these forums.

Numerous site meetings and interviews were held throughout the region with representatives from the trail managers, community and other interested groups.

Project updates have been provided to project supporters including G21, the Regional Manager's Forum and the State Government Inter Departmental Committee on a regular basis. This project (and its proposed future directions) has been recognised as one of the G21 top five regional projects.

**Implementation**

It is proposed that the final report will be presented to Council in September further to the completion of the submission assessment.

**Conclusion**

The Barwon South West Regional Trails Master Plan provides clear recommendations for trail development (of both existing and new trails). All recommendations are subject to partnership, funding, management, project readiness and other requirements. This Master Plan is strongly supported by G21 and the Regional Managers Forum and creates a significant opportunity to further promote the region's natural environment and features to both residents and visitors through the broad range of trails on offer.

**Attachments**

Nil

***MOVED Cr Stuart Hart seconded Cr Stephen Hart that Council receives the updated report on the Barwon South West Regional Trails Master Plan as information only.***

***CARRIED 6 : 0***

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

D = Discussion

W = Withdrawal

ITEM	D	W
<p><b><u>INFRASTRUCTURE AND SERVICES</u></b></p> <p><b><u>OM092608-10 ROAD MANAGEMENT PLAN COMPLIANCE REPORT</u></b></p> <p>Department: Infrastructure</p> <p><b><u>Recommendation(s)</u></b></p> <p><b><i>That Council receives the Road Management Plan Compliance Report for information.</i></b></p>	Cr Chris Smith	

***MOVED Cr Stephen Hart seconded Cr Frank Buchanan that recommendations to items listed in the Consent Calendar be adopted.***

***CARRIED 6 : 0***

**OM092608-10 ROAD MANAGEMENT PLAN COMPLIANCE REPORT**

AUTHOR:	Adam Lehmann	ENDORSED:	Neil Allen
DEPARTMENT:	Infrastructure & Services	FILE REF:	GEN01710/RMPAct/Plan

**Purpose**

The purpose of this report is to present to Council the Road Management Compliance Report which measures the performance of the road and footpath inspection and maintenance functions against the standards prescribed by Council's Road Management Plan.

**Declaration of Interests**

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

**Background**

The attached reports detail the performance of Council's road management systems and processes for the fourth quarter of 2008/09 being the period April to June 2009. Overall, Council has been doing an excellent job at maintaining its assets at the intervention levels in the Road Management Plan. Intervention levels are dependent on the maintenance funding provided as part of the budget.

**Council Plan / Other Strategies / Policy**

Performance and compliance is measured against the service levels as defined by the current version of Council's Road Management Plan.

**Issues / Options**

The attached compliance reports measure compliance levels and also detail some key issues relating to the ongoing management of Council's road and footpath assets.

Footpaths

Approximately 28-km of Council's footpath network was inspected during the period April to June 2009. These inspections included footpaths located in all small townships across the shire. A total of 63 defects requiring attention were identified through these proactive inspections. The majority of these issues related to footpath hazards and overhanging street trees. 98% of these defects were addressed within the required timelines which is an excellent level of compliance.

All inspections programmed for the reporting period were completed with no variance to the adopted schedules.

Roads

Approximately 543-km of Council's public roads were inspected during the period April - June 2009. This length represents 38% of the total road network.

Roads inspected included those categorised as Rural Link, Rural Collector, and Urban Collector Roads. Other roads in the Forrest and Wongarra areas were also assessed.

A total of 228 maintenance items requiring rectification were identified through the proactive inspection process. The majority of these defects related to signage and roadside furniture.

An overall compliance rate of 95% has been achieved in terms of maintenance responsiveness. The majority of defects recorded for this reporting period relate to signage and roadside furniture defects. This is generally consistent with previous compliance reports.

### **Proposal**

It is intended that Council receive this report for information.

### **Financial and Other Resource Implications**

No financial implications are applicable at present. The service levels within the Road Management Plan have been aligned to available funding. Emerging deterioration trends will need to be continually monitored to determine likely impacts on both maintenance and capital works programs.

### **Risk Management & Compliance Issues**

Council's objective of road management is to ensure that a safe and efficient road network is provided primarily for the use by members of the public and is available for other appropriate uses.

### **Environmental and Climate Change Considerations**

No environmental considerations are applicable.

### **Communication Strategy / Consultation**

Road Management Plan compliance is also presented to Council's Audit Committee.

### **Implementation**

Works will be implemented on an ongoing basis dependent on the defects identified as part of the inspection program.

### **Conclusion**

Performance of the overall road management function is generally consistent with previous quarter's results.

### **Attachments**

1. RMP Compliance Footpaths
2. RMP Compliance Roads

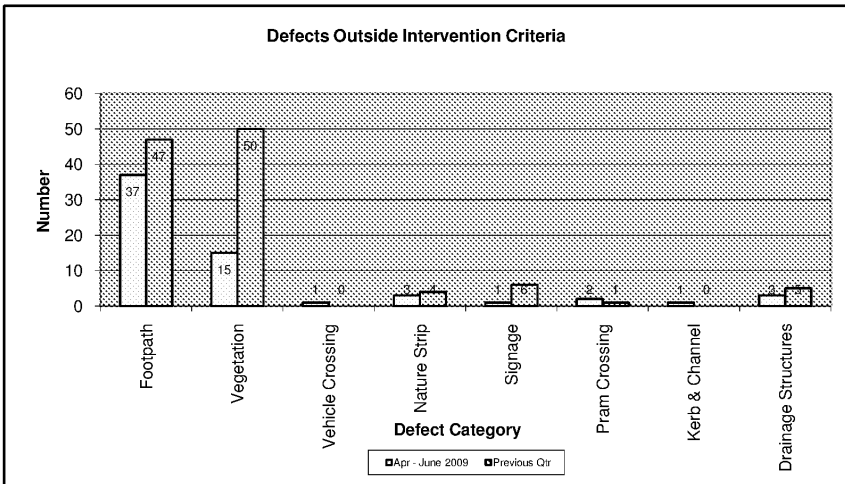
***MOVED Cr Stephen Hart seconded Cr Frank Buchanan that Council receives the Road Management Plan Compliance Report for information.***

***CARRIED 6 : 0***

**INFRASTRUCTURE DEPARTMENT**  
Mission: To effectively manage infrastructure and provide Best Value community services.

<b>Road Management Plan Compliance Report</b>	
<b>Asset Category:</b>	Footpaths
<b>Reporting for the Period:</b>	4th Quarter (April - June 2008)
<b>Inspections Completed By:</b>	Kevin O'Gorman
<b>Report Prepared By:</b>	Adam Lehmann

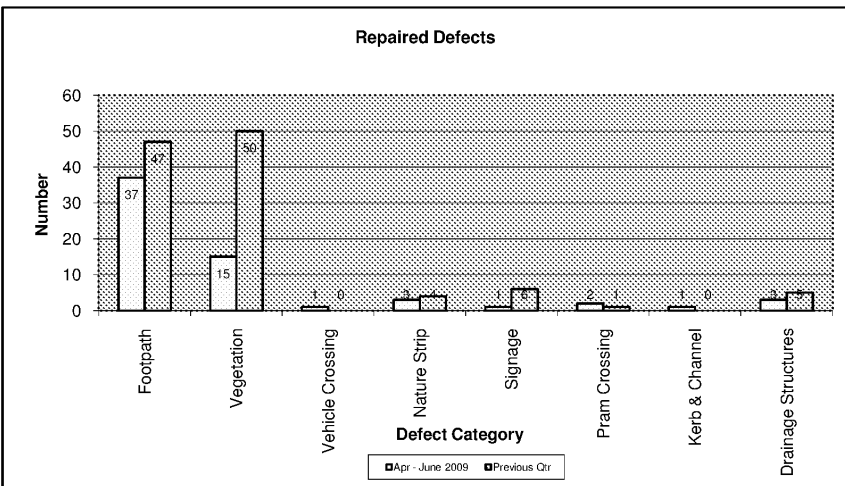
**No. of Defects Identified - Outside Intervention**



**Comments**

Approximately 28-km of Council's footpath network were inspected during the period April to June 2009. These inspections included footpaths located in all small townships across the shire. A total of 63 defects requiring attention were identified through these proactive inspections. The majority of these issues related to footpath hazards and overhanging street trees.

**No. of Defects Repaired - Outside Intervention**



**Comments**

All identified defects have been responded to through wither imediate action or othre programmed works.



**INFRASTRUCTURE DEPARTMENT**

Mission: To effectively manage infrastructure and provide Best Value community services.

**Inspection Performance Summary**

Proportion of routine inspections completed for Period to meet prescribed frequencies

Hierarchy Identifier	Name	Score
HR	High Risk Area	100%
SR	Standard Risk Area	100%
LR	Low Risk Area	N/A

**Comments**

All inspections were completed for this period in accordance with the adopted schedules.

**Maintenance Performance Summary**

Proportion of reported defects that have been actioned/repaired

Defect Category	Score
Footpath	100%
Vegetation	100%
Vehicle Crossing	100%
Nature Strip	N/A
Signage	100%
Pram Crossing	100%
Kerb & Channel	N/A
Drainage Structures	100%

Proportion of defects actioned within prescribed response times

Defect Category	Score
Footpath	97%
Vegetation	100%
Vehicle Crossing	100%
Nature Strip	100%
Signage	100%
Pram Crossing	100%
Kerb & Channel	100%
Drainage Structures	100%

**Comments**

98% of all defects identified have been addressed within the required timelines. This is an excellent level of compliance.

**Overall Comments**

A high level of compliance has been achieved with the standards of Council's Road Management Plan in relation to our proactive systems for the inspection and maintenance of the footpath network.

**INFRASTRUCTURE DEPARTMENT**

Mission: To effectively manage infrastructure and provide Best Value community services.

**Asset Inspection Regime - Footpaths**

Asset Class	Hierarchy	Inspection Type, Frequency & Responsibility			
		Routine	Relevant Department	Condition	Relevant Department
Footpath	High Risk Area	6 months	Cosworks	2 years	Infrastructure & Services
	Standard Risk Area	12 months	Cosworks	2 years	Infrastructure & Services
	Low Risk Area	Request Inspection	Cosworks	No Inspection	Not Applicable

**Inspection Definitions**

**Routine Inspections**

Inspections undertaken in accordance with the formal inspection schedule to determine if road asset complies with the levels of service as specified by the Maintenance Performance Criteria.

Identified defects are rated against the standards adopted for routine maintenance works on the asset. These performance standards indicate the magnitude of the undesirable condition for each defect requiring remedial action.

A record of each street/road is completed detailing the name of the inspector, the inspection date, time, road name/asset description and report of any defects found that are at the 'tolerable' defects level as defined by Council's Maintenance Performance Criteria.

In addition, a notation is recorded of any road/asset inspected where no defect was apparent under the specific rigour of the inspection.

**Condition Inspections**

Condition inspections are undertaken specifically to identify deficiencies in the structural integrity of the various components of the road infrastructure that if untreated, are likely to adversely affect network values. The deficiencies may well impact on short-term serviceability as well as the ability of the component to continue to perform at the level of service for the duration of its intended useful life.

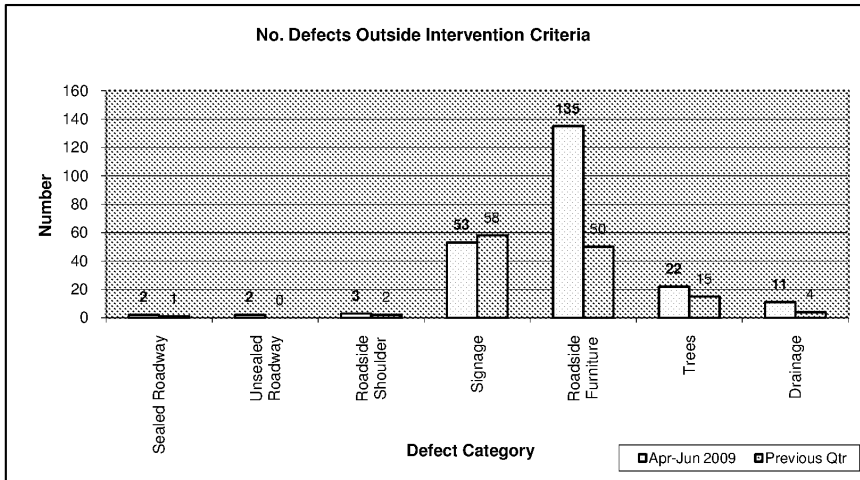
The condition inspection process must also meet the requirements for accounting regulations and asset management.

Regular or periodic assessment, measurement and interpretation of the resulting condition data is required so as to determine the need for any preventive or remedial action and is used in the development of relevant programs of rehabilitation or renewal works.

**INFRASTRUCTURE DEPARTMENT**  
Mission: To effectively manage infrastructure and provide Best Value community services.

<b>Road Management Plan Compliance Report</b>	
<b>Asset Category:</b>	Roads
<b>Reporting for the Period:</b>	4th Quarter (April - June 2009)
<b>Inspections Completed By:</b>	Kevin O'Gorman
<b>Report Prepared By:</b>	Adam Lehmann

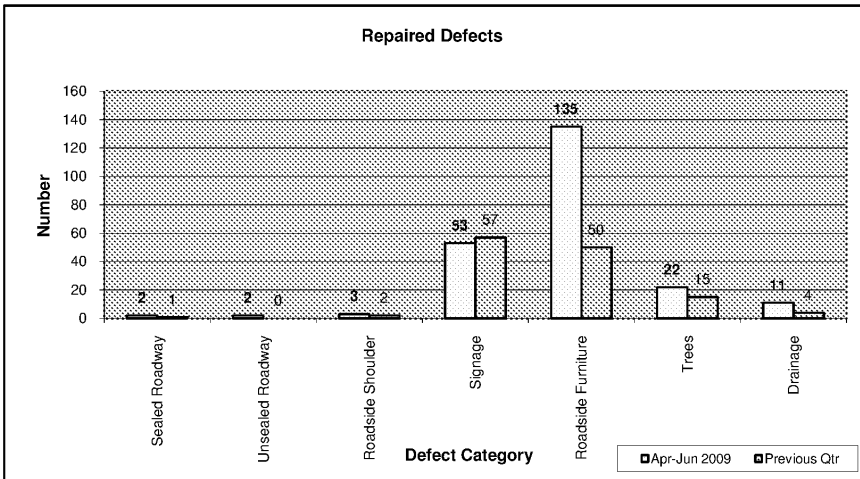
**No. of Defects Identified - Outside Intervention**



**Comments**

Approximately 543-km of Council's public roads were inspected during the period April - June 2009 . This represents 38% of the total road network. A total of 228 maintenance items requiring rectification were identified through the proactive inspection process. The majority of these defects related to signage and roadside furniture.

**No. of Defects Repaired - Outside Intervention**



**Comments**

All maintenance items identified have been addressed.

**INFRASTRUCTURE DEPARTMENT**

Mission: To effectively manage infrastructure and provide Best Value community services.

**Inspection Performance Summary**

Proportion of routine inspections completed for Period to meet prescribed frequencies

Hierarchy		Name	Score
Network	Identifier		
Rural	RL	Rural Link	100%
	RC	Rural Collector	100%
	RA	Rural Access	100%
Urban	UL	Urban Link	N/A
	UC	Urban Collector	100%
	UA	Urban Access	100%

**Comments**

All routine road maintenance inspections nominated for the reporting period have been completed in accordance with the Road Management Plan.

**Maintenance Performance Summary**

Proportion of reported defects that have been actioned

Defect Category	Score
Sealed Roadway	100%
Unsealed Roadway	100%
Roadside Shoulder	100%
Signage	100%
Roadside Furniture	100%
Trees	100%
Drainage	100%

Proportion of defects actioned within prescribed response times

Defect Category	Score
Drainage	91%
Roadside Furniture	100%
Sealed Roadway	100%
Signage	83%
Trees	91%
Unsealed Roadway	100%
Roadside Shoulder	100%

**Comments**

An overall compliance rate of 95% has been achieved in terms of maintenance responsiveness.

**Overall Comments**

A high standard of road maintenance delivery has been maintained for this period, and the efforts of both Cosworks personnel and the Asset Inspection Officer in achieving this level of compliance should be noted.

**INFRASTRUCTURE DEPARTMENT**

Mission: To effectively manage infrastructure and provide Best Value community services.

**Asset Inspection Regime - Roads (Current)**

Asset Class	Hierarchy	Inspection Type, Frequency & Responsibility			
		Frequency	Relevant Department	Frequency	3rd Quarter (January - March 2009)
<b>Urban Road Network</b> <small>* Includes sealed and unsealed roads</small>	Urban Link	Not Applicable	Cosworks	3 years	Infrastructure & Services
	Urban Collector	4 months	Cosworks	3 years	Infrastructure & Services
	Urban Access	6 months	Cosworks	3 years	Infrastructure & Services
	Urban Minor	2 years	Cosworks	3 years	Infrastructure & Services
<b>Rural Road Network</b> <small>* Includes sealed and unsealed roads</small>	Rural Link	3 months	Cosworks	3 years	Infrastructure & Services
	Rural Collector	4 months	Cosworks	3 years	Infrastructure & Services
	Rural Access	12 months	Cosworks	3 years	Infrastructure & Services
	Rural Minor	3 years	Cosworks	3 years	Infrastructure & Services

**Inspection Definitions**

**Routine Inspections**

Inspections undertaken in accordance with the formal inspection schedule to determine if road asset complies with the levels of service as specified by the Maintenance Performance Criteria.

Identified defects are rated against the standards adopted for routine maintenance works on the asset. These performance standards indicate the magnitude of the undesirable condition for each defect requiring remedial action.

A record of each street/road is completed detailing the name of the inspector, the inspection date, time, road name/asset description and report of any defects found that are at the 'tolerable' defects level as defined by Council's Maintenance Performance Criteria.

In addition, a notation is recorded of any road/asset inspected where no defect was apparent under the specific rigour of the inspection.

**Condition Inspections**

Condition inspections are undertaken specifically to identify deficiencies in the structural integrity of the various components of the road infrastructure that if untreated, are likely to adversely affect network values. The deficiencies may well impact on short-term serviceability as well as the ability of the component to continue to perform at the level of service for the duration of its intended useful life.

The condition inspection process must also meet the requirements for accounting regulations and asset management.

Regular or periodic assessment, measurement and interpretation of the resulting condition data is required so as to determine the need for any preventive or remedial action and is used in the development of relevant programs of rehabilitation or renewal works.

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

D = Discussion

W = Withdrawal

ITEM	D	W
<p><b><u>SUSTAINABLE PLANNING AND DEVELOPMENT</u></b></p> <p><b><u>OM092608-11 COLAC OTWAY SHIRE AND OTWAYS TOURISM INC SERVICE AGREEMENT REVIEW</u></b></p> <p>Department: Sustainable Planning and Development</p> <p><b><u>Recommendation(s)</u></b></p> <p><i>That Council endorse a formal review of the Service Agreement and the performance of Otway Tourism to be conducted by the Economic Development Unit.</i></p> <p><i>That Council appoints Councillor Lyn Russell and Cr..... to the Review Steering Committee.</i></p>		Cr Lyn Russell
<p><b><u>OM092608-12 HEATHFIELD RESERVE CONSULTATION ON FUTURE INTERIM USE</u></b></p> <p>Department: Sustainable Planning and Development</p> <p><b><u>Recommendation(s)</u></b></p> <p><i>That Council:</i></p> <ol style="list-style-type: none"> <li><i>1. Endorse the continued short term use of the land known as Heathfield Reserve for grazing.</i></li> <li><i>2. Consider the role and function of the site for open space as part of any Open Space Strategy initiated by Council.</i></li> <li><i>3. Consider funding a Master Plan in future budgets that examines the best long term use of the site, and which addresses constraints such as access.</i></li> </ol>		Cr Lyn Russell

<p><b>OM092608-13      <u>FEDERAL GOVERNMENT FUNDING OPPORTUNITY</u></b></p> <p>Department: Sustainable Planning and Development</p> <p><b><u>Recommendation(s)</u></b></p> <p><b><i>That Council:</i></b></p> <ol style="list-style-type: none"> <li>1. <b><i>Endorses the allocation of \$206,000 via the Federal Government's Community Infrastructure Program for the following projects:</i></b> <ul style="list-style-type: none"> <li>○ <b><i>Old Beechy Rail Trail \$86,000</i></b></li> <li>○ <b><i>Colac Visitor Information Centre \$20,000</i></b></li> <li>○ <b><i>Sustainable Water Initiatives \$70,000</i></b></li> <li>○ <b><i>Apollo Bay Mechanics Hall \$30,000</i></b></li> </ul> </li> <li>2. <b><i>Endorses an application under the Federal Government's Community Infrastructure Program – Strategic Projects Program for the Bluewater Fitness Centre Stadium Redevelopment.</i></b></li> </ol>		Cr Lyn Russell
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OM 092608-11

***MOVED Cr Lyn Russell seconded Cr Stuart Hart that Council:***

1. ***Notes that the existing agreement with Otways Tourism Inc. lapses on 30 June 2010.***
2. ***Resolves to implement a formal review of the agreement and the performance of Otways Tourism conducted by the Economic Development Unit.***
3. ***Any continuation of the existing agreement or funding of Otways Tourism beyond 30 June 2010 is dependent on Council's decision following the outcome of the review.***
4. ***Appoints Cr Lyn Russell and Cr Stephen Hart to the Review Steering Committee.***
5. ***Asks the Council Chief Executive Officer to write to Otways Tourism's Chief Executive Officer to inform him of this decision to particularly emphasise point 3 above.***

***CARRIED 5: 1***

OM092608-12

***MOVED Cr Lyn Russell seconded Cr Stephen Hart that:***

1. ***Council notes that the public open space in Heathfield Reserve is available for the community's use.***
2. ***Council asks the Chief Executive Officer to write to the Southern Otway Landcare Network to invite them to commence discussions in relation to their planned revegetation on the land adjacent to the Barham River on the Reserve.***
3. ***Calls for a Council workshop to discuss how all interested members of the public might be invited to participate in an Advisory Committee or similar to work towards improved public use of the Reserve.***

- 4. Endorse the continued short term use of the land for grazing subject to the outcomes arising from point 2 and 3 above.**
- 5. Consider funding a Master Plan in future budgets that examines the best long term community use of the Reserve consistent with site constraints.**
- 6. That in any future development proposed for land adjoining the Heathfield Reserve, Council consider the provision of public access to this reserve in the planning process.**

**CARRIED 6: 0**

**OM092608-13.1**

**MOVED Cr Lyn Russell seconded Cr Stephen Hart that Council endorses the allocation of \$206,000 via the Federal Government's Community Infrastructure Program for the following projects:**

- **Old Beechy Rail Trail \$86,000**
- **Colac Visitor Information Centre \$20,000**
- **Sustainable Water Initiatives \$70,000**
- **Apollo Bay Mechanics Hall \$30,000**

**CARRIED 6 : 0**

**OM092608-13.2**

**MOVED Cr Lyn Russell seconded Cr Frank Buchanan that Council endorse an application under the Federal Government's Community Infrastructure Program – Strategic Projects Program for the Bluewater Fitness Centre Stadium Redevelopment with options for a staged development inclusive of a warm water exercise pool.**

**CARRIED 6: 0**



OM092608-11

## COLAC OTWAY SHIRE AND OTWAYS TOURISM INC SERVICE AGREEMENT REVIEW

AUTHOR:	Mike Barrow	ENDORSED:	Jack Green
DEPARTMENT:	Sustainable Planning & Development	FILE REF:	GEN00184

### Purpose

To seek Council endorsement of a review of the service agreement between Colac Otway Shire and with Otways Tourism Inc (OT).

To seek Council endorsement of the process for review.

To seek nomination of two Councillors to the Review Steering Committee.

### Declaration of Interests

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

### Background

In September 2005, Council engaged 'Wine Food and Tourism Strategies Pty Ltd' to complete a strategic review of the Colac Otway Shire tourism structure, function, and performance. The focus of the review was to investigate the financial investment of Council into tourism, determine its return on investment and investigate alternative sources of funding.

The 'Colac Otway Shire Tourism Review' was completed in February 2006 and a report was made to Council including an officer's response to the Review. At the 24 May 2006 Council Meeting it was resolved:

1. *That Council receive the report on the Response to Tourism Review;*
2. *That Council endorses the officer recommendations in response to the Tourism Review other than those which may need to be modified as a result of Council's deliberation on the Rating Review and Budget and subject to the consultation process."*

A number of key recommendations related to the role of OT:

1.2.2 *"That Council investigate funding models as part of its rating review with the long term goal of providing funding to OT so that they can employ an Executive Officer and other appropriate resources to take on the roles of marketing, professional development, product development and other appropriate activities that support the development of the tourism industry."*

1.2.3 *"That once appropriate funding models, resources and structure are in place for OT, Council agrees to withdraw from active involvement in major tourism functions such as marketing, professional and product development."*

1.2.4 *"That once OT is resourced, Council closely monitor its service agreement with OT to ensure maximum return for its investment."*

On 15 December 2006, Council signed a Service Agreement with OT that empowers the local Tourism Industry to be itself responsible for the development of the industry within the Colac Otway Shire. The term of the Agreement expires on 30 June 2010.

Council has the option to renew the Service Agreement, negotiate another Agreement with OT or not renew this formal relationship with OT and seek an alternative model of providing marketing, professional development, product development and other appropriate activities that support the development of the tourism industry. (**Attachment 1** Colac Otway Tourism Review Feb 2006)

To enable Council to make an informed decision on the options available this report proposes a formal review of the Service Agreement and the performance of OT to be conducted by the Economic Development Unit.

### **Council Plan / Other Strategies / Policy**

Council Plan 2009 – 2013 Economic Development

Council is committed to facilitating a healthy and resilient economy through effective leadership, advocacy, and partnership.

Support the tourism industry as a key driver of the economy	<ol style="list-style-type: none"> <li>1. Provide Tourism Services and Strategic Support including: Colac Visitor Information Centre; Great Ocean Road Visitor Information Centre Apollo Bay; Otways Tourism Funding</li> <li>2. Increase the customer base for the Book Victoria web based local accommodation booking service</li> <li>3. Upgrade Township interpretive tourism signage</li> <li>4. Maximise use of the natural environment to promote tourism and business growth</li> <li>5. Implement the Apollo Bay Harbour Precinct Master Plan</li> </ol>
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### **Issues / Options**

This Colac Otway Shire and OT Service Agreement sets out the responsibilities of each organisation in the provision of tourism industry and related services within the Colac Otway Shire tourism region.

#### Colac Otway Shire

- **Strategic & Business Planning**

To develop a single strategic plan in conjunction with Otways Tourism Inc and in consultation with Geelong Otway Tourism, outlining the tourism future for the Shire and ensuring a cohesive and integrated approach to regional tourism management.

- **Destination & Infrastructure Development**

To continue to provide, maintain, improve and develop new infrastructure that supports the tourism industry needs (rubbish, township presentation, Visitor Information Centres, car parking, signage).

To actively encourage appropriate tourism development in the region and ensure the Council's Planning Scheme recognises tourism related developments/activities as being integral to the municipality's development.

- **Visitor Services**

To service visitor information needs through the direct management and funding of the Colac and Great Ocean Road (Apollo Bay) Visitor Information Centres.

- **Partnerships**

To continue to support the development and implementation of regional tourism strategies through continued involvement with Geelong Otway Tourism and Tourism Victoria.

Otways Tourism Inc

- **Co-ordination & Representation**

To lead the development of a successful and sustainable tourism industry for the region and engage in advocacy and partnerships consistent with these purposes.

- **Marketing**

To undertake internal marketing initiatives and support external marketing programs in cooperation with Geelong Otway Tourism and Great Ocean Road Marketing with the view to encouraging increased visitor yield, numbers and length of stay.

- **Visitor Services**

To coordinate, in conjunction with the Colac Otway Shire, the region's approach to achieve high quality visitor services and experiences for visitors.

- **Tourism Business Development**

To encourage industry professionalism and engender a service culture.

- **Tourism Industry Development**

To support the development of new tourism product and experiences enhancing the local region's competitive strength.

- **Partnerships**

To effect communication and industry networks that foster the growth of tourism through a cooperative, professional regional approach.

(Attachment 2 Service Agreement between Colac Otway Shire and Otways Tourism Inc Dec 2006)

The Terms of the Agreement include the following:

"This Service Agreement lapses after 30 June 2010 and may be renewed or renegotiated by further agreement between the parties.

Should either organisation wish to terminate the relationship written notice must be given eighteen months in advance of termination. Such notice will allow appropriate modifications to the business plan and budget process."

**Option 1** is that Council renew the existing Service Agreement for a further period of three years.

**Option 2** is that Council negotiate a new Service Agreement for an agreed period.

**Option 3** is that Council do not renew the existing Service Agreement for a further period of three years or negotiate a new Service Agreement for an agreed period. This option would require the development of an alternative model of providing marketing, professional development, product development and other appropriate activities that support the development of the tourism industry.

To enable Council to make an informed decision on the options available this report proposes a formal review of the Service Agreement and the performance of OT to be conducted by the Economic Development Unit.

**Proposal**

That Council endorse a formal review of the Service Agreement and the performance of Otway Tourism.

To seek Council endorsement of the process for review to be conducted by the Economic Development Unit.

To seek nomination of two Councillors to the Review Steering Committee.

**Financial and Other Resource Implications**

Council has provided the following financial support to Otways Tourism over the past three years.

The amount of funding provided is reviewed annually and the 2009/10 draft Council Budget recommends an allocation of \$155,000.

The Review is a scheduled Economic Development Unit major project and has been planned to take place between August 2009 and February 2010.

**Risk Management & Compliance Issues**

The review of the Service Agreement and performance of OT is important to enable Council to make an informed assessment of the best option for the future provision of support and resources to the Tourism Industry.

If a review is not conducted there would be a risk that the community may consider that council would be making a decision on the future of its relationship without thoroughly examining all of the related issues.

**Environmental and Climate Change Considerations**

There are no relevant Environmental and Climate Change Considerations.

**Communication Strategy / Consultation**

Discussions have taken place with the OT Board on the Service Agreement and the proposal for a review. OT fully supports the concept of a review and has expressed a desire to cooperate fully.

Once the option to proceed with the review is determined by Council, the OT Board will be advised in writing with a copy of the review plan (Attached here or earlier?). The letter will request that OT also advise the Sub LTAs and members of the organisation.

**Implementation**

The Review will take into account:

- The provisions and obligations listed within the Service Agreement for and on behalf of both parties, Colac Otway Shire and Otways Tourism.
- An evaluation of performance against strategic and action goals in :
  - The Otways Tourism Strategic Plan 2006 – 2008
  - The Otways Tourism Strategic Pan 2008 – 2010
  - The Otways Tourism 2008 – 2009 Annual Projects Plan
  - The Otways Tourism 2009 – 2010 Annual Projects Plan
- The Partnership agreement between Otways Tourism and the sub local tourism associations:
  - Apollo Bay Chamber of Commerce and Tourism
  - Otway Coast Tourism
  - Otway Hinterland Tourism Association

- Otway Scenic Circle Association
- A survey of member satisfaction with Otways Tourism taking into account
  - Member services
  - Value for money
  - Industry Development within the Colac Otway Shire
  - Tourism promotion within the Colac Otway Shire
- A survey of significant other stakeholders taking into account collaborative approaches to industry development and regional marketing:
  - Geelong Otway Tourism
  - Parks Vic
  - Otway Business Inc.
  - Tourism Victoria

The Project Steering Group will include:

- Cr Lyn Russell (current Council representative on OT Board)
- Another Councillor to be appointed
- Manager Economic Development
- Business Development Officer
- Economic Development Officer (Tourism)

The process of the review will include:

- Formation of Review Steering Group
- Document Review
- Examination of performance against strategic and action goals
- Member Survey and assessment
- Stakeholder Survey and assessment
- Review report including recommend.

The Review will not undertake any examination of the relationship between Colac Otway Shire and Geelong Otway Tourism or the benefits of this regional partnership. This will be subject to a separate review prior to the cessation of the Geelong Otway Tourism Memorandum of Understanding in September 2010.

### **Conclusion**

Council signed a Service Agreement with Otways Tourism Inc (OT) that empowers the local Tourism Industry to be itself responsible for the development of the industry within the Colac Otway Shire. The term of the Agreement expires on 30 June 2010.

Council has the option to renew the Service Agreement, negotiate another Agreement with OT or not renew this formal relationship with OT and seek an alternative model of providing marketing, professional development, product development and other appropriate activities that support the development of the tourism industry. (Attachment 1 Colac Otway Tourism Review Feb 2006)

To enable Council to make an informed decision on the options available this report proposes a formal review of the Service Agreement and the performance of OT to be conducted by the Economic Development Unit.

### **Attachments**

1. Otway Tourism Review Project Plan
2. Otway Tourism Service Agreement

**Recommendation(s)**

***That Council endorse a formal review of the Service Agreement and the performance of Otway Tourism to be conducted by the Economic Development Unit.***

***That Council appoints Councillor Lyn Russell and Cr..... to the Review Steering Committee.***

***MOVED Cr Lyn Russell seconded Cr Stuart Hart that Council:***

- 1. Notes that the existing agreement with Otways Tourism Inc. lapses on 30 June 2010.***
- 2. Resolves to implement a formal review of the agreement and the performance of Otways Tourism conducted by the Economic Development Unit.***
- 3. Any continuation of the existing agreement or funding of Otways Tourism beyond 30 June 2010 is dependent on Council's decision following the outcome of the review.***
- 4. Appoints Cr Lyn Russell and Cr Stephen Hart to the Review Steering Committee.***
- 5. Asks the Council Chief Executive Officer to write to Otways Tourism's Chief Executive Officer to inform him of this decision to particularly emphasise point 3 above.***

***CARRIED 5 : 1***

## PROJECT PLAN

### Colac Otway Shire Review of Otways Tourism Mike Barrow, Manager Economic Development

#### Scope and Deliverables

On 15 December 2006, Council signed a Service Agreement with Otways Tourism Inc (OT) with the term of the Agreement being 1 December 2006 to 30 June 2010.

*"This Service Agreement lapses after 30 June 2010 and may be renewed or negotiated by further agreement between parties. P5*

Colac Otway Shire signed the Service Agreement to empower the local Tourism Industry to be itself responsible for the development of the industry within the Colac Otway Shire. When the Service Agreement ceases Council will consider its options for the future development of the Industry. To enable Council to make an informed decision it is necessary to conduct a review of the performance of Otways Tourism for the period of the Service Agreement.

The Review will take into account:

- The provisions and obligations listed within the Service Agreement for and on behalf of both parties, Colac Otway Shire and Otways Tourism.
- Tan evaluation of performance against strategic and action goals in :
  - The Otways Tourism Strategic Plan 2006 – 2008
  - The Otways Tourism Strategic Pan 2008 – 2010
  - The Otways Tourism 2008 – 2009 Annual Projects Plan
  - The Otways Tourism 2009 – 2010 Annual Projects Plan
- The Partnership agreement between Otways Tourism and the sub local tourism associations:
  - Apollo Bay Chamber of Commerce and Tourism
  - Otway Coast Tourism
  - Otway Hinterland Tourism Association
  - Otway Scenic Circle Association
- A survey of member satisfaction with Otways Tourism taking into account
  - Member services
  - Value for money
  - Industry Development within the Colac Otway Shire
  - Tourism promotion within the Colac Otway Shire
- A survey of significant other stakeholders taking into account collaborative approaches to industry development and regional marketing:
  - Geelong Otway Tourism
  - Parks Vic
  - Otway Business Inc.
  - Tourism Victoria

The Review will not undertake any examination of the relationship between Colac Otway Shire and Geelong Otway Tourism or the benefits of this regional partnership. This will be subject to a separate review prior to the cessation of the Geelong Otway Tourism Memorandum of Understanding in September 2010.

### **Steering Group**

The Project Steering Group will include:

- Cr Lyn Russell           current Council representative on OT Board
- Another Councillor to be appointed
- Mike Barrow             Manager Economic Development
- Joel Kimber             Business Development Officer
- Mick Cosgriff           Economic Development Officer (Tourism)

### **Methodology**

- Formation of Review Steering Group
- Document Review
- Examination of performance against strategic and action goals
- Member Survey and assessment
- Stakeholder Survey and assessment
- Review report including recommendations

### **Budget**

The project will be conducted by the Economic Development Unit within existing operational budget.

### **Project Management Plan**

Task	Time Line	Responsible Person
Inception meeting	03/09/2009	Mike Barrow
Document Review	04/09/2009 - 28/09/2009	Mike Barrow
Performance against strategic and action goals	31/09/2009- 30/10/2009	Mike Barrow
Member Survey	31/09/2009- 30/10/2009	Mick Cosgriff
Stakeholder Survey	31/09/2009- 30/10/2009	Mick Cosgriff
Survey assessment	05/11/2009 - 30/11/2009	Mick Cosgriff
Draft Review completed	27/12/2009	Mike Barrow
Draft Review Council workshop	09/01/2010	Mike Barrow
Draft Review Council report	16/01/2010	Mike Barrow
Public consultation and submission	17/01/2010 – 27/02/2010	Mike Barrow
Final Review report to Council including summary of submissions	24/03/2010	Mike Barrow





## **Service Agreement between Colac Otway Shire and Otways Tourism Inc.**

### **1. PARTIES TO THE AGREEMENT**

This Service Agreement records an agreement between Otways Tourism Inc, **Address subject to confirmation**, and the Colac Otway Shire, 2-6 Rae Street, Colac 3250 for the provision of tourism industry and related services within the Colac Otway Shire tourism region.

### **2. TERM**

The term of this agreement is 1 December 2006 to 30 June 2010.

### **3. OBJECTIVES**

- The parties agree to bring together their respective networks, resources and shared understanding to deliver upon this Service Agreement.
- The parties will work collaboratively to raise the profile and performance of the Colac Otway Shire tourism industry by working together in:
  - Providing leadership in the ongoing development of local tourism;
  - Supporting the continued development of an industry based strategic direction;
  - Increasing the community awareness of the significance and value of tourism;
  - Providing clear communication to industry with respect to tourism activities.

### **4. STRATEGIC CONTEXT**

The parties to the agreement will seek to work collaboratively to support the Colac Otway Shire Council Economic Development and Tourism Strategy and the outcomes from the development of the Otways Tourism Inc Three Year Strategic Business Plan.

1

**Service Agreement 2006-2010 ~ Colac Otway Shire and Otways Tourism Inc.**

**5. COLAC OTWAY SHIRE OBLIGATIONS**

- Colac Otway Shire will continue to collect and appropriately allocate the Economic Development and Tourism Levy.
- The Colac Otway Shire will allocate funds to Otways Tourism Inc for the employment of an Executive Officer, other appropriate resources and the implementation of internal marketing and development initiatives as detailed in the Three Year Strategic Business Plan.
- To recognise and support Otways Tourism Inc. as the peak tourism industry body in the Shire
- The staffing, management and operations of the Colac and Great Ocean Road (Apollo Bay) Visitor Information Centres will be the responsibility of the Colac Otway Shire
- To continue to be a member municipality of Geelong Otway Tourism.
- To provide an update on relevant Council tourism, economic development and planning activities to Otways Tourism Inc Board meetings and forward a copy of Council's agenda for its ordinary meetings on a monthly basis to enable Otways Tourism Inc to be aware of various issues before Council.
- To ensure Council's internal communication mechanisms make Councillors and Council staff aware of tourism objectives and activities.
- To include updates of Otways Tourism Inc activities which need to be conveyed to the wider community in Council publicity (eg. website, newsletters, interviews).
- Nominate an appropriate Council representative to the Otways Tourism board, and have an officer attend regular meetings.

**6. COLAC OTWAY SHIRE'S CORE AREAS OF RESPONSIBILITY**

To develop a policy on tourism which includes:

- **Strategic & Business Planning**

To develop a single strategic plan in conjunction with Otways Tourism Inc and in consultation with Geelong Otway Tourism, outlining the tourism future for the Shire and ensuring a cohesive and integrated approach to regional tourism management.

**Service Agreement 2006-2010 ~ Colac Otway Shire and Otways Tourism Inc.**

▪ **Destination & Infrastructure Development**

To continue to provide, maintain, improve and develop new infrastructure that supports the tourism industry needs (rubbish, township presentation, Visitor Information Centres, car parking, signage).

To actively encourage appropriate tourism development in the region and ensure the Council's Planning Scheme recognises tourism related developments/activities as being integral to the municipality's development.

▪ **Visitor Services**

To service visitor information needs through the direct management and funding of the Colac and Great Ocean Road (Apollo Bay) Visitor Information Centres.

▪ **Partnerships**

To continue to support the development and implementation of regional tourism strategies through continued involvement with Geelong Otway Tourism and Tourism Victoria.

**7. OTWAYS TOURISM INC OBLIGATIONS**

- To submit a Three Year Strategic Business Plan 07-10 and Annual Projects Plan and Budget (to 30 June 2007) to Council.
- Present to Council annually each February. Provide a Progress Report that details Otways Tourism Inc's performance against Key Performance Indicators established in the Strategic and Annual Projects Plans. In addition, submit an Annual Projects Plan and Budget, outlining the activities proposed to be undertaken in the next financial year.
- To submit to Council each February, any specific project/capital works funding requests to be undertaken in the next financial year for budget consideration (eg. such as infrastructure or signage).
- Develop an Annual Report for distribution to stakeholders and Council.
- Regular statistical reports relating to the tourism performance of the region.
- Instigate and maintain a program of communication with members, which the Colac Otway Shire can contribute to, that ensures members are fully informed of Board activities and achievements.
- To provide Otways Tourism Inc Board business papers and minutes to Council appointed delegates and the Economic Development Manager.

**Service Agreement 2006-2010 ~ Colac Otway Shire and Otways Tourism Inc.**

**8. OTWAYS TOURISM INC'S CORE AREAS OF RESPONSIBILITY**

▪ **Co-ordination & Representation**

To lead the development of a successful and sustainable tourism industry for the region and engage in advocacy and partnerships consistent with these purposes.

▪ **Marketing**

To undertake internal marketing initiatives and support external marketing programs in cooperation with Geelong Otway Tourism and Great Ocean Road Marketing with the view to encouraging increased visitor yield, numbers and length of stay.

▪ **Visitor Services**

To coordinate, in conjunction with the Colac Otway Shire, the regions approach to achieve high quality visitor services and experiences for visitors.

▪ **Tourism Business Development**

To encourage industry professionalism and engender a service culture.

▪ **Tourism Industry Development**

To support the development of new tourism product and experiences enhancing the local region's competitive strength.

▪ **Partnerships**

To effect communication and industry networks that foster the growth of tourism through a cooperative, professional regional approach.

**9. ACCOUNTABILITY & COMMUNICATION**

Meetings will be held between the Colac Otway Shire officers and Otways Tourism Inc Executive Officer on at least a bi-monthly basis. In addition a methodology will be developed to ensure a regular exchange of information and reporting of activities of mutual interest.

The Annual Projects Plan will identify any agreed collaborative projects and priorities for the financial year.

**10. DISPUTE RESOLUTION**

If a dispute should arise between the parties under this Service Agreement or regarding performance or financial issues, the parties shall agree to meet to resolve the dispute. For the purpose of the agreement, a dispute will be deemed to exist where one party informs the other in writing that a dispute exists.

**Service Agreement 2006-2010 ~ Colac Otway Shire and Otways Tourism Inc.**

Should the dispute not be resolved in the first instance then both parties shall agree to meet to resolve the dispute by mediation, with both parties agreeing on a mediator.

If both parties cannot agree upon whom shall be the independent mediator, then a mediator will be appointed by the President of the Law Institute of Victoria. The mediator appointed shall be binding on both parties. Both parties shall contribute to the cost of the mediation in equal proportion and otherwise bear their own costs.

**11. FINANCIAL AGREEMENT**

Colac Otway Shire will distribute financial resources to Otways Tourism Inc. to allow fulfillment of their obligations under this Service Agreement. A total sum of \$130,000 (plus GST) is payable to Otways Tourism Inc in 2006/07. The annual payment for 2007/08 will be agreed based on the Annual Project Plan and the Tourism Review recommendations. The annual payment from 2008/09 onwards will be agreed based on the Annual Projects Plan presented.

Payments will be made in advance by quarterly installments.

Colac Otway Shire shall not be obliged to make payment under this agreement unless Otways Tourism Inc has fully complied with its obligations to the date of claim or final claim as the case may be.

**12. TERMS OF AGREEMENT**

Colac Otway Shire and Otways Tourism Inc hereby acknowledge their acceptance of the terms and conditions of this Service Agreement.

This Service Agreement lapses after 30 June 2010 and may be renewed or renegotiated by further agreement between the parties.

Should either organisation wish to terminate the relationship written notice must be given eighteen months in advance of termination. Such notice will allow appropriate modifications to the business plan and budget process.

Service Agreement 2006-2010 ~ Colac Otway Shire and Otways Tourism Inc.

Signed on behalf of the Colac Otway  
Shire:

Signed: *Tracy Slatten*

Name: TRACEY SLATTEN

Position: Chief Executive Officer

Date: 15/12/06

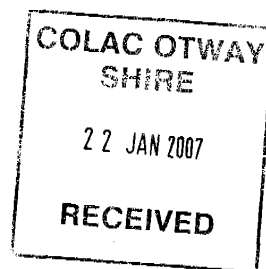
Signed on behalf of Otways Tourism Inc:

Signed: *Andrew Noseon*

Name: ANDREW NOSEON

Position: CHAIRMAN

Date: 21.1.2007.



**OM092608-12      HEATHFIELD RESERVE CONSULTATION ON FUTURE INTERIM USE**

AUTHOR:	Paul Marsden	ENDORSED:	Jack Green
DEPARTMENT:	Sustainable Planning & Development	FILE REF:	GEN00451 Heathfield Reserve

**Purpose**

To inform Council of the outcomes of the community consultation process that was undertaken earlier this year to determine the most appropriate interim use for the land known as Heathfield Estate Reserve.

**Declaration of Interests**

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

**Background**

The Heathfield Estate Reserve was transferred to Council as part of the Heathfield Estate residential subdivision in the early 1990s. The reserve covers an area of 11 hectares and is located between the eastern boundary of the Heathfield Estate and the Barham River, Marengo (Refer **Attachment 1** – Map of Heathfield Reserve). The reserve is currently zoned Public Park and Recreation with a number of overlays including the Land Subject to Inundation Overlay (LSIO).

The reserve has no direct street frontage and is largely concealed behind existing residential allotments in the Heathfield Estate. Pedestrian access is achieved via two narrow entry points accessed from Barton Place and Costerman Terrace. A vegetated drainage reserve runs between the reserve and Ocean Park Drive. There is currently no formal vehicle access to the land.

The land is low lying, forming part of the floodplain, and includes a number of areas subject to inundation. There are no improvements on the land including no existing physical infrastructure and little vegetation other than along the banks of the Barham River (Refer **Attachment 2** – Photos).

Since its creation, the reserve has been intermittently leased for grazing activities by local farmers and has never been formally used or developed as an area of public open space. There are no current leasing agreements in place and no master plan has been prepared for the future use/management of the land aside from its possible inclusion in the formerly proposed Great Ocean Green development.

Amendment C29 to the Colac Otway Planning Scheme which was publicly exhibited in 2004 had proposed that the Reserve form part of an integrated residential and recreational development including an 18 hole golf course, clubhouse, associated tourist facilities and 537 residential lots between Apollo Bay and Marengo. The proposal if it had proceeded would have involved a land swap whereby Heathfield Reserve would form part of the golf course with land adjacent to the Barham River transferred to Council as public open space with a network of pedestrian trails establishing a linear link between Marengo and Apollo Bay.

The Planning Minister in June announced his refusal to approve Amendment C29, and this proposal will now not proceed. When commencing the process of consultation on Heathfield Reserve however, this decision was not known and Council had been seeking feedback on options for an interim use to occupy the site until it was required to form part of the Great Ocean Green development.

Given the pending decision of the Minister on Amendment C29 and the uncertain timing of potential use of the site for that development, the Council commenced a consultation process with a Notice of Motion at the December 2008 Council meeting. At this meeting Council resolved to invite the public to make submissions on how the land at Heathfield Reserve should be used in the interim until a decision on C29 was received from the Minister and until such time as the land was required for Great Ocean Green or other Council use. The resolution also stipulated that Council should hold a public meeting in Apollo Bay to explain the current position.

In February 2009 Council officers arranged a public meeting to consult with community organisations and interested persons on how the Heathfield Estate Reserve could be used on an interim basis. Interested parties were also invited to lodge written submissions on how the land should be used and a total of 18 submissions were received by Council. The content of the submissions received and issues raised at the community meeting are outlined in more detail at **Attachment 3** – Table of Submissions and **Attachment 4** – Notes from Community Meeting.

The meeting and associated community consultation process was advertised in local papers including the Apollo Bay News Sheet, Colac Herald and Otway Light. A fact sheet was made available at the Apollo Bay Visitor Information Centre and the Council offices in Colac and Apollo Bay. Letters were also sent to over 60 local community groups including sport and recreation clubs, Committees of Management, community service clubs, tourism groups and local business and residents associations.

The public meeting took place on the evening of the 24 February 2009 at the Apollo Bay Mechanics Hall. Approximately 31 residents and interested parties attended the meeting which was chaired and presented by members of Councils Planning, Recreation and Infrastructure Departments. Councillors Stuart Hart, Stephen Hart, Buchanan, Higgins and Russell were present.

The meeting was run as an interactive process with attendees split into groups of between 6 and 10 and seated around tables in the hall. Each table was provided with butchers paper, pens and large colour maps of the reserve and surrounding area.

Following a presentation by Council staff, groups were asked to respond to the following five questions and record their answers on the paper provided:

- What is your interest in the project?
- What is your suggested use of the site?
- How much space within the site will be required to implement your suggestion?
- What infrastructure is required?
- Can your proposal be required on a temporary basis?

A Council officer was seated at each table to facilitate the discussion and answer questions. At the conclusion of the session a representative of each table was asked to present their answers to the group. The outcomes of this meeting were recorded by Council officers and are outlined in more detail below under the *Issues/Options* section of this report.



Following the Minister's advice to Council of his decision on Amendment C29, officers held a workshop with Councillors on 12 August to discuss the issues raised in this report. Feedback has been incorporated into the report.

### **Council Plan/Other Strategies/Policy**

The 2009 – 2013 Council Plan includes a Community Priority for Community Health and Wellbeing which outlines a commitment to:

***“Providing a broad range of customer focused health, recreational, cultural and community amenities, services and facilities.”***

In addition the Council Plan outlines the commitment to Physical Infrastructure and Assets and Land Use and Development. It states that Council will provide and maintain Council infrastructure and assets that meet community needs now and in the future. Council will also engage plan and make decisions about land use and development that takes into account the regulatory role of Council, its diverse geography, social, community, economic and environmental impacts for current and future generations.

It is considered that the identification of options for the future use and development of the Heathfield Reserve will assist in the provision of quality recreation services to the community.

There is no open space policy or other strategy which gives guidance to Council about future use of the reserve. Officers are preparing a grant application to lodge with Sport and Recreation Victoria (SRV) in October, seeking funds to enable the development of an open space strategy in the 2010/11 year. A report will be provided to Council relating to this separately.

### **Issues/Options**

The refusal of the Minister to approve Amendment C29 has changed the context in which Council can consider future use of the site. Rather than focusing on short term interim uses of the land, Council is able to look more broadly at longer term land use without limitation of the uncertainty created by Great Ocean Green. This report analyses feedback from the community to the consultation on interim use for the site, with comment made in the context of how Council should approach the matter now that longer term use can be considered. In order to consider options for the future use and/or development of Heathfield Reserve it is necessary to identify the existing constraints applicable to the site. These constraints include:

- *Vehicular and pedestrian access:*

At present there is no formal vehicle access to the land. Pedestrian access to the reserve can be gained from two access points located on Barton Place and Costerman Terrace. Both access points are approximately 5m wide and lead down onto the reserve between existing residential allotments. A vegetated drainage reserve connects Ocean Park Drive to the reserve.

There is currently no access to the reserve from Barham River Road. If access was to be provided from this road it would be necessary to construct a bridge over the Barham River.

- *Provision of onsite car parking:*

At present there are no car parking facilities on the site. Consequently, visitors who drive to the reserve must park in Costerman Terrace or Barton Place and then gain access to the reserve via either of the two pedestrian access points. Depending on the nature and intensity of the proposed use, this could lead to increased traffic and on street parking issues in the Marengo Estate.

- *Flexibility of any proposed use or infrastructure:*

Whilst the reserve formed part of the proposed Great Ocean Green Development it was necessary to consider whether any proposed use and associated infrastructure was appropriate in light of its likely temporary occupation of the site. This is now not an issue with the refusal of the Minister to approve Amendment C29. Council can look at options for the site which may have a long term tenure. It should be noted that there currently is no infrastructure or service provision to the site and any proposal of infrastructure development needs to consider costs, planning issues and funding.

- *Potential flooding and inundation:*

The reserve is covered by a Land Subject to Inundation Overlay (LSIO). The overlay seeks to ensure that development maintains the free passage of flood waters, minimises flood damage, is compatible with flood hazard and will not cause any significant rise in flood level, flow or velocity. With the exception of a few minor exemptions, the provisions of the LSIO generally trigger the need for a planning permit for the construction of a building or the construction or carrying out of works.

Low lying areas on the reserve and adjacent to the Barham River are known to flood after significant storm events. Any potential future use or development on the site would need to comply with the provisions of the LSIO and take into consideration the potential impact of future inundation by flood waters.

- *Impacts on the river environment:*

The Barham River Estuary is considered to be of high value for estuarine fish species and provides the opportunity for the movement of migratory fish into the freshwater environments of the Barham River and Anderson Creek. Significant species found within the river include the nationally threatened Australian Grayling, Estuary Perch and Black Bream. Any proposed use or development to take place along the river frontage must be considered in terms of its potential impact to this valued aquatic and riparian environment.

The reserve itself has been largely cleared of remnant vegetation. A number of introduced species can be found throughout the reserve and river frontage including Cypress, Ragwort, Blackberry, Willows and non-indigenous gums. The historical use of the reserve for grazing and the absence of any significant native vegetation have considerably reduced the environmental value of the reserve itself.

The Otway Barham Reference Group has been interested in removing willows and reinstating vegetation along the river frontage, and whilst officers have been appreciative of this, concern has been expressed that any planting may be incompatible with the Great Ocean Green proposal. Now that Amendment C29 is not

proceeding, Council can work with Community Groups, including Landcare, to implement planting and remove weeds along the river frontage with more certainty.

The above issues and constraints were identified by Council staff at the outset of the community consultation meeting and in the Heathfield Reserve factsheet. It was asked that submissions and ideas responded to these constraints in an appropriate manner.

A total of 18 submissions were received by Council during the consultation period. A number of common suggestions emerged at the community consultation meeting and in the submissions received by Council. These suggested uses are outlined in more detail below.

- ***Maintain the existing use of the reserve for grazing:***

A number of submissions suggested that the most appropriate interim use for the reserve was to simply maintain its current use as grazing land for local farmers. It was suggested that the current grazier does an excellent job maintaining the land and has never caused any problems for surrounding residents in Marengo Estate.

Supporters of this option outlined concerns with the possible use of the site by the pony club, sporting groups or community groups. These concerns related largely to the potential for increased pedestrian and vehicle traffic, security issues for residents, noise and inadequate parking facilities.

A number of the submissions received in support of the current use for grazing also outlined a preference for the reserve to be leased to neighbouring landowner Neville Day. The submitters considered it to be an appropriate form of compensation for any land he may lose as a result of Barwon Water's proposal to construct a new treatment plant on his property.

A recent site inspection conducted by Council officers confirmed the submitter's assertion that the reserve has been adequately maintained by the current grazier, although there is evidence of ragwort infestations that should be controlled more effectively in the future. The community feedback received by Council in support of the existing use of the reserve, coupled with its constrained access, provides a compelling argument for the continuation of the current use of the land for grazing in the short term.

This option will require no additional infrastructure and will not generate additional costs to Council or the community. Accordingly, it is the opinion of Council officers that this represents the most appropriate interim outcome for the site and reflects the views of the majority of submitters. It would give Council further time to more comprehensively consider its longer term options. It is recommended that a formal short term grazing lease be entered into between Council and the grazier to acknowledge current arrangements (and better weed control), if this is identified as the preferred option.

- ***Allow the pony club to use the reserve as their permanent base.***

A number of submissions suggested that the Apollo Bay Pony Club is the most appropriate body to use and coordinate management of the reserve. The proposed use would include a cross country course and potentially require the installation of day yards, clubhouse, ramps, toilets and portable jumps. Some concerns were raised by submitters in relation to the negative impact that these structures would have on the visual amenity of the reserve.

Some concerns were raised by submitters relating to the potential impact that constant pedestrian traffic and horse riding would have on the surface of the reserve.

It was suggested that this use would break up the surface of the reserve making it muddy and unusable in winter.

A submission received from the President of the Pony Club indicated that the club would only be willing to relocate if it was assured of a permanent home on the reserve. The submission outlined concerns that if they were to occupy the land on an 'interim' basis they would risk being without a site if the land was to be required as part of the Great Ocean Green Development.

With Great Ocean Green not proceeding, the pony club would now likely be more interested in the site, and the use of the site by the Pony Club may be an appropriate outcome.

- ***Use of the reserve to accommodate multiple community, sporting and recreational uses:***

Several submissions supported the concept of multiple uses occupying the site. Examples of proposed uses that could share the site included an archery club, art and craft facilities, dog training/off leash area, community gardens, bird watching, food production, golf driving range or football club training ground.

The use of the reserve for bird watching or dog walking requires no new infrastructure. Use of the site by an archery club, football club or golf club would require at least some new infrastructure in the form of archery targets, club rooms and toilets.

Poor drainage on the site coupled with the fact that much of the land is subject to flooding would require that structures built on the reserve be elevated above ground level to mitigate the effects of inundation. This would likely require the introduction of fill to facilitate creation of pods enabling the structures to be built above flood levels. Any such mitigation works would come at considerable expense and would need to be referred to the Catchment Management Authority for comment.

A number of submissions raised concerns with the above uses on the grounds that they would create amenity issues for residents of Heathfield Estate. Depending on the nature and intensity of the proposed use, the lack of vehicle access and car parking on the reserve itself could lead to increased traffic and on street parking issues in the Marengo Estate. Submitters also raised concerns over the potential for increased noise, loss of privacy, security issues and the negative visual impact of structures built on the reserve itself.

Several submissions indicated support for the establishment of community gardens on the site. Again, this would require minimal infrastructure and would only occupy a small portion of the site. However, concerns were raised over the absence of vehicle access and a potential lack of demand for this use based on limited community involvement in the existing community gardens in Apollo Bay.

A common theme in the submissions related to the need for vehicle access to the reserve in order for it to be able to accommodate the range of uses outlined above. It was suggested that this could be achieved either via a vehicle/pedestrian bridge over the Barham River, linking the reserve with Barham River Road, or by undertaking works to transform the existing 'bridle paths' into formal vehicle access routes. Either of these options could also potentially facilitate vehicle car parking on the reserve itself.

Council's Infrastructure Department was asked to provide estimates as to the cost involved with the construction of a 25m long vehicle/pedestrian bridge over the Barham River. Based on the cost of other, similar works undertaken by Council it

was suggested that construction of such a bridge over the Barham River could cost anywhere between \$300,000 and \$400,000.

Council's Infrastructure department has also confirmed that the two 5m wide 'bridle paths' running from Barton Place and Costerman Terrace are not wide enough to provide two-way vehicular access to the general public. It may be possible to provide one way access onto and off the reserve by undertaking works on both 'bridle paths', effectively using one as the entrance and the other as an exit. However, this would likely also require the construction of a bridge over the creek bed that extends out from the drainage reserve on Ocean Park Drive, and may not be practical or desirable from an amenity point of view.

It was suggested that construction of public access vehicle access routes along the 'bridle paths' would require a kerbed and asphalted road with proper approaches, signage and associated drainage. The cost of constructing such a road would be approximately \$500 per lineal metre. The combined length of both bridled paths is approximately 180 metres resulting in a total cost of approximately \$90,000.

Such works could not have been justified if the site was to be later developed for the Great Ocean Green development, however with that development not proceeding, such works might be appropriate over time to support community use of the land (subject to funding).

- ***Walking tracks, bicycle trails and the potential construction of a pedestrian/vehicle bridge over the Barham River:***

A number of submissions supported the construction of a network of bicycle trails and pedestrian paths throughout the reserve and along the banks of the Barham River. A common theme related to the provision of a pedestrian link between Marengo and Apollo Bay, following the course of the Barham River. This option would involve the construction of a vehicle/pedestrian bridge over the Barham River.

Council's Infrastructure Department was asked to provide estimates as to the cost involved with the construction of pedestrian trails and a vehicle/pedestrian bridge. It was estimated that construction of a gravel pedestrian trail would cost Council approximately \$20,000 per kilometre for the earthworks and minor drainage and \$15 per metre of post and wire fencing. Extra costs would need to be allowed for concrete work, major drainage, bridges, landscaping, signage, design, alterations to utilities (phone, power, water etc) and environmental offsets.

As outlined above, dependant on design and materials, construction of a vehicle/pedestrian bridge across the Barham River could cost anywhere between \$300,000 and \$400,000.

The submissions and suggestions generated at the community consultation meeting have been discussed in detail in this report. Having reviewed the content and intent of each submission, it is considered that the existing use of the site for grazing represents the most appropriate interim outcome for the site and reflects the views of the majority of submitters. This option will require no additional infrastructure and will not generate additional costs to Council or the community.

However, given that the reserve will not be required for the Great Ocean Green development, Council now has far greater flexibility in terms of considering longer term uses for the site. Given the constraints identified in this report, it is recommended that further investigations be undertaken before Council makes decisions in this regard.

It would be preferable to allocate funding in a subsequent budget for the development of a Master Plan for the site which would more fully explore long term use options in the post C29 environment, and which is capable of dealing with some of the technical issues raised. Such a plan for example, may explore the potential for access to the site from Great Ocean Road through private land to the east which has recently been included in the settlement boundary for possible residential development (subject to investigation), abutting the Heathfield residential estate. This further consideration would also take into account findings from the proposed Open Space Strategy which will identify gaps and future needs in open space provisions across the Shire.

### **Proposal**

It is proposed that Council continue to allow grazing of the reserve as the preferred use of the site until further Master Planning and technical investigation is undertaken.

### **Financial and other Resource Implications**

The cost implications of various suggestions raised by submitters have been discussed under the *Issues/Options* section of this report. The cost of undertaking further strategic assessment of the site would need to be further examined, and considered in the preparation of future budgets. Officer time would also need to be allocated to the project. The current consultation exercise was unbudgeted and was therefore limited in its capacity.

### **Risk Management & Compliance Issues**

The reserve is covered by a Land Subject to Inundation Overlay and parts of the land are known to be subject to flooding. Any potential future use or development on the site would need to comply with the provisions of the LSIO and take into consideration the potential impact of future inundation by flood waters.

### **Environmental Considerations**

As previously mentioned, the Barham River Estuary is home to a number of significant fish species including the nationally threatened Australian Grayling. Any proposed use or development to take place along the river frontage must be considered in terms of its potential impact on this valued aquatic and riparian environment.

### **Communication Strategy/Consultation**

Council officers have undertaken a consultation process within budgetary capacity in order to better understand the community's preferences in terms of the future use of the reserve. This process included advertisements in local papers including the Apollo Bay News Sheet, Colac Herald and Otway Light and letters which were sent to over 60 local community groups.

Council officers also held a public meeting on the evening of the 24 February 2009 at the Apollo Bay Mechanics Hall. Approximately 30 residents and interested parties attended the meeting which was chaired and presented by members of Councils Planning, Recreation and Infrastructure Departments.

With the C29 decision now known, future planning for the site should include consultation with the community on specific options for long term use.

### **Implementation**

By resolving to lease the reserve for grazing, Council would effectively facilitate the continuation of the existing use of the site. Implementation of this use would require the preferred grazier to enter into a formal leasing agreement with Council. A project brief will be developed for future budget consideration to undertake more detailed site planning.

**Conclusion**

Given the constraints of access and a reliance on on-street parking, suitable uses for the site are restricted and further strategic work and technical assessment is required. Based on an analysis of the submissions received by Council, it is considered that the existing use of the site for grazing represents the most appropriate interim outcome for the land.

It is recommended that Council consider funding a Master Plan for the site in future budgets to more properly examine the best long term use of the site now that the Great Ocean Green development will not be proceeding. The role and function of the site as open space could also be examined as part of any future Open Space Strategy initiated by Council.

**Attachments**

1. Map
2. Heathfield Photos
3. Submissions Table
4. Notes from Community Meeting

**Recommendation(s)*****That Council:***

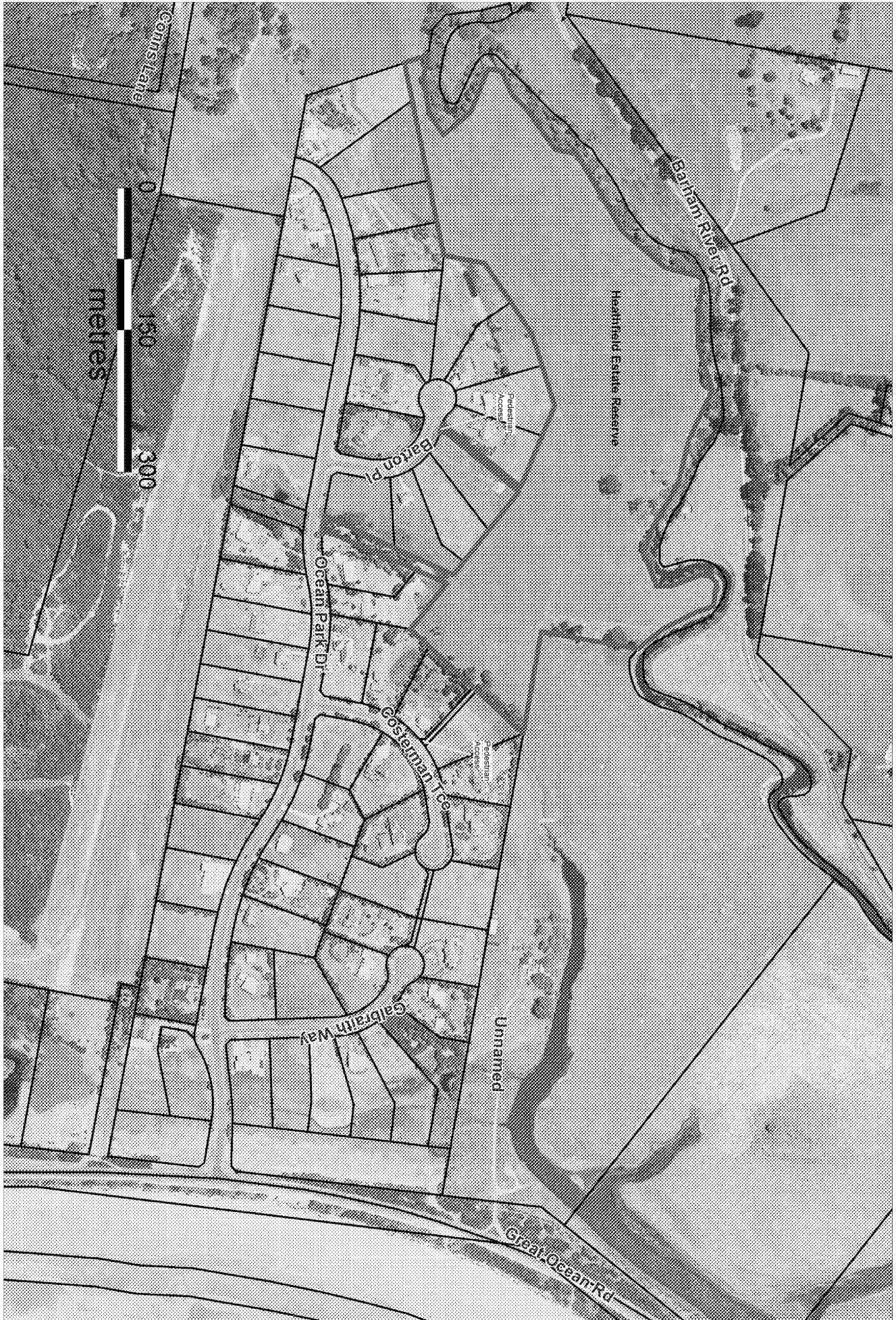
1. ***Endorse the continued short term use of the land known as Heathfield Reserve for grazing.***
2. ***Consider the role and function of the site for open space as part of any Open Space Strategy initiated by Council.***
3. ***Consider funding a Master Plan in future budgets that examines the best long term use of the site, and which addresses constraints such as access.***

***MOVED Cr Lyn Russell seconded Cr Stephen Hart that:***

1. ***Council notes that the public open space in Heathfield Reserve is available for the community's use.***
2. ***Council asks the Chief Executive Officer to write to the Southern Otway Landcare Network to invite them to commence discussions in relation to their planned revegetation on the land adjacent to the Barham River on the Reserve.***
3. ***Calls for a Council workshop to discuss how all interested members of the public might be invited to participate in an Advisory Committee or similar to work towards improved public use of the Reserve.***
4. ***Endorse the continued short term use of the land for grazing subject to the outcomes arising from point 2 and 3 above.***
5. ***Consider funding a Master Plan in future budgets that examines the best long term community use of the Reserve consistent with site constraints.***
6. ***That in any future development proposed for land adjoining the Heathfield Reserve, Council consider the provision of public access to this reserve in the planning process.***

**CARRIED 6 : 0**







**Attachment 2:**



**Above:** View from Barton Place looking down the existing walkway which provides pedestrian access to the site.



**Above:** View from Costerman Terrace looking at the entrance to the second walkway which provides pedestrian access to the site.



**Above:** View of the Heathfield reserve from the walkway that runs off Barton Place.



**Above:** View over Heathfield Reserve looking towards Great Ocean Road.



**Above:** View over Heathfield Reserve looking away from the Great Ocean Road.



**Above:** Drainage reserve viewed from Ocean Park Drive.

Submission Number	Key Issues
1.	<ul style="list-style-type: none"> <li>• Indicates that he worked for the Shire in 1990 and was involved in the original Heathfield Estate subdivision.</li> <li>• Suggests allotments were restricted to land above the known flood level which created an area along the river that was reserved for public use (Heathfield Reserve).</li> <li>• Suggests that Council Officers originally agreed that the Pony Club could use the reserve.</li> </ul>
2.	<ul style="list-style-type: none"> <li>• Does not support the inclusion of a golf driving range on the reserve on the grounds that this could be seen to lend support to Amendment C29.</li> <li>• Supports the concept of multiple uses including the pony club, bike tracks, walking tracks and grazing.</li> <li>• Would like to see extensive revegetation of the floodplain and Barham River.</li> <li>• Proposes that construction of pedestrian trails and a pedestrian bridge over the Barham River would allow safer access to the Primary School.</li> <li>• Suggests car parking could be established on the northern side of the Barham River.</li> <li>• Suggests paths should be established along the banks of the Barham River.</li> </ul>
3.	<ul style="list-style-type: none"> <li>• Suggests that the reserve should not form part of the Great Ocean Green Development and should remain as a public reserve.</li> <li>• Outlines a long term vision for the site based on the possibility that Amendment C29 is not approved. This vision involves a shared community use including the pony club, bike tracks, archery club, dog training/off leash area.</li> <li>• Indicates that vehicle access to site must be improved and that a bridge over the Barham River would achieve this whilst also providing a safer route for school children travelling between Marengo and Apollo Bay.</li> <li>• Suggests that in the immediate short term period the land should be leased for grazing.</li> </ul>
4.	<ul style="list-style-type: none"> <li>• Supports the current use of the reserve for grazing.</li> <li>• Suggests that nothing should be done to change the current use of the reserve as any development could lead to security issues and increased noise associated with people camping in the area.</li> <li>• Suggests that any development of the land may jeopardise the possible future Great Ocean Green development.</li> <li>• Highlights the fact that the Barham River has steep, eroded banks and is infested with blackberries making it a dangerous area for recreational pursuits.</li> </ul>
5.	<ul style="list-style-type: none"> <li>• Suggests that the pony club should not be moved.</li> <li>• Suggests that if the pony club has to move from its current site then it would be appropriate to relocate it onto the Reserve.</li> <li>• Proposes that the reserve could be used by gardening groups or leased for grazing.</li> </ul>
6.	<ul style="list-style-type: none"> <li>• Suggests that the pony club is the appropriate body to use and coordinate management of the reserve.</li> <li>• Indicates that the Pony Club could coordinate grazing with the Telford's who own the neighbouring farm.</li> <li>• Does not support the concept of a community garden and instead suggests that it may be appropriate to grow a small number of publicly accessible Chestnut trees on the Reserve. Offers to organise the planting of a small number of trees on the reserve, provided Council permits it.</li> </ul>
7.	<ul style="list-style-type: none"> <li>• Supports the establishment of a walking track along the Barham riverbank.</li> <li>• Suggests it would be worth considering construction of a footbridge from Barham River Road or a connection from Telford's Access.</li> </ul>
8.	<ul style="list-style-type: none"> <li>• Proposes that the Southern Otway Landcare Network (SOLN) develop a project plan and source funding that will result in the riparian restoration of the Barham River where it passes</li> </ul>



Submission Number	Key Issues
	<p>through Heathfield Reserve.</p> <ul style="list-style-type: none"> <li>• Notes that this would not be a 'short term' or 'interim' option. Rather, it would be a long-term project that would provide a model for the future restoration of the lower reaches of the Barham River.</li> <li>• Provides a copy of the <i>Otway Barham Catchment Management Plan</i> which outlines the rationale behind the submission.</li> </ul>
9.	<ul style="list-style-type: none"> <li>• Proposes that in light of growing concerns associated with issues of global food security, peak oil and climate change it would be appropriate to utilise the reserve for food production.</li> <li>• Indicates that many local governments throughout Australia and internationally are currently trialling food production on public land.</li> <li>• Suggests that if the Great Ocean Green development goes ahead then it would be essential for food production to be integrated within the design and function of the golf course.</li> </ul>
10.	<ul style="list-style-type: none"> <li>• Indicates that the Pony Club would only be interested in relocating to Heathfield Reserve if they can be assured it will constitute a permanent base for them.</li> <li>• Outlines concerns that if they were to relocate on a temporary basis they would risk being without a base when their lease expired.</li> <li>• Proposes that if they were to relocate onto the reserve they would establish a cross country course requiring approximately 4 hectares of land, adjacent to the bridle path off Barton Place.</li> <li>• Suggests the land could be grazed by cattle or horses in the dryer months and indicates that they would be open to sharing the land with other interested groups.</li> </ul>
11.	<ul style="list-style-type: none"> <li>• Suggests that Council made a mistake when it allowed the developer to nominate Heathfield Reserve as public open space for the Heathfield Estate subdivision.</li> <li>• Suggests that the reserve is useless in its current state with its limited community access via the two bridle paths.</li> <li>• Suggests that Council should not have allowed the land abutting the western boundary of the reserve to be sold as a single parcel. Suggests that it would have been more appropriate to make it a condition of sale that a road reserve be established linking Heathfield Estate with Conns Lane.</li> <li>• Suggests that Council should investigate whether existing titles for properties abutting the Barham River provide for an area of public open space adjacent to the Barham riverbank. Proposes that if this public land exists then Council should investigate whether access to the reserve could be obtained from Conns Lane, along the southern bank of the river.</li> <li>• Queries whether Council would be willing to acquire privately owned land between Conns Lane and the reserve to provide an additional access point.</li> <li>• Supports the use of the reserve by the Pony Club, but only if an additional access point can be created.</li> <li>• Proposes that if the land cannot be used by the Pony Club then it would be appropriate to maintain its continued use for grazing. Indicates that any revenue generated from grazing leases should be spent on riverbank improvements.</li> <li>• Suggests Council should consider extending Telfords Access Road through the current tip area and on to Roberts Road to provide an alternative route onto the Great Ocean Road.</li> </ul>
12.	<ul style="list-style-type: none"> <li>• Supports the existing use of the reserve for grazing and suggests the land should remain as it is.</li> <li>• Supports the idea of leasing the reserve to Neville Day as compensation for land that may be lost if Barwon Water construct a new treatment plant on his property.</li> <li>• Indicates the reserve could accommodate a walking track alongside the Barham River.</li> <li>• Would support construction of a bridge across the Barham River to provide a safer route for school children travelling between Heathfield Estate and Apollo Bay.</li> </ul>
13.	<ul style="list-style-type: none"> <li>• Indicates that the use of the reserve for a mountain bike track would not be feasible given the</li> </ul>

<b>Submission Number</b>	<b>Key Issues</b>
	<p>likely expense associated with the large volume of soil required to construct it.</p> <ul style="list-style-type: none"> <li>• Also indicates that given the sites location on a flood plain, it is likely that there would be environmental issues associated with bringing in fill from external sites and using it in such close proximity to the river and estuary.</li> </ul>
<b>14.</b>	<ul style="list-style-type: none"> <li>• Supports the use of the reserve by the Pony Club and the inclusion of a cross country track provided it doesn't include construction of any permanent infrastructure.</li> <li>• Indicates that the area could be shared by a number of groups including the Pony Club.</li> <li>• Supports the inclusion of a community garden on the reserve.</li> <li>• Supports construction of a bridge across the Barham River to provide a safer route for school children travelling between Heathfield Estate and Apollo Bay. Also suggests this would allow for the creation of a network of pedestrian trails linking the Marengo Flora Reserve with Heathfield Reserve and Barham River Road.</li> </ul>
<b>15.</b>	<ul style="list-style-type: none"> <li>• Supports the establishment of a community garden on the reserve.</li> <li>• Suggests the land is highly fertile and could be used to grow fruit, nuts, berries and grains.</li> <li>• Suggests that no permanent infrastructure should be constructed on the reserve in case it floods.</li> <li>• Suggests that the northwest corner of the reserve could be used for recreational pursuits including the pony club, soccer and other outdoor activities as this is the highest point of the reserve and therefore least susceptible to flooding.</li> </ul>
<b>16.</b>	<ul style="list-style-type: none"> <li>• Suggests that Council should do nothing with the land and leave it as it is.</li> <li>• Indicates that the current grazier does an excellent job maintaining the land and that the existing grazing lease should be extended.</li> <li>• Does not want the reserve used by the Pony Club as this could result in drums, logs and old tyres spread across the reserve creating an eyesore.</li> <li>• Also indicates that the constant pedestrian traffic and horse riding would break up the surface of the reserve making it muddy and unusable in winter.</li> <li>• Suggests that the use of the Reserve by the Pony Club would result in cars, trucks and horse floats parking in Heathfield Estate as a result of the lack of access to the reserve.</li> </ul>
<b>17.</b>	<ul style="list-style-type: none"> <li>• Suggests the reserve should be used for the education and enrichment of those who live in and visit Apollo Bay.</li> <li>• Suggests the reserve should be made available for a mixture of complementary art and craft uses aimed at preserving the indigenous and European heritage of the area.</li> <li>• Outlines a vision for flood resistant 'biodegradable' buildings providing workspaces for visiting and local art and craft practitioners.</li> <li>• Supports the revegetation of the reserve with native vegetation associated with indigenous woodworking, boatbuilding, basketry and textile making traditions.</li> <li>• Suggests existing noxious weeds should be removed via a 'non chemical' approach using selected animals to graze on the introduced species.</li> </ul>
<b>18.</b>	<ul style="list-style-type: none"> <li>• States that the reserve has been maintained in excellent condition by the current grazier and suggests that this is the most productive and logical use for the land.</li> <li>• Suggests that sporting or community groups would have difficulty maintaining the land in its current state.</li> <li>• Indicates the reserve should continue to be used for grazing as this will ensure that the land is maintained appropriately.</li> </ul>

## Heathfield Estate Reserve – Community Consultation Meeting

24<sup>th</sup> February 2009

### Meeting Notes

#### **Attendance:**

#### **Colac Otway Shire:**

Jack Green, Doug McNeill, Anne Sorrensen, Paul Marsden, Jodie Fincham, Neil Allen, Cr Stephen Hart, Cr Frank Buchanan, Cr Geoff Higgins, Cr Lyn Russell, Cr Stuart Hart.

#### **COS Residents:**

1. Jannice Kennedy	7. Mark Shortis	23. Reg Wilkinson
2. Darren Gill	8. Brian McKenzie	24. James Martin
3. Val Flitton	9. John Verey	25. Robyn Ivens
4. Carolyn Webster	10. Bernie Webster	26. David Ivens
5. Russell Smill	11. Barbara Leonke	27. Alex Carey
6. John Spencer	12. Brian Humphries	28. Marian Bakker
7. Elizabeth Marson	13. Llewellyn Johns	29. Frirs Wilmnuk
8. Matt Armstrong	14. John Howell	30. Suzanne Stinchrombe
9. Phillip Lawson	15. Chris Harkin	31. Mick Heland
10. Nereda Rink	16. Robyn Gray	
11. Karina Shircove	17. Eija Tibbits	

### **1. Proposed Interim Uses:**

#### **1.1. Pony Club**

- Fence off 4 hectares of the Reserve to be used as a new location for Pony Club.
- Could potentially include show jumping, dressage arena, day yards, small club shed.
- The remaining 7 hectares could be used for other purposes.
- Maintenance of land could be carried out by cattle or sheep grazing.
- Cross country course around perimeter of the Reserve.
- Pony Club may not want to leave current site until permanent site found. Heathfield Reserve would only provide interim facilities.
- Could Council provide vehicle access to the Reserve from Barton Place or alternatively, members could park in Ocean Park Drive and walk horses onto Reserve.
- Potential infrastructure requirements could include fences, portable jumps, ramps, club rooms, toilets.

- Walkways, public open space and revegetation of the Reserve could be incorporated into this use.

### **1.2. Community Garden**

- Minimal infrastructure requirements. Fences, storage shed, gates.
- Plant fruit trees/orchard for community use and consumption.
- Would need to establish whether there is demand for community garden as existing garden in AB is underutilised.

### **1.3. Dairy Farming Lease**

- Transfer lease of Reserve to the landowner north of the Barham River as a portion of his land is likely to be used for new Water Treatment Plant.

### **1.4. Grazing**

- Reserve has been successfully used for grazing in the past.
- Who will look after the Reserve if it isn't used for grazing?

### **1.5. Pedestrian Trails and Footbridge**

- Pedestrian trails along the Barham River.
- Infrastructure requirements could include paths, footbridge, seating areas, benches, BBQ's, toilet facilities.
- Pedestrian footbridge from Barham River Road onto Reserve. This would potentially allow cyclist/pedestrian access between AB and Marengo without the need to repeatedly cross the GOR.
- Could GOG developers fund construction of footbridge if it will eventually form part of the GOG development?

### **1.6. Bird Watching**

- Include formal bird watching areas and paths along the Barham River.
- Minimal infrastructure requirements.
- Could accommodate multiple uses as would not need to occupy the entire site.

### **1.7. Golf Driving Range**

- Minimal infrastructure requirements however some minor earthworks would be needed to create driving range.
- Car parking and access issues given the fact that users would need to bring golf clubs and equipment into the Reserve.
- Wouldn't occupy the whole Reserve and could still accommodate other shared uses.

### **1.8. Football Club/Training ground**

- Minimal infrastructure requirements. However, would require change rooms and toilets.
- Would not occupy the entire Reserve and could accommodate multiple uses.

### **1.9. Revegetate site to create Botanical or Native Gardens**

- Infrastructure requirements would include paths and walkways throughout the Reserve, landscaping.
- Revegetate banks of Barham River with Native trees and plants.
- Establish native and/or exotic gardens on the Reserve.

### **1.10. Bike track**

- Would not occupy entire Reserve and could therefore accommodate other uses/facilities.
- Requires earthworks to create jumps/tracks.

### **1.11. Residential Development**

- Is this viable as an 'interim use'?
- Would require considerable infrastructure, subdivision and sale of land for private ownership.

### **1.12. Maintain as Passive Open Space**

- No infrastructure requirements.
- Could provide BBQ facilities or similar if desired.

### **1.13. Archery Club / Model Plane Club / Kite Club / Dog friendly park**

- Uses would require no new infrastructure.
- Essentially would result in Reserve remaining in its current state as passive open space.

## **2. Issues to be considered:**

- Could a permanent road bridge be installed over the Barham River to link Reserve with Barham River Road. This could facilitate car parking on the Reserve itself. Bike lane/path could also be included to allow safe access between Marengo and AB.
- Can existing access from Barton Place and Costerman Terrace be formalised and used for vehicular access? Are these access points too narrow for this and what impact would it have on neighbouring residents?
- Is it necessary to develop the site at all? Given it can only be used for an interim purpose and provides no vehicle access would it be better to simply maintain it as passive public open space?
- Can aspects of GOG development be implemented in advance to allow re-vegetation and infrastructure to be paid for by the developer. Potentially solve the problems associated with setting up and then removing the 'interim' use.
- Who would be responsible for maintaining the Reserve? Does Council have a budget to fund ongoing maintenance and management?
- Security concerns raised by some residents as a result of increased pedestrian traffic on the Reserve.



**OM092608-13****FEDERAL GOVERNMENT FUNDING OPPORTUNITY**

AUTHOR:	Mike Barrow	ENDORSED:	Jack Green
DEPARTMENT:	Sustainable Planning & Development	FILE REF:	GEN00414

**Purpose**

To provide information to Council regarding two funding opportunities recently announced by the Federal Government, under the *Community Infrastructure Program*.

To seek Council's endorsement of recommendations regarding expenditure of an allocation of \$206,000 to Colac Otway Shire under the *Community Infrastructure Program* and Council's endorsement of the proposal to develop an application under *Community Infrastructure Program Strategic Projects* for funding of the Bluewater Fitness Centre Stadium Redevelopment.

**Declaration of Interests**

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

**Background**

On 25 June 2009, the Australian Federal Government announced a \$220 million nation-building investment in community infrastructure, such as libraries, community centres, and sports grounds and environmental infrastructure.

The \$220 million injection into the Community Infrastructure Program is divided into two streams:

- \$100 million shared between all of the nation's councils and shires; and
- \$120 million for larger Strategic Projects, provided on a competitive basis.

An interdepartmental Officer's group including Economic Development, Environment, Recreation, Arts and Culture and Infrastructure has met to determine a list of eligible projects under the *Community Infrastructure Program* and the best option for a major application under *Community Infrastructure Program Strategic Project* for Council's consideration and decision through this report.

The recommendations of the interdepartmental group were decided under following criteria:

- Council asset or direct Committee of Management
- Project ready
- Public use and access
- Potential to secure matching funding
- Greater than \$20,000 to reduce staff workloads on multiple smaller scale projects.

Consideration was given to all project business cases submitted to the 2009/2010 budget process that were not supported.

A Council briefing was held on Wednesday 12 August 2009 and the Apollo Bay Mechanics Hall was identified as a priority project for funding inclusion. The Mechanics Hall is not a Council owned or managed facility but is on Crown Land managed by a Committee of Management. The Apollo Bay Hall is used for a broad range of community activities over the course of the year including the operation of a cinema over the summer holidays. The

replacement of the roof, associated spouting and downpipes will enable the Committee to then concentrate over the coming years on the purchase and installation of water tanks and improved insulation.

### **Council Plan / Other Strategies / Policy**

The projects recommended under the *Community Infrastructure Program* are aligned with the Council Plan 2009 – 2013:

#### **1. Physical Infrastructure and Assets**

Council will provide and maintain Council infrastructure and assets that meet community needs now and in the future.

#### **2. Economic Development**

Council is committed to facilitating a healthy and resilient economy through effective leadership, advocacy, and partnership.

These projects are also supported by various strategies including the Colac Otway 2006-2010 Recreation Strategy, Old Beechy Rail Trail Strategic Plan, Sustainable Water Use Plan, Colac Otway Environment Strategy and Council's Economic Development Strategy.

### **Issues / Options**

The *Community Infrastructure Program* presents an opportunity for investment in Colac Otway Shire assets with minimal Council investment however Council will need to allocate funding in future years to ongoing maintenance to infrastructure.

A major limiting factor in considering projects which could be undertaken through this funding is the need for the projects to be able to be undertaken/commenced within a very short time frame including planning, project design and consultation processes. It should be noted that the proposed projects are ready to be undertaken and completed.

### *Community Infrastructure Program*

This one-off funding presents Council with an opportunity to either invest money into new asset development, undertake works to existing assets or a combination of both. The Economic Development, Environment, Recreation, Arts and Culture and Infrastructure Departments have prepared a list of eligible projects equating the \$206,000 allocation for Council to consider as follows:

Amount	Project	Description	Benefits
\$86,000	Old Beechy Rail Trail	Two separate projects; 1. Construct new trail off-road with the road reserve past 1485 Old Beech Forest Road. (Dinmont to Ditchley \$80,000). 2. Purchase and installation of two bike racks; one each in front of the Gellibrand General Store and in the Rex Norman Park (\$6,000).	<ul style="list-style-type: none"> <li>• Community safety</li> <li>• Enhanced reputation of the trail and increased usage by both residents and visitors.</li> <li>• Complement existing</li> </ul>
\$ 20,000	Colac Visitor Information Centre Upgrade	An allocation of \$20,000 was made under this program in 2008 and enabled Council to leverage \$60,000 in State Government	<ul style="list-style-type: none"> <li>• Provide additional opportunities to increase retail sales (thus balancing Council expenses)</li> </ul>

Amount	Project	Description	Benefits
		<p>funding to undertake an upgrade that would open the centre to the car park now at the rear of the building, and provide an internal refit to better suit current requirements for customer service and installation of IT equipment to improve services and increase revenue. Final quotations for works have revealed the project is underfunded by \$20,000. A further allocation would enable Council to complete the project.</p>	<ul style="list-style-type: none"> <li>No additional Council investment into a tourism asset</li> </ul>
\$70,000	Sustainable Water Initiatives	<p>Purchase and installation of water tanks for:</p> <ul style="list-style-type: none"> <li>- Botanic Gardens (\$5,000 saving 327KL per annum)</li> <li>- BWFC(\$45,000 saving 2,400KL p/a)</li> <li>- Central Reserve (\$20,000 saving 700KL p/a)</li> </ul>	<ul style="list-style-type: none"> <li>Decrease Council's consumption of potable water.</li> <li>Provision of water to recreation reserves.</li> <li>Demonstrates Council's environmental leadership.</li> </ul>
\$30,000	Apollo Bay Mechanics Hall	<p>To contribute towards the replacement of the Hall roof and associated spouting and down pipes. The proposed project cost is \$60,000 and the remaining \$30,000 has been secured from Heritage Victoria \$16,000, \$3,500 local fundraising, \$5,000 Apollo Bay Newsletter donation and \$5,500 Hall Committee of Management.</p>	<ul style="list-style-type: none"> <li>Community safety</li> <li>Increased usage and retention of existing regular user groups.</li> </ul>

#### Community Infrastructure Program – Strategic Projects

An assessment of existing and future projects by Economic Development, Environment, Recreation, Arts and Culture and Infrastructure departments against the program funding guidelines indicates that the most likely project to be successful under this program would be the Bluewater Fitness Centre Stadium Redevelopment.

The project was submitted to this program in January 2008 and was unsuccessful however Council has been encouraged to re submit by the Federal Member for Corangamite, Darren Cheeseman.

The proposal for the redevelopment of the Bluewater Fitness Centre Stadium includes:

- Redevelopment of two existing undersized indoor basket ball courts to ensure court compliance with state sporting associations. Court compliance would be based on basketball and netball state standards which would ensure capacity to cater for other sport and recreation activities such as badminton, volleyball and indoor soccer.

- Construction of a new show court with spectator seating. The third court would be constructed as an extension to the two court facility creating a large open space venue with a capacity to cater for large volume events and functions.
- New change rooms and toilets with the capacity to cater for large groups and schools.
- Dedicated first aid room to meet compliance requirements.
- New officials and administration room with the capacity to cater for regular user groups of the stadium and for special events and functions.
- Design features to enable large scale events and functions to support the community for a broad range of activities not limited to sporting activities.

The existing stadium, supporting amenities and dry program rooms are aged, have inadequate air circulation and have limited capacity for use in its current state. There is strong evidence to support the need for improved community sport and recreation indoor program space, amenities and compliant stadium facilities. This is further supported by the draft Bluewater Fitness Centre Stadium Feasibility Study.

This project is the only multi-million dollar project ready to commence within the timelines of the funding guidelines.

### **Proposal**

That Council endorses the recommended allocation of \$206,000 to Colac Otway Shire under the *Community Infrastructure Program* and that Council endorses a new application under *Community Infrastructure Program Strategic Projects* for funding of the Bluewater Fitness Centre Stadium Redevelopment.

### **Financial and Other Resource Implications**

The projects recommended under the *Community Infrastructure Program* require no matching Council funds as it is anticipated that the balance of these projects will be able to be serviced from State Government grants. Informal discussions regarding these projects have commenced with the relevant funding agencies.

In addition, council officer time will be allocated to the submission for funding, managing the grants funds and project managing the infrastructure implementation.

The redevelopment of the Bluewater Fitness Centre Stadium under the *Community Infrastructure Program – Strategic Projects* will require matching funds expected to be sourced from the State Government and the local community, specifically the regular user groups. Council officer time will be allocated to the submission for funding, managing the grants funds and project managing the infrastructure implementation. Ongoing maintenance costs will be met by Council together with contributions from the Department of Education and Early Childhood Development.

### **Risk Management & Compliance Issues**

All endorsed projects to be undertaken will adhere to Council's Risk Management processes as dictated by the project briefs that must be completed by project managers. There is some risk that Council does not receive the balance of the funding from external sources. These projects would therefore need to be considered with Council funds via the 2010/2011 budget process.

### **Environmental and Climate Change Considerations**

All endorsed projects to be undertaken will adhere with Planning and Environment requirements as dictated by the project briefs that must be completed by project managers. It is not anticipated that there would be any significant environmental issues with these projects.

## **Communication Strategy / Consultation**

### Community Infrastructure Program

Upon Council resolution on the package of projects to be funded, a media release will be prepared in order to promote the projects to be undertaken by Council as a result of the Federal Government funding provided.

### Community Infrastructure Program – Strategic Projects

Upon Council resolution of this matter, a media release will be distributed detailing the project Council's preferred option for the redevelopment of the Bluewater Fitness Centre Stadium.

## **Implementation**

### Regional and Local Community Infrastructure Program

Following Council resolution of this matter, a submission detailing the projects to which Council will allocate the \$206,000 funding will be forwarded to the Department of Infrastructure, Transport, Regional Development and Local Government. Further discussions will be held with relevant State Government agencies to seek matching funds and applications submitted if appropriate.

### Regional and Local Community Infrastructure Program – Strategic Projects

An application under this funding program will be forwarded to the Department of Infrastructure, Transport, Regional Development and Local Government.

## **Conclusion**

The Federal Government has offered Council \$206,000 without any requirement for matching funds to implement infrastructure projects that stimulate growth and economic activity and support national productivity and community well-being.

The Federal Government has also offered Council the opportunity to apply for a grant under the *Community Infrastructure Program – Strategic Projects*. An assessment has been made of Council's major capital works and it is recommended that Council endorse the proposal to submit an application for the Bluewater Fitness Centre Stadium Redevelopment.

## **Attachments**

Nil

## **Recommendation(s)**

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

- 1. *Endorses the allocation of \$206,000 via the Federal Government's Community Infrastructure Program for the following projects:***
  - o *Old Beechy Rail Trail \$86,000***
  - o *Colac Visitor Information Centre \$20,000***
  - o *Sustainable Water Initiatives \$70,000***
  - o *Apollo Bay Mechanics Hall \$30,000***
- 2. *Endorses an application under the Federal Government's Community Infrastructure Program – Strategic Projects Program for the Bluewater Fitness Centre Stadium Redevelopment.***

**OM092608-13.1**

***MOVED Cr Lyn Russell seconded Cr Stephen Hart that Council endorse the allocation of \$206,000 via the Federal Government's Community Infrastructure Program for the following projects:***

- ***Old Beechy Rail Trail \$86,000***
- ***Colac Visitor Information Centre \$20,000***
- ***Sustainable Water Initiatives \$70,000***
- ***Apollo Bay Mechanics Hall \$30,000***

***CARRIED 6 : 0***

**OM092608-13.2**

***MOVED Cr Lyn Russell seconded Cr Frank Buchanan that Council endorse an application under the Federal Government's Community Infrastructure Program – Strategic Projects Program for the Bluewater Fitness Centre Stadium Redevelopment with options for a staged development inclusive of a warm water exercise pool.***

***CARRIED 6 : 0***

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

D = Discussion

W = Withdrawal

ITEM	D	W
<p><b><u>GENERAL BUSINESS</u></b></p> <p><b><u>OM092608-14</u></b>      <b><u>ITEMS FOR SIGNING &amp; SEALING - SECTION 173 AGREEMENT SALE &amp; TRANSFER OF LAND - 470 COLAC-FORREST ROAD, YEO</u></b></p> <p>Department: General Business</p> <p><b><u>Recommendation(s)</u></b></p> <p><b><i>That Council Sign and Seal the 173 Agreement and Transfer of Land document for the sale and transfer of land at 470 Colac-Forrest Road, YEO.</i></b></p>		

***MOVED Cr Stephen Hart seconded Cr Lyn Russell that recommendations to items listed in the Consent Calendar be adopted.***

***CARRIED 6 : 0***

**OM092608-14      ITEMS FOR SIGNING & SEALING - SECTION 173  
AGREEMENT  
SALE & TRANSFER OF LAND - 470 COLAC-FORREST  
ROAD, YEO**

AUTHOR:	Suzanne White	ENDORSED:	Rob Small
DEPARTMENT:	Executive	FILE REF:	Colac-Forrest Rd, Yeo

In May, 2009, Council resolved to sell 0.555 hectares of land to an abutting property owner at 470 Colac-Forrest Road, Yeo, on condition that the land is consolidated. The consideration was \$3,000.

A *173 Agreement* which directs consolidation of this land with other adjoining lots and a *Transfer of Land* document is required to be signed and sealed by Council to enable the sale and transfer of property to proceed.

The Land Transfer document will be held until the 173 agreement has been executed and registered on the titles.

**Attachments**

1. 173 Agreement Colac-Forrest Road, Yeo

***MOVED Cr Stephen Hart seconded Cr Lyn Russell that Council Sign and Seal the 173 Agreement and Transfer of Land document for the sale and transfer of land at 470 Colac-Forrest Road, YEO.***

***CARRIED 6 : 0***



Lodged by:  
 Name: SLM LAW  
 Phone: 5231 9400  
 Address: 119 Murray Street  
 Colac  
 Ref: DAC  
 Customer Code: 1558 N

and is used for the purpose of  
 maintaining publicly searchable  
 registers and indexes in the  
 Victorian Land Registry.

MADE AVAILABLE / CHANGE CONTROL  
 Office Use Only

The transferor at the direction of the directing party (if any) transfers to the transferee the estate and interest specified in the land described for the consideration expressed and subject to the encumbrances affecting the land including any created by dealings lodged for registration before the lodging of this transfer.

Land: *(volume and folio reference)*  
 Volume 2970 Folio 837

Estate and Interest: *(e.g. "all my estate in fee simple")*  
 all its estate and interest in fee simple

Consideration:  
 \$3,000.00

Transferor: *(full name)*  
 COLAC - OTWAY SHIRE COUNCIL (the successor in law of and formerly The President Councillors and Ratepayers of the Shire of Colac)

Transferee: *(full name and address including postcode)*  
 Truganina Pastoral Co. Pty. Ltd. (ACN 133 964 664) of 26 Young Street, Moonee Ponds 3039

Directing Party: *(full name)*

Dated:  
 Execution and attestation :  
 THE COMMON SEAL of COLAC- OTWAY ) )  
 SHIRE COUNCIL was hereto affixed in ) )  
 accordance with its Local Law No. 4 ) )

.....Chief Executive Officer  
**Robert Wayne Small of 2 - 6 Rae Street, Colac 3250**

Approval No: 1550089A

ORDER TO REGISTER  
 Please register and issue title to

STAMP DUTY USE ONLY

**T1**



Signed

Cust. Code:

\*Law Perfect Pty Ltd

THE BACK OF THIS FORM MUST NOT BE USED  
 Land Registry, 570 Bourke Street, Melbourne, 3000, Phone 8636-2010

2



This is page 2 of *Approved Form T1* dated  
between COLAC OTWAY SHIRE COUNCIL AND TRUGANINA  
PASTORAL CO. PTY. LTD. (ACN 133 964 664)

and is used for the purpose of  
maintaining publicly searchable  
registers and indexes in the  
Victorian Land Registry.

Signatures of the parties

Panel Heading

Executed by TRUGANINA PASTORAL CO. PTY. )  
LTD. ACN 133 964 664 in accordance with Section 127 )  
of the Corporations Act 2001 by being signed by the )  
person who is authorised to sign for the company:

X  .....  
Sole Director & Sole Company Secretary

Full name & Usual address

Gary Dempsey of Hawthorn East 3123

Approval No: 1550089A

A1



\*Law Perfect Pty Ltd

1. If there is insufficient space to accommodate the required information in a panel of the *Approved Form* insert the words "See Annexure Page 2" (or as the case may be) and enter all the information on the Annexure Page under the appropriate panel heading. **THE BACK OF THE ANNEXURE PAGE IS NOT TO BE USED**
2. If multiple copies of a mortgage are lodged, original Annexure Pages must be attached to each.
3. The Annexure Pages must be properly identified and signed by the parties to the *Approved Form* to which it is annexed.
4. All pages must be attached together by being stapled in the top left corner.

Land Registry, 570 Bourke Street, Melbourne, 3000, Phone 8636-2010



**SECTION 173 PLANNING AGREEMENT**

Parties

**TRUGANINA PASTORAL PTY LTD... ("the Owner")**

○

and

**COLAC OTWAY SHIRE**

○

2

**THIS AGREEMENT** is made the \_\_\_\_\_ day of \_\_\_\_\_, 2009 pursuant to Section 173 of the *Planning and Environment Act 1987* ("**the Act**").

**PARTIES:**

1. **COLAC OTWAY SHIRE** of 2-6 Rae Street, Colac 3250 ("**the Responsible Authority**"); and
2. **TRUGANINA PASTORAL PTY LTD** of 26 Young Street, Moonee Ponds 3039

**RECITALS:**

- A. The Responsible Authority is responsible for the administration and enforcement of the Colac Otway Planning Scheme ("**the Planning Scheme**") pursuant to the provisions of the Act.
- B. The Owner is the registered proprietor of the land known as 470 Colac-Forrest Road, Yeo described in Certificate of Titles: Lot 4, TP710802Q C/T. Vol.9114 Fol.454 (part) Parish of Yeo; Lot 3, PT710802Q C/T. Vol.9114 Fol.454 (part) Parish of Yeo and Lot1, TP710802Q C/T. Vol.9114 Fol.454(part) Parish of Yeo. The land is situated on the south side of Colac-Forrest Road, to the west of the Tracks, Collyers and Colac-Forrest Roads intersection, Yeo.
- C. The Owner and the Responsible Authority agree that this agreement shall be made generally in accordance with the terms of the Contract of Sale for Lot 4, TP710802Q Volume No. 2970 Folio No.837.
- D. The Owner and the Responsible Authority record their agreement on the terms set out in this Deed.

**IT IS AGREED THAT:**

1. Without limiting the operation or effect which this Agreement otherwise has, the parties acknowledge that this Agreement is made pursuant to the provisions of Section 173 of the *Planning and Environment Act 1987* ("**the Act**").
2. This Agreement shall come into force immediately upon execution by the parties and shall run with the Titles to the Land.

**Interpretation**

3. The parties agree that in the interpretation of this Agreement:
  - 3.1 The expression "**Owner**" shall be deemed to include the Owner's successors, assignees and transferees and the obligations imposed upon and assumed by the Owner in respect to the land of which it is registered as proprietor shall also be binding on its successors, transferees, purchasers, mortgagees, assigns and any person obtaining possession of whole or part of the Land ("**the Successors**") as if each of those Successors had separately executed this Agreement;
  - 3.2 "**Subject Land**" means the land referred to in Recital B.
4. The parties agree that in the interpretation of this Agreement:

- 4.3 A reference to a person includes a reference to a firm, corporation or other corporate body and their successors in law.
- 4.4 If a party consists of more than one person this agreement binds them jointly and each of them severally.
- 4.5 A reference to a statute shall include any statutes amending, consolidating or replacing same and any regulations made under such statutes.
- 4.6 All headings are for ease of reference only and shall not be taken into account in the construction or interpretation of this Agreement.
- 4.7 The recitals to this agreement are and will be deemed to form part of this Agreement including any terms defined within the Recitals.
- 4.8 A reference to the words "**Planning Scheme**" includes any planning control in the form of or similar to a planning scheme and being a successor to the Wyndham Planning Scheme;
- 4.9 A reference to the words "**Responsible Authority**" includes its successors as Responsible Authority for the Planning Scheme in which case any reference to the holder of an office with the Responsible Authority shall be deemed to be a reference to such office of the successor Responsible Authority as that Responsible Authority may designate.

#### **Jurisdiction**

5. For the purposes of this Agreement, the parties acknowledge that they are subject to the jurisdiction of the Act and the Victorian Courts for the enforcement of this Agreement.

#### **Severability**

6. Notwithstanding clause 1, and in the event that this Agreement is held not to be an agreement validly entered into or enforceable under the Act, it will nevertheless remain a contract between the parties and be enforceable as a contract in a Court of competent jurisdiction in the State of Victoria.
7. If a court, arbitrator, tribunal or other competent authority determines that a word, phrase, sentence, paragraph or clause of this Agreement is unenforceable, illegal or void then it shall be severed and the other provisions of this Agreement shall remain operative.

#### **Undertakings of the Parties**

8. The Owner agrees:
- (a) To consolidate all titles of the subject land with C/T. Vol.2970 Fol.837 Parish of Yeo; within 12 months of execution of this agreement.
9. The parties agree that:
- (a) Once the Owner has complied with its obligations under this agreement, the Responsible Authority shall agree to the ending of the agreement and removal from the consolidated title.

### Disputes

10. In the event of any dispute between the parties concerning the interpretation or implementation of this Agreement, such a dispute shall be referred to the Victorian Civil and Administrative Tribunal ("the Tribunal") for resolution to the extent permitted by the Act. In the event of a dispute concerning any matter which is not referable to the Tribunal pursuant to the Act, such matters shall be and is hereby referred to arbitration for an Arbitrator agreed upon in writing by the parties or, in the absence of such agreement the Chairman of the Victorian Chapter of the Institute of Arbitrators, Australia or his nominate, for arbitration.
11. Provision is made in this Agreement that any matter be done to the satisfaction of the Responsible Authority or any of its officers and a dispute arises in relation thereto, such disputes shall be referred to the Tribunal in accordance with Section 149 (1) (b) of the Act.
12. The parties shall be entitled to legal representation for the purposes of any arbitration or referral referred to in clauses 10 and 11 and, unless the Arbitrator, Chairman, nominee or the Tribunal shall otherwise direct, each party must bear its own costs.

### Owner's Covenants

13. The Owner warrants and covenants that:
  - (a) The owner is both the registered proprietor and the beneficial owner of the land on the proposed Plan;
  - (b) there are no mortgages, liens, charges, easements or other encumbrances or any rights inherent in any person affecting the Subject Land and not disclosed by the usual searches;
  - (c) the Subject Land or any part of it is not subject to any rights obtained by adverse possession or subject to any easements, rights or encumbrances mentioned in Section 42 of the *Transfer of Land Act 1958*.

### Registration of Agreement

14. The Responsible Authority and the Owner shall do all things necessary (including signing any further agreement, acknowledgment or document) to enable the Responsible Authority to enter a memorandum of this Agreement on the Certificate of Title to the Land in accordance with Section 181 of the Act.
15. Without limiting the operation or effect which this Agreement has, the Owner must ensure that until such time as a Memorandum of this Agreement is registered on the Title to the Land, successors in title shall be required to:
  - 15.1 Give effect to and do all acts and sign all documents which will require those successors to give effect to this Agreement; and
  - 15.2 Execute under seal a deed agreeing to be bound by the terms of this Agreement and upon such execution this Agreement shall continue as if executed by such successors as well as by the parties to this Agreement as if the successor's name appeared in each clause in which the name of the Owner appears and in addition to the name of the Owner.



**Notification to Successors in Title**

16. The Owner will not sell, transfer, assign or otherwise part with possession of the Land or any part thereof until this Agreement and the Section 181 Application has been lodged with Land Victoria by or on behalf of the Responsible Authority and entered on the Certificate of Title to the Land.
17. The Owner will not sell, transfer, assign or otherwise part with possession of the Land or any part thereof without first disclosing to the intended purchaser, transferee or assignee the existence and nature of this Agreement.
18. The Owner and the Responsible Authority acknowledge and agree that this Agreement is made pursuant to Section 173 of the Act and during the period of this Agreement the obligations imposed on the Owner are conditions on which the Land may be used or developed for specified purposes and are intended to take effect as covenants which shall be annexed to and run at law and in equity with the Land and bind the Owner, its successors in title, assignees and transferees and the registered proprietor and proprietors for the time being of the Land and every part of the Land.

**Owner May Apply for Planning Permission**

19. The parties acknowledge and agree that this Agreement will not and is not intended to prejudice the rights of the Owner to make any application under the Planning Scheme for permission to use and develop the Land or prevent or constrain the Responsible Authority from considering and determining any such application in accordance with the requirements of the Planning Scheme and the Act.

**Service**

20. A notice or other communication required or permitted to be served by a party on another party shall be in writing and may be served:
  - 20.1 *by delivering it personally to that party;*
  - 20.2 *by sending it by prepaid post addressed to that party at the address set out in this Agreement or subsequently notified to each party from time to time; or*
  - 20.3 *by sending it by facsimile provided that a communication sent by facsimile shall be confirmed immediately in writing by the sending party by hand delivery or prepaid post.*
21. A notice or other communication is deemed served:
  - 21.1 *if delivered, on the next following business day;*
  - 21.2 *if posted, on the expiration of two business days after the date of posting;*  
*or*
  - 21.3 *if sent by facsimile, on the next following business day unless the receiving party has requested retransmission before the end of that business day.*

IN CONFIRMATION of their agreement the parties have executed this Agreement on the date set out at the commencement of the Agreement.

THE COMMON SEAL of TRUGANINA )  
PASTORAL COMPANY PTY. LTD. was affixed )  
hereto in accordance with its Constitution (or )  
Articles of Association) in the presence of:

.....Sole Director and Sole Company Secretary

Full Name GARY DEMPSEY

Usual Address Hawthorn East, Victoria 3123

.....  
Signature of witness

.....  
Name of witness (please print)

THE COMMON SEAL of the )  
COLAC OTWAY SHIRE )

was affixed by authority of the Council )

on the .... day of ..... 200.., )

in the presence of: )

.....  
Chief Executive Officer

**IN COMMITTEE**

**MOVED Cr Stephen Hart seconded Cr Lyn Russell that pursuant to the provisions of Section 89(2) of the Local Government Act, the meeting be closed to the public and Council move "In-Committee" in order to deal with:**

<b>SUBJECT</b>	<b>REASON</b>	<b>SECTION OF ACT</b>
PURCHASE OF LOT 25 ARTHUR COURT, APOLLO BAY	this matter deals with contractual matters; AND this matter may prejudice the Council or any person	Section 89 (2) (d) (h)

**CARRIED 6 : 0**

**OUT OF COMMITTEE**

**MOVED Cr Stephen Hart seconded Cr Stuart Hart that the meeting move out of committee.**

**CARRIED 6 : 0**

*The Meeting Was Declared Closed at 5.00pm*

**CONFIRMED AND SIGNED** at the meeting held on 23 SEPTEMBER 2009

.....**MAYOR**

.....**CHIEF EXECUTIVE OFFICER**